

City Council of Monday, September 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

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WEB ACCESS

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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, speaker cards are available during the recess of Council. 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, September 14, 2015 5:30 PM

Pledge of Allegiance

Roll Call

Approval of the Minutes

Council Announcements

Presentations

Communications

Proclamations

CP15-0655 A proclamation honoring the Big Brothers and Sisters Sports Buddies Program.

Sponsored by Council members Herndon, Brooks, Black, Susman, and Kashmann.

CP15-0656 A proclamation recognizing National Preparedness Month and National Day of Action on September 30, 2015.

Sponsored by Council members Ortega, Brooks, Black, Susman, and Kashmann.

CP15-0657 A proclamation in celebration of Cleo Parker Robinson Dance's 45-year legacy.

Sponsored by Council members Ortega, Brooks, Kniech, Black, Susman, and Kashmann.

Resolutions

Business Development

CR15-0578 A resolution approving a proposed Standard Food Court Concession Space Agreement between the City and County of Denver, and CI/DRC, LLC, concerning a concession space at Denver International Airport.

Approves a lease agreement with CI/DRC, LLC doing business as Chick-fil-A to lease 1,136.5 square feet of space for \$616,227.96 annually for seven years to provide food and beverage services to the traveling public and employees at Denver International Airport on Concourse B (PLANE 201523074). The last regularly scheduled Council meeting within the 30-day review period is on 10-5-15. The Committee approved filing this resolution at its meeting on 9-1-15.

CR15-0600 A resolution approving a proposed Agreement between the City and County of Denver and E.T. Technologies for grease and sand trap maintenance at Denver International Airport.

Approves a contract with E.T. Technologies for \$1.413 million through 12-31-16 for grease and sand trap maintenance at Denver International Airport (201523024). The last regularly scheduled Council meeting within the 30-day review period is on 9-28-15. The Committee approved filing this resolution by consent on 8-27-15.

CR15-0601 A resolution approving a proposed Services Premium Value Concession Program Participation Agreement (First Amendment) among the City and County of Denver, Paradies-Taste 5280, LLC (Tenant), and XpresSpa Denver Airport, LLC (Subtenant), concerning a concession space at Denver International Airport.

Amends a contract with Paradies-Taste 5280, LLC (Tenant) and XpresSpa Denver Airport, LLC (Subtenant) to enroll the concessionaire into the Services Premium Value Concessions Program. Contract duration and amount are unchanged from the original terms (PLANE- 201415049). The last regularly scheduled Council meeting within the 30-day review period is on 9-28-15. The Committee approved filing this resolution by consent on 8-27-15.

CR15-0605 A resolution approving a proposed Agreement between the City and County of Denver and Linebarger Goggan Blair & Sampson, LLP for collection services.

Approves a contract with Linebarger Goggan Blair & Sampson, LLP in the amount of \$1.272 million through 5-31-18 for outside legal services in connection with litigation (201522912). The last regularly scheduled Council meeting within the 30-day review period is on 9-28-15. The Committee approved filing this resolution by consent on 8-27-15.

Finance & Services

CR15-0627 A resolution approving a proposed agreement between the City and County of Denver and GovDeals, Inc. for access to an online auction software platform and a customer base to auction various surplus property.

Approves a \$7 million revenue contract with GovDeals, Inc. through 7-31-20 for access to an online auction software platform and a customer base for sale of surplus City property (201523038-00). The last regularly scheduled Council meeting within the 30-day review period is on 10-5-15. The Committee approved filing this resolution by consent on 9-3-15.

Infrastructure & Culture

CR15-0592 A resolution approving a proposed Contract and Agreement between the City and County of Denver and AP Mountain States, LLC dba Adolfson & Peterson Construction for construction of the Central Denver Recreation Center

Approves a \$8,789,096 construction manager/general contractor agreement with AP Mountain States, LLC for construction of the Central Denver Recreation Center in Council District 9. The last regularly scheduled Council meeting within the 30-day review period is on 9-28-15. The Committee approved filing this resolution by consent on 8-27-15.

CR15-0594 A resolution accepting and approving the plat of Stapleton Filing No. 47.

Approves the subdivision plat for Stapleton Filing No. 47 between 51st Avenue and 53rd Avenue and between Central Park Boulevard and Dallas Street in Council District 8. The Committee approved filing this resolution by consent on 8-27-15.

