

City Council Meeting of Monday, April 11, 2016

City and County of Denver

Robin Kniech..... At Large
Deborah "Debbie" Ortega..... At Large
Rafael G. Espinoza..... District 1
Kevin Flynn..... District 2
Paul D. López..... District 3
Kendra Black..... District 4
Mary Beth Susman..... District 5
Paul Kashmann..... District 6



Jolon Clark..... District 7
Christopher Herndon..... District 8
Albus Brooks..... District 9
Wayne New..... District 10
Stacie Gilmore..... District 11
Janna B. Young..... Director
Kelly Velez..... Clerk

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WEB ACCESS

**Live video and archives may be
accessed at**

<http://www.denvergov.org/citycouncil>

REMINDER

As a courtesy to those in attendance,
please

turn off your cell phones.

MEETING ASSISTANCE NOTICE - AMERICANS WITH DISABILITIES ACT

The Council Chamber has listening devices for people with a hearing loss; request a device from the Council Secretary. The City can provide sign language interpretation or CART (computer assisted real-time transcription) for persons attending City Council meetings. If you need sign language interpretation or CART, please email SignLanguageServices@denvergov.org three business-days prior to the meeting.

CITY COUNCIL AGENDA

The City Council agenda and meeting schedule are made available for public review during normal business hours at Denver City Council, 1437 Bannock St., Rm. 451, on Thursday afternoons prior to the regularly scheduled meeting on Monday. The agenda packet is also posted on the City Council website. 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 web cast at <http://www.denvergov.org/citycouncil>. DVD recordings of meetings are available at the Central Library or at the Clerk and Recorder's Office.

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 during a public hearing sign up with the Council Secretary 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. Public hearings allow citizens the opportunity to speak in favor or against specific items. The Council President will open the public hearing to receive public comment on that specific item. Upon hearing all public comments, the Council President will close or continue the public hearing. Council may then decide to engage in discussion and/or take action on the item.

City Council Agenda and Explanatory Notes

Meeting Date: Monday, April 11, 2016 5:30 PM

Pledge of Allegiance

Roll Call

[Approval](#) of the Minutes

Council Announcements

Presentations

Communications

Proclamations

[CP16-0263](#) A proclamation in support of "Start by Believing" Public Awareness Campaign.

Sponsored by Council members Ortega, Kashmann, New, Kniech, Flynn, Black, and Gilmore.

Resolutions

Business Development

[CR16-0180](#) A resolution approving a proposed Airport Use and Lease Agreement between the City and County of Denver and Virgin America Inc. related to leased space at Denver International Airport.

Approves a use and lease agreement with Virgin America, Inc. for \$2,442,000 through 12-31-16 to begin airline service at Denver International Airport (201626333). The last regularly scheduled Council meeting within the 30-day review period is on 5-2-16. The Committee approved filing this resolution at its meeting on 3-29-16.

[CR16-0220](#) A resolution to set a public hearing for the dissolution of the 9th Avenue Business Improvement District.

Sets a public hearing on 5-9-16 for the dissolution of the 9th Avenue Business Improvement District located in Council District 5. The Committee approved filing this resolution by consent on 3-31-16.

CR16-0221 A resolution approving a proposed Amendment and Modification Agreement between the City and County of Denver and Montbello Volunteers of America Elderly Housing Inc. to amend the collateral pledged in the Loan Agreement.

Amends and modifies a loan agreement with Montbello Volunteers of America Elderly Housing, Inc. (Montbello I) allowing for the split of the existing parcel into two parcels with the newly created parcel serving as the property for the development of Montbello II in Council District 8 (OEDEV – GE3A033-01). The last regularly scheduled Council meeting within the 30-day review period is on 5-2-16. The Committee approved filing this resolution by consent on 3-31-16.

CR16-0222 A resolution approving a proposed Loan Agreement between the City and County of Denver and Montbello II VOA LP for an affordable housing project for individuals age 62+ known as Montbello II VOA Elderly Housing at 4355 Carson Street.

