City Council Meeting of Monday, December 14, 2015

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 Room 451 City & County Building Denver CO 80202 Phone: 720-337-2000 Email: dencc@denvergov.org

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 Chambers has listening devices for the hearing impaired; request a device from the Council Secretary. The City can provide sign language interpretation for persons attending City Council meetings. If you need sign language interpretation, please contact Lorrie Kosinski at lorrie.kosinski@denvergov.org at least 72 hours in advance.

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.

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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, December 14, 2015 5:30 PM

Pledge of Allegiance

Roll Call

Approval of the Minutes

Council Announcements

Presentations

Communications

Proclamations

Resolutions

Business Development

CR15-0923 A resolution approving a proposed Purchase Order between the City and County of Denver and Oshkosh Corporation for a 2016 Oshkosh Striker Aircraft Fire and Rescue Vehicle.
Approves the purchase of a 2016 Oshkosh Striker Aircraft Fire and Rescue vehicle for $1,325,452 from Oshkosh Corporation for Denver International Airport (PLANE 17458). The last Council meeting within the 30-day review period is on 12-28-15. The Committee approved filing this resolution by consent on 12-3-15.

CR15-0931 A resolution approving a proposed Agreement for Professional On-Call Services between the City and County of Denver and THE BRENDLE GROUP INC., for consulting services at Denver International Airport.
Approves a contract with the Brendle Group for $2 million and a duration of 2 years for on-call energy master planning services at Denver International Airport (201522893). The last Council meeting within the 30-day review period is on 12-28-15. The Committee approved filing this resolution by consent on 12-3-15.

Finance & Services

CR15-0659 A resolution approving a proposed Agreement between the City and County of Denver and HDR Engineering, Inc.
Approves a five-year, $5 million on-call contract with HDR Engineering, Inc. for right-of-way and land acquisition services for city projects (FINAN 201523941). The last regularly scheduled Council meeting within the 30-day review period is on 12-28-15. The Committee approved filing this resolution by consent on 9-24-15.

CR15-0660 A resolution approving a proposed Agreement between the City and County of Denver and Atkins North America, Inc.
Approves a five-year, $5 million on-call contract with Atkins North America, Inc for right-of-way and land acquisition services for city projects (FINAN 201523942). The last regularly scheduled Council meeting within the 30-day review period is on 12-28-15. The Committee approved filing this resolution by consent on 9-24-15.

CR15-0661 A resolution approving a proposed Agreement between the City and County of Denver and H. C. Peck & Associates, Inc.
Approves a five-year, $5 million on-call contract with H. C. Peck & Associates for right-of-way and land acquisition services for city projects (FINAN 201523944). The last regularly scheduled Council meeting within the 30-day review period is on 12-28-15. The Committee approved filing this resolution by consent on 9-24-15.

CR15-0862 A resolution approving a proposed Agreement between the City and County of Denver and Ameresco, Inc. to implement energy efficiency measures identified in the Technical Energy Audit that the company previously performed.
Approves a $1,992,641 contract with Ameresco, Inc. through 12-31-30 to implement the energy efficiency improvement measures identified in the company's previous energy audit of fourteen City facilities to be financed with energy savings (GENRL-201522732-00). The last regularly scheduled Council meeting within the 30-day review period is on 12-28-15. The Committee approved filing this resolution at its meeting on 11-17-15.

CR15-0921 A resolution approving a proposed Master Purchase Order between the City and County of Denver and Municipal Emergency Services for Self-Contained Breathing Apparatuses (SCBA's) and SCBA related parts, equipment and services for the Denver Fire Department.
Adds $1.25 million to the master purchase order with Municipal Emergency Services for a new total of $2.75 million for self-contained breathing apparatuses for the Denver Fire Department (0628A0112). The last regularly scheduled Council meeting within the 30-day review period is on 12-28-15. The Committee approved filing this resolution by consent on 12-8-15.

CR15-0926 A resolution levying upon all taxable property within the City and County of Denver taxes for the year 2015, to be collected in 2016, for purposes authorized by law.
Approves the 2016 city mill levy levying upon all taxable property within the City taxes for the year 2015, to be collected in 2016 for purposes authorized by law. The Committee approved filing this resolution by consent on 12-3-15.

