

City Council Meeting of Monday, March 11, 2019

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
Leon Mason.....Director
Mar'quasa Hopson.....Clerk

Room 451
City & County Building
1437 Bannock Street
Denver CO 80202
Phone: 720-337-2000
Email: denc@denvergov.org

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 denc@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 the City & County Building, 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 <https://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://denver.legistar.com>.

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 either before the meeting starting at 5pm in Rm. 451 of the City & County Building, or 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, there is no yielding of time (unless necessary to accommodate translation or a disability). Please contact the Denver City Council for more information at 720-337-2000.

GENERAL PUBLIC COMMENT SESSIONS

Starting at 5pm before the first and third scheduled Council meeting each month, City Council hosts a 30-minute general public comment session, allowing members of the public to address the full Council with concerns regarding any matter not scheduled for a public hearing. Speakers have 3 minutes to speak and must sign up via email at denc@denvergov.org, phone at 720-337-2000 or in person in Rm. 451, City & County Building starting at 12:00 p.m. the Friday before the session is held. Sign up ends at 4:00 p.m. the day of the session. No sign up by proxy permitted. Please contact the Denver City Council for more information at 720-337-2000.

PLEDGE OF ALLEGIANCE

ROLL CALL

APPROVAL OF THE MINUTES

[19-0232](#) Minutes of Monday, March 4, 2019

COUNCIL ANNOUNCEMENTS

PRESENTATIONS

COMMUNICATIONS

PROCLAMATIONS

[19-0142](#) A proclamation congratulating the Denver St. Patrick's Day Parade Committee on the occasion of the 57th Annual Parade on March 16, 2019.

Sponsor Brooks

[19-0233](#) A proclamation commemorating the 50th Anniversary of the National Chicano Youth Liberation Conference in Denver and the West High Blowouts.

Sponsor López

[19-0236](#) A proclamation in support of an accurate 2020 Census.

Sponsor Ortega

RESOLUTIONS

Finance & Governance Committee

[19-0154](#) **A resolution approving the Mayor's appointment to the Crime Prevention and Control Commission.**

Approves the Mayoral appointment of Carol Peeples to the Crime Prevention and Control Commission for a term effective immediately and expiring 9-1-21, or until a successor is duly appointed. The Committee approved filing this resolution by consent on 2-26-19.

[19-0160](#) A resolution approving the Mayor's reappointments to the Denver Preschool Program Board of Directors.

Approves the Mayoral reappointments of Anna Jo Haynes, Stacie Gilmore, Michael Baker, Chris Watney, and Michael Yankovich to the Denver Preschool Program Board of Directors for terms effective immediately and expiring 12-31-21, or until a successor is duly appointed. The Committee approved filing this resolution by consent on 2-26-19.

Land Use, Transportation & Infrastructure Committee**[18-1499](#) A resolution approving a proposed Amendatory Agreement between the City and County of Denver and PCL Construction Services, Inc. for improvements to Paco Sanchez Park.**

Amends a contract with PCL Construction Services, Inc. by adding \$5,909,270 for a new total of \$9,311,574 and fifteen months for a new end date of 12-31-19 to implement phase 2 of the Re-imagine Play playground design at Paco Sanchez park featuring custom climbing structures, safety surfacing, seating areas, hardscape, landscape and irrigation upgrades, located at 880 Hooker Street in Council District 3 (201735349). The last regularly scheduled Council meeting within the 30-day review period is on 4-1-19. The Committee approved filing this item at its meeting on 12-18-18.

[18-1524](#) A resolution approving a Contract between the City and County of Denver and Sturgeon Electric Company, Inc. to remove and replace existing traffic equipment, curb ramps, sidewalk and curb and gutter in Council District 10.

Approves a contract with Sturgeon Electric Company Inc. for \$2,254,781.75 and for eight months to reconstruct five traffic signals within the South Colorado Boulevard corridor to enhance signal visibility and address safety issues, located at South Colorado Boulevard and Cherry Creek Drive North, East Ohio Avenue, East Iowa Avenue, East Florida Avenue and East Mexico Avenue in Council Districts 10 and 6 (201843268). The last regularly scheduled Council meeting within the 30-day review period is on 4-1-19. The Committee approved filing this item at its meeting on 12-25-18.

