

City Council Meeting of Monday, March 6, 2017

City and County of Denver

Robin Kniech.....At Large
Deborah "Debbie" Ortega..... At Large
Rafael G. Espinoza..... District 1
Kevin Flynn..... District 2
Paul D. López.....District 3
Kendra Black..... District 4
Mary Beth Susman.....District 5
Paul Kashmann..... District 6



Jolon Clark..... District 7
Christopher Herndon..... District 8
Albus Brooks..... District 9
Wayne New..... District 10
Stacie Gilmore..... District 11
Janna B. Young..... Director
Kelly Velez..... Clerk

Room 451
City & County Building
1437 Bannock Street
Denver CO 80202

Phone: 720-337-2000
Email: dencc@denvergov.org

MEETING ASSISTANCE NOTICE - AMERICANS WITH DISABILITIES ACT AND LANGUAGE INTERPRETATION

The Council Chambers has listening devices for people with a hearing loss. Request a device from the Council Secretary. The City can provide sign language interpretation, CART (computer assisted real-time transcription), and foreign language interpretation for persons attending City Council meetings. If you need any of these accommodations, please email dencc@denvergov.org or call 720-337-2000 three (3) business-days prior to the Council meeting.

CITY COUNCIL AGENDA

The City Council agenda and meeting schedule are made available for public review during normal business hours at the City & County Building, 1437 Bannock St., Rm. 451, on Thursday afternoons prior to the regularly scheduled Council meeting. The agenda packet is also posted on the City Council website at <https://www.denvergov.org/citycouncil>. Questions on agenda items may be directed to the Denver City Council at 720-337-2000.

AUDIO/VIDEO ACCESS TO CITY COUNCIL MEETINGS

City Council meetings are televised live on cable TV Channel 8, and can be viewed via live or archived webcast at <https://denver.legistar.com>.

PUBLIC COMMENT DURING PUBLIC HEARINGS

This is the time of the meeting for the City Council to receive comments from the public regarding items up for consideration scheduled for public hearing. To speak, sign up with the Council Secretary either before the meeting starting at 5pm in Rm. 451 of the City & County Building, or during the recess of Council. Speakers must be present to sign a speaker card – no sign-up by proxy permitted. Each speaker is allowed 3 minutes, unless another speaker has yielded his or her time which would result in a maximum of 6 minutes (for required hearings only; no yielding of time for courtesy hearings). Please contact the Denver City Council for more information at 720-337-2000.

GENERAL PUBLIC COMMENT SESSIONS

Starting at 5pm before the first regularly scheduled Council meeting each month, City Council hosts a 30-minute general public comment session, allowing members of the public to address the full Council with concerns regarding any city matter. Speakers have 3 minutes to speak and must sign up via email at dencc@denvergov.org, phone at 720-337-2000 or in person in Rm. 451, City & County Building before 4:30pm on the day the general public comment session is scheduled. No sign up by proxy permitted. Please contact the Denver City Council for more information at 720-337-2000.

PLEDGE OF ALLEGIANCE

ROLL CALL

APPROVAL OF THE MINUTES

[17-0297](#) Minutes of Monday, February 27, 2017.

COUNCIL ANNOUNCEMENTS

PRESENTATIONS

COMMUNICATIONS

PROCLAMATIONS

[17-0298](#) **A proclamation honoring Reverend Dr. William T. Golson, Jr.**

Sponsors Gilmore, Herndon, Black, Kashmann, López, Clark, Susman, New,
Brooks and Flynn

[17-0299](#) **A proclamation congratulating the Denver St. Patrick's Day Parade Committee on the occasion of the 55th annual parade on March 11, 2017.**

Sponsors Brooks, Black, Kashmann, López, Clark, Susman, Gilmore, New and
Flynn

[17-0304](#) **A proclamation in support of National Native HIV/AIDS Awareness Day & National Women and Girls HIV/AIDS Awareness Day.**

Sponsors López, Espinoza, Flynn, Gilmore, New, Kashmann, Susman, Black and
Clark

RESOLUTIONS**Business, Arts, Workforce & Aeronautical Services Committee**

[17-0151](#) A resolution approving a proposed Master Purchase Order between the City and County of Denver and TMA Construction Supply, LLC for concrete repair products for taxiways and runways at Denver International Airport.

