

## City Council Meeting of Monday, October 30, 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

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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 [denc@denvergov.org](mailto:denc@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 and third 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 matter not scheduled for a public hearing. Speakers have 3 minutes to speak and must sign up via email at [denc@denvergov.org](mailto:denc@denvergov.org), phone at 720-337-2000 or in person in Rm. 451, City & County Building starting at 12:00 p.m. the Friday before the session is held. Sign up ends at 4:00 p.m. the day of the session. 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**

[17-1222](#) Minutes of Monday, October 23, 2017

**COUNCIL ANNOUNCEMENTS**

**PRESENTATIONS**

**COMMUNICATIONS**

**PROCLAMATIONS**

**MAYOR'S 2018 PROPOSED BUDGET**

[17-1180](#) Mayor's Proposed 2018 Budget

**RESOLUTIONS**

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

[17-1146](#) **A resolution approving a proposed Agreement between the City and County of Denver and Copania Panamena de Aviacion S.A., d/b/a Copa Airlines concerning a use and lease agreement at Denver International Airport.**

Approves a one-year use and lease agreement with Compania Panameña de Aviacion S.A., doing business as Copa Airlines, in the amount of \$638,000 in annual revenue to operate and provide passenger air service at Denver International Airport (201735732). The last regularly scheduled Council meeting within the 30-day review period is on 11-13-17. The Committee approved filing this resolution by consent on 10-18-17.

**Finance & Governance Committee****[17-1135](#) A resolution approving a proposed Fourth Amendatory Agreement by and between the City and County of Denver and Denver Regional Council of Governments to continue to provide aerial image acquisition, extend term and increase compensation.**

Adds \$578,475 and six years to a contract with Denver Regional Council of Governments (DRCOG) for a new total of \$1.5 million and end date of 12-31-23 for digital aerial photography, LiDAR and other GIS data to support planning, review, assessment, and other services for numerous City agencies (TECHS-CE83038). The last regularly scheduled Council meeting within the 30-day review period is on 11-13-17. The Committee approved filing this resolution by consent on 10-17-17.

**Land Use, Transportation & Infrastructure Committee****[17-1077](#) A resolution approving a proposed Contract between the City and County of Denver and Sport Court of the Rockies LLC for replacement of tennis courts and additional improvements at Berkeley Park.**

Approves a contract with Sport Court of the Rockies LLC for \$518,043.40 and for seven months for the replacement of the south tennis courts at Berkeley Park including fencing, site amenities, lighting upgrades, a new electrical service, site work, landscaping, and irrigation work in Council District 1 (201736166). The last regularly scheduled Council meeting within the 30-day review period is on 11-13-17. The Committee approved filing this resolution by consent on 10-3-17.

**[17-1136](#) A resolution granting a revocable permit to ODC Investments, Inc., to encroach into the right-of-way at 1696 West Evans Avenue.**

Grants a revocable permit to ODC Investments, Inc. to encroach into the right-of-way with a building wall at 1696 West Evans Avenue in Council District 7. The Committee approved filing this resolution by consent on 10-17-17.

**[17-1139](#) A resolution granting a revocable permit to Second Avenue Development Partners, LLC, to encroach into the right-of-way at 2727 East 2nd Avenue.**

Grants a revocable permit to Second Avenue Development Partners, LLC to encroach into the right-of-way with an underground parking garage, an ADA accessible ramp, and a set of stairs and railings located at 2727 East 2nd Avenue in Council District 10. The Committee approved filing this resolution by consent on 10-17-17.

**[17-1148](#) A resolution approving a proposed License Agreement and Covenant between the City and County of Denver and Carleen Zeburh Schneider and Stephen Schneider for continued access and maintenance of Chief Hosa Road through Genesee Park.**

Approves a non-financial license agreement in perpetuity with Carleen Zeburh Schneider and Stephen Schneider for access and maintenance of Chief Hosa Road in Genesee Park which serves as the sole access to the property at 26052 Chief Hosa Road in Jefferson County (201737175). The last regularly scheduled Council meeting within the 30-day review period is on 11-13-17. The Committee approved filing this resolution by consent on 10-17-17.