Governance & Charter Review

CR15-0919 A resolution approving the Mayor's appointment to the Denver American Indian Commission.
Approves the Mayoral appointment of Jacqueline Esai to the Denver American Indian Commission for a term effective immediately and expiring on 7-11-17, or until a successor is duly appointed. The Committee approved filing this resolution by consent on 12-3-15.

CR15-0920 A resolution approving the Mayor's appointments to the Denver Community Corrections Board.
Approves the Mayoral appointments of Tutu Mulatu and Patrick Firman to the Denver Community Corrections Board for terms effective immediately and expiring 6-30-19, or until successors are duly appointed. The Committee approved filing this resolution by consent on 12-3-15.

Infrastructure & Culture

CR15-0901 A resolution approving the proposed Amendatory Agreement between the City and County of Denver and Enginuity Engineering Solutions, LLC for on-call engineering services.
Adds $500,000 for a contract total of $3 million to the on-call contract with Enginuity Engineering Solutions, LLC and extends the term one year through 12-31-16 for professional engineering services (OC11008). The last regularly scheduled Council meeting within the 30-day review period is on 12-28-15. The Committee approved filing this resolution by consent on 11-25-15.

CR15-0902 A resolution approving the proposed Amendatory Agreement between the City and County of Denver and Icon Engineering, Inc. for on-call engineering services.
Adds $500,000 for a contract total of $3 million to the on-call contract with Icon Engineering Inc. and extends the term one year through 12-31-16 for professional engineering services (OC11006). The last regularly scheduled Council meeting within the 30-day review period is on 12-28-15. The Committee approved filing this resolution by consent on 11-25-15.

CR15-0903 A resolution approving the proposed Amendatory Agreement between the City and County of Denver and Matrix Design Group, Inc. for on-call engineering services.
Adds $500,000 for a contract total of $3 million to the on-call contract with Matrix Design Group and extends the term one year through 12-31-16 for professional engineering services (OC11007). The last regularly scheduled Council meeting within the 30-day review period is on 12-28-15. The Committee approved filing this resolution by consent on 11-25-15.

CR15-0904 A resolution approving the proposed Amendatory Agreement between the City and County of Denver and Olsson Associates, Inc. for on-call engineering services.
Adds $500,000 for a contract total of $3 million to the on-call contract with Olsson Associates and extends the term one year through 12-31-16 for professional engineering services (OC11009). The last regularly scheduled Council meeting within the 30-day review period is on 12-28-15. The Committee approved filing this resolution by consent on 11-25-15.

CR15-0905 A resolution approving a proposed Amendatory Agreement between the City and County of Denver and Aztec Engineering Group, Inc. for on-call utility locating services.
Adds $600,000 to for a new total of $1 million and extends the on-call contract with Aztec Engineering Group, Inc. for two years through 3-31-18 to provide utility location and extraction services (201313335). The last regularly scheduled Council meeting within the 30-day review period is on 12-28-15. The Committee approved filing this resolution by consent on 11-25-15.

CR15-0928 A resolution granting a revocable permit to Denver Bike Sharing to encroach into the right-of-way at 990 East 11th Avenue.
Grants a revocable permit to Denver Bike Sharing to encroach into the right-of-way with a bicycle docking station at 990 East 11th Avenue in Council District 10. The Committee approved filing this resolution by consent on 12-3-15.

CR15-0929 A resolution laying out, opening and establishing as part of the City street system parcels of land as a public alley at the intersection of East 1st Avenue and Clarkson Street.
Dedicates land as an alley located at the intersection of East 1st Avenue and Clarkson Street in Council District 7. The Committee approved filing this resolution by consent on 12-3-15.

CR15-0964 A resolution authorizing and approving the expenditure and payment from the appropriation account designated "liability claims," the sum of Thirty Thousand Dollars ($30,000.00), payable to Debra Dotson and Darrell S. Elliott, PC, in full payment and satisfaction of all Ms. Dotson's claims in Case No. 2015CV31061, in District Court, City and County of Denver, Colorado.
Settles a liability claim involving the Department of Parks and Recreation. This resolution was approved for filing at the Mayor-Council meeting on 12-8-15.

Safety & Well-being

CR15-0890 A resolution approving a proposed Agreement between the City and County of Denver and Energy Outreach Colorado to provide energy efficiency services and education programs in support of the City's energy efficiency services program for nonprofits and multi-family residential units.
Approves a contract with Energy Outreach Colorado in the amount of $950,000 through 12-31-16 to administer energy efficiency services for nonprofit organizations that provide energy efficient services to low income communities in the City and County of Denver (HRCRS-201525028-00). The Committee approved filing this resolution by consent on 11-19-15.

