

City Council Minutes

Meeting Date: Monday, May 15, 2017 5:30 PM

PLEDGE OF ALLEGIANCE

Council member Espinoza led the Pledge of Allegiance.

ROLL CALL

Present: Brooks, Clark, Espinoza, Flynn, Gilmore, Herndon,
Kashmann, Kniech, López, New, Ortega, Susman (12)
Absent: Black (1)

APPROVAL OF THE MINUTES

[17-0543](#) Minutes of Monday, May 1, 2017.

The minutes of Monday, May 1, 2017, were approved.

Approved

The minutes of meeting date, Monday, May 1, 2017, were distributed to Council. Council President Brooks ordered the minutes approved.

[17-0567](#) Minutes of Monday, May 8, 2017

The minutes of Monday, May 8, 2017, were approved.

Approved

The minutes of meeting date, Monday, May 8, 2017, were distributed to Council. Council President Brooks ordered the minutes approved.

COUNCIL ANNOUNCEMENTS

Council members Herndon, Flynn, Ortega, New, Kashmann, Gilmore, Espinoza, and Brooks offered announcements.

PRESENTATIONS

COMMUNICATIONS

PROCLAMATIONS

[17-0544](#) **A proclamation declaring May 15 as National Peace Officer Day and the Week of May 15 as National Police Week.**

A motion offered by Councilman Flynn, duly seconded by Councilman Kashmann, that Proclamation 17-0544 be adopted. The motion carried by the following vote:

Adopted

Councilman Herndon asked to be added as a sponsor of 17-0544.

Aye: Brooks, Clark, Espinoza, Flynn, Gilmore, Herndon,
Kashmann, Kniech, López, New, Ortega, Susman (12)

Nay: (None) (0)

Absent: Black (1)

[17-0545](#) **A proclamation recognizing May 19th as "Hepatitis Testing Day" and July 28th as "World Hepatitis Day".**

A motion offered by Councilman López, duly seconded by Councilwoman Ortega, that Proclamation 17-0545 be adopted. The motion carried by the following vote:

Adopted

Aye: Brooks, Clark, Espinoza, Flynn, Gilmore, Herndon,
Kashmann, Kniech, López, New, Ortega, Susman (12)
Nay: (None) (0)
Absent: Black (1)

RESOLUTIONS

Business, Arts, Workforce & Aeronautical Services Committee

Block Vote

Block Vote

A motion offered by Councilman Espinoza, duly seconded by Councilman López, to approve the following items en bloc. The motion carried by the following vote:

Approved the consent agenda

Aye: Brooks, Clark, Espinoza, Flynn, Gilmore, Herndon,
Kashmann, Kniech, López, New, Ortega, Susman (12)
Nay: (None) (0)
Absent: Black (1)

17-0398 A resolution approving a proposed Agreement between the City and County of Denver and K&H, LLC concerning strategic marketing at Denver International Airport.

Approves a five-year contract with K&H, LLC in the amount of \$15,310,800 for all consolidated strategic marketing needs in the areas of advertising, marketing, media services, promotions, creative services, customer experience and research including account management and marketing campaigns at Denver International Airport (201631111). The last regularly scheduled Council meeting within the 30-day review period is on 5-22-17. The Committee approved filing this resolution at its meeting on 4-26-17.

A motion offered by Councilman Espinoza, duly seconded by Councilman López, that Resolution 17-0398 be adopted en bloc, carried by the following vote:

Adopted

Aye: Brooks, Clark, Espinoza, Flynn, Gilmore, Herndon,
Kashmann, Kniech, López, New, Ortega, Susman (12)
Nay: (None) (0)
Absent: Black (1)

17-0467 A resolution approving a proposed Agreement between the City and County of Denver and Terracon Consultants, Inc. concerning geotechnical services at Denver International Airport.

Approves a five-year contract with Terracon Consultants, Inc. in the amount of \$5 million for geotechnical services including soil assessments, ground water investigations, and other geotechnical reporting as part of the planning and design of future capital improvement and maintenance projects at Denver International Airport (201628523). 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 4-26-17.

A motion offered by Councilman Espinoza, duly seconded by Councilman López, that Resolution 17-0467 be adopted en bloc, carried by the following vote:

Adopted

Aye: Brooks, Clark, Espinoza, Flynn, Gilmore, Herndon, Kashmann, Kniech, López, New, Ortega, Susman (12)
Nay: (None) (0)
Absent: Black (1)

17-0477 A resolution approving the City Council appointment of Beau Augustin to the Denver County Cultural Council.

Appoints Beau Augustin to the Denver County Cultural Council as the Denver Public Schools representative for a term effective immediately and expiring on 10-1-19, or until a successor is duly appointed. The Committee approved filing this resolution by consent on 5-3-17.