CR15-0599 A resolution approving a proposed Amendatory Agreement between the City and County of Denver and Aramark Sports and Entertainment Services, LLC, to provide facility services as needed to various City venues.

Adds \$12 million and two years to the agreement with Aramark Sports and Entertainment Services, LLC (for a new total of \$20.4 million and end date of 10-31-17) for facility services (housekeeping both routine and before and after events, security services, minor repair and maintenance services, and related services) for Denver Arts & Venues facilities including Red Rocks Amphitheatre and Visitor Center, the Denver Coliseum, and the Denver Performing Arts Complex (THTRS-201207615-01). The last regularly scheduled Council meeting within the 30-day review period is on 9-28-15. The Committee approved filing this resolution at its meeting on 8-26-15.

CR15-0602 A resolution granting a revocable permit to The Bike Hub, Inc., to encroach into the right-of-way at 1800 16th Street.

Grants a revocable permit to The Bike Hub, Inc. to encroach into the right-of-way with a bike station building, waterline, sanitary sewer, electrical power line, gas line, and signage in old Wewatta Street at 1800 16th Street in Council District 9. The Committee approved filing this resolution by consent on 8-27-15.

CR15-0603 A resolution approving a Parks Use Agreement with The German American Chamber of Commerce-Colorado Chapter for a multi-day event in Skyline Park.

Approves a park use agreement with The German American Chamber of Commerce-Colorado Chapter for the annual Cristkindl market - a multi-day event in Skyline Park in Council District 9 (201523354). The last regularly scheduled Council meeting within the 30-day review period is on 9-28-15. The Committee approved filing this resolution by consent on 8-27-15.

CR15-0604 A resolution granting a revocable permit to Wolf Properties, LLC, to encroach into the right-of-way at 2660 Walnut Street.

Grants a revocable permit to Wolf Properties, LLC to encroach into the right-of-way with the expansion of an existing loading dock with stairs and railings, and the addition of sidewalk with accessible ramps, curb and gutter at 2660 Walnut Street in Council District 9. The Committee approved filing this resolution by consent on 8-27-15.

CR15-0608 A resolution approving an Agreement between the City and County of Denver and W.L. Contractors, Inc., for citywide traffic signal construction and replacement.

Approves a \$1,914,307.80 on-call contract with W.L. Contractors, Inc. for citywide traffic signal construction and replacement (201522741). The last regularly scheduled Council meeting within the 30-day review period is on 10-5-15. The Committee approved filing this resolution by consent on 9-3-15.

CR15-0611 A resolution approving an Agreement between the City and County of Denver and Flatirons, Inc. for professional land surveying and related technical services.

Approves a \$2.5 million on-call agreement with Flatirons, Inc. through 08-31-18 for professional land surveying and related technical services (201555685). The last regularly scheduled Council meeting within the 30-day review period is on 10-5-15. The Committee approved filing this resolution by consent on 9-3-15.

CR15-0612 A resolution approving an agreement between the City and County of Denver and Jacobs Engineering Group, Inc. for professional land surveying and related technical services.

Approves a \$2.5 million on-call agreement with Jacobs Engineering Group through 08-31-18 for professional land surveying and related technical services (201523766). The last regularly scheduled Council meeting within the 30-day review period is on 10-5-15. The Committee approved filing this resolution by consent on 9-3-15.

CR15-0617 A resolution approving the Mayor's reappointments and appointment to the Metro Wastewater Reclamation District Board of Directors.

Approves the Mayoral reappointments of Peter Baertlein, Steve Garcia, Andrew Johnston and Barbara Puls, and the appointment of Celia VanDerLoop to the Metro Wastewater Reclamation District Board of Directors for terms effective immediately and expiring 6-30-17. The Committee approved filing this resolution by consent on 9-3-15.

CR15-0622 A resolution granting a revocable permit to Denver Bike Sharing, to encroach into the right-of-way at 21 West 11th Avenue.

Grants a revocable permit to Denver Bike Sharing to encroach into the right-of-way with a bicycle docking station at 21 West 11th Avenue in Council District 10. The Committee approved filing this resolution by consent on 9-3-15.

CR15-0626 A resolution approving a Third Amendatory Agreement between the City and County of Denver and Keene Concrete, Inc. for intersection safety construction services.

