

## City Council Meeting of Monday, February 01, 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

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### \*\*WEB ACCESS\*\*

**Live video and archives may be  
accessed at**

<http://www.denvergov.org/citycouncil>

### \*\*REMINDER\*\*

As a courtesy to those in attendance,  
please

**turn off your cell phones.**

### MEETING ASSISTANCE NOTICE - AMERICANS WITH DISABILITIES ACT

The Council Chamber has listening devices for people with a hearing loss; request a device from the Council Secretary. The City can provide sign language interpretation or CART (computer assisted real-time transcription) for persons attending City Council meetings. If you need sign language interpretation or CART, please email [SignLanguageServices@denvergov.org](mailto:SignLanguageServices@denvergov.org) three business-days prior to the meeting.

### 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 sign up with the Council Secretary 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. 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, February 01, 2016 5:30 PM

## **Pledge of Allegiance**

## **Roll Call**

## **Approval of the Minutes**

## **Council Announcements**

## **Presentations**

## **Communications**

**A letter dated January 27, 2016, from Cary Kennedy, Manager of Finance, notifying of the Department of Finance's intent to issue City and County of Denver Excise Tax Revenue Bonds, Series 2016A-B in a par amount not to exceed \$425,000,000 for the purpose of funding initial costs related to the development of the National Western Center and improvements at the Colorado Convention Center, to refund existing Excise Tax Revenue Bonds Series 2005A and 2009A, and to pay costs of issuance.**

## **Proclamations**

**CP16-0070 A proclamation recognizing the 60th Anniversary of the Harvey Park Improvement Association.**

**Sponsored by Council members Flynn, Brooks, Kashmann, Clark, New, Black, and Espinoza.**

**CP16-0071 A proclamation celebrating the Denver Broncos as the 2016 AFC Champions and Uniting in Orange for Super Bowl 50.**

**Sponsored by Council members López, Gilmore, Kashmann, Brooks, Susman, Black, Flynn, New, and Clark.**

## **Resolutions**

### **Business Development**

**CR15-0954 A resolution approving the purchase of insurance to implement**

**a Rolling Owner Controlled Insurance Program (ROCIP) for construction projects at Denver International Airport during the period of 1-1-16 to 12-31-18 in an amount not to exceed \$3,104,385 for insurance premiums.**

Approves the implementation of a Rolling Owner Controlled Insurance Program (ROCIP) for construction Projects at Denver International Airport during the period of 1-1-16 to 12-31-18 in an amount not to exceed \$3,104,385 for insurance premiums. The last regularly scheduled Council meeting within the 30-day review period is on 2-22-16. The Committee approved filing this resolution by consent on 12-10-15.

**CR16-0009 A resolution approving a proposed Agreement between the City and County of Denver and The Travelers Indemnity Company, related to the Rolling Owner-Controlled Insurance Program ("Denver International Airport ROCIP II") for construction and/or capital improvement projects at Denver International Airport.**

Authorizes an agreement between 2016-2018 with Travelers Indemnity Company with a maximum contract value of \$3,326,304 creating a loss payment fund and providing collateral for the Rolling Owner-Controlled Insurance Program (ROCIP) for selected capital improvement projects at Denver International Airport (201626091). The last regularly scheduled Council meeting within the 30-day review period is on 2-22-16. The Committee approved filing this resolution by consent on 1-21-16.

**CR16-0031 A resolution approving a proposed First Amendment to Agreement between the City and County of Denver and WJ Advisors LLC for consultant services at Denver International Airport.**

Amends a contract with WJ Advisors, LLC by adding \$750,000 for a new total of \$2.75 million and extending by one year to 12-31-16 for continued financial consulting and advising services at Denver International Airport (PLANE-201206746-00). The last regularly scheduled Council meeting within the 30-day review period is on 2-22-16. The Committee approved filing this resolution by consent on 1-21-16.

