

City Council Meeting of Monday, August 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

Room 451
City & County Building
Denver CO 80202

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WEB ACCESS

**Live video and archives may be
accessed at**
<https://denver8.tv>

REMINDER

As a courtesy to those in attendance,
please
turn off your cell phones.

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 <http://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://denver8.tv>.

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.

City Council Agenda and Explanatory Notes

Meeting Date: Monday, August 15, 2016 5:30 PM

Pledge of Allegiance

Roll Call

Approval of the Minutes

Council Announcements

Presentations

Communications

Proclamations

Resolutions

Business Development

CR16-0556 A resolution approving a proposed First Amendment between the City and County of Denver and Parsons Brinckerhoff, Inc. concerning planning and programming support, design management services, construction management, and other support services for Denver International Airport.

Amends a contract with Parsons Brinckerhoff by adding \$5 million for a new total of \$25 million for professional, technical, and support staff to perform or assist with project management services, which may include management of planning, design, and construction services, and any other support services as required on projects at Denver International Airport. There is no change to the contract term (201208263). The last regularly scheduled Council meeting within the 30-day review period is on 8-29-16. The Committee approved filing this resolution by consent on 8-4-16.

CR16-0557 A resolution approving a proposed First Amendment between the City and County of Denver and AECOM Technical Services, Inc. concerning professional, technical and support personnel for quality assurance inspection services for Denver International Airport.

Adds \$5 million to the contract with AECOM Technical Services, Inc. for a new total of \$25 million for professional, technical and support personnel for quality assurance inspection services at Denver International Airport (201208262-01). The

last regularly scheduled Council meeting within the 30-day review period is on 8-29-16. The Committee approved filing this resolution by consent on 8-4-16.

CR16-0558 A resolution approving a proposed Agreement between the City and County of Denver and Ricondo & Associates, Inc. concerning the on call professional services for Denver International Airport.

Approves a \$1.5 million contract with Ricondo & Associates, Inc. through 8-31-19 for airport and aviation planning services including forecasting, facility processing needs, layout plans, and related analyses of schedules, costs, benefits and financing for airfield and facilities, roadway and traffic, vehicular parking, and transit oriented land uses (201628142). The last regularly scheduled Council meeting within the 30-day review period is on 8-29-16. The Committee approved filing this resolution by consent on 8-4-16.

CR16-0559 A resolution approving a proposed First Amendment to Agreement, between the City and County of Denver and Logistical Planners, LLC concerning the design, management, support for the baggage system, the Automated Guideway Transportation Systems (AGTS), and the train servicing the airport for Denver International Airport.

Amends a contract with Logistical Planners, LLC by adding \$9 million for a new total of \$21 million to provide design, construction management, and technical support for the baggage system, the Automated Guideway Transportation Systems (AGTS), and the RTD train servicing the airport. No change to contract term (201207312). The last regularly scheduled Council meeting within the 30-day review period is on 8-29-16. The Committee approved filing this resolution by consent on 8-4-16.

CR16-0560 A resolution approving a proposed Second Amendment between the City and County of Denver and Brown and Caldwell, Inc. concerning on-call professional environmental, environmental design, and related engineering services for Denver International Airport.

Adds two years and \$250,000 to the contract with Brown and Caldwell, Inc. for a new total of \$1.7 million and end date of 12-31-18 for environmental services needed in the continued redevelopment of the former Stapleton airport site (201208638). The last regularly scheduled Council meeting within the 30-day review period is on 8-29-16. The Committee approved filing this resolution by consent on 8-4-16.

CR16-0561 A resolution approving a proposed First Amendment between the City and County of Denver and United Airlines, Inc. f/k/a Continental Airlines, Inc. concerning food and beverage concession at Denver International Airport.

Amends a catering service contract with United Airlines, Inc. by reducing the concession fee off-airport catering service sales from five percent (5%) to three percent (3%) as of 6-1-16. No change to the contract duration. (RC 9A005-01). The last regularly scheduled Council meeting within the 30-day review period is on 8-29-16. The Committee approved filing this resolution by consent on 8-4-16.

Finance & Services

CR16-0555 A resolution to set a public hearing on the Service Plan for a C.R.S. Title 32 metropolitan district: Denver Connection Metropolitan District.

Sets a public hearing for September 12, 2016 on the Service Plan of the Denver Connection Metropolitan District in Council District 11. The Committee approved filing this resolution by consent on 8-4-16.

