

## City Council Meeting of Monday, October 21, 2019

### City and County of Denver

Robin Kniech.....At Large  
Deborah "Debbie" Ortega.....At Large  
Amanda Sandoval.....District 1  
Kevin Flynn.....District 2  
Jamie Torres.....District 3  
Kendra Black.....District 4  
Amanda Sawyer.....District 5  
Paul Kashmann.....District 6



Jolon Clark.....District 7  
Christopher Herndon.....District 8  
Candi CdeBaca.....District 9  
Chris Hinds.....District 10  
Stacie Gilmore.....District 11  
Mar'quasa Hopson.....Secretary

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#### **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](mailto: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 online or 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. 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 online at <https://www.denvergov.org/councilpublicinput>, by phone at 720-337-2000, or in person in Rm. 451, City & County Building. Sign up starts at 12:00 p.m. the Friday before the session is held, and closes at 4:30 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**

[19-1121](#) Minutes of Monday, October 14, 2019

**COUNCIL ANNOUNCEMENTS**

**PRESENTATIONS**

**COMMUNICATIONS**

**PROCLAMATIONS**

[19-1154](#) A proclamation celebrating Denver afterschool programs and the 2019 Annual National Lights on Afterschool Day.

**Sponsor** Torres

**RESOLUTIONS**

**Business, Arts, Workforce, & Aviation Services Committee**

[19-1040](#) **A resolution approving a proposed first Amendment between the City and County of Denver and Southwest Airlines Co. concerning finalizing the construction and design requirements for a new hangar at Denver International Airport.**

Amends a ground lease agreement with Southwest Airlines Co. to memorialize the construction requirements for the construction of the hangar being built at Denver International Airport. No change to contract amount or duration (201947863-01). The last regularly scheduled Council meeting within the 30-day review period is on 11-12-19. The Committee approved filing this item at its meeting on 10-9-19.

**[19-1041](#) A resolution approving a proposed first Amendment between the City and County of Denver and Jazz Aviation, LP concerning adding the minimum wage ordinance requirements to the existing agreement for passenger service at Denver International Airport.**

Amends a use and lease agreement with Jazz Aviation, LP by adding minimum wage ordinance requirements to the agreement for passenger service at Denver International Airport. No change to agreement amount or duration (201733322-01). The last regularly scheduled Council meeting within the 30-day review period is on 11-12-19. The Committee approved filing this item at its meeting on 10-9-19.

**[19-1042](#) A resolution approving a proposed first Amendment between the City and County of Denver and Edelweiss Air AG concerning adding the minimum wage ordinance requirements to the existing agreement for passenger service at Denver International Airport.**

Amends a use and lease agreement with Edelweiss Air AG by adding minimum wage ordinance requirements to the agreement for passenger service at Denver International Airport. No change to agreement amount or duration (201840153-01). The last regularly scheduled Council meeting within the 30-day review period is on 11-12-19. The Committee approved filing this item at its meeting on 10-9-19.

**[19-1043](#) A resolution approving a proposed first Amendment between the City and County of Denver and Compania Panamena de Aviacion, S.A. d/b/a Copa Airlines concerning adding the minimum wage ordinance requirements to the existing agreement for passenger service at Denver International Airport.**

Amends a use and lease agreement with Compania Panamena de Aviacion, S.A, doing business as Copa Airlines, by adding minimum wage ordinance requirements to the agreement for passenger service at Denver International Airport. No change to agreement amount or duration (201735732-01). The last regularly scheduled Council meeting within the 30-day review period is on 11-12-19. The Committee approved filing this item at its meeting on 10-9-19.

**[19-1044](#) A resolution approving a proposed second Amendment between the City and County of Denver and Aerovias de Mexico, S.A. de C.V., d/b/a Aero Mexico concerning adding the minimum wage ordinance requirements to the existing agreement for passenger service at Denver International Airport.**

Amends a use and lease agreement with Aerovias de Mexico, S.A. de C.V., doing business as Aeromexico, by adding minimum wage ordinance requirements to the agreement for passenger service at Denver International Airport. No change to agreement amount or duration (201209281-02). The last regularly scheduled Council meeting within the 30-day review period is on 11-12-19. The Committee approved filing this item at its meeting on 10-9-19.