**CR16-0032 A resolution approving a proposed Agreement between the City and County of Denver and Hot Shots Hauling LLC, for roustabout services related to maintenance of oil and gas wells at Denver International Airport.**

Approves a contract with Hot Shots Hauling, LLC for \$700,000 through 12-31-18 for the operation and maintenance of 76 oil and gas wells located at Denver International Airport (201525214). The last regularly scheduled Council meeting within the 30-day review period is on 2-22-16. The Committee approved filing this resolution by consent on 1-21-16.

**CR16-0033 A resolution approving a proposed Contract between the City and County of Denver and Johnson Controls, Inc. related to phase 4 HVAC upgrades on Concourse B at Denver International Airport.**

Approves a contract with Johnson Controls, Inc. for two years at a cost of \$9.6 million in order to complete phase 4 of heating, ventilation, and air conditioning (HVAC) control systems upgrades on B Concourse at Denver International Airport (201414661). The last regularly scheduled Council meeting within the 30-day

review period is on 2-22-16. The Committee approved filing this resolution by consent on 1-21-16.

## **Finance & Services**

**CR16-0036 A resolution approving a proposed Second Amendatory Agreement by and between the City and County of Denver and Qwest Communications, LLC., d/b/a CenturyLink QCC to provide maintenance service to the City's Nortel telephone systems.**

Adds \$150,000 and one year to the contract with Century Link for a new end date of 12-31-16 and total of \$1.115 million for preventative maintenance and monitoring of key Nortel telephone systems (TECHS-CE13203-02). The last regularly scheduled Council meeting within the 30-day review period is on 2-22-16. The Committee approved filing this resolution at its meeting on 1-21-16.

## **Governance & Charter Review**

**CR16-0021 A resolution approving the Mayor's reappointments to the Denver Immigrant and Refugee Commission.**

Approves the Mayoral reappointments of Diana Higuera, Sher Mizer, and Chiara Sobhas to the Denver Immigrant and Refugee Commission for terms effective immediately and expiring 12-31-17, or until successors are duly appointed. The Committee approved filing this resolution by consent on 1-21-16.

**CR16-0026 A resolution approving the Mayor's reappointment to the Denver American Indian Commission.**

Approves the Mayoral reappointment of Stella Carrasco to the Denver American Indian Commission for a term effective immediately and expiring on 7-11-17, or until a successor is duly appointed. The Committee approved filing this resolution by consent on 1-21-16.

**CR16-0027 A resolution approving the Mayor's reappointments and appointments to the Colfax Business Improvement District Board of Directors.**

Approves the Mayoral reappointments of Sean O'Connell and Jimmy Balafas; and, the appointments of Gardiner Hammond and Julia Grother to the Colfax Business Improvement District Board of Directors for terms effective immediately and expiring 12-31-18, or until successors are duly appointed. The Committee approved filing this resolution by consent on 1-21-16.

**CR16-0029 A resolution approving the Mayor's reappointments and appointment to the Citizen Oversight Board.**

Approves the Mayoral reappointments of Mark Brown, Mary Davis, and Francisco Gallardo; and, the appointment of Katina Banks to the Citizen Oversight Board for terms effective immediately and expiring 1-1-20, or until successors are duly appointed. The Committee approved filing this resolution by consent on 1-21-16.

## Infrastructure & Culture

**CR15-0961 A resolution approving a proposed Long-Term License between the City and County of Denver and Park Creek Metropolitan District for work North of 56th Avenue at Stapleton.**

Approves a long-term license to allow the Park Creek Metro District access to city-owned land to construct open space amenities and public utilities in Stapleton north of 56th Avenue in Council District 8. The last regularly scheduled Council meeting within the 30-day review period is on 2-22-16. The Committee approved filing this resolution by consent on 12-17-15.

**CR15-0981 A resolution approving a proposed Second Amendatory Agreement between the City and County of Denver and CDM Smith, Inc., for professional architecture and engineering design services.**

Extends the contract one year with CDM Smith, Inc. one year to 12-31-16 to complete the design of the South Platte River recreational and habitat improvements in Council District 7. No funding added (201209248). The last regularly scheduled Council meeting within the 30-day review period is on 2-22-16. The Committee approved filing this resolution by consent on 12-24-15.