A motion offered by Councilman Espinoza, duly seconded by Councilman López, that Resolution 17-0477 be adopted en bloc, carried by the following vote:

Adopted

Aye: Brooks, Clark, Espinoza, Flynn, Gilmore, Herndon, Kashmann, Kniech, López, New, Ortega, Susman (12)
Nay: (None) (0)
Absent: Black (1)

17-0502 A resolution approving a proposed First Amendment between the City and County of Denver and McKinstry Essention, LLC concerning on-call professional services at Denver International Airport.

Amends a contract with McKinstry Essention, LLC to add \$1 million for a new contract total in the amount of \$3 million for on-call 3rd-party commissioning services for capital improvement projects including assistance with design reviews, submittal reviews, providing functional testing of equipment, construction observation, post-occupancy testing, and reporting at Denver International Airport. There is no change to the contract duration (201522925-01). The last regularly scheduled Council meeting within the 30-day review period is on 6-5-17. The Committee approved filing this resolution by consent on 5-3-17.

A motion offered by Councilman Espinoza, duly seconded by Councilman López, that Resolution 17-0502 be adopted en bloc, carried by the following vote:

Adopted

Aye: Brooks, Clark, Espinoza, Flynn, Gilmore, Herndon, Kashmann, Kniech, López, New, Ortega, Susman (12)
Nay: (None) (0)

Absent: Black (1)

[17-0504](#) A resolution approving a proposed Second Amendment to Agreement between the City and County of Denver and Clean Energy & Technologies, LLC concerning vehicle fueling stations at Denver International Airport.

Amends a contract with Clean Energy & Technologies, LLC to add one year for a new end date of 4-30-18 for six vehicle fueling stations and the purchase of compressed natural gas for the vehicles and shuttle buses used to support the public and employee passenger system at Denver International Airport. There is no change to the contract amount (CE57002/AR68001). The last regularly scheduled Council meeting within the 30-day review period is on 6-5-17. The Committee approved filing this resolution by consent on 5-3-17.

A motion offered by Councilman Espinoza, duly seconded by Councilman López, that Resolution 17-0504 be adopted en bloc, carried by the following vote:

Adopted

Aye: Brooks, Clark, Espinoza, Flynn, Gilmore, Herndon, Kashmann, Kniech, López, New, Ortega, Susman (12)

Nay: (None) (0)

Absent: Black (1)

Finance & Governance Committee

[17-0457](#) A resolution approving a proposed Master Purchase Order between the City and County of Denver and Genuine Parts Co., dba NAPA Auto Parts, to purchase auto parts.

Approves a three and a half year, \$2 million master purchase order with Genuine Parts Co. for auto parts for the repair and maintenance of the City's fleet vehicles (5951L0117). 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 4-25-17.

A motion offered by Councilman Espinoza, duly seconded by Councilman López, that Resolution 17-0457 be adopted en bloc, carried by the following vote:

Adopted

Aye: Brooks, Clark, Espinoza, Flynn, Gilmore, Herndon, Kashmann, Kniech, López, New, Ortega, Susman (12)

Nay: (None) (0)

Absent: Black (1)

[17-0458](#) A resolution approving a proposed Master Purchase Order between the City and County of Denver and O.J. Watson Company, Inc. for equipment parts for City and DEN snow removal equipment.

Approves a \$800,000 master purchase order with O.J. Watson Equipment Company through 07-31-18 for snow equipment parts for City and airport snow removal equipment (0037A0417). The last regularly scheduled Council meeting within the 30-day review period is on 6-5-17. The Committee approved filing this resolution by consent on 4-25-17.

A motion offered by Councilman Espinoza, duly seconded by Councilman López, that Resolution 17-0458 be adopted en bloc, carried by the following vote:

Adopted

Aye: Brooks, Clark, Espinoza, Flynn, Gilmore, Herndon,
Kashmann, Kniech, López, New, Ortega, Susman (12)
Nay: (None) (0)
Absent: Black (1)

17-0459 A resolution approving a proposed Master Purchase Order between the City and County of Denver and Hardline Equipment LLC to extend the term and amount of the prior Master Purchase Order for auto parts.

Adds \$300,000 and one year to the master purchase order with Hardline Equipment, LLC for a new total of \$1.5 million and end date of 03-31-18 for truck parts for repair and maintenance of the City's solid waste truck fleet (0120A0312). 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 4-25-17.