**[19-1052](#) A resolution approving a proposed Agreement between the City and County of Denver and Cayman Airways Limited concerning the establishment of passenger air service and the use and lease of certain premises and facilities at Denver International Airport.**

Approves a use and lease agreement with Cayman Airways Limited for rates and charges, plus landing fees through 12-31-19, with a one-year option to extend, to provide direct service from Denver International Airport to Grand Cayman (201946974-00). The last regularly scheduled Council meeting within the 30-day review period is on 11-12-19. The Committee approved filing this item at its meeting on 10-9-19.

### **Finance & Governance Committee**

**[19-1023](#) A resolution approving a proposed Amendatory Agreement between the City and County of Denver and Slalom, LLC to replace the rate sheet and increase the amount.**

Amends an on-call contract with Slalom, LLC. By adding \$4,000,000 for a new total of \$7,000,000 and replacing the term sheet to assist with the ongoing use and development of services and programs such as Salesforce, Adobe, digital experience and internal business processes, citywide. No change to contract duration (TECHS-201840883). The last regularly scheduled Council meeting within the 30-day review period is on 11-12-19. The Committee approved filing this item at its meeting on 10-8-19.

**[19-1025](#) A resolution approving a proposed Contract between the City and County of Denver and Kone, Inc. for the modernization and installation of elevators in the Police Administration Building.**

Approves a contract with Kone, Inc. for \$1,306,472 and through 2-3-22 for the modernization and installation of elevators in the Police Administration Building located at 1331 Cherokee Street in Council District 10 (GENRL-201951353-00). The last regularly scheduled Council meeting within the 30-day review period is on 11-12-19. The Committee approved filing this item at its meeting on 10-8-19.

**[19-1026](#) A resolution approving a proposed Contract between the City and County of Denver and Kone, Inc. for the modernization and installation of elevators in the Minoru Yasui Building.**

Approves a contract with Kone, Inc. for \$1,065,561 and through 10-31-21 for the modernization and installation of elevators in the Minoru Yasui Building located at 303 West Colfax Avenue in Council District 9 (GENRL-201951354-00). The last regularly scheduled Council meeting within the 30-day review period is on 11-12-19. The Committee approved filing this item at its meeting on 10-8-19.

### **Land Use, Transportation & Infrastructure Committee**

**[19-1032](#) A resolution approving a proposed Contract between the City and County of Denver and Apex Design PC to add compensation and a new term date for on-call services.**

Approves a contract with Apex Design PC for \$2 million and for three years for on-call multimodal planning services for the bike network in Council Districts 3, 6, 7, 9 and 10 (201951783). The last regularly scheduled Council meeting within the 30-day review period is on 11-12-19. The Committee approved filing this item at its meeting on 10-8-19.

**[19-1033](#) A resolution approving a proposed Contract between the City and County of Denver and Fehr & Peers to add compensation and a new term date for on-call services.**

Approves a contract with Fehr & Peers for \$2 million and for three years for on-call multimodal planning services for the bike network in Council Districts 3, 5, 8, 9 and 10 (201951791). The last regularly scheduled Council meeting within the 30-day review period is on 11-12-19. The Committee approved filing this item at its meeting on 10-8-19.

**[19-1034](#) A resolution approving a proposed Contract between the City and County of Denver and Ordonez and Vogelsang, LLC to add compensation and a new term date for on-call services.**

Approves a contract with Ordonez and Vogelsang, LLC for \$2 million and for three years for on-call multimodal planning services for the bike network in Council Districts 1, 2, 3, 7 and 9 (201951793). The last regularly scheduled Council meeting within the 30-day review period is on 11-12-19. The Committee approved filing this item at its meeting on 10-8-19.

**[19-1035](#) A resolution approving a proposed Amendatory Agreement between the City and County of Denver and Keene Concrete, Inc. by adding one year for a new term date for on-call construction services.**

Amends a contract with Keene Concrete, Inc. by adding one year for a new end date of 11-8-20 for on-call construction services and concrete repairs related to the Citywide Concrete Program. No change to contract amount (201629825-01). The last regularly scheduled Council meeting within the 30-day review period is on 11-12-19. The Committee approved filing this item at its meeting on 10-8-19.