Approves a master purchase order with TMA Construction Supply, LLC in the amount of \$850,000 for concrete repair materials for rapid taxiway and runway repair at Denver International Airport (0653A0117). The last regularly scheduled Council meeting within the 30-day review period is on 3-28-17. The Committee approved filing this resolution by consent on 2-22-17.

[17-0225](#) A resolution approving a proposed First Amendment to Agreement between the City and County of Denver and Denver Services, LLC concerning office space providing delivery and remote check-in of baggage at Denver International Airport.

Amends a lease agreement with Denver Services, LLC, a company contracting with several airlines to provide luggage-delivery and remote check-in services to passengers, by adding five years for a new end date of 12-31-21 for the leasing of office space at Denver International Airport. There is no change to the lease amount (201631918). The last regularly scheduled Council meeting within the 30-day review period is on 3-28-17. The Committee approved filing this resolution by consent on 2-22-17.

[17-0227](#) A resolution approving a proposed Contract between the City and County of Denver and Interstate Highway Construction, Inc. concerning the repair and replacement of pavement and mitigation of drainage and ponding issues at Denver International Airport.

Approves a contract with Interstate Highway Construction, Inc. in the amount of \$27,207,550.96 for sixteen months from the notice to proceed date for the repair and replacement of deteriorating pavement, and the mitigation of drainage and ponding issues in the southeast quadrant of B Concourse at Denver International Airport (201631515). The last regularly scheduled Council meeting within the 30-day review period is on 3-28-17. The Committee approved filing this resolution by consent on 2-22-17.

[17-0228](#) A resolution approving a proposed First Amendment between the City and County of Denver and American Airlines, Inc. concerning an agreement to operate and provide service at Denver International Airport.

Amends a use and lease agreement with American Airlines by adding two additional one-year periods with a new end date of 12-31-18, and for a rate of \$20,710,000 in annual revenue to operate and provide service at Denver International Airport (201205587). The last regularly scheduled Council meeting within the 30-day review period is on 3-28-17. The Committee approved filing this resolution by consent on 2-22-17.

[17-0229](#) A resolution approving a proposed First Amendment between the City and County of Denver and Frontier Airlines, Inc. concerning an agreement to operate and provide service at Denver International Airport.

Amends a use and lease agreement with Frontier Airlines by adding two additional one-year periods with a new end date of 12-31-18, and at a rate of \$33,319,000 in annual revenue to operate and provide service at Denver International Airport (201206414). The last regularly scheduled Council meeting within the 30-day review period is on 3-28-17. The Committee approved filing this resolution by consent on 2-22-17.

Finance & Governance Committee

[17-0223](#) A resolution approving a proposed Purchase Order between the City and County of Denver and Ramtech Building Systems, Inc. for commuter expansion modules at Denver International Airport.

Approves a \$6,128,896 master purchase order with Ramtech Building Systems, Inc. for commuter expansion modules to create 38,920 square feet of working space to house project managers and teams working on forthcoming expansion projects at Denver International Airport (19573). The last regularly scheduled Council meeting within the 30-day review period is on 3-28-17. The Committee approved filing this resolution by consent on 2-21-17.

Land Use, Transportation & Infrastructure Committee**[17-0131](#) A resolution approving a proposed Contract between the City and County of Denver and Richdell Construction, Inc. for site development, landscape and irrigation construction services.**

Approves a contract with Richdell Construction for three years and for \$2.5 million for on-call site development, landscape and irrigation construction services including demolition, site grading, landscape planting, and other miscellaneous work citywide (PARKS-201732900-00). The last regularly scheduled Council meeting within the 30-day review period is on 3-28-17. The Committee approved filing this resolution by consent on 2-14-17.

