

City Council Meeting of Monday, June 26, 2017

City and County of Denver

Robin Kniech.....At Large
Deborah "Debbie" Ortega..... At Large
Rafael G. Espinoza..... District 1
Kevin Flynn..... District 2
Paul D. López.....District 3
Kendra Black..... District 4
Mary Beth Susman.....District 5
Paul Kashmann..... District 6



Jolon Clark..... District 7
Christopher Herndon..... District 8
Albus Brooks..... District 9
Wayne New..... District 10
Stacie Gilmore..... District 11
Leon Mason..... Director
Kelly Velez..... Clerk

Room 451
City & County Building
1437 Bannock Street
Denver CO 80202

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MEETING ASSISTANCE NOTICE - AMERICANS WITH DISABILITIES ACT AND LANGUAGE INTERPRETATION

The Council Chambers has listening devices for people with a hearing loss. Request a device from the Council Secretary. The City can provide sign language interpretation, CART (computer assisted real-time transcription), and foreign language interpretation for persons attending City Council meetings. If you need any of these accommodations, please email dencc@denvergov.org or call 720-337-2000 three (3) business-days prior to the Council meeting.

CITY COUNCIL AGENDA

The City Council agenda and meeting schedule are made available for public review during normal business hours at the City & County Building, 1437 Bannock St., Rm. 451, on Thursday afternoons prior to the regularly scheduled Council meeting. The agenda packet is also posted on the City Council website at <https://www.denvergov.org/citycouncil>. Questions on agenda items may be directed to the Denver City Council at 720-337-2000.

AUDIO/VIDEO ACCESS TO CITY COUNCIL MEETINGS

City Council meetings are televised live on cable TV Channel 8, and can be viewed via live or archived webcast at <https://denver.legistar.com>.

PUBLIC COMMENT DURING PUBLIC HEARINGS

This is the time of the meeting for the City Council to receive comments from the public regarding items up for consideration scheduled for public hearing. To speak, sign up with the Council Secretary either before the meeting starting at 5pm in Rm. 451 of the City & County Building, or during the recess of Council. Speakers must be present to sign a speaker card – no sign-up by proxy permitted. Each speaker is allowed 3 minutes, unless another speaker has yielded his or her time which would result in a maximum of 6 minutes (for required hearings only; no yielding of time for courtesy hearings). Please contact the Denver City Council for more information at 720-337-2000.

GENERAL PUBLIC COMMENT SESSIONS

Starting at 5pm before the first regularly scheduled Council meeting each month, City Council hosts a 30-minute general public comment session, allowing members of the public to address the full Council with concerns regarding any city matter. Speakers have 3 minutes to speak and must sign up via email at dencc@denvergov.org, phone at 720-337-2000 or in person in Rm. 451, City & County Building before 4:30pm on the day the general public comment session is scheduled. No sign up by proxy permitted. Please contact the Denver City Council for more information at 720-337-2000.

PLEDGE OF ALLEGIANCE

ROLL CALL

APPROVAL OF THE MINUTES

[17-0732](#) Minutes of Monday, June 19, 2017

COUNCIL ANNOUNCEMENTS

PRESENTATIONS

COMMUNICATIONS

PROCLAMATIONS

[17-0731](#) A proclamation designating the week of June 26 through June 30 as “Bike Week” and Wednesday, June 28, as “Bike to Work Day” in Denver.

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

RESOLUTIONS

Business, Arts, Workforce & Aeronautical Services Committee

[17-0663](#) A resolution approving a proposed Second Amendment between the City and County of Denver and HSS, Inc. concerning airport security services at Denver International Airport.

Amends a contract with HSS, Inc. by adding \$15 million for a new total amount of \$98 million and seven months for a new end date of 02-01-18 for continued airport security services including traffic management, building security, perimeter security, and airfield security during completion of a new Request for Proposal process for security services at Denver International Airport (201100310). The last regularly scheduled Council meeting within the 30-day review period is on 7-17-17. The Committee approved filing this resolution by consent on 6-14-17.

