

City Council Meeting of Monday, October 17, 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
1437 Bannock Street
Denver CO 80202

Phone: 720-337-2000
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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

[16-0946](#) Monday, October 10, 2016

COUNCIL ANNOUNCEMENTS

PRESENTATIONS

COMMUNICATIONS

[16-0987](#) Local Maintenance Districts Group 1

Tonight Council was scheduled to sit as the quasi-judicial Board of Equalization to consider reduction of total cost assessments for local maintenance districts. However, since no written protests of assessment were filed with the Manager of Public Works by September 29, 2016, Council will not sit as the Board of Equalization for the following Local Maintenance Districts:

Broadway Pedestrian Mall A

South Broadway Streetscape (Arizona to Iowa)

South Broadway Streetscape (Wesley to Yale)

South Broadway Streetscape (Iowa to Wesley)

Tennyson Streetscape (Portions of West 38th Avenue to West 44th Avenue)

15th Street Pedestrian Mall

20th Street Pedestrian Mall

Consolidated Larimer Street Pedestrian Mall

Santa Fe Drive Pedestrian Mall C

St. Luke's Pedestrian Mall

Delgany Street Pedestrian Mall

East 13th Avenue Pedestrian Mall

South Downing Street Pedestrian Mall

Tennyson Street II Pedestrian Mall

West 44th Avenue and Eliot Street Pedestrian Mall

Golden Triangle Pedestrian Mall

West 32nd Avenue Pedestrian Mall

PROCLAMATIONS

[16-0988](#) A proclamation proclaiming the week of October 17, 2016 - October 21, 2016 as Choose to be G.R.E.A.T. Week in Denver, Colorado.

Sponsors López, New, Espinoza, Brooks, Black and Clark

[16-0989](#) A proclamation celebrating Denver afterschool programs and the 2016 annual National Lights on Afterschool Day.

Sponsors Clark, New, Brooks, Ortega, Kashmann and Black

[16-0990](#) **A proclamation honoring Harry Tuft, founder and long-time owner of Denver Folklore Center.**

Sponsors Kashmann, New, Brooks, Ortega, Black and Clark

RESOLUTIONS

Finance & Services

[16-0849](#) **A resolution approving a proposed Third Amendatory Agreement between the City and County of Denver and Brandeberry-McKenna Public Affairs for intergovernmental consultation services.**

Adds \$180,833.38 and one year through 10-31-17 to the contract with Brandeberry-McKenna Public Affairs for a new total of \$760,833.38 for state lobbying services (MAYOR-201208721-03). The last regularly scheduled Council meeting within the 30-day review period is on 11-7-16. The Committee approved filing this resolution by consent on 10-4-16.

Business, Arts, Workforce, & Aeronautical Services Committee

[16-0858](#) **A resolution approving the City Council appointments of Mariana Diniz Esteves, Rick Acosta, and Jasmine Crane to the Denver County Cultural Council.**

Approves appointing Mariana Diniz Esteves, Rick Acosta, and Jasmine Crane as the City Council appointments to the Denver County Cultural Council effective immediately and for terms ending October 1, 2018, or until successors are duly appointed. The Committee approved filing this resolution by consent on 9-28-16.

[16-0866](#) **A resolution approving a proposed First Amendment between the City and County of Denver and Federal Aviation Administration concerning the revision of acreage and rental payment at Denver International Airport.**

Amends a lease with the Federal Aviation Administration (FAA) to revise acreage from 17 acres to 3.1729 acres and reduce the rental payment from \$3,704.04 per month to \$1,151.75 per month to be more reflective of the acreage used by the FAA (201520836-1). The last regularly scheduled Council meeting within the 30-day review period is on 11-7-16. The Committee approved filing this resolution by consent on 10-6-16.

[16-0867](#) A resolution approving a proposed Agreement between the City and County of Denver and Quantum Secure, Inc. concerning identity management airport badging and credentialing system at Denver International Airport.

