

City Council Meeting of Monday, April 17, 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
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

[17-0448](#) Minutes of Monday, April 10, 2017.

COUNCIL ANNOUNCEMENTS

PRESENTATIONS

COMMUNICATIONS

PROCLAMATIONS

[17-0452](#) **A proclamation reaffirming Denver's commitment to planet-friendly policies.**

Sponsors Kashmann, Gilmore, Brooks, Susman, Clark, Kniech, Ortega and Black

RESOLUTIONS

Finance & Governance Committee

[17-0377](#) **A resolution approving a proposed Amendatory Agreement between the City and County of Denver and Roland Process Service & Investigations, LLC to provide legal process services.**

Adds \$300,000 and two years to the contract with Roland Process Service & Investigations, LLC for a new total of \$710,000 and end date of 11-30-19 to provide writs, warrants, subpoenas, and other process services for legal matters (201525605-01). The last regularly scheduled Council meeting within the 30-day review period is on 5-8-17. The Committee approved filing this resolution by consent on 4-4-17.

[17-0382](#) A resolution approving a proposed amendment to a Master Purchase Order between the City and County of Denver and Traffic Signal Controls, Inc., to replace traffic signal control heads.

Adds \$250,000 to the master purchase order with Traffic Signal Controls, Inc. for a new total of \$720,000 for the remaining term to replace traffic signal control heads citywide (0155A0115). The last regularly scheduled Council meeting within the 30-day review period is on 5-8-17. The Committee approved filing this resolution by consent on 4-4-17.

Land Use, Transportation & Infrastructure Committee

[17-0376](#) A resolution granting a revocable permit to Sol W. Kutler to encroach into the right-of-way at 2590 Walnut Street.

Grants a revocable permit to Sol W. Kutler to encroach into the right-of-way with a new ADA ramp, existing stairs and a loading dock at 2590 Walnut Street in Council District 9. The Committee approved filing this resolution by consent on 4-4-17.

[17-0378](#) 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 Evans Avenue and South Lafayette Street.

Dedicates a parcel of land as public right-of-way as public alley located at the intersection of East Evans Avenue and South Lafayette Street in Council District 6. The Committee approved filing this resolution by consent on 4-4-17.

Safety, Housing, Education & Homelessness Committee

[17-0380](#) A resolution approving a proposed Second Amendment and Modification Agreement between the City and County of Denver and Habitat for Humanity of Metro Denver, Inc. for the purpose of amending the City's collateral for the loan.

Amends a loan agreement with Habitat for Humanity of Metro Denver for Neighborhood Stabilization II Funds from the Department of Housing and Urban Development (HUD) by substituting one affordable housing covenant on a unit located at 2668 South Decatur Street in Council District 7 for one located at 15136 East Andrews Drive in Council District 11. No change to loan amount or duration (OEDEV-GE1A008-02). The last regularly scheduled Council meeting within the 30-day review period is on 5-8-17. The Committee approved filing this resolution by consent on 4-5-17.

[17-0450](#) **A resolution authorizing and approving the expenditure and payment from the appropriation account designated "liability claims," the sum of Nine Hundred Ninety-Nine Thousand Nine Hundred Ninety-Nine Dollars (\$999,999.00), payable to Jose Hernandez and Laura Rosales, c/o Rathod Mohamedbhai, LLC, in full payment and satisfaction of all claims related to the shooting death of Jessica Hernandez.**

Settles a claim involving the Denver Police Department. This resolution was approved for filing at the Mayor-Council meeting on 4-11-17.

BILLS FOR INTRODUCTION

Land Use, Transportation & Infrastructure Committee

[17-0362](#) **A bill for an ordinance changing the zoning classification for 689 West 39th Avenue, 700 West 40th Avenue, and 725 West 39th Avenue in Globeville.**

Approves an official map amendment to rezone property located at 689 West 39th Avenue, 700 West 40th Avenue, and 725 West 39th Avenue from I-B, UO-2 and I-A, UO-2 to C-MX-20 (industrial to commercial-mixed use) 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 4-4-17.

[17-0366](#) **A bill for an ordinance changing the zoning classification for 3505-3507 West 3rd Avenue and 332 Lowell Boulevard in Barnum.**

Approves an official map amendment to rezone property located at 3505-3507 West 3rd Avenue and 332 Lowell Boulevard from E-SU-Dx to CMP-EI2 (adding to the existing campus and unifying the zone district) in Council District 3. 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 4-4-17.

[17-0368](#) A bill for an ordinance changing the zoning classification for 2880 West Holden Place, 1155 North Decatur Street, 1201 North Decatur Street and 1101 North Decatur Street in Sun Valley.

Approves an official map amendment to rezone property located at 2880 West Holden Place, 1155 North Decatur Street, 1201 North Decatur Street and 1101 North Decatur Street from PUD 487 to C-MX-5, (planned development to commercial-mixed use) in Council District 3. 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 4-4-17.

