

City Council Meeting of Monday, April 25, 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

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
<https://denver8.tv>**

****REMINDER****

As a courtesy to those in attendance,
please
turn off your cell phones.

MEETING ASSISTANCE NOTICE - AMERICANS WITH DISABILITIES ACT AND LANGUAGE INTERPRETATION

The Council Chambers has listening devices for people with a hearing loss. Request a device from the Council Secretary. The City can provide sign language interpretation, CART (computer assisted real-time transcription), and foreign language interpretation for persons attending City Council meetings. If you need any of these accommodations, please email dencc@denvergov.org or call 720-337-2000 three (3) business-days prior to the Council meeting.

CITY COUNCIL AGENDA

The City Council agenda and meeting schedule are made available for public review during normal business hours at 1437 Bannock St., Rm. 451, on Thursday afternoons prior to the regularly scheduled Council meeting. The agenda packet is also posted on the City Council website at <http://www.denvergov.org/citycouncil>. Questions on agenda items may be directed to the Denver City Council at 720-337-2000.

AUDIO/VIDEO ACCESS TO CITY COUNCIL MEETINGS

City Council meetings are televised live on cable TV Channel 8, and can be viewed via live or archived webcast at <https://denver8.tv>.

PUBLIC COMMENT DURING PUBLIC HEARINGS

This is the time of the meeting for the City Council to receive comments from the public regarding items up for consideration scheduled for public hearing. To speak, sign up with the Council Secretary during the recess of Council. Speakers must be present to sign a speaker card – no sign-up by proxy permitted. Each speaker is allowed 3 minutes, unless another speaker has yielded his or her time which would result in a maximum of 6 minutes (for required hearings only; no yielding of time for courtesy hearings). Please contact the Denver City Council for more information at 720-337-2000.

City Council Agenda and Explanatory Notes

Meeting Date: Monday, April 25, 2016 5:30 PM

Pledge of Allegiance

Roll Call

[Approval](#) of the Minutes

Council Announcements

Presentations

Communications

Proclamations

[CP16-0317](#) A proclamation in support of National Adopt a Shelter Pet Day. Council members Clark, Black, New, Flynn, Kashmann, Susman, Kniech, López, Espinoza, and Gilmore.

Resolutions

Business Development

[CR16-0235](#) A resolution approving a proposed Loan Agreement between the City and County of Denver and Renaissance Housing Development Corporation to provide partial construction financing for an income restricted rental community.

Approves a 40-year loan to the Renaissance Housing Development Corporation for \$1 million to provide construction and permanent financing on a 101-unit, income restricted rental community known as Broadway Lofts located at 2075 Broadway in Council District 8 (OEDEV-201626316-00). The last regularly scheduled Council meeting within the 30-day review period is on 5-16-16. The Committee approved filing this resolution at its meeting on 4-12-16.

[CR16-0238](#) A resolution approving a proposed Agreement between the City and County of Denver and Virgin America Inc. related to marketing incentives at Denver International Airport.

Approves a contract with Virgin America for an air service development incentive in the amount of \$500,000 through 03-15-17 in marketing incentives from Denver International Airport (201525865). The last regularly scheduled Council meeting

within the 30-day review period is on 5-16-16. The Committee approved filing this resolution by consent on 4-14-16.

CR16-0239 A resolution approving a proposed Agreement between the City and County of Denver and Dataman USA, LLC related to on call technologies at Denver International Airport.

Approves an on-call contract with Dataman USA, Inc. for \$5 million for three years to provide IT professional services on an as-needed basis for staff augmentation, project-related services, and initiatives at Denver International Airport (PLANE 201626619). The last regularly scheduled Council meeting within the 30-day review period is on 5-16-16. The Committee approved filing this resolution by consent on 4-14-16.

CR16-0240 A resolution approving a proposed Agreement between the City and County of Denver and Digital Intelligence Systems, LLC related to on call technologies at Denver International Airport.

Approves an on-call contract with Digital Intelligence Systems, LLC for \$5 million for three years to provide IT professional services on an as-needed basis for staff augmentation, project-related services, and initiatives at Denver International Airport (PLANE 201626626). The last regularly scheduled Council meeting within the 30-day review period is on 5-16-16. The Committee approved filing this resolution by consent on 4-14-16.

CR16-0241 A resolution approving a proposed Agreement between the City and County of Denver and IHCS, Inc. related to on call technologies at Denver International Airport.

Approves an on-call contract with IHCS, Inc. doing business as Maven Asset Management for \$2.5 million for three years to provide IT professional services on an as-needed basis for staff augmentation, project-related services, and initiatives at Denver International Airport (PLANE 201626629). The last regularly scheduled Council meeting within the 30-day review period is on 5-16-16. The Committee approved filing this resolution by consent on 4-14-16.

