

City Council Meeting of Monday, August 21, 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

Phone: 720-337-2000
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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

COUNCIL ANNOUNCEMENTS

PRESENTATIONS

COMMUNICATIONS

[17-0946](#) A letter dated August 21, 2017, from Brendan J. Hanlon, Chief Financial Officer and Manager of Finance, in keeping with the provisions of Section 20-93 of the Denver Revised Municipal Code, the Department of Finance intends to issue Special Facilities (United Airlines Project) Airport Refunding Bonds, Series 2017, for an on behalf of the Department of Aviation, in an amount not to exceed \$280 million for the of purpose of refunding Special Facilities Airport Series 2007 bonds.

PROCLAMATIONS

[17-0941](#) **A proclamation celebrating the 50th anniversary of the Community College of Denver.**

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

RESOLUTIONS

Business, Arts, Workforce & Aeronautical Services Committee

[17-0886](#) **A resolution approving a proposed Fifth Amendment and Modification Agreement between the City and County of Denver and NEWSED Community Development Corporation, Inc. to substitute collateral as security for a loan.**

Amends a contract with NEWSED Community Development Corporation to release the City's lien on 1029 Santa Fe Drive, allowing NEWSED to sell the property and to establish a replacement lien on NEWSED-owned real property at 901 West 10th Avenue in Council District 3 (GE-2Y004). The last regularly scheduled Council meeting within the 30-day review period is on 9-11-17. The Committee approved filing this resolution at its meeting on 8-9-17.

Finance & Governance Committee**[17-0838](#) A resolution approving a proposed Second Amendatory Agreement between the City and County of Denver and Retirement Planning Services, Inc. for flexible spending account and COBRA administration.**

Adds \$237,600 and one year with a new total of \$727,600 and end date of 12-31-18 to the contract with Retirement Planning Services, Inc. or 24HourFlex for employee flexible spending accounts and Consolidated Omnibus Budget Reconciliation Act administration to City employees (CSAHR-201314222-02). The last regularly scheduled Council meeting within the 30-day review period is on 9-11-17. The Committee approved filing this resolution by consent on 8-1-17.

[17-0854](#) A resolution approving a proposed Agreement by and between the City and County of Denver and The Act 1 Group, Inc., dba ATIMS, for the development, implementation and maintenance of software services for the Denver Sheriff Jail Management System.

Approves a \$7 million, ten-year contract with The ACT 1 Group, Inc., doing business as ATIMS, for development, implementation, and maintenance services for the Denver Sheriff Department jail management system including inmate monitoring and booking, housing, medical treatment, and release at the downtown detention center and county jail (TECHS-201736227). The last regularly scheduled Council meeting within the 30-day review period is on 9-11-17. The Committee approved filing this resolution by consent on 8-1-17.

[17-0873](#) A resolution approving a proposed Master Purchase Order between the City and County of Denver and The Goodyear Tire & Rubber Company to provide the City's Fleet Department with recapped and retreaded tires for various sizes of vehicles.

Approves a \$2 million master purchase order with The Goodyear Tire & Rubber Company through 07-31-18 for recapped and retreaded tires for City trucks and vehicles. (0135A0117). The last regularly scheduled Council meeting within the 30-day review period is on 9-11-17. The Committee approved filing this resolution by consent on 8-8-17.

[17-0874](#) A resolution approving a proposed Master Purchase Order between the City and County of Denver and EP Blazer, LLC, dba John Elway Chevrolet, to supply the City's Fleet Department with original equipment manufacturer Chevrolet parts for repairs and service.

Approves a \$1 million master purchase order with EP Blazer, LLC, doing business as John Elway Chevrolet, through 08-31-18 for original equipment manufacturer automotive and light duty truck parts (0666A0217). The last regularly scheduled Council meeting within the 30-day review period is on 9-11-17. The Committee approved filing this resolution by consent on 8-8-17.

[17-0875](#) A resolution approving a proposed Master Purchase Order between the City and County of Denver and Vista FD, LLC, dba Groove Ford, to supply the City's Fleet Department with original equipment manufacturer Ford parts for repairs and service.

