

## City Council Meeting of Monday, August 20, 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  
Kelly Velez.....Clerk

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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 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**

**APPROVAL OF THE MINUTES**

[18-0912](#) Minutes of Monday, August 13, 2018

**COUNCIL ANNOUNCEMENTS**

**PRESENTATIONS**

**COMMUNICATIONS**

**PROCLAMATIONS**

**RESOLUTIONS**

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

[18-0840](#) **A resolution approving a proposed Purchase Order between the City and County of Denver and Oshkosh Truck Corporation concerning two aircraft rescue and fire fighting vehicles for use at Denver International Airport.**

Approves a purchase order with Oshkosh Truck Corporation for \$3,031,315 for two aircraft rescue and fire fighting vehicles for use at Denver International Airport (PO-00045095). The last regularly scheduled Council meeting within the 30-day review period is on 9-10-18. The Committee approved filing this item at its meeting on 8-8-18.

**Finance & Governance Committee****[18-0590](#) A resolution approving a proposed Purchase and Sale Agreement between the City and County of Denver and UWG 8, LLC. for the City to purchase the property located at 700 W. Colfax Avenue and 1449 Galapago Street.**

Approves a \$3 million purchase and sale agreement with UWG 8, LLC. to acquire property located at 700 West Colfax Avenue and 1449 Galapago Street for approximately 12,700 square feet of office space and a detached parking garage for office support staff for the district and county courts in Council District 10 (FINAN 201841586-00). The last regularly scheduled Council meeting within the 30-day review period is on 8-27-18. The Committee approved filing this item at its meeting on 7-31-18. Pursuant to Council Rule 3.7, Councilman Flynn called out this resolution at the Monday, August 13, 2018 Council meeting for a postponement to the next regularly scheduled meeting of Monday, August 20, 2018.

**[18-0843](#) A resolution approving the Mayor's reappointments to the Stapleton Development Corporation Board of Directors.**

Approves the Mayoral reappointments of Nadine Caldwell, Patrick Teegarden, Terry Whitney, and Happy Haynes to the Stapleton Development Corporation Board of Directors for terms effective immediately and expiring on 6-30-23. The Committee approved filing this resolution by consent on 8-7-18.

**[18-0862](#) A resolution approving the Mayor's appointment to the Denver Asian American Pacific Islander Commission.**

Approves the Mayoral appointment of Farman Pirzada to the Denver Asian American Pacific Islander Commission for a term effective immediately and expiring on 1-22-20. The Committee approved filing this resolution by consent on 8-7-18.

**[18-0865](#) A resolution approving the Mayor's reappointments to the Board of Trustees for the Winter Park Trust.**

Approves the Mayoral reappointments of Michelle Lucero, David E. Thomson, and Debbie Ortega to the Board of Trustees for the Winter Park Trust for terms effective immediately and expiring on 12-31-20. The Committee approved filing this resolution by consent on 8-7-18.

**Land Use, Transportation & Infrastructure Committee****[18-0772](#) A resolution approving a proposed Contract between the City and County of Denver and Stanley Consultants, Inc. for professional design services.**

Approves a contract with Stanley Consultants, Inc. for \$794,770.71 and for one year to redesign and reconstruct 19 traffic signals on the 6th Avenue and 8th Avenue corridors between Broadway and Colorado Boulevard in Council District 10 (201843158). The last regularly scheduled Council meeting within the 30-day review period is on 9-10-18. The Committee approved filing this item at its meeting on 7-17-18.

**[18-0842](#) A resolution approving a proposed Contract between the City and County of Denver and Insituform Technologies, LLC for rehabilitation of approximately 99,153 linear feet of sanitary sewer mains of various diameters with structural deterioration problems.**

Approves a contract with Insituform Technologies, LLC for \$3,241,460.25 and for one year for the rehabilitation of approximately 99,153 linear feet of sanitary sewer mains of various diameters with structural deterioration problems in an area generally bounded by 52nd Avenue, Colfax Avenue, Federal Boulevard, and Zuni Street in Council District 1 (201842703). The last regularly scheduled Council meeting within the 30-day review period is on 9-10-18. The Committee approved filing this item at its meeting on 8-7-18.

**[18-0856](#) A resolution approving a proposed Amendatory Agreement between the City and County of Denver and Goodland Construction, Inc. to provide additional funds to the maximum contract amount.**

Amends an on-call contract with Goodland Construction, Inc. by changing the maximum work order amount for each project from \$400,000 to \$450,000 to account for recent escalation in construction pricing for on-call site development, landscape, and irrigation construction services, citywide. No change to contract amount or duration (201732897). The last regularly scheduled Council meeting within the 30-day review period is on 9-10-18. The Committee approved filing this item at its meeting on 8-7-18.

**[18-0857](#) A resolution approving a proposed Amendatory Agreement between the City and County of Denver and Richdell Construction, Inc. to provide additional sums to the maximum contract amount.**

Amends an on-call contract with Richdell Construction, Inc. by changing the maximum work order amount for each project from \$400,000 to \$450,000 to account for recent escalation in construction pricing, for on-call site development, landscape, and irrigation construction services, citywide. No change to contract amount or duration (201732900). The last regularly scheduled Council meeting within the 30-day review period is on 9-10-18. The Committee approved filing this item at its meeting on 8-7-18.

