

City Council Minutes

Meeting Date: Monday, May 22, 2017 5:30 PM

PLEDGE OF ALLEGIANCE

Council member Susman led the Pledge of Allegiance.

ROLL CALL

Present: Black, Brooks, Clark, Espinoza, Flynn, Gilmore, Kashmann, Kniech, López, New, Ortega, Susman (12)

Absent: Herndon (1)

APPROVAL OF THE MINUTES

[17-0594](#) Minutes of Monday, May 15, 2017

The minutes of Monday, May 22, 2017, were approved.

Approved

The minutes of meeting date, Monday, May 15, 2017, were distributed to Council. Council President Brooks ordered the minutes approved.

COUNCIL ANNOUNCEMENTS

Council members New, Kashmann, Gilmore, Clark, Espinoza, López, and Brooks offered announcements.

PRESENTATIONS

COMMUNICATIONS

PROCLAMATIONS

[17-0604](#) **A proclamation affirming the vital importance of journalism in Denver civic life.**

A motion offered by Councilman Flynn, duly seconded by Councilwoman Kniech, that Proclamation 17-0604 be adopted. The motion carried by the following vote:

Adopted

Council President Brooks asked to be added as a sponsor of 17-0604.

Aye: Black, Brooks, Clark, Espinoza, Flynn, Gilmore, Kashmann, Kniech, López, New, Ortega, Susman (12)

Nay: (None) (0)

Absent: Herndon (1)

[17-0605](#) **A proclamation designating May 21 through May 27 as "Public Works Week in Denver" and Congratulating the Denver Public Works Department's Ten Employees of the Year for 2016.**

A motion offered by Councilwoman Susman, duly seconded by Councilman Flynn, that Proclamation 17-0605 be adopted. The motion carried by the following vote:

Adopted

Councilman New asked to be added as a sponsor of 17-0605.

Aye: Black, Brooks, Clark, Espinoza, Flynn, Gilmore, Kashmann, Kniech, López, New, Ortega, Susman (12)

Nay: (None) (0)

Absent: Herndon (1)

RESOLUTIONS

Business, Arts, Workforce & Aeronautical Services Committee

Block Vote

A motion offered by Councilwoman Susman, duly seconded by Councilwoman Kniech, to approve the following items en bloc. The motion carried by the following vote:

Approved the consent agenda

Aye: Black, Brooks, Clark, Espinoza, Flynn, Gilmore, Kashmann, Kniech, López, New, Ortega, Susman (12)

Nay: (None) (0)

Absent: Herndon (1)

[17-0540](#) **A resolution approving the Mayor's reappointments to the Denver Union Station Project Authority Board of Directors.**

Approves the Mayoral reappointments of Bill Bianco, Jerrold Glick, and Michael West to the Denver Union Station Project Authority Board of Directors for terms effective immediately and expiring 12-31-19, or until successors are duly appointed. The Committee approved filing this resolution by consent on 05-10-17.

A motion offered by Councilwoman Susman, duly seconded by Councilwoman Kniech, that Resolution 17-0540 be adopted en bloc, carried by the following vote:

Adopted

Aye: Black, Brooks, Clark, Espinoza, Flynn, Gilmore, Kashmann, Kniech, López, New, Ortega, Susman (12)

Nay: (None) (0)

Absent: Herndon (1)

[17-0547](#) **A resolution approving a proposed Agreement between the City and County of Denver and Interstate Highway Construction, Inc. concerning general construction and rehabilitation projects at Denver International Airport.**

Approves a fifteen-month contract with Interstate Highway Construction, Inc. in the amount of \$22,204,974.25 for runway and taxiway pavement rehabilitation, earthwork, airfield lighting, and the rehabilitation of a Denver Fire Department access road at Denver International Airport (201732479). These projects will be paid from the Airport Improvement Program (AIP) and Capital Improvement Program (CIP) funds. The last regularly scheduled Council meeting within the 30-day review period is on 6-12-17. The Committee approved filing this resolution by consent on 5-10-17.