[17-0132](#) A resolution approving a proposed Contract between the City and County of Denver and T2 Construction, Inc. for site development, landscape and irrigation construction services.

Approves a contract with T2 Construction for three years and for \$2.5 million for on-call site development, landscape and irrigation construction services including demolition, site grading, landscape planting, and other miscellaneous work citywide (PARKS-201631182-00). The last regularly scheduled Council meeting within the 30-day review period is on 3-28-17. The Committee approved filing this resolution by consent on 2-14-17.

[17-0167](#) A resolution approving a proposed Contract between the City and County of Denver and Goodland Construction, Inc. for site development, landscape and irrigation construction services.

Approves a contract with Goodland Construction, Inc. for three years and for \$2.5 million for on-call site development, landscape and irrigation construction services including demolition, site grading, landscape planting, and other miscellaneous work citywide (201732897). The last regularly scheduled Council meeting within the 30-day review period is on 3-28-17. The Committee approved filing this resolution by consent on 2-14-17.

[17-0221](#) A resolution laying out, opening and establishing as part of the City street system a parcel of land as a public alley bounded by Vrain Street, Winona Court and West Wells Place.

Dedicates a parcel of land as public right-of-way as public alley at a location in Block 4, Pleasant Hill Subdivision, bounded by Vrain Street, Winona Street and West Wells Place in Council District 1. The Committee approved filing this resolution by consent on 2-21-17.

[17-0232](#) A resolution amending Resolution No. 43, Series 2010 to expand the area of the revocable permit to Denver Bike Sharing, to encroach into the right-of-way at 1515 Delgany Street.

Amends an encroachment granted to Denver Bike Sharing to encroach into the right-of-way with bicycle docking stations at 1515 Delgany Street with an expansion of the current docking station and increasing the footprint by 68 square feet for a total of 200 square feet in Council District 9. The Committee approved filing this resolution by consent on 2-21-17.

Safety, Housing, Education & Homelessness Committee

[17-0222](#) A resolution approving the Mayor's appointments to the Denver Lesbian, Gay, Bisexual, Transgender and Queer Commission.

Approves the Mayoral appointments of Robert D. Farol Jr., Megan Fowler, Lauren Cikara, Angela Maxwell, Andrea Putman, and Shawn Turk to the Denver Lesbian, Gay, Bisexual, Transgender, and Queer Commission for terms effective immediately and expiring on 2-1-19, or until successors are duly appointed. The Committee approved filing this resolution by consent on 2-22-17.

BILLS FOR INTRODUCTION

Finance & Governance Committee

[17-0260](#) A bill for an ordinance rescinding budget, transferring cash and making appropriations in the General Fund, General Government and Culture and Recreation Special Revenue Funds of moneys designated by City Council for various projects.

Approves the City Council 2016 year-end budget reconciliation by transferring \$149,593 of City Council budget savings to City Council Special Revenue Funds, transferring \$31,635 of City Council budget savings to other City funds for various projects, and giving back \$26,024 of budget savings to the City's General Fund. The Committee approved filing this resolution by consent on 2-21-17.

Land Use, Transportation & Infrastructure Committee**[17-0122](#) A bill for an ordinance approving a proposed Third Amendatory Agreement between the City and County of Denver and Urban Drainage and Flood Control District for design and construction of drainage improvements for Westerly Creek from Kelly Road Dam to 13th Avenue.**

Amends an intergovernmental agreement with the Urban Drainage Flood Control District by adding \$500,000 for a new total amount of \$2,010,000 for the design and construction of drainage improvements at Westerly Creek between 11th and 13th streets in Council District 5. No change to contract duration (201417051). The last regularly scheduled Council meeting within the 30-day review period is on 3-28-17. The Committee approved filing this bill by consent on 2-14-17.

