

## City Council Meeting of Monday, November 7, 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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#### **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](mailto: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](mailto: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**

[16-1075](#) Minutes of Monday, October 31, 2016

**COUNCIL ANNOUNCEMENTS**

**PRESENTATIONS**

**COMMUNICATIONS**

**PROCLAMATIONS**

[16-1089](#) **A proclamation honoring the Bill and Melinda Gates Foundation and its contribution to building the capacity of the Denver Public Library.**

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

[16-1094](#) **A proclamation recognizing November as National Alzheimer's Disease Awareness Month and National Caregiver Month.**

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

**MAYOR'S PROPOSED 2017 BUDGET**

[16-1090](#) Mayor's Proposed 2017 Budget

**RESOLUTIONS****Business, Arts, Workforce, & Aeronautical Services Committee**

[16-0971](#) **A resolution approving a proposed Agreement between the City and County of Denver and Arthur J. Gallagher Risk Management Services, Inc. concerning construction insurance policies at Denver International Airport.**

Approves a contract with Arthur J Gallagher Risk Management Services, Inc. for a total contract amount of \$40 million and a five-year term with an end date of 12-31-21 to market and to administer construction insurance programs at Denver International Airport (201628644). The last regularly scheduled Council meeting within the 30-day review period is on 11-28-16. The Committee approved filing this resolution by consent on 10-19-16.

[16-1000](#) **A resolution approving a proposed First Amendment between the City and County of Denver and Ultra Electronics Airport Systems, Inc. concerning software maintenance and support services at Denver International Airports**

Amends a contract with Ultra Electronics Airports Systems, Inc. to add \$200,000 to the contract for a new contract total in the amount of \$786,449 and to extend the term by two years for a new end date of 6-8-19 to provide software maintenance and support services for Ultra Electronics Airport Systems, Inc.'s proprietary Gate Management System at Denver International Airport (201208409). The last regularly scheduled Council meeting within the 30-day review period is on 11-28-16. The Committee approved filing this resolution by consent on 10-26-16.

**Finance & Governance Committee**

[16-0982](#) **A resolution approving a proposed Second Amendatory Agreement between the City and County of Denver and Occupational Health Centers of the Southwest, P.A., P.C. d/b/a Concentra Medical Centers to provide medical services for City employees, utilizing the Workers Compensation Program.**

Adds \$2.4 million and 2 years to the contract with Occupational Health Centers of the Southwest, P.A., P.C. through 12-31-18 for a total contract of \$4.2 to continue as the designated medical provider under the Workers' Compensation Act and Rules of Procedure of the State of Colorado (201313774). The last regularly scheduled Council meeting within the 30-day review period is on 11-28-16. The Committee approved filing this resolution by consent on 10-25-16.

[16-0998](#) **A resolution approving a proposed Lease Agreement between the City and County of Denver and the Colorado Nonprofit Development Center for operation of the Community Re-Entry Project.**

Approves a five-year lease agreement with the Colorado Nonprofit Development Center (CNDC) for \$1 annually for 1391 Delaware Street to operate the Community Re-Entry Project in Council District 10 (FINAN 201627231). The last regularly scheduled Council meeting within the 30-day review period is on 11-28-16. The Committee approved filing this resolution by consent on 10-25-16.

[16-1002](#) **A resolution approving a proposed Purchase Order between the City and County of Denver and Kone, Inc. for eight escalators at Denver International Airport.**

Approves a \$990,373 purchase order with Kone, Inc. for eight escalators at Denver International Airport (PLANE 16417). The last regularly scheduled Council meeting within the 30-day review period is on 10-25-16. The Committee approved filing this resolution by consent on 10-25-16.

**Land Use, Transportation & Infrastructure Committee****[16-0870](#) A resolution approving a proposed Amendatory Agreement between the City and County of Denver and SEMA Construction Inc. for the Red Rocks Parking Lot and Traffic Control Phase II project.**

Amends a contract with SEMA Construction Inc. by adding \$4,111,469.23 for a new total contract amount of \$6,795,369 to enable Phase II work to commence on the Red Rocks Parking Lots and Traffic Controls project and to incorporate an amended Guaranteed Maximum Price (GMP) at Red Rocks (201524962-01). The last regularly scheduled Council meeting within the 30-day review period is on 11-28-16. The Committee approved filing this resolution by consent on 10-6-16.

**[16-0933](#) A resolution approving a proposed Contract between the City and County of Denver and Keene Concrete, Inc. for on-call construction services related to the concrete repair program.**

Approves an on-call contract with Keene Concrete, Inc. for \$3,231,358.99 for three years to complete construction services and concrete repairs related to the Citywide Concrete Program (201629825). The last regularly scheduled Council meeting within the 30-day review period is on 11-28-16. The Committee approved filing this resolution by consent on 10-13-16.