CR16-0562 A resolution approving a proposed Amendment to a Master Purchase Order between the City and County of Denver and O.J. Watson Company, Inc., for new snow equipment parts for needed repairs and replacement on City snow plowing equipment.

Adds \$450,000 to the master purchase order with O.J. Watson Company, Inc., for a total contract of \$700,000 for snow equipment parts for repair of City snow plowing equipment (0037A0414). The last regularly scheduled Council meeting within the 30-day review period is on 8-29-16. The Committee approved filing this resolution by consent on 8-4-16.

Infrastructure & Culture

CR16-0456 A resolution approving a Third Amendatory Agreement between the City and County of Denver and Colorado Miners Inc. for the use of Johnson Recreation Center.

Extends an agreement with the Colorado Miners, Inc. through 6-30-18 for the use of Johnson Recreation Center in Council District 9 (XC02065). The last regularly scheduled Council meeting within the 30-day review period is on 8-29-16. The Committee approved filing this resolution by consent on 6-30-16.

Safety & Well-being

CR16-0489 A resolution approving a proposed Agreement between the City and County of Denver and Correctional Management, Inc., for community corrections services.

Approves a contract with Correctional Management, Inc. for \$5,595,280.45 through 6-30-17 for residential and non-residential community corrections services (2016-28559). The last regularly scheduled Council meeting within the 30-day review period is on 8-29-16. The Committee approved filing this resolution by consent on 7-14-16.

Land Use Transportation & Infrastructure

Bills for Introduction

Governance & Charter Review

CB16-0548 A bill for an ordinance amending 38-158 the Denver Revised Municipal Code to clarify the behaviors which are indicative of someone trying to engage in acts that further the practice of prostitution.

Amends section 38-158 of the Denver Revised Municipal Code to provide a needed

clarification on the behaviors which are indicative of someone trying to engage in acts that further the practice of prostitution in the City and County of Denver. This amendment serves to comply with Denver County Court finding for additional clarification of the Code. The Committee approved filing this bill at its meeting on 8-4-16.

Infrastructure & Culture

CB16-0552 A bill for an Ordinance approving a Modification of Agreement with the U.S. Forest Service for collection of Denver fees at Summit Lake Park.

Amends an agreement with the U.S. Department of Agriculture Forest Service regarding fee collection at Summit Lake, a Denver Mountain Park, and fee remittance to the City allowing the contractor to retain \$67,400 annually for collection and site maintenance costs (201522115). The last regularly scheduled Council meeting within the 30-day review period is on 8-29-16. The Committee approved filing this bill by consent on 8-4-16.

Neighborhoods & Planning

CB16-0430 A bill for an ordinance changing the zoning classification for Geneva Court and Martin Luther King Jr. Boulevard.

Rezones property at Geneva Court and Martin Luther King Boulevard from R-MU-20 (Former Code: residential, mixed use) with waivers to M-MX-5 (master planned, commercial mixed use, 5 stories) in Council District 8. 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 8-3-16.

CB16-0509 A bill for an ordinance changing the zoning classification for 3705 Shoshone St. & 1945 W. 37th Ave.

Rezones property at 3705 Shoshone Street & 1945 West 37th Avenue from PUD #181 to U-TU-B, DO-4 (urban, two unit, 4500 sq. ft. minimum lot size, Design Overlay-Side Interior Setback) 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 8-3-16.

CB16-0563 A bill for an ordinance changing the zoning classification for 2541-2731 W. Holden Pl., 2602-2660 W. Holden Pl., 2516-2610 W. 13th Ave., 2646-2746 W. 13th Ave., 1260-1280 N. Decatur St. and 2775 W. 13th Ave.

Rezone properties at 2541-2731 West Holden Place; 2516-2746, 2775 West 13th Avenue; and 1260-1280 North Decatur Street from I-MX-5, UO-2, I-A, UO-2 (industrial and light industrial, mixed use, 5 stories, use overlay allowing billboards) and C-MU-30 with waivers and conditions, UO-1 (urban center, multi-unit, 30 stories, use overlay allowing adult businesses) to C-MX-8, UO-1 (urban center, mixed use, 8 stories, use overlay allowing adult businesses) 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 8-3-16.

CB16-0566 A bill for an ordinance designating 1400 Lafayette Street, the First Unitarian Society of Denver Church, as a structure for preservation.