[17-0150](#) A bill for an ordinance changing the zoning classification for 2827 & 2833 West 25th Avenue in Jefferson Park.

Rezones property located at 2827 and 2833 W 25th Avenue from G-MU-3, UO-3 to G-MS-3, from general urban residential context to general urban main street context, in Council District 1. IF ORDERED PUBLISHED, A PUBLIC HEARING WILL BE HELD ON THIS ITEM. REFER TO THE "PENDING" SECTION OF THE FUTURE COUNCIL MEETING AGENDAS FOR THE DATE. The Committee approved filing this bill at its meeting on 2-21-17.

[17-0162](#) A bill for an ordinance changing the zoning classification of 3325 and 3327 Tejon Street in the Highland neighborhood.

Approves an official map amendment to rezone land at 3325 and 3327 Tejon Street from U-TU-B and DO-4 to PUD-G 16, from urban context, two-building lot to a planned unit development, in Council District 1. IF ORDERED PUBLISHED, A PUBLIC HEARING WILL BE HELD ON THIS ITEM. REFER TO THE "PENDING" SECTION OF THE FUTURE COUNCIL MEETING AGENDAS FOR THE DATE. The Committee approved filing this bill at its meeting on 2-21-17.

[17-0231](#) A bill for an ordinance relinquishing a portion of an easement established by Ordinance No. 635, Series of 2012, in the alley bounded by West 10th Avenue, West 11th Avenue, Navajo Street and Mariposa Street.

Relinquishes a portion of a single easement established in the vacating Ordinance No. 635, Series of 2012, located in the alley bounded by West 10th Avenue and West 11th Avenue, and Navajo Street and Mariposa Street in Council District 3. The last regularly scheduled Council meeting within the 30-day review period is on 3-28-17. The Committee approved filing this bill by consent on 2-21-17.

Safety, Housing, Education & Homelessness Committee

[16-1337](#) **A bill for an ordinance approving a proposed Fourth Amendatory Agreement between the City and County of Denver and State of Colorado Judicial Department to pay for a prevention coordinator to provide a school based gang prevention program.**

Amends a contract with the State of Colorado Judicial Department by extending the end date by one year to 12-3-17 and adding \$53,951.36 to the contract for a total contract in the amount of \$660,472.20 to continue the work of the Gang Reduction Initiative of Denver (GRID) program citywide (SCITY-201100301-03). The last regularly scheduled Council meeting within the 30-day review period is on 3-28-17. The Committee approved filing this bill by consent on 12-28-16.

[17-0224](#) **A bill for an ordinance authorizing expenditures in the General Government Special Revenue Fund based on a letter of intent from the Colorado Division of Homeland Security & Emergency Management to award funding for the "2017 Emergency Management Performance Grant (EMPG)" program.**

Approves an appropriation of \$150,000 for the annual Emergency Management Performance Grant from the Colorado Division of Homeland Security & Emergency Management. The Committee approved filing this bill by consent on 2-22-17.

BILLS FOR FINAL CONSIDERATION**Finance & Governance Committee**

[16-1202](#) **A bill for an ordinance amending the Denver Code of Ethics, and making conforming amendments to the Article V of Chapter 2, D.R.M.C. concerning financial disclosure requirements.**

Approves amending the Denver Code of Ethics. The Committee approved filing this bill at its meeting on 2-21-17. This bill was approved for filing by title only by Council President Brooks.

[17-0156](#) A bill for an ordinance making supplemental appropriations from the General Contingency Fund to the General Government Special Revenue Fund.

Approves a \$4 million supplemental appropriation from the City's General Fund Contingency to the Office of Economic Development to support the Business Incentive Fund's support of a general merchandise mass retail store on the 16th Street Mall at 1601 California Street in Council District 9. The Committee approved filing this bill at its meeting on 2-21-17. This bill was approved for late filing by Council President Brooks.

Land Use, Transportation & Infrastructure Committee

[17-0143](#) A bill for an ordinance amending golf course fees under sub-section 39-121(2) and amending event facilities fees under sub-subsections 39-121(10) (b) and (c) of the Revised Municipal Code.

