

City Council Meeting of Monday, January 9, 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

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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

[17-0021](#) Minutes of Tuesday, January 3, 2017

COUNCIL ANNOUNCEMENTS

PRESENTATIONS

COMMUNICATIONS

[17-0026](#) A letter dated January 5, 2017 from Brendan J. Hanlon, Manager of Finance, notifying City Council of the Department of Finance's intent to refund a certificates of participation lease purchase transaction in a par amount not to exceed \$17.6 million to provide interest cost savings.

PROCLAMATIONS

RESOLUTIONS

Business, Arts, Workforce & Aeronautical Services Committee

[16-1332](#) **A resolution approving the Mayor's reappointments to the Denver Convention Center Hotel Authority Board.**

Approves the Mayoral reappointments of Scott Wylie and Diane Barrett to the Denver Convention Center Hotel Authority Board for terms effective 1-1-17 and expiring 12-31-19, or until a successor is duly appointed. The Committee approved filing this resolution by consent on 12-28-16.

Finance & Governance Committee**[16-1270](#) A resolution approving a proposed Master Purchase Order between the City and County of Denver and nTherm, LLC for the purchase of natural gas for the heating of City facilities.**

Approves a one-year \$20 million citywide master purchase order with nTherm, LLC through 12-31-17 for natural gas to heat City facilities including Denver International Airport, Denver Health, Wastewater Management, and buildings citywide (0366A0116). The last regularly scheduled Council meeting within the 30-day review period is on 1-30-17. The Committee approved filing this resolution by consent on 12-20-16.

[16-1321](#) A resolution to set a public hearing relating to approval of amendments to the St. Anthony Urban Redevelopment Plan for the Sloans Block 9 Project and directing the Denver Urban Renewal Authority to take certain actions in connection with the amendments.

Sets a public hearing on 2-13-17 before City Council relating to approval of an amendment to the St. Anthony Urban Redevelopment Plan for the Sloans Block 9 Project in Council District 1. The Committee approved filing this resolution by consent on 12-20-16.

[16-1322](#) A resolution to set a public hearing relating to approval of amendments to the St. Anthony Urban Redevelopment Plan for the Sloans Block 3 Project and directing the Denver Urban Renewal Authority to take certain actions in connection with the amendments.

Sets a public hearing on 2-13-17 before City Council relating to approval of an amendment to the St. Anthony Urban Redevelopment Plan for the Sloans Block 3 Project in Council District 1. The Committee approved filing this resolution by consent on 12-20-16.

[16-1328](#) A resolution approving a proposed Agreement by and between the City and County of Denver and Clear Selections Group, Inc., d/b/a Liberty Waste Management for rental of portable toilets used throughout the City by various agencies.

Approves a \$4.5 million contract with Clear Selections Group, Inc., (Liberty Waste Management) through 12-31-18 for the rental of portable toilets by City agencies (GENRL-201631628-00). The last regularly scheduled Council meeting within the 30-day review period is on 1-30-17. The Committee approved filing this resolution by consent on 12-27-16.

[16-1333](#) A resolution approving a proposed Master Purchase Order between the City and County of Denver and ISC, Inc., dba Venture Technologies to provide CISCO Networking equipment and supplies for Denver Citywide.

Approves a five-year, up-to \$25 million master purchase order with Venture Technologies through 10-20-21 for citywide CISCO Networking equipment and supplies (0643A0116). (This is a companion ordinance to 16-1335 in the sense that the agency budget for these services is a total of \$25 million over the period, but each vendor could be awarded none, a portion, or all of the \$25 million, depending on their competitive advantage to the city at the time services are needed.) The last regularly scheduled Council meeting within the 30-day review period is on 1-30-17. The Committee approved filing this resolution by consent on 12-27-17.

[16-1335](#) A resolution approving a proposed Master Purchase Order between the City and County of Denver and Advanced Network Management, Inc., to provide CISCO Networking equipment and supplies for Denver Citywide.