CR16-0242 A resolution approving a proposed Agreement between the City and County of Denver and The JW Group, Inc. related to on call technologies at Denver International Airport.

Approves an on-call contract with The JW Group, Inc. for \$5 million for three years to provide IT professional services on an as-needed basis for staff augmentation, project-related services, and initiatives at Denver International Airport (PLANE 201626630). The last regularly scheduled Council meeting within the 30-day review period is on 5-16-16. The Committee approved filing this resolution by consent on 4-14-16.

CR16-0243 A resolution approving a proposed Agreement between the City and County of Denver and The Kforce, Inc. related to on call technologies at Denver International Airport.

Approves an on-call contract with Kforce Technology for \$2.5 million for three years to provide IT professional services on an as-needed basis for staff augmentation,

project-related services, and initiatives at Denver International Airport (PLANE 201626628). The last regularly scheduled Council meeting within the 30-day review period is on 5-16-16. The Committee approved filing this resolution by consent on 4-14-16.

CR16-0244 A resolution approving a proposed Agreement between the City and County of Denver and The Nicman Group, LLC related to on call technologies at Denver International Airport.

Approves an on-call contract with The Nicman Group, LLC for \$5 million for three years to provide IT professional services on an as-needed basis for staff augmentation, project-related services, and initiatives at Denver International Airport (PLANE 201626733). The last regularly scheduled Council meeting within the 30-day review period is on 5-16-16. The Committee approved filing this resolution by consent on 4-14-16.

CR16-0245 A resolution approving a proposed Agreement between the City and County of Denver and Premisys Support Group, Inc. related to on call technologies at Denver International Airport.

Approves an on-call contract with Premisys Support Group, Inc. for \$2.5 million for three years to provide IT professional services on an as-needed basis for staff augmentation, project-related services, and initiatives at Denver International Airport (PLANE 201626627). The last regularly scheduled Council meeting within the 30-day review period is on 5-16-16. The Committee approved filing this resolution by consent on 4-14-16.

CR16-0246 A resolution approving a proposed Agreement between the City and County of Denver and reVision, Inc. related to on call technologies at Denver International Airport.

Approves an on-call contract with reVision, Inc. for \$5 million for three years to provide IT professional services on an as-needed basis for staff augmentation, project-related services, and initiatives at Denver International Airport (PLANE 201626631). The last regularly scheduled Council meeting within the 30-day review period is on 5-16-16. The Committee approved filing this resolution by consent on 4-14-16.

CR16-0247 A resolution approving a proposed Design & Engineering Services Agreement between the City and County of Denver and CH2M Hill, Inc. related to the gate apron rehabilitation and drainage improvements project at Denver International Airport.

Approves a three-year contract with CH2M in the amount of \$10 million for design and construction administration services for the gate apron rehabilitation and drainage improvements project at Denver International Airport (201522926). The last regularly scheduled Council meeting within the 30-day review period is on 5-16-16. The Committee approved filing this resolution by consent on 4-14-16.

CR16-0258 A resolution approving a proposed Agreement between the City and County of Denver and Sasaki Associates, Inc. related to planning and development of land at Denver International Airport.

Approves a contract with Sasaki for \$3 million through 05-01-19 for assistance with various services related to the planning and development of land at Denver International Airport (201524391). The last regularly scheduled Council meeting within the 30-day review period is on 5-16-16. The Committee approved filing this resolution by consent on 4-14-16.

Finance & Services

CR16-0255 A resolution approving the proposed purchase by the City and County of Denver including DIA of insurance policies through Willis of Minnesota, Inc., Arthur J. Gallagher Risk Management Services, Inc., FM Global, and Huntington T. Block Insurance Agency, Inc. in an amount not to exceed \$4,179,466.

Renews the City's property and liability insurance policies on 5-1-16 for a total premium not to exceed \$4,179,466 and authorizes the purchase of new citywide cyber liability insurance (Willis: FINAN-201419400; Arthur J. Gallagher: FINAN-201419401; Huntington T. Block: FINAN-201415384-01). The last regularly scheduled Council meeting within the 30-day review period is on 5-16-16. The Committee approved filing this resolution by consent on 4-14-16.

CR16-0259 A resolution to set a public hearing relating to approval of an amendment to the Welton Corridor Urban Redevelopment Plan and directing the Denver Urban Renewal Authority to take certain actions in connection with the amendment.