[19-0104](#) A resolution approving a Contract between the City and County of Denver and Duran Excavating, Inc. to construct a new storm drain system including concrete flat work of the La Plata Peak General Storm project.

Approves a contract with Duran Excavating, Inc. for \$2,990,592.25 and for nine months to construct a new storm drain system that ties into existing storm drain infrastructure including concrete flatwork such as curb, gutter, sidewalk and asphalt paving as part of the La Plata Peak General Storm project located near 43rd Avenue and Sherman Street in Council District 9 and near Exposition Avenue and South Fillmore Street in Council District 6 (201846018). The last regularly scheduled Council meeting within the 30-day review period is on 4-1-19. The Committee approved filing this item at its meeting on 2-19-19.

[19-0131](#) A resolution approving a Contract between the City and County of Denver and Murphy Company Mechanical Contractors and Engineers for deferred maintenance projects as needed in municipal buildings citywide.

Approves an on-call contract with Murphy Company Mechanical Contractors and Engineers for \$12,000,000 and for three years for preconstruction, in-house design and engineering, and construction services as needed for deferred maintenance projects in municipal buildings, citywide (201947295). The last regularly scheduled Council meeting within the 30-day review period is on 4-1-19. The Committee approved filing this item at its meeting on 2-19-19.

[19-0148](#) A resolution laying out, opening and establishing as part of the City street system a parcel of land as a public alley bounded by West 23rd Avenue, North King Street, West 24th Avenue and North Lowell Boulevard.

Dedicates a parcel of land as public right of way as public alley, located in the alley bounded by West 23rd Avenue, North King Street, West 24th Avenue and North Lowell Boulevard in Council District 1. The Committee approved filing this item at its meeting on 2-26-19.

[19-0149](#) A resolution laying out, opening and establishing as part of the City street system a parcel of land as a public alley bounded by South Gaylord Street, East Tennessee Avenue, South Vine Street and East Mississippi Avenue.

Dedicates a parcel of land as public right of way as public alley, located in the alley bounded by South Gaylord Street, East Tennessee Avenue, South Vine Street and East Mississippi Avenue in Council District 6. The Committee approved filing this item at its meeting on 2-26-19.

[19-0152](#) A resolution laying out, opening and establishing as part of the City street system parcels of land as a public alley bounded by East Mississippi Avenue, South Sherman Street, East Arizona Avenue and South Grant Street.

Dedicates a parcel of land as public right of way as public alley, located in the alley bounded by East Mississippi Avenue, South Sherman Street, East Arizona Avenue and South Grant Street in Council District 7. The Committee approved filing this item at its meeting on 2-26-19.

[19-0153](#) A resolution laying out, opening and establishing as part of the City street system parcels of land as a public alley bounded by South Lincoln Street, East Arizona Avenue, South Sherman Street and East Mississippi Avenue.

Dedicates a parcel of land as public right of way as public alley, located in the alley bounded by South Lincoln Street, East Arizona Avenue, South Sherman Street and East Mississippi Avenue in Council District 7. The Committee approved filing this item at its meeting on 2-26-19.

[19-0156](#) A resolution approving a Contract between the City and County of Denver and Martin Marietta Materials, Inc. for mill and overlay street paving, in Council Districts 1, 3 and 9.

Approves a contract with Martin Marietta Materials, Inc. for \$4,308,187.74 and for seven months for mill and overlay street paving including traffic control, striping and concrete work, as part of the Elevate Denver Bond Program in Council Districts 1, 3 and 9 (201844881). The last regularly scheduled Council meeting within the 30-day review period is on 4-1-19. The Committee approved filing this item at its meeting on 2-26-19.

[19-0157](#) A resolution approving a Contract between the City and County of Denver and Martin Marietta Materials, Inc. for mill and overlay street paving, in Council Districts 2, 4, 6 and 7.