Approves a five-year up-to \$25 million master purchase order with Advanced Network Management, Inc., through 10-20-21 for citywide CISCO Networking equipment and supplies (0643A0216). (This is a companion ordinance to 16-1333 in the sense that the agency budget for these services totals \$25 million over the period, but each vendor could be awarded none, a portion, or all of the \$25 million depending on their competitive advantage to the city at the time services are needed.) The last regularly scheduled Council meeting within the 30-day review period is on 1-30-17. The Committee approved filing this resolution by consent on 12-27-17.

[17-0010](#) A resolution to set a public hearing on the approval of the First Amendments to the Service Plans for the DUS Metropolitan District No. 1, DUS Metropolitan District No. 2, DUS Metropolitan District No. 3, DUS Metropolitan District No. 4 and DUS Metropolitan District No. 5.

Sets a public hearing on 1-30-17 before Council on the first amendments to the service plans for the Denver Union Station Metropolitan Districts No. 1, 2, 3, 4, and 5 in Council District 9. The Committee approved filing this resolution by consent on 1-3-17.

Land Use, Transportation & Infrastructure Committee**[16-1273](#) A resolution laying out, opening and establishing as part of the City street system a parcel of land as York Street near the intersection of East 40th Avenue and York Street.**

Dedicates a parcel of land as public right-of-way located at the intersection of East 40th Avenue and York Street in Council District 9. The Committee approved filing this resolution by consent on 12-13-16.

[16-1290](#) A resolution laying out, opening and establishing as part of the City street system parcels of land as Brighton Boulevard between 34th Street and 36th Street.

Dedicates a parcel of land as public right-of-way located at Brighton Boulevard between 34th Street and 36th Street in Council District 9. The Committee approved filing this resolution by consent on 12-13-16.

[16-1336](#) A resolution approving an Access & Use Permit Agreement between the City and County of Denver and Public Service Company of Colorado for the purpose of installing and maintaining a gas line.

Approves a non-financial access and use permit agreement with Xcel Energy to install and maintain a gas line to remain in effect for the life of the line in the Sand Creek Open Space in Council District 8 (PARKS-201632030-00). The last regularly scheduled Council meeting within the 30-day review period is on 1-30-17. The Committee approved filing this resolution by consent on 12-27-16.

Safety, Housing, Education & Homelessness Committee**[16-1240](#) A resolution approving a proposed Amendatory Agreement between the City and County of Denver and Ferkam Inc. d/b/a Extreme Towing & Recovery for comprehensive towing services.**

Amends a contract with Ferkam, Inc., doing business as Extreme Towing & Recovery, by adding \$5.9 million for a total contract in the amount of \$6 million for comprehensive towing services for the Denver Police Department, Denver Sheriff Department, and Denver Right-of-Way Enforcement. There is no change to the contract duration (201627602-01). The last regularly scheduled Council meeting within the 30-day review period is on 1-17-17. The Committee approved filing this resolution by consent on 12-7-16. Pursuant to Council Rule 3.7, Councilman Flynn called out this resolution on the Tuesday, January 3, 2017 Council meeting for a one-week postponement to Monday, January 9, 2017.

[16-1329](#) A resolution approving the Mayor's appointment to the Board of Environmental Health.

Approves the Mayoral appointment of James G. Garcia to the Board of Environmental Health for a term effective 1-1-17 and expiring 12-31-22, or until a successor is duly appointed. The Committee approved filing this resolution by consent on 12-28-16.

BILLS FOR INTRODUCTION**Finance & Governance Committee****[16-1342](#) A bill for an ordinance concerning the Denver Union Station Project and in connection therewith authorizing a loan agreement among the City, Compass Bank, Compass Mortgage Corporation and U.S. Bank National Association to be repaid from a portion of the property and sales tax incremental revenues received by the City pursuant to the Denver Downtown Development Authority Plan of Development for Denver Union Station and other revenues received from certain metropolitan districts for the purpose of refinancing a portion of the outstanding debt of Denver Union Station Project Authority; authorizing the execution of certain agreements and providing other details in connection therewith; ratifying action previously taken relating thereto; providing other matters relating thereto; and providing the effective date thereof.**

Approves a loan agreement with Compass Bank, Compass Mortgage Corporation, and U.S. Bank National Association for the refinancing of a portion of the outstanding debt of the Denver Union Station Project in Council District 9. The Committee approved filing this bill at its meeting on 1-3-17.

