

## City Council Meeting of Monday, June 19, 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  
Leon Mason..... Director  
Kelly Velez..... Clerk

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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](mailto: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](mailto: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**

[17-0697](#) Minutes of Monday, June 12, 2017

**COUNCIL ANNOUNCEMENTS**

**PRESENTATIONS**

**COMMUNICATIONS**

**PROCLAMATIONS**

[17-0698](#) **A proclamation recognizing June 2017 as National Safety Month.**

**Sponsors** Ortega, Black, New, Kashmann, Brooks, Flynn, Clark, Gilmore and López

**RESOLUTIONS**

**Business, Arts, Workforce & Aeronautical Services Committee**

[17-0638](#) **A resolution approving the Mayor's appointment to the Federal Boulevard Business Improvement District Board of Directors.**

Approves the Mayoral appointment of Andrew Fournier to the Federal Boulevard Business Improvement District Board of Directors for a term effective immediately and expiring 12-31-20, or until a successor is duly appointed. The Committee approved filing this resolution by consent on 6-7-17.

**Land Use, Transportation & Infrastructure Committee**

[17-0641](#) **A resolution laying out, opening and establishing as part of the City street system a parcel of land as a public alley near the intersection of South Broadway and East Exposition Avenue.**

Dedicates a parcel of land as public right-of-way as public alley located at the intersection of South Broadway and East Exposition Avenue in Council District 7. The Committee approved filing this resolution by consent on 6-6-17.

[17-0642](#) **A resolution laying out, opening and establishing as part of the City street system a parcel of land as a public alley bounded by West Colfax Avenue, Xavier Street, West 16th Street and Wolff Street.**

Dedicates a parcel of land as public right-of-way as public alley located at 1516 North Xavier Street in Council District 1. The Committee approved filing this resolution by consent on 6-6-17.

[17-0643](#) **A resolution approving a proposed Amendatory Agreement between the City and County of Denver and Sport Court of the Rockies LLC for on-call court repair and construction services.**

Amends an on-call contract with Sport Court of the Rockies by updating the contract exhibits to include a Division of Small Business Opportunities (DSBO) compliance plan. No change to contract amount or duration (201732637). The last regularly scheduled Council meeting within the 30-day review period is on 7-10-17. The Committee approved filing this resolution by consent on 6-6-17.

[17-0648](#) **A resolution amending the revocable permit granted in Resolution No. 20161076, Series of 2016, to Hanover R.S. Limited Partnership to encroach into the alley bounded by South Broadway Street, South Lincoln Street, Arizona Avenue and Mississippi Avenue.**

Amends existing Encroachment Resolution No. 20161076, Series of 2016, granted for a pedestrian bridge to include the additional 4 feet of dedicated right of way on each side of the alley bounded by South Broadway Street, Lincoln Street, Arizona Avenue, and Mississippi Avenue in Council District 7. The Committee approved filing this resolution by consent on 6-6-17.

[17-0649](#) **A resolution approving a proposed First Amendatory Agreement between the City and County of Denver and L.E.R. Inc d/b/a Renner Sports Surfaces for on-call court repair and construction services.**

Amends an on-call contract with L.E.R., Inc., doing business as Renner Sports Surfaces, by updating the contract exhibits to include a Division of Small Business Opportunities (DSBO) compliance plan. No change to contract amount or duration (201732642). The last regularly scheduled Council meeting within the 30-day review period is on 7-10-17. The Committee approved filing this resolution by consent on 6-6-17.

**Safety, Housing, Education & Homelessness Committee****[17-0628](#) A resolution approving a proposed Loan Agreement between the City and County of Denver and Lowry Affordable Housing Partners LLC to finance the development of an affordable housing project located at 6756 East Archer Drive.**

Approves a \$720,000 loan agreement with Lowry Affordable Housing Partners, LLC in HOME funds from the U.S. Department of Housing and Urban Development structured as a cash flow loan to provide construction and permanent financing on a 72-unit affordable rental housing project at 6756 E. Archer Drive in Council District 5. The last regularly scheduled Council meeting within the 30-day review period is on 7-10-17. The Committee approved filing this resolution at its meeting on 6-7-17.

**[17-0637](#) A resolution approving the Mayor's reappointments and appointments to the Denver Lesbian Gay Bisexual Transgender Queer Commission.**

Approves the Mayoral reappointments of Jody Bouffard, Dawn Crosswhite, and Jeremiah Whitehead; and, the appointments of Riley Cable, Elizabeth Jaenicke, and Michael Taylor to the Denver Lesbian Gay Bisexual Transgender Queer Commission for terms effective immediately and expiring 05-01-19. The Committee approved filing this resolution by consent on 06-07-17.