Approves a contract with Quantum Secure in the amount of \$2,541,280 for a five-year term for identity management airport badging and credentialing system replacement services at Denver International Airport (201523684). The last regularly scheduled Council meeting within the 30-day review period is on 11-7-16. The Committee approved filing this resolution by consent on 10-6-16.

[16-0901](#) A resolution approving a proposed First Amendment between the City and County of Denver and Landrum & Brown, Inc. concerning additional airfield and airspace simulation and benefit cost analysis at Denver International Airport.

Amends a contract with Landrum & Brown, Inc. by extending the term for two years for a new end date of 10-31-18 to run additional airfield and airspace simulation and benefit cost analysis at Denver International Airport. There is no change in the contract amount (201102346). The last regularly scheduled Council meeting within the 30-day review period is on 11-7-16. The Committee approved filing this resolution by consent on 10-6-16.

[16-0902](#) A resolution approving a proposed Second Amendment between the City and County of Denver and Republic Airlines, Inc. concerning the term of leased space in Concourse B at Denver International Airport.

Amends a contract with Republic Airlines to extend the term of the contract for two years through 12-31-18, and to take out 420.8 sq. ft. of leased space in Concourse B at Denver International Airport. There is no change in the contract amount (201314559). The last regularly scheduled Council meeting within the 30-day review period is on 11-7-16. The Committee approved filing this resolution by consent on 10-6-16.

Land Use, Transportation & Infrastructure Committee**[16-0840](#) A resolution approving a proposed Amendatory Agreement between the City and County of Denver and Interlock Construction Corp. for on-call construction services.**

Amends a contract with Interlock Construction, Corp. to adjust the Work Order cap for Work Order #5 only to accommodate \$650,000 instead of the current \$450,000 cap, in order to expeditiously complete the interior build out of the Court childcare center at the Lindsey-Flanigan Courthouse (201524788-01). The last regularly scheduled Council meeting within the 30-day review period is on 11-7-16. The Committee approved filing this resolution by consent on 9-27-16.

[16-0871](#) 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 West 4th Avenue and Santa Fe Drive.

Dedicates a parcel of land as public right-of-way as public alley, located near the intersection of West 4th Avenue and Santa Fe Drive in Council District 7. The Committee approved filing this resolution by consent on 10-4-16.

[16-0872](#) A resolution laying out, opening and establishing as part of the City street system a parcel of land as Santa Fe Drive at the intersection of West 4th Avenue and Santa Fe Drive.

Dedicates a parcel of land as public right-of-way as Santa Fe Drive, located at the intersection of West 4th Avenue and Santa Fe Drive in Council District 7. The Committee approved filing this resolution by consent on 10-4-16.

[16-0873](#) 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 38th Street and Brighton Boulevard.

Dedicates a parcel of land as public right-of-way as public alley located near the intersection of 38th Street and Brighton Boulevard in Council District 9. The Committee approved filing this resolution by consent on 10-4-16.

Safety, Housing, Education, & Homelessness Committee

[16-0851](#) A resolution appointing Genevieve Kline, Adriana Magana, and Feven Netsanet to the Human Services Citizen Review Panel for terms ending September 30, 2018.

Approves the City Council reappointments of Genevieve Kline, Adriana Magaña, and Feven Netsanet to the Human Services Citizen Review Panel for terms ending September 30, 2018, or until successors are duly appointed. The Committee approved filing this resolution by consent on 9-28-16.

[16-0948](#) A resolution authorizing and approving the expenditure and payment from the appropriation account designated "liability claims," the sum of Twenty-Five Thousand Dollars (\$25,000.00), payable to Jessica Ramos-Guytan and the Law Office of Kevin Flesch, LLP, in full payment and satisfaction of all claims in Case No. 16CV030348, in the District Court for the City and County of Denver, Colorado.

Settles a claim involving the Denver Police Department. This resolution was approved for filing at the Mayor-Council meeting on 10-11-16.

