

## City Council Meeting of Monday, October 15, 2018

### 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

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City & County Building  
1437 Bannock Street  
Denver CO 80202  
Phone: 720-337-2000  
Email: [denc@denvergov.org](mailto: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](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 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, unless another speaker has yielded his or her time which would result in a maximum of 6 minutes (for required hearings only; no yielding of time for courtesy hearings). Please contact the Denver City Council for more information at 720-337-2000.

#### 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](mailto: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**

**MAYOR'S PROPOSED 2019 BUDGET AND PUBLIC HEARING NOTICE**

**[18-1172](#) Mayor's Proposed 2019 Budget and Public Hearing Notice**

(1) The Mayor's Proposed Budget for 2019 is open for inspection from 8:30 a.m. to 5:00 p.m. Monday through Friday in the City Council Office, Room 451 of the City and County Building located at 1437 Bannock Street starting the week of October 15, 2018; (2) at its regular meeting on Monday, October 22, 2018, which will begin at 5:30 p.m., the City Council will conduct a public hearing on the Mayor's Proposed Budget for 2019; and (3) any citizen may inspect the budget prior to or at the public hearing and register any objection to the budget prior to or at the public hearing on the budget, and the Council shall take any objections into consideration.

**APPROVAL OF THE MINUTES**

**[18-1174](#)** Minutes of Monday, October 8, 2018

**COUNCIL ANNOUNCEMENTS**

**PRESENTATIONS**

**COMMUNICATIONS**

**[18-1175](#) Local Maintenance Districts Group 1**

Tonight, Council was scheduled to sit as the quasi-judicial Board of Equalization to consider reduction of total cost assessments for Local Maintenance Districts.

However, since no written protests of assessment were filed with the Manager of Public Works by September 27, 2018, Council will not sit as the Board of Equalization for the following Local Maintenance Districts:

- 15th Street Pedestrian Mall
- 20th Street Pedestrian Mall
- Consolidated Larimer Street Pedestrian Mall
- Santa Fe Drive Pedestrian Mall C
- St. Luke's Pedestrian Mall
- Delgany Street
- East 13th Avenue Pedestrian Mall
- South Downing Street Pedestrian Mall
- Tennyson Street II Pedestrian Mall
- 44th Avenue & Eliot Street Pedestrian Mall
- West 32nd Avenue Pedestrian Mall
- Broadway Pedestrian Mall 'A'
- South Broadway Streetscape (Arizona to Iowa)
- South Broadway Streetscape (Wesley to Yale)
- South Broadway Streetscape (Iowa to Wesley)
- Tennyson Streetscape (Portions of 38th to 44th)

**PROCLAMATIONS**

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

[18-1076](#) **A resolution approving a proposed Contract between the City and County of Denver and Interstate Highway Construction, Inc. concerning the Gate Apron Rehabilitation and Drainage Improvements program at Denver International Airport.** Approves a contract with Interstate Highway Construction, Inc. for \$29,825,639.40 and through 7-4-20 to replace deteriorating pavement and mitigate drainage issues and ponding in the Northwest Quadrant of Concourse B as part of the Gate Apron Rehabilitation and Drainage Improvements (GARDI) program at Denver International Airport (201842636). The last regularly scheduled Council meeting within the 30-day review period is on 11-5-18. The Committee approved filing this item at its meeting on 10-3-18.

**Finance & Governance Committee**

[18-1068](#) **A resolution approving the Mayor's appointment to the Denver Urban Renewal Authority.**

Approves the Mayoral appointment of Katherine Archuleta to the Denver Urban Renewal Authority for a term effective immediately and expiring on 4-3-23, or until a successor is duly appointed. The Committee approved filing this resolution by consent on 10-2-18.

**Land Use, Transportation & Infrastructure Committee**

[18-1049](#) **A resolution approving a proposed Third Amendatory Agreement between the City and County of Denver and BC Evergreen LLC for food and beverage concessions at Evergreen Golf Course.**

Amends a contract with BC Evergreen, LLC by updating the motorized beverage cart service terms and adding beverage cart maintenance and reimbursement responsibilities for food and beverage services at Evergreen Golf Course. No change to contract amount or duration (201309937). The last regularly scheduled Council meeting within the 30-day review period is on 11-5-18. The Committee approved filing this item at its meeting on 10-2-18.

**[18-1067](#) A resolution laying out, opening and establishing as part of the City street system a parcel of land as South Federal Boulevard near the intersection of South Federal Boulevard and West Vassar Avenue.**

Dedicates a parcel of land as public right-of-way as South Federal Boulevard located near the intersection of South Federal Boulevard and West Vassar Avenue in Council District 7. The Committee approved filing this item at its meeting on 10-2-18.

**[18-1069](#) A resolution laying out, opening and establishing as part of the City street system a parcel of land as a public alley near 34th Street between Walnut Street and Blake Street.**

Dedicates a parcel of land as public right-of-way as public alley, located at 34th Street between Walnut Street and Blake Street in Council District 9. The Committee approved filing this item at its meeting on 10-2-18.