**[16-0934](#) A resolution approving a proposed Agreement between the City and County of Denver and Silva Construction, Inc. for on-call construction services related to the concrete repair program.**

Approves an on-call contract with Silva Construction, Inc. for \$3,241,090.51 for three years to complete construction services and concrete repairs related to the Citywide Concrete Program (201630792). The last regularly scheduled Council meeting within the 30-day review period is on 11-28-16. The Committee approved filing this resolution by consent on 10-13-16.

**[16-0992](#) A resolution laying out, opening and establishing as part of the City street system parcels of land as Brighton Boulevard at the intersection of 38th Street and Brighton Boulevard.**

Dedicates a parcel of land as public right-of-way as Brighton Boulevard at the intersection of 38th Street and Brighton Boulevard in Council District 9. The Committee approved filing this resolution by consent on 10-27-16.

**[16-0993](#) A resolution laying out, opening and establishing as part of the City street system parcels of land as a public alley near the intersection of East 3rd Avenue and Saint Paul Street.**

Dedicates a parcel of land as public right-of-way as public alley located at the intersection of East 3rd Avenue and Saint Paul Street in Council District 10. The Committee approved filing this resolution by consent on 10-27-16.

**[16-0996](#) A resolution accepting and approving the plat of First Creek Village Filing No. 1.**

Approves a subdivision plat for First Creek Village Filing No. 1 located at Tower Road and Elmendorf Drive in Council District 11. The Committee approved filing this resolution by consent on 10-27-16.

**[16-0999](#) A resolution granting a revocable permit to 2nd & St. Paul, LLC, to encroach into the right-of-way at 210 Saint Paul Street.**

Grants a revocable permit to 2nd & St. Paul, LLC, to encroach into the right-of-way with a below grade parking garage, two raised stucco planting beds, four concrete planting curbs, three sets of concrete stairs, one concrete accessible ramp, three monument plinths, a raised planting wall, and a parking bulb-out with clay paving infill at 210 Saint Paul Street in Council District 10. The Committee approved filing this resolution by consent on 10-27-16.

**Safety, Housing, Education, & Homelessness Committee**

**[16-1003](#) A resolution approving the Mayor's appointment to the Denver Health and Hospital Authority Board.**

Approves the Mayoral appointment of Anne Warhover to the Denver Health and Hospital Authority Board of Directors for a term effective immediately and expiring 6-30-17, or until a successor is duly appointed. The Committee approved filing this resolution by consent on 10-26-16.

**BILLS FOR INTRODUCTION****Finance & Governance Committee**

[16-1059](#) **A bill for an ordinance appointing Julia C. Yeckes to serve as a member of the Board of Ethics.**

Appoints Julia C. Yeckes to fill a vacated term on the Board of Ethics beginning immediately and ending 4-20-17. The Committee approved filing this bill at its meeting on 11-1-16.

[16-1095](#) **A bill for an ordinance amending Section 13-2, D.R.M.C. concerning the city council's weekly meeting schedule and observance of holidays.**

Revises the Denver Revised Municipal Code to allow Council not to meet between the Christmas and New Year's holidays. This bill was approved for filing by Council President Brooks.

**Land Use, Transportation & Infrastructure Committee**

[16-0994](#) **A bill for an ordinance authorizing the purchase of capital equipment from the Capital Improvements and Capital Maintenance Fund.**

Approves the one-time capital purchase of a Vehicle Mounted Retrometer for a cost of \$82,200 to be utilized to record the retro-reflectivity of pavement markings, and to measure how bright pavement marking appear at night when illuminated by vehicle headlights (0000056452). The Committee approved filing this bill by consent on 10-27-16.

**Safety, Housing, Education. & Homelessness Committee**

[16-0995](#) **A bill for an ordinance authorizing the purchase of capital equipment from the General Fund.**

Approves the one-time capital purchase of a North Central Instruments Leica FSC Microscope for the Firearms Unit of the Denver Police Crime Lab to be used to analyze shell casings at a cost of \$66,779. The Committee approved filing this bill by consent on 10-26-16.

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

[16-0979](#) **A bill for an ordinance concerning the Airport Facilities of the City and County of Denver; authorizing the issuance of the "City and County of Denver, Colorado, for and on behalf of its Department of Aviation, Airport System Revenue Bonds, Series 2016A" in the maximum aggregate principal amount of \$308,315,000 for the purpose of paying the costs of the Series 2016A Refunding Project, and providing other details in connection therewith; providing the amount, terms and other details of such bonds; authorizing the execution of certain related agreements; ratifying action previously taken; providing for other related matters; and providing the effective date of this ordinance.**

Authorizes the Manager of Finance, Chief Financial Officer, to issue City and County of Denver, for and on behalf of its Department of Aviation, Airport Revenue Refunding Bonds, Series 2016A in a par amount not to exceed \$308.5 million for the purpose of refunding outstanding Airport Revenue bonds, and paying costs of issuance expenses. The last regularly scheduled Council meeting within the 30-day review period is on 11-21-16. The Committee approved filing this bill at its meeting on 10-19-16.

