

## City Council Meeting of Monday, May 1, 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 [dencc@denvergov.org](mailto: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](mailto: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**

[17-0512](#) Minutes of Monday, April 24, 2017

**COUNCIL ANNOUNCEMENTS**

**PRESENTATIONS**

**COMMUNICATIONS**

**PROCLAMATIONS**

[17-0517](#) A proclamation recognizing National Adopt a Shelter Pet Day.

**Sponsors** Clark, New, Kashmann, Gilmore, Susman, Black, López, Ortega and Brooks

**RESOLUTIONS**

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

[17-0399](#) **A resolution approving a proposed Fifth Amendment to Agreement between the City and County of Denver and Quiz-DIA, LLC concerning a concession at Denver International Airport.**

Amends a contract with Quiz-DIA, LLC. doing business as Mesa Verde Lounge, partly due to a hardship review of the contract, by temporarily waiving the minimum annual guarantee obligation and reducing the percentage fee compensation by 50% from 7-1-15 through 1-31-16, and revising the tenant's required renovation obligation to an approved scope of work at Denver International Airport. There is no change to contract amount or duration (AC 4A005-05). The last regularly scheduled Council meeting within the 30-day review period is on 5-22-17. The Committee approved filing this resolution by consent on 4-19-17.

**[17-0400](#) A resolution approving a proposed Agreement between the City and County of Denver and B2Gnow for a software services agreement.**

Approves a five-year contract with B2Gnow, doing business as ASKReply, Inc. in the amount of \$830,950 to track, monitor, and process certifications and compliance information for the City's numerous disadvantaged business opportunity programs, and to ultimately ensure these firms receive payment for work completed citywide (201631814). The last regularly scheduled Council meeting within the 30-day review period is on 5-22-17. The Committee approved filing this resolution by consent on 4-19-17.

**[17-0401](#) A resolution approving a proposed First Amendment to Agreement between the City and County of Denver and Quiz-DIA, LLC concerning a concession at Denver International Airport.**

Amends a contract with Quiz-DIA, LLC, doing business as Quiznos (Concourse A), partly due to a hardship review of the contract, by waiving the minimum monthly guarantee and reducing by 33% the percentage fee compensation effective 7-1-15 through 1-31-16. There is no change to the contract amount or duration (201311283-01). The last regularly scheduled Council meeting within the 30-day review period is on 5-22-17. The Committee approved filing this resolution by consent on 4-19-17.

### **Finance & Governance Committee**

**[17-0309](#) A resolution approving a proposed Master Purchase Order between the City and County of Denver and Uniforms Manufacturing, Inc., for clothing and related materials for inmates at the Denver County Jail.**

Adds \$301,000 to the master purchase order with Uniforms Manufacturing, Inc. for a new total of \$800,000 for clothing and related materials for inmates at the Denver County Jail at 10500 East Smith Road in Council District 8 and the Van Cise-Simonet Detention Center at 490 West Colfax Avenue in Council District 10 (0472A0914-UNIFORMS MANUFACTURING). The last regularly scheduled Council meeting within the 30-day review period is on 5-22-17. The Committee approved filing this resolution by consent on 3-21-17.

**[17-0419](#) A resolution approving a proposed First Amendatory Agreement by and between the City and County of Denver and Bias Corporation to reduce stated maximum contract amount for Oracle licenses and support.**

Reduces the maximum in the contract with Bias Corporation by \$507,680 for a new maximum of \$5,615,000, to correct a discrepancy in pricing between vendors for Oracle licenses, maintenance, and support citywide (TECHS-201732604). The last regularly scheduled Council meeting within the 30-day review period is on 5-22-18. The Committee approved filing this resolution by consent on 4-18-17.

**[17-0432](#) A resolution approving the proposed purchase by the City and County of Denver including DIA of insurance policies through Willis of Minnesota, Inc., Arthur J. Gallagher Risk Management Services, Inc., FM Global and Huntington T. Block Insurance Agency, Inc. in an amount not to exceed \$4,033,159.**

Authorizes the annual renewal of the City's property and liability insurance policies renewing 05-01-17 with a total premium for all policies not to exceed \$4,033,159 (Willis: FINAN-201419400; Arthur J. Gallagher: FINAN-201419401; Huntington T. Block: FINAN-201415384-01). The last regularly scheduled Council meeting within the 30-day review period is on 5-22-17. The Committee approved filing this resolution by consent on 4-18-17.