Approves a \$2.5 million master purchase order with Vista FD, LLC, doing business as Groove Ford, through 08-31-18 for light duty truck parts (0666A0117). The last regularly scheduled Council meeting within the 30-day review period is on 9-11-17. The Committee approved filing this resolution by consent on 8-8-17.

[17-0876](#) A resolution approving a proposed Master Purchase Order between the City and County of Denver and Faris Machinery Company to supply the City's Fleet and Street Maintenance Departments with replacement parts for existing street sweepers.

Approves a master purchase order with Faris Machinery Company for \$2 million through 10-31-20 for replacement parts for the City's Street Maintenance Department to repair and maintain the City's existing street sweeper fleet (0557Z0117). The last regularly scheduled Council meeting within the 30-day review period is on 9-11-17. The Committee approved filing this resolution by consent on 8-8-17.

[17-0877](#) A resolution approving a proposed Master Purchase Order between the City and County of Denver and Asphalt Specialties Company, Inc., to supply hotmix asphalt and road paving materials for Denver Public Works and Denver International Airport.

Approves a \$2 million master purchase order with Asphalt Specialties Company, Inc. through 12-31-17 for asphalt and other paving materials for citywide paving operations (5946M0117). The last regularly scheduled Council meeting within the 30-day review period is on 9-11-17. The Committee approved filing this resolution by consent on 8-8-17.

[17-0878](#) A resolution approving a proposed Master Purchase Order between the City and County of Denver and Brannan Sand and Gravel Company, LLC to supply hotmix asphalt and road paving materials for Denver Public Works and Denver International Airport.

Approves a \$1 million master purchase order with Brannan Sand and Gravel Company, LLC through 12-31-17 for asphalt and other paving materials for citywide paving operations (5946M0217). The last regularly scheduled Council meeting within the 30-day review period is on 9-11-17. The Committee approved filing this resolution by consent on 8-8-17.

[17-0893](#) A resolution approving a proposed Amendment Number Two to Roof Antenna Agreement by and between the City and County of Denver and 1670 Broadway Investors, LLC, to extend the term of the lease and Increase Rent.

Adds \$271,342.20 and five years to the agreement with 1670 Broadway Investors, LLC for a new total of \$719,632.20 and new end date of 04-30-22 for rooftop space leased for City communication equipment in Council District 9 (FINAN-GE7A002-02). The last regularly scheduled Council meeting within the 30-day review period is on 9-11-17. The Committee approved filing this resolution by consent on 8-8-17.

Land Use, Transportation & Infrastructure Committee**[17-0852](#) A resolution approving a proposed Parks Use Agreement between the City and County of Denver and German American Chamber of Commerce-Colorado Chapter for a multi-day event in Skyline Park.**

Approves a park use agreement with The German-American Chamber of Commerce-Colorado Chapter for two months and for \$0 to allow for the annual Christkindl Market in Skyline Park Council District 9 (201735286). The last regularly scheduled Council meeting within the 30-day review period is on 9-11-17. The Committee approved filing this resolution by consent on 8-1-17.

[17-0853](#) A resolution approving a proposed First Amendment to Concession License between the City and County of Denver and Flog, LLC for food, beverage and other services at Overland Golf Course.

Amends a contract with Flog, LLC by adding two months for a new end date of 12-31-17 for concession services at Overland Golf Course to align the end date with other golf concession contracts and allow for additional time to rebid the license located at 1801 South Huron Street in Council District 7 (201314309). The last regularly scheduled Council meeting within the 30-day review period is on 9-11-17. The Committee approved filing this resolution by consent on 8-1-17.

[17-0867](#) A resolution accepting and approving the plat of First Creek Village Filing No. 3.

Approves a subdivision plat for First Creek Village Filing No. 3 located at 46th Avenue and Tower Road in Council District 11. The Committee approved filing this resolution by consent on 8-8-17.

[17-0870](#) A resolution laying out, opening and establishing as part of the City street system a parcel of land as North Fox Street at the intersection of West 31st Avenue and North Fox Street.