[16-0980](#) **A bill for an ordinance concerning the Airport Facilities of the City and County of Denver; authorizing the issuance of the “City and County of Denver, Colorado, for and on behalf of its Department of Aviation, Airport System Revenue Bonds, Series 2016B” in the maximum aggregate principal amount of \$115,000,000 for the purpose of paying the costs of the Series 2016B Refunding Project, and providing other details in connection therewith; providing the amount, terms and other details of such bonds; authorizing the execution of certain related agreements; ratifying action previously taken; providing for other related matters; and providing the effective date of this ordinance.**

Authorizes the Manager of Finance, Chief Financial Officer, to issue City and County of Denver, for and on behalf of its Department of Aviation, Airport Revenue Refunding Bonds, Series 2016B in a par amount not to exceed \$115 million for the purpose of refunding outstanding Airport Revenue bonds and paying costs of issuance expenses. The last regularly scheduled Council meeting within the 30-day review period is on 11-21-16. The Committee approved filing this bill at its meeting on 10-19-16.

#### **Finance & Governance Committee**

[16-0898](#) **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 and other interests, including any rights and interests related or appurtenant to such property, as needed for the National Western Center Project.**

Adds two land parcels inadvertently omitted from the legal description in the Land Acquisition Ordinance passed in December 2015, granting authority to acquire them as needed for the National Western Center redevelopment in Council District 9. The last regularly scheduled Council meeting within the 30-day review period is on 11-7-16. The Committee approved filing this bill by consent on 10-4-16.

[16-0947](#) **A bill for an ordinance authorizing the purchase of capital equipment from the Wastewater Management Operations Fund.**

Approves a \$50,000 one-time capital purchase of a mailroom folder/inserter for Public Works. The Committee approved filing this bill by consent on 10-18-16.

**[16-0950](#) A bill for an ordinance rescinding unspent budget from completed Capital Improvements and Capital Maintenance Projects and making appropriations for Capital Improvements and Capital Maintenance Projects.**

Re-appropriates \$528,546 from completed Public Works facilities capital projects to different agency projects. The Committee approved filing this bill by consent on 10-18-16.

**[16-0959](#) 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.**

Changes the pay grade of Landside Service Supervisor from 807-N to 808-N. The Committee approved filing this bill by consent on 10-18-16.

**[16-0961](#) 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.**

Creates a class called Prevailing Wage Investigator at pay grade 808-A. The Committee approved filing this bill by consent on 10-18-16.

**[16-0974](#) A bill for an ordinance making an appropriation within the Denver Arts and Venues Special Revenue Fund.**

Approves the \$2.4 million 2016 supplemental budget request for Arts & Venues from the Arts and Venues Special Revenue Fund for the costs of increased events this year. The Committee approved filing this bill by consent on 10-18-16.

**[16-0975](#) A bill for an ordinance making rescissions in the General Fund and reappropriations in the Planned Fleet Replacement Fund and authorizing the purchase of capital equipment from the Planned Fleet Replacement Fund.**

Authorizes the purchase of four composting trucks for approximately \$260,000 each and rescinds \$2,879,000 from the Department of Public Works Operating Budget (5053300-01010) and re-appropriates it to the Planned Fleet Replacement Fund (5053400-11804) for the purchase of this equipment and additional street paving equipment totaling \$1,839,000. The Committee approved filing this bill by consent on 10-18-16.

**[16-0985](#) A bill for an ordinance amending Sections 20-76 and 20-77 of Chapter 20 of the Denver Revised Municipal Code regarding prevailing wage and debarment.**

Revises several sections of the Denver Code to update prevailing wage and debarment law. The Committee approved filing this bill at its meeting on 10-18-16.

**Land Use, Transportation & Infrastructure Committee**

**[16-0831](#) A bill for an ordinance approving a proposed Amendment No. 9 to Agreement between the City and County of Denver and Urban Drainage and Flood Control District regarding funding of U.S. Army Corps Feasibility Study and Land Acquisition for Sun Valley and Zuni reaches of the upper Central Platte Valley Project.**

Amends an intergovernmental agreement (IGA) with the Urban Drainage and Flood Control District (UDFCD) to add an additional \$257,000 (new maximum City contribution of \$8,957,000) for Denver to be able to continue the U.S. Army Corps Feasibility Study along the South Platte River in Council Districts 1, 3, 7, and 9 (PWADM-CE1Y008-09). The last regularly scheduled Council meeting within the 30-day review period is on 11-21-16. The Committee approved filing this bill by consent on 9-29-16.