Designates 1400 Lafayette Street as an individual structure for preservation 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 8-3-16.

Bills for Final Consideration

Finance & Services

CB16-0527 A bill for an ordinance to appropriate funds from the RiNo General Improvement District for the Streetscape Enhancements along Brighton Boulevard.

Appropriates \$2,838,723 to support the Intergovernmental agreement with RiNo General Improvement District regarding the construction and maintenance of streetscape enhancements along Brighton Boulevard in Council District 9. The Committee approved filing this bill by consent on 7-28-16.

CB16-0528 A bill for an ordinance to appropriate funds from the Amended Funding Agreement for the Levitt Pavilion Amphitheatre.

Appropriates \$2 million to support the amended funding agreement for the Levitt Pavilion Amphitheatre with the Friends of Levitt Pavilion Denver, Levitt Foundation, Mortimer and Mimi Levitt Foundation, and the City for the construction of the pavilion in Ruby Hill Park in Council District 7. The Committee approved filing this bill by consent on 7-28-16.

CB16-0542 A bill for an ordinance to appropriate funds from the Revenue Based Winter Park Parks and Recreation Capital Fund.

Appropriates \$500,000 from Winter Park Parks and Recreation Capital Fund contingency to support the completion of the Confluence Park ramp replacement and plaza restoration project in Council District 9. The Committee approved filing this bill at its meeting on 7-26-16.

Governance & Charter Review

CB16-0569 A bill for an ordinance amending Section 2-3 of Chapter 2 of the Denver Revised Municipal Code regarding electronic signatures.

Approves an ordinance amending Section 2-3 of Chapter 2 of the Denver Revised Municipal Code authorizing the use of electronic signatures and electronic city seal on city documents. The Committee approved filing this bill by consent on 8-4-16.

Infrastructure & Culture

CB16-0503 A bill for an ordinance approving and providing for the

execution of a proposed Intergovernmental Agreement between the City and County of Denver and the Colorado Department of Transportation (CDOT) concerning the "Highline Canal-Hampden and Colorado" project and the funding therefor.

Approves an intergovernmental agreement with Colorado Department of Transportation through 6-30-21 to transfer \$4,050,000 in federal funds for a new 10 foot multi-use trail and two trail underpasses, with one under Colorado Boulevard and the other under Hampden Avenue in Council District 4 (201628095). The last regularly scheduled Council meeting within the 30-day review period is on 8-29-16. The Committee approved filing this bill at its meeting on 7-27-16.

CB16-0504 A bill for an ordinance approving a proposed Intergovernmental Agreement with Cherry Hills Village and County of Arapahoe regarding cost sharing on the High Line Canal Underpasses Project at Hampden Avenue and Colorado Boulevard.

Approves an intergovernmental agreement with Cherry Hills Village and Arapahoe County for cost sharing with each party providing \$450,000 for a total of \$1,350,000 in match required for the new 10 foot multi-use trail and two trail underpasses, with one under Colorado Boulevard and the other under Hampden Avenue in Council District 4 (201628996). The last regularly scheduled Council meeting within the 30-day review period is on 8-29-16. The Committee approved filing this bill at its meeting on 7-27-16.

CB16-0517 A bill for an ordinance relinquishing five easements established by the Boulevard One Filing No. 4 Subdivision Plat, recorded with the Denver Clerk & Recorder at Reception No. 2015153702, located along the rear lot lines of Lots 15 through 20, Block 1 and bound by South Quebec Street, East Archer Drive and Oneida Court.

Relinquishes five easements along the rear lot lines of Lots 15 through 20, Block 1, Boulevard One Filing No. 4 bound by South Quebec Street, East Archer Drive, and Oneida Court in Boulevard One Filing No. 4 in Council District 5. The last regularly scheduled Council meeting within the 30-day review period is on 8-29-16. The Committee approved filing this bill by consent on 7-28-16.

CB16-0518 A bill for an ordinance relinquishing the easement established by the Easement for Right-Of-Way, recorded with the Denver Clerk & Recorder at Reception No. 2011051715 and located at 155 Steele Street.

Relinquishes certain easements located at 155 Steele Street in Council District 10. The last regularly scheduled Council meeting within the 30-day review period is on 8-29-16. The Committee approved filing this bill by consent on 7-28-16.