A motion offered by Councilwoman Susman, duly seconded by Councilwoman Kniech, that Resolution 17-0547 be adopted en bloc, carried by the following vote:

Adopted

Aye: Black, Brooks, Clark, Espinoza, Flynn, Gilmore, Kashmann, Kniech, López, New, Ortega, Susman (12)

Nay: (None) (0)

Absent: Herndon (1)

Finance & Governance Committee

17-0473 A resolution approving a proposed Escrow Funding Agreement between the City and County of Denver and H.C. Peck and Associates, Inc. to perform escrow services for the Platte to Park Hill Stormwater Systems Project.

Approves a three-year nine-month \$15 million contract with H.C. Peck and Associates, Inc. for relocation reimbursement to owners and tenants impacted by the Platte to Park Hill Stormwater Systems project including moving, storage, deposits, and other relocations costs in Council District 9 (FINAN-201733769-00). The last regularly scheduled Council meeting within the 30-day review period is on 6-12-17. The Committee approved filing this resolution by consent on 4-25-17.

A motion offered by Councilwoman Susman, duly seconded by Councilman Clark, that Resolution 17-0473 be adopted, was followed by a motion offered by Councilwoman Kniech, duly seconded by Councilman Clark, that Resolution 17-0473 be amended to correct the clerk filing number for the new Exhibit A that deletes an incorrect reference to the Colorado Department of Transportation and adds language to clarify that the activities are to be performed under the oversight of the City and County of Denver. The motion carried by the following vote:

Amended

- Aye: Black, Brooks, Clark, Espinoza, Flynn, Gilmore, Kashmann, Kniech, López, New, Ortega, Susman (12)
- Nay: (None) (0)
- Absent: Herndon (1)

A motion offered by Councilwoman Susman, duly seconded by Councilman Clark, that Resolution 17-0473 be adopted as amended. The motion carried by the following vote:

Adopted as amended

- Aye: Black, Brooks, Clark, Espinoza, Flynn, Gilmore, Kashmann, Kniech, López, New, Ortega, Susman (12)
- Nay: (None) (0)
- Absent: Herndon (1)

17-0599 A resolution authorizing and approving the expenditure and payment from the appropriation account designated "liability claims," the sum of One Hundred Six Thousand Three Hundred and Two Dollars and Seventy-Two Cents (\$106,302.72), payable to Susan R. Hahn, Esq. in full payment and satisfaction of attorney fees in Case No. 16-1316, in the Tenth Circuit Court of Appeals.

Settles a case involving Technology Services. This bill was approved for filing at the Mayor-Council meeting of 5-16-17.

A motion offered by Councilwoman Susman, duly seconded by Councilwoman Kniech, that Resolution 17-0599 be adopted en bloc, carried by the following vote:

Adopted

- Aye: Black, Brooks, Clark, Espinoza, Flynn, Gilmore, Kashmann, Kniech, López, New, Ortega, Susman (12)
- Nay: (None) (0)
- Absent: Herndon (1)

Land Use, Transportation & Infrastructure Committee

17-0466 A resolution approving a proposed Contract between the City and County of Denver and Turner Construction Company to perform surface and architectural improvements to 13th Street, Champa Street Bridge and the DPAC parking garage.

Approves a contract with Turner Construction Company for \$4,794,830 and for nine months to perform surface and architectural improvements to 13th Street between Arapahoe Street and Champa Street, enhance pedestrian traffic through the Denver Performing Arts Complex (DPAC), demolish the aging Champa Street Pedestrian Bridge between the Colorado Convention Center and DPAC, and complete critical structural repairs to the DPAC Parking Garage as part of the Better Denver Bond program (201734069). The last regularly scheduled Council meeting within the 30-day review period is on 6-12-17. The Committee approved filing this resolution by consent on 5-2-17.

A motion offered by Councilwoman Susman, duly seconded by Councilwoman Kniech, that Resolution 17-0466 be adopted en bloc, carried by the following vote:

Adopted

- Aye: Black, Brooks, Clark, Espinoza, Flynn, Gilmore, Kashmann, Kniech, López, New, Ortega, Susman (12)
- Nay: (None) (0)
- Absent: Herndon (1)

17-0495 A resolution approving a proposed First Amendment to Denver parking garages Management Agreement by and between the City and County of Denver and SP Plus Corporation to extend the term and add funds for professional parking management services.