**Safety, Housing, Education & Homelessness Committee**

**[19-1084](#) A resolution authorizing and approving the expenditure and payment from the appropriation account designated "liability claims," the sum of Nine Hundred Seventy-Five Thousand Dollars (\$975,000.00), of which \$583,165.00 will be paid to the law firm of Benezra & Culver, and \$391,835.00 will be paid to Colley Fisher for wages and compensatory damages, in payment and satisfaction of all claims and appeals filed by the parties in the litigation matters captioned "Fisher v. City and County of Denver," commenced in the United States District Court, District of Colorado, Case No. 16-cv-01796-RPM, and the United States Court of Appeals for the Tenth Circuit, Case No. 19-1184.**

Settles a claim involving the Denver Fire Department. This item was discussed at the Mayor-Council meeting on 10-8-19. This item was approved for filing at Mayor-Council at its meeting on 10-8-19.

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

[19-1048](#) **A bill for an ordinance amending the alcohol beverages and retail marijuana chapter of the Denver Revised Municipal Code to repeal language that is duplicative of state law and to allow adult patrons of the national western center to consume malt, vinous, or spirituous liquors within approved areas of the national western center.**

Amends Chapter 6 of the Denver Revised Municipal Code (DRMC) to allow adult patrons of the National Western Center to consume malt, vinous, or spirituous liquors in approved areas within the National Western Center in Council District 9 in accordance with recent changes to state law. The Committee approved filing this item at its meeting on 10-7-19.

**Finance & Governance Committee**

[19-1038](#) **A bill for an ordinance making a supplemental appropriation in the Denver Arts and Venues Special Revenue Fund.**

Approves a supplemental appropriation of \$2,400,000 in the Denver Arts and Venues Special Revenue Fund to address an increased number of events and attendance in 2019. The Committee approved filing this item at its meeting on 10-8-19.

[19-1039](#) **A bill for an ordinance authorizing a rescission, a cash transfer, and a supplemental appropriation from the General Contingency Fund to the Liability Claims Special Revenue Fund.**

Approves a supplemental appropriation of \$975,000 from General Fund Contingency to transfer to the Liability and Claims Special Revenue Fund to provide sufficient fund capacity. The Committee approved filing this item at its meeting on 10-8-19.

[19-1049](#) **A bill for an ordinance making a rescission and supplemental appropriations from the General Fund Contingency to Departments.**

Approves a supplemental appropriation of \$1,703,635 from General Fund Contingency for several city agencies, including the Board of Ethics, the Department of Parks and Recreation, the Department of Public Health and Environment, Excise and Licenses, and the Office of Special Events. The Committee approved filing this item at its meeting on 10-8-19.



**Land Use, Transportation & Infrastructure Committee****[19-0954](#) A bill for an ordinance designating 2288 South Milwaukee Street as a structure for preservation.**

Approves an individual landmark designation for property located at 2288 South Milwaukee Street in Council District 6. If ordered published, a public hearing will be held on Monday, 10-28-19. The Committee approved filing this item at its meeting on 9-24-19.

**[19-1008](#) A bill for an ordinance changing the zoning classification for 2100 South Cherry Street, 4500 East Evans Avenue, and a portion of 2135 South Cherry Street in University Hills.**

Approves an official map amendment to rezone properties located at 2100 and 2135 South Cherry Street and 4500 Evans Avenue from C-MX-5 to C-MX-8 (urban center, mixed-use, 5 stories to urban center, mixed-use 8 stories) in Council District 4. If ordered published, a public hearing will be held on Monday, 11-18-19. The Committee approved filing this item at its meeting on 10-8-19.

**[19-1009](#) A bill for an ordinance changing the zoning classification for 2175 South Cherry Street, 2176 South Clermont Street, 4501 East Warren Avenue and a portion of 2135 South Cherry Street in University Hills.**

Approves an official map amendment to rezone properties located at 2135 and 2175 South Cherry Street, 2176 South Clermont Street and 4501 Warren Avenue from G-MU-3 and PUD 277 to C-MX-5 (planned development and multi-unit, three story to urban center, mixed-use, five story) in Council District 4. If ordered published, a public hearing will be held on Monday, 11-18-19. The Committee approved filing this item at its meeting on 10-8-19.

