

City Council Meeting of Monday, September 19, 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
1437 Bannock Street
Denver CO 80202

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

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

[16-0826](#) Minutes of September 12, 2016

COUNCIL ANNOUNCEMENTS

PRESENTATIONS

COMMUNICATIONS

PROCLAMATIONS

RESOLUTIONS

Land Use, Transportation & Infrastructure Committee

[16-0594](#) **A resolution approving a proposed Agreement between the City and County of Denver and Park Creek Metropolitan District for Martin Luther King Jr. Boulevard extension from Havana to Peoria.**

Approves a \$16,925,000 funding agreement with the Park Creek Metro District (PCMD) for the design and construction of the Martin Luther King Junior Boulevard roadway extension from Havana to Peoria by PCMD in Council District 8. The last regularly scheduled Council meeting within the 30-day review period is on 10-3-16. The Committee approved filing this resolution by consent on 8-18-16.

Safety, Housing, Education, & Homelessness Committee

[16-0825](#) **A resolution authorizing and approving the expenditure and payment from the appropriation account designated "liability claims," the sum of Thirty Thousand Dollars (\$30,000.00), payable to Brandon Spruce c/o Killmer Lane & Newman Client Trust Account in full payment and satisfaction of all claims in Case No. 15-cv-02717-WYD-KMT, in the United States District Court for the District of Colorado.**

Settles a claim involving the Denver Police Department. This resolution was approved for filing at the Mayor-Council meeting on 9-13-16.

BILLS FOR INTRODUCTION**Finance & Governance Committee**

[16-0757](#) **A bill for an ordinance authorizing the issuance of City and County of Denver, Colorado, for and on behalf of the Wastewater Management Division of its Department of Public Works, Wastewater Enterprise Revenue Bonds, Series 2016, for the purpose of financing the cost of acquiring, improving and equipping the storm drainage and sanitary sewerage facilities of the City; providing for the pledge of certain wastewater revenues for the payment thereof; and making other provisions relating thereto.**

Authorizes the issuance of City and County of Denver, for and on behalf of the Wastewater Management Division of its Department of Public Works, Wastewater Enterprise Revenue Bonds Series 2016 in a principal amount not to exceed \$116 million to fund storm drainage projects and for costs of bond issuance. The Committee approved filing this bill at its meeting on 8-30-16.

[16-0758](#) **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, easement and other interests, including any rights and interests related or appurtenant to properties as needed for the Platte to Park Hill Stormwater Systems Project.**

Approves the designation of certain property as being required for public use and authorizing the use, acquisition and disposition by negotiation or through condemnation proceedings of certain properties needed for the Platte to Park Hill Storm Water Systems Project. The Committee approved filing this bill at its meeting on 8-30-16.

Land Use, Transportation & Infrastructure Committee

[16-0622](#) **A bill for an ordinance changing the zoning classification for 3700 Marion St.**

Rezones 3700 Marion Street from U-SU-A1 to U-MX-2x, in Council District 9. 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 8-30-16.

BILLS FOR FINAL CONSIDERATION

Land Use, Transportation & Infrastructure Committee

[16-0755](#) **A bill for an ordinance vacating a portion of the alley bounded by Perry Street, Quitman Street and West Colfax Avenue, with reservations.**

Vacates a portion of an alley bounded by Perry Street and Quitman Street and Colfax Avenue, located at 1518 Quitman Street, in Council District 1. The Committee approved filing this bill by consent on 8-30-26.

Safety, Housing, Education. & Homelessness Committee

RECAP OF BILLS TO BE CALLED OUT

PRE-RECESS ANNOUNCEMENT

RECESS

COUNCIL RECONVENES AND RESUMES ITS REGULAR SESSION

PUBLIC HEARINGS - BILLS FOR FINAL CONSIDERATION

[16-0625](#) AS AMENDED a bill for an ordinance amending Chapter 27 of the Denver Revised Municipal Code concerning housing, establishing permanent funds to support city affordable housing programs, adopting an affordable housing linkage fee applicable to new construction, and dedicating a portion of the city's existing property tax revenue capacity to the funding of affordable housing programs

Approves creating dedicated funding streams from property taxes and commercial and residential linkage fees to be used for affordable housing programs. The Committee approved filing this bill at its meeting on 8-24-16. Amended 9-12-16 to disassociate the revenue from the dedicated .5 mill from the referred measure 2A of 2012.