Land Use, Transportation & Infrastructure Committee**[16-1274](#) A bill for an ordinance vacating a portion of right-of-way near 1750 15th Street, with reservations.**

Vacates a portion of the public right-of-way on the southeasterly corner of Wewatta Street at 15th Street, with reservations, at 1750 15th Street in Council District 9. The Committee approved filing this bill by consent on 12-13-16.

[16-1309](#) A bill for an ordinance changing the zoning classification for 3087 S. Sheridan Boulevard.

Rezones property located at 3087 South Sheridan Boulevard from Former Chapter 59 B-2 with Waivers to S-CC-3x (from the former chapter 59 business zoning code to suburban commercial corridor) in Council District 2. 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 12-20-16.

[16-1330](#) A bill for an ordinance relinquishing an easement reserved by Ordinance No. 35, Series of 1933, located near the intersection of Marion Street and Park Avenue.

Relinquishes certain easements established in the Vacating Ordinance No. 35, Series of 1933, located at Marion Street and Park Avenue in Council District 9. The last regularly scheduled Council meeting within the 30-day review period is on 1-30-17. The Committee approved filing this bill by consent on 12-27-16.

[16-1331](#) A bill for an ordinance relinquishing an easement established by the New Avondale Subdivision Plat located near West Colfax Avenue and Federal Boulevard.

Relinquishes certain easements established on the New Avondale Subdivision Plat recorded in 1963 located at West Colfax Avenue and Federal Boulevard in Council District 3. The last regularly scheduled Council meeting within the 30-day review period is on 1-30-17. The Committee approved filing this bill by consent on 12-27-16.

BILLS FOR FINAL CONSIDERATION**Finance & Governance Committee****[16-0919](#) AS AMENDED, a bill for an ordinance amending Article V of Chapter 2 of the Revised Municipal Code pertaining to financial disclosure.**

Revises the Denver Revised Municipal Code regarding financial disclosure including eliminating the requirement that candidates for municipal office make financial disclosures, modifying the definition of "gift", "immediate family" and "officer", modifying the date for submitting the annual financial disclosure statement for city officers, requiring semi-annual gift disclosure reports by officers and annual gift disclosure reports by employees, modifying reportable gifts and increasing the reporting threshold from \$25 to \$50; making the financial and gift reports of officers publicly available online and the gift reports of employees publicly available on request, and modifying the remedies for violations of the ordinance. The Committee approved filing this bill at its meeting on 11-29-16. Amended 1-3-17 to remove the minimum \$50 threshold for reporting gifts in the covered categories, resulting in the reporting of all gifts received in the designated categories, regardless of value. The amendment also clarifies that the new rules for gift reporting will not apply to gifts already received in 2016, but which will be reported in 2017. Rather, the new rules will take effect upon passage, in 2017, and will be applicable for all gifts received from that time on, but not retroactively to prior years that have already concluded. The first time gifts will be reported under the new rules in the reports due in July of 2017 (for officers) and January of 2018 (for employees).

[16-1170](#) A bill for an ordinance amending section 53-545 of Chapter 53, Article XVI, "Business Personal Property Tax Credits for New or Expanded Businesses," of the Revised Municipal Code.

Amends Section 53-545 of the Denver Revised Municipal Code regarding the Business Investment Program to extend it for an additional five years through 2021. The Committee approved filing this bill at its meeting on 12-13-16.

[16-1265](#) 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 traffic and pedestrian safety improvement project at various intersections, including Evans and Alameda Avenues.

Authorizes Public Works to negotiate, purchase, or condemn property for seven permanent easements to install traffic lights and ADA ramps and three temporary construction easements at various intersections including Evans and Alameda avenues in Council Districts 6 and 4. The Committee approved filing this bill by consent on 12-13-16.

Land Use, Transportation & Infrastructure Committee

[16-1315](#) A bill for an ordinance vacating a portion of right-of-way at the intersection of Blake Street and Downing Street, with reservations.

Vacates a portion of the right-of-way on the Northeast corner of the Blake Street and Downing Street intersection, with reservations, in Council District 9. The Committee approved filing this bill by consent on 12-20-16.

