

City Council of Wednesday, August 20, 2014

City and County of Denver

Robin Kniech..... At Large
Deborah "Debbie" Ortega..... At Large
Susan K. Shepherd..... District 1
Jeanne Faatz..... District 2
Paul D. López..... District 3
Peggy Lehmann..... District 4
Mary Beth Susman..... District 5
Charlie Brown..... District 6



Chris Nevitt..... District 7
Albus Brooks..... District 8
Judy H. Montero..... District 9
Jeanne Robb..... District 10
Christopher Herndon..... 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 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.

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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, 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: Wednesday, August 20, 2014 5:30 PM

Pledge of Allegiance

Roll Call

Approval of the Minutes

Council Announcements

Presentations

Communications

Proclamations

Resolutions

Infrastructure & Culture

CR14-0685 A resolution authorizing and approving the expenditure and payment from the appropriation account designated "liability claims," the sum of Forty-Two Thousand, Five Hundred Dollars (\$42,500.00), payable to GEORGE J. NICHOLS, III, P.C., RANDY LIVINGSTON and XEROX RECOVERY SERVICES, in full payment and satisfaction of all claims in Civil Action No. 2013CV32870 in Denver District Court.

Settles a claim involving the Department of Public Works. This resolution was approved for filing at the Mayor-Council meeting on 8-12-14.

Safety & Well-being

CR14-0621 A resolution approving the Mayor's reappointments and appointments to the Denver Housing Authority Board.

Approves the Mayoral reappointment of Trinidad Rodriguez and the new appointments of Grace Buckley, Ronald Fields and Kevin Mullin to the Denver Housing Authority Board for terms expiring on 7-20-19, and approves the reappointment of Marian Lawrence for a term expiring on 7-20-17. The Committee approved filing this resolution by consent on 8-7-14.

CR14-0632 A resolution approving the Mayor's appointment to the Denver African American Commission.

Approves the Mayoral appointment of Benzel Jimmerson to the Denver African American Commission for a term expiring 9-26-15. The Committee approved filing this resolution by consent on 8-7-14.

CR14-0635 A resolution approving the Mayor's appointments to the Denver Women's Commission.

Approves the Mayoral appointments of Indya Clark, Victoria Gomez-Betancourt, Kimberly Lovato, LaQuisha Murray, and Lynn Noesner to the Denver Women's Commission for terms expiring on 6-30-16. The Committee approved filing this resolution by consent on 8-7-14.

Bills for Introduction

Business Development

CB14-0596 A bill for an ordinance approving an Agreement between Revision International and the City and County of Denver to utilize funds for acquisition of the property at 3738 Morrison Road with the intention of developing a neighborhood food hub.

Approves a \$1.2 million contract with Revision International (in Community Development funds) through 3-31-15 to acquire 3738 Morrison Road for a neighborhood-serving food HUB/grocery store in Council District 3. The last regularly scheduled Council meeting within the 30-day review period is on 9-8-14. The Committee approved filing this bill at its meeting on 8-5-14.

CB14-0598 A bill for an ordinance approving an Agreement between the City and County of Denver and Menalto L.L.C. for the acquisition of the property at 3727 Delgany to accommodate business relocation within the Brighton corridor.

Approves a ten-year \$750,000 loan agreement with Menalto, LLC to acquire property at 3727 Delgany to accommodate business relocation within the Brighton corridor in Council District 9. The last regularly scheduled Council meeting within the 30-day review period is on 9-8-14. The Committee approved filing this at its meeting on 8-5-14.

CB14-0608 A bill for an ordinance approving a proposed First Amendment to Agreement between the City and County of Denver and Concessions Colorado, LLC concerning a concession at Denver International Airport.

Temporarily waives the minimum annual guarantee in the agreement with Concessions Colorado, LLC doing business as New Belgium Spoke on Concourse A at Denver International Airport (AR 18001 -01). The last regularly scheduled Council meeting within the 30-day review period is on 9-8-14. The Committee approved filing this bill by consent on 8-7-14.