Amends a contract with SP Plus Corporation by adding \$4.1 million for a new total amount of \$8,535,107, and two years for a new end date of 09-30-19 for the operation and maintenance of three public parking garages located at 1055 13th Street, 65 West 12th Avenue, and 490 West 14th in Council Districts 9 and 10 (201417250-01). The last regularly scheduled Council meeting within the 30-day review period is on 6-12-17. The Committee approved filing this resolution by consent on 5-2-17.

A motion offered by Councilwoman Susman, duly seconded by Councilwoman Kniech, that Resolution 17-0495 be adopted en bloc, carried by the following vote:

Adopted

- Aye: Black, Brooks, Clark, Espinoza, Flynn, Gilmore, Kashmann, Kniech, López, New, Ortega, Susman (12)
- Nay: (None) (0)
- Absent: Herndon (1)

17-0509 A resolution approving and providing for the execution of a proposed contract between the City and County of Denver and the Great Outdoors Colorado Trust Fund (GOCO), concerning the "My Outdoor Colorado" project and the funding therefor.

Approves a grant agreement with Great Outdoors Colorado for \$2.7 million and through 06-30-20 to support a Westwood Park nature play area and gardens, a Weir Gulch nature play area and outdoor classroom, gardening programs, afterschool programs, family workshops, expanded nature activities, youth stewardship, and other youth and family activities as part of the My Outdoor Colorado program in Council District 3 (201734480). The last regularly scheduled Council meeting within the 30-day review period is on 6-12-17. The Committee approved filing this resolution by consent on 5-2-17.

A motion offered by Councilwoman Susman, duly seconded by Councilwoman Kniech, that Resolution 17-0509 be adopted en bloc, carried by the following vote:

Adopted

Aye: Black, Brooks, Clark, Espinoza, Flynn, Gilmore, Kashmann, Kniech, López, New, Ortega, Susman (12)

Nay: (None) (0)

Absent: Herndon (1)

17-0538 A resolution approving a proposed Contract between the City and County of Denver and Jalisco International, Inc. for the 19th and 20th 2-Way Conversion.

Approves a contract with Jalisco International, Inc. for \$2,584,184.46 and for fifteen months to convert portions of 19th Avenue, 20th Avenue, Grant Street, and Logan Street from 1-way to 2-way streets, and includes adding and modifying existing traffic signals, replacing existing intersection curb returns to incorporate curb extensions and curb ramps, installing storm drain manholes and inlets, installing bike lane elements and striping, and other services in Council Districts 9 and 10 (201733316). The last regularly scheduled Council meeting within the 30-day review period is on 6-12-17. The Committee approved filing this resolution by consent on 5-9-17.

A motion offered by Councilwoman Susman, duly seconded by Councilwoman Kniech, that Resolution 17-0538 be adopted en bloc, carried by the following vote:

Adopted

Aye: Black, Brooks, Clark, Espinoza, Flynn, Gilmore, Kashmann, Kniech, López, New, Ortega, Susman (12)

Nay: (None) (0)

Absent: Herndon (1)

17-0546 A resolution accepting and approving the subdivision plat of Broadway Station Filing No. 1.

Approves a subdivision plat for Broadway Station Filing No. 1 located at South Broadway and West Mississippi Avenue in Council District 7. The Committee approved filing this resolution by consent on 5-9-17.

A motion offered by Councilwoman Susman, duly seconded by Councilwoman Kniech, that Resolution 17-0546 be adopted en bloc, carried by the following vote:

Adopted

Aye: Black, Brooks, Clark, Espinoza, Flynn, Gilmore, Kashmann, Kniech, López, New, Ortega, Susman (12)

Nay: (None) (0)

Absent: Herndon (1)

Safety, Housing, Education & Homelessness Committee

17-0421 A resolution approving a proposed Third Amendatory Agreement between the City and County of Denver and JKS Industries, LLC to extend the term and add funds to provide on call asbestos, lead and mold abatement services.

Amends a contract with JKS Industries, LLC to add \$2 million for a new contract total in the amount of \$2,480,000 and to add two years for a new end date of 8-3-19, for nuisance abatement actions for residential properties and environmentally regulated building material abatement and demolition activities of city-owned facilities including those associated with the North Denver Cornerstone Collaborative and Platte to Parkhill projects (ENVHL-201415783). The last regularly scheduled Council meeting within the 30-day review period is on 6-12-17. The Committee approved filing this resolution at its meeting on 5-10-17.

