

# City Council Minutes

Meeting Date: Monday, April 3, 2017 5:30 PM

## PLEDGE OF ALLEGIANCE

Council member Ortega led the Pledge of Allegiance.

## ROLL CALL

Present: Black, Brooks, Clark, Espinoza, Flynn, Gilmore, Herndon, Kashmann, Kniech, López, New, Ortega, Susman (13)

## APPROVAL OF THE MINUTES

The minutes of meeting date, Tuesday, March 28, 2017, were distributed to Council. Council President Brooks ordered the minutes approved.

[17-0386](#) Minutes of Tuesday, March 28, 2017.

The minutes of Tuesday, March 28, 2017, were approved.

## Approved

## COUNCIL ANNOUNCEMENTS

Council members Espinoza, Flynn, and Black offered announcements.

## PRESENTATIONS

## COMMUNICATIONS

## PROCLAMATIONS

## RESOLUTIONS

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

Block Vote

Block Vote

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

### Approved the consent agenda

Aye: Black, Brooks, Clark, Espinoza, Flynn, Gilmore, Herndon, Kashmann, Kniech, López, New, Ortega, Susman (13)

Nay: (None) (0)

[17-0319](#) A resolution approving a proposed Lease Agreement between the City and County of Denver and Worldwide Flight Services, Inc. concerning office space at Denver International Airport.

Approves a lease agreement with Worldwide Flight Services, Inc. for five years and \$50,458 annually for approximately 312 square feet of office space on the apron level of Concourse A to support their ground handling operations with several airlines at Denver International Airport (201732939). The last regularly scheduled Council meeting within the 30-day review period is on 4-24-17. The Committee approved filing this resolution by consent on 3-15-17.

A motion offered by Councilwoman Ortega, duly seconded by Councilman Flynn, that Resolution 17-0319 be adopted en bloc, carried by the following vote:

### Adopted

Aye: Black, Brooks, Clark, Espinoza, Flynn, Gilmore, Herndon, Kashmann, Kniech, López, New, Ortega, Susman (13)

Nay: (None) (0)

[17-0343](#) A resolution approving a proposed Third Amendment to an Office Space Lease between the City and County of Denver and Prospect International Airport Services, Inc. concerning office space at Denver International Airport. Amends a lease agreement with Prospect International Airlines Services, Inc. by adding five years for a new end date of 12-31-21 for lease of office space in the main terminal and the use of facilities at Denver International Airport to support their operation of wheel chair service provider for the traveling public. There is no change to the contract amount (201309825-03). The last regularly scheduled Council meeting within the 30-day review period is on 4-24-17. The Committee approved filing this resolution by consent on 3-22-17.

A motion offered by Councilwoman Ortega, duly seconded by Councilman Flynn, that Resolution 17-0343 be adopted en bloc, carried by the following vote:

**Adopted**

Aye: Black, Brooks, Clark, Espinoza, Flynn, Gilmore, Herndon, Kashmann, Kniech, López, New, Ortega, Susman (13)

Nay: (None) (0)

**Finance & Governance Committee**

[17-0341](#) A resolution approving a proposed License Agreement for property at the former Stapleton Airport between the City and County of Denver, Forest City Stapleton, LLC ("FCS"), Park Creek Metropolitan District ("District"), and Stapleton Development Corporation ("SDC") concerning land development.

Approves a license agreement with Park Creek Metropolitan District to allow the developer to utilize airport property for construction activities to facilitate development at the former Stapleton Airport in the area bounded by I-70, Central park Boulevard, 46th Place and Xenia Street in Council District 8 (201732790). The last regularly scheduled Council meeting within the 30-day review period is on 4-24-17. The Committee approved filing this resolution at its meeting on 3-21-17.

A motion offered by Councilwoman Ortega, duly seconded by Councilman Flynn, that Resolution 17-0341 be adopted en bloc, carried by the following vote:

**Adopted**

Aye: Black, Brooks, Clark, Espinoza, Flynn, Gilmore, Herndon, Kashmann, Kniech, López, New, Ortega, Susman (13)

Nay: (None) (0)

[17-0346](#) A resolution approving a proposed Master Purchase Order between the City and County of Denver and Aggregate Industries - WCR, Inc., for asphalt plant raw material and related products.

Approves a \$10 million up to three-year master purchase order with Aggregate Industries - WCR, Inc. for asphalt plant raw materials and related products, including natural sand, crushed sand, 1/2" rock and 3/4" rock, to make asphalt for Public Works Street Maintenance (0812A0117). The last regularly scheduled Council meeting within the 30-day review period is on 4-24-17. The Committee approved filing this resolution by consent on 3-21-17.