A motion offered by Councilman Espinoza, duly seconded by Councilman López, that Resolution 17-0459 be adopted en bloc, carried by the following vote:

Adopted

Aye: Brooks, Clark, Espinoza, Flynn, Gilmore, Herndon,
Kashmann, Kniech, López, New, Ortega, Susman (12)
Nay: (None) (0)
Absent: Black (1)

17-0460 A resolution approving a proposed Master Purchase Order between the City and County of Denver and OJ Watson Company, Inc. to extend the term and total amount of the prior Purchase Order for auto parts.

Adds \$150,000 and one year to the master purchase order with O.J. Watson Co., Inc. for a new amount of \$600,000 and end date of 07-31-18 for truck and trailer parts to repair and maintain Public Works vehicles and equipment (0298A0213). 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 6-5-17.

A motion offered by Councilman Espinoza, duly seconded by Councilman López, that Resolution 17-0460 be adopted en bloc, carried by the following vote:

Adopted

Aye: Brooks, Clark, Espinoza, Flynn, Gilmore, Herndon,
Kashmann, Kniech, López, New, Ortega, Susman (12)
Nay: (None) (0)
Absent: Black (1)

17-0487 A resolution approving the Mayor's appointment to the Career Service Board.

Approves the Mayoral appointment of Tracy Winchester to the Career Service Board for a term effective immediately and expiring 09-16-19. The Committee approved filing this resolution by consent on 05-02-17.

A motion offered by Councilman Espinoza, duly seconded by Councilman López, that Resolution 17-0487 be adopted en bloc, carried by the following vote:

Adopted

Aye: Brooks, Clark, Espinoza, Flynn, Gilmore, Herndon,
Kashmann, Kniech, López, New, Ortega, Susman (12)
Nay: (None) (0)

Absent: Black (1)

17-0496 A resolution approving a proposed Amendatory Agreement between the City and County of Denver and Standard Insurance Company to provide 2017 employee life and disability insurance to eligible employees.

Corrects the definition of “covered member” under the 2017 Standard Insurance Company agreement for life, accidental death and dismemberment, long term disability, and short term disability insurance offered to eligible City employees. (CSAHR-201631065-01). The last regularly scheduled Council meeting within the 30-day review period is on 6-5-17. The Committee approved filing this resolution by consent on 5-2-17.

A motion offered by Councilman Espinoza, duly seconded by Councilman López, that Resolution 17-0496 be adopted en bloc, carried by the following vote:

Adopted

Aye: Brooks, Clark, Espinoza, Flynn, Gilmore, Herndon, Kashmann, Kniech, López, New, Ortega, Susman (12)

Nay: (None) (0)

Absent: Black (1)

17-0505 A resolution approving a proposed Revival and Eleventh Amendatory Agreement between the City and County of Denver and Infor (US), Inc. for software licenses, maintenance and technical support for a physical asset management application used by multiple city agencies.

Adds \$150,316.26 and one year to the contract with Infor (US), Inc. for a new total of \$1,281,325.15 and end date of 12-31-17 for additional licenses, software maintenance and technical support for the City’s Enterprise Asset Management software, a system used by multiple agencies for routine functions including scheduling preventative maintenance on equipment, appropriating technicians, and other day-to-day operations, citywide (TECHS-CE21375). The last regularly scheduled Council meeting within the 30-day review period is on 6-5-17. The Committee approved filing this resolution by consent on 5-2-17.

A motion offered by Councilman Espinoza, duly seconded by Councilman López, that Resolution 17-0505 be adopted en bloc, carried by the following vote:

Adopted

Aye: Brooks, Clark, Espinoza, Flynn, Gilmore, Herndon, Kashmann, Kniech, López, New, Ortega, Susman (12)

Nay: (None) (0)

Absent: Black (1)

17-0548 A resolution approving the appointment of Michael A. Lopez to serve as a member of the Board of Ethics Nomination Committee.

Appoints Michael A. Lopez to serve as a Council-appointed member of the Board of Ethics Nomination Committee through 5-29-21. The Committee approved filing this resolution by consent on 5-2-17.

A motion offered by Councilman Espinoza, duly seconded by Councilman López, that Resolution 17-0548 be adopted en bloc, carried by the following vote:

Adopted

Aye: Brooks, Clark, Espinoza, Flynn, Gilmore, Herndon, Kashmann, Kniech, López, New, Ortega, Susman (12)

Nay: (None) (0)

Absent: Black (1)

Land Use, Transportation & Infrastructure Committee

17-0434 A resolution approving and providing for the execution of a proposed contract between the City and County of Denver and the Denver Parks and Recreation Foundation, Inc. d/b/a The Park People concerning the "Sundial Terrace at Cranmer Park". project and the funding therefor.

Accepts funds from The Park People in the amount of \$680,000 to support the complete renovation and restoration of the terrace and sundial at Cranmer Park in Council District 5. 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.