CR15-0915 A resolution approving a proposed Eighth Amendatory Agreement by and between the City and County of Denver and Xerox State & Local Solutions, Inc., for the Photo Speed Enforcement Program.
Amends a contract with Xerox State and Local Solutions, Inc. to add $708,000 for a total contract amount of $10,729,849, to extend the term of the contract by six months through 6-30-16, and to modify the bonding requirements related to the Photo Speed Enforcement Program (CE-81107-08). The last regularly scheduled Council meeting within the 30-day review period is on 12-28-15. The Committee approved filing this resolution by consent on 12-3-15.

CR15-0916 A resolution approving a proposed Eighth Amendatory Agreement by and between the City and County of Denver and Xerox State & Local Solutions, Inc., for the Photo Red Light Program.
Amends a contract with Xerox State and Local Solutions, Inc. to add $81,000 for a total contract amount of $1,266,272, and to extend the term of the contract by six months through 6-30-16, to modify the bonding requirements related to the Photo Red Light Program (CE-01061-08). The last regularly scheduled Council meeting within the 30-day review period is on 12-28-15. The Committee approved filing this resolution by consent on 12-3-15.

Bills for Introduction

Finance & Services

CB15-0882 A bill for an ordinance making supplemental appropriations from the General Contingency Fund to Departments and to the Capital Improvement and Capital Maintenance Fund.
Approves a $3,514,834.67 supplemental appropriation from General Fund Contingency to Excise and Licenses, Community Planning and Development, Denver Fire, Denver Police, Manager of Safety, the City Attorney's Office, and the Capital Improvement Fund. The Committee approved filing this bill at its meeting on 12-1-15.

CB15-0900 A bill for an ordinance designating certain property as being required for public use and authorizing use and acquisition thereof by negotiation or through condemnation proceedings of fee simple and other interests, including any rights and interests related or appurtenant to such property, as needed for the National Western Center Project.
Approves the designation of certain properties as required for public use and authoizes acquisition as needed for the implementation of the National Western Center Master plan vision. The Committee approved filing this bill at its meeting on 12-1-15.

CB15-0934 A bill for an ordinance making a 2016 supplemental appropriation from the General Contingency Fund to make a one-time $10 million payment to Adams County in accordance with the Amendatory Intergovernmental Agreement approved by the voters at the November 3, 2015 coordinated election.
Approves a $10 million supplemental appropriation from 2016 General Fund Contingency to Department of Finance for payment to Adams County resulting from the implementation of an Amendatory Intergovernmental Agreement approved by Denver and Adams County voters of ballot measure 1A in November 2015. The $10 million is budgeted in 2016 contingency budget above the 2% Charter contingency requirement. The Committee approved filing this bill by consent on 12-3-15.

Infrastructure & Culture

CB15-0884 A bill for an ordinance naming the to-be-constructed central Denver recreation center at the corner of Colfax Avenue and Josephine Street as the "Carla Madison Recreation Center".
Approves the naming of the new recreation center to be built on the corner of Josephine Street and Colfax Avenue as the Carla Madison Recreation Center. The Committee approved filing this bill at its meeting on 12-2-15.

Neighborhoods & Planning

CB15-0891 A bill for an ordinance changing the zoning classification for 770 South Federal Boulevard.
Rezones property located at 770 South Federal Boulevard from B-A-1 with waivers (Old Chapter 59 Code - Business Arterial 1) to E-MX-3 (Urban Edge, Mixed Use, 3 Stories) in Council District 7. 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 11-18-15.

Safety & Well-being

CB15-0918 A bill for an ordinance amending Ordinance No. 195, Series of 2005, to change the accounting numbers associated with the Crime Prevention and Control Commission (CPCC) and authorizing financial transactions necessary to transfer cash, budget balances and existing contracts from the Public Safety Special Revenue Fund to the Human Services Special Revenue Fund.
Amends Ordinance No. 195, Series 2005, to change the accounting number associated with the Crime Prevention and Control Commission Fund and authorizes the accounting transactions necessary to move cash, revenue, expenditures, and existing contracts to the new fund number. The Committee approved filing this bill by consent on 12-3-15.

