

City Council Meeting of Tuesday, March 15, 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 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.

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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: Tuesday, March 15, 2016 5:30 PM

Pledge of Allegiance

Roll Call

Approval of the Minutes

Council Announcements

Presentations

Communications

Proclamations

CP16-0185 A proclamation honoring Anthony Frazzini for his career with the City and County of Denver.

Sponsored by Council members Flynn, Ortega, Lopez, Kashmann, Brooks, Black, Espinoza and New.

Resolutions

Business Development

CR16-0133 A resolution approving a proposed Standard Concession Agreement between the City and County of Denver and MCE-DIA, LLC concerning restaurant and convenience concessions in the Westin Hotel, on Concourse B, and on Concourse C at Denver International Airport.

Approves a contract with MCE-DIA, LLC doing business as Tom's Urban Kitchen + Brewery, Roasting Plant, Smashburger & Bar for a minimum annual percentage fee of \$1,960,000 for ten years and grants the concessionaire the right to construct and use facilities to serve the traveling public and employees at Denver International Airport (PLANE 201523998). The last regularly scheduled Council meeting within the 30-day review period is on 4-4-16. The Committee approved filing this resolution at its meeting on 3-1-16.

Finance & Services

CR16-0117 A resolution approving a proposed Purchase Order between the City and County of Denver and Landscape Forms, Inc., to manufacture and deliver historic replicas of the 16th Street Mall lights.

Approves a \$1,915,938.70 purchase order with Landscape Forms, Inc. to manufacture and deliver historic replicas of the 16th Street Mall lights. The last regularly scheduled Council meeting within the 30-day review period is on 4-4-16. The Committee approved filing this resolution at its meeting on 2-23-16.

CR16-0119 A resolution approving a proposed Amendatory Agreement by and between the City and County of Denver and Iron and Metals, Inc., to provide containers/roll-offs for the collection and sale of scrap metal.

Extends the revenue contract with Iron and Metals, Inc. for two years through 3-31-18 for an estimated \$225,000 in City earnings for sale of city scrap metal (201309939). The last regularly scheduled Council meeting within the 30-day review period is on 4-4-16. The Committee approved filing this resolution by consent on 2-25-16.

CR16-0123 A resolution approving a proposed Master Purchase Order between the City and County of Denver and Transwest Freightliner LLC dba Tranwest/All Truck and Trailer Parts for medium-heavy equipment and trailer parts that are used on City vehicles.

Adds \$425,000 to the purchase order with Transwest Freightliner for a new total of \$900,000 for medium-heavy equipment and trailer parts for City vehicles (0667A0413). The last regularly scheduled Council meeting within the 30-day review period is on 4-4-16. The Committee approved filing this resolution by consent on 3-3-16.

Governance & Charter Review

CR16-0126 A resolution approving the Mayor's appointment to the Denver Latino Commission.

Approves the Mayoral appointment of Angelina Sierra-Sandoval to the Denver Latino Commission for a term effective immediately and expiring on 1-1-18, or until a successor is duly appointed. The Committee approved filing this resolution by consent on 3-3-16.

Infrastructure & Culture

CR16-0132 A resolution approving a proposed Purchase Order between the City and County of Denver and Rush Peterbilt Truck Center Denver for the purchase of three Peterbilt 320/Heil body rear loading refuse trucks.

Approves a \$661,065 contract with Rush Peterbilt Truck Center Denver for the purchase of three refuse trucks. The last regularly scheduled Council meeting within the 30-day review period is on 4-4-16. The Committee approved filing this resolution by consent on 3-3-16.

Safety & Well-being

CR16-0138 A resolution approving a proposed Second Amendment and Modification Agreement between the City and County of Denver and Del Norte Neighborhood Development Corporation.

Amends a loan agreement with Del Norte Neighborhood Development Corporation on an 80-unit affordable housing rental project known as Avondale Apartments located in Council District 3 to update repayment terms for the loan, extend the covenant by ten years, and allow for the condominiumization of the collateral. The last regularly scheduled Council meeting within the 30-day review period is on 4-4-16. The Committee approved filing this resolution by consent on 3-3-16.

Bills for Introduction

Business Development

CB16-0134 A bill for an ordinance approving an Amended Budget for 2016 for the Colfax Business Improvement District.

Amends the 2016 Budget for the Colfax Business Improvement District located in Council Districts 9 and 10. The Committee approved filing this bill by consent on 3-3-16.

