

City Council Meeting of Monday, November 28, 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
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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

[16-1230](#) Minutes of Monday, November 21, 2016

COUNCIL ANNOUNCEMENTS

PRESENTATIONS

COMMUNICATIONS

PROCLAMATIONS

RESOLUTIONS

Business, Arts, Workforce, & Aeronautical Services Committee

[16-1044](#) **A resolution approving a proposed Agreement between the City and County of Denver and Hensel Phelps Construction Co. concerning baggage handling system enabling projects for TSA relocation at Denver International Airport.**

Approves an on-call contract with Hensel Phelps Construction Co. for up to \$80 million for two and a half years for baggage-related enabling projects to be done prior to the relocation of the TSA passenger screening activities from Level 5 to Level 6 at Denver International Airport (201628516). The last regularly scheduled Council meeting within the 30-day review period is on 12-19-16. The Committee approved filing this resolution by consent on 11-16-16.

[16-1128](#) **A resolution approving the Mayor's reappointment to the West Colfax Business Improvement District Board of Directors.**

Approves the Mayoral reappointment of Cameron Bertron to the West Colfax Business Improvement District Board of Directors for a term effective immediately and expiring 10-3-19, or until a successor is duly appointed. The Committee approved filing this resolution by consent on 11-16-16.

[16-1137](#) A resolution approving a proposed First Amendment between the City and County of Denver and ExpressJet, Inc. concerning an agreement to operate and provide service at Denver International Airport.

Amends a use and lease agreement with ExpressJet, Inc. by adding two additional one year periods at an annual rate of \$1,000 to operate and provide service at Denver International Airport (201206413-01). The last regularly scheduled Council meeting within the 30-day review period is on 12-19-16. The Committee approved filing this resolution by consent on 11-16-16.

[16-1140](#) A resolution approving a proposed First Amendment to Agreement between the City and County of Denver and URS Corporation concerning Peña Boulevard Corridor Transportation Study at Denver International Airport.

Amends a contract with URS Corporation by extending the term for one year to complete the Peña Boulevard Corridor Transportation Plan Initiative in Council District 11. There is no monetary change to the contract amount (201309450-01). The last regularly scheduled Council meeting within the 30-day review period is on 12-19-16. The Committee approved filing this resolution by consent on 11-16-16.

Finance & Governance Committee

[16-1096](#) A resolution approving a proposed Amendatory Agreement between the City and County of Denver and Hall & Evans, LLC for special counsel legal services.

Approves a two-year no-cost extension of the contract with Hall & Evans, LLC through 9-30-18 for special counsel for conflict cases, overflow, and other legal matters as needed (201313859-01). The last regularly scheduled Council meeting within the 30-day review period is on 12-19-16. The Committee approved filing this resolution by consent on 11-17-16.

[16-1097](#) A resolution approving a proposed Amendatory Agreement between the City and County of Denver and Jackson Lewis, P.C. to provide special counsel legal services.

Approves a three-year and three-month no-cost extension of the contract with Jackson Lewis P.C. through 12-31-19 for special counsel for conflict cases, overflow, and other legal matters as needed (201521249-01). The last regularly scheduled Council meeting within the 30-day review period is on 12-19-16. The Committee approved filing this resolution by consent on 11-17-16.

[16-1129](#) A resolution approving the Mayor's appointment to the Career Service Board.

Approves the Mayoral appointment of Patricia Barela Rivera to the Career Service Board for a term effective immediately and expiring 09-16-21. The Committee approved filing this resolution by consent on 11-15-16.

Land Use, Transportation & Infrastructure Committee

[16-1068](#) A resolution approving a proposed Agreement by and between the City and County of Denver and CB&I Environmental and Infrastructure, Inc., for street light inventory for street lights in the right-of-way and parks and trails.

Approves a contract with CB&I Environmental and Infrastructure, Inc. in the amount of \$760,000 for seven months for a field survey and comprehensive street light inventory to encompass approximately 50,000 street lights and 5,000 Parks and trail lights to aid in the conversion of High Pressure Sodium lights to Light Emitting Diodes (LED's) in the City's rights-of-way, parks and trails (PWADM-201631264). The last regularly scheduled Council meeting within the 30-day review period is on 12-19-16. The Committee approved filing this resolution by consent on 11-10-16.

[16-1121](#) A resolution approving a proposed Amendatory Agreement between the City and County of Denver and W. L. Contractors, Inc. to rebuild traffic signals within the City.

Amends an on-call contract with W. L. Contractors, Inc. by adding \$4.4 million for a new total contract amount of \$6,314,207.80 and extending the term by two years for a new end date of 9-30-18 to rebuild existing outdated traffic signals within the City (201522741-01). The last regularly scheduled Council meeting within the 30-day review period is on 12-19-16. The Committee approved filing this resolution by consent on 11-17-16.

[16-1127](#) A resolution approving the Mayor's reappointment to the Lowry Redevelopment Authority Board of Directors.

Approves the Mayoral reappointment of Lindy Eichenbaum-Lent to the Lowry Redevelopment Authority Board of Directors for a term effective immediately and expiring 08-31-19, or until a successor is duly appointed. The Committee approved filing this resolution by consent on 11-15-16.