A motion offered by Councilwoman Ortega, duly seconded by Councilman Flynn, that Resolution 17-0346 be adopted en bloc, carried by the following vote:

**Adopted**

Aye: Black, Brooks, Clark, Espinoza, Flynn, Gilmore, Herndon,  
Kashmann, Kniech, López, New, Ortega, Susman (13)

Nay: (None) (0)

[17-0347](#) A resolution approving a proposed Master Purchase Order between the City and County of Denver and Av-Tech Electronics, Inc., for emergency vehicle lighting. Approves an up to four-year \$2.5 million master purchase order with Av-Tech Electronics, Inc. for emergency rooftop vehicle lighting and other components for all City fleet vehicles (0159A0117). The last regularly scheduled Council meeting within the 30-day review period is on 4-24-17. The Committee approved filing this resolution by consent on 3-21-17.

A motion offered by Councilwoman Ortega, duly seconded by Councilman Flynn, that Resolution 17-0347 be adopted en bloc, carried by the following vote:

**Adopted**

Aye: Black, Brooks, Clark, Espinoza, Flynn, Gilmore, Herndon,  
Kashmann, Kniech, López, New, Ortega, Susman (13)

Nay: (None) (0)

[17-0350](#) A resolution approving a proposed Amendment to Master Subscription and Professional Services Agreement by and between the City and County of Denver and Exterro, Inc., to extend term and increase funds to continue ongoing support for the City Attorney’s E-Discovery system.

Adds \$564,565.84 to the contract with Exterro, Inc. for a new total of \$925,282.84 and increases the maximum contract liability to cover maintenance, support, new functionality, and professional services for the City Attorney’s E-Discovery system (TECHS-201524522). The last regularly scheduled Council meeting within the 30-day review period is on 4-24-17. The Committee approved filing this resolution by consent on 3-21-17.

A motion offered by Councilwoman Ortega, duly seconded by Councilman Flynn, that Resolution 17-0350 be adopted en bloc, carried by the following vote:

**Adopted**

Aye: Black, Brooks, Clark, Espinoza, Flynn, Gilmore, Herndon,  
Kashmann, Kniech, López, New, Ortega, Susman (13)

Nay: (None) (0)

**Land Use, Transportation & Infrastructure Committee**

[17-0053](#) A resolution approving a proposed Second Amendatory Agreement between the City and County of Denver and Mike Quintana, Sr., d/b/a Sloans lake boxing club for use of the Gun Club Building at Sloan's Lake for an amateur boxing club.

Amends a user agreement with Mike Quintana, Sr., doing business as Sloans Lake Boxing Club, by extending the term by one year for a new end date of 5-31-18 to use the Sloan’s Lake Gun Club Building for an amateur boxing club at 5055 West 17th Avenue in Council District 1 (201310532-02). The last regularly scheduled Council meeting within the 30-day review period is on 4-24-17. The Committee approved filing this resolution by consent on 2-21-17.

A motion offered by Councilwoman Ortega, duly seconded by Councilman Flynn, that Resolution 17-0053 be adopted en bloc, carried by the following vote:

**Adopted**

Aye: Black, Brooks, Clark, Espinoza, Flynn, Gilmore, Herndon,  
Kashmann, Kniech, López, New, Ortega, Susman (13)

Nay: (None) (0)

[17-0334](#) A resolution granting a revocable permit to Union Jack, LLC d/b/a Jack's Uptown Grille, to encroach into the right-of-way at 1600 East 17th Avenue. Grants a revocable permit to Jack's Uptown Grille to encroach into the right-of-way with one awning with support poles and outdoor hanging heaters, one enclosed patio with an awning with support poles and outdoor hanging heaters, and one 30" diameter gas fire bowl/pit with 1" gas line routed down an exterior wall and under the sidewalk at 1600 East 17th Avenue in Council District 9. The Committee approved filing this resolution by consent on 3-21-17.

A motion offered by Councilwoman Ortega, duly seconded by Councilman Flynn, that Resolution 17-0334 be adopted en bloc, carried by the following vote:

**Adopted**

Aye: Black, Brooks, Clark, Espinoza, Flynn, Gilmore, Herndon,  
Kashmann, Kniech, López, New, Ortega, Susman (13)

Nay: (None) (0)

[17-0335](#) A resolution approving a proposed Amendatory Agreement between the City and County of Denver and Moore Iacofano Goltsman, Inc. for additional services for the new Component 8 on the Blueprint Denver project. Amends a contract with Moore Iarofano Goltsman, Inc. by adding \$150,000 for a new total contract amount of \$850,000 for scenario and traffic modeling, place type details, implementation tools, and meeting organization and facilitation related to the updating of Blueprint Denver, a citywide land use and transportation plan. No change to contract duration (CPLAN-201627182-01). The last regularly scheduled Council meeting within the 30-day review period is on 4-24-17. The Committee approved filing this resolution by consent on 3-21-17.