CB14-0609 A bill for an ordinance approving a proposed Concession Space Agreement between the City and County of Denver and Paradies-Taste 5280, LLC concerning a concession at Denver International Airport.

Approves a ten-year, \$2.4 million annual contract with Paradies-Taste 5280, LLC to develop, operate, and manage the food and beverage and retail concession locations in the Concourse C west expansion project at Denver International Airport (PLANE-201415049-00). The last regularly scheduled Council meeting within the 30-day review period is on 9-8-14. The Committee approved filing this bill by consent on 8-7-14.

CB14-0618 A bill for an ordinance approving a proposed Amendment to the Airport Cargo Facilities Lease Agreement between the City and County of Denver and Air General, Inc. related to leased space at Denver International Airport.

Amends a lease agreement with Air General, Inc. to add 4,252.2 square feet to its location in the Joint Use Cargo Building and 12,684.5 square feet to its ground space for an additional \$90,000 for a new total of \$290,000 (PLANE-201310728). The last regularly scheduled Council meeting within the 30-day review period is on 9-8-14. The Committee approved filing this bill by consent on 8-7-14.

CB14-0643 A bill for an ordinance approving a proposed Airport Joint Use Agreement between the City and County of Denver, and the United States of America concerning usage of ground space at Denver International Airport.

Approves a \$20,000 agreement with The Colorado Air National Guard for use of Denver International Airport's airfield during a 4 month period through 7-31-14 while the Buckley Air Force Base runway is reconstructed (PLANE-201415193-00). The last regularly scheduled Council meeting within the 30-day review period is on 9-8-14. The Committee approved filing this bill by consent on 8-7-14.

Neighborhoods & Planning

CB14-0610 A bill for an ordinance amending Chapter 59 (Zoning) of the Denver Revised Municipal Code relating to Former Chapter 59 uses and limitations.

Revises the Denver Revised Municipal Code, Section 59-2, to align with zoning limitations passed in 2013 to limit and control growing marijuana for personal use in private homes. The Committee approved filing this bill at its meeting on 8-6-14.

Safety & Well-being

CB14-0625 A bill for an ordinance to amend Article IV of Chapter 27 (Housing) of the Revised Municipal Code relating to affordable housing.

Updates the City's affordable housing ordinance based on analysis of demographic and market trends and best practices in affordable housing, to provide more flexible alternatives and variable incentive and alternative contributions payments based on

designated neighborhood need for affordable, for-sale homes. This bill was approved for filing by Councilwoman Kniech.

CB14-0644 A bill for an ordinance authorizing the Mayor and other proper officials of the City and County of Denver to enter into a Collective Bargaining Agreement with the Denver Police Protective Association for the years 2015, 2016 and 2017.

Approves the collective bargaining agreement with the Denver Police Protective Association for 2015, 2016, and 2017, with a salary increase on the first day of each year of 2.5%, 3.5% and 2%, respectively, plus another 2% on 7-1-17; and adjustments in the health insurance provisions, on-call and acting pay; and restoration of retiree health insurance contributions to 2012 levels. The Committee approved filing this bill by consent on 8-7-14.

Government & Finance

CB14-0600 A bill for an ordinance approving a proposed Sixth Amendatory Agreement by and between the City and County of Denver and Trustwave Holdings, Inc., to update the scope of work and extend the agreement to July 31, 2015.

Approves a no-cost extension of the current agreement with Trustwave for one year (through 7-31-15) for Payment Card Industry Data Security Standard compliance validation services to maintain credit card information security (CE74035). The last regularly scheduled Council meeting within the 30-day review period is on 9-8-14. The Committee approved filing this bill by consent on 7-24-14.