This Resolution 17-0421 was continued to 6-05-17.

Continued

Pursuant to Council Rule 3.7, Councilman Espinoza called these resolutions out to postpone consideration until the next regularly scheduled meeting of Council to Monday, June 5, 2017.

17-0422 A resolution approving a proposed Third Amendatory Agreement between the City and County of Denver and Excel Environmental, Inc., to extend the term and add funds to provide on call asbestos, lead and mold abatement services.

Amends a contract with Excel Environmental, Inc. to add \$2 million for a new contract total in the amount of \$2,480,000 and to add two years for a new end date of 8-11-19 for nuisance abatement actions for residential properties and environmentally regulated building material abatement and demolition activities of city-owned facilities including those associated with the North Denver Cornerstone Collaborative and Platte to Parkhill projects (ENVHL-201415696). The last regularly scheduled Council meeting within the 30-day review period is on 6-12-17. The Committee approved filing this resolution at its meeting on 5-10-17.

This Resolution 17-0422 was continued to 6-05-17.

Continued

Pursuant to Council Rule 3.7, Councilman Espinoza called these resolutions out to postpone consideration until the next regularly scheduled meeting of Council to Monday, June 5, 2017.

[17-0423](#) A resolution approving a proposed Third Amendatory Agreement between the City and County of Denver and Hudspeth & Associates, Inc., to extend the term and add funds to provide on call asbestos, lead and mold abatement services.

Amends a contract with Hudspeth & Associates, Inc. to add \$2 million for a new contract total in the amount of \$2,480,000 and to add two years for a new end date of 9-28-19 for nuisance abatement actions for residential properties and environmentally regulated building material abatement and demolition activities of city-owned facilities including those associated with the North Denver Cornerstone Collaborative and Platte to Parkhill projects (ENVHL-201415701). The last regularly scheduled Council meeting within the 30-day review period is on 6-12-17. The Committee approved filing this resolution at its meeting on 5-10-17.

This Resolution 17-0423 was continued to 6-05-17.

Continued

Pursuant to Council Rule 3.7, Councilman Espinoza called these resolutions out to postpone consideration until the next regularly scheduled meeting of Council to Monday, June 5, 2017.

[17-0424](#) A resolution approving a proposed Third Amendatory Agreement between the City and County of Denver and Orion Environmental, Inc., to extend the term and add funds to provide on call asbestos, lead and mold abatement services.

Amends a contract with Orion Environmental, Inc. to add \$1,520,000 for a new contract total in the amount of \$2,480,000 and to add two years for a new end date of 8-06-19 for nuisance abatement actions for residential properties and environmentally regulated building material abatement and demolition activities of city-owned facilities including those associated with the North Denver Cornerstone Collaborative and Platte to Parkhill projects (ENVHL-201415702). The last regularly scheduled Council meeting within the 30-day review period is on 6-12-17. The Committee approved filing this resolution at its meeting on 5-10-17.

This Resolution 17-0424 was continued to 6-05-17.

Continued

Pursuant to Council Rule 3.7, Councilman Espinoza called these resolutions out to postpone consideration until the next regularly scheduled meeting of Council to Monday, June 5, 2017.

17-0425 A resolution approving a proposed Amendatory Agreement between the City and County of Denver and Foothills Environmental, Inc., to extend the term and add funds to provide on call asbestos, lead and mold abatement services.

Amends a contract with Foothills Environmental, Inc. to add \$520,000 for a new contract total in the amount of \$1 million and to add one year for a new end date of 8-18-19 for nuisance abatement consulting for applicable residential properties and environmentally regulated building material abatement and demolition consulting of city-owned facilities including those associated with the North Denver Cornerstone Collaborative and Platte to Parkhill projects (Contract #ENVHL-201522906). The last regularly scheduled Council meeting within the 30-day review period is on 6-12-17. The Committee approved filing this resolution at its meeting on 5-10-17.

This Resolution 17-0425 was continued to 6-05-17.

