

City Council Meeting of Monday, February 25, 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: dencc@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 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 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 dencc@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

[19-0167](#) Minutes of Tuesday, February 19, 2019

COUNCIL ANNOUNCEMENTS

PRESENTATIONS

COMMUNICATIONS

PROCLAMATIONS

[19-0143](#) A proclamation urging Colorado State Legislature to pass a local wage option.

Sponsor López

[19-0166](#) A proclamation honoring Dr. Charles "Chuck" Brantigan as he retires as Chair of the Healthcare District Design Forum.

Sponsor Brooks

RESOLUTIONS

Business, Arts, Workforce, & Aviation Services Committee

[19-0116](#) **A resolution approving a proposed first Amendment between the City and County of Denver and Aero Snow Removal Corp. concerning snow removal services at Denver International Airport.**

Amends a contract with Aero Snow Removal Corp. to include additional snow removal services at the south cargo area at Denver International Airport. No change to contract amount or duration (201416659-01). The last regularly scheduled Council meeting within the 30-day review period is on 3-18-19. The Committee approved filing this item at its meeting on 2-13-19.

Finance & Governance Committee**[19-0100](#) A resolution approving the Mayor's appointments to the Denver Preschool Program Board of Directors.**

Approves the Mayoral appointments of Chris Daues and Erin Brown 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 2-12-19.

[19-0101](#) A resolution approving the Mayor's appointment to the West Colfax Business Improvement District Board of Directors.

Approves the Mayoral appointment of Dennis Gonzalez to the West Colfax Business Improvement District Board of Directors for a term effective immediately and expiring 10-3-20, or until a successor is duly appointed. The Committee approved filing this resolution by consent on 2-12-19.

[19-0102](#) A resolution approving the Mayor's appointments to the Denver Women's Commission.

Approves the Mayoral appointments of Demetria Burgess, Stephanie Puello, Veronique Van Gheem, Zarah Levy, Shahira Qudrat, and Erin Trapp to the Denver Women's Commission for terms effective immediately and expiring 6-30-20, or until a successor is duly appointed. The Committee approved filing this resolution by consent on 2-12-19.

[19-0108](#) A resolution approving the Mayor's appointment to the River North General Improvement District Board of Directors.

Approves the Mayoral appointment of Liam Girard to the River North General Improvement District Board of Directors for a term effective immediately and expiring 12-31-21, or until a successor is duly appointed. The Committee approved filing this resolution by consent on 2-12-19.

[19-0115](#) A resolution approving a proposed Third Amendment to Sublease Agreement between the City and County of Denver and DP Media Network LLP for additional improvements at 101 West Colfax Avenue.

Amends a lease agreement with DP Media Network LLC, by adding \$370,000 for a new total of \$31,689,346.69 to reimburse the sub landlord for essential improvements requested by the city and for services such as carpet cleaning, key copies and minor repairs and other improvements for office space on multiple floors of the Denver Post building at 101 West Colfax Avenue. No change to contract duration (201626030-03). The last regularly scheduled Council meeting within the 30-day review period is on 3-18-19. The Committee approved filing this item at its meeting on 2-12-19.

Land Use, Transportation & Infrastructure Committee

[19-0105](#) A resolution laying out, opening and establishing as part of the City street system a parcel of land as East Colfax Avenue near the intersection of East Colfax Avenue and North Cherry Street.

Dedicates a parcel of land as public right of way as East Colfax Avenue, located near the intersection of East Colfax Avenue and North Cherry Street in Council District 8. The Committee approved filing this item at its meeting on 2-12-19.

[19-0106](#) A resolution laying out, opening and establishing as part of the City street system parcels of land as East Colfax Avenue and a public alley located at or near the intersection of East Colfax Avenue and North Xanthia Street.

Dedicates a parcel of land as public right of way as public alley and East Colfax Avenue, located at the intersection of East Colfax Avenue and North Xanthia Street in Council District 8. The Committee approved filing this item at its meeting on 2-12-19.

[19-0107](#) A resolution laying out, opening and establishing as part of the City street system a parcel of land as a public alley bounded by 26th Street, Welton Street and North Washington Street.

Dedicates a parcel of land as public right of way as public alley, located in the alley bounded by 26th Street, Welton Street and North Washington Street in Council District 9. The Committee approved filing this item at its meeting on 2-12-19.