[17-0670](#) A resolution approving a proposed Agreement between the City and County of Denver and School District No. 1 in the City and County of Denver and the State of Colorado to provide youth workforce investment activities in accordance with the Federal Workforce Innovation and Opportunity Act (WIOA).

Approves a contract with Denver Public Schools District No. 1 (DPS) in the amount of \$1,650,000 for a term through 6-30-18 to provide Workforce Innovation and Opportunity Act (WIOA) services including job readiness and retention training, career pathway options, resume writing, interviewing and other skills to in-school and out-of-school youth (#OEDEV-201735302-00). The last regularly scheduled Council meeting within the 30-day review period is on 7-17-17. The Committee approved filing this resolution at its meeting on 6-14-17.

[17-0671](#) A resolution approving a proposed Agreement between the City and County of Denver and Arbor E&T, LLC d/b/a ResCare Workforce Services to provide Workforce Innovation and Opportunity Act (WIOA) services to adult and dislocated worker programs.

Approves a contract with Arbor E&T, LLC, doing business as ResCare Workforce Services, in the amount of \$2,985,000 through 6-30-18 to support the delivery of Workforce Innovation and Opportunity Act (WIOA) Adult and Dislocated Worker programs at locations throughout the city to increase employment, job retention, earnings, career pathways, and occupational skills of participants (OEDEV-201735344). The last regularly scheduled Council meeting within the 30-day review period is on 7-17-17. The Committee approved filing this resolution at its meeting on 6-14-17.

[17-0672](#) A resolution approving a proposed Agreement between the City and County of Denver and School District No. 1 in the City and County of Denver and the State of Colorado to provide low-income youth with summer work experience and job readiness training through the Summer Youth Employment Program (SYEP).

Approves a contract with Denver Public Schools District No. 1 (DPS) for \$500,000 and for one year to administer the Summer Youth Employment Program (SYEP) to provide low-income youth with summer work experience and job readiness training at various locations citywide (OEDEV-201735301-00). The last regularly scheduled Council meeting within the 30-day review period is on 7-17-17. The Committee approved filing this resolution by consent on 6-14-17.

[17-0673](#) A resolution approving a proposed Agreement between the City and County of Denver and Arbor E&T, LLC dba ResCare Workforce Services for employment training, retention and placement services for qualified Temporary Aid for Needy Families (TANF).

Approves a contract with Arbor E&T, LLC, doing business as ResCare Workforce Services, in the amount of \$1,407,741 through 6-30-18 for employment training, retention, and placement services for qualified Temporary Aid for Needy Families (TANF) recipients deemed "job ready" by Denver Human Services (OEDEV-201735347). The last regularly scheduled Council meeting within the 30-day review period is on 7-17-17. The Committee approved filing this resolution at its meeting on 6-14-17.

[17-0677](#) A resolution approving a proposed Agreement between the City and County of Denver and Jazz Aviation LP concerning the use and lease of certain premises and facilities at Denver International Airport.

Approves an airport use and lease agreement with Jazz Aviation LP for two years plus two additional one year periods, and at a rate of \$460,000 in annual revenue to operate and provide passenger flight service at Denver International Airport (201733322). The last regularly scheduled Council meeting within the 30-day review period is on 7-17-17. The Committee approved filing this resolution by consent on 6-14-17.

Finance & Governance Committee

[17-0681](#) A resolution approving a proposed First Amendment to Sublease Agreement between the City and County of Denver and The Denver Post LLC for 101 West Colfax Avenue.

Adds \$11,216,373.91 to the lease with The Denver Post, LLC for a new total of \$21,689,704.84 for an additional 46,823 square feet of office space for City workspace located on the 8th Floor of 101 West Colfax Avenue in Council District 9 (2016626030-01). The last regularly scheduled Council meeting within the 30-day review period is on 7-17-17. The Committee approved filing this resolution at its meeting on 6-13-17.

Land Use, Transportation & Infrastructure Committee**[17-0629](#) A resolution approving a proposed Amendment to Funding and Assignment Agreement between the City and County of Denver and The Denver Center for the Performing Arts to add funds and modify the project description.**

Amends a funding and assignment agreement with the Denver Center for the Performing Arts (DCPA) by adding \$1 million for a new total amount of \$10,932,000 and expanding the scope of work to include the construction of new restrooms and lobby area with ADA accessibility within the Bonfils Complex facility in Council District 9. The last regularly scheduled Council meeting within the 30-day review period is on 7-17-17. The Committee approved filing this resolution at its meeting on 6-13-17.