**CR16-0018 A resolution accepting and approving the plat of Vestals Sunset Terrace Filing No. 6.**

Approves a subdivision plat for Vestals Sunset Terrace filing No. 6 located at 5405 Bails Drive between Bails Drive, South Glencoe Street, and Utah Place in Council District 6. The Committee approved filing this resolution by consent on 1-21-16.

**CR16-0025 A resolution laying out, opening, and establishing certain real property as part of the City street system parcels of land as South Federal Boulevard near its intersections with West Jewell Avenue, West Mexico Avenue and West Iowa Avenue.**

Dedicates land as South Federal Boulevard, near the intersections of South Federal Boulevard and West Jewell Avenue; South Federal Boulevard and West Mexico Avenue; and, South Federal Boulevard and West Iowa Avenue in Council District 7. The Committee approved filing this resolution by consent on 1-21-16.

**CR16-0035 A resolution approving a proposed Third Amendatory Agreement between the City and County of Denver and Felsburg, Holt, & Ullevig, Inc. for professional, architectural, and engineering design services.**

Adds \$371,097.53 and two years to the contract with Felsburg Holt Ullevig, Inc., for a new end date of 12-31-17, and contract total of \$4,589,844.54 for construction design support and materials testing related to the reconstruction of Broadway Boulevard between Arizona and Kentucky avenues in Council District 7 (CE93007-03). The last regularly scheduled Council meeting within the 30-day review period is on 2-22-16. The Committee approved filing this resolution by consent on 1-21-16.

## Safety & Well-being

**CR15-0991 A resolution approves a Loan Agreement between the City and County of Denver and Ash Street Affordable Housing LLC for costs associated with the housing development located at 1126 Ash Street, Denver, Colorado.**

Approves a loan agreement with Ash Street Affordable Housing for \$700,000 of Skyline Funds/HUD to support the construction and permanent financing of 112 affordable housing units in the University of Colorado Health Sciences Center Redevelopment at 1126 Ash Street, in Council District 5. The last regularly scheduled Council meeting within the 30-day review period is on 2-22-16. The Committee approved filing this resolution at its meeting on 1-19-16.

## Bills for Introduction

### Business Development

**CB15-0912 A bill for an ordinance concerning the licensing and regulation of businesses, including marijuana businesses, and in connection therewith amending Article V of Chapter 6, Article XII of Chapter 24, and Article I of Chapter 32 of the Denver Revised Municipal Code; and for an ordinance repealing Article XI of Chapter 24 of the Denver Revised Municipal Code concerning the licensing and regulation of medical marijuana dispensaries.**

Amends various sections of the Denver Revised Municipal Code regarding marijuana by updating certain sections to address challenges experienced over the past two years; deleting certain provisions that are now obsolete; standardizing procedures between the Denver Revised Marijuana Code and the Denver Medical Marijuana Code; and harmonizing sections within the Code by adding or amending sections to accommodate changes made in state law with regard to marijuana and medical marijuana. The Committee approved filing this bill at its meeting on 1-19-16.

**CB16-0030 A bill for an ordinance changing the name of the Fax-Mayfair Business Improvement District to Colfax Mayfair Business Improvement District.**

Approves changing the name of the Fax-Mayfair Business Improvement District to Colfax Mayfair Business Improvement District (BID) to allow the legal name to match the name under which the BID does business. The Committee approved filing this bill by consent on 1-21-16.

### Governance & Charter Review

**CB16-0041 A bill for an ordinance appointing Patrick Tooley to serve as a member of the Board of Ethics.**

Approves the City Council appointment of Patrick Tooley to the Denver Board of

Ethics for terms effective immediately and expiring 5-1-19, or until a successor is duly appointed. The Committee approved filing this bill by consent on 1-21-16.