**Safety, Housing, Education & Homelessness Committee****[19-0891](#) A bill for an ordinance amending Section 18-95 to increase the number of positions the district attorney is authorized to appoint.**

Amends Section 18-95 of the Denver Revised Municipal Code (DRMC) to amend the number of positions the District Attorney is authorized to appoint in the combined classification of chief deputy and senior chief deputy district attorney from twenty-three attorneys to twenty-eight attorneys. The Committee approved filing this item at its meeting on 10-10-19.



**[19-1019](#) A bill for an ordinance approving a proposed Amendatory Agreement between the City and County of Denver and the Regents of the University of Colorado, to provide services to individuals living with HIV/AIDS in the Denver Transitional Grant Area.**

Amends an intergovernmental agreement with the Regents of the University of Colorado Denver by adding \$344,031 for a new total of \$703,321 and one year for a new end date of 2/29/20 for early intervention services, medical case management, mental health services, outpatient ambulatory medical care (HIV specialty care), and substance abuse services to individuals living with HIV/AIDS, within the Denver Transitional Grant Area (TGA) (ENVHL - 201951355). The last regularly scheduled Council meeting within the 30-day review period is on 11-12-19. The Committee approved filing this item at its meeting on 10-2-19.

## **BILLS FOR FINAL CONSIDERATION**

### **Finance & Governance Committee**

**[19-1022](#) A bill for an ordinance approving a proposed Easement between the City and County of Denver as Grantor and Cherry Tree Estates, LLC as Grantee, for use of certain city-owned land at South Quebec Street and East Colorado Avenue for access to certain land owned by Cherry Tree Estates, LLC.**

Approves a perpetual easement with Cherry Tree Estates, LLC for \$57,546.45 to access and use approximately 14,210 square feet of City owned, vacant land to access their property located off South Quebec Street and Cherry Creek, adjacent to 1700 South Quebec Street in Council District 6 (FINAN-201950436). The last regularly scheduled Council meeting within the 30-day review period is on 11-4-19. The Committee approved filing this item at its meeting on 10-1-19.

**Land Use, Transportation & Infrastructure Committee**

[19-1015](#) **A bill for an ordinance vacating portions of North Decatur Street between West 32nd Avenue and West 33rd Avenue, and all North-South and East-West alleys between West 32nd Avenue, West 33rd Avenue, North Eliot Street and the portion of North Decatur Street proposed to be vacated, without reservations.**

Vacates portions of North Decatur Street between West 32nd Avenue and West 33rd Avenue, and all North-South and East-West alleys between West 32nd Avenue, West 33rd Avenue, North Eliot Street and the portion of North Decatur Street proposed to be vacated, without reservations, in Council District 1. The Committee approved filing this item at its meeting on 10-1-19.

[19-1016](#) **A bill for an ordinance vacating a portion of right-of-way at the intersection of North Shoshone Street and West 32nd Avenue, without reservations.**

Vacates a portion of the North East corner of Shoshone Street and West 32nd Avenue, without reservations, in Council District 1. The Committee approved filing this item at its meeting on 10-1-19.

**Safety, Housing, Education & Homelessness Committee**

[19-1017](#) **A bill for an ordinance approving a proposed Amendatory Agreement between the City and County of Denver and University of Colorado Hospital Authority to provide services to individuals living with HIV/AIDS in the Denver Transitional Grant area.**

Amends an intergovernmental agreement with University of Colorado Hospital by adding \$1,110,995 for a new total of \$2,243,337 and one year for a new end date of 2-29-20 for outpatient ambulatory care, mental health services, substance abuse treatment, and early intervention services to individuals living with HIV/AIDS within the Denver Transitional Grant Area (TGA) (ENVHL - 201843503 - 01). The last regularly scheduled Council meeting within the 30-day review period is on 11-14-19. The Committee approved filing this item at its meeting on 10-2-19.

**[19-1020](#) A bill for an ordinance approving a proposed Amendatory Agreement between the City and County of Denver and Denver Health and Hospital Authority, for emergency and financial assistance programs pursuant to the Ryan White Grant program.**

Amends an intergovernmental agreement with Denver Health and Hospital Authority by adding \$1,250,432 for a new total of \$2,500,668 and one year for a new end date of 2-29-20 for outpatient ambulatory care, mental health services, substance abuse treatment, and early intervention services to individuals living with HIV/AIDS, within the Denver Transitional Grant Area (TGA) (ENVHL - 201843491 - 01). The last regularly scheduled Council meeting within the 30-day review period is on 11-4-19. The Committee approved filing this item at its meeting on 10-2-19.