Continued

Pursuant to Council Rule 3.7, Councilman Espinoza called these resolutions out to postpone consideration until the next regularly scheduled meeting of Council to Monday, June 5, 2017.

17-0427 A resolution approving a proposed Amendatory Agreement between the City and County of Denver and Environmental Technical Solutions, LLC to extend the term and add funds to provide on call asbestos, lead and mold abatement services.

Amends a contract with Environmental Technical Solutions, LLC to add \$520,000 for a new contract total in the amount of \$1 million and to add one year for a new end date of 7-20-19 for nuisance abatement consulting for applicable residential properties and environmentally regulated building material abatement and demolition consulting of city-owned facilities including those associated with the North Denver Cornerstone Collaborative and Platte to Parkhill projects (ENVHL - 201522963). The last regularly scheduled Council meeting within the 30-day review period is on 6-12-17. The Committee approved filing this resolution at its meeting on 5-10-17.

This Resolution 17-0427 was continued to 6-05-17.

Continued

Pursuant to Council Rule 3.7, Councilman Espinoza called these resolutions out to postpone consideration until the next regularly scheduled meeting of Council to Monday, June 5, 2017.

17-0533 A resolution approving the Mayor's appointments to the Denver Women's Commission.

Approves the Mayoral appointments of Stephanie R. Pacheco, Rocio Perez, and Tram Ha to the Denver Women's Commission for terms effective immediately and expiring on 6-30-19, or until successors are duly appointed. The Committee approved filing this resolution by consent on 5-10-17.

A motion offered by Councilwoman Susman, duly seconded by Councilwoman Kniech, that Resolution 17-0533 be adopted en bloc, carried by the following vote:

Adopted

- Aye: Black, Brooks, Clark, Espinoza, Flynn, Gilmore, Kashmann, Kniech, López, New, Ortega, Susman (12)
- Nay: (None) (0)
- Absent: Herndon (1)

[17-0535](#) A resolution approving the mayoral appointments to the Denver Asian Pacific American Commission.

Approves the Mayoral appointments of Wendy Barile and Shauna Medeiros-Tuilaepa to the Denver Asian Pacific American Commission for terms effective immediately and expiring on 1-22-19, or until successors are duly appointed. The Committee approved filing this resolution by consent on 5-10-17.

A motion offered by Councilwoman Susman, duly seconded by Councilwoman Kniech, that Resolution 17-0535 be adopted en bloc, carried by the following vote:

Adopted

Aye: Black, Brooks, Clark, Espinoza, Flynn, Gilmore, Kashmann, Kniech, López, New, Ortega, Susman (12)

Nay: (None) (0)

Absent: Herndon (1)

[17-0596](#) A resolution authorizing and approving the expenditure and payment from the appropriation account designated "liability claims," the total sum of One Hundred Twenty-Two Thousand Five Hundred Dollars and Zero Cents (\$122,500.00), payable to Brian Hinman in the amount of \$71,625.97 and the Civil Rights Litigation Group, PLLC, in the amount of \$50,874.03 in full payment and satisfaction of all claims in Case No. 15-cv-00751-WJM-MEH, in the United States District Court for the District of Colorado.

Settles a claim involving the Denver Police Department. This resolution was approved for filing at the Mayor Council meeting on 5-16-17.

A motion offered by Councilwoman Susman, duly seconded by Councilwoman Kniech, that Resolution 17-0596 be adopted en bloc, carried by the following vote:

Adopted

Aye: Black, Brooks, Clark, Espinoza, Flynn, Gilmore, Kashmann, Kniech, López, New, Ortega, Susman (12)

Nay: (None) (0)

Absent: Herndon (1)

BILLS FOR INTRODUCTION

Finance & Governance Committee

[17-0531](#) 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 making multiple pay range adjustments and pay grade changes based upon the annual market study of prevailing wages in the Denver metropolitan area. The Committee approved filing this bill by consent on 05-09-17.

This Bill 17-0531 was ordered published on first reading.

Ordered published on first reading

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. 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 5-16-17.

Council Bill 17-0497 was ordered published with future required public hearing on 6/19/2017.

Ordered published with future required public hearing

[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. 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 5-16-17.