A motion offered by Councilman Espinoza, duly seconded by Councilman López, that Resolution 17-0434 be adopted en bloc, carried by the following vote:

Adopted

Aye: Brooks, Clark, Espinoza, Flynn, Gilmore, Herndon, Kashmann, Kniech, López, New, Ortega, Susman (12)

Nay: (None) (0)

Absent: Black (1)

17-0462 A resolution approving a proposed Purchase Order between the City and County of Denver and Trans-West Truck, Inc. for purchase of new vehicles to replace older models in the City's street maintenance fleet.

Approves the purchase of two 2017 Freightliner quad axle trucks and six 2017 Freightliner tandem axle trucks from Trans-West Truck, Inc. at a total cost of \$997,056 to replace aging vehicles beyond their useful life with new models for the City's street maintenance fleet (PWOPS 0000012865). 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 4-25-17.

A motion offered by Councilman Espinoza, duly seconded by Councilman López, that Resolution 17-0462 be adopted en bloc, carried by the following vote:

Adopted

Aye: Brooks, Clark, Espinoza, Flynn, Gilmore, Herndon, Kashmann, Kniech, López, New, Ortega, Susman (12)

Nay: (None) (0)

Absent: Black (1)

17-0464 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 South Ogden Street and East Ellsworth Avenue.

Dedicates a parcel of land as public right-of-way as public alley located at the intersection of South Ogden Street and East Ellsworth Avenue in Council District 7. The Committee approved filing this resolution by consent on 4-25-17.

A motion offered by Councilman Espinoza, duly seconded by Councilman López, that Resolution 17-0464 be adopted en bloc, carried by the following vote:

Adopted

Aye: Brooks, Clark, Espinoza, Flynn, Gilmore, Herndon, Kashmann, Kniech, López, New, Ortega, Susman (12)

Nay: (None) (0)

Absent: Black (1)

[17-0465](#) A resolution laying out, opening and establishing as part of the City street system parcels of land as Tower Road near the intersections of East 60th Avenue and Tower Road and East 64th Avenue and Tower Road.

Dedicates City-owned land as Tower Road, located near the intersections of East 60th Avenue and Tower Road and East 64th Avenue and Tower Road in Council District 11. The Committee approved filing this resolution by consent on 4-25-17.

A motion offered by Councilman Espinoza, duly seconded by Councilman López, that Resolution 17-0465 be adopted en bloc, carried by the following vote:

Adopted

Aye: Brooks, Clark, Espinoza, Flynn, Gilmore, Herndon, Kashmann, Kniech, López, New, Ortega, Susman (12)

Nay: (None) (0)

Absent: Black (1)

[17-0468](#) A resolution granting a revocable permit to Israel and Leticia Hernandez, to encroach into the right-of-way at 4701 Lincoln Street.

Grants a revocable permit to Israel and Leticia Hernandez to encroach into the right-of-way with a retaining wall and eight columns at 4701 Lincoln Street in Council District 9. The Committee approved filing this resolution by consent on 4-25-17.

A motion offered by Councilman Espinoza, duly seconded by Councilman López, that Resolution 17-0468 be adopted en bloc, carried by the following vote:

Adopted

Aye: Brooks, Clark, Espinoza, Flynn, Gilmore, Herndon, Kashmann, Kniech, López, New, Ortega, Susman (12)

Nay: (None) (0)

Absent: Black (1)

[17-0469](#) A resolution granting a revocable permit to Magellan Pipeline Company, L.P., to encroach into the right-of-way near the intersection of East 56th Avenue and Havana Street.

Grants a revocable permit to Magellan Pipeline Company to encroach into the right-of-way with an existing 2,477 linear foot, 6-inch refined petroleum products pipeline at approximately 9701 East 56th Avenue in Council District 8. The Committee approved filing this resolution by consent on 5-2-17.

A motion offered by Councilman Espinoza, duly seconded by Councilman López, that Resolution 17-0469 be adopted en bloc, carried by the following vote:

Adopted

Aye: Brooks, Clark, Espinoza, Flynn, Gilmore, Herndon, Kashmann, Kniech, López, New, Ortega, Susman (12)

Nay: (None) (0)

Absent: Black (1)

17-0508 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 East 16th Avenue and Pearl Street.

Dedicates a parcel of land as public right-of-way as public alley located at the intersection of East 16th Avenue and Pearl Street in Council District 10. The Committee approved filing this resolution by consent on 5-2-17.