Approves a no-cost extension of the on-call agreement with Keene Concrete, Inc. to 12-30-15 for intersection safety construction services (201206058). The last regularly scheduled Council meeting within the 30-day review period is on 10-5-15. The Committee approved filing this resolution by consent on 9-3-15.

Safety & Well-being

CR15-0593 A resolution declaring the intent of the City and County of Denver, Colorado to use its best efforts to issue housing revenue bonds or mortgage credit certificates to provide financing of residential facilities for low- and middle-income families or persons; prescribing certain terms and conditions of such bonds and certificates; and containing other provisions relating to the proposed issuance of such bonds and certificates.

Declares the intent of the City and County of Denver to issue housing revenue bonds or mortgage credit certificates to provide financing of residential facilities for low- and middle-income families or persons in the future; prescribes certain terms and conditions of such bonds; and contains other provisions relating to the proposed issuance of such bonds. The Committee approved filing this resolution by consent on 8-27-15.

CR15-0616 A resolution approving a proposed Amendatory Agreement between the City and County of Denver and Excelsior Youth Centers, Inc. for Out-of-Home Placement Services.

Amends a contract with Excelsior Youth Centers, Inc. to increase the reimbursement rate for the contractor to provide placements and case management services to children in out-of-home care for a total contract in the amount of \$2,937,157 (2015-21829-01). The last regularly scheduled Council meeting within the 30-day review period is on 10-5-15. The Committee approved filing this resolution by consent on 9-3-15.

CR15-0619 A resolution approving an Amendatory Agreement between the City and County of Denver and Community Education Centers, Inc. for community correction services.

Amends an agreement with Community Education Centers to add \$15,255.15 for a new contract total in the amount of \$2,227,521.15 for residential community corrections services provided in Fiscal Year 2014-2015 (2014-16270-01). The last regularly scheduled Council meeting within the 30-day review period is on 10-5-15. The Committee approved filing this resolution by consent on 9-3-15.

CR15-0621 A resolution approving and providing for the execution of a proposed grant agreement between the City and County of Denver and the State of Colorado concerning the "UASI FY15" program and the funding therefor, and authorizing the purchase of capital equipment items from the "UASI FY15" Special Revenue Fund budget.

Approves and executes a grant agreement with the State of Colorado in the amount of \$2.4 million concerning the Fiscal Year 2015 Urban Areas Security Initiative (UASI) program and funding, and to procure equipment utilizing these funds (MOOEM – 201523947-00). The last regularly scheduled Council meeting within the 30-day review period is on 10-5-15. The Committee approved filing this resolution by consent on 9-3-15.

Bills for Introduction

Business Development

CB15-0128 A bill for an ordinance approving a proposed Agreement between the City and County of Denver and Jefferson County to provide workforce development services and programs under the federally funded H1-B Ready to Work project.

Authorizes Denver's Division of Workforce (DWD) to grant a sub-award to the Jefferson County America Job Center in the amount of \$735,581 through 9-30-18 to provide services under the "ready to work" grant from the Department of Labor (201520647). The last regularly scheduled Council meeting within the 30-day review period is on 9-28-15. The Committee approved filing this bill by consent on 3-5-15.

CB15-0549 A bill for an ordinance approving a proposed Office Space Lease between the City and County of Denver and Panasonic Corporation of North America related to leased space at Denver International Airport.

Approves a lease agreement with Panasonic Enterprise Solutions Company for office space at the World Port Buildings at 24735 East 75th Street in Council District 11 in exchange for products and services equivalent to \$47,981.25 for the term 9-01-15 to 8-31-16. (201522796). The last regularly scheduled Council meeting within the 30-day review period is on 9-28-15. The Committee approved filing this bill by consent on 8-6-15.

Finance & Services

CB15-0559 A bill for an ordinance approving a proposed Amendment to Concession Agreement between the City and County of Denver and Sylvestor Tally, for operation of a coffee kiosk in the Webb Building.

Adds one year at the rate of \$900 per month to the concession agreement with Sylvestor Tally (for a new contract total of \$105,300) for the leased coffee cart area in the Webb Building in Council District 9. (FINAN RC73031-01). The last regularly scheduled Council meeting within the 30-day review period is on 9-28-15. The Committee approved filing this bill at its meeting on 8-11-15.