Approves a contract with Martin Marietta Materials Inc. for \$4,626,484.80 and for seven months for mill and overlay street paving including traffic control, striping and concrete work, as part of the Elevate Denver Bond Program in Council Districts 2, 4, 6 and 7 (201844724). The last regularly scheduled Council meeting within the 30-day review period is on 4-1-19. The Committee approved filing this item at its meeting on 2-26-19.

[19-0158](#) A resolution approving a Contract between the City and County of Denver and Martin Marietta Materials, Inc. for mill and overlay street paving, in Council Districts 5, 8, 10 and 11.

Approves a contract with Martin Marietta Materials, Inc. for \$4,955,853 and for seven months for mill and overlay street paving including traffic control, striping and concrete work, as part of the Elevate Denver Bond Program in Council Districts 5, 8, 10 and 11 (201844737). The last regularly scheduled Council meeting within the 30-day review period is on 4-1-19. The Committee approved filing this item at its meeting on 2-26-19.

Safety, Housing, Education & Homelessness Committee

[19-0036](#) A resolution approving and providing for the execution of a proposed Grant Agreement between the City and County of Denver and the Bloomberg Family Foundation, Inc. concerning the "Air Quality Community Action Network (AQ-CAN)" program and the funding therefor.

Approves a grant agreement with The Bloomberg Family Foundation Inc. for \$1,000,000 and for three years to develop an air quality monitoring network to provide real-time data to improve air quality citywide (ENVHL-201947089-00). The last regularly scheduled Council meeting within the 30-day review period is on 4-1-19. The Committee approved filing this item at its meeting on 1-23-19.

[19-0147](#) A resolution approving and providing for the execution of a proposed Grant Agreement between the City and County of Denver and the Colorado Department of Public Safety concerning the "Crime Victim Compensation" program and the funding therefor.

Approves a grant agreement with the Colorado Division of Criminal Justice for \$750,000 and through 9-30-21 to fund the citywide Crime Victim Compensation Program to assist victims of crime with specific monetary costs resulting from the crime, citywide (DATTY-201947970-00). The last regularly scheduled Council meeting within the 30-day review period is on 4-1-19. The Committee approved filing this item at its meeting on 2-27-19.

BILLS FOR INTRODUCTION**Business, Arts, Workforce, & Aviation Services Committee**

[19-0159](#) **A bill for an ordinance amending portions of Chapter 28, Article III, Article V and Article VII to extend sunset dates; and Approve Annual Aspirational Goals.**

Amends Chapter 28 of the Denver Revised Municipal Code to extend the Division of Small Business Opportunity (DSBO) program for an additional eight months to allow for more time to discuss community recommendations to the program and to identify needed changes to the Ordinance, Rules and Regulations and internal policies and procedures. The Committee approved filing this item at its meeting on 2-27-19.

Land Use, Transportation & Infrastructure Committee

[19-0127](#) **A bill for an ordinance changing the zoning classification for 2535 E 40th Avenue in Elyria Swansea.**

Approves an official map amendment to rezone property from I-A UO-2 and I-A to I-MX-3 (light industrial to industrial, mixed-use), located at 2535 E. 40th Avenue in Council District 9. If ordered published, a public hearing will be held on Monday, 4-8-19. The Committee approved filing this item at its meeting on 2-26-19.

BILLS FOR FINAL CONSIDERATION**Finance & Governance Committee**

[19-0163](#) **A bill for an ordinance adding a new Division 3.75 of Article IV, Minimum Wage Protections for Workers Associated with City Contracts.**

Amends the Denver Revised Municipal Code to add a new Division 3.75 of Article IV requiring minimum wage protections for workers associated with city contracts. The Committee approved filing this item at its meeting on 2-26-19.

Land Use, Transportation & Infrastructure Committee**[19-0122](#) A bill for an ordinance amending Article II of Chapter 57 (Vegetation) of the Revised Municipal Code.**

Amends Chapter 57 of the Denver Revised Municipal Code (DRMC) to increase the time allotted to 30 days for first payment of ordered tree work and to correct an inaccurate code reference. The Committee approved filing this item at its meeting on 2-19-19.