[17-0381](#) A bill for an ordinance approving the License between the City and County of Denver and Magellan Pipeline Company, L.P. relating to relocation of a pipeline into City-owned land north of 56th Avenue in Stapleton.

Approves a license agreement to allow the Magellan Pipeline Company to construct and operate pipeline facilities in City-owned land in Stapleton north of 56th Avenue. The last regularly scheduled Council meeting within the 30-day review period is on 5-8-17. The Committee approved filing this bill by consent on 4-4-17.

Special Issues: Marijuana

[17-0324](#) A bill for an ordinance amending sections 6-206 and 24-508, Denver Revised Municipal Code regarding the hours of operation of retail marijuana stores and medical marijuana centers.

Allows licensed marijuana stores to remain open until 10:00 pm. The Committee approved filing this bill at its meeting on 4-3-17.

BILLS FOR FINAL CONSIDERATION

Finance & Governance Committee

[17-0367](#) **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.**

Revises the Community Rate Salary and Training and Intern Salary schedules for City employees to comply with the State increase in minimum wage for 2017 from \$8.31 per hour to \$9.30 per hour, abolishes certain pay grades and associated ranges, and moves all classes in the Short Range schedule to the Community Rate schedule. The Committee approved filing this bill by consent on 3-28-17.

RECAP OF BILLS TO BE CALLED OUT

PRE-RECESS ANNOUNCEMENT

Tonight there will be a required public hearing on Council Bill 17-0263, changing the zoning classification for 3033 East 1st Avenue in Cherry Creek; and, a one-hour courtesy public hearing on Council Bill 17-0324, allowing licensed marijuana stores to remain open until 10:00 p.m. Anyone wishing to speak on either 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****[17-0263](#) A bill for an ordinance changing the zoning classification for 3033 East 1st Avenue in Cherry Creek.**

Approves an official map amendment to rezone property located at 3033 East 1st Avenue from PUD #55 to C-CCN-8, planned unit development to Cherry Creek North zoning, in Council District 10. The Committee approved filing this bill at its meeting on 3-7-17.

PUBLIC HEARINGS - BILLS ON INTRODUCTION**Special Issues: Marijuana****[17-0324](#) A bill for an ordinance amending sections 6-206 and 24-508, Denver Revised Municipal Code regarding the hours of operation of retail marijuana stores and medical marijuana centers.**

Allows licensed marijuana stores to remain open until 10:00 pm. The Committee approved filing this bill at its meeting on 4-3-17.

PRE-ADJOURNMENT ANNOUNCEMENT

Dependent upon publication, on Monday, May 15, 2017, Council will hold a required public hearing on Council Bill 17-0362, changing the zoning classification for 689 West 39th Avenue, 700 West 40th Avenue, and 725 West 39th Avenue in Globeville; a required public hearing on Council Bill 17-0366, changing the zoning classification for 3505-3507 West 3rd Avenue and 332 Lowell Boulevard in Barnum; and, a required public hearing on Council Bill 17-0368, changing the zoning classification for 2880 West Holden Place, 1155 North Decatur Street, 1201 North Decatur Street and 1101 North Decatur Street in Sun Valley. Any protests against Council Bill 17-0362, 17-0366, or 17-0368 must be filed with the Council Offices no later than Monday, May 8, 2017.

PENDING**For 04-24-17****[17-0311](#) A bill for an ordinance to amend Chapter 59 (Zoning) of the Denver Revised Municipal Code relating to the Denver Zoning Code and to amend and restate the Denver Zoning Code.**

Approves a text amendment to the Denver Zoning Code comprised of multiple substantive, clarification, and usability changes across the entirety of the code, prioritized in response to customer and community feedback, industry changes and other factors, to maintain a citywide zoning code that is modern, clear and user-friendly. The Committee approved filing this bill at its meeting on 3-14-17.

Final Consideration**Required Public Hearing****For 05-01-17****[17-0161](#) AS AMENDED a bill for an ordinance amending the Denver Zoning Code to revise parking exemptions for pre-existing small zone lots.**

Approves a text amendment to the Denver Zoning Code to revise the Pre-Existing Small Zone Lot parking exemption. The Committee approved filing this bill at its meeting on 2-14-17. On 2-27-17, Council held this item in Committee to 3-20-17. Amended 3-20-17 to ensure that the parking exemption is applied for all uses. Some parking requirements are calculated based on gross floor area while others are on number of units and not explicitly for gross floor area, to further clarify the legislative intent of the proposed bill to emphasize the city's commitment to more comprehensively address transportation demand management strategies in the short term, and to require a Zoning Permit with Informational Notice for all new buildings on Pre-Existing Small Zone Lots that request to use the small lot parking exemption; Enables all expansions to existing buildings to receive the full parking exemption; and clarifies at what point an "existing building" is considered a "new building" for the purposes of applying the small lot parking exemption (i.e., "Voluntary Demolition"). Amended 04-03-17 to reduce the number of stories that will be exempt from providing vehicle parking by one story from the current proposal.

Final Consideration**Required Public Hearing**