

## City Council Meeting of Monday, April 04, 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

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### \*\*WEB ACCESS\*\*

**Live video and archives may be  
accessed at**

**<http://www.denvergov.org/citycouncil>**

### \*\*REMINDER\*\*

As a courtesy to those in attendance,  
please

**turn off your cell phones.**

### MEETING ASSISTANCE NOTICE - AMERICANS WITH DISABILITIES ACT

The Council Chamber has listening devices for people with a hearing loss; request a device from the Council Secretary. The City can provide sign language interpretation or CART (computer assisted real-time transcription) for persons attending City Council meetings. If you need sign language interpretation or CART, please email [SignLanguageServices@denvergov.org](mailto:SignLanguageServices@denvergov.org) three business-days prior to the meeting.

### CITY COUNCIL AGENDA

The City Council agenda and meeting schedule are made available for public review during normal business hours at Denver City Council, 1437 Bannock St., Rm. 451, on Thursday afternoons prior to the regularly scheduled meeting on Monday. The agenda packet is also posted on the City Council website. Questions on agenda items may be directed to the Denver City Council at 720-337-2000.

### AUDIO/VIDEO ACCESS TO CITY COUNCIL MEETINGS

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### PUBLIC COMMENT DURING PUBLIC HEARINGS

This is the time of the meeting for the City Council to receive comments from the public regarding items up for consideration scheduled for public hearing. To speak during a public hearing sign up with the Council Secretary 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. Public hearings allow citizens the opportunity to speak in favor or against specific items. The Council President will open the public hearing to receive public comment on that specific item. Upon hearing all public comments, the Council President will close or continue the public hearing. Council may then decide to engage in discussion and/or take action on the item.

# **City Council Agenda and Explanatory Notes**

Meeting Date: Monday, April 04, 2016 5:30 PM

## **Pledge of Allegiance**

## **Roll Call**

## **Approval of the Minutes**

## **Council Announcements**

## **Presentations**

## **Communications**

## **Proclamations**

**CP16-0236 A proclamation recognizing April as National Autism Awareness Month.**

**Sponsored by Council members Flynn, Kashmann, López, Black, Brooks, and New.**

**CP16-0237 A proclamation recognizing April 2016 as Fair Housing Month.**

**Sponsored by Council members Espinoza, Kashmann, Flynn, López, Black, and Brooks.**

## **Resolutions**

### **Finance & Services**

**CR16-0186 A resolution approving a proposed Master Purchase Order between the City and County of Denver and Hardline Equipment LLC for packer parts that are used on City and County of Denver refuse trucks.** Adds \$450,000 to the master purchase order with Hardline Equipment LLC for a new total of \$1.2 million for packer parts for City refuse trucks (0120A0312). The last regularly scheduled Council meeting within the 30-day review period is on 4-25-16. The Committee approved filing this resolution by consent on 3-24-16.

**CR16-0187 A resolution approving a proposed Sublease Agreement between the City and County of Denver and The Denver Post LLC for 101**

### **West Colfax Avenue.**

Approves a sublease with The Denver Post LLC as Sublandlord for 45,505 square feet of office premises for various city employees for \$10,473,330.93 over 7 years at 101 West Colfax Avenue in Council District 9 (201626030-00). The last regularly scheduled Council meeting within the 30-day review period is on 4-25-16. The Committee approved filing this resolution at its meeting on 3-22-16.

### **Governance & Charter Review**

#### **CR16-0188 A resolution approving the Mayor's appointment to the Board of Environmental Health.**

Approves the Mayoral appointment of Alisha Brown to the Board of Environmental Health for a term effective immediately and expiring on 12-31-20, or until a successor is duly appointed. The Committee approved filing this resolution by consent on 3-24-16.

### **Infrastructure & Culture**

#### **CR16-0167 A resolution approving a proposed Second Amendatory Agreement between the City and County of Denver and T2 Construction, Inc. for on-call landscape improvement and irrigation construction services.**

Approves a no-cost extension of the contract with T2 Construction, Inc. for one year to 2-13-16 for on-call landscape improvement and irrigation construction services (201204313). The last regularly scheduled Council meeting within the 30-day review period is on 4-25-16. The Committee approved filing this resolution by consent on 3-24-16.

#### **CR16-0190 A resolution granting a revocable permit to Denver Bike Sharing, to encroach into the right-of-way at 1350 21st Street.**

Grants a revocable permit to Denver Bike Sharing to encroach into the right-of-way with a bicycle docking station at 1350 21st Street in Council District 9. The Committee approved filing this resolution by consent on 3-24-16.

#### **CR16-0233 A resolution authorizing and approving the expenditure and payment from the appropriation account designated "liability claims," the sum of Forty Thousand Dollars (\$40,000.00), payable to Jennifer Ohlheiser and Zaner Harden Law, LLP, in full payment and satisfaction of all claims in Case No. 16CV030233, in the District Court for the City and County of Denver, Colorado.**

Settles a claim involving the Department of Public Works. This resolution was approved for filing at the Mayor-Council meeting of 3-29-16.