**[17-1150](#) A resolution approving a proposed Professional Services Agreement between the City and County of Denver and Dewlaney Sports Enterprises, LLC, d/b/a Dewlaney's Sports Officials & Dewlaney's Fly-Fishing Guide Services, to provide sports officials or umpires for adult and youth sports programs.**

Approves a contract with Dewlaney Sports Enterprises, LLC for \$750,000 and for three years for sports officials and umpires for adult softball, flag football, soccer, and basketball; and, for youth flag football, basketball, baseball, and softball at 12 recreation centers and 20 sports fields citywide (201737159). The last regularly scheduled Council meeting within the 30-day review period is on 11-13-17. The Committee approved filing this resolution by consent on 10-17-17.

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

**[17-1134](#) A resolution approving the Mayor's appointment to the Denver American Indian Commission.**

Approves the Mayoral appointment of Chenoa Crowshoe-Patterson to the Denver American Indian Commission for a term effective immediately and expiring on 7-11-19, or until a successor is duly appointed. The Committee approved filing this resolution by consent on 10-18-17.

**[17-1154](#) A resolution approving the Mayor's appointment to the Five Points Business Improvement District Board of Directors.**

Approves the Mayoral appointment of Maedella Stiger to the Five Points Business Improvement District Board of Directors for a term effective immediately and expiring 12-31-18, or until a successor is duly appointed. The Committee approved filing this resolution by consent on 10-18-17.

[17-1226](#) **A resolution authorizing and approving the expenditure and payment from the appropriation account designated "liability claims," the total sum of Twenty Thousand Dollars and no cents (\$20,000.00), payable to Andrew Magallanes-Enders and Mark A. Simon in full payment and satisfaction of all claims in Case No. 16CV33042, in the District Court, County of Arapahoe, Centennial, Colorado.**

Settles a claim involving the Denver Police Department. This resolution was approved for filing at the Mayor-Council meeting on 10-24-17.

## **BILLS FOR INTRODUCTION**

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

[17-1145](#) **A bill for an ordinance approving a proposed Intergovernmental Agreement between the City and County of Denver and Aviation Station North Metropolitan District No. 1 regarding the operation and maintenance of the Peña-Next Station development project at Denver International Airport.**

Approves a five-year intergovernmental agreement with Aviation Station North Metropolitan District No. 1 in the amount of \$800,000 for the operation and maintenance of the Peña-Next Station development project, including the commuter rail stop, the Panasonic Enterprise Solutions Company (PESCO) headquarters, and surrounding transit-oriented development, located from Peña Boulevard to Tower Road and 56th Avenue to 64th Avenue in Council District 11 (201737149). The last regularly scheduled Council meeting within the 30-day review period is on 11-13-17. The Committee approved filing this bill by consent on 10-18-17.

**Land Use, Transportation & Infrastructure Committee****[17-1151](#) A bill for an ordinance approving a proposed Intergovernmental Agreement between the City and County of Denver and the City of Commerce City for design, construction, and funding related to Tower Road Widening and the Tower Road/Pena Boulevard Interchange.**

Approves an intergovernmental agreement with Commerce City for \$6.5 million and for four years to extend and build the Tower Road Widening construction project from the southern boundary of Commerce City into the City to the intersection of the Tower Road and Peña Boulevard Interchange (201737072). The last regularly scheduled Council meeting within the 30-day review period is on 11-13-17. The Committee approved filing this bill by consent on 10-17-17.

**[17-1152](#) A bill for an ordinance vacating a portion of the right of way near the intersection of Wynkoop Street and 40th Street, with reservations.**

Vacates a portion of the right-of-way at approximately Wynkoop Street and 40th Street with reservations in Council District 9. The Committee approved filing this bill by consent on 10-17-17.