## **Infrastructure & Culture**

### **CB16-0012 A bill for an ordinance approving Department of Public Works annual programs for 2016 and waiving the need for further City Council approval for specific contracts to be let pursuant to the annual programs.**

Approves the annual Public Works infrastructure program by waiving the requirement that contracts above \$500,000 be individually approved by City Council. The Committee approved filing this bill at its meeting on 1-13-16.

## **Neighborhoods & Planning**

### **CB16-0001 A bill for an ordinance changing the zoning classification for 3901 – 3991 N. Cook St.**

Rezones property located at 3901-3991 North Cook Street from E-SU-DX (urban edge, single-unit, 6,000 sq. ft.) to U-RH-2.5 (urban neighborhood, rowhouse, 2.5 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 1-20-16.

### **CB16-0039 A bill for an ordinance changing the zoning classification for approximately 6756 Archer Drive.**

Rezones property located at approximately 6756 Archer Dr. from O-1 (open space) to G-MU-5 (general urban, multi-unit, 5 stories) in Council District 5. 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 1-20-16.

### **CB16-0040 A bill for an ordinance changing the zoning classification for 668-670 Inca Street.**

Rezones property located at 668-670 N. Inca St. from PUD #144 (Planned Unit Development #144) to U-RH-3A (urban, rowhouse, 3 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 1-20-16.

## **Recap of Bills to be Called Out**

### **Pre-Recess Announcement**

**Tonight there will be a one-hour courtesy public hearing on CB15-0912, which amends various sections of the Denver Revised Municipal Code**

regarding marijuana by updating certain sections to address challenges experienced over the past two years; deleting certain provisions that are now obsolete; standardizing procedures between the Denver Revised Marijuana Code and the Denver Medical Marijuana Code; and harmonizing sections within the Code by adding or amending sections to accommodate changes made in state law with regard to marijuana and medical marijuana. 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 Introduction**

#### **Business Development**

**CB15-0912 A bill for an ordinance concerning the licensing and regulation of businesses, including marijuana businesses, and in connection therewith amending Article V of Chapter 6, Article XII of Chapter 24, and Article I of Chapter 32 of the Denver Revised Municipal Code; and for an ordinance repealing Article XI of Chapter 24 of the Denver Revised Municipal Code concerning the licensing and regulation of medical marijuana dispensaries.**

Amends various sections of the Denver Revised Municipal Code regarding marijuana by updating certain sections to address challenges experienced over the past two years; deleting certain provisions that are now obsolete; standardizing procedures between the Denver Revised Marijuana Code and the Denver Medical Marijuana Code; and harmonizing sections within the Code by adding or amending sections to accommodate changes made in state law with regard to marijuana and medical marijuana. The Committee approved filing this bill at its meeting on 1-19-16.

### **Bills for Final Consideration**

#### **Finance & Services**

**CB16-0017 A bill for an ordinance approving a proposed Purchase and Sale Agreement between the City and County of Denver and Rocking M Cattle Co for acquisition of 5300 North Franklin Street, 5340 North Franklin Street, and adjacent land.**

Approves a \$3.5 million purchase and sale agreement with Rocking M Cattle Co. for acquisition of 5300 North Franklin Street, 5340 North Franklin Street, and adjacent land parcels in Council District 9 (201523647-00). The last regularly scheduled Council meeting within the 30-day review period is on 2-16-16. The Committee



approved filing this bill at its meeting on 1-12-16.

## **Announcement**

**On Tuesday, February 29, 2016, Council will hold a required public hearing on CB16-0001, changing the zoning classification for 3901-3991 North Cook Street; a required public hearing on CB16-0039, changing the zoning classification for approximately 6756 Archer Drive; and a required public hearing on CB16-0040, changing the zoning classification for 668-670 Inca Street. Any protests against CB16-0001, CB16-0039, or CB16-0040 must be filed with the Council Offices no later than noon on Monday, February 22, 2016.**

## **Adjourn**

## **Pending**

**For 3-7-16**

**CB15-0937 A bill for an ordinance changing the zoning classification for 725 West 39th Avenue.**

**Required Public Hearing  
Final Consideration**