### **Neighborhoods & Planning**

**CR16-0193 A resolution approving a proposed Agreement between the City and County of Denver and Moore, Iacofano, Goltsman, Inc., for plan development related to the Blueprint Denver update.**

Approves a contract with MIG (Moore, Iacofano, Goltsman) Inc. in the amount of \$700,000 for 26 months of project management, public outreach and engagement, and draft plan development related to the Blueprint Denver update. The last regularly scheduled Council meeting within the 30-day review period is on 4-25-16. The Committee approved filing this resolution at its meeting on 3-23-15.

## **Safety & Well-being**

**CR16-0234 A resolution authorizing and approving the expenditure and payment from the appropriation account designated "liability claims," the sum of Two Hundred Ninety-Five Thousand Dollars (\$295,000.00), payable to Gail Waters, as personal representative for the Estate of Alonzo Ashley, and Frankfurt Law Offices, P.C., in full payment and satisfaction of all claims in Case No. 12-cv-01856-MSK-NYW, in the United States District Court for the District of Colorado.**

Pays a claim for a settlement involving the Denver Police Department. This resolution was approved for filing at the 3-29-16 Mayor-Council meeting.

## **Bills for Introduction**

### **Business Development**

**CB16-0146 A bill for an ordinance approving a proposed Lease Agreement between the City and County of Denver and Regional Transportation District, related to the commuter rail transit system at Denver International Airport.**

Approves a lease agreement with the Regional Transit District (RTD) for \$10,000 for the duration of the agreement and through 4-11-66 to allow RTD to construct, operate, and maintain a commuter rail transit system on Denver International Airport land (201626853). The last regularly scheduled Council meeting within the 30-day review period on 4-25-16. The Committee approved filing this resolution by consent on 3-10-16.

**CB16-0181 A bill for an ordinance approving a proposed Interagency Agreement – DIA Peña Station Water Facilities between the City and County of Denver and Board of Water Commissioners, to provide water service at the Denver International Airport Rail Property.**

Allows Denver Water to operate and maintain waterlines and related infrastructure previously constructed by Aviation North Metropolitan District No. 1. The infrastructure serves Denver International Airport property near the 61st Ave rail station. The last regularly scheduled Council meeting within the 30-day review period is on 4-25-16. The Committee approved filing this bill by consent on 3-24-16.

**CB16-0182 A bill for an ordinance approving a proposed Non-Exclusive License Agreement between the City and County of Denver and Aviation Station North Metropolitan District No. 1, to construct infrastructure at the Denver International Airport Rail Property.**

Approves an agreement with Aviation North Metropolitan District No. 1 granting access to the site of the Peña rail station on Denver International Airport land (201523948). The last regularly scheduled Council meeting within the 30-day review period is on 4-25-16. The Committee approved filing this bill by consent on 3-24-16.

**Finance & Services**

**CB16-0148 A bill for an ordinance making a supplemental appropriation from the General Contingency Fund for the operations of the new Mayor's Office of the National Western Center to support delivery of the November 3, 2015 voter approved ballot measure 2C to design and construct Phases 1 and 2 of the National Western Center.**

Approves a supplemental appropriation request of \$1,335,500 from the General Fund 2016 Contingency Fund for operations of the new Mayor's Office of the National Western Center to support delivery of the 2015 voter approved ballot measure (2C) to design and construct Phases 1 and 2 of the initiative. The Committee approved filing this bill at its meeting on 3-22-16.

**Infrastructure & Culture**

**CB16-0147 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 "I-25 and Broadway Interchange Reconstruction" project and the funding therefor.**

Appropriates \$17,373,000 of federal grant funds pertaining to the intergovernmental agreement with the Colorado Department of Transportation for the I-25 and Broadway interchange reconstruction project through Fiscal Year 2018 (201626760). The last regularly scheduled Council meeting within the 30-day review period is on 4-25-16. The Committee approved filing this bill by at its meeting on 3-23-16.

**CB16-0189 A bill for an ordinance approving a proposed Third Amendment to Intergovernmental Agreement between the City and County of Denver and Town of Morrison, to extend the term and provide additional wastewater treatment services to Red Rocks Amphitheater.**

Amends an intergovernmental agreement with the Town of Morrison for a lump-sum payment of \$40,000 (total contract not to exceed \$508,500) through 10-31-16 for wastewater treatment services at Red Rocks Amphitheater (CE45001). The last regularly scheduled Council meeting within the 30-day review period is on 4-25-16.

The Committee approved filing this bill by consent on 3-24-16.

**CB16-0192 A bill for an ordinance creating a Fund Number in the Grant Projects Fund for the "Denver Water Intergovernmental Agreement" project and the funding therefor.**

Establishes a capital grant fund and budget for the previously approved intergovernmental agreement with Denver Board of Water Commissioners to increase the efficient use of water in Denver parks and golf courses (201525544). The last regularly scheduled Council meeting within the 30-day review period is on 4-25-16. The Committee approved filing this bill by consent on 3-24-16.

