

City Council of Monday, October 26, 2015

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

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WEB ACCESS

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REMINDER

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

MEETING ASSISTANCE NOTICE - AMERICANS WITH DISABILITIES ACT

The Council Chambers has listening devices for the hearing impaired; request a device from the Council Secretary. The City can provide sign language interpretation for persons attending City Council meetings. If you need sign language interpretation, please contact Lorrie Kosinski at lorrie.kosinski@denvergov.org at least 72 hours in advance.

CITY COUNCIL AGENDA

The City Council agenda and meeting schedule are made available for public review during normal business hours at Denver City Council, 1437 Bannock St., Rm. 451, on Thursday afternoons prior to the regularly scheduled meeting on Monday. The agenda packet is also posted on the City Council website. 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 web cast at <http://www.denvergov.org/citycouncil>. DVD recordings of meetings are available at the Central Library or at the Clerk and Recorder's Office.

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 during a public hearing, speaker cards are available during the recess of Council. Each speaker is allowed 3 minutes, unless another speaker has yielded his or her time which would result in a maximum of 6 minutes. Public hearings allow citizens the opportunity to speak in favor or against specific items. The Council President will open the public hearing to receive public comment on that specific item. Upon hearing all public comments, the Council President will close or continue the public hearing. Council may then decide to engage in discussion and/or take action on the item.

City Council Agenda and Explanatory Notes

Meeting Date: Monday, October 26, 2015 5:30 PM

Pledge of Allegiance

Roll Call

Approval of the Minutes

Council Announcements

Presentations

Communications

Proclamations

Resolutions

Business Development

CR15-0685 A resolution approving a proposed First Amendment to the Airport Use and Lease Agreement between the City and County of Denver and Frontier Airlines, Inc. for leased space at Denver International Airport.

Amends a lease agreement with Frontier Airlines to reduce its operation space at Denver International Airport by returning 6 gates and reduces the tenant's rent by \$3 million annually for a new contract total of \$27,368,000 million (PLANE-201206414). The last regularly scheduled Council meeting within the 30-day review period is on 11-16-15. The Committee approved filing this resolution at its meeting on 10-13-15.

CR15-0725 A resolution approving a proposed First Amendment to Agreement between the City and County of Denver and ISS Facility Services for window cleaning services at Denver International Airport.

Amends a contract with ISS Facility Services, Inc. by adding \$487,230 (for a new total of \$6,965,554) to provide additional funds for window cleaning services at the Hotel and Transit Center. No change to contract duration (201208293). The last regularly scheduled Council meeting within the 30-day review period is on 11-16-15. The Committee approved filing this resolution by consent on 10-15-15.

CR15-0744 A resolution approving and providing for the execution of

proposed grant agreements between the City and County of Denver and the United States of America concerning the "Community Development Block Grant FY15" program and the funding therefor.

Executes a \$6,687,320 Performance Grant Agreement with the United States Department of Housing and Urban Development (HUD) for fiscal year 2015 allocations of the Community Development Block Grant (CDBG) program (201524380). The last regularly scheduled Council meeting within the 30-day review period is on 11-16-15. The Committee approved filing this resolution by consent on 10-15-15.

CR15-0745 A resolution approving and providing for the execution of proposed grant agreement between the City and County of Denver and the United States of America concerning the "HOME FY15" program and the funding therefor.

Executes a \$2,222,535 Performance Grant Agreement with the United States Department of Housing and Urban Development (HUD) for fiscal year 2015 allocations for HOME Investment Partnerships (HOME) (201524381). The last regularly scheduled Council meeting within the 30-day review period is on 11-16-15. The Committee approved filing this resolution by consent on 10-15-15.

CR15-0746 A resolution approving and providing for the execution of proposed grant agreements between the City and County of Denver and the United States of America concerning the "Housing Opportunities for People with AIDS (HOPWA)" FY15 program and the funding therefor.

Executes a \$1,545,607 Performance Grant Agreement with the United States Department of Housing and Urban Development (HUD) for fiscal year 2015 allocations under the Housing Opportunities for People with AIDS (HOPWA) program (201524389). The last regularly scheduled Council meeting within the 30-day review period is on 11-16-15. The Committee approved filing this resolution by consent on 10-15-15.

CR15-0754 A resolution approving a proposed Airline Support Facilities Lease Agreement between the City and County of Denver and Southwest Airlines Co. for leased space at Denver International Airport.