Council Bill 17-0498 was ordered published with future required public hearing on 6/19/2017.

Ordered published with future required public hearing

[17-0530](#) A bill for an ordinance vacating a portion of the east/west alley bounded by North Julian Street, North Irving Street, West 18th Avenue and West 17th Avenue, with reservations.

Vacates a portion of the alley bounded by North Julian Street and North Irving Street, and West 18th Avenue and West 17th Avenue with reservations in Council District 3. The Committee approved filing this bill by consent on 5-18-17.

This Bill 17-0530 was ordered published on first reading.

Ordered published on first reading

[17-0532](#) A bill for an ordinance authorizing the purchase of capital equipment from the Planned Fleet Replacement Fund and General Fund.

Approves the capital equipment purchase of one 2017 Ford F-350 4x4 service truck with a utility bed, air compressor, light bar, and additional equipment for \$78,000 to expedite the clearing of roadways and intersections and reduce towing costs by having a properly equipped service vehicle that can respond to breakdowns effectively citywide. The Committee approved filing this bill by consent on 5-9-17.

This Bill 17-0532 was ordered published on first reading.

Ordered published on first reading

[17-0536](#) A bill for an ordinance relinquishing the Permanent Non-Exclusive Easement, recorded with the Denver Clerk & Recorder at Reception No. 2014003336, located at 1042 South Parker Road.

Relinquishes an easement at 1042 South Parker Road in Council District 5. The last regularly scheduled Council meeting within the 30-day review period is on 6-12-17. The Committee approved filing this bill by consent on 5-9-17.

This Bill 17-0536 was ordered published on first reading.

Ordered published on first reading

[17-0537](#) A bill for an ordinance vacating a portion of right-of-way near the intersection of Wazee Street and 35th Street, without reservations.

Vacates a portion of the right-of-way along the southeast side of Wazee Street at 35th Street without reservations in Council District 9. The Committee approved filing this bill by consent on 5-9-17.

This Bill 17-0537 was ordered published on first reading.

Ordered published on first reading

BILLS FOR FINAL CONSIDERATION

Finance & Governance Committee

[17-0472](#) A bill for an ordinance appropriating the Wastewater East Corridor Certificates of Participation payment for 2017.

Appropriates \$762,778 for the total citywide 2017 lease payments associated with Lease Purchase Agreement No. 2012C with Denver Properties Leasing Trust 2012C, more commonly known as the East Corridor COP payment, that was inadvertently excluded from the 2017 Annual Appropriation Ordinance passed in 2016. The Committee approved filing this bill by consent on 4-25-17.

A motion offered by Councilwoman Susman, duly seconded by Councilwoman Kniech, that Bill 17-0472 be placed upon final consideration and do pass en bloc, carried by the following vote:

Placed upon final consideration and do pass

- Aye: Black, Brooks, Clark, Espinoza, Flynn, Gilmore, Kashmann, Kniech, López, New, Ortega, Susman (12)
Nay: (None) (0)
Absent: Herndon (1)

17-0474 A bill for an ordinance authorizing the purchase of capital equipment from the General Fund.

Approves an approximately \$50,000 capital equipment expenditure for a Dulevo 850 mini-sweeper for the Street Maintenance Division of Public Works. The Committee approved filing this bill by consent on 4-25-17.

A motion offered by Councilwoman Susman, duly seconded by Councilwoman Kniech, that Bill 17-0474 be placed upon final consideration and do pass en bloc, carried by the following vote:

Placed upon final consideration and do pass

Aye: Black, Brooks, Clark, Espinoza, Flynn, Gilmore, Kashmann, Kniech, López, New, Ortega, Susman (12)

Nay: (None) (0)

Absent: Herndon (1)

Land Use, Transportation & Infrastructure Committee

17-0396 A bill for an ordinance approving a proposed Amendatory Intergovernmental Agreement between the City and County of Denver and the Denver Board of Water Commissioners, for the City's Broadway Reconstruction Project.