Dedicates a parcel of land as public right-of-way as North Fox Street located at the intersection of West 31st Avenue and Fox Street in Council District 9. The Committee approved filing this resolution by consent on 8-8-17.

[17-0871](#) 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 13th Avenue and North Elati Street.

Dedicates a parcel of land as public right-of-way as public alley located at the intersection of West 13th Avenue and Elati Street in Council District 10. The Committee approved filing this resolution by consent on 8-8-17.

Safety, Housing, Education & Homelessness Committee

[17-0862](#) A resolution approving a proposed Second Amendatory Agreement between the City and County of Denver and Pinyon Environmental, Inc., to provide on-call environmental consulting as needed.

Amends a contract with Pinyon Environmental, Inc. by adding \$540,000 for a new total amount of \$1.5 million and to add two years for a new end date of 4-26-20 for environmental consulting including: site assessment, brownfields redevelopment, underground storage tank remediation, and other services for ongoing and future projects citywide (ENVHL-201520873). The last regularly scheduled Council meeting within the 30-day review period is on 9-11-17. The Committee approved filing this resolution by consent on 8-9-17.

[17-0879](#) A resolution approving a proposed Second Amendatory Agreement between the City and County of Denver and Ninyo & Moore, Geotechnical Consultants to provide on-call environmental consulting as needed.

Amends a contract with Ninyo & Moore by adding \$420,000 for a new total contract in the amount of \$900,000 and to add eight months for a new end date of 12-31-18 for environmental consulting services including assessment and cleanup activities and Environmental Protection Agency (EPA) grant-funded brownfield projects citywide (ENVHL-201520845). The last regularly scheduled Council meeting within the 30-day review period is on 9-11-17. The Committee approved filing this resolution by consent on 8-9-17.

[17-0880](#) A resolution approving a proposed Second Amendatory Agreement between the City and County of Denver and Stantec Consulting Services, Inc., to provide on-call environmental consulting as needed.

Amends a contract with Stantec Consulting Services, Inc., by adding \$420,000 for a new total amount of \$900,000 and eight months for a new end date of 12-31-18 for environmental consulting services including assessment and cleanup activities and Environmental Protection Agency (EPA) grant funded brownfield projects citywide (ENVHL-201520811). The last regularly scheduled Council meeting within the 30-day review period is on 9-11-17. The Committee approved filing this resolution by consent on 8-9-17.

[17-0892](#) A resolution approving the Mayor's appointments to the Denver Latino Commission.

Approves the Mayoral appointments of Abenicio Rael and Claudia Duran to the Denver Latino Commission for terms effective immediately and expiring on 1-01-19, or until successors are duly appointed. The Committee approved filing this resolution by consent on 8-9-17.

BILLS FOR INTRODUCTION

Business, Arts, Workforce & Aeronautical Services Committee

[17-0883](#) A bill for an ordinance creating and establishing the Denver Tourism Improvement District, appointing the initial members of the Board of Directors of the District, and approving the Initial Plan and preliminary 2018 budget therefore.

Creates and establishes the citywide Denver Tourism Improvement District (TID), appoints the initial members of the board of directors, and approves the initial operating plan and preliminary budget. IF ORDERED PUBLISHED, A PUBLIC HEARING WILL BE HELD ON THIS ITEM. REFER TO THE "PENDING" SECTION OF FUTURE COUNCIL MEETING AGENDAS FOR THE DATE. The Committee approved filing this bill at its meeting on 8-9-17.

[17-0891](#) A bill for an ordinance amending Section 27-164 of Division 3 of Article V of Chapter 27 of the Revised Municipal Code of the City and County of Denver regarding the Affordable Housing Advisory Committee.

Amends Chapter 27 of the Denver Revised Municipal Code (DRMC) to provide for a 30-day extension for the delivery date of the Comprehensive Housing Plan and Annual Action Plan to provide sufficient time for the City to conduct public, stakeholder, and City Council outreach to finalize policy and investment recommendations for the City's federal and local housing resources. The Committee approved filing this bill at its meeting on 8-9-17.