Approves a lease agreement with Southwest Airlines Co. for 35,639 square feet of building and 144,976 square feet of land at Denver International Airport (DIA) for \$437,000 annually through 2-28-20 for use as an aircraft provisioning facility at DIA (PLANE 201522532). The last regularly scheduled Council meeting within the 30-day review period is on 11-16-15. The Committee approved filing this resolution by consent on 10-15-15.

CR15-0755 A resolution approving a proposed Agreement between the City and County of Denver and Johnson Controls, Inc. for Operation and Maintenance of South Campus Data Center at Denver International Airport.

Approves a maintenance agreement with Johnson Controls, Inc. for \$978,075 for three years to provide comprehensive facilities management, including operational and maintenance support for the Johnson Controls, Inc. proprietary systems installed in Denver International Airport's South Campus Data Center (201416952).

The last regularly scheduled Council meeting within the 30-day review period is on 11-16-15. The Committee approved filing this resolution by consent on 10-15-15.

Finance & Services

CR15-0735 A resolution approving a proposed Second Amendatory Agreement between the City and County of Denver and ADS Denver, LLC for on-call cabling services.

Extends the current contract with ADS Denver for an additional year with a new contract end date of 10-1-16 and adds \$200,000 for a new contract total of \$1.4 million for telecommunication cabling and service technicians for the City's Technology Services Department (TECHS-201102401-02). The last regularly scheduled Council meeting within the 30-day review period is on 11-16-15. The Committee approved filing this resolution by consent on 10-15-15.

CR15-0747 A resolution approving a proposed Lease Agreement by which Denver Health and Hospital Authority will lease space at the 911 Communications Center.

Approves a \$4,135,363.21 lease agreement with Denver Health and Hospital Authority (DHHA) through 12-31-25 for space at the 911 Communications Center at 12025 East 45th Avenue in Council District 8 (FINAN 201524311-00). The last regularly scheduled Council meeting within the 30-day review period is on 11-16-15. The Committee approved filing this resolution by consent on 10-15-15.

CR15-0748 A resolution approving a proposed Lease Agreement with Denver Health and Hospital Authority by which the City will lease space for the Office of Medical Examiner.

Approves a \$11,176,675.64 lease agreement with Denver Health and Hospital Authority (DHHA) through 12-31-25 for space (including improvements and rent) for the Office of Medical Examiner (OME) at 500 Quivas in Council District 7 (FINAN 201524424-00). The last regularly scheduled Council meeting within the 30-day review period is on 11-16-15. The Committee approved filing this resolution by consent on 10-15-15.

Governance & Charter Review

CR15-0740 A resolution approving the Mayor's reappointments and appointments to the Denver Commission on Cultural Affairs.

Approves the Mayoral reappointments of Nancy Walsh and Evi Makovsky; and, the appointments of Kate Greeley, Bobby LeFebre, Maren Stewart, and Derrick Velasquez to the Denver Commission on Cultural Affairs for terms effective immediately and expiring 8-31-16; approves the Mayoral appointments of Kyle Chism and Michael Mowry for terms effective immediately and expiring 8-31-17; and, approves the Mayoral reappointments of Leslie Herod, Stephanie Blake, and Bobbi Walker for terms effective immediately and expiring 8-31-18. The Committee approved filing this resolution by consent on 10-15-15.

Infrastructure & Culture

CR15-0596 A resolution approving a proposed Contract between the City and County of Denver and K.E.C.I. Colorado Inc. for on-call bridge and structural construction services.

Approves a 3-year, \$3 million on-call construction services contract with K.E.C.I. Colorado, Inc. for removal, repair, and installation of existing and new bridge expansion joints City-wide (201523649). The last regularly scheduled Council meeting within the 30-day review period is on 11-16-15. The Committee approved filing this resolution by consent on 8-27-15.

CR15-0597 A resolution approving a proposed Contract between the City and County of Denver and Sema Construction Inc. for on-call bridge and structural construction services.

Approves a 3-year, \$3 million on-call construction services contract with SEMA Construction for removal, repair, and installation of existing and new bridge expansion joints City-wide (201523695). The last regularly scheduled Council meeting within the 30-day review period is on 11-16-15. The Committee approved filing this resolution by consent on 8-27-15.

CR15-0736 A resolution granting a revocable permit to MPD Properties, LLC, to encroach into the right-of-way at 3734 Osage Street.

