

City Council Meeting of Monday, August 08, 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

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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 08, 2016 5:30 PM

Pledge of Allegiance

Roll Call

Approval of the Minutes

Council Announcements

Presentations

Communications

Proclamations

CP16-0590 A proclamation honoring Antonio (Tony) Lopez for his service to the Denver Police Department and contributions in District 6. Brooks, Susman, Kniech, Clark, Flynn, Black, New, Ortega, Kashmann, López, Espinoza, and Gilmore.

Resolutions

Business Development

CR16-0530 A resolution approving a proposed Contract between the City and County of Denver and Swinerton Builders concerning on-call construction services at Denver International Airport.

Approves a contract with Swinerton Builders for \$25 million through 6-30-19 for on-call construction services that will include a wide range of construction projects from general remodels and exterior construction activities to both airside and landside at Denver International Airport (201627941). 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 7-28-16.

CR16-0531 A resolution approving a proposed Contract between the City and County of Denver and Haselden Construction, LLC concerning on-call construction services at Denver International Airport.

Approves a contract with Haselden Construction, LLC for \$25 million through 6-30-19 for on-call construction services that will include a wide range of construction

projects from general remodels and exterior construction activities to both airside and landside at Denver International Airport (201627955). 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 7-28-16.

CR16-0532 A resolution approving a proposed Contract between the City and County of Denver and Hensel Phelps Construction, Co. concerning on-call construction services at Denver International Airport.

Approves a contract with Hensel Phelps Construction, Co. for \$25 million through 6-30-19 for on-call construction services that will include a wide range of construction projects from general remodels and exterior construction activities to both airside and landside at Denver International Airport (201627953). 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 7-28-16.

CR16-0533 A resolution approving a proposed Contract between the City and County of Denver and FCI Constructors, Inc. concerning on-call construction services at Denver International Airport.

Approves a contract with FCI Constructors, Inc. for \$25 million through 6-30-19 for on-call construction services that will include a wide range of construction projects from general remodels and exterior construction activities to both airside and landside at Denver International Airport (201525269). 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 7-28-16.

CR16-0534 A resolution approving a proposed Agreement between the City and County of Denver and Ludvik Electric Company concerning On-Call Miscellaneous BHS Mill Writ Services for Denver International Airport.

Approves a contract with Ludvik Electric Company for \$8 million through 4-30-19 for task order-based on-call miscellaneous millwright services as needed per project in areas such as the baggage system, installation of jet bridges, demolition of existing baggage and DCV equipment, installation of new baggage equipment, and fabrication and installation of system materials at Denver International Airport (201418968). 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 7-28-16.

CR16-0535 A resolution approving a proposed Agreement between the City and County of Denver and Precision Industrial Contractors, Inc. concerning On-Call Miscellaneous BHS Mill Wright Services for Denver International Airport.

Approves a contract with Precision Industrial Contractors, Inc. for \$8 million through 4-30-19 for task order-based on-call miscellaneous millwright services as needed per project in areas such as the baggage system, installation of jet bridges, demolition of existing baggage and DCV equipment, installation of new baggage equipment, and fabrication and installation of system materials at Denver International Airport (201626824). 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 7-28-16.

CR16-0536 A resolution approving a proposed Agreement between the City and County of Denver and Western Industrial Contractors, Inc. concerning On-Call BHS Miscellaneous Millwright Services for Denver International Airport.

Approves a contract with Western Industrial Contractors, Inc. for \$8 million through 4-30-19 for task order-based on-call miscellaneous millwright services as needed per project in areas such as the baggage system, installation of jet bridges, demolition of existing baggage and DCV equipment, installation of new baggage equipment, and fabrication and installation of system materials at Denver International Airport (201626827). 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 7-28-16.

CR16-0537 A resolution approving a proposed Agreement between the City and County of Denver and Cactus Communications, Inc. concerning communications for Denver International Airport.

Approves a sponsorship agreement with Cactus Communications, Inc. for \$750,000 in annual revenue through 05-31-19, allowing Cactus Communications, Inc. through its license from the Colorado Lottery to place several Colorado Lottery point of sale systems throughout Denver International Airport and develop Colorado Lottery interactive activities at Denver International Airport (201628326). 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 7-28-16.

Governance & Charter Review

CR16-0523 A resolution approving the Mayor's reappointments to the Stapleton Development Corporation Board of Directors.

Approves the Mayoral reappointments of King Harris, Steven Miller, Scott Prestidge, and Justin Ross to the Stapleton Development Corporation Board of Directors for terms effective immediately and expiring on 6-30-21, or until successors are duly appointed. The Committee approved filing this resolution by consent on 7-28-16.

CR16-0526 A resolution approving the Mayor's appointments to the Denver American Indian Commission.

Approves the Mayoral appointments of Derek Brown, Elicia Goodsoldier, and Michelle Perez to the Denver American Indian Commission for terms effective immediately and expiring on 7-11-18, or until successors are duly appointed. The Committee approved filing this resolution by consent on 7-28-16.

Infrastructure & Culture

CR16-0520 A resolution approving a proposed Contract between the City and County of Denver and Goodland Construction, Inc., for Weir Gulch Culvert Rehabilitation at 3rd and Hooker.

Approves a four-month \$510,818.83 contract with Goodland Construction, Inc. for Weir Gulch culvert rehabilitation in Council District 3 (201627544). 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 7-28-16.