A motion offered by Councilwoman Ortega, duly seconded by Councilman Flynn, that Resolution 17-0335 be adopted en bloc, carried by the following vote:

**Adopted**

Aye: Black, Brooks, Clark, Espinoza, Flynn, Gilmore, Herndon,  
Kashmann, Kniech, López, New, Ortega, Susman (13)

Nay: (None) (0)

[17-0336](#) A resolution laying out, opening and establishing as part of the City street system parcels of land as North Oneida Court, East 1st Avenue and North Pontiac Street near the intersection of East 1st Avenue and North Pontiac Street. Dedicates city-owned land as North Oneida Court, East 1st Avenue, and North Pontiac Street, located near the intersection of East 1st Avenue and North Pontiac Street, in Council District 5. The Committee approved filing this resolution by consent on 3-21-17.

A motion offered by Councilwoman Ortega, duly seconded by Councilman Flynn, that Resolution 17-0336 be adopted en bloc, carried by the following vote:

**Adopted**

Aye: Black, Brooks, Clark, Espinoza, Flynn, Gilmore, Herndon,  
Kashmann, Kniech, López, New, Ortega, Susman (13)

Nay: (None) (0)

## **Safety, Housing, Education & Homelessness Committee**

[17-0342](#) A resolution approving a proposed Fourth Amendatory Agreement between the City and County of Denver and Volunteers of America Colorado Branch to provide on-call emergency shelter services.

Amends a contract with Volunteers of America Colorado Branch by subtracting \$20,000 to correct a previous amended amount for a new contract total in the amount of \$1,761,600 to provide housing for families and single women when all the City's emergency shelter beds are full (2013-14480-04). The last regularly scheduled Council meeting within the 30-day review period is on 4-24-17. The Committee approved filing this resolution by consent on 3-22-17.

A motion offered by Councilwoman Ortega, duly seconded by Councilman Flynn, that Resolution 17-0342 be adopted en bloc, carried by the following vote:

### **Adopted**

Aye: Black, Brooks, Clark, Espinoza, Flynn, Gilmore, Herndon, Kashmann, Kniech, López, New, Ortega, Susman (13)

Nay: (None) (0)

## **BILLS FOR INTRODUCTION**

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

[17-0338](#) A bill for an ordinance approving a proposed Fourth Amendment to Intergovernmental Agreement Between the Town of Morrison, Colorado and the City and County of Denver to increase the amount paid by the City for treatment of wastewater discharge for Red Rocks Amphitheatre.

Amends an intergovernmental agreement with the Town of Morrison for a lump-sum payment of \$40,000 (total contract not to exceed \$548,500) for a contract term through 10-31-17 to accommodate the volume and quality of the wastewater through wastewater treatment services for Red Rocks Amphitheater (CE45001-4). The last regularly scheduled Council meeting within the 30-day review period is on 4-24-17. The Committee approved filing this bill by consent on 3-22-17.

Council Bill 17-0338 was ordered published on first reading.

### **Ordered published on first reading**

### **Finance & Governance Committee**

[17-0330](#) A bill for an ordinance approving the Second Supplemental Infrastructure Funding Agreement between the City and County of Denver and the Denver Urban Renewal Authority relating to Central Park Boulevard Bridge (Phase 2), a fire station, and other infrastructure in Stapleton.

Approves a supplemental infrastructure funding agreement with Denver Urban Renewal Authority (DURA) whereby DURA agrees to repay from future tax increment revenue the City's 2017 budget allocation of \$8.4 million for the construction of the final span of the Central Park Boulevard Bridge in Council District 8 (FINAN-2017-33342-00). The last regularly scheduled Council meeting within the 30-day review period is on 4-24-17. The Committee approved filing this bill at its meeting on 3-21-17.

Council Bill 17-0330 was ordered published on first reading.

### **Ordered published on first reading**

[17-0331](#) A bill for an ordinance approving the Central Park Boulevard Bridge (Phase 2) Funding Agreement between the City and County of Denver and the Park Creek Metropolitan District related to the Central Park Boulevard Bridge (Phase 2) over Sand Creek.