Recap of Bills to be Called Out

Pre-Recess Announcement

Tonight there will be a required public hearing on CB14-0612, regarding the Fax-Mayfair Business Improvement District; a required public hearing on CB14-0613, regarding the Santa Fe Business Improvement District; a required public hearing on CB14-0504, changing the zoning classification for 3300 East 1st Avenue; and an one-hour courtesy public hearing on CB14-0625, proposing amendments to the Inclusionary Housing Ordinance. Anyone wishing to speak on any of these matters must see the Council Secretary to sign up during the recess of Council.

Recess

Council Reconvenes and Resumes its Regular Session

Public Hearings - Bills for Introduction

Safety & Well-being

CB14-0625 A bill for an ordinance to amend Article IV of Chapter 27 (Housing) of the Revised Municipal Code relating to affordable housing.

Updates the City's affordable housing ordinance based on analysis of demographic and market trends and best practices in affordable housing, to provide more flexible alternatives and variable incentive and alternative contributions payments based on designated neighborhood need for affordable, for-sale homes. This bill was filed by Councilwoman Kniech on 8-14-14.

Public Hearings - Bills for Final Consideration

Business Development

CB14-0612 A bill for an ordinance creating and establishing the Fax-Mayfair Business Improvement District, appointing the initial members of the Board of Directors of the District, and approving the Initial Operating Plan and preliminary 2014-15 budget therefor.

Creates and establishes the Fax-Mayfair Business Improvement District, appoints the initial members of the Board of Directors of the District, and approves the initial Operating Plan and preliminary 2015 budget. The Committee approved filing this bill at its meeting on 8-5-14.

CB14-0613 A bill for an ordinance creating and establishing the Santa Fe Business Improvement District, appointing the initial members of the Board of Directors of the District, and approving the Initial Operating Plan and 2015 budget therefor.

Creates and establishes the Santa Fe Business Improvement District, appoints the initial members of the Board of Directors of the District, and approves the initial Operating Plan and preliminary 2015 budget. The Committee approved filing this bill at its meeting on 8-5-14.

Land Use, Transportation & Infrastructure

CB14-0504 A bill for ordinance changing the zoning classification for 3300 East 1st Avenue.

Changes the zoning from C-MX-5 (Urban Center context; Mixed Use; 5 stories max.) to C-MX-8 (Urban Center context; Mixed Use; 8 stories max.) of property at 3300 East 1st Avenue in Council District 10. A PUBLIC HEARING WILL BE HELD AT LEAST FOUR WEEKS FOLLOWING PUBLICATION. The Committee approved filing this bill at its meeting on 6-24-14.

Bills for Final Consideration

Business Development

CB14-0614 A bill for an ordinance dissolving the Santa Fe Drive Pedestrian Mall A Local Maintenance District and directing that the remaining funds thereof, after payment of expenses, be paid to and used by the Santa Fe Business Improvement District within the property formerly within said local maintenance district.

Approves the dissolution of the Santa Fe Drive Pedestrian Mall A, referred to as the Santa Fe Drive Local Maintenance District (LMD) A, to facilitate the creation of the Santa Fe Business Improvement District. The Committee approved filing this bill at its meeting on 8-5-14.

CB14-0615 A bill for an ordinance dissolving the Santa Fe Drive Pedestrian Mall B Local Maintenance District and directing that the remaining funds thereof, after payment of expenses, be paid to and used by the Santa Fe Business Improvement District within the property formerly within said local maintenance district.

Approves the dissolution of the Santa Fe Drive Pedestrian Mall B, referred to as the Santa Fe Drive Local Maintenance District (LMD) B, to facilitate the creation of the Santa Fe Business Improvement District. The Committee approved filing this bill at its meeting on 8-5-14.

Finance & Services

CB14-0611 A bill for an ordinance approving a proposed Purchase Order between the City and County of Denver and ARCONAS Corporation for seating at Denver International Airport as part of the Concourse C Expansion.

Approves a \$599,296 purchase order with ARCONAS Corporation for seating at Denver International Airport as part of the Concourse C Expansion (PLANE 15656). The last regularly scheduled Council meeting within the 30-day review period is on 8-25-14. The Committee approved filing this bill by consent on 7-31-14.

