

City Council Meeting of Monday, September 26, 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
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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

[16-0850](#) Minutes of September 19, 2016

COUNCIL ANNOUNCEMENTS

PRESENTATIONS

COMMUNICATIONS

PROCLAMATIONS

[16-0859](#) A proclamation honoring Wallace M. "Wally" Ginn for his public service and declaring October 1 as Wally Ginn Day.

Sponsors Espinoza, Kashmann, New and Black

[16-0860](#) A proclamation recognizing Saturday, October 1, 2016 as Take A Kid Mountain Biking Day.

Sponsors Clark, New, Kashmann, Gilmore and Black

RESOLUTIONS

Business, Arts, Workforce, & Aeronautical Services Committee

[16-0786](#) **A resolution approving a proposed First Amendment between the City and County of Denver and Matco Well Service, Inc. concerning oil and gas rigging services and professional contractor services at Denver International Airport.**

Amends a contract with Matco Well Service, Inc. by adding two years for a new end date of 10-31-18 for continuing oil and gas rig services and professional contractor services for essential oil and gas operations at Denver International Airport. There is no change in contract cost (201312659). The last regularly scheduled Council meeting within the 30-day review period is on 10-17-16. The Committee approved filing this resolution by consent on 9-14-16.

[16-0787](#) A resolution approving a proposed Third Amendatory Agreement between the City and County of Denver and Department of Homeland Security, Transportation Security Administration concerning on TSA Checked Baggage at Denver International Airport.

Amends a contract with the Department of Homeland Security Transportation Security Administration by adding nine months for a new term end date of 6-30-18 to consolidate nine TSA Checked Baggage Resolution Areas into two larger areas at Denver International Airport (201204840-03). The last regularly scheduled Council meeting within the 30-day review period is on 10-17-16. The Committee approved filing this resolution by consent on 9-14-16.

Finance & Governance Committee

[16-0751](#) A resolution approving a proposed Fourth Amendatory Agreement between the City and County of Denver and Dominion Voting Systems, Inc.

Adds \$486,193.23 to the contract with Dominion Voting Systems, Inc. for a new contract total of \$932,633.23 for a certified statewide uniform voting system, with greater efficiencies, transparency, fiscal stewardship and voter accessibility benefits (201419676-04). The last regularly scheduled Council meeting within the 30-day review period is on 10-17-16. The Committee approved filing this resolution at its meeting on 9-13-16.

[16-0781](#) A resolution approving a proposed Second Amendatory Agreement between the City and County of Denver and Star Telecommunications Inc. for installation of telecommunications and network wire infrastructure.

Adds \$3 million to the contract with Star Telecommunications Inc. for a new total of \$3,499,000 and extends the term through 12-31-19 for installation of telecommunications and network wire infrastructure (TECHS-201310423-02). The last regularly scheduled Council meeting within the 30-day review period is on 10-17-16. The Committee approved filing this resolution by consent on 9-13-16.

[16-0796](#) A resolution approving a proposed Purchase and Sale Agreement between the City and County of Denver and CC Interlocken, Inc. for purchase of property located at 300 South Technology Court in Broomfield.

Approves a \$1,090,000 Purchase and Sale Agreement between the City and County of Denver and CC Interlocken, Inc., for purchase of property located at 300 South Technology Court in Broomfield. The last regularly scheduled Council meeting within the 30-day review period is on 10-13-16. The Committee approved filing this resolution by consent on 9-13-16.

[16-0807](#) A resolution approving a proposed Purchase and Sale Agreement between the City and County of Denver and 2601-2605 W. 7th Avenue LLC, for the purchase of 2601-2605 W. 7th Avenue for multiple City uses.

Approves a purchase and sale agreement with 2601-2605 W. 7th Avenue LLC, as seller, for \$4,075,000 for the purchase of 2601-22605 West 7th Avenue for multiple City uses in Council District 3 (FINAN-201627755). The last regularly scheduled Council meeting within the 30-day review period is on 10-17-16. The Committee approved filing this resolution at its meeting on 9-13-16.

Land Use, Transportation & Infrastructure Committee

[16-0782](#) A resolution approving a proposed Second Amendatory Agreement between the City and County of Denver and J.F. Sato and Associates, Inc. for on-call engineering services.

Amends a contract with J.F. Sato and Associates, Inc. to add an additional \$480,000 (new total contract amount of \$960,000) in contract capacity for on-call structural engineering services throughout the City. No change in contract term (201522313). The last regularly scheduled Council meeting within the 30-day review period is on 10-17-16. The Committee approved filing this resolution by consent on 9-15-16.

[16-0783](#) A resolution approving a proposed Second Amendatory Agreement between the City and County of Denver and Martin/Martin, Inc. for on-call engineering services.

Amends a contract with Martin/Martin, Inc. to add additional \$480,000 (new total contract amount of \$960,000) for on-call structural engineering services throughout the City. No change to term (201522354). The last regularly scheduled Council meeting within the 30-day review period is on 10-17-16. The Committee approved filing this resolution by consent on 9-15-16.