**[17-0639](#) A resolution approving the Mayor's appointments to the Denver Commission for People with Disabilities.**

Approves the Mayoral appointments of Gemma Lockhart, Neal Meier, and Leah Dawson to the Denver Commission for People with Disabilities for terms effective immediately and expiring on 9-30-19, or until successors are duly appointed. The Committee approved filing this resolution by consent on 6-7-17.

[17-0645](#) **A resolution approving and providing for the execution of a proposed amendment to the grant agreement between the City and County of Denver and the State of Colorado Department of Public Health and Environment concerning the "Healthy and Active Communities" programs and the funding therefor.**

Adds \$229,999.82 and one year to the Healthy and Active Communities Grant agreement with the Colorado Department of Public Health and Environment for a new total of \$659,999.82 and end date of 6-30-18 to fund the Community Active Living Coalition and to develop policy, strategies, and best practices to increase access to physical activity and active transportation for children citywide (201522193-02). The last regularly scheduled Council meeting within the 30-day review period is on 7-10-17. The Committee approved filing this resolution by consent on 6-7-17.

## **BILLS FOR INTRODUCTION**

### **Business, Arts, Workforce & Aeronautical Services Committee**

[17-0653](#) **A bill for an ordinance adopting a new Article XIII in Chapter 20, Denver Revised Municipal Code to authorize the creation of tourism improvement districts.**

Amends Chapter 20 of the Denver Revised Municipal Code to enable the creation of Tourism Improvement Districts (TIDs) to fund tourism improvements and services citywide. The Committee approved filing this bill at its meeting on 6-7-17.

### **Finance & Governance Committee**

[17-0526](#) **A bill for an Ordinance repealing Article X (Tax on TaxiCab Operators), Chapter 53 (Taxation and Miscellaneous Revenue) of the Denver Revised Municipal Code.**

Amends Article X of Chapter 53 of the Denver Revised Municipal Code to repeal the tax upon taxicab operators to reflect that the City has never collected this tax. The Committee approved filing this bill at its meeting on 5-16-17.

**[17-0527](#) A bill for an ordinance amending the City Retail Sales Tax Article, Article II, Chapter 53 of the Denver Revised Municipal Code and the City Use Tax Article, Article III, Chapter 53 of the Denver Revised Municipal Code to exempt the purchase of water from taxation.**

Amends Articles II and III of Chapter 53 of the Denver Revised Municipal Code to expand the exemption of water from sales and use tax to reflect practices in neighboring jurisdictions. The Committee approved filing this bill at its meeting on 5-16-17.

**[17-0528](#) A bill for an ordinance amending the definitions in Articles I, II, and III of Chapter 53 (Taxation and Miscellaneous Revenue) of the Denver Revised Municipal Code to adopt standardized definitions developed and recommended by the Colorado Municipal League.**

Amends Chapter 53 of the Denver Revised Municipal Code to standardize multiple definitions for sales and use taxation per the recommendations of a home rule working group convened by the Colorado Municipal League. The Committee approved filing this bill at its meeting on 5-16-17.

**[17-0529](#) A bill for an ordinance amending Articles I through IV, Article VI and Article VII of Chapter 53 (Taxation and Miscellaneous Revenue) of the Revised Municipal Code, to replace the City's tax exemption for charitable and religious corporations with a new tax exemption for non-profit organizations exempt under Internal Revenue Code 501(c)(3).**

Amends Chapter 53 of the Denver Revised Municipal Code relating to the definition of charitable corporation to expand its application to additional nonprofit organizations. The Committee approved filing this bill at its meeting on 5-16-17.

**[17-0646](#) A bill for an ordinance abolishing the requirement that the classification and pay plan include a short range pay schedule for classes that are used only on a part time or on-call basis and allowing the community rate schedule to apply to those classes.**

Removes language that references the recently abolished short range pay table in the City Classification and Pay Plan. The Committee approved filing this bill by consent on 6-6-17.

**[17-0658](#) A bill for an ordinance amending Ordinance No. 0050, Series 2016 relating to the issuance of City and County of Denver, Colorado, Dedicated Tax Revenue Refunding and Improvement Bonds, Series 2016A, and City and County of Denver, Colorado, Dedicated Tax Revenue Refunding and Improvement Bonds, Taxable Series 2016B.**

Amends the Dedicated Tax Revenue Bond Ordinance, Series 2016A and 2016B, to clarify that pledged revenues do not include Charitable Corporations under the Denver Revised Municipal Code. The Committee approved filing this bill by consent on 6-6-17.