[17-0674](#) A resolution accepting and approving the plat of Stapleton Filing No. 52.

Approves a subdivision plat for Stapleton Filing No. 52 located between 56th Avenue and 57th Avenue, and between Elmira Court and Galena Street in Council District 8. The Committee approved filing this resolution by consent on 6-13-17.

[17-0675](#) A resolution laying out, opening and establishing as part of the City street system a parcel of land as a public alley near the intersection of West 20th Avenue and North Grove Street.

Dedicates a parcel of land as public right-of-way as public alley located near the intersection of West 20th Avenue and North Grove Street in Council District 1. The Committee approved filing this resolution by consent on 6-13-17.

Safety, Housing, Education & Homelessness Committee**[17-0647](#) A resolution approving a proposed Agreement between the City and County of Denver and Colorado Health Network, Inc. dba Denver Colorado AIDS Project and Howard Dental Center for emergency and financial assistance programs pursuant to the Ryan White Grant program.**

Approves a \$1,124,665 contract with Colorado Health Network, Inc., doing business as Denver Colorado AIDS Project and Howard Dental Center, for medical case management, mental health services, early intervention, emergency financial and housing assistance, and substance abuse assistance to individuals living with HIV/AIDS citywide (201734734-00). The last regularly scheduled Council meeting within the 30-day review period is on 7-17-17. The Committee approved filing this resolution by consent on 6-7-17.

[17-0654](#) A resolution approving a proposed Amendment and Modification Agreement between the City and County of Denver and The Housing Authority of the City and County of Denver, authorizing the release of 6,000 square feet of real property from the City's Deed of Trust.

Amends a loan agreement with the Denver Housing Authority (DHA) to enable a lot adjustment that releases 6,000 square feet from the Deed of Trust to enable DHA to build a new headquarters and required parking, in exchange for early repayment of the loan, located at 1095 Osage Street in Council District 3 (OEDEV-201100871). The last regularly scheduled Council meeting within the 30-day review period is on 7-17-17. The Committee approved filing this resolution at its meeting on 7-7-17.

[17-0665](#) A resolution authorizing expenditures in the General Government Special Revenue Fund based on a letter of intent from United States of America to award funding for the "Head Start Grant FY 2017-18" program.

Appropriates \$7.3 million of the Federal Head Start grant to operate the Denver Great Kids Head Start program through the Office of Children's Affairs to provide services to 1,153 children in the established service area (TBD). The Committee approved filing this resolution by consent on 6-14-17.

[17-0666](#) A resolution approving a proposed Agreement between the City and County of Denver and Catholic Charities and Community Services of the Archdiocese of Denver, Inc. for Head Start Services for Program Year 2017-2018.

Approves a contract with Catholic Charities and Community Services of the Archdiocese of Denver for full funding in the amount of \$1,537,637 and through 6-30-18 to provide direct Head Start services to 224 children (MOEAI 201734064-00). The last regularly scheduled Council meeting within the 30-day review period is on 7-17-17. The Committee approved filing this resolution by consent on 6-14-17.

[17-0667](#) A resolution approving a proposed Agreement between the City and County of Denver and Clayton Early Learning, Trustee, George W. Clayton Trust for Head Start Services for Program Year 2017-2018.

Approves a contract with Clayton Early Learning for full funding in the amount of \$1,450,071 through 06-30-18 to provide direct Head Start services to 236 children (MOEAI 201734062-00). The last regularly scheduled Council meeting within the 30-day review period is on 7-17-17. The Committee approved filing this resolution by consent on 6-14-17.

[17-0668](#) A resolution approving a proposed Agreement between the City and County of Denver and Mile High Montessori Early Learning Centers for Head Start Services for Program Year 2017-2018.