Safety, Housing, Education & Homelessness Committee

[18-1344](#) **A resolution approving a proposed Second Amendatory Agreement between the City and County of Denver and The Colorado Coalition for the Homeless to provide housing placement and treatment services to the homeless.**

Amends a contract with Colorado Coalition for the Homeless by adding \$350,000 for a new total of \$1,050,000 and one year for a new end date of 12-31-19 for housing placement and treatment services to chronically homeless adults, citywide (SOCSV-2016-31656-02). The last regularly scheduled Council meeting within the 30-day review period is on 3-18-19. The Committee approved filing this item at its meeting on 11-21-18.

[19-0164](#) **A resolution authorizing and approving the expenditure and payment from the appropriation account designated "liability claims," the total sum of Twenty-Eight Thousand Dollars and no cents (\$28,000.00), payable to Walter Banks and Christopher Kenny, P.C. in the amount of Fourteen Thousand Dollars and no cents (\$14,000.00), and to Yolany Banks and Christopher Kenny, P.C. in the amount of Fourteen Thousand Dollars and no cents (\$14,000.00), in full payment and satisfaction of all claims related to Case No. 2018CV30777 pending in the District Court, Jefferson County, Colorado.**

Settles a claim involving the Denver Police Department. This resolution was approved for filing at the Mayor Council meeting on 2-19-19.

BILLS FOR INTRODUCTION**Finance & Governance Committee**

[19-0081](#) **A bill for an ordinance establishing a new fund in the Public Health Special Revenue Fund Series for the "Caring for Denver" Fund and appropriating budget for the fund in 2019.**

Establishes the Caring for Denver Special Revenue Fund and appropriates \$37,014,414 to the fund for fiscal year 2019 as part of a voter-approved ballot measure, for a variety of mental health services and treatment for children and adults, citywide. The Committee approved filing this item at its meeting on 2-12-19.

[19-0082](#) A bill for an ordinance establishing a new fund in the Public Health Special Revenue Fund Series for the "Healthy Food for Denver's Kids" Fund and appropriating budget for the fund in 2019.

Establishes the Healthy Food for Denver's Kids Special Revenue Fund and appropriates \$11,844,613 to the fund for fiscal year 2019 as part of a voter-approved ballot measure, for food and food-based education to primarily low-income and at-risk youth, citywide. The Committee approved filing this item at its meeting on 2-12-19.

[19-0083](#) A bill for an ordinance establishing a new fund in the Culture and Recreation Special Revenue Fund Series for the "Parks, Trails, and Open Space" Fund and appropriating budget for the fund in 2019.

Establishes the Parks, Trails, and Open Space Special Revenue Fund and appropriates \$37,014,414 to fund for fiscal year 2019 as part of a voter-approved ballot measure, for acquiring additional land for parks, open spaces, and trails, citywide. The Committee approved filing this item at its meeting on 2-12-19.

[19-0084](#) A bill for an ordinance establishing a new fund in the General Government Special Revenue Fund Series for the "College Affordability" Fund and appropriating budget for the fund in 2019.

Establishes the College Affordability Special Revenue Fund and appropriates \$11,844,613 to the fund for fiscal year 2019 as part of a voter-approved ballot measure, for programs that increase college enrollment and degree completion by Denver residents who are earning a degree from a public or not-for-profit college, university, community college, or technical school in Colorado. The Committee approved filing this item at its meeting on 2-12-19.

[19-0103](#) A bill for an ordinance establishing a new fund in the General Government Special Revenue Fund for "State Grants".

Establishes the State Grants Special Revenue Fund in the General Government Special Revenue Fund series to accept funding from state grants. The Committee approved filing this item at its meeting on 2-12-19.

[19-0120](#) A bill for an ordinance amending Section 18-81, D.R.M.C., setting the salaries of elected officers for terms beginning July 15, 2019

A bill for an ordinance amending Section 18-81, D.R.M.C., setting the salaries of elected officers for terms beginning July 15, 2019. The Committee approved filing this item at its meeting on 2-12-19.

BILLS FOR FINAL CONSIDERATION**Finance & Governance Committee****[19-0080](#) A bill for an ordinance establishing a new fund in the Capital Improvements and Capital Maintenance Fund Series for the “Strategic Shelter Facilities” program.**

Establishes the Strategic Shelter Facilities Capital Fund in the Capital Improvement Fund as a follow-up administrative financial action to support the \$3.35M appropriated for citywide Strategic Shelter Facilities projects as part of the 2019 budget. The Committee approved filing this item at its meeting on 2-5-19.

[19-0085](#) A bill for an ordinance amending Ordinance No. 309 in the Series of 2007 to change the cost center and expending authority associated with the Denver Preschool Program Fund.