Approves an intergovernmental agreement with the Park Creek Metropolitan District for \$8.4 million for the design and construction of the final span of the Central Park Boulevard Bridge in Council District 8 (FINAN-2017-33343-00). The last regularly scheduled Council meeting within the 30-day review period is on 4-24-17. The Committee approved filing this bill at its meeting on 3-21-17.

Council Bill 17-0331 was ordered published on first reading.

**Ordered published on first reading**

[17-0332](#) A bill for an ordinance approving the DPS/City Post-Election Bond and Mill Levy Agreement between the City and County of Denver and School District No.1 in the City and County of Denver seeking annual appropriations of a portion of the Stapleton tax increment attributable to the DPS 2016 election.

Approves an intergovernmental agreement with Denver Public Schools (DPS) to appropriate annually from 2017-2025 an amount equal to the applicable City Retained Tax (CRT) percentage multiplied by Stapleton tax-increment revenue attributable to the DPS 2016 election for the construction of an additional elementary school in Council District 8 (FINAN-2017-33346-00). The last regularly scheduled Council meeting within the 30-day review period is on 4-24-17. The Committee approved filing this bill at its meeting on 3-21-17.

Council Bill 17-0332 was ordered published on first reading.

**Ordered published on first reading**

[17-0333](#) A bill for an ordinance approving the North Fire Station Reimbursement Agreement between the City and County of Denver, the Denver Urban Renewal Authority, and School District No.1 in the City and County of Denver for funding relating to the design and construction of a fire station in the vicinity of 50th Avenue and Central Park Boulevard in Stapleton.

Approves an agreement with Denver Urban Renewal Authority and Denver Public Schools to reimburse the City for up to \$9.4 million for the development costs of the North Fire Station in Council District 8 (FINAN-2017-33347-00). The last regularly scheduled Council meeting within the 30-day review period is on 4-24-17. The Committee approved filing this bill at its meeting on 3-21-17.

Council Bill 17-0333 was ordered published on first reading.

**Ordered published on first reading**

[17-0340](#) A bill for an ordinance authorizing the purchase of capital equipment from the General Fund.

Approves a \$93,950 capital equipment purchase of a mobile voter service and polling center from SIDI Spaces, LLC to increase access to voter registration services and polling centers for Denver citizens particularly at peak times. The Committee approved filing this bill by consent on 3-21-17.

Council Bill 17-0340 was ordered published on first reading.

**Ordered published on first reading**

## **Safety, Housing, Education & Homelessness Committee**

[17-0329](#) A bill for an ordinance approving a proposed Second Amendatory Agreement between the City and County of Denver and the State of Colorado, Colorado Department of Human Services for Denver childcare facility inspections. Amends an intergovernmental agreement with the State of Colorado by extending the contract term for an additional year through 6-30-18, and adding an additional \$640,642 to the revenue amount for a total of \$1,847,645 for reimbursement for the Department of Environmental Health's Public Health Inspection Division's Child Care Facility Inspection Program to provide services related to childcare facility inspections (201521228-02). The last regularly scheduled Council meeting within the 30-day review period is on 4-24-17. The Committee approved filing this bill by consent on 3-22-17.

Council Bill 17-0329 was ordered published on first reading.

### **Ordered published on first reading**

[17-0352](#) A bill for an ordinance approving a proposed Second Amendatory Agreement between the City and County of Denver and Denver Health and Hospital Authority for Transitional Residential Treatment (TRT) services. Amends a contract with Denver Health and Hospital Authority (DHHA) by adding one year for a new end date of 8-31-17, and adding \$276,013 for a new contract in the amount of \$552,456.50 to provide up to 13 transitional residential treatment beds to individuals at DHHA's detoxification center, Denver CARES, including individuals with high, undermanaged addiction levels who are repetitive users of costly public services including criminal justice, emergency medical, or mental health services and/or detoxification services (2015-23052-02). The last regularly scheduled Council meeting within the 30-day review period is on 4-24-17. The Committee approved filing this bill by consent on 3-22-17.

Council Bill 17-0352 was ordered published on first reading.

### **Ordered published on first reading**

## **BILLS FOR FINAL CONSIDERATION**

### **Finance & Governance Committee**

[17-0318](#) 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 and abolishes various Human Resource job titles and changes certain titles and/or pay grades for existing jobs per the recommendations of a study conducted by consultant Segal Waters. The Committee approved filing this bill by consent on 3-14-17.