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

**[18-1085](#) A resolution approving and providing for the execution of a proposed Grant Agreement between the City and County of Denver and the United States of America Department of Housing and Urban Development concerning the "Community Development Block Grant FY18" program and the funding therefor.**

Approves a performance grant agreement with the United States Department of Housing and Urban Development (HUD) for the 2018 allocations of \$6,859,369 through the Community Development Block Grant (CDBG) program to improve housing and living conditions and expand economic opportunities for low- and moderate-income persons (201844783). The last regularly scheduled Council meeting within the 30-day review period is on 11-5-18. The Committee approved filing this item at its meeting on 10-3-18.

**[18-1086](#) A resolution approving and providing for the execution of a proposed Grant Agreement between the City and County of Denver and the United States of America Department of Housing and Urban Development concerning the "Housing Opportunities for People with AIDS (HOPWA) FY18" program and the funding therefor.**

Approves a performance grant agreement with the United States Department of Housing and Urban Development (HUD) for the 2018 allocation of \$2,017,134 through the Housing Opportunities for People with AIDS (HOPWA) program to provide housing and supportive services designed to prevent homelessness for persons with Acquired Immunodeficiency Syndrome (AIDS) or related diseases, citywide (201844785). The last regularly scheduled Council meeting within the 30-day review period is on 11-5-18. The Committee approved filing this item at its meeting on 10-3-18.

**[18-1087](#) A resolution approving and providing for the execution of a proposed Grant Agreement between the City and County of Denver and the United States of America Department of Housing and Urban Development concerning the "HOME FY18" program and the funding therefor.**

Approves a performance grant agreement with the United States Department of Housing and Urban Development (HUD) for the 2018 allocation of \$2,362,617 for HOME Investment Partnerships (HOME) to provide funding for the city's housing development activities including for building, buying, and rehabilitating affordable housing for rent or homeownership and providing direct rental assistance to low-income residents, citywide (201844784). The last regularly scheduled Council meeting within the 30-day review period is on 11-5-18. The Committee approved filing this item at its meeting on 10-3-18.

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

[18-0629](#) **A bill for an ordinance approving a proposed Agreement between the City and County of Denver and School District No. 1 in the City and County of Denver and the State of Colorado, to provide youth workforce investment activities in accordance with the Federal Workforce Innovation and Opportunity Act (WIOA).**

Approves a contract with Denver Public Schools for \$1,560,000 and through 6-30-19 for in-school and out-of-school youth employment and career programming as required under Denver's Workforce Innovation and Opportunity Act (WIOA) funding. The last regularly scheduled Council meeting within the 30-day review period is on 11-5-18. The Committee approved filing this item at its meeting on 6-13-18.

**Finance & Governance Committee**

[18-1074](#) **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 abolishing certain classifications that are vacant and have been replaced or will no longer be utilized. The Committee approved filing this bill by consent on 10-2-18.

[18-1079](#) **A bill for an ordinance approving the purchase of capital equipment items from the Planned Fleet Replacement Special Revenue Fund.** Approves a one-time capital equipment expenditure for \$358,000 to procure one paving roller and one electric street sweeper for street maintenance operations, citywide. The Committee approved filing this item at its meeting on 10-2-18.

**Land Use, Transportation & Infrastructure Committee**

[18-0996](#) **A bill for an ordinance changing the zoning classification of 3740-3850 York Street in the Clayton neighborhood.**

Approves an official map amendment to rezone property from U-MX-3 and B-2 with waivers and conditions to PUD-G #20 (urban, mixed-use to planned development), located at 3740-3850 York Street in Council District 9. If ordered published, a public hearing will be held on Monday, 11-13-18. The Committee approved filing this item at its meeting on 10-2-18.

**[18-1006](#) A bill for an ordinance changing the zoning classification of 1901 Wazee Street in Union Station.**

Approves an official map amendment to rezone property from I-MX-8 UO-2 to PUD-G #19 (industrial, mixed-use to planned development), located at 1901 Wazee Street in Council District 9. If ordered published, a public hearing will be held on Monday, 11-13-18. The Committee approved filing this item at its meeting on 10-2-18.

**[18-1013](#) A bill for an ordinance changing the zoning classification for 2929 W. 10th Ave. in Sun Valley.**

Approves an official map amendment to rezone property located at 2929 West 10th Avenue from PUD #487 to C-MX-5 (planned development to commercial, mixed-use) in Council District 3. If ordered published, a public hearing will be held on Monday, 11-13-18. The Committee approved filing this item at its meeting on 10-2-18.

**[18-1072](#) A bill for an ordinance designating the Vassar School Bungalows Historic District as a district for preservation.**

Approves the designation of Vassar School Bungalows as a Landmark Historic District for preservation, bounded by Lincoln Street, Sherman Street, East Vassar Avenue, and the public alley between East Vassar Avenue and East Harvard Avenue in Council District 6. If ordered published, a public hearing will be held on Monday, 10-22-18. The Committee approved filing this item at its meeting on 10-2-18.