**[16-0972](#) A bill for an ordinance relinquishing the easement established by the Permanent Easement Agreement recorded with the Denver Clerk & Recorder at Reception No. 2013058875, located at 4101 East Hampden Avenue.**

Relinquishes certain easements established in the Permanent Easement Agreement located at 4101 East Hampden in Council District 4. The Committee approved filing this bill by consent on 10-18-16.

**[16-0973](#) A bill for an ordinance vacating a portion of the sidewalk near 1530 South Pearl Street, with reservations.**

Vacates one (1) foot of right-of-way at 1530 South Pearl Street in Council District 7. The Committee approved filing this bill by consent on 10-18-16.

**[16-0978](#) A bill for an ordinance relinquishing a portion of the easement reserved by Ordinance No. 407, Series of 1990, located at the intersection of Auraria Parkway and Speer Boulevard.**

Relinquishes all easements located at the south intersection of Auraria Parkway and Speer Boulevard adjacent to 1355 12th Street in Council District 9. The Committee approved filing this bill by consent on 10-18-16.

**RECAP OF BILLS TO BE CALLED OUT**

**PRE-RECESS ANNOUNCEMENT**

Tonight, Council is scheduled to sit as the quasi-judicial Board of Equalization to consider reduction of total cost assessments for one local maintenance district – the Phase II Broadway Pedestrian Mall in Council District 7. Since no written protests of assessment were filed with the Manager of Public Works by the October 20th deadline for the remaining nine (9) local maintenance districts, no hearings are required, the assessments are approved, and Council will not sit as the Board of Equalization for the following:

Welton Street Pedestrian Mall

West 38th Avenue Phase I Pedestrian Mall

Expanded Greektown Pedestrian Mall

Phase II West 38th Avenue Pedestrian Mall

32nd and Lowell Pedestrian Mall

Broadway Pedestrian Mall B

Broadway Viaduct Pedestrian Mall

22nd Street and Park Avenue West Pedestrian Mall

Consolidated Morrison Road Pedestrian Mall

**RECESS**

**COUNCIL RECONVENES AND RESUMES ITS REGULAR SESSION**

**PUBLIC HEARINGS - BOARD OF EQUALIZATION**

**[16-1091](#)** Phase II Broadway Pedestrian Mall

**PRE-ADJOURNMENT ANNOUNCEMENT**

**ADJOURN****PENDING**

FOR 11-14-16

**[16-0818](#) A bill for an ordinance changing the zoning classification for approximately 1007-1095 Julian Street/3424 West 12th Avenue and 1030-1090 Knox Court.**

Rezones property located at approximately 1007-1095 Julian Street/3424 West 12th Avenue and 1030-1090 Knox Court from E-SU-D1x to E-TH-2.5 (Single-family residential with accessory dwelling units to Urban Edge with townhomes and a 2.5-story limit) in Council District 3. The Committee approved filing this bill at its meeting on 10-4-16.

**Final Consideration****Required Public Hearing****[16-0819](#) A bill for an ordinance changing the zoning classification for 3990 East Cornell, 3015, 3029, 3043 & 3071 South Colorado Boulevard.**

Rezone property located at 3990 East Cornell, 3015, 3029, 3043 & 3071 South Colorado Boulevard from PUD #601 to S-TH-2.5 (A PUD that was never implemented to suburban houses including duplexes and townhomes) in Council District 4. The Committee approved filing this bill at its meeting on 10-4-16.

**Final Consideration****Required Public Hearing**

FOR 11-21-16

**[16-0906](#) A bill for an ordinance relating to the Denver Zoning Code, enacting the Krisana Park Conservation Overlay District, CO-5.**

Approves text amendment #10 to create the Krisana Park Conservation Overlay District CO-5 (preserving the distinctive mid-century modern architecture), in Council District 6. The Committee approved filing this bill at its meeting on 10-11-16.

**Final Consideration****Required Public Hearing**

[16-0907](#) **A bill for an ordinance changing the zoning classification for multiple properties including the area generally bounded on the north by Louisiana Avenue from South Dahlia Street to South Fairfax Avenue; on the east, including the properties on the east side of South Fairfax Street and South Filbert Way from Louisiana Avenue to Florida Avenue; on the south by Florida Avenue from South Filbert Way to South Dahlia Street; and on the west by South Dahlia Street from Florida Avenue to Louisiana Avenue, excluding the southwest parcel.**

Rezones the Krisana Park neighborhood from S-SU-D to S-SU-D CO-5 (preserving the distinctive mid-century modern architecture), adding the Krisana Park Conservation Overlay District in Council District 6. The Committee approved filing this bill at its meeting on 10-11-16.

**Final Consideration**

**Required Public Hearing**