Grants a revocable permit to MPD Properties, LLC to encroach into the right-of-way by constructing a wall at 3734 Osage Street in Council District 1. The Committee approved filing this resolution by consent on 10-15-15.

CR15-0737 A resolution accepting and approving the plat of Boulevard One Filing No. 4.

Approves the subdivision plat for Boulevard One Filing No. 4 at East Archer Place and Oneida Place in Council District 5. The Committee approved filing this resolution by consent on 10-15-15.

CR15-0738 A resolution laying out, opening and establishing as part of the City street system a parcel of land as right-of-way at the intersection of West Alameda and South Irving Street.

Dedicates right-of-way for public sidewalk at the intersection of West Alameda and South Irving Street in Council District 3. The Committee approved filing this resolution by consent on 10-15-15.

CR15-0742 A resolution laying out, opening and establishing as part of the City street system parcels of land as West 38th Avenue and Lowell Boulevard at the intersection of West 38th Avenue and Lowell Boulevard.

Dedicates right-of-way for both West 38th Avenue and Lowell Boulevard at the intersection of West 38th Avenue and Lowell Boulevard in Council District 1. The Committee approved filing this resolution by consent on 10-15-15.

Safety & Well-being

CR15-0749 A resolution approving and providing for the execution of a proposed grant agreement between the City and County of Denver and the Colorado Division of Criminal Justice concerning the "Crime Victim Compensation FY14" program and the funding therefor.

Approves the acceptance of a federal Victim of Crimes Act grant from the Colorado Division of Criminal Justice in the amount of \$1.5 million through 12-31-19 to augment the state funds available to the Crime Victim Compensation Program in the 2nd Judicial District to assist victims of crime (201524536). The last regularly scheduled Council meeting within the 30-day review period is on 11-16-15. The Committee approved filing this resolution by consent on 10-15-15.

Bills for Introduction

Business Development

CB15-0654 A bill for an ordinance approving a proposed Agreement for Sale of Real Property between the City and County of Denver acting by and through its Department of Aviation and Lion Land LTD, LLC related to the sale of real property located in Section 11.

Approves an agreement to sell 628 acres of Denver International Airport-owned property located in Adams County to Lion Land Limited for \$12 million (201523989). The last regularly scheduled Council meeting within the 30-day review period is on 11-16-15. The Committee approved filing this bill at its meeting on 10-13-15.

CB15-0756 A bill for an ordinance concerning the Airport Facilities of the City and County of Denver; authorizing the issuance of the "City and County of Denver, Colorado, for and on behalf of its Department of Aviation, Airport System Subordinate Revenue Bonds, Series 2015A" in the maximum aggregate principal amount of \$225,000,000 for the purpose of paying the costs of the Series 2015A Subordinate Bonds Refunding Project, and providing other details in connection therewith; providing the amount, terms and other details of such bonds; authorizing the execution of certain related agreements; ratifying action previously taken; providing for other related matters; and providing the effective date of this ordinance.

Authorizes the Manager of Finance/Chief Financial Officer to issue City and County of Denver, for and on behalf of its Department of Aviation, Airport Subordinate Revenue Refunding Bonds, Series 2015A in a par amount not to exceed \$225 million for the purpose of refunding outstanding Airport Revenue bonds, and paying costs of issuance expenses. The last regularly scheduled Council meeting within the 30-day review period is on 11-16-15. The Committee approved filing this bill by consent on 10-15-15.

CB15-0757 A bill for an ordinance concerning the Airport Facilities of the City and County of Denver; authorizing certain amendments to the Series 2014A Airport System Supplemental Bond Ordinance, Ordinance No. 745, Series of 2014; ratifying action previously taken; providing for other related matters; and providing the effective date of the ordinance.

Authorizes amendments to Ordinance No.745, Series of 2014 for Denver International Airport Series 2014A Revenue Bonds. The last regularly scheduled Council meeting within the 30-day review period is on 11-16-15. The Committee approved filing this bill by consent on 10-15-15.

CB15-0760 A bill for an ordinance re-purposing a "1992A Airport Bond Capital Interest" fund in the Denver Municipal Airport System Enterprise Fund and the means for collecting revenues and authorizing expenditures from such fund.

Repurposes fund 73130 from 1992A Airport Bond Capital Interest Fund to Hotel Fund. The Committee approved filing this bill by consent on 10-15-15.

