

## City Council Meeting of Monday, February 27, 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](mailto: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](mailto: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](mailto: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**

[17-0275](#) Minutes of Tuesday, February 27, 2017

**COUNCIL ANNOUNCEMENTS**

**PRESENTATIONS**

**COMMUNICATIONS**

**PROCLAMATIONS**

[17-0280](#) **A proclamation honoring the 90th anniversary of the West Point Society of Denver.**

**Sponsors** Herndon, Flynn, Brooks, Espinoza, Clark, New, Susman and Black

**RESOLUTIONS**

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

[17-0163](#) **A resolution approving a proposed Agreement between the City and County of Denver and SIXTEEN CAL LLC to provide goods and services to the public and other customers located at 1601 California Street.**

Approves a Business Incentive Fund (BIF) contract with 16 CAL, LLC for twenty years and for \$4 million for the completion and operation of a strategic retail store on the 16th Street Mall at 1601 California Street in Council District 9 (OEDEV-201733017-00). The last regularly scheduled Council meeting within the 30-day review period is on 3-20-17. The Committee approved filing this bill at its meeting on 2-15-17.

**Land Use, Transportation & Infrastructure Committee****[17-0147](#) A resolution approving a proposed Amendatory Agreement by and between the City and County of Denver and Zonar Systems, Inc., to increase funds to provide GPS technology in street maintenance and solid waste vehicles.**

Amends a contract with Zonar Systems, Inc. by adding \$600,000 for a new total contract amount of \$1,584,527.62 for GPS technology used by Street Maintenance and Solid Waste vehicles to maximize route planning, reduce fuel consumption, and lower emissions citywide. No change to contract duration (201312449-01). The last regularly scheduled Council meeting within the 30-day review period is on 3-20-17. The Committee approved filing this resolution by consent on 2-14-17.

**[17-0154](#) A resolution approving a proposed Amendatory Lease and Agreement between the City and County of Denver and Boys and Girls Clubs of Metro Denver, Inc. for the real property and improvements located at 4395 and 4397 Crown Court, Denver, Colorado to provide youth programs.**

Amends a contract with the Boys and Girls Club of Metro Denver, Inc. by adjusting the reporting deadline, exhibit modifications, and other provisions for existing youth programming including health, arts, leadership development, gang prevention, and athletics at the former Montbello Recreation Center in Council District 8. No change to contract amount or duration (RC3A009). The last regularly scheduled Council meeting within the 30-day review period is on 3-20-17. The Committee approved filing this resolution by consent on 2-14-17.

**[17-0164](#) A resolution approving a proposed Contract between the City and County of Denver and CTM Inc. for site development, landscape and irrigation construction services.**

Approves a contract with CTM, 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 (201631142). The last regularly scheduled Council meeting within the 30-day review period is on 3-20-17. The Committee approved filing this resolution by consent on 2-14-17.

**[17-0165](#) A resolution approving a proposed Contract between the City and County of Denver and Colorado Designscares, Inc. for site development, landscape and irrigation construction services.**

Approves a contract with Colorado Designscares, 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 (201631171). The last regularly scheduled Council meeting within the 30-day review period is on 3-20-17. The Committee approved filing this resolution by consent on 2-14-17.

**[17-0166](#) A resolution approving a proposed Contract between the City and County of Denver and ECI Site Construction Management, Inc. for site development, landscape and irrigation construction services.**

Approves a contract with ECI Site Construction Management, 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 (201631146). The last regularly scheduled Council meeting within the 30-day review period is on 3-20-17. The Committee approved filing this resolution by consent on 2-14-17.

**Safety, Housing, Education & Homelessness Committee**

**[17-0146](#) A resolution approving the Mayor's reappointments to the Denver Asian Pacific American Commission.**

Approves the Mayoral reappointments of Michelle Yi, Tejaswinhi Srinivas, Gil Asakawa, Soyon Bueno, Rachele Espiritu, Nozomu Higashide, Peter Seung-Woo Lee, Tri Ma, Jennifer Nguyen, and Sylvia S. Smith-Brown to the Denver Asian Pacific American Commission for terms effective immediately and expiring on 1-22-19, or until successors are duly appointed. The Committee approved filing this resolution by consent on 2-15-17.

**[17-0157](#) A resolution approving a proposed Agreement between the City and County of Denver and Colorado Health Network, Inc., dba Denver Colorado Aids Project, granting funds for various services to low-income households affected by HIV/AIDS citywide.**

Approves a contract with Colorado Health Network, Inc., doing business as Colorado AIDS Project, from HOPWA grant funds in the amount of \$1,335,575 to provide a variety of services to low-income households affected by HIV/AIDS citywide (OEDEV-201732704-00). The last regularly scheduled Council meeting within the 30-day review period is on 3-20-17. The Committee approved filing this resolution by consent on 2-15-17.

**[17-0158](#) A resolution approving a proposed Sixth Amendment between the City and County of Denver and 2300 Welton, LLC to modify the terms of the Loan Agreement.**

Amends a loan agreement with 2300 Welton, LLC in the amount of \$1,069,742 from HOME funds from the U.S. Housing and Urban Development agency (HUD) to allow partial subordination of the City's collateral to the Colorado Housing and Finance Authority (CHFA) Partial Subordination to Land Use Restriction Agreement. There is no change to the loan amount only the technical subordination change (OEDEV-CE63028-06). The last regularly scheduled Council meeting within the 30-day review period is on 3-20-17. The Committee approved filing this resolution by consent on 2-15-17.

## **BILLS FOR INTRODUCTION**

### **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.

**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.

**[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. 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 2-14-17.

**[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. 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. This bill was approved for filing on the floor by Councilmember Brooks on 2-23-17.

## **LATE FILING**

### **Finance & Governance Committee**

**[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.

## **BILLS FOR FINAL CONSIDERATION**

### **Finance & Governance Committee**

**[17-0134](#) A bill for an ordinance amending Section 14-33(a) and Section 14-68(a) of the Denver Revised Municipal Code to establish a uniform definition of Domestic Violence.**

Amends Chapter 14 of the Denver Revised Municipal Code by replacing the City's multiple definitions of "domestic violence" with the state definition, C.R.S. 18-6-800.3, to create uniformity, avoid disparate treatment for the same conduct, provide clearer officer training, and ensure proper use of habitual domestic violence offender status. The Committee approved filing this bill by consent on 2-7-17.

**Land Use, Transportation & Infrastructure Committee**

[17-0123](#) **A bill for an ordinance approving a proposed Funding Agreement between the City and County of Denver and State of Colorado, acting by and through the Department of Natural Resources, to restore wetlands, riparian areas, native uplands and to improve water quality relating to Westerly Creek from East 13th to East 11th Avenue and the funding therefor.**

Approves a grant agreement from the State of Colorado Department of Natural Resources in the amount of \$500,000 for riparian seeding, wetland plantings, and channel restoration work to improve water quality, provide for stream restoration and additional trail and park improvements at Westerly Creek and 11th Avenue in Council District 5 (201732379). The last regularly scheduled Council meeting within the 30-day review period is on 3-13-17. The Committee approved filing this bill by consent on 2-7-17.

**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, March 20, 2017, Council will hold a required public hearing on Council Bill 17-0161, approving a text amendment to the Denver Zoning Code to revise the Pre-Existing Small Zone Lot parking exemption; and, a required public hearing on Council Bill 17-0277, providing for an extension of approximately two months of an existing moratorium prohibiting the use of the Denver Zoning Code's pre-existing small zone lot parking exemption for certain project.

**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**

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**