

City Council Meeting of Monday, August 22, 2016

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
Denver CO 80202

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WEB ACCESS

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accessed at**
<https://denver8.tv>

REMINDER

As a courtesy to those in attendance,
please
turn off your cell phones.

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 <http://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://denver8.tv>.

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.

City Council Agenda and Explanatory Notes

Meeting Date: Monday, August 22, 2016 5:30 PM

Pledge of Allegiance

Roll Call

Approval of the Minutes

Council Announcements

Presentations

Communications

Proclamations

CP16-0701 A proclamation recognizing the 125th Anniversary of the Historic Elitch Theatre.

Council members Espinoza, Ortega, Susman, Kniech, Gilmore, Black, López, Kashmann, New, and Clark

Resolutions

Business Development

CR16-0587 A resolution approving a proposed Loan Agreement between the City and County of Denver and La Clinica Tepeyac, Inc., to provide funds for the acquisition of the site located at 4725 High Street.

Approves a loan agreement with La Clinica Tepeyac, Inc. (doing business as Clinica Tepeyac) for \$1,050,000 in Community Development Block Grant funds structured as a combination repayment loan and performance loan to provide acquisition financing for clinic and administrative space located at 4725 High Street in Council District 9. The Committee approved filing this resolution by consent on 8-11-16.

Finance & Governance

CR16-0700 A resolution authorizing and approving the expenditure and payment from the appropriation account designated "liability claims," the sum of Three Hundred and Sixty Thousand Dollars (\$360,000.00), payable to Stuart Shapiro for payment and satisfaction of all claims in Career

Service Appeal No. 13-16 and all other related state and federal claims.

Settles a claim involving the City Attorney's Office. This resolution was approved for filing at the Mayor-Council meeting of 8-16-16.

Finance & Services

CR16-0550 A resolution approving a proposed Design Services Agreement between the City and County of Denver and David Evans and Associates, Inc. for professional design services.

Approves a \$998,195.80 contract with David Evans and Associates, Inc. starting 8-1-16 through completion of professional design services for the High Line Canal Trail underpasses at Hampden Avenue and Colorado Boulevard in Council District 4 (201629357). The last regularly scheduled Council meeting within the 30-day review period is on 9-12-16. The Committee approved filing this resolution by consent on 8-4-16.

CR16-0554 A resolution declaring the intent of the City and County of Denver, Colorado to use its best efforts to issue housing revenue bonds or mortgage credit certificates to provide financing of residential facilities for low- and middle-income families or persons; prescribing certain terms and conditions of such bonds and certificates; and containing other provisions relating to the proposed issuance of such bonds and certificates.

Approves carrying forward unused 2016 Private Activity Bond allocations and applying for additional allocation from the Colorado Department of Local Affairs. The Committee approved filing this resolution at its meeting on 8-9-16.

CR16-0584 A resolution approving a proposed Master Purchase Order between the City and County of Denver and Staples Contract & Commercial Inc., operating as Staples Advantage for the purchase of janitorial supplies.

Approves a \$12 million master purchase order with Staples Advantage for janitorial supplies including paper towels, toilet tissue, trash liners, and cleaning products (5954L0116). The Committee approved filing this resolution by consent on 8-11-16.

CR16-0588 A resolution approving an extension to a proposed Purchase Order between the City and County of Denver and Insight Public Sector, Inc., for Oracle Database maintenance renewal.

Extends a purchase order with Oracle for \$611,164.40 through 8-31-17 for annual maintenance and support of City system databases (EAPPS-0000005950). The last regularly scheduled Council meeting within the 30-day review period is on 9-12-16. The Committee approved filing this resolution by consent on 8-11-16.

Governance & Charter Review

CR16-0586 A resolution approving the Mayor's appointments to the Denver African American Commission.

Approves the Mayoral appointments of Gabrielle Bryant and Sheila Kelly to the Denver African American Commission for terms effective immediately and expiring

on 5-1-18, or until a successor is duly appointed. The Committee approved filing this resolution by consent on 8-11-16.

Infrastructure & Culture

CR16-0516 A resolution approving a proposed Contract between the City and County of Denver and BT Construction, Inc., for 33rd Street Outfall.

Approves a one-year \$11,240,744.83 contract with BT Construction, Inc. for the 31st and 36th Street Outfall Project to improve drainage conditions in these basins during a 5-year storm event (201627408). The last regularly scheduled Council meeting within the 30-day review period is on 9-12-16. The Committee approved filing this resolution at its meeting on 8-10-16.