## **Neighborhoods & Planning**

**CB16-0174 A bill for an ordinance changing the zoning classification for 2765 S. Colorado Blvd.**

Rezones 2765 South Colorado Boulevard from B-3 with waivers and conditions (Former Chapter 59) to S-CC-3x (suburban, commercial corridor, 3 stories, less intense use) in Council District 4. 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 3-16-16.

**CB16-0191 A bill for an ordinance changing the zoning classification for 4100 and 4050 North Kittredge Street.**

Rezones property located at 4100 and 4050 North Kittredge Street from Former Chapter 59 Gateway zoning with waivers and conditions to S-CC-5x (suburban, commercial corridor, 5 stories, less intense use) 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 3-23-16.

## **Recap of Bills to be Called Out**

### **Pre-Recess Announcement**

**Tonight there will be a one-hour courtesy public hearing on CB16-0173, approving the I-25 and Broadway Station Area Plan. Anyone wishing to speak on 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 Reconvenes and Resumes its Regular Session**

## **Public Hearings - Bills for Final Consideration**

### **Neighborhoods & Planning**

**CB16-0173 A bill for an ordinance approving the I-25 and Broadway Station Area Plan as part of the City and County of Denver's Comprehensive Plan.**

Adopts the I-25 and Broadway Station Area Plan as part of the City's Comprehensive Plan. 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 3-16-16.

## **Bills for Final Consideration**

### **Business Development**

**CB16-0179 A bill for an ordinance approving a proposed Option to Purchase between the City and County of Denver and Union Pacific Railroad Company, related to the sale of a parcel of land at the former Stapleton International Airport.**

Approves a land sale agreement with Union Pacific Railroad Co. for \$210,496 for a 0.920 acre parcel of former Stapleton land underlying the UPPR spur line bounded on the south by 51st Avenue and on the east by Havana Street (201525521). The last regularly scheduled Council meeting within the 30-day review period is on 4-18-16. The Committee approved filing this bill by consent on 3-17-16.

### **Infrastructure & Culture**

**CB16-0162 A bill for an ordinance approving an Easement Agreement from the City and County of Denver to the Park Creek Metropolitan District for Denver Water's Conduit 93 waterline in Stapleton, north of 56th Avenue.**

Grants a permanent easement allowing the Park Creek Metro District access to city-owned open space land to construct Denver Water's conduit 93 in Stapleton north of 56th Avenue in Council District 8. The last regularly scheduled Council meeting within the 30-day review period is on 4-18-16. The Committee approved filing this bill by consent on 3-17-16.

**CB16-0163 A bill for an ordinance designating certain property as being required for public use and authorizing use and acquisition thereof by negotiation or through condemnation proceedings of fee simple, easements and other interests, including any rights and interest related or appurtenant to such property, as needed for the sidewalk improvements at the corner of Morrison Road and Walsh Place.**

Establishes a permanent easement on a 315 square-foot parcel of land for \$9,500 to build an American with Disabilities Act-compliant curb extension at the south corner of Morrison Road and Walsh Place in Council District 3. The Committee approved filing this bill by consent on 3-17-16.

## **Safety & Well-being**

**CB16-0139 A bill for an ordinance amending Chapter 18 of the Revised Municipal Code to establish the 2016 and 2017 salary and fringe benefits of the Sheriff, Deputy Sheriff Division Chiefs and Deputy Sheriff Majors.**

Establishes the 2016 and 2017 salary and fringe benefits for the Sheriff Department command staff. The Committee approved filing this bill by consent on 3-17-16.

**CB16-0169 A bill for an ordinance approving and providing for the execution of a proposed grant agreement between the City and County of Denver and the United States of America concerning the "Ryan White Part A FY16" program and the funding therefor.**

Accepts \$4,342,878 from the U.S. Department of Health and Human Services through the Department of Environmental Health, Denver Office of HIV Resources through 2-28-17 for services to persons living with HIV/AIDS. The last regularly scheduled Council meeting within the 30-day review period is on 4-18-16. The Committee approved filing this bill by consent on 3-17-16.

## **Announcement**

**Dependent upon publication on Monday, May 2, 2016, Council will hold a required public hearing on CB16-0174, changing the zoning classification for 2765 South Colorado Boulevard; and a required public hearing on CB16-0191, changing the zoning classification for 4100 and 4050 North Kittredge Street. Any protests against CB16-0174 or CB16-0191 must be filed with the Council Offices no later than noon on Monday, April 25, 2016.**

## **Adjourn**

## **Pending**

**For 4-11-16**

**CB16-0129 A bill for an ordinance changing the zoning classification for 210 Saint Paul Street.**

**Required Public Hearing  
Final Consideration**

**For 4-11-16**



**CB16-0130 A bill for an ordinance changing the zoning classification for 3200 Walnut St., 3220 Walnut St., 3254 Walnut St. and 3235 Larimer St.**

**Required Public Hearing  
Final Consideration**

**For 4-25-16**

**CB16-0183 A bill for an ordinance relating to the Denver Zoning Code, Amending the Provisions of the Airport Influence Overlay Zone District.**

**Required Public Hearing  
Final Consideration**