**Land Use, Transportation & Infrastructure Committee**

**[17-0613](#) A bill for an ordinance amending Ordinance 902 Series of 1995 by modifying the legal description of the area covered by structure for preservation located at 1940-1946 West 33rd Avenue.**

Amends an individual Denver landmark designation by reducing the size of the landmark boundary area for property located at 1940-1946 West 33rd Avenue 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 6-6-17.

**[17-0615](#) A bill for an ordinance changing the zoning classification for 2901 Broadway in Five Points.**

Rezones property at 2901 Broadway from I-B UO-2 and R-MU-30 with Waivers and Conditions to C-MX-16, (industrial and residential, mixed-use to commercial, mixed-use) in Council 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 6-6-17.

**[17-0616](#) A bill for an ordinance changing the zoning classification for 3204 & 3206 Denargo St. in Five Points.**

Rezones property at 3204 & 3206 Denargo Street from R-MU-30 with Waivers and Conditions and I-B UO-2 to C-MX-8, (residential, mixed-use and industrial to commercial, mixed-use) 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 6-6-17.

[17-0630](#) **A bill for an Ordinance amending Ordinance Number 426, Series of 2007, as amended by Ordinance Number 335, Series of 2009, Ordinance Number 148, Series of 2010, Ordinance Number 11, Series of 2011, Ordinance Number 191, Series of 2011, Ordinance Number 258, Series of 2011, Ordinance Number 630, Series of 2011, Ordinance Number 63, Series of 2013, Ordinance Number 73, Series of 2014, Ordinance Number 376, Series of 2014, Ordinance Number 738, Series 2014, and Ordinance Number 589, Series of 2016 designating the project to be undertaken and funded with the proceeds of the Better Denver bonds.**

Amends Ordinance Number 426, Series of 2007, and subsequent amendments with a final reconciling reallocation of project funds within the Better Denver Bond Program. The Committee approved filing this bill at its meeting on 6-13-15.

[17-0633](#) **A bill for an ordinance changing the zoning classification for 4000-4090 North Jason Street & 4001 Inca Street in Sunnyside.**

Rezones property at 4000-4090 North Jason Street and 4001 Inca Street from I-A UO-2 to C-RX-8, (industrial to residential, mixed-use) 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 6-6-17.

[17-0652](#) **A bill for an ordinance relinquishing the easement reserved in Ordinance No. 224, Series of 2014, bounded by 36th Street, Blake Street, Walnut Street and Downing Street.**

Relinquishes certain easements bounded by 36th Street, Blake Street, Walnut Street, and Downing Street in Council District 9. The last regularly scheduled Council meeting within the 30-day review period is on 7-10-17. The Committee approved filing this bill by consent on 6-6-17.



**BILLS FOR FINAL CONSIDERATION****Business, Arts, Workforce & Aeronautical Services Committee**

[17-0617](#) **A bill for an ordinance approving a proposed Agreement between the City and County of Denver and West Metro Fire Protection District, for emergency medical services needed for events at Red Rocks Park and Amphitheatre.**

Approves a three-year contract with West Metro Fire Protection District in the amount of \$850,000 for emergency medical services for events at Red Rocks amphitheater (THTRS-201733988-00). The last regularly scheduled Council meeting within the 30-day review period is on 6-26-17. The Committee approved filing this bill by consent on 5-31-17.

**Finance & Governance Committee**

[17-0598](#) **A bill for an ordinance rescinding budget from the State Conservation Trust Fund Projects and making appropriations and cash transfers in the Winter Park Parks and Recreation Capital Fund.**

Rescinds and re-appropriates \$124,750 in the capital improvement fund from the Washington Park restrooms project to complete the construction of the Washington Park playground in Council District 6. The Committee approved filing this bill by consent on 5-23-17.

[17-0619](#) **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.**

Adds Senior Information Technology Communications Technician at pay grade I-626 to the City Classification and Pay Plan. The Committee approved filing this bill by consent on 5-30-17.

[17-0655](#) **A bill for an ordinance re-appointing Julia C. Yeckes to serve as a member of the Board of Ethics.**

Reappoints Julia C. Yeckes to serve on the Board of Ethics starting immediately. The Committee approved filing this bill by consent on 5-09-17.