Creates a loan agreement with Montbello Volunteers of America (VOA) National Housing, Inc. to loan \$585,000 to provide construction and permanent financing on an 86 unit, age 62+ income restricted rental community known as Montbello II VOA Elderly Housing at 4355 Carson Street in Council District 8 (OEDEV – 201626314-00). The last regularly scheduled Council meeting within the 30-day review period is on 5-2-16. The Committee approved filing this resolution by consent on 3-31-16.

Finance & Services

CR16-0199 A resolution approving a proposed Master Purchase Order between the City and County of Denver and McCandless Truck Center, Inc., for medium-heavy duty equipment and trailer parts.

Approves a \$900,000 master purchase order with McCandless Truck Center, Inc., for equipment and trailer parts for repair and replacement of City vehicles (0667A0313). The last regularly scheduled Council meeting within the 30-day review period is on 5-2-16. The Committee approved filing this resolution by consent on 3-31-16.

Governance & Charter Review

CR16-0200 A resolution approving the Mayor's appointment to the Denver American Indian Commission.

Approves the Mayoral appointment of Safia Castro to the Denver American Indian Commission for a term effective immediately and expiring 7-11-17, or until a successor is duly appointed. The Committee approved filing this resolution by consent on 3-31-16.

CR16-0202 A resolution approving the Mayor's appointment to the Denver African American Commission.

Approves the Mayoral appointments of Alicia Harvey and Summer Nettles to the

Denver African American Commission for terms effective immediately and expiring on 9-26-17, or until successors are duly appointed. The Committee approved filing this resolution by consent on 3-31-16.

CR16-0223 A resolution approving the appointment of Deputy Sheriff Sgt. Anthony Mazzei to the Deferred Compensation Plan Committee.

Approves the City Council appointment of Deputy Sheriff Sgt. Anthony Mazzei to the Deferred Compensation Plan Committee for a term expiring on 12-31-19, or until a successor is duly appointed. The Committee approved filing this resolution by consent on 3-31-16.

Infrastructure & Culture

CR16-0201 A resolution approving a proposed Amendatory Agreement between the City and County of Denver and Coggins Consultants LLC for on-call project implementation manager services.

Adds \$480,000 to and extends for one year the contract with Coggins Consultants LLC for a new total of \$980,000 and end date of 12-31-18 for drainage program procurement, the 47th/York mobility study, and other major projects (201419822). The last regularly scheduled Council meeting within the 30-day review period is on 5-2-16. The Committee approved filing this resolution by consent on 3-31-16.

CR16-0203 A resolution approving two proposed Purchase Orders between the City and County of Denver, Trans-West Truck Inc., and O J Watson Equip Co Inc., to procure five Freightliner 114SD Cab and Chassis and five Monroe Dump bodies and plow systems.

Approves a \$1,177,620 purchase from Trans-West Truck, Inc., and O J Watson Equip Co Inc., of five Freightliner 114SD Cab and Chassis and five Monroe Dump bodies and plow systems. The last regularly scheduled Council meeting within the 30-day review period is on 5-2-16. The Committee approved filing this resolution by consent on 3-31-16.

CR16-0207 A resolution accepting and approving the plat of Exempla Saint Joseph Hospital Campus Filing No.2.

Approves a subdivision plat for Exempla Saint Joseph Hospital Campus Filing No. 2 at 18th Avenue and Franklin Street in Council District 9. The Committee approved filing this resolution by consent on 3-31-16.

Bills for Introduction

Governance & Charter Review

CB16-0204 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.

Amends the classification and pay plan by revising the Short Range Salary Schedule, Community Rate Salary Schedule and Training and Intern Salary Schedule to coincide and comply with the State increase in minimum wage for 2016 from \$8.23 per hour to \$8.31 per hour. The Committee approved filing this bill by consent on 3-31-16.

CB16-0206 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.

Amends the classification and pay plan by changing the pay grade of Airport Communications Center Supervisor from 807-A to 808-A. The Committee approved filing this bill by consent on 3-31-16.

Infrastructure & Culture

CB16-0149 A bill for an ordinance approving a proposed Agreement between the City and County of Denver and Union Pacific Railroad Company to construct and operate a storm facility that crosses Union Pacific Property as part of the 33rd Street Outfall Project.