Sets a public hearing before City Council on May 31, 2016 to amend the Welton Corridor Urban Redevelopment Plan for the 2560 Welton Street Project in Council District 9. The Committee approved filing this resolution by consent on 4-14-16.

Infrastructure & Culture

CR16-0250 A resolution laying out, opening and establishing as part of the City street system a parcel of land as a public alley bounded by Quitman Street, West Colfax Avenue and Perry Street.

Dedicates land as a public alley near the intersection of West Colfax Avenue and Perry Street in Council District 3. The Committee approved filing this resolution by consent on 4-14-16.

CR16-0251 A resolution approving a proposed Fifth Amendatory Agreement between the City and County of Denver and SMG for stagehand staffing and payroll services.

Increases the contract with SMG by \$3 million for a total contract not to exceed \$43 million to adjust pension and benefits for stage hands to compensate for the increased number of shows at City venues (CE93004). The last regularly scheduled Council meeting within the 30-day review period is on 5-16-16. The Committee approved filing this resolution by consent on 4-14-16.

Bills for Introduction

Infrastructure & Culture

CB16-0248 A bill for an ordinance approving a proposed Intergovernmental Agreement between the City and County of Denver and City of Aurora to reimburse Aurora for improvements to be constructed in the Denver portion of Tower Road to widen the road and construct appurtenances thereto.

Approves an intergovernmental agreement with the City of Aurora to reimburse Aurora \$850,000 for improvements in the Denver portion of the roadway including a traffic signal at the 43rd Avenue intersection and construction of a landscaped and irrigated median in Council District 11 (PWADM-201627364-00). The last regularly scheduled Council meeting within the 30-day review period is on 5-16-16. The Committee approved filing this bill by consent on 4-14-16.

Neighborhoods & Planning

CB16-0217 A bill for an ordinance changing the zoning classification for 5104 Dallas Street.

Rezones property located at 5104 Dallas Street from M-RX-5 (master plan, residential mixed-use, 5 stories) to I-MX-3 (industrial, mixed-use, 3 stories) in Council District 8. 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 4-6-16.

CB16-0219 A bill for an ordinance changing the zoning classification for 4353 N. Cherokee Street.

Rezones property located at 4353 N. Cherokee St. from I-A, UO-2 (light industrial, billboard use overlay permitted) to C-RX-8 (urban center, residential mixed-use, 8 stories) 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 4-6-16.

CB16-0249 A bill for an ordinance changing the zoning classification for 30-50 South Colorado Boulevard.

Rezones property located at 30-50 S. Colorado Boulevard from E-SU-D (urban edge, single unit, 6000 minimum lot size) to G-RH-3 (general urban, row house, 3 stories) in Council District 5. 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 4-13-16.

Safety & Well-being

[CB16-0177](#) A bill for an ordinance adding a new Article XIII of Chapter 24 of the Revised Municipal Code of the City and County of Denver regarding use of graywater.

Amends the Denver Revised Municipal Code to add a new Article XIII of Chapter 24 allowing for the beneficial reuse of graywater within the City. The Committee approved filing this bill at its meeting on 4-12-16.

[CB16-0257](#) A bill for an ordinance amending Article II of Chapter 4 of the Denver Revised Municipal Code relating to prevention and control of nuisance odors.

Amends Article II of Chapter 4 of the Denver Revised Municipal Code relating to prevention, control, and abatement of nuisance odors. The Committee approved filing this bill at its meeting on 4-12-16.

Recap of Bills to be Called Out

Pre-Recess Announcement

Tonight there will be a required public hearing on CB16-0183, relating to the Denver Zoning Code, amending the provisions of the Airport Influence Overlay Zone District. 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

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

Approves a text amendment to the Denver Zoning Code to amend the provisions of the Airport Influence Overlay (AIO) District to allow multi-unit residential uses between 62nd and 64th avenues in the AIO District and to make related conforming amendments in Council District 11. The Committee approved filing this bill at its meeting on 3-16-16.

Bills for Final Consideration

Business Development

[CB16-0224](#) A bill for an Ordinance amending Chapter 5 of the Denver Revised Municipal Code - AIRPORT AND AIRCRAFT, Article II. - OPERATION OF DENVER MUNICIPAL AIRPORT SYSTEM, Sec. 5-18. - Private designing, planning, construction, reconstruction and remodeling.

Amends Section 5-18 of the Denver Revised Municipal Code concerning privately financed commercial improvements on Denver International Airport land. The Committee approved filing this bill by consent on 4-7-16.