Recap of Bills to be Called Out

Pre-Recess Announcement

Tonight there will be a required public hearing on CB15-0827, changing the zoning classification for 510 East 51st Avenue, 480 East 51st Avenue, 4855 Pearl Street, 4871 Pearl Street, and 4877 Pearl Street. 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

Neighborhoods & Planning

CB15-0827 A bill for an ordinance changing the zoning classification for 510 E. 51st Avenue, 480 E. 51st Avenue, 4855 Pearl Street, 4871 Pearl Street, and 4877 Pearl Street.
Rezones property located at 510 E. 51st Avenue, 480 E. 51st Avenue, 4855 Pearl Street, 4871 Pearl Street, and 4877 Pearl Street from I-A, UO-2 (Light Industrial, Billboard Use Overlay) and I-MX-3, UO-2 (Industrial, Mixed Use, 3 stories) to C-MX-5 (Urban Center, Mixed Use, 5 stories) in Council District 9. The Committee approved filing this bill at its meeting on 11-4-15.

Bills for Final Consideration

Business Development

CB15-0913 A bill for an ordinance concerning the licensing and regulation of marijuana businesses, and in connection therewith, amending Article V of Chapter 6 of the Denver Revised Municipal Code to extend the time period during which eligibility for a new retail marijuana business license is limited to certain preexisting medical marijuana licensees, and amending Article XII of Chapter 24 of the Denver Revised Municipal Code to impose a moratorium on the issuance of new medical marijuana licenses.
Amends Article V of Chapter 6 of the Denver Revised Municipal Code to extend the time period during which eligibility for a new retail marijuana business license is limited to certain preexisting medical marijuana licensees, and amending Article XII of Chapter 24 of the Denver Revised Municipal Code to impose a moratorium on the issuance of new medical marijuana licenses. The Committee approved filing this bill at its meeting on 11-24-15.

Finance & Services

CB15-0868 AS AMENDED, a bill for an ordinance approving a Purchase and Sale Agreement between the City and County of Denver and Recreational Equipment, Inc. for the sale of 1416 Platte Street.
Approves the sale of city-owned land for $500,000 to Recreation Equipment, Inc. (REI) which has been leasing the land adjacent to 1416 Platte Street in Council District 1 for parking since 2000 (FINAN 201523366-00). The last regularly scheduled Council meeting within the 30-day review period is on 12-21-15. The Committee approved filing this bill by consent on 11-19-15. Amended 12-7-15 to correct an error in the filed bill. REI's address is 1416 Platte Street. The parcel being sold to REI by the City is adjacent to the business.

CB15-0909 A bill for an ordinance approving a loan transfer from the Department of Environmental Health, Environmental Services Enterprise Fund to the General Fund; making an appropriation to transfer funds from the General Fund to the Capital Improvements and Capital Maintenance Fund; and making an appropriation in the Capital Improvements and Capital Maintenance Fund.
Appropriates and authorizes a $2 million loan transfer in the Department of Environmental Health Environmental Services Enterprise Fund to the General Fund to implement an Energy Performance Contract; appropriates and authorizes a $2 million transfer from the General Fund to the Capital Improvement Fund to complete identified energy efficiency improvements in facilities as outlined in the City's Energy Performance Contract. The Committee approved filing this bill by consent on 11-25-15.

Infrastructure & Culture

CB15-0843 A bill for an ordinance approving a proposed Agreement between the City and County of Denver and the City and County of Denver acting by and through its Board of Water Commissioners to undertake measures that increase the efficient use of water on Denver parks and golf courses and provide for future cooperation between the parties to further this goal.
Approves a $4 million intergovernmental agreement with Denver Water that addresses water usage at Wellshire Golf Course and Harvard Gulch Park and outlines agreements to the Central Control Master Plan and a funding mechanism for recycled water conversion over time. The Committee approved filing this bill at its meeting on 11-18-15.

Announcement

Dependent upon publication, on Monday, January 11, 2016, there will be a required public hearing on CB15-0891, changing the zoning classification for 770 South Federal Boulevard. Any protests against CB15-0891 must be filed with the Council Offices no later than Monday, January 4, 2016.

Adjourn

Pending

For 1-25-16

CB15-0625 A bill for an ordinance changing the zoning classification for 3268 West 32nd Avenue.

Required Public Hearing
Final Consideration