**Land Use, Transportation & Infrastructure Committee****[17-0541](#) A bill for an ordinance approving a proposed Agreement between the City and County of Denver and Urban Drainage and Flood Control District regarding flood improvements for Glenbrook Detention Basin.**

Approves an intergovernmental agreement with Urban Drainage and Flood Control District for a contribution of \$1,050,000 from the District and a commitment of \$3,950,000 from the City for a total of \$5 million to fund the final design and construction of drainage and flood control improvements for the Glenbrook Detention Basin in Council District 2 (201734602). The last regularly scheduled Council meeting within the 30-day review period is on 6-26-17. The Committee approved filing this bill by consent on 5-9-17.

**[17-0618](#) A bill for an ordinance approving a proposed Amendatory Intergovernmental Agreement between the City and County of Denver and Town of Morrison, Colorado, regarding the Water Treatment Facility at Denver Mountain Parks Headquarters in Jefferson County.**

Amends an intergovernmental agreement with the Town of Morrison to expand the boundary of the water treatment plant located at Red Rocks Park to comply with new state-mandated regulations for municipal water treatment facilities and to allow the construction and operation of a clear well facility as a permitted facility (XC7A032). The last regularly scheduled Council meeting within the 30-day review period is on 6-26-17. The Committee approved filing this bill by consent on 5-30-17.

**RECAP OF BILLS TO BE CALLED OUT****PRE-RECESS ANNOUNCEMENT**

Tonight, there will be a required public hearing on Council Bill 17-0497, changing the zoning classification for 4232 Jason Street in Sunnyside; and, a required public hearing on Council Bill 17-0498, changing the zoning classification for 300-306 Elati Street in Baker. Anyone wishing to speak on either 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 FINAL CONSIDERATION****Land Use, Transportation & Infrastructure Committee****[17-0497](#) A bill for an ordinance changing the zoning classification for 4232 Jason Street in Sunnyside.**

Approves an official map amendment to rezone property located at 4232 Jason Street from I-A UO-2 to C-RX-8 (industrial to urban center, residential, mixed-use with an 8-story height limit) in Council District 1. The Committee approved filing this bill at its meeting on 5-16-17.

**[17-0498](#) A bill for an ordinance changing the zoning classification for 300-306 Elati Street in Baker.**

Approves an official map amendment to rezone property located at 300-306 Elati Street from U-RH-2.5 to U-MX-2 (urban row home to urban mixed-use) in Council District 7. The Committee approved filing this bill at its meeting on 5-16-17.

**PRE-ADJOURNMENT ANNOUNCEMENT**

Dependent upon publication, on Monday, June 26, 2017, Council will hold a required public hearing on Council Bill 17-0613, amending an individual Denver landmark designation by reducing the size of the landmark boundary area for property located at 1940-1946 West 33rd Avenue in Council District 1. On Monday, July 17, 2017, Council will hold a required public hearing on Council Bill 17-0615, changing the zoning classification for 2901 Broadway in Five Points; a required public hearing on Council Bill 17-0616, changing the zoning classification for 3204 and 3206 Denargo Street in Five Points; and, a required public hearing on Council Bill 17-0633, changing the zoning classification for 4000-4090 North Jason Street and 4001 Inca Street in Sunnyside. Any protests against Council Bill 17-0615, Council Bill 17-0616, or Council Bill 17-0633 must be filed with the Council Offices no later than Monday, July 10, 2017.

**ADJOURN**

**PENDING**

FOR 7-10-17

**[17-0564](#) A bill for an ordinance changing the zoning classification for 2232 and 2246 Irving Street in Sloan Lake.**

Approves an official map amendment to rezone property located at 2232 Irving Street and 2246 Irving Street from U-SU-C to U-MX-2x (urban, single-unit, to urban, mixed-use) in Council District 1. The Committee approved filing this bill at its meeting on 5-23-17.

**Final Consideration**

**Required Public Hearing**

**[17-0565](#) A bill for an ordinance changing the zoning classification for 8504 East Martin Luther King Jr. Boulevard and 2962 North Central Park Boulevard in Stapleton.**

Approves an official map amendment to rezone property located at 8504 East Martin Luther King Jr. Boulevard and 2962 North Central Park Boulevard from C-MU-20 to M-RX-5A (commercial, mixed-use to master planned, residential, mixed-use) in Council District 8. The Committee approved filing this bill at its meeting on 5-23-17.

**Final Consideration**

**Required Public Hearing**