RECAP OF BILLS TO BE CALLED OUT**PRE-RECESS ANNOUNCEMENT**

Tonight there will be a required public hearing on Council Bill 19-0042, changing the zoning classification for 805 West 38th Avenue in Globeville; and, a required public hearing on Council Bill 19-0058, changing the zoning classification for the 3600 Block of Downing, bounded by Downing Street, 37th Avenue, Marion Street, and 36th Avenue, and including vacated portions of Lawrence Street south of 36th Avenue in Cole. Anyone wishing to speak on these matters must see the Council Secretary to receive a speaker card to fill out and return to her during the recess of Council.

RECESS**COUNCIL RECONVENES AND RESUMES ITS REGULAR SESSION****PUBLIC HEARINGS - BILLS FOR FINAL CONSIDERATION****Land Use, Transportation & Infrastructure Committee****[19-0042](#) AS AMENDED a bill for an ordinance changing the zoning classification for 805 West 38th Avenue in Globeville.**

Approves an official map amendment to rezone property from I-B UO-2 to C-MX-20 (industrial in the former zoning code to urban center, mixed-use), located at 805 West 38th Avenue in Council District 9. The Committee approved filing this item at its meeting on 1-29-19. Amended 2-11-19 to clarify the boundary of the proposed rezoning on Galapago Street.

[19-0058](#) A bill for an ordinance changing the zoning classification for the 3600 Block of Downing, bounded by Downing Street, 37th Avenue, Marion Street, and 36th Avenue, and including vacated portions of Lawrence Street south of 36th Avenue in Cole.

Approves an official map amendment to rezone the 3600 block of Downing Street from B-4 with waivers and conditions, UO-1, UO-2; U-SU-A1; and C-MX-3, UO-1, UO-2 to C-MX-5, UO-1, UO-2, IO-1, DO-7; C-MX-3, UO-1, UO-2, IO-1, DO-7; and C-MS-5, UO-1, UO-2 (business zoning in the former zoning code to downtown, urban, and urban center with overlays), located in an area bounded by Downing Street, 37th Avenue, Marion Street, and 36th Avenue, and including vacated portions of Lawrence Street near 36th Avenue, in Council District 9. The Committee approved filing this item at its meeting on 1-29-19.

PRE-ADJOURNMENT ANNOUNCEMENT

Dependent upon publication, on Monday, April 8, 2019, Council will hold a required public hearing on Council Bill 19-0127, changing the zoning classification for 2535 E 40th Avenue in Elyria Swansea. Any protests against Council Bill 19-0127 must be filed with the Council Offices no later than noon on April 1, 2019.

ADJOURN

PENDING

FOR 3-18-19:

[19-0055](#) A bill for an ordinance changing the zoning classification for 4519 Pearl Street in Globeville.

Approves an official map amendment to rezone property from E-SU-B to U-SU-B1 (urban edge, to urban context), located at 4519 Pearl Street in Council District 9. The Committee approved filing this item at its meeting on 1-22-19.

Final Consideration**Required Public Hearing****[19-0079](#) A bill for an ordinance changing the zoning classification for 901 Irving Street in Villa Park.**

Approves an official map amendment to rezone property from E-SU-D to E-SU-D1 (allows accessory dwelling unit), located at 901 Irving Street in Council District 3. The Committee approved filing this item at its meeting on 2-5-19.

Final Consideration**Required Public Hearing**

FOR 4-1-19:

[18-1543](#) A bill for an ordinance changing the zoning classification for 3700-3746 Gaylord Street and 3701-3749 York Street in Cole.

Approves an official map amendment to rezone property from U-RH-2.5 to U-RX-3 and U-RX-5 (urban, row-house to urban, mixed-use), located at 3701-3749 York Street and 3700-3746 Gaylord Street in Council District 9. The Committee approved filing this item at its meeting on 1-29-19.

Final Consideration**Required Public Hearing****[19-0128](#) A bill for an ordinance changing the zoning classification for 999 Jasmine Street in Montclair.**

Approves an official map amendment to rezone property from PUD#223 to E-MX-3A (planned development to urban edge, mixed-use), located at 999 Jasmine Street in Council District 5. The Committee approved filing this item at its meeting on 2-19-19.

Final Consideration**Required Public Hearing**