Infrastructure & Culture

CB14-0617 A bill for an Ordinance approving an Amendment to Trail Easement Agreement with Town Center Metropolitan District and HC Land Investment, LLC regarding the High Line Trail in Green Valley Ranch.

Amends a trail easement agreement for the High Line Canal Trail in Green Valley Ranch in Council District 11 to allow construction of a new road and related relocation of an existing public trail with responsibility for funding, and constructing the new trail transferred from the City to the developer (XC80898). The last regularly scheduled Council meeting within the 30-day review period is on 8-25-14. The Committee approved filing this bill by consent on 7-31-14.

Safety & Well-being

CB14-0597 A bill for an ordinance approving an Agreement with St. Charles Holding Company for the acquisition of the real properties known as 4325-4331 & 4404 Morrison Road.

Approves a contract with St. Charles Holding Company, LLC to utilize \$2 million of the City's Federal Community Development Block Grant funds for 21 years to acquire 4.4 acres of land for construction of 185 affordable housing units on property known as 4406-4407 and 4325-4404 Morrison Road in the Westwood neighborhood in Council District 3. The last regularly scheduled Council meeting within the 30-day review period is on 8-25-14. The Committee approved filing this bill at its meeting on 8-5-14.

Government & Finance

CB14-0463 A bill for an ordinance approving a proposed Amendatory Agreement between the City and County of Denver and Securus Technologies, Inc., to reduce the current commission rate amount paid by Securus Technologies, Inc., to the City and County of Denver.

Reduces the current commission rate amount paid to Securus from \$60,000 to \$52,000 to reflect a change in Federal Communications Commission regulated charges for interstate calls in the inmate phone system (TECHS-201312032-00). The last regularly scheduled Council meeting within the 30-day review period is on 8-25-14. The Committee approved filing this bill by consent on 5-29-14.

Land Use, Transportation & Infrastructure

CB14-0593 A bill for an ordinance approving an Agreement with the Denver Zoo for \$2.2 million to fund the zoo's new large Carnivore Holding Building and public viewing areas.

Approves the Funding and Assignment Agreement with the Denver Zoo for \$2.2 million Better Denver Bond funds for the zoo's new Large Carnivore Holding Building and public viewing areas (201417204). The last regularly scheduled Council meeting within the 30-day review period is on 8-25-14. The Committee approved filing this bill by consent on 7-24-14.

CB14-0594 A bill for an ordinance approving an Agreement with the Denver Museum of Nature & Science for \$2.2 million Better Denver Bond funds for the Discovery Zone build-out and installation of the Rocky Mountains Collections Facilities.

Approves a Funding and Assignment Agreement with the Denver Museum of Nature & Science for \$2.2 million Better Denver Bond funds for the Discovery Zone build-out and installation of the Rocky Mountains Collections Facilities (201417203). The last regularly scheduled Council meeting within the 30-day review period is on 8-25-14. The Committee approved filing this bill by consent on 7-24-14.

Adjourn

Pending

For 8-25-14

CB14-0522 A bill for an ordinance changing the zoning classification for land located at the southeast corner of Monaco Parkway and East First Avenue at approximately 90 Monaco Parkway.

**Required Public Hearing
Final Consideration**

For 8-25-14

CB14-0523 A bill for an ordinance changing the zoning classification for land located near the southwest corner of South Quebec Street and Archer Place at approximately 7000-7300 Archer Place.

**Required Public Hearing
Final Consideration**

For 8-25-14

CB14-0524 A bill for an ordinance changing the zoning classification for land located at approximately 6700-7398 and 6701-7399 Lowry Boulevard and 6701-7399 Archer Place.

**Required Public Hearing
Final Consideration**

For 2-23-15

CB13-0501 AS AMENDED, a bill for an ordinance to amend Chapter 48 (Solid Waste) of the Revised Municipal Code to add an Article IX (Disposable Bag Fees) and to make a corresponding amendment to Chapter 24.

Final Consideration