

City Council Meeting of Monday, September 18, 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
Leon Mason.....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

[17-1031](#) Minutes of Monday, September 11, 2017

COUNCIL ANNOUNCEMENTS

PRESENTATIONS

COMMUNICATIONS

PROCLAMATIONS

[17-1037](#) **A proclamation supporting the Colorado Energy Plan.**

Sponsors Clark, López, Kashmann, Gilmore, Ortega and Black

[17-1039](#) **A proclamation celebrating the 10th anniversary of the Denver
Preschool Program.**

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

RESOLUTIONS

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

[17-0348](#) **A resolution approving the mayoral appointment to the Cableland
Home Foundation Board of Directors.**

Approves the Mayoral appointment of Mary Beth Susman to the Cableland Home Foundation Board of Directors for a term effective immediately and until a new successor is duly appointed. The Committee approved filing this resolution by consent on 3-22-17.

[17-0986](#) A resolution approving a proposed License Agreement between the City and County of Denver and Sprint Spectrum Realty Company LP, concerning use, maintenance and expansion of existing communication conduit and fiber optic cabling at Denver International Airport.

Approves a two-year revenue contract with Sprint Spectrum Realty Company LP in the amount of \$460,028.90 for the use, maintenance, and expansion of existing communication conduit and fiber optic cabling throughout Denver International Airport (201734551). The last regularly scheduled Council meeting within the 30-day review period is on 10-9-17. The Committee approved filing this resolution by consent on 9-6-17.

[17-0987](#) A resolution approving a proposed License Agreement between the City and County of Denver and T-Mobile West, LLC, concerning use, maintenance and expansion of existing communication conduit and fiber optic cabling at Denver International Airport.

Approves a two-year revenue contract with T-Mobile West, LLC in the amount of \$350,254.48 for two years for the use, maintenance, and expansion of existing communication conduit and fiber optic cabling throughout Denver International Airport (201734556). The last regularly scheduled Council meeting within the 30-day review period is on 10-9-17. The Committee approved filing this resolution by consent on 9-6-17.

[17-0988](#) A resolution approving a proposed License Agreement between the City and County of Denver and Verizon Wireless (VAW) LLC, d/b/a Verizon Wireless, concerning use, maintenance and expansion of existing communication conduit and fiber optic cabling at Denver International Airport.

Approves a two-year revenue contract with Verizon Wireless in the amount of \$994,287.36 for the use, maintenance, and expansion of existing communication conduit and fiber optic cabling throughout Denver International Airport (201734554). The last regularly scheduled Council meeting within the 30-day review period is on 10-9-17. The Committee approved filing this resolution by consent on 9-6-17.

[17-0989](#) A resolution approving a proposed License Agreement between the City and County of Denver and New Cingular Wireless PCS, LLC, concerning use, maintenance and expansion of existing communication conduit and fiber optic cabling at Denver International Airport.

Approves a two-year revenue contract with New Cingular Wireless PCS, LLC in the amount of \$1,001,553.24 for the use, maintenance, and expansion of existing communication conduit and fiber optic cabling throughout Denver International Airport (201734549). The last regularly scheduled Council meeting within the 30-day review period is on 10-9-17. The Committee approved filing this resolution by consent on 9-6-17.

Land Use, Transportation & Infrastructure Committee

[17-0979](#) A resolution laying out, opening and establishing as part of the City street system a parcel of land as a public alley near the intersection of South Cherokee Street and West Arizona Avenue.

Dedicates a parcel of land as public right-of-way as public alley located near the intersection of South Cherokee Street and West Arizona Avenue in Council District 7. The Committee approved filing this resolution by consent on 9-5-17.

[17-0980](#) A resolution laying out, opening and establishing as part of the City street system parcels of land as East Smith Road near the intersections of East Smith Road between North Dahlia Street and North Kearney Street.

Dedicates a parcel of land as public right-of-way as East Smith Road located approximately at East Smith Road between North Dahlia Street and North Kearney Street in Council District 8. The Committee approved filing this resolution by consent on 9-5-17.