Finance & Governance Committee

[17-0837](#) 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.

Adds Associate Internal Auditor at paygrade V-808 to the City Classification and Pay Plan. The Committee approved filing this bill by consent on 8-1-17.

Land Use, Transportation & Infrastructure Committee

[17-0841](#) A bill for an ordinance changing the zoning classification for 385, 395, 405 & 415 South Cherokee Street in Baker.

Approves an official map amendment to rezone property located at 385, 395, 405, & 415 South Cherokee Street from I-B UO-2 to C-MX-16, in Council District 7. IF ORDERED PUBLISHED, A PUBLIC HEARING WILL BE HELD ON THIS ITEM. REFER TO THE "PENDING" SECTION OF FUTURE COUNCIL MEETING AGENDAS FOR THE DATE. The Committee approved filing this bill by consent on 8-8-17.

[17-0863](#) A bill for an ordinance relinquishing a portion of a utility easement dedicated by the Vestals Sunset Terrace Filing No. 4 subdivision plat recorded with the Denver Clerk & Recorder on April 2, 1956 at Book 23, Page 5, located at 5405 East Bails Drive.

Relinquishes a portion of the easements established in the Vestals Sunset Terrace Filing No. 4 located at 5405 East Bails Drive in Council District 6. The last regularly scheduled Council meeting within the 30-day review period is on 9-11-17. The Committee approved filing this bill by consent on 8-8-17.

[17-0864](#) A bill for an ordinance renaming Market Place Street to South Market Place Street on the Broadway Station Filing No. 1 subdivision plat recorded with the Denver Clerk & Recorder at Reception No. 2017068642.

Renames Market Place Street to South Market Place Street to correct an error on the Broadway Station Filing No. 1 subdivision plat recorded at reception No. 2017068642 located on Broadway between Mississippi Avenue and Kentucky Avenue in Council District 7. The Committee approved filing this bill by consent on 8-8-17.

[17-0894](#) A bill for an ordinance amending Ordinance 880, Series 1992, concerning the "Tree Removal and Replacement" program in the Culture and Recreation Special Revenue Fund and the means for authorizing revenues and expenditures from said fund.

Amends Ordinance No. 880, Series of 1992, to change the name of the "Tree Removal and Replacement" Special Revenue Fund (SRF) to the "Public Tree Canopy" SRF and clarify its purpose as planting and establishing trees in public rights-of-way and other public places. The Committee approved filing this bill by consent on 8-8-17.

Safety, Housing, Education & Homelessness Committee

[17-0895](#) A bill for an ordinance submitting to a vote of the qualified and registered electors of the City and County of Denver at a special municipal election to be held in conjunction with the coordinated election of November 7, 2017, a proposed amendment to the Charter of the City and County of Denver concerning the Department of Environmental Health.

Refers a question to the November 2017 ballot to amend the Charter to change the name of Department of Environmental Health to Department of Public Health and Environment to better reflect agency responsibilities and increase the size of its Board from 5 seats to 9 to allow for more diverse representation. The Committee approved filing this bill at its meeting on 8-9-17.

[17-0940](#) A bill for an ordinance adopting a new Article VIII in Chapter 28 of the Denver Revised Municipal Code, to be known as the Public Safety Enforcement Priorities Act.

Amends Chapter 28 of the Revised Municipal Code to add a new Article VIII related to public safety enforcement that will provide the following: memorializes existing City policy by prohibiting the detention of individuals beyond their sentence; memorializes predominant City practices by prohibiting City employees from collecting information on immigration or citizenship status; prohibits the sharing of any other information about individuals for purposes of immigration enforcement; and, memorializes predominant practices by prohibiting use of city resources or City cooperation with civil immigration enforcement, including prohibiting providing access to secure areas or facilities. This bill was approved for filing by Councilmembers Kniech and Lopez.

BILLS FOR FINAL CONSIDERATION

Finance & Governance Committee

[17-0794](#) A bill for an ordinance amending Article V of Chapter 2 of the Revised Municipal Code pertaining to financial disclosure.