[16-0954](#) A resolution authorizing and approving the expenditure and payment from the appropriation account designated "liability claims," the sum of Eleven Thousand Five Hundred Dollars (\$11,500.00), payable to Bryce Carson and Sawaya, Rose, McClure & Wilhite, P.C., in full payment and satisfaction of all claims in Case No. 16CV032289, in the District Court for the City and County of Denver, Colorado.

Settles a claim involving the Denver Police Department. This resolution was approved for filing at the Mayor-Council meeting on 10-11-16.

BILLS FOR INTRODUCTION**Finance & Services**

[16-0540](#) A bill for an ordinance approving a proposed Purchase and Sale Agreement between the City and County of Denver and O'Fallon's Partnership for the purchase and sale of 2800 Morrison Road.

Approves the sale of City-owned property located at 2800 Morrison Road in Council District 3. The last regularly scheduled Council meeting within the 30-day review period is on 11-7-16. The Committee approved filing this bill by consent on 7-28-16.

Finance & Governance Committee

[16-0898](#) **A bill for an ordinance designating certain property as being required for public use and authorizing use and acquisition thereof by negotiation or through condemnation proceedings of fee simple and other interests, including any rights and interests related or appurtenant to such property, as needed for the National Western Center Project.**

Adds two land parcels inadvertently omitted from the legal description in the Land Acquisition Ordinance passed in December 2015, granting authority to acquire them as needed for the National Western Center redevelopment in Council District 9. The last regularly scheduled Council meeting within the 30-day review period is on 11-7-16. The Committee approved filing this bill by consent on 10-4-16.

[16-0905](#) **A bill for an ordinance authorizing the purchase of capital equipment from the General Fund, Planned Fleet Replacement Fund and Wastewater Management Operations Fund.**

Approves \$1,480,200 for one-time purchase of twelve (12) pieces of capital equipment for the Sheriff Department and Public Works each of which exceeds a per unit cost of \$50,000 within existing budget capacity. The last regularly scheduled Council meeting within the 30-day review period is on 11-7-16. The Committee approved filing this bill by consent on 10-4-16.

Land Use, Transportation & Infrastructure Committee

[16-0818](#) **A bill for an ordinance changing the zoning classification for approximately 1007-1095 Julian Street/3424 West 12th Avenue and 1030-1090 Knox Court.**

Rezones property located at approximately 1007-1095 Julian Street/3424 West 12th Avenue and 1030-1090 Knox Court from E-SU-D1x to E-TH-2.5 (Single-family residential with accessory dwelling units to Urban Edge with townhomes and a 2.5-story limit) in Council District 3. 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 10-4-16.

[16-0819](#) A bill for an ordinance changing the zoning classification for 3990 East Cornell, 3015, 3029, 3043 & 3071 South Colorado Boulevard.

Rezone property located at 3990 East Cornell, 3015, 3029, 3043 & 3071 South Colorado Boulevard from PUD #601 to S-TH-2.5 (A PUD that was never implemented to suburban houses including duplexes and townhomes) in Council District 4. 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 10-4-16.

[16-0823](#) A bill for an ordinance approving a proposed Amendment to Agreement between the City and County of Denver and Urban Drainage and Flood Control District, for drainage and flood control improvements along First Creek.

Amends an intergovernmental agreement with the Urban Drainage and Flood Control District by adding \$35,000 for a total of \$3,235,000 of City funds to fund the Final Design, Right-of-Way Acquisition and Construction of Drainage and Flood Control Improvements along First Creek at East 56th Avenue in Council District 11 (PWADM-201103771-03). The last regularly scheduled Council meeting within the 30-day review period is on 1-7-16. The Committee approved filing this bill by consent on 9-22-16.

Safety, Housing, Education, & Homelessness Committee

[16-0903](#) A bill for an ordinance approving a proposed Fourth Amendment to Intergovernmental Agreement Concerning the Funding, Implementation and Administration of Programs Involving Police Officers in Schools between the City and County of Denver and School District No. 1, for the provision of School Resource Officers during the 2016-2017 school year.