[16-1316](#) A bill for an ordinance relinquishing the easement established in the Permanent Easement, recorded with the Denver Clerk & Recorder at Reception No. 2016139219 located at First Creek Village Filing No. 1.

Relinquishes certain easements established in the Permanent Easement with recordation No. 2016139219 for project First Creek Village No. 1, near 56th Ave and Tower Road in Council District 11. The last regularly scheduled Council meeting within the 30-day review period is on 1-23-17. The Committee approved filing this bill by consent on 12-20-16.

[16-1320](#) A bill for an ordinance vacating the alley bounded by 26th Street, 27th Street, Walnut Street and Larimer Street, with reservations.

Vacates the alley bounded by 26th Street and 27th Street, and Walnut Street and Larimer Street, with reservations in Council District 9. The Committee approved filing this bill by consent on 12-20-16.

RECAP OF BILLS TO BE CALLED OUT

PRE-RECESS ANNOUNCEMENT

Tonight there will be a required public hearing on 16-1071, concerning property taxes dedicated for the purpose of purchasing services for persons with intellectual and developmental disabilities; and, a required public hearing on 16-1125, changing the zoning classification for 1154, 1156, 1160, 1164, and 1166 South Lincoln. Anyone wishing to speak on either 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. Council was also scheduled to hold a required public hearing on 16-1166, changing the zoning classification of 1601 West Jewell Avenue. However, it is Council's intent to postpone final consideration with its public hearing to Monday, February 6, 2017. If you are here this evening to speak on this matter, we apologize for any inconvenience and ask that you return on Monday, February 6, 2017.

RECESS**COUNCIL RECONVENES AND RESUMES ITS REGULAR SESSION****PUBLIC HEARINGS - BILLS FOR FINAL CONSIDERATION****Safety & Well-being**

[16-1071](#) **A bill for an ordinance adopting a new Article XVII of Chapter 53, D.R.M.C. concerning property taxes dedicated for the purpose of purchasing services for persons with intellectual and developmental disabilities.**

Amends the 2003 initiated ordinance that increased the "Developmentally Disabled Fund" by 1.000 mill to the dedicated property taxes to add Section 53-550 to allow for purchasing services for use of the revenues for persons with intellectual and developmental disabilities. The Committee approved filing this bill at its meeting on 12-14-16.

Land Use, Transportation & Infrastructure Committee

[16-1125](#) A bill for an ordinance changing the zoning classification for 1154, 1156, 1160, 1164, and 1166 South Lincoln Street.

Rezones property located at 1154, 1156, 1160, 1164, and 1166 South Lincoln from R-MU-20 to U-RH-2.5 (residential mixed-use to urban row house) with waivers, in Council District 7. The Committee approved filing this bill at its meeting on 11-29-16.

[16-1166](#) A bill for an ordinance changing the zoning classification of 1601 W. Jewell Avenue.

Rezones property located at 1601 West Jewell Avenue from E-SU-Dx to PUD G-14 (office and telecommunications tower to planned development) in Council District 7. The Committee approved filing this bill at its meeting on 11-29-16.

PRE-ADJOURNMENT ANNOUNCEMENT

Dependent upon publication, on Monday, February 6, 2017, Council will hold a required public hearing on 16-1309, changing the zoning classification for 3087 South Sheridan Boulevard. Any protests against 16-1309 must be filed with the Council Offices no later than noon on Monday, January 30, 2017.

ADJOURN

PENDING

FOR 1-17-17

[16-1193](#) A bill for an ordinance changing the zoning classification for 2099 and 2101 31st Street.

Rezones property located at 2099 and 2101 31st Street from I-B, UO-2 to I-MX-8 (from industrial to industrial mixed-use) in Council District 9. The Committee approved filing this bill at its meeting on 12-6-16.

Final Consideration

Required Public Hearing

[16-1199](#) A bill for an ordinance changing the zoning classification for 4211 Inca Street.

Rezones property located at 4211 Inca Street from I-A, UO-2 to C-RX-8 (from industrial to residential mixed-use) in Council District 1. The Committee approved filing this bill at its meeting on 12-6-16.

Final Consideration

Required Public Hearing