Amends Article V of Chapter 2 of the Denver Revised Municipal Code pertaining to financial disclosure by making minor corrections and clarifying the reporting period for semi-annual gift reports filed by officers. The Committee approved filing this bill by consent on 7-25-17.

[17-0924](#) A bill for an ordinance approving a proposed Cooperation Agreement between the City and County of Denver and The Denver Urban Renewal Authority for the Emily Griffith Opportunity School Property Tax Increment Area and Sales Tax Increment Area.

Approves a cooperation agreement with the Denver Urban Renewal Authority for the Emily Griffith Opportunity School Redevelopment Area to establish the parameters for tax increment financing with incremental sales and property taxes in Council District 9. The last regularly scheduled Council meeting within the 30-day review period is on 8-28-17. The Committee approved filing this bill at its meeting on 7-25-17.

RECAP OF BILLS TO BE CALLED OUT**PRE-RECESS ANNOUNCEMENT**

Tonight, there will be a required public hearing on Council Bill 17-0751, changing the zoning classification for 4060 North Elati Street in Globeville; a required public hearing on Council Bill 17-0752, changing the zoning classification for 3955, 3965 and 3995 North High Street in Cole; and, a required public hearing on Council Bill 17-0750, changing the zoning classification for 1208 North Quitman Street in West Colfax. Anyone wishing to speak on any of these matters 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****[17-0751](#) A bill for an ordinance changing the zoning classification for 4060 North Elati Street in Globeville.**

Rezones property at 4060 North Elati Street from I-A UO-2 to C-RX-12 (industrial to urban center, mixed-use) in Council District 9. The Committee approved filing this bill at its meeting on 7-11-17.

[17-0752](#) A bill for an ordinance changing the zoning classification for 3955, 3965 and 3995 North High Street in Cole.

Rezones property at 3955, 3965, and 3995 North High Street from I-B, UO-2 to I-MX-3, UO-2 (industrial to industrial, mixed-use) in Council District 9. The Committee approved filing this bill at its meeting on 7-11-17.

[17-0750](#) A bill for an ordinance changing the zoning classification for 1208 North Quitman Street in West Colfax.

Rezones property located at 1208 North Quitman Street from G-MU-3 to G-RX-5 (general, urban neighborhood multi-unit to general, urban residential mixed-use) in Council District 3. The Committee approved filing this bill at its meeting on 7-11-17. Community Planning and Development has determined that the requirement for a legal protest (signatures of the owners of at least 20% of those property owners within 200 feet of the subject area or 20% within 200 feet of the outside of the subject area) has not been met (petition signatures represent 0% and 6.5%, respectively).

PRE-ADJOURNMENT ANNOUNCEMENT

Dependent upon publication, on Monday, August 28, 2017, Council will hold a required public hearing on Council Bill 17-0883, creating and establishing the Denver Tourism Improvement District, appointing the initial members of the Board of Directors of the District, and approving the Initial Plan and preliminary 2018 budget. And, on Monday, September 18, 2017, Council will hold a required public hearing on Council Bill 17-0841, changing the zoning classification for 385, 395, 405 and 415 South Cherokee Street in Baker. Any protests against Council Bill 17-0841 must be filed with the Council Offices no later than noon on Monday, September 11, 2017.

ADJOURN

PENDING

FOR 8-28-17

[17-0755](#) A bill for an ordinance changing the zoning classification for 2600 South Sheridan Boulevard in Harvey Park.

Approves an official map amendment to rezone property located at 2600 South Sheridan Boulevard from PUD 579 to S-SU-D (planned development in the old zoning code to suburban, single-unit) in Council District 2. The Committee approved filing this bill at its meeting on 7-18-17.

Final Consideration

Required Public Hearing

[17-0850](#) A resolution to set a public hearing for the creation and establishment of the Denver Tourism Improvement District.

Sets a public hearing before City Council for 08-28-17 on the formation and establishment of the citywide Denver Tourism Improvement District (TID). The Committee approved filing this resolution by consent on 8-1-17.