[CB16-0225](#) A bill for an Ordinance amending Chapter 5 of the Denver Revised Municipal Code - AIRPORT AND AIRCRAFT, with the addition of Article IV. LIMITATIONS ON DEVELOPMENT WITHIN THE AIRPORT INFLUENCE OVERLAY DISTRICT, Sec. 5-37. Airport Influence District.

Amends Section 5-37 of the Denver Revised Municipal Code concerning limitations on development within the Airport Influence Overlay District. The Committee approved filing this bill by consent on 4-7-16.

Governance & Charter Review

[CB16-0205](#) 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 adding Police Video Operator (613-N) and Lead Police Video Operator (614-N) who will be responsible for monitoring live video, storing and accessing video recordings, and storing data recorded from police officer body cameras. The Committee approved filing this bill at its meeting on 4-5-16.

Infrastructure & Culture

[CB16-0154](#) A bill for an Ordinance approving an Agreement with the State of Colorado, Department of Transportation for a major road construction project, known as I-25/Santa Fe & Alameda Avenue Interchange Project.

Approves an intergovernmental agreement with the Colorado Department of Transportation for land transactions and underpass construction for the South Platte Regional Trail and roadway improvements between South Jason Street and South Huron Street for the I-25/Santa Fe and Alameda Avenue Interchange Project in Council District 7 (201626220). The last regularly scheduled Council meeting within the 30-day review period is on 5-9-16. The Committee approved filing this bill at its meeting on 4-6-16.

[CB16-0229](#) A bill for an ordinance approving a proposed Contract between the City and County of Denver and Colorado Department of Transportation for ongoing maintenance of Signs and Pavement Markings on State

Highways.

Approves a five-year \$913,972.80 intergovernmental agreement with the Colorado Department of Transportation through 06-30-21 to reimburse the City for ongoing maintenance of signs and pavement markings on state highways in Denver (20162727). The last regularly scheduled Council meeting within the 30-day review period on 5-9-16. The Committee approved filing this bill by consent on 4-7-16.

CB16-0230 A bill for an ordinance approving a proposed Contract between the City and County of Denver and Colorado Department of Transportation (CDOT) for funding to reimburse the City for costs associated with the ongoing maintenance of Traffic Signals on State Highways within the City and County of Denver.

Approves a five-year \$5,427,000 intergovernmental agreement with Colorado Department of Transportation through 06-30-21 to reimburse the City for ongoing maintenance of traffic signals on state highways in Denver (201627276). The last regularly scheduled Council meeting within the 30-day review period is on 5-9-16. The Committee approved filing this bill by consent on 4-7-16.

Neighborhoods & Planning

CB16-0184 A bill for an ordinance amending the Building and Fire Code of the City and County of Denver.

Amends Article II of Chapter 10 of the Denver Revised Municipal Code to add two additional amendments to the 2016 Denver Building and Fire Code for building requirements in the Airport Influence Overlay (AIO) District. The Committee approved filing this bill at its meeting on 3-16-16.

Special Issues: Marijuana Moratorium

CB16-0291 AS AMENDED 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 adopting other related amendments.

Amends the Denver Revised Municipal Code concerning marijuana facilities and caps the total number of licensed locations. Amended on 04-18-16 to correct some typos in the bill as introduced; to add a requirement that a community engagement plan be included with all applications for any type of license under the Denver Retail Marijuana Code; and to clarify that, in addition to new applications, the Registered Neighborhood Organization notification requirement in the revised section 12-96(b) also applies to all applications that were pending on May 1, 2016, when the premises proposed to be licensed is in an I-A or I-B industrial zone district. This bill

was approved for filing by Councilwoman Kniech.

[CB16-0293](#) 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 through June 1, 2016, to be effective if and only if the City Council does not adopt an ordinance capping marijuana business licenses effective May 1, 2016.

Continues the moratorium on new marijuana related facilities through June 1, 2016 only if the City Council does not adopt an ordinance capping marijuana business licenses. This bill was approved for filing by Councilwoman Black.

Announcement

Dependent upon publication on Monday, May 23, 2016, Council will hold a required public hearing on CB16-0217, changing the zoning classification for 5104 Dallas Street; a required public hearing on CB16-0219, changing the zoning classification of 4353 North Cherokee Street; and a required public hearing on CB16-0249, changing the zoning classification for 30-50 South Colorado Boulevard. Any protests against CB16-0217, CB16-0219, or CB16-0249 must be filed with the Council Offices no later than noon on Monday, May 16, 2016.

Adjourn

Pending

[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

[For](#) 5-9-16

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

**Required Public Hearing
Final Consideration**

[For](#) 5-16-16

CB16-0216 A bill for an ordinance changing the zoning classification for 4800 Race Street.

**Required Public Hearing
Final Consideration**