CR16-0582 A resolution laying out, opening and establishing as part of the City street system parcels of land as Lafayette Street at the intersection of 38th Street and Lafayette Street.

Dedicates land as public right-of-way as Lafayette Street at the intersection of 38th Street and Lafayette Street in Council District 9. The Committee approved filing this resolution by consent on 8-11-16.

CR16-0583 A resolution laying out, opening and establishing as part of the City street system parcel of land as a public alley located near the intersection of East 2nd Avenue and Saint Paul Street.

Dedicates land as public alley near the intersection of East 2nd Avenue and Saint Paul Street in Council District 10. The Committee approved filing this resolution by consent on 8-11-16.

Safety & Well-being

CR16-0491 A resolution approving a proposed Agreement between the City and County of Denver and Community Education Centers, Inc., for community corrections services.

Approves a contract with Community Education Centers, Inc. for \$2,271,847.60 through 6-30-17 for residential and non-residential community corrections services (2016-28538). The last regularly scheduled Council meeting within the 30-day review period is on 9-12-16. The Committee approved filing this resolution by consent on 7-14-16.

CR16-0546 A resolution approving a proposed Third Amendatory Agreement between the City and County of Denver and Custom Environmental Services, Inc., to provide on-call services for the management of hazardous materials and regulated wastes.

Amends a contract with Custom Environmental Services, Inc. by adding \$500,000 for a new contract total of \$900,000 for continued on-call services in collecting and managing hazardous materials and regulated waste and hazmat management services throughout the remaining months of the original contract term. No change to contract duration (201312426-02). The last regularly scheduled Council meeting within the 30-day review period is on 9-12-16. The Committee approved filing this resolution by consent on 8-4-16.

Bills for Introduction

Finance & Services

CB16-0553 A bill for an ordinance referring a question to the ballot at the November 8, 2016 coordinated election concerning the retention and continuation of the .03% sales and use tax increase to provide additional funding for the Denver Preschool Program, as originally approved by the voters at the November 4, 2014 election.

Refers a question to the November 2016 ballot to allow the City to retain and spend revenues from the increase in Denver Preschool Program sales and use tax previously approved by the voters and to continue to impose and collect the tax per the original voter approval. This bill must pass no later than August 29, 2016 to meet the deadlines for the November ballot. The Committee approved filing this bill at its meeting on 8-9-16.

CB16-0564 A bill for an ordinance approving a proposed Agreement by and between the City and County of Denver and Cellco Partnership, dba Verizon Wireless LLC for installation of a Distributed Antenna System (DAS).

Approves a ten-year lease agreement with Verizon Wireless for a distributed antenna system in the Wellington Webb Municipal Office Building to enhance cellular signal levels on the Verizon network (TECHS 201627906-00).

Infrastructure & Culture

CB16-0515 A bill for an ordinance approving and providing for the execution of a proposed Intergovernmental Agreement between the City and County of Denver and the Colorado Department of Transportation (CDOT) concerning the "Sheridan Sidewalks Improvements" project and the funding therefor..

Approves an intergovernmental agreement with Colorado Department of Transportation for \$800,000 in Federal funds and \$200,000 in City matching funds through 6-26-17 to construct detached sidewalks on the east side of Sheridan Boulevard from north of West 8th Avenue to West 10th Avenue and from north of West Colfax Avenue to West 17th Avenue in Council Districts 1 and 3 (201629035). The Committee approved filing this bill at its meeting on 8-10-16.

CB16-0589 A bill for an Ordinance amending Ordinance Number 426, Series of 2007, as amended by Ordinance Number 335, Series of 2009, Ordinance Number 148, Series of 2010, Ordinance Number 11, Series of 2011, Ordinance Number 191, Series of 2011, Ordinance Number 258, Series of 2011, Ordinance Number 630, Series of 2011, Ordinance Number 63, Series of 2013, Ordinance Number 73, Series of 2014, Ordinance Number 376, Series of 2014, and Ordinance Number 738, Series of 2014 designating the project to be undertaken and funded with the proceeds of the Better Denver bonds.

Reallocates unused funds among projects for the Better Denver Bond Program. The Committee approved filing this bill at its meeting on 8-10-16.