CR16-0521 A resolution accepting and approving the plat of Stapleton Filing No. 49.

Approves a subdivision plat for Stapleton Filing No. 49 located between 56th Avenue and 64th Avenue and between Central Park Boulevard and Dallas Street in Council District 8. The Committee approved filing this resolution by consent on 7-28-16.

CR16-0522 A resolution accepting and approving the plat of Stapleton Filing No. 51.

Approves a subdivision plat for Stapleton Filing No. 51 between 29th Place and Martin Luther King, Jr. Boulevard and between Central Park Boulevard and Willow Street in Council District 8. The Committee approved filing this resolution by consent on 7-28-16.

CR16-0529 A resolution accepting and approving the plat of Denver Connection West - Filing No. 1.

Approves a subdivision plat for Denver Connection West Filing No. 1 located at Chambers Road and Green Valley Ranch Boulevard in Council District 11. The Committee approved filing this resolution by consent on 7-28-16.

Safety & Well-being

CR16-0268 A resolution approving a proposed Lease and Agreement between the City and County of Denver and Waste Management of Colorado and Asphalt Specialties Company, Inc., for operation of a concrete and asphalt recycling facility and batch plant at the Denver Arapahoe Disposal Site.

Approves a lease agreement with Waste Management of Colorado (WM) and Asphalt Specialties Company, Inc. (ASCI) for \$600,000 in revenue from 6-1-16 to 5-31-23 for ASCI's operation of a concrete and asphalt recycling facility and batch plant at the Denver Arapahoe Disposal Site (DADS landfill), which is owned by the City and operated by WM (ENVHL-201627472-00). 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 4-21-16.

CR16-0441 A resolution approving a proposed Agreement between the City and County of Denver and Work Options for Women to provide cafeteria and catering services.

Approves a concessionaire contract with Work Options for Women for up to 4% in revenue and until 6-30-19 to provide concessions and cafeteria services for Denver Department of Human Services Castro building at 1200 Federal Boulevard in Council District 3. The last regularly scheduled Council meeting within the 30-day review period is on 8-29-16. The Committee approved filing this resolution at its meeting on 6-21-16.

CR16-0490 A resolution approving a proposed Agreement between the City and County of Denver and RRK Enterprises, Inc., d/b/a Independence House, Inc. to provided community corrections services.

Approves a contract with RRK Enterprises, Inc. for \$2,741,408.65 through 6-30-17 for residential and non-residential community corrections services (2016-28541).

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.

Bills for Introduction

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. 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 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. 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 7-26-16.

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

CB16-0567 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.

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

CB15-0908 A bill for an ordinance vacating a portion of right-of-way bounded by Julian Street, West 25th Avenue, Irving Street and West 26th Avenue, without reservations.

Vacates the area to the south of 2526 Julian Street in Council District 1. The Committee approved filing this bill by consent on 7-28-16.

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.

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.

Bills for Final Consideration

Governance & Charter Review

CB16-0511 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 changing the title and pay grade of City Council Aide II from 805-A to City Council Aide at pay grade 807-A and changes the title of City Council Aide III to Senior City Council Aide, and abolishes the job classes of City Council Aide I and City Council Aide I – Hourly. The Committee approved filing this bill by consent on 7-21-16.

Recap of Bills to be Called Out

Pre-Recess Announcement

Tonight, there will be a required public hearing on CB16-0415, changing the zoning classification for 16161 E. 40th Ave.; and, a required public hearing on CB16-0442, changing the zoning classification for 3515, 3525, 3535, and 3545 S. Tamarac Dr. Anyone wishing to speak on either 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

Neighborhoods & Planning

CB16-0415 A bill for an ordinance changing the zoning classification for 16161 East 40th Avenue.

Rezones property at 16161 East 40th Avenue from Gateway with waivers and conditions to S-MX-8 (suburban, mixed use, 8 stories) in Council District 11. The Committee approved filing this bill at its meeting on 6-22-16.

CB16-0442 A bill for an ordinance changing the zoning classification for 3515 S. Tamarac Dr., 3525 S. Tamarac Dr., 3535 S. Tamarac Dr., and 3545 S. Tamarac Dr.

Rezones property at 3515 South Tamarac Drive, 3525 South Tamarac Drive, 3535 South Tamarac Drive, and 3545 South Tamarac Drive from B-1 and B-3 (Former Chapter 59 Code) to S-MX-3 (suburban, mixed use, 3 stories) in Council District 4. The Committee approved filing this bill at its meeting on 6-22-16.

Announcement

Dependent upon publication on Monday, August 15, 2016, there will be a required public hearing for CB16-0524, approving a service plan for the creation of Midtown Metropolitan District; and, a required public hearing for CB16-0525, approving a service plan for the creation of First Creek Village Metropolitan District.

Adjourn

Pending

For 8-15-16

CR16-0471 A resolution to set a public hearing on the Service Plan for one C.R.S. Title 32 metropolitan district: First Creek Village Metropolitan District.

**Required Public Hearing
Final Consideration**

For 8-15-16

CR16-0513 A resolution to set a public hearing on the Service Plan for one C.R.S. Title 32 metropolitan district: Midtown Metropolitan District.

**Required Public Hearing
Final Consideration**

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**