[16-1131](#) A resolution accepting and approving the plat of Green Valley Ranch Filing No. 71.

Approves a subdivision plat for Green Valley Ranch Filing No. 71, located at Maxwell Place and Himalaya Road in Council District 11. The Committee approved filing this resolution by consent on 11-17-16.

[16-1144](#) A resolution approving a proposed Second Amendatory Agreement between the City and County of Denver and Urban Drainage and Flood Control for design and construction of drainage improvements for Westerly Creek from Kelly Road Dam to 13th Avenue.

Amends Urban Drainage Flood Control District Agreement No. 14-03.11, Project No. 101483, by adding \$385,000 for a new total contract amount of \$1,150,000 for design and construction of drainage improvements for Westerly Creek from Kelly Road Dam to 13th Avenue in Council District 5. No change to contract term. The last regularly scheduled Council meeting within the 30-day review period is on 12-19-16. The Committee approved filing this resolution by consent on 11-17-16.

Safety, Housing, Education, & Homelessness Committee

[16-1126](#) A resolution approving the Mayor's appointment to the Denver American Indian Commission.

Approves the Mayoral appointment of Lance Tsosie to the Denver American Indian Commission for a term effective immediately and expiring on 7-11-18, or until a successor is duly appointed. The Committee approved filing this resolution by consent on 11-16-16.

BILLS FOR INTRODUCTION

Finance & Governance Committee

[16-1087](#) A bill for an ordinance creating a Fund Number in the Wastewater Management Enterprise Fund for the "Water Quality Capital Projects".

Establishes a new storm capital improvement fund for the Public Works Wastewater Management Division for the Regional Water Quality Program. The Committee approved filing this bill by consent on 11-10-16.

[16-1123](#) A bill for an ordinance amending the 1963 Retirement Plan with regard to definitions, retirement board, contributions; payroll deductions, retirement categories, retirement benefits, joint and survivor benefits, death benefits, anti-alienation provision, and obligation of city.

Amends Chapter 18 of the Denver Revised Municipal Code pertaining to the Denver Employees Retirement Plan to enhance provisions relating to pre-retired members' beneficiaries, establish an annually-variable interest rate for refund of employee contributions to non-vested members, and other changes, none of which change either the City or employee payroll contribution. The Committee approved filing this bill at its meeting on 11-15-16.

[16-1143](#) A bill for an ordinance approving a proposed Partial Release of Use Restriction and Right of Reentry for CDOT Parcel between the City and County of Denver and Metropolitan Football Stadium District for land the Metropolitan Football Stadium District will convey to the Colorado Department of Transportation.

Authorizes the partial release of use restriction and right-of-reentry for City parcels previously deeded to the Metropolitan Football Stadium District to allow the Colorado Department of Transportation to construct a new headquarters on Stadium Parcels B6, B7, and B8, at approximately West Colfax Avenue and Mile High Stadium West Circle in Council District 3. The last regularly scheduled Council meeting within the 30-day review period is on 12-19-16. The Committee approved filing this bill by consent on 11-17-16.

[16-1145](#) A bill for an ordinance amending the classification and pay plan for employees in the Career Service and for certain employees not in the Career Service.

Amends the classification and pay plan to change the pay grade of Victim Advocate from 616-A to 617-A. The Committee approved filing this bill by consent on 11-15-16.

Land Use, Transportation & Infrastructure Committee

[16-1130](#) A bill for an ordinance relinquishing the easement reserved by Ordinance No. 123, Series of 1952, located at 4605 East Eastman Avenue.

Relinquishes the easement reserved at 4605 East Eastman Avenue in Council District 4. The last regularly scheduled Council meeting within the 30-day review period is on 12-19-16. The Committee approved filing this bill by consent on 11-10-16.

[16-1133](#) A bill for an ordinance vacating an alley bounded by Zuni Street, West Colfax Avenue and West 14th Avenue, with reservations.

Vacates the public right-of-way area lying west of Zuni Street, between West Colfax Avenue and West 14th Avenue at 1401 Zuni Street, with a partial easement granted to 1401 Zuni Investments, LLC in Council District 3. The Committee approved filing this bill by consent on 11-17-16.

[16-1134](#) A bill for an ordinance vacating the alley bounded by West 14th Avenue, West Colfax Avenue, Fox Street and Galapago Street, with reservations.

Vacates the alley bounded by West 14th Avenue and West Colfax Avenue, and Fox Street and Galapago Street with reservations in Council District 10. The Committee approved filing this bill by consent on 11-17-16.

[16-1142](#) A bill for an ordinance adding new fees for the Levitt Pavilion under sub-section 39-121(22) of the Revised Municipal Code.

Approves fees for the Levitt Pavilion in Council District 7 and modifies certain fees for golf, event permits, and three (3) event facilities citywide. The Committee approved filing this bill by consent on 11-17-16.

[16-1146](#) A bill for an ordinance designating certain property as "park" under section 2.4.5 of the city charter, namely High Line Canal Green Valley Ranch South.