Approves a contract with Mile High Early Learning Center for full funding in the amount of \$1,712,569 through 06-30-18 to provide direct Head Start services to 269 children (MOEAI 201734078-00). The last regularly scheduled Council meeting within the 30-day review period is on 7-17-17. The Committee approved filing this resolution by consent on 6-14-17.

[17-0669](#) A resolution approving a proposed Agreement between the City and County of Denver and School District No. 1 in The City and County of Denver and the State of Colorado for Head Start Services for Program Year 2017-2018.

Approves a contract with School District No. 1 for full funding in the amount of \$1,752,809 through 06-30-18 to provide direct Head Start services to 302 children (MOEAI 201734056-00). The last regularly scheduled Council meeting within the 30-day review period is on 7-17-17. The Committee approved filing this resolution by consent on 6-14-17.

BILLS FOR INTRODUCTION**Finance & Governance Committee****[17-0679](#) A bill for an ordinance authorizing the purchase of capital equipment from the General Fund.**

Approves a capital equipment expenditure of \$514,983.28 for the purchase of Cisco hardware, software, and configuration services from Lewan & Associates for a backup solution for all files and applications running in the City's data centers citywide. The Committee approved filing this bill by consent on 6-13-17.

Land Use, Transportation & Infrastructure Committee**[17-0640](#) A bill for an ordinance authorizing the purchase of capital equipment from the General Fund.**

Approves a capital equipment expenditure for \$150,000 for the purchase of a salt brine production trailer for anti-icing and deicing material for citywide snow removal operations. The Committee approved filing this bill by consent on 6-6-17.

Special Issues: Marijuana**[17-0614](#) A bill for an ordinance amending Article V of Chapter 6 (Denver Retail Marijuana Code), Article XII of Chapter 24 (Denver Medical Marijuana Code), and Chapter 32 by adding provisions requiring a local license for Marijuana Transporters and Marijuana off-premises storage facilities licensed and permitted by the State of Colorado pursuant to the Colorado Retail Marijuana Code and the Colorado Medical Marijuana Code.**

Amends Chapter 6, Chapter 24, and Chapter 32 of the Denver Revised Municipal Code (DRMC) to create a marijuana transporter license and marijuana off-premises storage license pursuant to recent additions to the Colorado Retail Marijuana Code and the Colorado Medical Marijuana Code. The Committee approved filing this bill at its meeting on 6-12-17.

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

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

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

Finance & Governance Committee

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

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

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

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

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

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

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

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

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

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

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

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

Land Use, Transportation & Infrastructure Committee

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

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

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

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

RECAP OF BILLS TO BE CALLED OUT

PRE-RECESS ANNOUNCEMENT

Tonight there will be a required public hearing on Council Bill 17-0613, amending Ordinance 902, Series of 1995, by modifying the legal description of the area covered by structure for preservation located at 1940-1946 West 33rd Avenue. 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

Land Use, Transportation & Infrastructure Committee

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

Amends an individual Denver landmark designation by reducing the size of the landmark boundary area for property located at 1940-1946 West 33rd Avenue in Council District 1. The Committee approved filing this bill at its meeting on 6-6-17.

PRE-ADJOURNMENT ANNOUNCEMENT

ADJOURN

PENDING

For 7-10-17

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

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

Final Consideration

Required Public Hearing

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

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

Final Consideration

Required Public Hearing

For 7-17-17

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

Rezones property at 2901 Broadway from I-B UO-2 and R-MU-30 with Waivers and Conditions to C-MX-16, (industrial and residential, mixed-use to commercial, mixed-use) in Council 9. The Committee approved filing this bill at its meeting on 6-6-17.

Final Consideration

Required Public Hearing

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

Rezones property at 3204 & 3206 Denargo Street from R-MU-30 with Waivers and Conditions and I-B UO-2 to C-MX-8, (residential, mixed-use and industrial to commercial, mixed-use) in Council District 9. The Committee approved filing this bill at its meeting on 6-6-17.

Final Consideration

Required Public Hearing

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

Rezones property at 4000-4090 North Jason Street and 4001 Inca Street from I-A UO-2 to C-RX-8, (industrial to residential, mixed-use) in Council District 1. The Committee approved filing this bill at its meeting on 6-6-17.

Final Consideration

Required Public Hearing