**[17-0433](#) A resolution approving a proposed Master Purchase Order between the City and County of Denver and Millerbernd Manufacturing Company to provide light poles, mast arms, luminaire arms and related parts.**

Approves a \$3 million, five-year master purchase order with Millerbernd Manufacturing Company for light poles, mast arms, luminaire arms, and related parts for street lighting citywide (10888A0117). The last regularly scheduled Council meeting within the 30-day review period is on 5-22-17. The Committee approved filing this resolution by consent on 4-18-17.

**Land Use, Transportation & Infrastructure Committee****[17-0312](#) A resolution approving a proposed Contract between the City and County of Denver and Sturgeon Electric Company, Inc. for upgrades related to the Ramp 1-42 Morrison/Alameda/Knox Project.**

Approves a contract with Sturgeon Electric Company, Inc. for \$1,222,417.58 and for four months for traffic signal upgrades and bicycle traffic signals, curb-line, striping, and signage changes to create an above-curb bike trail crossing to the Knox Court Neighborhood Bikeway, located near the intersection of Morrison Road, Knox Court, Alameda Avenue and Nevada Place in Council District 3 (201631974). The last regularly scheduled Council meeting within the 30-day review period is on 5-22-17. The Committee approved filing this resolution by consent on 3-14-17.

**[17-0426](#) A resolution laying out, opening and establishing as part of the City street system a parcel of land as South Colorado Boulevard at the intersection of East Kentucky Avenue and South Colorado Boulevard.**

Dedicates a parcel of land as public right-of-way as South Colorado Boulevard, located at the intersection of East Kentucky Avenue and South Colorado Boulevard, in Council District 6. The Committee approved filing this resolution by consent on 4-18-17.

**Safety, Housing, Education & Homelessness Committee****[17-0369](#) A resolution approving a proposed First Amendment to Data Access Agreement by and between the City and County of Denver and Background Information Services, Inc., to extend term and increase revenue for data management access.**

Amends a contract with Background Information Services, Inc. by adding \$366,714 for a total contract in the amount of \$725,256 and to add one year for a new end date of 4-7-18 to conduct name searches related to public Denver County Court data through a web service developed by the court in 2010 (201627011-01). The last regularly scheduled Council meeting within the 30-day review period is on 5-22-17. The Committee approved filing this resolution by consent on 3-29-17.

**[17-0444](#) A resolution approving the Mayor's appointment to the Head Start Policy Council.**

Approves the Mayoral appointment of Jeffrey Cuneo to the Head Start Policy Council for a term effective immediately and expiring on 4-10-18, or until a successor is duly appointed. The Committee approved filing this resolution on 4-19-17.

**[17-0445](#) A resolution approving the Mayor's appointments to the Citizen Oversight Board.**

Approves the Mayoral appointments of Molly Gallegos and Nikki Braziel to the Citizen Oversight Board for terms effectively immediately and expiring 1-1-21, or until successors are duly appointed. The Committee approved filing this resolution on 4-19-17.

**[17-0515](#) A resolution authorizing and approving the expenditure and payment from the appropriation account designated "liability claims," the sum of Sixty Thousand Dollars (\$60,000.00), payable to Molly Miranda Craig and Heideman Poor, LLC, in full payment and satisfaction of all claims in Case No. 2015CV31713, in the District Court for the City and County of Denver, Colorado.**

Settles a claim involving the Denver Police Department. This resolution was approved for filing at the Mayor-Council meeting on 4-25-17.

**[17-0516](#) A resolution authorizing and approving the expenditure and payment from the appropriation account designated "liability claims," the sum of One Hundred Eighty-Five Thousand Dollars (\$185,000.00), payable to Brandon Schreiber c/o Rathod Mohamedbhai, LLC, in full payment and satisfaction of all claims in Case No. 16-cv-00203-LTB-MEH, 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 4-25-17.

**BILLS FOR INTRODUCTION****Finance & Governance Committee**

[17-0428](#) **A bill for an ordinance authorizing and approving (i) the use of an amount not to exceed \$65,000,000 of Private Activity Bond Volume Cap Allocation for the purpose of making a mortgage credit certificate election; and (ii) the MCC Program Administration Agreement, Lender Participation Agreement and MCC Program Guidelines.**

Authorizes and approves (i) the use of an amount not to exceed \$65 million of Private Activity Bond Volume Cap Allocation for the purpose of making a mortgage credit certificate (MCC) election; and (ii) the MCC Program Administration Agreement, Lender Participation Agreement and the MCC Program Guidelines. The Committee approved filing this bill at its meeting on 4-18-17.