Modifies the Denver Preschool Program Special Revenue Fund by moving the cost center from the Department of Finance to the Office of Children’s Affairs and changing the expending authority from the Chief Financial Officer to the Executive Director of the Office of Children’s Affairs. The Committee approved filing this item at its meeting on 2-5-19.

[19-0087](#) A bill for an ordinance rescinding Ordinance No. 280, Series of 2014, concerning the Developmental Disabilities Fund, thereby establishing the fund’s budget basis as appropriated, and making the fund non-lapsing.

Modifies the Developmental Disabilities Fund by making it an appropriating, non-lapsing fund. The Committee approved filing this item at its meeting on 2-5-19.

Land Use, Transportation & Infrastructure Committee**[19-0086](#) A bill for an ordinance approving the purchase of capital equipment from the General Fund appropriation for the Solid Waste Division of Public Works.**

Approves a one-time capital equipment expenditure for \$110,000 to procure one above ground truck scale to ensure compliance with state solid waste regulations and requirements in support of solid waste operations, citywide. The last regularly scheduled Council meeting within the 30-day review period is on 3-11-19. The Committee approved filing this item at its meeting on 2-5-19.

Safety, Housing, Education & Homelessness Committee

[19-0077](#) **A bill for an ordinance approving a proposed Agreement between the City and County of Denver and Denver Urban Renewal Authority to administer a Single-Family Rehabilitation Program for income-qualified Denver homeowners.**

Approves an intergovernmental agreement with the Denver Urban Renewal Authority for \$850,000 and through 5-31-20 to administer the 2019 Single Family Rehabilitation Program to help preserve existing housing stock and stabilize occupants who are at or below 80% Area Median Income, citywide (OEDEV-201946950-00). The last regularly scheduled Council meeting within the 30-day review period is on 3-11-19. The Committee approved filing this item at its meeting on 2-6-19.

Special Issues: Marijuana

[19-0024](#) **A bill for an ordinance repealing the sunset date of the cannabis consumption pilot program.**

The Committee approved filing this item at its meeting on 1-28-19.

RECAP OF BILLS TO BE CALLED OUT

PRE-RECESS ANNOUNCEMENT

Tonight there will be a required public hearing on Council Bill 18-1484, changing the zoning classification for 4201 Delaware Street in Globeville; a required public hearing on Council Bill 18-1540, changing the zoning classification for 4055 Elati Street in Globeville; and, a required public hearing on Council Bill 18-1541, changing the zoning classification for 3411 Albion Street in Northeast Park Hill. Anyone wishing to speak on any of 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

[18-1484](#) A bill for an ordinance changing the zoning classification for 4201 Delaware Street in Globeville.

Approves an official map amendment to rezone property from I-A UO-2 to C-RX-8 (industrial to urban center, residential mixed-use), located at 4201 Delaware Street in Council District 9. The Committee approved filing this item at its meeting on 1-15-19.

[18-1540](#) A bill for an ordinance changing the zoning classification for 4055 Elati Street in Globeville.

Approves an official map amendment to rezone property from I-A UO-2 to C-MX-8 (industrial to urban center, mixed-use), located at 4055 Elati Street in Council District 9. The Committee approved filing this item at its meeting on 1-15-19.

[18-1541](#) A bill for an ordinance changing the zoning classification for 3411 Albion Street, in Northeast Park Hill.

Approves an official map amendment to rezone property from E-SU-Dx to E-MX-2x (urban edge, single-unit to urban edge, mixed-use), located at 3411 Albion Street in Council District 8. The Committee approved filing this item at its meeting on 1-8-19. Community Planning and Development has determined that the requirement for a legal protest (signatures from at least 20% of property owners within 200 feet of the subject area or 20% of property owners within 200 feet outside of the subject area) has not been met (petition signatures represent 0% and 7.4%, respectively).

PRE-ADJOURNMENT ANNOUNCEMENT

ADJOURN

PENDING

FOR 3-4-19:

[18-1538](#) A bill for an ordinance changing the zoning classification for 1080 and 1090 King Street in Villa Park.

Approves an official map amendment to rezone property from E-SU-D1x to E-RH-2.5 (urban edge, single unit, to urban edge, row house), located at 1080 and 1090 King Street in Council District 3. The Committee approved filing this item at its meeting on 1-8-19.

Final Consideration

Required Public Hearing

[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

FOR 3-11-19:

[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. The amendment does not substantively change the proposed ordinance.

Final Consideration

Required Public Hearing

[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.

Final Consideration

Required Public Hearing

FOR 3-18-19:

[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. If ordered published, a public hearing will be held on Monday, 3-18-19. The Committee approved filing this item at its meeting on 2-5-19.

Final Consideration

Required Public Hearing