[16-0788](#) A resolution granting a revocable permit to Toshi Kizaki d/b/a Hiro & Co., Inc., to encroach into the right-of-way at 1487 South Pearl Street.

Grants a revocable permit to Hiro & Company to encroach into the right-of-way with one (1) raised patio and one (1) raised planter on South Pearl Street at 1487 South Pearl Street, in Council District 7. The last regularly scheduled Council meeting within the 30-day review period is on 10-17-16. The Committee approved filing this resolution by consent on 9-15-16.

[16-0789](#) A resolution approving a Second Amendment to Professional Services Agreement with The Davey Tree Expert Company to increase compensation and modify scope of work for tree inventory services.

Amends a contract with The Davey Tree Expert Company to add \$100,000 for a new total of \$599,000 for on-call professional services for tree inventory that will go toward tree inventory for the Stapleton area and the Denver Zoo (PARKS 201312305-02). The last regularly scheduled Council meeting within the 30-day review period is on 10-17-16 The Committee approved filing this resolution by consent on 9-15-16.

[16-0791](#) A resolution approving a Third Amendment to Lease Agreement with Outward Bound, Inc., for property known as Camp Rollandet located at 5161 Sheridan Blvd.

Amends a contract with Outward Bound, Inc. to modify the annual report due date from 3/1 to 6/1 of each year. No change to contract cost or duration (201102078). The last regularly scheduled Council meeting within the 30-day review period is on 10-17-16. The Committee approved filing this resolution by consent on 9-15-16.

Safety, Housing, Education, & Homelessness Committee

[16-0778](#) A resolution approving a proposed Loan Agreement between the City and County of Denver and Catholic Charities and Community Services of the Archdiocese of Denver, Inc. (doing business as Catholic Charities Denver) to provide acquisition financing for a new women's homeless shelter located at 6240 Smith Road.

Approves a 35-year loan agreement with Catholic Charities and Community Services of the Archdiocese of Denver, Inc. (doing business as Catholic Charities Denver) in the amount of \$1 million from Community Development Block Grant funds structured as a performance loan to provide acquisition financing for a new women's homeless shelter located at 6240 Smith Road in Council District 8 (OEDEV-201630186-00). The last regularly scheduled Council meeting within the 30-day review period is on 10-17-16. The Committee approved filing this bill at its meeting on 9-14-16.

[16-0784](#) A resolution approving the mayoral appointments to the Denver Asian American Pacific Islander Commission.

Approves the Mayoral appointments of Gerard Aflague and Luna Ly to the Denver Asian American Pacific Islander Commission for terms effective immediately and expiring 1-22-18, or until a successor is duly appointed. The Committee approved filing this resolution by consent on 9-14-16.

BILLS FOR INTRODUCTION

Finance & Governance Committee

[16-0761](#) A bill for an ordinance Concerning the Approval of a Participation Agreement between the Colorado New Energy Improvement District (the "District") and the City and County of Denver ("Denver") to authorize the District to Conduct its New Energy Improvement Program, called Colorado Commercial Property Assessed Clean Energy (C-PACE), within Denver.

Approves an intergovernmental agreement with the Colorado New Energy Improvement District authorizing the District to operate the Colorado Commercial Property Assessed Clean Energy (C-PACE) program within Denver which facilitates financing for clean energy improvements to commercial, industrial, agricultural, non-profit and multifamily properties (FINAN-201630180). The last regularly scheduled Council meeting within the 30-day review period is on 10-17-16. The Committee approved filing this bill at its meeting on 9-13-16.

[16-0797](#) **A bill for an ordinance approving a proposed Contract between the City and County of Denver and State of Colorado, Department of Agriculture, to purchase 300 South Technology Court in Broomfield.**

Approves an agreement for the State of Colorado to purchase 300 South Technology Court in Broomfield for \$1,090,000 as a replacement location for State property acquired by the City on the National Western Center campus (FINAN 201629340). The last regularly scheduled Council meeting within the 30-day review period is on 10-17-16. The Committee approved filing this bill by consent on 9-13-16.

Safety, Housing, Education. & Homelessness Committee**[16-0801](#) A bill for an ordinance designating the second Monday of October of each year as Indigenous Peoples' Day.**

Approves an ordinance designating the second Monday of October of each year as Indigenous Peoples Day. The Committee approved filing this bill at its meeting on 9-14-16.

Sponsors López

BILLS FOR FINAL CONSIDERATION**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.

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

Tonight there will be a required public hearing on Council Bill 549, changing the zoning classification for 3201 Walnut Street; a required public hearing on Council Bill 551, changing the zoning classification for 4402 Umatilla Street; and a required public hearing on Council Bill 597, changing the zoning classification for approximately 99 Monaco Street Parkway. 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****[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.

[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.

[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.

PRE-ADJOURNMENT ANNOUNCEMENT

ADJOURN**PENDING**

FOR 10-03-16

[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**

FOR 10-10-16

[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**