**Safety, Housing, Education & Homelessness Committee****[17-1058](#) A bill for an ordinance approving a proposed Third Amendatory Agreement between the City and County of Denver and Denver Health and Hospital Authority to provide transitional residential treatment services with funding through the Crime Prevention Control Commission.**

Amends a contract with Denver Health and Hospital Authority (DHHA) - Transitional Residential Treatment (TRT) by adding \$230,759 for a new contract total in the amount of \$783,216, and to extend the term one year through 9-30-18 to provide services to a minimum of 30 individuals per year involved with the criminal justice system within a comprehensive continuum of care at DHHA's detoxification center Denver CARES (2015-23052-03). The last regularly scheduled Council meeting within the 30-day review period is on 11-13-17. The Committee approved filing this bill by consent on 9-27-17.

**[17-1142](#) A bill for an ordinance approving a proposed Agreement between the City and County of Denver and Denver Health and Hospital Authority for emergency and financial assistance programs pursuant to the Ryan White Grant program.**

Approves a one-year agreement with Denver Health and Hospital Authority (DHHA) in the amount of \$1,259,951 for outpatient and ambulatory medical care, medical case management, mental health, and early intervention services to individuals living with HIV/AIDS citywide (201736499-00). The last regularly scheduled Council meeting within the 30-day review period is on 11-13-17. The Committee approved filing this bill by consent on 10-18-17.

**[17-1229](#) A bill for an ordinance amending Ordinance 20170726, Series of 2017, to extend certain timeframes related to the ability of owners and tenants to apply for compliance plans and conditional certificates of occupancy who do not voluntarily disclose the presence of unpermitted work in their buildings.**

Amends Ordinance 20170726, Series of 2017, to change all references of "January 19, 2018" in the ordinance to "March 2, 2019". This bill is filed by the authority of Councilmembers Kashmann and Ortega.

## **BILLS FOR FINAL CONSIDERATION**

### **Land Use, Transportation & Infrastructure Committee**

**[17-1101](#) A bill for an ordinance vacating a portion of right-of-way near the intersection of 36th Street and North Brighton Boulevard, without reservations.**

Vacates a portion of the right-of-way adjacent to 3600 Brighton Boulevard along 36th Street, without reservations, in Council District 9. The Committee approved filing this bill by consent on 10-10-17.

**[17-1104](#) A bill for an ordinance assessing the annual costs of the continuing care, operation, repair, maintenance and replacement of the Tennyson Street II Pedestrian Mall Local Maintenance District upon the real property, exclusive of improvements thereon, benefited.**

Approves the 2018 annual costs of the continuing care, operation, repair, maintenance, and replacement of the Tennyson Street II Pedestrian Mall Local Maintenance District in Council District 1. The Committee approved filing this bill by consent on 10-10-17.



**[17-1105](#) A bill for an ordinance assessing the annual costs of the continuing care, operation, repair, maintenance and replacement of the West 44th Avenue and Eliot Street Pedestrian Mall Local Maintenance District upon the real property, exclusive of improvements thereon, benefited.**

Approves the 2018 annual costs of the continuing care, operation, repair, maintenance, and replacement of the West 44th Avenue and Eliot Street Pedestrian Mall Local Maintenance District in Council District 1. The Committee approved filing this bill by consent on 10-10-17.

**[17-1106](#) A bill for an ordinance assessing the annual costs of the continuing care, operation, repair, maintenance and replacement of the West 32nd Avenue Pedestrian Mall Local Maintenance District upon the real property, exclusive of improvements thereon, benefited.**

Approves the 2018 annual costs of the continuing care, operation, repair, maintenance, and replacement of the West 32nd Avenue Pedestrian Mall Local Maintenance District in Council District 1. The Committee approved filing this bill by consent on 10-10-17.

**[17-1107](#) A bill for an ordinance assessing the annual costs of the continuing care, operation, repair, maintenance and replacement of the Broadway Pedestrian Mall A Local Maintenance District upon the real property, exclusive of improvements thereon, benefited.**

Approves the 2018 annual costs of the continuing care, operation, repair, maintenance, and replacement of the Broadway Pedestrian Mall A Local Maintenance District in Council District 7. The Committee approved filing this bill by consent on 10-10-17.