CB16-0519 A bill for an ordinance relinquishing the easement established by the Permanent Non-Exclusive Easement, recorded with the Denver Clerk & Recorder at Reception No. 2012129620 and located at 2979 Uinta Street.

Relinquishes certain easements located at 2979 North Uinta Street in Council District 8. The last regularly scheduled Council meeting within the 30-day review period is on 8-29-16. The Committee approved filing this bill by consent on 7-28-16.

CB16-0538 A bill for an ordinance vacating a portion of the alley bounded by Steele Street, 2nd Avenue, and Saint Paul Street without reservations.

Vacates a portion of an alley bounded by Steele Street, 2nd Avenue, and Saint Paul Street in Council District 10. The Committee approved filing this bill by consent on 7-28-16.

Recap of Bills to be Called Out

Pre-Recess Announcement

Tonight, there will be a required public hearing on CB16-0524, approving the service plan for the creation of the Midtown Metropolitan District; a required public hearing on CB16-0525, approving a service plan for the creation of the First Creek Village Metropolitan District; and, a one-hour courtesy public hearing on CB16-0567, regarding a proposed amendment to the Charter of the City and County of Denver concerning the Office of the Independent Monitor. Anyone wishing to speak on any 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.

Recess

Council Reconvenes and Resumes its Regular Session

Public Hearings - Bills for Final Consideration

Finance & Services

CB16-0524 A bill for an ordinance approving a Service Plan for the creation of Midtown Metropolitan District.

Approves the Service Plan for the formation and establishment of the Midtown Metropolitan District located in Council District 9. The Committee approved filing this bill at its meeting on 7-26-16.

CB16-0525 A bill for an ordinance approving a Service Plan for the creation of First Creek Village Metropolitan District.

Approves the Service Plan for the First Creek Village Metropolitan District in Council District 11. The Committee approved filing this bill at its meeting on 7-26-16.

Governance & Charter Review

CB16-0567 A bill for an ordinance submitting to a vote of the qualified and registered electors of the City and County of Denver at a special municipal election to be held in conjunction with the state general election of November 8, 2016, a proposed amendment to the Charter of the City and County of Denver concerning the Office of the Independent Monitor.

Approves an ordinance submitting to a vote of the qualified and registered electors of the City and County of Denver at a special municipal election to be held in conjunction with the state general election of November 8, 2016, a proposed

amendment to the Charter of the City and County of Denver concerning the Office of the Independent Monitor. This bill must pass no later than August 29, 2016 to meet the deadlines for the November ballot. The Committee approved filing this bill at its meeting on 8-3-16.

Announcement

Dependent upon publication, on Monday, August 22, 2016, there will be a required public hearing on CB16-0566, designating 1400 Lafayette Street, the First Unitarian Society of Denver Church, as a structure of preservation. On Monday, September 12, 2016, a required public hearing on CB16-0430, changing the zoning classification for Geneva Court and Martin Luther King Jr. Boulevard; a required public hearing on CB16-0509, changing the zoning classification for 3705 Shoshone St. and 1945 W. 37th Ave; and, a required public hearing on CB16-0563, changing the zoning classification for 2541-2731 W. Holden Pl., 2602-2660 W. Holden Pl., 2516-2610 W. 13th Ave., 1260-1280 N. Decatur St. and 2775 W. 13th Ave.

Adjourn

Pending

For 8-22-16

CB16-0498 A bill for an ordinance providing for a moratorium prohibiting the use of the Denver Zoning Code's pre-existing small zone lot parking exemption for certain projects for a period of approximately seven months.

**Required Public Hearing
Final Consideration**

For 8-22-16

CB16-0541 AS AMENDED a bill for an ordinance providing for a moratorium prohibiting the approval of site development plans and the amendment of approved site development plans for construction of buildings using the Garden Court building form in the Denver Zoning Code for a period of approximately twelve months.

**Required Public Hearing
Final Consideration**

For 8-29-16

CB16-0482 A bill for an ordinance changing the zoning classification for 45 N. Harrison St., with a waiver.

**Required Public Hearing
Final Consideration**

For 8-29-16

CB16-0507 A bill for an ordinance changing the zoning classification for 1145 and 1165 S. Broadway.

**Required Public Hearing
Final Consideration**

For 8-29-16

CB16-0508 A bill for an ordinance changing the zoning classification for 3801 Himalaya Road.

**Required Public Hearing
Final Consideration**