Bills for Final Consideration

Governance & Charter Review

CB16-0548 A bill for an ordinance amending 38-158 the Denver Revised Municipal Code to clarify the behaviors which are indicative of someone trying to engage in acts that further the practice of prostitution.

Amends section 38-158 of the Denver Revised Municipal Code to provide a needed clarification on the behaviors which are indicative of someone trying to engage in acts that further the practice of prostitution in the City and County of Denver. This amendment serves to comply with Denver County Court finding for additional clarification of the Code. The Committee approved filing this bill at its meeting on 8-4-16.

Infrastructure & Culture

CB16-0552 A bill for an Ordinance approving a Modification of Agreement with the U.S. Forest Service for collection of Denver fees at Summit Lake Park.

Amends an agreement with the U.S. Department of Agriculture Forest Service regarding fee collection at Summit Lake, a Denver Mountain Park, and fee remittance to the City allowing the contractor to retain \$67,400 annually for collection and site maintenance costs (201522115). The last regularly scheduled Council meeting within the 30-day review period is on 8-29-16. The Committee approved filing this bill by consent on 8-4-16.

Recap of Bills to be Called Out

Pre-Recess Announcement

Tonight, there will be a required public hearing on CB16-0498, providing for a moratorium prohibiting the use of the Denver Zoning Code's pre-existing small zone lot parking exemption; a required public hearing on CB16-0541 as amended, providing a moratorium prohibiting the approval of site development plans and the amendment of approved site development for construction of buildings using the Garden Court building form; and, a required public hearing on CB16-0566, designating 1400 Lafayette Street the First Unitarian Society of Denver Church as a structure of preservation. Anyone wishing to speak on any of these matters 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

Neighborhoods & Planning

CB16-0498 A bill for an ordinance providing for a moratorium prohibiting the use of the Denver Zoning Code's pre-existing small zone lot parking exemption for certain projects for a period of approximately seven months.

Approves a moratorium prohibiting the use of the Denver Zoning Code's pre-existing small zone lot parking exemption for certain projects for a period of seven months. The Committee approved filing this bill at its meeting on 7-20-16.

CB16-0541 AS AMENDED a bill for an ordinance providing for a moratorium prohibiting the approval of site development plans and the amendment of approved site development plans for construction of buildings using the Garden Court building form in the Denver Zoning Code for a period of approximately twelve months.

Approves a moratorium prohibiting the approval of site development plans and the amendment of approved site development plans for construction of buildings using the Garden Court building form in the Denver Zoning Code for a period of approximately twelve months. This bill was approved for filing by Councilmember New. Amended 7-25-16 to allow current projects already in the pipeline to move forward as long as the projects comply with the added conditions.

CB16-0566 A bill for an ordinance designating 1400 Lafayette Street, the First Unitarian Society of Denver Church, as a structure for preservation.

Designates 1400 Lafayette Street as an individual structure for preservation in Council District 10. 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 8-3-16.

Adjourn

Pending

For 8-29-16

CB16-0482 A bill for an ordinance changing the zoning classification for 45 N. Harrison St., with a waiver.

**Required Public Hearing
Final Consideration**

For 8-29-16

CB16-0507 A bill for an ordinance changing the zoning classification for 1145 and 1165 S. Broadway.

**Required Public Hearing
Final Consideration**

For 8-29-16

CB16-0508 A bill for an ordinance changing the zoning classification for 3801 Himalaya Road.

Required Public Hearing

Final Consideration

For 9-12-16

CB16-0430 A bill for an ordinance changing the zoning classification for Geneva Court and Martin Luther King Jr. Boulevard.

Required Public Hearing

Final Consideration

For 9-12-16

CB16-0509 A bill for an ordinance changing the zoning classification for 3705 Shoshone St. & 1945 W. 37th Ave.

Required Public Hearing

Final Consideration

For 9-12-16

CB16-0563 A bill for an ordinance changing the zoning classification for 2541-2731 W. Holden Pl., 2602-2660 W. Holden Pl., 2516-2610 W. 13th Ave., 2646-2746 W. 13th Ave., 1260-1280 N. Decatur St. and 2775 W. 13th Ave.

Required Public Hearing

Final Consideration

For 9-12-16

CR16-0555 A resolution to set a public hearing on the Service Plan for a C.R.S. Title 32 metropolitan district: Denver Connection Metropolitan District.

Final Consideration

Required Public Hearing