Infrastructure & Culture

CB15-0741 A bill for an ordinance vacating the alley bounded by Knox Court, King Street, and West 13th Avenue, with reservations.

Vacates the 15-foot alley between Knox Court and King Street bounded by West 13th Avenue at 1273 North Knox Court in Council District 3. The Committee approved filing this bill by consent on 10-15-15.

Neighborhoods & Planning

CB15-0676 A bill for an ordinance changing the zoning classification for South Sloan's Lake Subdivision Filing 1, Block 2, Lots 1 and 2 located at the southeast corner of 17th Avenue and Raleigh Street.

Rezoned property located at South Sloan's Lake Filing 1, Block 2, Lots 1 and 2 from C-MX-5/DO-5 (Urban Center, Mixed Use, 5 stories, Design Overlay South Sloan's Lake) to C-MX-8/DO-5 (Urban Center, Mixed Use, 8 stories, Design Overlay South Sloan's Lake) 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 10-14-15.

CB15-0722 A bill for an ordinance relating to the Denver Zoning Code, to establish the new S-MX-2A, S-MX-3A, S-MX-5A, S-MX-8A, and S-MX-12A Zone Districts.

Approves the Denver Zoning Code Text Amendment #5 to establish the new S-MX-2A, S-MX-3A, S-MX-5A, S-MX-8A, and S-MX-12A zone districts. 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 10-14-15.

Safety & Well-being

CB15-0743 A bill for an ordinance making rescissions of budget balances to close out the "Community Corrections FY14-15" grant, rescind the budget balance and transfer the cash balance in the Public Safety Special Revenue Fund to the General Fund.

Approves closing out the "Community Corrections FY 2014-2015" grant in the Public Safety Special Revenue Fund due to completion of activities, rescinds the budget balance, and transfers the cash balance of \$132,239.20 to the General Fund (12302-3501101-S3061FY1415). The Committee approved filing this bill by consent on 10-15-15.

CB15-0753 A bill for an ordinance approving a proposed Fiscal Year 2016 Amendment to the Amended and Restated Operating Agreement between the City and County of Denver and the Denver Health and Hospital Authority providing for the amounts to be paid for services by the City and County of Denver and by the Denver Health and Hospital Authority during 2016 and amending other provisions of the Operating Agreement.

Approves amendments to the intergovernmental agreement with Denver Health to reflect new funding levels and other necessary adjustments for 2016 including expending \$61,156,300 for Denver Health and Hospital Authority services and receiving funds of \$1,838,769 for City services provided to Denver Health and Hospital Authority (CE60436-26). The last regularly scheduled Council meeting within the 30-day review period is on 11-16-15. The Committee approved filing this bill at its meeting on 10-13-15.

Recap of Bills to be Called Out

Pre-Recess Announcement

Tonight there will be a required public hearing on CB15-0642, changing the zoning classification for 4365 North Cherokee Street; a required public hearing on CB15-0649, changing the zoning classification for 2610-2638 West 13th Avenue; and a required public hearing on the Mayor's Proposed 2016 Budget. 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

CB15-0642 A bill for an ordinance changing the zoning classification for 4365 North Cherokee Street.

Rezones property located at 4365 North Cherokee Street from I-A, UO-2 (Light Industrial, Billboard Overlay allowed) to C-RX-8 (Urban Center, Residential Mixed Use, 8 stories) in Council District 9. 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 9-16-15.

CB15-0649 A bill for an ordinance changing the zoning classification for 2610-2638 West 13th Avenue.

Rezones property located at 2610-2638 West 13th Avenue from I-A, UO-2 (Light Industrial, Billboard Use allowed) to C-MX-8 (Urban Center, Mixed Used, 8 stories) 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 9-16-15.

Public Hearing - Mayor's Proposed 2016 Budget

Bills for Final Consideration

Finance & Services

CB15-0729 A bill for an ordinance authorizing the purchase of capital equipment from the Capital Improvements and Capital Maintenance Fund.

Approves a \$313,486 purchase of three portable emergency power generators from Cummins Rocky Mountain for emergency power for Parks and Recreation Centers and Fire and Police stations. The Committee approved filing this bill by consent on 10-8-15.

CB15-0730 A bill for an ordinance authorizing the purchase of capital equipment from the General Fund.