CB15-0598 A bill for an ordinance approving a First Amendment to the Purchase and Sale Agreement with Manoah, LLC for the purchase of 405 South Platte River Drive.

Adds \$275,000 to a purchase and sale agreement with Manoah, LLC for a new contract total of \$2.6 million for installation of a new fire hydrant and extended water line at the proposed site of the Denver Road Home's Solutions Center at 405 South Platte River Drive in Council District 7 (FINAN 201419553-01). The last regularly scheduled Council meeting within the 30-day review period is on 10-5-15. The Committee approved filing this bill by consent on 8-27-15.

Governance & Charter Review

CB15-0591 A bill for an ordinance amending the 1963 Retirement Plan with regard to definitions, establishment and management of trust fund, retirement board, retirement categories, retirement benefits, joint and survivor benefits, and monthly payment of benefits.

Amends the Denver Revised Municipal Code to lower the actuarially assumed rate of investment return to 7.75% from the current rate of 8.0%, and to remove obsolete language or clarify Code language intent. The Committee approved filing this bill at its meeting on 8-25-15.

CB15-0624 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.

Approves classification notice #1507 by amending the Classification and Pay Plan by adding Document Management Technician, pay grade 612-C. The Committee approved filing this bill by consent on 9-3-15.

Infrastructure & Culture

CB15-0548 A bill for an ordinance approving a proposed Sponsorship Agreement between the City and County of Denver, The Superlative Group, Inc., and MillerCoors, LLC to obtain certain sponsorship opportunities in connection with the City venues.

Approves a three-year sponsorship revenue agreement for \$375,000 annually with MillerCoors, LLC (totaling \$1,125,000 over the contract term through 12-31-17) for marketing and advertising assets in City Venues (201520449). The last regularly scheduled Council meeting within the 30-day review period is on 10-5-15. The Committee approved filing this bill by consent on 8-6-15.

Neighborhoods & Planning

CB15-0573 A bill for an ordinance changing the zoning classification for 2698 S. Federal Boulevard.

Rezones property located at 2698 South Federal Boulevard from S-MU-3 (Suburban, Multi-Unit, 3 stories) to S-MX-3 (Suburban, 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 9-2-15.

CB15-0615 A bill for an ordinance changing the zoning classification for 620 West 1st Avenue and 90 South Galapago Street.

Rezones 620 West 1st Avenue and a portion of 90 Galapago Street from U-RH-2.5 (Urban, Row House, 2.5 stories) to I-MX-3 (Industrial, 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 9-2-15.

Recap of Bills to be Called Out

Pre-Recess Announcement

Tonight there will be a required public hearing on CB15-0535, changing the zoning classification for 4400 Fox Street, and a required public hearing on CB15-0536, changing the zoning classification for 2500 and 2600 Lawrence Street. Anyone wishing to speak on either 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

CB15-0535 A bill for an ordinance changing the zoning classification for 4400 Fox Street.

Rezones 4400 N. Fox Street from IB, UO-2 (General Industrial, Billboard Use Overlay) to C-MX-12, UO-2 (Urban Center, Mixed-Use, 12 stories, Billboard Use Overlay) in Council District 9. The Committee approved filing this bill at its meeting on 8-5-15.

CB15-0536 A bill for an ordinance changing the zoning classification for 2500 and 2600 Lawrence Street, with a waiver.

Rezones 2500 Lawrence Street and 1185 26th Street from G-MU-3, UO-3 (General Urban, Multi-Unit, 3 stories, Use Overlay) to G-RX-5 (General Urban, Residential Mixed-Use, 5 stories) with waivers in Council District 9. The Committee approved filing this bill at its meeting on 8-5-15.

Bills for Final Consideration

Finance & Services

CB15-0560 A bill for an ordinance approving a proposed Amendatory Agreement between the City and County of Denver and Coffee Etcetera, LLC for leased space for the operation of a coffee shop in the Lindsey Flanigan Courthouse.

Adds five years at lease rates escalating annually (for a new total contract amount of \$115,500) to the concession agreement with Coffee Etcetera for the coffee shop in the Lindsey Flanigan Courthouse in Council District 10 (FINAN RC15001-01). The last regularly scheduled Council meeting within the 30-day review period is on 9-21-15. The Committee approved filing this bill at its meeting on 8-11-15.