Finance & Services

CB16-0137 A bill for an ordinance designating certain property as being required for public use and authorizing use and acquisition thereof by negotiation, purchase and/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 Mississippi and Federal Retail Center Alley Improvement Project.

Grants the authority to acquire all or any portion of any property interest in up to 24 properties as part of the Mississippi and Federal Retail Center Alley Improvement Project in Council District 3. The Committee approved filing this bill by consent on 3-3-16.

Governance & Charter Review

CB16-0128 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 by adding Events Facilitator at pay grade 613-C. The Committee approved filing this bill by consent on 3-3-16.

Infrastructure & Culture

CB16-0127 A bill for an ordinance vacating a portion of the alley bounded by Utica Street, West 43rd Avenue, Tennyson Street and West 41st Avenue in Chavez Park, without reservations.

Vacates a portion of the alley bounded by Utica Street, West 43rd Avenue, Tennyson Street and West 41st Avenue and within the Chavez Park boundaries in Council District 1. The Committee approved filing this bill by consent on 3-3-16.

CB16-0135 A bill for an ordinance relinquishing two utility easements conveyed by a Deed of Easement recorded at Reception No. 1996067098 and bounded by South Colorado Boulevard, East Kentucky Avenue, South Birch Street, and East Mississippi Avenue.

Relinquishes two utility easements bounded by South Colorado Boulevard, East Kentucky Avenue, South Birch Street, and East Mississippi Avenue in Council District 6. The last regularly scheduled Council meeting within the 30-day review period is on 4-4-16. The Committee approved filing this bill by consent on 3-3-16.

Neighborhoods & Planning

CB16-0129 A bill for an ordinance changing the zoning classification for 210 Saint Paul Street.

Rezones property located at 210 Saint Paul Street from PUD-G #1 (Planned Unit Development - G #1) to C-CCN7 and C-CCN-8 (urban center, Cherry Creek North, with 7 & 8-story heights) in Council District 10. 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 3-2-16.

CB16-0130 A bill for an ordinance changing the zoning classification for 3200 Walnut St., 3220 Walnut St., 3254 Walnut St. and 3235 Larimer St.

Rezones property located at 3200 Walnut Street, 3220 Walnut Street, 3254 Walnut Street, and 3235 Larimer Street from I-MX-3, UO-2 (industrial, mixed-use, 3 stories, use overlay allowing billboards) to C-MX-5 and C-MX-3 (urban center, mixed-use, 3 and 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 3-2-16.

Safety & Well-being

CB16-0107 A bill for an ordinance amending Sections 28-17, 28-20, and 28-21 of the Revised Municipal Code concerning the Agency for Human Rights and Community Partnerships and, in connection therewith, modifying the terms referring to certain community groups and eliminating gender-specific language.

Amends Sections 28-17, 28-20, and 28-21 of the Denver Revised Municipal Code to

change the name of the Denver Asian Pacific American Commission to the Denver Asian American Pacific Islander Commission and change the name of the Denver Gay, Lesbian, Bisexual & Transgender Commission to the Lesbian, Gay, Bisexual, Transgender and Queer Commission to better reflect the communities they represent. The Committee approved filing this bill by consent on 2-25-16.

Recap of Bills to be Called Out

Recess

Council Reconvenes and Resumes its Regular Session

Bills for Final Consideration

Finance & Services

CB16-0111 A bill for an ordinance amending Sec. 53-27(b)2, 53-98(b)(2), 53-171(b) and Account Number 97000/282110 of the Revised Municipal Code of the City and County of Denver to implement the results of the election held in the City on November 3, 2015.

Amends the Denver Revised Municipal Code to conform to ballot measure 2C approved by Denver voters in November 2015, to eliminate the expiration of the 1.75% lodger's and short-term auto rental taxes, and establish the 2016A-B Dedicated Tax Revenue Bond ordinance. The Committee approved filing this bill by consent on 2-25-16.

CB16-0120 A bill for an ordinance rescinding budget, transferring cash and making appropriations in the General Fund, General Government, Safety, Culture and Recreation Special Revenue Funds and Capital Improvements and Capital Maintenance Fund of moneys designated by City Council for various projects.