**[17-1108](#) A bill for an ordinance assessing the annual costs of the continuing care, operation, repair, maintenance and replacement of the South Broadway Streetscape (Arizona Avenue to Iowa Avenue) Local Maintenance District upon the real property, exclusive of improvements thereon, benefited.**

Approves the 2018 annual costs of the continuing care, operation, repair, maintenance, and replacement of the South Broadway Streetscape (Arizona Avenue to Iowa Avenue) Local Maintenance District in Council District 7. The Committee approved filing this bill by consent on 10-10-17.



**17-1109 A bill for an ordinance assessing the annual costs of the continuing care, operation, repair, maintenance and replacement of the South Broadway Streetscape (Wesley Avenue to Yale Avenue) Local Maintenance District upon the real property, exclusive of improvements thereon, benefited.**

Approves the 2018 annual costs of the continuing care, operation, repair, maintenance, and replacement of the South Broadway Streetscape (Wesley Avenue to Yale Avenue) Local Maintenance District in Council Districts 6 and 7. The Committee approved filing this bill by consent on 10-10-17.

**17-1110 A bill for an ordinance assessing the annual costs of the continuing care, operation, repair, maintenance and replacement of the South Broadway Streetscape (Iowa Avenue to Wesley Avenue) Local Maintenance District upon the real property, exclusive of improvements thereon, benefited.**

Approves the 2018 annual costs of the continuing care, operation, repair, maintenance, and replacement of the South Broadway Streetscape (Iowa Avenue to Wesley Avenue) Local Maintenance District in Council Districts 6 and 7. The Committee approved filing this bill by consent on 10-10-17.

**17-1111 A bill for an ordinance assessing the annual costs of the continuing care, operation, repair, maintenance and replacement of the Tennyson Streetscape (Portions of West 38th Avenue to West 44th Avenue) Local Maintenance District upon the real property, exclusive of improvements thereon, benefited.**

Approves the 2018 annual costs of the continuing care, operation, repair, maintenance, and replacement of the Tennyson Streetscape (West 38th Avenue to West 44th Avenue) Local Maintenance District in Council District 1. The Committee approved filing this bill by consent on 10-10-17.

**17-1112 A bill for an ordinance assessing the annual costs of the continuing care, operation, repair, maintenance and replacement of the 15th Street Pedestrian Mall Local Maintenance District upon the real property, exclusive of improvements thereon, benefited.**

Approves the 2018 annual costs of the continuing care, operation, repair, maintenance, and replacement of the 15th Street Pedestrian Mall Local Maintenance District in Council District 9. The Committee approved filing this bill by consent on 10-10-17.

**[17-1113](#) A bill for an ordinance assessing the annual costs of the continuing care, operation, repair, maintenance and replacement of the 20th Street Pedestrian Mall Local Maintenance District upon the real property, exclusive of improvements thereon, benefited.**

Approves the 2018 annual costs of the continuing care, operation, repair, maintenance, and replacement of the 20th Street Pedestrian Mall Local Maintenance District in Council District 9. The Committee approved filing this bill by consent on 10-10-17.

**[17-1114](#) A bill for an ordinance assessing the annual costs of the continuing care, operation, repair, maintenance and replacement of the Consolidated Larimer Street Pedestrian Mall Local Maintenance District upon the real property, exclusive of improvements thereon, benefited.**

Approves the 2018 annual costs of the continuing care, operation, repair, maintenance, and replacement of the Consolidated Larimer Street Pedestrian Mall Local Maintenance District in Council District 9. The Committee approved filing this bill by consent on 10-10-17.

**[17-1115](#) A bill for an ordinance assessing the annual costs of the continuing care, operation, repair, maintenance and replacement of the Santa Fe Drive Pedestrian Mall C Local Maintenance District upon the real property, exclusive of improvements thereon, benefited.**

Approves the 2018 annual costs of the continuing care, operation, repair, maintenance, and replacement of the Santa Fe Drive Pedestrian Mall C Local Maintenance District in Council District 7. The Committee approved filing this bill by consent on 10-10-17.