A motion offered by Councilman Espinoza, duly seconded by Councilman López, that Resolution 17-0508 be adopted en bloc, carried by the following vote:

Adopted

Aye: Brooks, Clark, Espinoza, Flynn, Gilmore, Herndon, Kashmann, Kniech, López, New, Ortega, Susman (12)

Nay: (None) (0)

Absent: Black (1)

Safety, Housing, Education & Homelessness Committee

17-0308 A resolution approving a proposed Fifth Amendatory Agreement between the City and County of Denver and Volunteers of America, Colorado Branch, aka Volunteers of America, to provide temporary and housing support services to the homeless.

Amends a contract with Volunteers of America by adding \$90,000 for a new total contract amount of \$610,786.50 and extending the term through 9-30-17 to provide up to ten beds per night for Denver's homeless Veteran women population including women with children to improve residential stability, income stability, and self-determination through the Home Again Program (SOCSV-2013-09649-05). 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 3-15-17.

A motion offered by Councilman Espinoza, duly seconded by Councilman López, that Resolution 17-0308 be adopted en bloc, carried by the following vote:

Adopted

Aye: Brooks, Clark, Espinoza, Flynn, Gilmore, Herndon, Kashmann, Kniech, López, New, Ortega, Susman (12)

Nay: (None) (0)

Absent: Black (1)

17-0328 A resolution approving a proposed Agreement between the City and County of Denver and The Colorado Coalition for the Homeless to provide rental assistance and support services to the homeless.

Approves a contract with the Colorado Coalition for the Homeless in the amount of \$2,497,840 and contract term through 3-31-18 for rental assistance of 240 units of housing for chronically homeless individuals living with disabilities using funds through the Continuum of Care Housing First grant from the U.S. Department of Housing and Urban Development (HUD). The last regularly scheduled Council meeting within the 30-day review period is on 6-5-17. The Committee approved filing this resolution by consent on 3-22-17.

A motion offered by Councilman Espinoza, duly seconded by Councilman López, that Resolution 17-0328 be adopted en bloc, carried by the following vote:

Adopted

Aye: Brooks, Clark, Espinoza, Flynn, Gilmore, Herndon, Kashmann, Kniech, López, New, Ortega, Susman (12)

Nay: (None) (0)

Absent: Black (1)

17-0420 A resolution approving a proposed First Amendment to Revenue Agreement by and between the City and County of Denver and Colorado Interactive, LLC to revise the fee structure and extend the term for the Denver County Court's E-Filing System.

Amends a contract with Colorado Interactive, LLC by adding \$371,184 for a new contract total in the amount of \$417,434, and to add two years for a new end date of 3-31-21 for a fee agreement to develop, install, manage and maintain a payment mechanism for the Denver County Court's Civil E-Filing system including additional enhancements citywide (201419720-01). 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.

A motion offered by Councilman Espinoza, duly seconded by Councilman López, that Resolution 17-0420 be adopted en bloc, carried by the following vote:

Adopted

Aye: Brooks, Clark, Espinoza, Flynn, Gilmore, Herndon,
Kashmann, Kniech, López, New, Ortega, Susman (12)

Nay: (None) (0)

Absent: Black (1)

17-0500 A resolution approving and providing for the execution of a proposed amended grant agreement between the City and County of Denver and the State of Colorado concerning the "Community Services Block Grant (CSBG) FY17-18" program and the funding therefor.

Amends a contract with the State of Colorado's Department of Local Affairs to accept the Community Services Block Grant (CSBG) award in the amount of \$557,737 for fiscal year 2017-2018, for a total of \$2,588,991 to deliver employment services, financial counseling, and emergency housing to low-income families and individuals (SOCSV-2015-22154-04). The last regularly scheduled Council meeting within the 30-day review period is on 6-5-17. The Committee approved filing this resolution by consent on 5-3-17.

A motion offered by Councilman Espinoza, duly seconded by Councilman López, that Resolution 17-0500 be adopted en bloc, carried by the following vote:

Adopted

Aye: Brooks, Clark, Espinoza, Flynn, Gilmore, Herndon,
Kashmann, Kniech, López, New, Ortega, Susman (12)

Nay: (None) (0)

Absent: Black (1)

BILLS FOR INTRODUCTION

Finance & Governance Committee

[17-0472](#) A bill for an ordinance appropriating the Wastewater East Corridor Certificates of Participation payment for 2017.

Appropriates \$762,778 for the total citywide 2017 lease payments associated with Lease Purchase Agreement No. 2012C with Denver Properties Leasing Trust 2012C, more commonly known as the East Corridor COP payment, that was inadvertently excluded from the 2017 Annual Appropriation Ordinance passed in 2016. The Committee approved filing this bill by consent on 4-25-17.

Council Bill 17-0472 was ordered published on first reading.

Ordered published on first reading

[17-0474](#) A bill for an ordinance authorizing the purchase of capital equipment from the General Fund.

