

City Council Meeting of Monday, August 01, 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

Phone: 720-337-2000
Email: dencc@denvergov.org

WEB ACCESS

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

REMINDER

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

MEETING ASSISTANCE NOTICE - AMERICANS WITH DISABILITIES ACT AND LANGUAGE INTERPRETATION

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

CITY COUNCIL AGENDA

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

AUDIO/VIDEO ACCESS TO CITY COUNCIL MEETINGS

City Council meetings are televised live on cable TV Channel 8, and can be viewed via live or archived webcast at <https://denver8.tv>.

PUBLIC COMMENT DURING PUBLIC HEARINGS

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

GENERAL PUBLIC COMMENT SESSIONS

Starting at 5pm before the first regularly scheduled Council meeting each month, City Council hosts a 30-minute general public comment session, allowing members of the public to address the full Council with concerns regarding any city matter. Speakers have 3 minutes to speak and must sign up via email at dencc@denvergov.org, phone at 720-337-2000 or in person in Rm. 451, City & County Building before 4:30pm on the day the general public

comment session is scheduled. No sign up by proxy permitted. Please contact the Denver City Council for more information at 720-337-2000.

City Council Agenda and Explanatory Notes

Meeting Date: Monday, August 01, 2016 5:30 PM

Pledge of Allegiance

Roll Call

*(Council Member) Black – Present, (Council Member) Clark – Present,
(Council Member) Espinoza – Present, (Council Member) Flynn – Present,
(Council Member) Gilmore – Present, (Council Member) Herndon – Present,
(Council Member) Kashmann – Present, (Council Member) Kniech – Present,
(Council Member) Lopez – Present, (Council Member) New – Present,
(Council Member) Ortega – Present, (Council Member) Susman – Present*

Approval of the Minutes

Council Announcements

Presentations

Communications

Proclamations

CP16-0545 A proclamation celebrating Jesse Quintana's championship at the National Old Time Fiddlers Competition.

Council members Kashmann, Susman, Flynn, Clark, New, López, Espinoza, Black, and Gilmore.

CP16-0565 A proclamation recognizing Eloy Chavez in his retirement.

Sponsored by Council members Ortega, Clark, New, López, Espinoza, Black, and Gilmore.

Resolutions

Governance & Charter Review

CR16-0514 A resolution approving the Mayor's appointment to the Metropolitan Football Stadium District Board.

Approves the Mayoral appointment of Chauncey Billups to the Metropolitan Football Stadium District Board for a term effective immediately and expiring 5-23-20, or

until a successor is duly appointed. The Committee approved filing this resolution by consent on 7-21-16.

Infrastructure & Culture

CR16-0502 A resolution approving a First Amendment To Contract Services Agreement "On-Call Services" with Bear Creek Landscaping & Tree Service LLC, for tree maintenance services, on an "on-call" or "as needed" basis.

Adds \$250,000 to the contract with Bear Creek Landscaping and Tree Service, LLC for a new total of \$745,000 for City tree maintenance services (201416480). The last regularly scheduled Council meeting within the 30-day review period is on 8-22-16. The Committee approved filing this resolution by consent on 7-21-16.

CR16-0506 A resolution laying out, opening and establishing as part of the City street system parcels of land as a public alley located near the intersection of East 2nd Avenue and Steele Street.

Dedicates land as a public alley at the intersection of East 2nd Avenue and Steele Street in Council District 10. The Committee approved filing this resolution by consent on 7-21-16.

CR16-0510 A resolution accepting and approving the plat of Stapleton Business Center North Filing No. 2.

Approves a subdivision plat for Stapleton Business Center North Filing No. 2 at the southwest corner of 56th Avenue and Havana Street in Council District 8. The Committee approved filing this resolution by consent on 7-21-16.

CR16-0512 A resolution accepting and approving the plat of Stapleton Filing No. 48.

Approves a subdivision plat for Stapleton Filing No. 48 between Uinta Street and Central Park Boulevard at 32nd Avenue in Council District 8. The Committee approved filing this resolution by consent on 7-21-16.

Bills for Introduction

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.

Neighborhoods & Planning

CB16-0482 A bill for an ordinance changing the zoning classification for 45

N. Harrison St., with a waiver.

Rezones property at 45 N. Harrison St. from PUD #453 to G-RH-3, with waiver (general urban, row house, 3 stories) in Council District 10. IF ORDERED PUBLISHED, A PUBLIC HEARING WILL BE HELD ON THIS ITEM. REFER TO THE "PENDING" SECTION OF THE FUTURE COUNCIL MEETING AGENDAS FOR THE DATE. The Committee approved filing this bill at its meeting on 7-20-16.

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

Rezones property at 1145 and 1165 South Broadway from Gateway with waivers and conditions, UO-1 (use overlay allowing adult businesses) to C-MX-12, UO-1 (urban center, mixed use, 12 stories) 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 7-20-16.