Approves the park designation of High Line Canal in Green Valley Ranch South containing 28.3 acres in Council District 11. The Committee approved filing this bill by consent on 11-17-16.

[16-1147](#) A bill for an ordinance designating certain property as "park" under section 2.4.5 of the city charter, namely Hampden Heights West Park.

Approves the park designation of Hampden Heights West Park containing 4.3 acres in Council District 4. The Committee approved filing this bill by consent on 11-17-16.

[16-1148](#) A bill for an ordinance designating certain property as "park" under section 2.4.5 of the city charter, namely Prairie Uplands Park.

Approves the park designation of Prairie Uplands Park containing 44.5 acres in Council District 8. The Committee approved filing this bill by consent on 11-17-16.

[16-1149](#) A bill for an ordinance designating certain property as “park” under section 2.4.5 of the city charter, namely Hutchinson East Park.

Approves the park designation of Hutchinson East Park containing 1.7 acres in Council District 4. The Committee approved filing this bill by consent on 11-17-16.

[16-1150](#) A bill for an ordinance designating certain property as “park” under section 2.4.5 of the city charter, namely Sand Creek Open Space.

Approves the park designation of Sand Creek Open Space containing 102.9 acres in Council District 8. The Committee approved filing this bill by consent on 11-17-16.

Safety, Housing, Education, & Homelessness Committee

[16-1124](#) A bill for an ordinance correcting Ordinance No. 118, Series of 2016 and further amending section 42-53 concerning the salary of the Chief of Police.

Amends Chapter 42 of the Denver Revised Municipal Code to correct a drafting error in calculating the annual salary for the Chief of Police.

BILLS FOR FINAL CONSIDERATION

Finance & Governance Committee

[16-1032](#) A bill for an ordinance making appropriations to pay the expenses of conducting the public business for the year 2017 and for the purposes required by the Charter and by other law.

Approves the 2017 Annual Appropriation Ordinance (Long Bill). The Committee approved filing this bill by consent on 11-1-16.

[16-1085](#) A bill for an ordinance amending Ordinance No. 841, Series of 2015, concerning creating the “Police/Fire” Special Revenue Fund and changing it from a cash basis fund to an appropriated fund and to transfer cash from the Police/Fire Pension Special Trust Fund to the Police/Fire Pension Special Revenue Fund.

Changes the “Police/Fire Special Revenue Fund” (Fund no. 12824) to an appropriated Fund and transfers funds from the old “Police/Fire Pension Special Trust Fund” to the new fund. The Committee approved filing this bill by consent on 11-8-16.

[16-1086](#) A bill for an ordinance establishing a “Homeless Services” fund in the Human Services Special Revenue Fund and the means for authorizing expenditures from such fund and the transfer of cash from the Homeless Services Donations Fund to the Homeless Services Fund.

Establishes a Homeless Services Fund, appropriates \$7.2 million in expenditures for 2017, and transfers the non-donation balance from the Homeless Services Donations Fund into this new fund. The Committee approved filing this bill by consent on 11-8-16.

[16-1088](#) A bill for an ordinance approving a proposed Intergovernmental Agreement between the City and County of Denver and Denver Urban Renewal Authority to fund construction of the two-way street conversion relating to the St. Luke's Urban Redevelopment Area.

Approves a \$3,131,000 intergovernmental agreement with the Denver Urban Renewal Authority for construction of two-way street conversions relating to the St. Luke's Urban Redevelopment Area in Council Districts 9 and 10. The last regularly scheduled Council meeting within the 30-day review period is 12-12-16. The Committee approved filing this bill by consent on 11-1-16.

Land Use, Transportation & Infrastructure Committee

[16-1078](#) A bill for an ordinance relinquishing portions of the easement reserved by Ordinance No. 300, Series of 2006, located near West Howard Place and Federal Boulevard.

Relinquishes a portion of the easement established in the Vacating Ordinance No. 300, Series of 2006, located at West Howard Place and Federal Boulevard in Council District 3. The last regularly scheduled Council meeting within the 30-day review period is on 12-12-16. The Committee approved filing this bill by consent on 11-10-16.

Safety, Housing, Education, & Homelessness Committee

[16-1038](#) A bill for an ordinance approving a proposed Fourth Amended and Restated Intergovernmental Agreement between the City and County of Denver and the City of Sheridan to provide fire protection.

Amends an intergovernmental agreement with the City of Sheridan by renewing the agreement for an additional year through 12-31-17 at an annual rate of \$1,995,267 in revenue to provide fire protection services to the City of Sheridan (FIRES 201208809-04). The last regularly scheduled Council meeting within the 30-day review period is on 12-12-16. The Committee approved filing this resolution by consent on 11-3-16.

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

ADJOURN

PENDING

FOR 12-19-16

[16-1034](#) A bill for an ordinance changing the zoning classification for 1209 North Perry Street.

Rezones property located at 1209 North Perry Street from G-MU-3 and E-TU-C to G-RX-5 (general urban neighborhood mixed use to residential mixed use) in Council District 3. The Committee approved filing this bill at its meeting on 11-8-16.

Final Consideration

Required Public Hearing