Approves an intergovernmental agreement with Union Pacific Railroad Company and a one-time payment of \$400,000 to allow the city to construct and maintain a 120" diameter storm pipeline across Union Pacific rail property as part of the 33rd Street Outfall in Council District 9 (201626961). The last regularly scheduled Council meeting within the 30-day review period is on 5-2-16. The Committee approved filing this bill at its meeting on 3-23-16.

Neighborhoods & Planning

CB16-0215 A bill for an ordinance designating 4655 Humboldt Street, the Stadium Arena, as a structure for preservation.

Approves the landmark designation of 4655 Humboldt Street (Stadium Arena) as an individual structure for preservation 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 3-30-16.

Special Issues: Marijuana Moratorium

CB16-0264 A bill for an ordinance concerning the licensing of marijuana businesses, amending the Denver Retail Marijuana Code, Article V of Chapter 6, D.R.M.C. and the Denver Medical Marijuana Code, Art. XII of Chapter 24, D.R.M.C. by capping the total number of licensed locations where marijuana cultivation and sales may be permitted in the city, adopting new procedures for the issuance of retail marijuana cultivation and sales licenses, prohibiting the issuance of new medical marijuana cultivation and sales licenses, and adopted other related amendments.

Amends the Denver Revised Municipal Code relating to marijuana-related licenses and locations. The Committee approved filing this bill at its meeting on 4-4-16.

Recap of Bills to be Called Out

Pre-Recess Announcement

Tonight there will be a required public hearing on CB16-0129, changing the zoning classification for 210 Saint Paul Street; a required public hearing on CB16-0130, changing the zoning classification for 3200 Walnut Street, 3220 Walnut Street, 3254 Walnut Street, and 3235 Larimer Street; and a one-hour courtesy public hearing on CB16-0264, concerning the marijuana moratorium to impose a city-wide cap on the total number of locations where licensed marijuana cultivation and sales may occur in Denver. 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

Neighborhoods & Planning

[CB16-0129](#) A bill for an ordinance changing the zoning classification for 210 Saint Paul Street.

Rezones property located at 210 Saint Paul Street from PUD-G #1 (Planned Unit Development - G #1) to C-CCN7 and C-CCN-8 (urban center, Cherry Creek North, with 7 & 8-story heights) in Council District 10. The Committee approved filing this bill at its meeting on 3-2-16.

[CB16-0130](#) A bill for an ordinance changing the zoning classification for 3200 Walnut St., 3220 Walnut St., 3254 Walnut St. and 3235 Larimer St.

Rezones property located at 3200 Walnut Street, 3220 Walnut Street, 3254 Walnut Street, and 3235 Larimer Street from I-MX-3, UO-2 (industrial, mixed-use, 3 stories, use overlay allowing billboards) to C-MX-5 and C-MX-3 (urban center, mixed-use, 3 and 5 stories) in Council District 9. The Committee approved filing this bill at its meeting on 3-2-16.

Public Hearings - Bills for Introduction

Special Issues: Marijuana Moratorium

[CB16-0264](#) A bill for an ordinance concerning the licensing of marijuana businesses, amending the Denver Retail Marijuana Code, Article V of Chapter 6, D.R.M.C. and the Denver Medical Marijuana Code, Art. XII of Chapter 24, D.R.M.C. by capping the total number of licensed locations where marijuana cultivation and sales may be permitted in the city, adopting new procedures for the issuance of retail marijuana cultivation and sales licenses, prohibiting the issuance of new medical marijuana cultivation and sales licenses, and adopted other related amendments.
Amends the Denver Revised Municipal Code relating to marijuana-related licenses and locations.

Bills for Final Consideration

Business Development

[CB16-0146](#) A bill for an ordinance approving a proposed Lease Agreement between the City and County of Denver and Regional Transportation District, related to the commuter rail transit system at Denver International Airport.

Approves a lease agreement with the Regional Transit District (RTD) for \$10,000 for the duration of the agreement and through 4-11-66 to allow RTD to construct, operate, and maintain a commuter rail transit system on Denver International Airport land (201626853). The last regularly scheduled Council meeting within the 30-day review period on 4-25-16. The Committee approved filing this resolution by consent on 3-10-16.