Approves an approximately \$50,000 capital equipment expenditure for a Dulevo 850 mini-sweeper for the Street Maintenance Division of Public Works. The Committee approved filing this bill by consent on 4-25-17.

Council Bill 17-0474 was ordered published on first reading.

Ordered published on first reading

Land Use, Transportation & Infrastructure Committee

[17-0396](#) A bill for an ordinance approving a proposed Amendatory Intergovernmental Agreement between the City and County of Denver and the Denver Board of Water Commissioners, for the City's Broadway Reconstruction Project.

Amends an intergovernmental agreement with Denver Board of Water Commissioners by adding \$432,525.59 for a new total of \$1,577,675.41 for additional reimbursement to the City to accommodate the installation of new domestic waterlines and the relocation of a portion of conduit 61, as part of the reconstruction of Broadway between Arizona Avenue and Kentucky Avenue and the reconstruction of Mississippi Avenue between Santa Fe Drive and Broadway, in Council District 7 (201416527-01). The last regularly scheduled Council meeting within the 30-day review period is on 6-5-17. The Committee approved filing this bill by consent on 4-11-17.

Council Bill 17-0396 was ordered published on first reading.

Ordered published on first reading

[17-0435](#) A bill for an ordinance changing the zoning classification for 4201, 4203, 4211 & 4221 Brighton Blvd. in Elyria Swansea.

Approves an official map amendment to rezone property located at 4201, 4203, 4211 & 4221 Brighton Boulevard from I-A, UO-2 to I-MX-8, UO-2 (industrial to industrial, mixed-use) in Council District 9. IF ORDERED PUBLISHED, A PUBLIC HEARING WILL BE HELD ON THIS ITEM. REFER TO THE "PENDING" SECTION OF THE FUTURE COUNCIL MEETING AGENDAS FOR THE DATE. The Committee approved filing this bill at its meeting on 4-25-17.

Council Bill 17-0435 was ordered published with future required public hearing on 06-12-17.

Ordered published with future required public hearing

[17-0436](#) A bill for an ordinance changing the zoning classification for 4000, 4020 & 4120 Brighton Blvd. in Elyria Swansea.

Approves an official map amendment to rezone property located at 4000, 4020, & 4120 Brighton Boulevard from I-MX-5, UO-2 to I-MX-8, UO2 (industrial, mixed-use with a 5-story limit to industrial mixed-use with an 8-story limit) in Council District 9. IF ORDERED PUBLISHED, A PUBLIC HEARING WILL BE HELD ON THIS ITEM. REFER TO THE "PENDING" SECTION OF THE FUTURE COUNCIL MEETING AGENDAS FOR THE DATE. The Committee approved filing this bill at its meeting on 4-25-17.

Council Bill 17-0436 was ordered published with future required public hearing on 06-12-17.

Ordered published with future required public hearing

[17-0456](#) A bill for an ordinance approving a proposed Intergovernmental Agreement between the City and County of Denver and the State of Colorado, relating to the "DRCOG FY16-21 TIP Iowa Underpass" project and the funding therefor.

Approves a grant agreement with the Colorado Department of Transportation (CDOT) for \$1,472,500 and for three years to partially fund the construction of ADA-compliant ramps, retaining walls, improvements at the intersection, lighting improvements, and other features of the Iowa Underpass project located near the intersection of West Iowa Avenue and South Santa Fe Drive in Council District 7 (201734092). The last regularly scheduled Council meeting within the 30-day review period is on 5-22-17. The Committee approved filing this bill by consent on 4-25-17.

Council Bill 17-0456 was ordered published on first reading.

Ordered published on first reading

[17-0463](#) A bill for an ordinance approving a proposed Intergovernmental Agreement between the City and County of Denver and the State of Colorado, relating to the "Highline Canal at Mississippi & Parker" project and the funding therefor.

Approves a grant agreement with the Colorado Department of Transportation (CDOT) for \$3,201,600 and for five years to partially fund improvements to the High Line Canal including a bike and pedestrian underpass that is 14-feet wide and approximately 160 feet in length located near the intersection of East Mississippi Avenue and South Parker Road in Council District 5 (201734151). The last regularly scheduled Council meeting within the 30-day review period is on 5-22-17. The Committee approved filing this bill by consent on 4-25-17.

Council Bill 17-0463 was ordered published on first reading.

Ordered published on first reading

[17-0470](#) A bill for an ordinance vacating a portion of right-of-way near the intersection of East 26th Avenue and Clarkson Street, with reservations.

Vacates a portion of public right-of-way adjacent to 2714 Welton Street at the corner of 26th Avenue and Clarkson Street in Council District 9. The Committee approved filing this bill by consent on 4-25-17.

Council Bill 17-0470 was ordered published on first reading.