A motion offered by Councilwoman Ortega, duly seconded by Councilman Flynn, that Bill 17-0318 be placed upon final consideration and do pass en bloc, carried by the following vote:

### **Placed upon final consideration and do pass**

Aye: Black, Brooks, Clark, Espinoza, Flynn, Gilmore, Herndon, Kashmann, Kniech, López, New, Ortega, Susman (13)  
Nay: (None) (0)

**Land Use, Transportation & Infrastructure Committee**

[17-0314](#) A bill for an ordinance vacating a portion of North Uno Court between West 13th Avenue and West Wells Place, without reservations.

Vacates a portion of North Uno Court between West 13th Avenue and West Wells Place, without reservations, in Council District 1. The Committee approved filing this bill by consent on 3-14-17.

A motion offered by Councilwoman Ortega, duly seconded by Councilman Flynn, that Bill 17-0314 be placed upon final consideration and do pass en bloc, carried by the following vote:

**Placed upon final consideration and do pass**

Aye: Black, Brooks, Clark, Espinoza, Flynn, Gilmore, Herndon, Kashmann, Kniech, López, New, Ortega, Susman (13)

Nay: (None) (0)

**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 17-0150, changing the zoning classification for 2827 and 2833 West 25th Avenue in Jefferson Park; and, a required public hearing on Council Bill 17-0162, changing the zoning classification of 3325 and 3327 Tejon Street in the Highland neighborhood. 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**

[17-0150](#) A bill for an ordinance changing the zoning classification for 2827 & 2833 West 25th Avenue in Jefferson Park.

Rezones property located at 2827 and 2833 W 25th Avenue from G-MU-3, UO-3 to G-MS-3, from general urban residential context to general urban main street context, in Council District 1. The Committee approved filing this bill at its meeting on 2-21-17.

A motion offered by Councilwoman Ortega, duly seconded by Councilman Herndon, that Bill 17-0150 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 6:42 p.m., Council President Brooks presiding, to hear speakers on Council Bill 17-0150. David Roybal, Justin Potter, and Eddie Givens signed up to speak in favor of the bill. Ambrose Cruz signed up to speak in opposition of the bill. Sara White of Community Planning and Development delivered the Staff Report.

Aye: Black, Brooks, Clark, Espinoza, Flynn, Gilmore, Herndon, Kashmann, Kniech, López, New, Ortega, Susman (13)

Nay: (None) (0)



[17-0162](#) A bill for an ordinance changing the zoning classification of 3325 and 3327 Tejon Street in the Highland neighborhood.

Approves an official map amendment to rezone land at 3325 and 3327 Tejon Street from U-TU-B and DO-4 to PUD-G 16, from urban context, two-building lot to a planned unit development, in Council District 1. The Committee approved filing this bill at its meeting on 2-21-17.

A motion offered by Councilwoman Ortega, duly seconded by Councilman Flynn, that Bill 17-0162 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 7:09 p.m., Council President Brooks presiding, to hear speakers on Council Bill 17-0162. Alexis Stanhauer and Stephen Latham signed up to speak in favor of the bill. No speakers signed up to speak in opposition of the bill. Jeff Hirt of Community Planning and Development delivered the Staff Report.

Aye: Black, Brooks, Clark, Espinoza, Flynn, Gilmore, Herndon, Kashmann, Kniech, López, New, Ortega, Susman (13)

Nay: (None) (0)

**PRE-ADJOURNMENT ANNOUNCEMENT**

**PENDING**

FOR 4-17-17

[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

Council Bill 17-0161 was taken out of order.

**Took out of order**

Aye: Black, Brooks, Clark, Espinoza, Flynn, Gilmore, Herndon, Kashmann, Kniech, López, New, Ortega, Susman (13)

Nay: (None) (0)

A motion offered by Councilwoman Ortega, duly seconded by Councilman Clark, that Council Bill 17-0161 be placed upon final consideration and do pass, was followed by a motion offered by Councilman Clark, duly seconded by Councilman Herndon, that Bill 17-0161 be amended. The motion carried by the following vote:

**Amended**

Aye: Clark, Espinoza, Flynn, Kashmann, López, New, Ortega (7)

Nay: Black, Brooks, Gilmore, Herndon, Kniech, Susman (6)

A motion offered by Councilwoman Ortega, duly seconded by Councilman Flynn, that Bill 17-0161 be ordered published as amended. The motion carried by the following vote:

**Ordered published with future required public hearing**

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

Nay: Kniech, Susman (2)

**ADJOURN**

There being no further business before the City Council, Council President Brooks adjourned the meeting at 7:25 p.m.

---

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