[17-0429](#) **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 Fire Alarm Technician at pay grade J-621, Fire Sprinkler Technician at pay grade J-621, and Millwright at pay grade J-621 to the Classification and Pay Plan. The Committee approved filing this bill by consent on 4-18-17.

[17-0430](#) **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.**

Changes the pay grade of Manager of Air Service Development from A-815 to A-817. The Committee approved filing this bill by consent on 4-18-17.

[17-0431](#) **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.**

Creates the job title Senior Director of Information Technology at pay grade I-821. The Committee approved filing this bill by consent on 4-18-17.

**[17-0446](#) A bill for an ordinance rescinding budget from Capital Improvements and Capital Maintenance Projects and making appropriations for Capital Improvements and Capital Maintenance Projects.**

Rescinds \$2.4 million in the capital improvement fund from the Marion Underpass project and re-appropriates \$1.6 million to the Washington Street Preliminary Design project, and \$800,000 to the 47th and York project to fund critical mobility capital project needs in Council District 9. The Committee approved filing this bill by consent on 4-18-17.

**[17-0447](#) A bill for an ordinance to appropriate funds from the Capital Improvement and Capital Maintenance and State Conservation Trust Funds.**

Appropriates \$250,000 from the State Conservation Trust Fund contingency and \$480,000 from the Capital Improvement Fund contingency for a total amount of \$730,000 to the Citywide Courts Rehabilitation project for the repair and rehabilitation of portions of the Berkeley Lake Park tennis courts and Eisenhower Park tennis courts to mitigate health and safety hazards and allow for programming and development to resume in Council Districts 1 and 4. The Committee approved filing this bill by consent on 4-18-17.

## **BILLS FOR FINAL CONSIDERATION**

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

**[17-0391](#) A bill for an ordinance vacating an alley near the intersection of West 4th Avenue and Kalamath Street, with reservations.**

Vacates the alley located at West 4th Avenue and Kalamath Street, with reservations, in Council District 7. The Committee approved filing this bill by consent on 4-11-17.

**[17-0392](#) A bill for an ordinance relinquishing four easements dedicated to the City by the Denver Connection West Filing No. 1 subdivision, recorded with the Denver Clerk & Recorder at Reception Number 2016106834.**

Relinquishes certain easements conveyed in the Denver Connection West Filing No. 1 Subdivision, recorded on 08-12-16 with reception no. 2016106834, located along Kittredge Street from Warner Drive to Elk Drive in Council District 11. The last regularly scheduled Council meeting within the 30-day review period is on 5-15-17. The Committee approved filing this bill by consent on 4-11-17.



**[17-0394](#) A bill for an ordinance authorizing the purchase of capital equipment from the Asphalt Plant Fund.**

Approves a capital equipment expenditure for \$1.1 million for the purchase of an asphalt crushing and screening system to recycle existing materials for the production of asphalt for street paving operations citywide. The Committee approved filing this bill by consent on 4-11-17.

**[17-0402](#) A bill for an ordinance authorizing the purchase of capital equipment from the Wastewater Management Enterprise Fund.**

Approves a one-time capital equipment expenditure for \$210,000 to procure two utility trucks for use in Public Works manhole adjustment operations to adjust manhole castings in conjunction with the Street Maintenance overlay program on a yearly basis citywide. The Committee approved filing this bill by consent on 4-11-17.

**[17-0406](#) A bill for an ordinance relinquishing a portion of the easement established by Ordinance No. 793, Series of 2002, located at 2520 East Alameda Circle.**

Relinquishes a portion of the easement established in Vacating Ordinance No. 793, Series of 2002, located at 2520 East Alameda Circle in Council District 10. The last regularly scheduled Council meeting within the 30-day review period is on 5-15-17. The Committee approved filing this bill by consent on 4-11-17.

## **RECAP OF BILLS TO BE CALLED OUT**

### **PRE-RECESS ANNOUNCEMENT**

Tonight there will be a required public hearing on Council Bill 17-0161 as amended, amending the Denver Zoning Code to revise parking exemptions for pre-existing small zone lots. Anyone wishing to speak on this matter 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****[17-0161](#) 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.

**PRE-ADJOURNMENT ANNOUNCEMENT****ADJOURN**

**PENDING**

FOR 5-15-17

**[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. The Committee approved filing this bill at its meeting on 4-4-17.

**Final Consideration****Required Public Hearing****[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. The Committee approved filing this bill at its meeting on 4-4-17.

**Final Consideration****Required Public Hearing****[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. The Committee approved filing this bill at its meeting on 4-4-17.

**Final Consideration****Required Public Hearing**