**[18-1077](#) A bill for an ordinance relinquishing the easement reserved in Ordinance No. 609, Series of 2002, recorded with the Denver Clerk & Recorder at Reception No. 2002135038, located at 1085 North York Street.**

Relinquishes the easement in its entirety as established in Vacating Ordinance No. 609, Series of 2002 located at 1085 North York Street in Council District 10. The last regularly scheduled Council meeting within the 30-day review period is on 11-5-18. The Committee approved filing this item at its meeting on 10-2-18.



**[18-1078](#) A bill for an ordinance relinquishing the easement reserved in Ordinance No. 20161315, Series of 2017, recorded with the Denver Clerk & Recorder at Reception No. 2017003935, located at 1420 38th Street.**

Relinquishes the perpetual non-exclusive easement, in its entirety, as established in the Vacating Ordinance No. 20161315, Series of 2017, located at 1420 38th Street at the intersection of Blake Street and Downing Street in Council District 9. The last regularly scheduled Council meeting within the 30-day review period is on 11-5-18. The Committee approved filing this item at its meeting on 10-2-18.

**[18-1080](#) A bill for an ordinance vacating a portion of South Cherokee Street at West Iowa Avenue, with reservations.**

Vacates a portion of South Cherokee Street between 1600 South Cherokee Street and 1601 South Cherokee Street, with reservations, in Council District 7. The Committee approved filing this item at its meeting on 10-2-18.

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

**[18-0975](#) A bill for an ordinance to amend Article IV of Chapter 27 (Housing) of the Revised Municipal Code relating to affordable housing.**

Amends Article IV, Chapter 27 of the Denver Revised Municipal Code relating to affordable housing to allow for the execution of a performance deed of trust for settlements of disputed matters and to allow the recapture of lost affordability terms. The Committee approved filing this item at its meeting on 9-12-18.

**[18-1089](#) A bill for an ordinance amending Title 27 of the Revised Municipal Code of the City and County of Denver to revise definitions and procedures set forth therein for greater clarity and to extend the minimum affordability period for properties that receive city subsidies from twenty years to sixty years.**

Amends Section 27 of the Denver Revised Municipal Code (DRMC) to approve revisions to the Affordable Housing Preservation ordinance including definitions and procedures intended to clarify applicability to income-restricted properties within the city and extension of the minimum period of affordability from 20 years to 60 years. The Committee approved filing this item at its meeting on 10-3-18.

### **BILLS FOR FINAL CONSIDERATION**

### **RECAP OF BILLS TO BE CALLED OUT**

**PRE-RECESS ANNOUNCEMENT**

Tonight, there will be a one-hour courtesy public hearing on Council Bill 18-1089, amending Title 27 of the Revised Municipal Code of the City and County of Denver to revise definitions and procedures set forth therein for greater clarity and to extend the minimum affordability period for properties that receive city subsidies from 20 years to 60 years. Anyone wishing to speak on this matter must see the Council Secretary to receive a speaker card to fill out and return to her during the recess of Council.

**RECESS**

**COUNCIL RECONVENES AND RESUMES ITS REGULAR SESSION**

**COURTESY PUBLIC HEARINGS - BILLS FOR INTRODUCTION**

[18-1089](#) **A bill for an ordinance amending Title 27 of the Revised Municipal Code of the City and County of Denver to revise definitions and procedures set forth therein for greater clarity and to extend the minimum affordability period for properties that receive city subsidies from twenty years to sixty years.**

Amends Section 27 of the Denver Revised Municipal Code (DRMC) to approve revisions to the Affordable Housing Preservation ordinance including definitions and procedures intended to clarify applicability to income-restricted properties within the city and extension of the minimum period of affordability from 20 years to 60 years. The Committee approved filing this item at its meeting on 10-3-18.

**PRE-ADJOURNMENT ANNOUNCEMENT**

Dependent upon publication, on Monday, October 22, 2018, Council will hold a required public hearing on Council Bill 18-1072, designating the Vassar School Bungalows Historic District as a district for preservation. And, on Monday, November 13, 2018, Council will hold a required public hearing on Council Bill 18-0996, changing the zoning classification of 3740-3850 York Street in the Clayton neighborhood; a required public hearing on Council Bill 18-1006, changing the zoning classification of 1901 Wazee Street in Union Station; and, a required public hearing on Council Bill 18-1013, changing the zoning classification for 2929 W. 10th Ave. in Sun Valley. Any protests against Council Bill 18-0996, 18-1006 or 18-1013 must be filed with the Council Offices no later than Monday, November 5.

**ADJOURN**

**PENDING**

FOR 10-29-18:

[18-0992](#) **A resolution to set a public hearing on the approval of the Amended and Restated Service Plan for Denver International Business Center Metropolitan District No. 1.**

Sets a public hearing before City Council on 10-29-18 on the amended service plan for the Denver International Business Center Metropolitan District No. 1 located near Tower Road between 64th and 72nd avenues in Council District 11. The last regularly scheduled Council meeting within the 30-day review period is on 10-22-18. The Committee approved filing this item at its meeting on 9-18-18.

**Required Public Hearing**