Amends a contract with the Denver School District No. 1 for receipt of revenue in the amount of \$544,779.50 from Denver Public Schools for provision of 15 School Resource Officers by the Police Department at various Denver Public School locations throughout the 2016-2017 school year (POLIC-201209123-04). The last regularly scheduled Council meeting within the 30-day review period is on 11-7-16. The Committee approved filing this bill by consent on 10-6-16.

[16-0904](#) A resolution approving and providing for the execution of a proposed grant agreement between the City and County of Denver and the United States Department of Health and Human Services concerning the "Head Start FY16-17" program and the funding therefor.

Appropriates the remaining 20% or \$1,788,277 of the Federal Head Start grant monies to operate the Denver Great Kids Head Start program through the Office of Children's Affairs based upon the Federal Notice of Award (MOEAI - 201630593). The last regularly scheduled Council meeting within the 30-day review period is on 11-7-16. The Committee approved filing this resolution by consent on 10-6-16.

BILLS FOR FINAL CONSIDERATION

Finance & Governance Committee

[16-0842](#) A bill for an ordinance designating certain properties as being required for public use and authorizing use and acquisition thereof by negotiation, purchase and/or through condemnation proceedings of fee simple, easements and other interests, including any rights and interest related or appurtenant to such properties so designated, as needed for the pedestrian intersection improvement project at the intersection of Colfax Avenue and Lipan Street.

Designates certain properties for public use and authorizes negotiation, purchase, and/or condemnation of such properties for pedestrian and intersection improvements at Colfax and Lipan Street in Council District 3. The last regularly scheduled Council meeting within the 30-day review period is on 10-31-16. The Committee approved filing this resolution on 9-29-16.

Land Use, Transportation & Infrastructure Committee

[16-0836](#) A bill for an ordinance to amend the title of Ordinance No. 20160423, Series of 2016, which vacated the cross alley bounded by Hooker Street, Irving Street, West 19th Avenue and West 20th Avenue, without reservations.

Amends the title of Ordinance No. 423, Series of 2016 to correct street names by which the alley was bounded and which vacated a portion of the alley bounded by Hooker Street, Irving Street, West 20th Avenue, and West 19th Avenue in Council District 1. The Committee approved filing this bill by consent on 9-29-16.

[16-0847](#) A bill for an ordinance relinquishing the easement established by the Permanent Easement, recorded with the Denver Clerk & Recorder at Reception No. 2008163403 and relinquishing the easement established by the Correction Permanent Easement, recorded with the Denver Clerk & Recorder at Reception No. 2009048553, located at 16161 East 40th Avenue.

Relinquishes an easement located at 16161 East 40th Avenue in Council District 11. The Committee approved filing this bill by consent on 9-29-16.

Safety, Housing, Education, & Homelessness Committee

RECAP OF BILLS TO BE CALLED OUT

PRE-RECESS ANNOUNCEMENT

Tonight there will be a required public hearing on 16-0622, changing the zoning classification of 3700 Marion St. 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

[16-0622](#) A bill for an ordinance changing the zoning classification for 3700 Marion St.

Rezones 3700 Marion Street from U-SU-A1 to U-MX-2x (Urban single unit zoning to urban mixed-use two story) in Council District 9. The Committee approved filing this bill at its meeting on 8-30-16.

PRE-ADJOURNMENT ANNOUNCEMENT

Dependent upon publication, on Monday, November 14, 2016, Council will hold a required public hearing on Council Bill 16-0818, changing the zoning classification for approximately 1007-1095 Julian Street, 3424 West 12th Avenue, and 1030-1090 Knox Court; and, a required public hearing on Council Bill 16-0819, changing the zoning classification for 3990 East Cornell, and 3015, 3029, 3043 and 3071 South Colorado Boulevard. Any protests against 16-0818 or 16-0819 must be filed with the Council Offices no later than noon on Monday, November 7, 2016.

ADJOURN

PENDING