Amends Sections 39-121(2), 39-121(10)(b), and (c) of the Denver Revised Municipal Code to change golf fees, event permitting, and event facilities fees at various locations citywide. The Committee approved filing this bill by consent on 2-14-17.

[17-0153](#) A bill for an ordinance vacating a portion of an alley bounded by 15th Street, Wynkoop Street, Wazee Street and the Cherry Creek, with reservations.

Vacates a portion of the public alley bounded by 15th Street and the Cherry Creek and Wynkoop Street and Wazee Street, with reservations, in Council District 9. The Committee approved filing this bill by consent on 2-14-17.

[17-0155](#) A bill for an ordinance agreeing to the State of Colorado's abandonment of that portion of State Highway 265, known as Brighton Boulevard, from the north right of way line of 47th Avenue northerly along Brighton Boulevard to the City and County of Denver boundary to be owned and maintained by the City and County of Denver.

Accepts the State of Colorado's abandonment of a portion of State Highway 265, known as Brighton Boulevard, to be owned and maintained by the City located near 47th Avenue and Brighton Boulevard in Council District 9. The Committee approved filing this bill by consent on 2-14-17.

RECAP OF BILLS TO BE CALLED OUT

PRE-RECESS ANNOUNCEMENT

RECESS

COUNCIL RECONVENES AND RESUMES ITS REGULAR SESSION

PUBLIC HEARINGS - BILLS FOR FINAL CONSIDERATION

PRE-ADJOURNMENT ANNOUNCEMENT

Dependent upon publication, on Monday, April 3, 2017, Council will hold a required public hearing on Council Bill 17-0162, changing the zoning classification of 3325 and 3327 Tejon Street in the Highland neighborhood; and, a required public hearing on Council Bill 17-0150, changing the zoning classification for 2827 and 2833 West 25th Avenue in Jefferson Park. Any protests against Council Bill 17-0162 or Council Bill 17-0150 must be filed with the Council Offices no later than Tuesday, March 28, 2017.

ADJOURN

PENDING

FOR 3-13-17

[17-0045](#) **A bill for an ordinance changing the zoning classification for 10200 Smith Road, commonly referred to as Sand Creek Open Space and 9507 East 35th Avenue, commonly referred to as Prairie Uplands Park in Stapleton.**

Rezones property located at 10200 Smith Road and 9507 East 35th Avenue from OS-B to OS-A, open space recreation to open space parks, in Council District 8. The Committee approved filing this bill at its meeting on 1-24-17.

Final Consideration

Required Public Hearing

PENDING CONTINUED

FOR 3-20-17

[17-0084](#) A bill for an ordinance changing the zoning classification for 12150 East Andrews Drive.

Rezones property located at 12150 East Andrews Drive from S-SU-F to S-MU-3, suburban single-unit to suburban mixed-use, in Council District 8. The Committee approved filing this bill at its meeting on 2-7-14.

Final Consideration**Required Public Hearing****[17-0161](#) A bill for an ordinance amending the Denver Zoning Code to revise parking exemptions for pre-existing small zone lots.**

Approves a text amendment to the Denver Zoning Code to revise the Pre-Existing Small Zone Lot parking exemption. The Committee approved filing this bill at its meeting on 2-14-17.

First Reading**[17-0277](#) A bill for an ordinance providing for an extension of approximately two months of an existing moratorium enacted by Ordinance 20160498, Series of 2016, prohibiting the use of the Denver Zoning Code's pre-existing small zone lot parking exemption for certain projects.**

Extends an existing moratorium prohibiting the use of the Denver Zoning Code's pre-existing small zone lot parking exemption for certain projects by adding approximately two months to the original moratorium adopted in August of 2016. This bill was approved for filing on the floor by Councilmember Brooks on 2-23-17.

Final Consideration**Required Public Hearing**