Approves the City Council 2015 year-end budget reconciliation by transferring \$263,694 of City Council budget savings to City Council Special Revenue Funds, transferring \$12,190 of City Council budget savings to other city funds for various projects, and giving back \$1,049 of budget savings to the City's General Fund. The Committee approved filing this bill by consent on 2-25-16.

Governance & Charter Review

CB16-0118 A bill for an ordinance amending the annual salaries of certain appointed charter officers and the chief of police.

Approves pay increases to the salaries of the 11 appointed Charter officers and an increase to the salary of the Chief of Police retroactive to January 1, 2016. The Committee approved filing this bill at its meeting on 2-23-16.

Infrastructure & Culture

CB16-0110 A bill for an ordinance approving a proposed Donation Agreement between the City and County of Denver and Adolescent Counseling Exchange providing for the acceptance of donated artwork, "Cesar E. Chavez Bust" by artist Emanuel Martinez for Cesar Chavez Park. Accepts the "Cesar Chavez" bust by Emanuel Martinez, a sculptural artwork donated to the City from Adolescent Counseling Exchange, which is currently installed at Cesar Chavez Park at 4131 Tennyson Street in Council District 1. The Committee approved filing this bill by consent on 2-25-16.

CB16-0112 A bill for an ordinance relinquishing the easement granted by the Harvey Park Addition Filing No. 3 subdivision plat and accepted by Ordinance No. 172, Series of 1954, bounded by South Patton Court, Evans Avenue, and South Osceola Street. Relinquishes a utility easement originally dedicated by Harvey Park Addition Filing No. 3 subdivision plat at South Patton Court and Evans Avenue (South of West Evans Avenue, bounded by South Patton Court and South Osceola Street) in Council District 2. The last regularly scheduled Council meeting within the 30-day review period is on 3-29-16. The Committee approved filing this bill by consent on 2-25-16.

CB16-0113 A bill for an ordinance relinquishing the easements reserved in Ordinance No. 15, Series of 1946 and Ordinance No. 339, Series of 2001, at 2980 Huron Street. Relinquishes two utility easements at 2980 North Huron Street in Council District 9. The last regularly scheduled Council meeting within the 30-day review period is on 3-29-16. The Committee approved filing this bill by consent on 2-25-16.

CB16-0121 A bill for an ordinance approving a proposed First Amendment to the Funding Agreement between the City and County of Denver and Friends of Levitt Pavilion Denver, Mortimer & Mimi Levitt Foundation and Levitt Pavilions. Adds \$800,000 in Better Denver Bond funds to the agreement for the Levitt Pavilion Amphitheatre at Ruby Hill among Friends of Levitt Pavilion Denver, Levitt Foundation, Mortimer and Mimi Levitt Foundation, and the City for the construction of the pavilion in Council District 7 (2013-13796-00). The last regularly scheduled Council meeting within the 30-day review period is on 3-29-16. The Committee approved filing this bill at its meeting on 2-24-16.

CB16-0122 A bill for an ordinance approving a proposed Intergovernmental Agreement between the City and County of Denver and the Town of Morrison regarding water supply for Red Rocks Park. Approves a \$1.5 million intergovernmental agreement with Morrison for a permanent water supply system for the Red Rocks Amphitheatre (201626813). The last regularly scheduled Council meeting within the 30-day review period is on

3-29-16. The Committee approved filing this bill at its meeting on 2-24-16.

Announcement

Dependent upon publication on Monday, April 11, 2016 Council will hold a required public hearing on CB16-0129, changing the zoning classification for 210 Saint Paul Street; and a required public hearing on CB16-0130, changing the zoning classification for 3200 Walnut Street, 3220 Walnut Street, 3254 Walnut Street, and 3235 Larimer Street. Any protests against CB16-0129 or CB16-0130 must be filed with the Council Offices no later than noon on Monday, April 4, 2016.

Adjourn

Pending

For 3-29-16

CB15-0937 AS AMENDED a bill for an ordinance changing the zoning classification for 725 West 39th Avenue.

**Required Public Hearing
Final Consideration**

For 3-29-16

CB16-0069 A bill for an ordinance changing the zoning classification for 5050 S. Syracuse Street.

**Final Consideration
Required Public Hearing**

For 3-29-16

CB16-0087 A bill for an ordinance changing the zoning classification for portions of 601 South Bannock Street, 801 South Broadway, and 99 West Kentucky Avenue.

**Final Consideration
Required Public Hearing**