[CB16-0181](#) A bill for an ordinance approving a proposed Interagency Agreement – DIA Peña Station Water Facilities between the City and County of Denver and Board of Water Commissioners, to provide water service at the Denver International Airport Rail Property.

Allows Denver Water to operate and maintain waterlines and related infrastructure previously constructed by Aviation North Metropolitan District No. 1. The infrastructure serves Denver International Airport property near the 61st Ave rail station. The last regularly scheduled Council meeting within the 30-day review period is on 4-25-16. The Committee approved filing this bill by consent on 3-24-16.

[CB16-0182](#) A bill for an ordinance approving a proposed Non-Exclusive License Agreement between the City and County of Denver and Aviation Station North Metropolitan District No. 1, to construct infrastructure at the Denver International Airport Rail Property.

Approves an agreement with Aviation North Metropolitan District No. 1 granting access to the site of the Peña rail station on Denver International Airport land (201523948). The last regularly scheduled Council meeting within the 30-day

review period is on 4-25-16. The Committee approved filing this bill by consent on 3-24-16.

Finance & Services

CB16-0148 A bill for an ordinance making a supplemental appropriation from the General Contingency Fund for the operations of the new Mayor's Office of the National Western Center to support delivery of the November 3, 2015 voter approved ballot measure 2C to design and construct Phases 1 and 2 of the National Western Center.

Approves a supplemental appropriation request of \$1,335,500 from the General Fund 2016 Contingency Fund for operations of the new Mayor's Office of the National Western Center to support delivery of the 2015 voter approved ballot measure (2C) to design and construct Phases 1 and 2 of the initiative. The Committee approved filing this bill at its meeting on 3-22-16.

Infrastructure & Culture

CB16-0147 A bill for an ordinance approving and providing for the execution of a proposed Intergovernmental Agreement between the City and County of Denver and the Colorado Department of Transportation (CDOT) concerning the "I-25 and Broadway Interchange Reconstruction" project and the funding therefor.

Appropriates \$17,373,000 of federal grant funds pertaining to the intergovernmental agreement with the Colorado Department of Transportation for the I-25 and Broadway interchange reconstruction project through Fiscal Year 2018 (201626760). The last regularly scheduled Council meeting within the 30-day review period is on 4-25-16. The Committee approved filing this bill by at its meeting on 3-23-16.

CB16-0189 A bill for an ordinance approving a proposed Third Amendment to Intergovernmental Agreement between the City and County of Denver and Town of Morrison, to extend the term and provide additional wastewater treatment services to Red Rocks Amphitheater.

Amends an intergovernmental agreement with the Town of Morrison for a lump-sum payment of \$40,000 (total contract not to exceed \$508,500) through 10-31-16 for wastewater treatment services at Red Rocks Amphitheater (CE45001). The last regularly scheduled Council meeting within the 30-day review period is on 4-25-16. The Committee approved filing this bill by consent on 3-24-16.

CB16-0192 A bill for an ordinance creating a Fund Number in the Grant Projects Fund for the "Denver Water Intergovernmental Agreement" project and the funding therefor.

Establishes a capital grant fund and budget for the previously approved intergovernmental agreement with Denver Board of Water Commissioners to increase the efficient use of water in Denver parks and golf courses (201525544).

The last regularly scheduled Council meeting within the 30-day review period is on 4-25-16. The Committee approved filing this bill by consent on 3-24-16.

Announcement

Dependent upon publication on Monday, April 18, 2016, Council will hold a required public hearing on CB16-0215 designating 4655 Humboldt Street, the Stadium Arena, as a structure for preservation.

Adjourn

Pending

[For](#) 4-25-16

CB16-0183 A bill for an ordinance relating to the Denver Zoning Code, Amending the Provisions of the Airport Influence Overlay Zone District.

**Required Public Hearing
Final Consideration**

[For](#) 5-2-16

CB16-0174 A bill for an ordinance changing the zoning classification for 2765 S. Colorado Blvd.

**Required Public Hearing
Final Consideration**

[For](#) 5-2-16

CB16-0191 A bill for an ordinance changing the zoning classification for 4100 and 4050 North Kittredge Street.

**Required Public Hearing
Final Consideration**