Amends an intergovernmental agreement with Denver Board of Water Commissioners by adding \$432,525.59 for a new total of \$1,577,675.41 for additional reimbursement to the City to accommodate the installation of new domestic waterlines and the relocation of a portion of conduit 61, as part of the reconstruction of Broadway between Arizona Avenue and Kentucky Avenue and the reconstruction of Mississippi Avenue between Santa Fe Drive and Broadway, in Council District 7 (201416527-01). The last regularly scheduled Council meeting within the 30-day review period is on 6-5-17. The Committee approved filing this bill by consent on 4-11-17.

A motion offered by Councilwoman Susman, duly seconded by Councilwoman Kniech, that Bill 17-0396 be placed upon final consideration and do pass en bloc, carried by the following vote:

Placed upon final consideration and do pass

Aye: Black, Brooks, Clark, Espinoza, Flynn, Gilmore, Kashmann, Kniech, López, New, Ortega, Susman (12)

Nay: (None) (0)

Absent: Herndon (1)

17-0456 A bill for an ordinance approving a proposed Intergovernmental Agreement between the City and County of Denver and the State of Colorado, relating to the "DRCOG FY16-21 TIP Iowa Underpass" project and the funding therefor.

Approves a grant agreement with the Colorado Department of Transportation (CDOT) for \$1,472,500 and for three years to partially fund the construction of ADA-compliant ramps, retaining walls, improvements at the intersection, lighting improvements, and other features of the Iowa Underpass project located near the intersection of West Iowa Avenue and South Santa Fe Drive in Council District 7 (201734092). The last regularly scheduled Council meeting within the 30-day review period is on 5-22-17. The Committee approved filing this bill by consent on 4-25-17.

A motion offered by Councilwoman Susman, duly seconded by Councilwoman Kniech, that Bill 17-0456 be placed upon final consideration and do pass en bloc, carried by the following vote:

Placed upon final consideration and do pass

Aye: Black, Brooks, Clark, Espinoza, Flynn, Gilmore, Kashmann, Kniech, López, New, Ortega, Susman (12)

Nay: (None) (0)

Absent: Herndon (1)

17-0463 A bill for an ordinance approving a proposed Intergovernmental Agreement between the City and County of Denver and the State of Colorado, relating to the "Highline Canal at Mississippi & Parker" project and the funding therefor.

Approves a grant agreement with the Colorado Department of Transportation (CDOT) for \$3,201,600 and for five years to partially fund improvements to the High Line Canal including a bike and pedestrian underpass that is 14-foot wide and approximately 160 feet in length located near the intersection of East Mississippi Avenue and South Parker Road in Council District 5 (201734151). The last regularly scheduled Council meeting within the 30-day review period is on 5-22-17. The Committee approved filing this bill by consent on 4-25-17.

A motion offered by Councilwoman Susman, duly seconded by Councilwoman Kniech, that Bill 17-0463 be placed upon final consideration and do pass en bloc, carried by the following vote:

Placed upon final consideration and do pass

Aye: Black, Brooks, Clark, Espinoza, Flynn, Gilmore, Kashmann, Kniech, López, New, Ortega, Susman (12)

Nay: (None) (0)

Absent: Herndon (1)

[17-0470](#) A bill for an ordinance vacating a portion of right-of-way near the intersection of East 26th Avenue and Clarkson Street, with reservations.

Vacates a portion of public right-of-way adjacent to 2714 Welton Street at the corner of 26th Avenue and Clarkson Street in Council District 9. The Committee approved filing this bill by consent on 4-25-17.

A motion offered by Councilwoman Susman, duly seconded by Councilwoman Kniech, that Bill 17-0470 be placed upon final consideration and do pass en bloc, carried by the following vote:

Placed upon final consideration and do pass

Aye: Black, Brooks, Clark, Espinoza, Flynn, Gilmore, Kashmann, Kniech, López, New, Ortega, Susman (12)

Nay: (None) (0)

Absent: Herndon (1)

[17-0511](#) A bill for an ordinance relinquishing the easements established by the Permanent Non-Exclusive Easement and the Correction Permanent Non-Exclusive Easement which are recorded with Denver Clerk & Recorder at Reception Nos. 2014103195 and 2014154646, respectively, located at 3515 Ringsby Court.

Relinquishes two easements with reception numbers 2014103195 and 2014154646 located at 3515 Ringsby Court in Council District 9. The last regularly scheduled Council meeting within the 30-day review period is on 6-5-17. The Committee approved filing this resolution by consent on 5-2-17.