Governance & Charter Review

CB15-0574 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 multiple Finance & Accounting related pay grades and classification titles, establishing nine (9) new classifications, and abolishing the classification of Accounting Technician. The Committee approving filing this bill by consent on 8-20-15.

Infrastructure & Culture

CB15-0554 A bill for an ordinance approving a proposed Second Amendatory Agreement between the City and County of Denver and WM Recycle America, L.L.C., for recycling and marketing services.

Amends a revenue contract with WM Recycle America to allow a reduction in revenue through October 2016 by tying revenue to the market index for recycling, resulting in an estimated loss of \$800,000 in City revenues due to a downturn in global recycling markets (201102838). The last regularly scheduled Council meeting within the 30-day review period is on 9-21-15. The Committee approved filing this bill at its meeting on 8-12-15.

Neighborhoods & Planning

CB15-0585 A bill for an ordinance amending Article I of Chapter 30 (Landmark Preservation) of the Revised Municipal Code.

Amends Chapter 30, Article 1, Sections 9 & 10, of the Denver Revised Municipal Code to provide correct references to state rules pertaining to landmark preservations and to reflect current review guidelines for historic rehabilitation tax credits. The Committee approved filing this bill at its meeting on 8-19-15.

Safety & Well-being

CB15-0570 A bill for an ordinance approving a proposed Master Funding Agreement between the City and County of Denver and Colorado Housing and Finance Authority for the Denver Revolving Affordable Housing Loan Fund.

Approves a Master Funding Agreement with Colorado Housing and Finance Authority (CHFA) paid out of the Revolving Affording Housing Loan Fund (RAHLF) for the administration, underwriting and servicing of the City's Revolving Affordable Housing Loan Fund (RAHLF). The costs will be covered by borrowers from the fund in the form of application and origination fees and a portion of the interest paid by borrowers. The last regularly scheduled Council meeting within the 30-day review period is on 9-21-15. The Committee approved filing this bill at its meeting on 8-18-15.

CB15-0571 A bill for an ordinance amending Article III of Chapter 27 of the Revised Municipal Code of the City and County of Denver regarding Preservation of Affordable Housing.

Amends Chapter 27, Article III of the Revised Municipal Code (Preservation of Affordable Housing) to expand coverage to all affordable properties that have received any public assistance; expand coverage to properties that are for sale; provide the City or its designee a right of first refusal on for-sale units; and increase the length of the required notice period. The Committee approved filing this bill at its meeting on 8-18-15.

CB15-0575 A bill for an ordinance approving a proposed Amendatory Agreement between the City and County of Denver and Savio House to provide Out-of-Home Placement Services in a residential child care facility (RCFF) setting for children/youth in the custody of the Department of Human Services.

Amends a contract with Savio House Residential Child Care Facility to add a tiered rate structure for the vendor payment for a contract in the amount of \$844,225 to provide placements and case management services to children in out-of-home care. This amendment adds no additional dollars to the contract total (2015-21827-01). The last regularly scheduled Council meeting within the 30-day review period is on 9-21-15. The Committee approved filing this bill by consent on 8-20-15.

CB15-0584 A bill for an ordinance amending Ordinance No. 74, Series of 2013, concerning the "Metro Mortgage Assistance Plus Program" in the General Government Special Revenue Fund.

Amends the Metro Mortgage Assistance Plus Program Fund in the General Government Revenue Fund to allow for authorizing expenditures from the fund to be spent on additional affordable housing activities as approved jointly by the City's Director of Office of Economic Development and Chief Financial Officer. The Committee approved filing this bill at its meeting on 8-18-15.

Announcement

Dependent upon publication on Monday, October 12, 2015, there will be a required public hearing on CB15-0573, changing the zoning classification for 2698 South Federal Boulevard, and a required public hearing on CB15-0615, changing the zoning classification for 620 West 1st Avenue and 90 South Galapago Street. Any protests against CB15-0573 or CB15-0615 must be filed with the Council Offices no later than Monday, October 5.

Adjourn

Pending

For 9-28-15

CB15-0586 A bill for an ordinance changing the zoning classifications for 4245 Fox Street, 4143-4159 Fox Street, 642 W. 43rd Avenue, 4211 Fox Street, and 4205 Fox Street, Denver, Colorado 80216.

Required Public Hearing
Final Consideration