Ordered published on first reading

[17-0511](#) A bill for an ordinance relinquishing the easements established by the Permanent Non-Exclusive Easement and the Correction Permanent Non-Exclusive Easement which are recorded with Denver Clerk & Recorder at Reception Nos. 2014103195 and 2014154646, respectively, located at 3515 Ringsby Court.

Relinquishes two easements with reception numbers 2014103195 and 2014154646 located at 3515 Ringsby Court in Council District 9. The last regularly scheduled Council meeting within the 30-day review period is on 6-5-17. The Committee approved filing this resolution by consent on 5-2-17.

Council Bill 17-0511 was ordered published on first reading.

Ordered published on first reading

Safety, Housing, Education & Homelessness Committee

[17-0513](#) A bill for an ordinance amending the sentencing structure for violations of the Denver Revised Municipal Code, modifying the general penalty, and creating a tiered penalty system for different levels of class 1 and class 2 violations.

Amends various sections of the Denver Revised Municipal Code to reform the City's sentencing structure by modifying the general penalties and creating a tiered penalty system for violations of the municipal code. The Committee approved filing this bill at its meeting on 5-3-17.

Council Bill 17-0513 was ordered published with future courtesy public hearing on 05-22-17.

Ordered published with future courtesy public hearing

Councilman López requested a one-hour courtesy public on 2nd reading or final consideration Monday, May 22, 2017.

Special Issues: Marijuana

17-0523 AS AMENDED a bill for an ordinance amending the Denver Retail Marijuana Code and the Denver Medical Marijuana Code to provide for a waiting period before new applications can be received or acted upon within a 1,000-foot radius of a location where a license has been denied or an application has been withdrawn following scheduling of a hearing.

Establishes a waiting period for re-application for a license for certain marijuana businesses that are denied an application or in certain cases when applicants withdraw. The Committee approved filing this bill at its meeting on 5-1-17. Amended 05-15-17 to clarify that the one-year waiting period for reapplication for medical marijuana center license or a retail marijuana store license in circumstances where a prior application was withdrawn after the setting of a public hearing on the application but prior to a final decision by the Director of Excise and License is measured solely from the date the prior application was withdrawn.

A motion offered by Councilman Espinoza, duly seconded by Councilman Clark, that Council Bill 17-0523 be ordered published, was followed by a motion offered by Councilman Flynn, duly seconded by Councilwoman Kniech, that Council Bill 17-0523 be amended to clarify that the one-year waiting period for reapplication for medical marijuana center license or a retail marijuana store license in circumstances where a prior application was withdrawn after the setting of a public hearing on the application but prior to a final decision by the Director of Excise and Licenses is measured solely from the date the prior application was withdrawn. The motion carried by the following vote:

Amended

Aye: Brooks, Clark, Espinoza, Flynn, Gilmore, Herndon, Kashmann, Kniech, López, New, Ortega, Susman (12)
Nay: (None) (0)
Absent: Black (1)

A motion offered by Councilman Espinoza, duly seconded by Councilwoman Ortega, that Council Bill 17-0523 be ordered published as amended. The motion carried by the following vote:

Ordered published as amended

Aye: Brooks, Clark, Espinoza, Flynn, Gilmore, Herndon, Kashmann, Kniech, López, New, Ortega, Susman (12)
Nay: (None) (0)
Absent: Black (1)

BILLS FOR FINAL CONSIDERATION

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.

A motion offered by Councilman Espinoza, duly seconded by Councilman López, that Bill 17-0428 be placed upon final consideration and do pass en bloc, carried by the following vote:

Placed upon final consideration and do pass

- Aye: Brooks, Clark, Espinoza, Flynn, Gilmore, Herndon, Kashmann, Kniech, López, New, Ortega, Susman (12)
- Nay: (None) (0)
- Absent: Black (1)

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.

A motion offered by Councilman Espinoza, duly seconded by Councilman López, that Bill 17-0429 be placed upon final consideration and do pass en bloc, carried by the following vote:

Placed upon final consideration and do pass

- Aye: Brooks, Clark, Espinoza, Flynn, Gilmore, Herndon, Kashmann, Kniech, López, New, Ortega, Susman (12)
- Nay: (None) (0)
- Absent: Black (1)

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.

A motion offered by Councilman Espinoza, duly seconded by Councilman López, that Bill 17-0430 be placed upon final consideration and do pass en bloc, carried by the following vote:

Placed upon final consideration and do pass

- Aye: Brooks, Clark, Espinoza, Flynn, Gilmore, Herndon, Kashmann, Kniech, López, New, Ortega, Susman (12)
- Nay: (None) (0)

Absent: Black (1)

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.