A motion offered by Councilwoman Susman, duly seconded by Councilwoman Kniech, that Bill 17-0511 be placed upon final consideration and do pass en bloc, carried by the following vote:

Placed upon final consideration and do pass

Aye: Black, Brooks, Clark, Espinoza, Flynn, Gilmore, Kashmann, Kniech, López, New, Ortega, Susman (12)

Nay: (None) (0)

Absent: Herndon (1)

Special Issues: Marijuana

[17-0523](#) AS AMENDED a bill for an ordinance amending the Denver Retail Marijuana Code and the Denver Medical Marijuana Code to provide for a waiting period before new applications can be received or acted upon within a 1,000-foot radius of a location where a license has been denied or an application has been withdrawn following scheduling of a hearing.

Establishes a waiting period for re-application for a license for certain marijuana businesses that are denied an application or in certain cases when applicants withdraw. The Committee approved filing this bill at its meeting on 5-1-17. Amended 05-15-17 to clarify that the one-year waiting period for reapplication for medical marijuana center license or a retail marijuana store license in circumstances where a prior application was withdrawn after the setting of a public hearing on the application but prior to a final decision by the Director of Excise and License is measured solely from the date the prior application was withdrawn.

A motion offered by Councilwoman Susman, duly seconded by Councilwoman Kniech, that Bill 17-0523 be placed upon final consideration and do pass en bloc, carried by the following vote:

Placed upon final consideration and do pass

- Aye: Black, Brooks, Clark, Espinoza, Flynn, Gilmore, Kashmann, Kniech, López, New, Ortega, Susman (12)
- Nay: (None) (0)
- Absent: Herndon (1)

RECAP OF BILLS TO BE CALLED OUT

PRE-RECESS ANNOUNCEMENT

Council President Brooks announced that tonight, there will be a one-hour courtesy public hearing on Council Bill 17-0513, amending the sentencing structure by modifying the general penalties and creating a tiered penalty system for violations of the municipal code. Anyone wishing to speak 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 took a recess.

COUNCIL RECONVENES AND RESUMES ITS REGULAR SESSION

PUBLIC HEARINGS - BILLS FOR FINAL CONSIDERATION

Safety, Housing, Education & Homelessness Committee

17-0513 A bill for an ordinance amending the sentencing structure for violations of the Denver Revised Municipal Code, modifying the general penalty, and creating a tiered penalty system for different levels of class 1 and class 2 violations.

Amends various sections of the Denver Revised Municipal Code to reform the City’s sentencing structure by modifying the general penalties and creating a tiered penalty system for violations of the municipal code. The Committee approved filing this bill at its meeting on 5-3-17.

A motion offered by Councilwoman Susman, duly seconded by Councilwoman Kniech, that Bill 17-0513 be placed upon final consideration and do pass. The motion carried by the following vote:

Placed upon final consideration and do pass

Council sat as a Committee of the Whole commencing at 7:10 p.m., Council President Brooks presiding, to hear speakers on Council Bill 17-0513. Dora Lee Larson, Amber Dower, Rosa M. Veigil, Julie Bansch-Wickert, Scott Levin, and Jenny Santos signed up to speak in favor of the bill. No speakers signed up to speak in opposition of the bill. Chad Sublet of the City Attorney's Office delivered the Staff Report.

Aye: Black, Brooks, Clark, Espinoza, Flynn, Gilmore, Kashmann, Kniech, López, New, Ortega, Susman (12)

Nay: (None) (0)

Absent: Herndon (1)

PRE-ADJOURNMENT ANNOUNCEMENT

Council President Brooks announced that on Monday, June 19, 2017, Council will hold 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. Any protests against Council Bill 17-0497 or Council Bill 17-0498 must be filed with the Council Offices no later than Monday, June 12, 2017.

Due to the upcoming Memorial Day holiday, Council will next meet on Monday, June 5. Have a safe and happy holiday.

ADJOURN

There being no further business before the City Council, Council President Brooks adjourned the meeting at 8:02 p.m.

President

Attested by me with the Corporate Seal of the City and County of Denver

Clerk and Recorder, Ex-Officio Clerk
of the City and County of Denver