**[17-1116](#) A bill for an ordinance assessing the annual costs of the continuing care, operation, repair, maintenance and replacement of the St. Luke's Pedestrian Mall Local Maintenance District upon the real property, exclusive of improvements thereon, benefited.**

Approves the 2018 annual costs of the continuing care, operation, repair, maintenance, and replacement of the St. Luke's Pedestrian Mall Local Maintenance District in Council Districts 9 and 10. The Committee approved filing this bill by consent on 10-10-17.

[17-1117](#) **A bill for an ordinance assessing the annual costs of the continuing care, operation, repair, maintenance and replacement of the Delgany Street Local Maintenance District upon the real property, exclusive of improvements thereon, benefited.**

Approves the 2018 annual costs of the continuing care, operation, repair, maintenance, and replacement of the Delgany Street Pedestrian Mall Local Maintenance District in Council District 9. The Committee approved filing this bill by consent on 10-10-17.

[17-1118](#) **A bill for an ordinance assessing the annual costs of the continuing care, operation, repair, maintenance and replacement of the East 13th Avenue Pedestrian Mall Local Maintenance District upon the real property, exclusive of improvements thereon, benefited.**

Approves the 2018 annual costs of the continuing care, operation, repair, maintenance, and replacement of the East 13th Avenue Pedestrian Mall Local Maintenance District in Council District 10. The Committee approved filing this bill by consent on 10-10-17.

[17-1119](#) **A bill for an ordinance assessing the annual costs of the continuing care, operation, repair, maintenance and replacement of the South Downing Street Pedestrian Mall Local Maintenance District upon the real property, exclusive of improvements thereon, benefited.**

Approves the 2018 annual costs of the continuing care, operation, repair, maintenance, and replacement of the South Downing Street Pedestrian Mall Local Maintenance District in Council District 6. The Committee approved filing this bill by consent on 10-10-17.

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

[17-1103](#) **A bill for an ordinance approving a proposed Second Amended and Restated Operating Agreement and Appendices for Fiscal Year 2018 between the City and County of Denver and Denver Health and Hospital Authority, providing for the amounts to be paid for services by the City and County of Denver and by the Denver Health and Hospital Authority for Fiscal Year 2018 and amending other provisions of the Second Amended and Restated Operating Agreement and Appendices for Fiscal Year 2018.**

Approves the 2018 Denver Health and Hospital Authority operating agreement (ENVHL-CE60436-29). The last regularly scheduled Council meeting within the 30-day review period is on 11-13-17. The Committee approved filing this bill at its meeting on 10-11-17.

[17-1125](#) **A bill for an ordinance amending Article IX of Chapter 24 and Article I of Chapter 38 of the Denver Revised Municipal Code to prohibit smoking of tobacco and marijuana products on the 16th Street Pedestrian and Transit Mall and to regulate smoking of tobacco and marijuana products in certain public places.**

Amends the Denver Revised Municipal Code regarding smoking prohibitions and marijuana products on the 16th Street Pedestrian and Transit Mall. The Committee approved filing this bill at its meeting on 10-11-17.

**RECAP OF BILLS TO BE CALLED OUT****PRE-RECESS ANNOUNCEMENT****RECESS****COUNCIL RECONVENES AND RESUMES ITS REGULAR SESSION****PUBLIC HEARINGS - BILLS FOR FINAL CONSIDERATION****PRE-ADJOURNMENT ANNOUNCEMENT****ADJOURN**

**PENDING**

FOR 11-13-17

[17-1022](#) **A bill for an ordinance changing the zoning classification for 2001-2005 East 18th Avenue in City Park West.**

Approves an official map amendment to rezone property located at 2001-2005 East 18th Avenue from PUD #107 to G-MX-3, (planned development in the former zoning code to general, urban mixed-use) in Council District 9. The Committee approved filing this bill at its meeting on 10-3-17.

**Final Consideration**

**Required Public Hearing**