Approves a \$95,197 purchase of a replacement emergency generator from Cummins Rocky Mountain for the City and County Building. The Committee approved filing this bill by consent on 10-8-15.

CB15-0732 A bill for an ordinance making supplemental appropriations from the General Contingency Fund to Departments.

Approves supplemental 2015 budget requests for the Office of Independent Monitor, City Attorney's Office, Office of Economic Development, Office of the Municipal Public Defender, and the Office of Human Resources in the amount of

\$1,537,000 from the City's General Fund Contingency. The Committee approved filing this bill at its meeting on 10-6-15.

Infrastructure & Culture

CB15-0692 A bill for an ordinance amending sections of Chapter 54 of the Revised Municipal Code to provide definitions and enforcement of bicycle lanes accompanied by a buffer area.

Amends the Denver Revised Municipal Code to allow parking in protected bicycle lanes. The Committee approved filing this bill by consent on 10-8-15.

CB15-0714 A bill for an ordinance designating certain property as "park" under section 2.4.5 of the city charter, namely Lakewood/Dry Gulch Park.

Approves the designation of Lakewood Gulch Park, containing 52.0 acres, for preservation and protection as a city park located at West 10th Avenue and Perry Street in Council Districts 1 and 3. The Committee approved filing this bill at its meeting on 10-7-15.

CB15-0715 A bill for an ordinance designating certain property as a "park" under section 2.4.5 of the city charter which is to be incorporated into Magna Carta Park.

Approves the designation of a portion of vacated public right-of-way now part of Magna Carta Park, containing 0.2 acres, for preservation and protection as a city park located at South Colorado Boulevard and East Hampden Avenue in Council District 4. The Committee approved filing this bill at its meeting on 10-7-15.

CB15-0716 A bill for an ordinance designating certain property as "park" under section 2.4.5 of the city charter, namely Pasquinel's Landing Park.

Approves the designation of Pasquinel's Landing Park, containing 3.4 acres, for preservation and protection as a city park located at South Huron Street and West Evans Avenue in Council District 7. The Committee approved filing this bill at its meeting on 10-7-15.

CB15-0717 A bill for an ordinance designating certain property as "park" under section 2.4.5 of the city charter, namely Green Valley Ranch Town Center Park.

Approves the designation of Town Center Park, containing 26.2 acres, for preservation and protection as a city park located at East 49th Avenue and Argonne Street in Council District 11. The Committee approved filing this bill at its meeting on 10-7-15.

CB15-0718 A bill for an ordinance designating certain property as "park" under section 2.4.5 of the city charter, namely the unnamed park at 46th Avenue and North Pecos Street.

Approves the designation by the city of a park, containing 3.5 acres, for preservation and protection as a city park located at W. 46th Ave. and Pecos Street in Council District 1. The Committee approved filing this bill at its meeting on 10-7-

15.

CB15-0719 A bill for an ordinance designating certain property as “park” under section 2.4.5 of the city charter, namely Weir Gulch Marina Park.

Approves the designation of Weir Gulch Marina Park, containing 2.8 acres, for preservation and protection as a city park located at West 9th Avenue and the South Platte River, in Council District 3. The Committee approved filing this bill at its meeting on 10-7-15.

CB15-0731 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, easement and other interests, including any rights and interests related or appurtenant to properties as needed for the Globeville Landing Outfall Storm Water Project.

Approves the acquisition of public rights-of-way at certain properties between approximately 40th Street and Brighton Boulevard and South Platte River for the Globeville Landing Outfall Project per the executed intergovernmental agreement between the City and the Colorado Department of Transportation in Council District 9. The Committee approved filing this bill by consent on 10-8-15.

Announcement

On Monday, November 23, 2015, there will be a required public hearing on CB15-0676, changing the zoning classification for South Sloan’s Lake Subdivision Filing 1, Block 2, Lots 1 and 2 located at the southeast corner of 17th Avenue and Raleigh Street; and, a required public hearing on CB15-0722, relating to the Denver Zoning Code, to establish the new S-MX-2A, S-MX-3A, S-MX-5A, S-MX-8A, and S-MX-12A Zone Districts. Any protests against CB15-0676 must be filed with the Council Offices no later than Monday, November 16, 2015.

Adjourn

Pending

For 11-02-15

CB15-0625 A bill for an ordinance changing the zoning classification for 3268 West 32nd Avenue.

**Required Public Hearing
Final Consideration**