[17-0983](#) A resolution approving a proposed Event Agreement between the City and County of Denver and The Urban Farm d/b/a The Urban Farm at Stapleton to conduct multiple events.

Approves a non-financial agreement with The Urban Farm at Stapleton for six months to hold two events known as Farm Fest consisting of barn dancing and a community open house located at 10200 Smith Road in Council District 8 (201735811). The last regularly scheduled Council meeting within the 30-day review period is on 10-9-17. The Committee approved filing this resolution by consent on 9-5-17.

[17-0985](#) A resolution approving a proposed Cooperative Agreement between the City and County of Denver and HistoriCorps for the Morrison Civilian Conservation Corps Camp and historic restoration within Red Rocks Park.

Approves a non-financial agreement with HistoriCorps for five years to occupy Building 1 in the Red Rocks Park for administrative use in exchange for certain historic facility restoration work (201736487). The last regularly scheduled Council meeting within the 30-day review period is on 10-9-17. The Committee approved filing this resolution by consent on 9-5-17.

Safety, Housing, Education & Homelessness Committee

[17-0344](#) A resolution approving the mayoral appointments to the Denver Asian Pacific American Commission.

Approves the Mayoral appointments of Nga Vuong-Sandoval and Adam You to the Denver Asian Pacific American Commission for terms effective immediately and expiring 1-22-19, or until successors are duly appointed. The Committee approved filing this resolution by consent on 3-22-17.

[17-1038](#) A resolution authorizing and approving the expenditure and payment from the appropriation account designated "liability claims," the total sum of Sixty-Five Thousand Dollars (\$65,000.00), payable to Keith Gibson in the amount of \$37,774.82 and Killmer, Lane & Newman, LLP, in the amount of \$27,225.18 in full payment and satisfaction of all claims in Case No. 16-cv-01488-RPM, in the United States District Court for the District of Colorado.

Settles a claim involving the Denver Sheriff's Department. This resolution was approved for filing at the Mayor-Council meeting on 9-12-17.

BILLS FOR INTRODUCTION**Finance & Governance Committee****[17-0982](#) A bill for an ordinance making an appropriation within the Denver Arts and Venues Special Revenue Fund.**

Approves a \$6.9 million supplemental budget appropriation request for Denver Arts & Venues from the Arts and Venues Special Revenue Fund to cover the costs of additional events in City venues due to higher than expected event space utilization for 2017. The Committee approved filing this bill by consent on 9-5-17.

Land Use, Transportation & Infrastructure Committee**[17-0903](#) A bill for an ordinance designating the Packard's Hill Historic District, located generally between Lowell Boulevard on the east, 35th Avenue on the north, the alley between Osceola Street and Perry Street on the west, and 32nd Avenue on the south, as a district for preservation.**

Approves the designation of Packard's Hill as a Landmark Historic District for preservation, bounded approximately by Lowell Boulevard & Osceola Street and 32nd Avenue & 35th Avenue 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 8-22-17.

BILLS FOR FINAL CONSIDERATION**Business, Arts, Workforce & Aeronautical Services
Committee**

[17-0938](#) **A bill for an ordinance concerning certain airport facilities of the City and County of Denver, authorizing the issuance of "City and County of Denver, Colorado, for and on behalf of its Department of Aviation, Special Facilities Airport Revenue Refunding Bonds (United Airlines, Inc. Project) Series 2017" in a maximum aggregate principal amount of \$280,000,000 for the purpose of refunding and defeasing all of the outstanding \$270,025,000 City and County of Denver, Colorado for and on behalf of its Department of Aviation, Special Facilities Airport Revenue Refunding Bonds (United Air Lines Project), Series 2007A; providing the form, terms and other details of the Series 2017 Bonds; pledging to the payment of the Series 2017 Bonds certain facilities rentals and a related Series 2017 Bond Guaranty; providing various covenants, agreements and other provisions concerning such airport facilities and the Series 2017 Bonds; authorizing the execution and delivery by the City of a 2017 Amended and Restated Special Facilities and Ground Lease with United Airlines, Inc. with respect to such airport special facilities and related land; authorizing the execution of certain related agreements; ratifying action previously taken relating to the foregoing; and providing for other matters relating thereto.**

Authorizes the Manager of Finance to issue City and County of Denver, for and on behalf of its Department of Aviation, Special Facilities Airport Revenue Refunding Bonds, Series 2017, in a par amount not to exceed \$280 million for the purpose of refunding outstanding Special Facilities Airport Revenue Bonds and paying costs of issuance expenses. The last regularly scheduled Council meeting within the 30-day review period is on 10-2-17. The Committee approved filing this bill by consent on 8-23-17.