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

Rezones property at 3801 Himalaya Road from B-2 with waivers and conditions to S-MX-3x (suburban, mixed use, 3 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 7-20-16.

Safety & Well-being

CB16-0488 A bill for an ordinance approving and providing for the execution of proposed contracts between the City and County of Denver and the State of Colorado concerning the "Community Corrections FY16-17" program and the funding therefor.

Approves a contract with the State of Colorado for \$16,264,489.85 through 6-30-16 for the funding of the fiscal year 2016-2017 Community Corrections Program (2016-28723 and 2016-28728). The last regularly scheduled Council meeting within the 30-day review period is on 8-22-16. The Committee approved filing this bill by consent on 7-21-16.

Bills for Final Consideration

Business Development

CB16-0493 A bill for an ordinance approving a proposed Agreement between the City and County of Denver and United States Department of Agriculture, Animal and Plant Inspection Services, to implement the Federal Aviation Administration (FAA) approved Wildlife Hazard Management Plan (WHMP), addressing wildlife hazards observed during data collection at and in the vicinity of Denver International Airport.

Approves an agreement with the United States Department of Agriculture, Animal and Plant Inspection Service, Wildlife Services (USDA/APHIS-WS) for \$2,962,746.61 through 12-31-21 to implement the Federal Aviation Administration

(FAA) approved Wildlife Hazard Management Plan (WHMP), addressing wildlife hazards observed during data collection at and in the vicinity of Denver International Airport (PLANE-201627505-00). The last regularly scheduled Council meeting within the 30-day review period is on 8-15-16. The Committee approved filing this bill by consent on 7-14-16.

Finance & Services

CB16-0485 A bill for an ordinance authorizing the City and County of Denver to convey to 9th Avenue (Denver) Land, LLC, its interest in a parcel of real estate located at approximately East 11th Avenue and Colorado Boulevard.

Approves the transfer of 33 square feet of land to 9th Avenue Land, LLC located near the intersection of East 11th Avenue and Colorado Boulevard in Council District 5. The Committee approved filing this bill at its meeting on 7-12-16.

Infrastructure & Culture

CB16-0423 A bill for an ordinance to vacate the cross alley bounded by Hooker Street, Irving Street, West 17th Avenue and West 18th Avenue, without reservations.

Vacates the cross alley, directly behind the property address of 3220 West 20th Avenue, bounded by Hooker Street, Irving Street and West 20th Avenue in Council District 1. The Committee approved filing this bill at its meeting on 7-13-16.

CB16-0494 A bill for an Ordinance approving a proposed donation of books from the Denver Public Library of the City and County of Denver to the Denver Public Library Friends Foundation.

Approves a donation of books from the Denver Public Library to the Denver Public Library Friends Foundation. The Committee approved filing this bill by consent on 7-14-16.

Recap of Bills to be Called Out

Pre-Recess Announcement

Tonight, there will be a required public hearing on CB16-0295, changing the zoning classification for city-owned properties in the Villa Park neighborhood at various addresses. 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

CB16-0295 A bill for an ordinance changing the zoning classification for City-owned properties in the Villa Park neighborhood at various addresses (1100 N. Meade St. – unit vacant, 1100 N. Meade St., 1001 N. Meade St. – unit vacant, 1000 N. Newton St. – unit vacant, 1048 N. Newton St. – unit vacant, 1049 N. Stuart St., 1101 N. Perry St. – unit vacant).

Rezones City-owned properties in the Villa Park neighborhood at various addresses: 1100 N. Meade St. - unit vacant; 1100 N. Meade St.; 1001 N. Meade St. - unit vacant; 1000 N. Newton St. - unit vacant; 1048 N. Newton St. - unit vacant; 1049 N. Stuart St.; 1101 N. Perry St. - unit vacant from OS-A (open space, public parks) to E-SU-D1x (urban edge, single unit, 6000 sq. ft. lot, 1 accessory dwelling unit allowed) and E-TU-C (urban edge, two unit, 5500 sq. ft. lot) in Council District 3. The Committee approved filing this bill at its meeting on 4-20-16. Community Planning and Development has determined that the requirement for a legal protest (signatures of the owners of at least 20% of the property within 200 feet of the site) has not been met (petition signatures represent 18.66%).

Announcement

Dependent upon publication, on Monday, August 29, 2016, there will be a required public hearing on CB16-0482, changing the zoning classification for 45 N. Harrison St.; a required public hearing on CB16-0507, changing the zoning classification for 1145 and 1165 S. Broadway; and, a required public hearing on CB16-0508, changing the zoning classification for 3801 Himalaya Rd. Any protests against CB16-0482, CB16-0507 or CB16-0508 must be filed with the Council Offices no later than noon on Monday, August 22, 2016.

Adjourn

Pending

For 8-8-16

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

**Required Public Hearing
Final Consideration**

For 8-8-16

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.

Required Public Hearing

Final Consideration

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 AMENED 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**