Sponsors Brooks and Kniech

[16-0626](#) AS AMENDED a bill for an ordinance amending Chapter 27 of the Denver Revised Municipal Code concerning housing, establishing permanent funds to support city affordable housing programs, adopting an affordable housing linkage fee applicable to new construction to be effective October 1, 2017, and dedicating a portion of the city's existing property tax revenue capacity to the funding of affordable housing programs beginning with 2017 property taxes to be collected in 2018.

Approves creating a permanent fund for affordable housing programs, adopting an affordable housing linkage fee, and dedicating a portion of the city's existing property tax revenue capacity to funding affordable housing programs. This bill was approved for filing by Councilmember Herndon. Amended 9-12-16 to change the composition of the Affordable Housing Advisory Committee. The change would remove one of the mayor's appointments to the advisory committee from an "at large" appointment to a requirement that the appointment be a non-profit affordable housing developer; thus, resulting in two slots on the committee for non-profit developers in order to equal the number of for-profit housing developers on the committee.

Sponsors Herndon

[16-0760](#) **A bill for an ordinance amending the River North Area Plan, the 38th & Blake Station Area Plan, the Northeast Downtown Neighborhoods Plan, the Globeville Neighborhood Plan, and the Elyria & Swansea Neighborhoods Plan by incorporating the 38th & Blake Station Area Height Amendments to each of the five plans.**

Approves a plan amendment to update 5 existing neighborhood plans including River North, 38th & Blake Station Area, Northeast Downtown Neighborhoods, Globeville Neighborhood and Elyria & Swansea Neighborhoods plans. The Committee approved filing this bill at its meeting on 8-30-16.

PRE-ADJOURNMENT ANNOUNCEMENT

ADJOURN

PENDING**[16-0549](#) A bill for an ordinance changing the zoning classification for 3201 Walnut Street.**

Rezones property at 3201 Walnut Street from I-MX-3, UO-2 to C-MX-5, UO-2 in Council District 9. The last regularly scheduled Council meeting within the 30-day review period is on 9-9-16. The Committee approved filing this resolution at its meeting on 8-16-16.

Final Consideration**Required Public Hearing****[16-0551](#) A bill for an ordinance changing the zoning classification for 4402 Umatilla Street.**

Rezones property at 4402 Umatilla Street from PUD #358 to U-MS-2 in Council District 1. The last regularly scheduled Council meeting within the 30-day review period is on 9-9-16. The Committee approved filing this resolution at its meeting on 8-16-16.

Final Consideration**Required Public Hearing****[16-0597](#) A bill for an ordinance changing the zoning classification for approximately 99 Monaco Street Parkway.**

Rezones property located at approximately 99 Monaco Parkway from O-1 to G-MX-3, in Council District 5. The last regularly scheduled Council meeting within the 30-day review period is on 9-9-16. The Committee approved filing this bill at its meeting on 8-16-16.

Final Consideration**Required Public Hearing**

[16-0430](#) A bill for an ordinance changing the zoning classification for Geneva Court and Martin Luther King Jr. Boulevard.

Rezones property at Geneva Court and Martin Luther King Boulevard from R-MU-20 (Former Code: residential, mixed use) with waivers to M-MX-5 (master planned, commercial mixed use, 5 stories) in Council District 8. The Committee approved filing this bill at its meeting on 8-3-16.

Final Consideration

Required Public Hearing

[16-0599](#) A bill for an ordinance changing the zoning classification for 17670 E. 64th Avenue and 6203 Panasonic Way.

Rezones 17670 East 64th Avenue and 6203 Panasonic Way from C-MU-20 with waivers and conditions, AIO, DO-6 and C-MU-30 with waivers and conditions, UO-1, AIO, DO-6 to S-MX-12A, AIO, DO-6, in Council District 11. The Committee approved filing this bill at its meeting on 8-23-16.

Final Consideration

Required Public Hearing

[16-0624](#) A bill for an ordinance changing the zoning classification for 1601-1671 Pearl Street and 524-538 East 17th Avenue.

Rezones 1601-1671 Pearl Street & 524-538 East 17th Avenue from C-MX-5, DO-1/C-MX-8, DO-1/C-MS-8, DO-1 to PUD - G15, DO1, in Council District 10. The Committee approved filing this bill at its meeting on 8-23-16.

Final Consideration

Required Public Hearing

[16-0752](#) A bill for an ordinance changing the zoning classification for 4150 N. Elati St.

Rezones property located at 4150 North Elati Street from I-A, UO-1 to C-RX-12, in Council District 9. The Committee approved filing this bill at its meeting on 8-30-16.

Final Consideration

Required Public Hearing