[17-0972](#) **A bill for an ordinance concerning the Airport System of the City and County of Denver; establishing the "Airport System General Junior Lien Bond Ordinance"; authorizing and establishing general provisions relating to Junior Lien Bonds and Junior Lien Obligations; providing the forms, terms, and conditions of such Junior Lien Bonds and Junior Lien Obligations; ratifying action previously taken; providing other matters relating thereto; and providing the effective date hereof.**

Authorizes the creation of the Airport System General Junior Lien Bond Ordinance and thereby the general provisions and parameters for all future Junior Lien Obligations for Denver International Airport, subject to further City Council approval, and to provide for terms and conditions of such obligations. The last regularly scheduled Council meeting within the 30-day review period is on 10-2-17. The Committee approved filing this resolution by consent on 8-30-17.

[17-0973](#) **A bill for an ordinance concerning the incurrence of a Junior Lien Obligation under the General Junior Lien Bond Ordinance in connection with certain payments required to be made under the Great Hall Development Agreement; providing for the creation of a related account in connection therewith; ratifying action previously taken; providing for other related matters; and providing the effective date hereof.**

Authorizes the incurrence of a Junior Lien Obligation for the Great Hall Project, pursuant to the Airport System General Junior Lien Bond Ordinance and Great Hall Development Agreement, to allow the City to fulfill legal obligations for supplemental payments as outlined in the Great Hall development agreement. The last regularly scheduled Council meeting within the 30-day review period is on 10-2-17. The Committee approved filing this bill by consent on 8-30-17.

Finance & Governance Committee

[17-0930](#) **A bill for an ordinance amending Articles I through IV, Article VI and Article VII of Chapter 53 (Taxation and Miscellaneous Revenue) of the Revised Municipal Code, to replace the City's tax exemption for charitable and religious corporations with a new tax exemption for non-profit organizations exempt under Internal Revenue Code 501(c)(3).**

Amends Chapter 53 of the Denver Revised Municipal Code relating to the definition of charitable corporation to correct formatting errors and utilize the current definition of a "Retailer or Vendor." The Committee approved filing this bill by consent on 8-22-17.

[17-0931](#) A bill for an ordinance making a supplemental appropriation from the General Fund Contingency to the Hearing Office.

Approves a supplemental appropriation in the amount of \$302,000 from the General Fund Contingency to fulfill the City's obligation for a personnel settlement. The Committee approved filing this bill by consent on 8-22-17.

[17-0937](#) A bill for an Ordinance approving the City's consent to the dissolution of the Denver Union Station Project Authority and related intergovernmental agreements including the DUSPA Omnibus Assignment and Assumption Agreement and the DUSPA Dissolution Project Coordination and Cash Fund Management Agreement.

Approves the dissolution of the Denver Union Station Project Authority and assignment of outstanding responsibilities to the City and to the Regional Transportation District including the 20th Street and Chestnut Place intersection improvements and other duties. The last regularly scheduled Council meeting within the 30-day review period is on 10-2-17. The Committee approved filing this bill by consent on 8-22-17.

[17-0960](#) A bill for an ordinance amending Ordinance 260, Series 2017, concerning 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.

Amends Ordinance 260, Series of 2017, to transfer \$3,000 from the Denver Police General Fund budget to the Denver Police Donations Fund to correct a previous error in designating funding for the Bear Valley Cop Shop in Council District 2. The Committee approved filing this bill by consent on 8-29-17.