**RECAP OF BILLS TO BE CALLED OUT**

**PRE-RECESS ANNOUNCEMENT**

Tonight there will be a required public hearing on Council Bill 19-0877, changing the zoning classification for 3900 Elati Street and 3958 Elati Street in Globeville; and, a required public hearing on Council Bill 19-0878, changing the zoning classification for 4225 Elati Street in Globeville. Anyone wishing to speak on either of these matters must go online or see the Council Secretary to sign up during the recess of Council.

**RECESS**

**COUNCIL RECONVENES AND RESUMES ITS REGULAR SESSION**

**PUBLIC HEARINGS - BILLS FOR FINAL CONSIDERATION****Land Use, Transportation & Infrastructure Committee****[19-0877](#) A bill for an ordinance changing the zoning classification for 3900 Elati Street and 3958 Elati Street in Globeville.**

Approves an official map amendment to rezone properties from I-A UO-2 to C-RX-12 (industrial to urban center, residential mixed-use), located at 3900 and 3958 Elati Street in Council District 9. The Committee approved filing this item at its meeting on 8-27-19.

**[19-0878](#) A bill for an ordinance changing the zoning classification for 4225 Elati Street in Globeville.**

Approves an official map amendment to rezone property from I-A UO-2 to C-RX-12 (industrial to urban center, mixed-use), located at 4225 Elati Street in Council District 9. The Committee approved filing this item at its meeting on 8-27-19.

**PRE-ADJOURNMENT ANNOUNCEMENT**

Dependent upon publication, on Monday, October 28, Council will hold a required public hearing on Council Bill 19-0954, designating 2288 South Milwaukee Street as a structure for preservation. On Monday, November 18, Council will hold a required public hearing on Council Bill 19-1008, changing the zoning classification for 2100 South Cherry Street, 4500 East Evans Avenue, and a portion of 2135 South Cherry Street in University Hills; and, a required public hearing on Council Bill 19-1009, changing the zoning classification for 2175 South Cherry Street, 2176 South Clermont Street, 4501 East Warren Avenue and a portion of 2135 South Cherry Street in University Hills. Any protests against Council Bill 19-1008 or Council Bill 19-1009, must be filed with the Council Offices no later than noon on Tuesday, November 12.

**ADJOURN**

**PENDING**

FOR 10-28-19:

**[19-0776](#) A bill for an ordinance vacating a portion of the right-of-way adjacent to 2099 Chestnut Place bounded by West 29th Avenue and Chestnut Place and Division Street, with reservations.**

Vacates a portion of the right of way adjacent to 2099 Chestnut Place, bounded by West 29th Avenue, Chestnut Place and Division Street, with reservations, in Council District 9. The Committee approved filing this item at its meeting on 8-13-19.

**Final Consideration | Continued Public Hearing**

FOR 11-4-19:

**[19-0964](#) A bill for an ordinance changing the zoning classification for 3395 Brighton Boulevard and 3333 Brighton Boulevard in Five Points.**

Approves an official map amendment to rezone properties located at 3333 and 3395 Brighton Boulevard from PUD-G#7, UO-2 to C-MX-8, IO-1, DO-7 and C-MX-8, IO-1, DO-7 with waivers (planned development to urban center, mixed-use) in Council District 9. The Committee approved filing this item at its meeting on 9-24-19.

**Final Consideration | Required Public Hearing****[19-0967](#) A bill for an ordinance changing the zoning classification for 18300 East 66th Avenue in DIA.**

Approves an official map amendment to rezone property located at 18300 East 66th Avenue from C-MU-20 with waivers and conditions, AIO to S-CC-5, AIO (urban center, multi-unit to suburban commercial corridor with airport influence overlay) in Council District 11. The Committee approved filing this item at its meeting on 9-24-19.

**Final Consideration | Required Public Hearing**

FOR 11-12-19:

**[19-0913](#) A bill for an ordinance designating 4345 West 46th Avenue as a structure for preservation.**

Approves an individual landmark designation for property located at 4345 West 46th Avenue in Council District 1. The Committee approved filing this item at its meeting on 9-10-19.

**Final Consideration | Required Public Hearing**