A motion offered by Councilman Espinoza, duly seconded by Councilman López, that Bill 17-0431 be placed upon final consideration and do pass en bloc, carried by the following vote:

Placed upon final consideration and do pass

Aye: Brooks, Clark, Espinoza, Flynn, Gilmore, Herndon, Kashmann, Kniech, López, New, Ortega, Susman (12)

Nay: (None) (0)

Absent: Black (1)

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.

A motion offered by Councilman Espinoza, duly seconded by Councilman López, that Bill 17-0446 be placed upon final consideration and do pass en bloc, carried by the following vote:

Placed upon final consideration and do pass

Aye: Brooks, Clark, Espinoza, Flynn, Gilmore, Herndon, Kashmann, Kniech, López, New, Ortega, Susman (12)

Nay: (None) (0)

Absent: Black (1)

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.

A motion offered by Councilman Espinoza, duly seconded by Councilman López, that Bill 17-0447 be placed upon final consideration and do pass en bloc, carried by the following vote:

Placed upon final consideration and do pass

Aye: Brooks, Clark, Espinoza, Flynn, Gilmore, Herndon, Kashmann, Kniech, López, New, Ortega, Susman (12)

Nay: (None) (0)

Absent: Black (1)

RECAP OF BILLS TO BE CALLED OUT

PRE-RECESS ANNOUNCEMENT

Council President Brooks announced that tonight there will be a required public hearing on Council Bill 362, 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 366, changing the zoning classification for 3505-3507 West 3rd Avenue and 332 Lowell Boulevard in Barnum; and, a required public hearing on Council Bill 368, 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. 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

[17-0362](#) **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.

A motion offered by Councilman Espinoza, duly seconded by Councilman Clark, that Bill 17-0362 be placed upon final consideration and do pass. The motion carried by the following vote:

Placed upon final consideration and do pass

Council sat as a Committee of the Whole commencing at 6:36 p.m., Council President Brooks presiding, to hear speakers on Council Bill 17-0362. Tim Schlichting signed up to speak in favor of the bill. No speakers signed up to speak in opposition of the bill. Sara White of Community Planning and Development delivered the Staff Report.

Aye: Brooks, Clark, Espinoza, Flynn, Gilmore, Herndon, Kashmann, Kniech, López, New, Ortega (11)

Nay: (None) (0)

Absent: Black, Susman (2)

[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.

A motion offered by Councilman Espinoza, duly seconded by Councilman Clark, that Bill 17-0366 be placed upon final consideration and do pass. The motion carried by the following vote:

Placed upon final consideration and do pass

Council sat as a Committee of the Whole commencing at 7:59 p.m., Council President Brooks presiding, to hear speakers on Council Bill 17-0366. Ron Abo and William Hildenbrand signed up to speak in favor of the bill. No speakers signed up to speak in opposition of the bill. Theresa Lucero of Community Planning and Development delivered the Staff Report.

Aye: Brooks, Clark, Espinoza, Flynn, Gilmore, Herndon, Kashmann, Kniech, López, New, Ortega (11)

Nay: (None) (0)

Absent: Black, Susman (2)

[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.

A motion offered by Councilman Espinoza, duly seconded by Councilman Clark, that Bill 17-0368 be placed upon final consideration and do pass. The motion carried by the following vote:

Placed upon final consideration and do pass

Council sat as a Committee of the Whole commencing at 8:13 p.m., Council President Brooks presiding, to hear speakers on Council Bill 17-0368. Carolyn Rossi Purtle and Joe Levi signed up to speak in favor of the bill. No speakers signed up to speak in opposition of the bill. Analiese Hock of Community Planning and Development delivered the Staff Report.

Aye: Brooks, Clark, Espinoza, Flynn, Gilmore, Herndon, Kashmann, Kniech, López, New, Ortega (11)

Nay: (None) (0)

Absent: Black, Susman (2)

PRE-ADJOURNMENT ANNOUNCEMENT

Council President Brooks announced that on Monday, June 12, 2017, Council will hold a required public hearing on Council Bill 17-0435, changing the zoning classification for 4201, 4203, 4211 & 4221 Brighton Blvd. in Elyria Swansea.; and, a required public hearing on Council Bill 17-0436, changing the zoning classification for 4000, 4020 & 4120 Brighton Blvd. in Elyria Swansea. Any protests against Council Bill 17-0435 or Council Bill 17-0436 must be filed with the Council Offices no later than Monday, June 5, 2017.

ADJOURN

There being no further business before the City Council, Council President Brooks adjourned the meeting at 8:30 p.m.

Note

Council member Espinoza led the Pledge of Allegiance.

President

Attested by me with the Corporate Seal of the City and County of Denver

Clerk and Recorder, Ex-Officio Clerk
of the City and County of Denver