Land Use, Transportation & Infrastructure Committee**[17-0914](#) A bill for an ordinance approving a proposed Intergovernmental Agreement between the City and County of Denver and Board of Water Commissioners, for reimbursement by Denver Water to relocate pipes in Brighton Boulevard.**

Approves an agreement with the Denver Water Board of Commissioners for \$3,637,060 and for three years to relocate their water lines which conflict with improvements resulting from the reconstruction of Brighton Boulevard from 29th Avenue to 40th Avenue and from 40th Avenue to 44th Avenue in Council District 9 (201736412). The last regularly scheduled Council meeting within the 30-day review period is on 9-25-17. The Committee approved filing this bill by consent on 8-15-17.

[17-0939](#) A bill for an ordinance approving a Framework Agreement and its exhibits among the City and County of Denver, Colorado State University, The Western Stock Show Association, and the National Western Center Authority; and exempting the public buildings on the National Western Center campus from the naming requirements of Section 2-275, D.R.M.C.

Approves a framework agreement with Colorado State University, the Western Stock Show Association, and the National Western Center Authority for fifty years, with two possible 25 year extensions, to authorize formation of an authority to operate the new facilities and govern the roles and responsibilities of each party for the redevelopment of the existing National Western Complex into a year-round venue to preserve the National Western Stock Show in Denver for the next 100 years, provide room for new programming, provide connectivity to surrounding neighborhoods, and bring more visitors to Denver. The last regularly scheduled Council meeting within the 30-day review period is on 10-2-17. The Committee approved filing this bill at its meeting on 8-29-17.

[17-0961](#) A bill for an ordinance relinquishing the easement reserved in Ordinance No. 15-0741, Series of 2015, recorded with Denver Clerk & Recorder at Reception No. 2015154997, located at 1251 through 1295 Knox Court.

Relinquishes the easement reserved in Vacation Ordinance No. 15-0741, Series of 2015, Recordation No. 2015154997, located at 1251-1295 Knox Court in Council District 3. The last regularly scheduled Council meeting within the 30-day review period is on 10-2-17. The Committee approved filing this bill by consent on 8-29-17.

[17-0962](#) A bill for an ordinance relinquishing a portion of the reservations established in Ordinance No. 363, Series of 1967, located at 1701 South Clayton Street.

Relinquishes the reservations established in Vacating Ordinance No. 363, Series of 1967, located at 1701 South Clayton Street in Council District 6. The last regularly scheduled Council meeting within the 30-day review period is on 10-2-17. The Committee approved filing this bill by consent on 8-29-17.

RECAP OF BILLS TO BE CALLED OUT**PRE-RECESS ANNOUNCEMENT**

Tonight, there will be a required public hearing on Council Bill 17-0841, changing the zoning classification for 385, 395, 405 and 415 South Cherokee Street in Baker. Anyone wishing to speak on this matter must see the Council Secretary to receive a speaker card to fill out and return to her during the recess of Council.

RECESS**COUNCIL RECONVENES AND RESUMES ITS REGULAR SESSION****PUBLIC HEARINGS - BILLS FOR FINAL CONSIDERATION****Land Use, Transportation & Infrastructure Committee**

[17-0841](#) A bill for an ordinance changing the zoning classification for 385, 395, 405 & 415 South Cherokee Street in Baker.

Approves an official map amendment to rezone property located at 385, 395, 405, and 415 South Cherokee Street from I-B UO-2 to C-MX-16 in Council District 7. The Committee approved filing this bill by consent on 8-8-17.

PRE-ADJOURNMENT ANNOUNCEMENT

Dependent upon publication, on Monday, September 25, 2017, Council will hold a required public hearing on Council Bill 17-0903, designating the Packard's Hill Historic District, located generally between Lowell Boulevard on the east, 35th Avenue on the north, the alley between Osceola Street and Perry Street on the west, and 32nd Avenue on the south, as a district for preservation.

ADJOURN**PENDING**

FOR 10-02-17

[17-0912](#) **A resolution to set a public hearing relating to the I-25 and Broadway Urban Redevelopment Plan and directing the Denver Urban Renewal Authority to take certain actions in connection with the hearing.**

Sets a public hearing before City Council for 10-02-17 on the I-25 and Broadway Urban Redevelopment Plan in Council District 7. The Committee approved filing this resolution by consent on 8-15-17.