**[18-0858](#) A resolution approving a proposed Amendatory Agreement between the City and County of Denver and T2 Construction, Inc. to provide additional funds to the maximum contract amount.**

Amends an on-call contract with T2 Construction, Inc. by changing the maximum work order amount for each project from \$400,000 to \$450,000 to account for recent escalation in construction pricing, on-call site development, landscape, and irrigation construction services, citywide. No change to contract amount or duration (201631182). The last regularly scheduled Council meeting within the 30-day review period is on 9-10-18. The Committee approved filing this item at its meeting on 8-7-18.

**[18-0859](#) A resolution approving a proposed Amendatory Agreement between the City and County of Denver and Colorado Designsapes, Inc. to provide additional sums to the maximum contract amount.**

Amends an on-call contract with Colorado Designsapes, Inc. by changing the maximum work order amount for each project from \$400,000 to \$450,000 to account for recent escalation in construction pricing, on-call site development, landscape, and irrigation construction services, citywide. No change to contract amount or duration (201631171). The last regularly scheduled Council meeting within the 30-day review period is on 9-10-18. The Committee approved filing this item at its meeting on 8-7-18.

**[18-0860](#) A resolution approving a proposed Amendatory Agreement between the City and County of Denver and CTM Inc. to provide additional sums to the maximum contract amount.**

Amends an on-call contract with CTM Inc. by changing the maximum work order amount for each project from \$400,000 to \$450,000 to account for recent escalation in construction pricing, on-call site development, landscape, and irrigation construction services, citywide. No change to contract amount or duration (201631142). The last regularly scheduled Council meeting within the 30-day review period is on 9-10-18. The Committee approved filing this item at its meeting on 8-7-18.

**[18-0861](#) A resolution approving a proposed Amendatory Agreement between the City and County of Denver and ECI Site Construction Management, Inc. to provide additional sums to the maximum contract amount.**

Amends an on-call contract with ECI Site Construction Management, Inc. by changing the maximum work order amount for each project from \$400,000 to \$450,000 to account for recent escalation in construction pricing, on-call site development, landscape, and irrigation construction services, citywide. No change to contract amount or duration (201631146). The last regularly scheduled Council meeting within the 30-day review period is on 9-10-18. The Committee approved filing this item at its meeting on 8-7-18.

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

**[18-0847](#) A resolution approving a proposed Third Amendatory Agreement between the City and County of Denver and Urban Peak Denver, for housing and supportive services for youth enrolled in the Rocky Mountain Youth Housing Program.**

Corrects an internal reference to an exhibit attached to the contract with Urban Peak Denver for housing and case management services for certain homeless and other youth (SOCSV-2015-25131-03). The last regularly scheduled Council meeting within the 30-day review period is on 9-10-18. The Committee approved filing this item at its meeting on 8-8-18.

**BILLS FOR INTRODUCTION****Finance & Governance Committee**

[18-0845](#) **A bill for an ordinance establishing a new fund in the Culture and Recreation Special Revenue Fund for the “Denver Public Library Local and Private Grants” program.**

Establishes the Denver Public Library Local and Private Grants Special Revenue Fund for the library to receive and expend local and private grant funds. The Committee approved filing this item at its meeting on 8-7-18.

[18-0848](#) **A bill for an ordinance approving the Service Plans for the creation of West Lot Metropolitan District No. 1 and West Lot Metropolitan District No. 2.**

Approves two separate Service Plans for the formation and establishment of two Title 32 districts: The West Lot Metropolitan District No. 1 and the West Lot Metropolitan District No. 2, in Council District 9. The last regularly scheduled Council meeting within the 30-day review period is on 9-10-18. The Committee approved filing this item at its meeting on 8-7-18.

[18-0900](#) **A bill for an ordinance submitting to a vote of the registered electors of the City and County of Denver at a special municipal election to be held in conjunction with the general election of November 6, 2018, a proposed change to the Denver Revised Municipal Code concerning the creation of a dedicated fund to match campaign donations of up to \$50 per donor to candidates who participate in a matching fund program with lower donation limits.**

Refers a measure to the eligible voters in Denver to revise the City’s campaign law finance law through lower contribution limits, elimination of corporate, business, or labor contributions, and establishment of a program providing nine-to-one city matching funds to candidates whose contributions meet lowered maximum limits. This bill must pass no later than August 27, 2018 to meet the deadlines for the November ballot. The Committee approved filing this item at its meeting on 8-14-18.

**Land Use, Transportation & Infrastructure Committee****[18-0394](#) A bill for an ordinance vacating a portion of the alley bounded by Cedar Avenue, South Birch Street and Leetsdale Drive, with reservations.**

Vacates the alley bounded by Cedar Avenue, South Birch Street, and Leetsdale Drive with a partial special reservation in Council District 5. The Committee approved filing this item at its meeting on 5-15-18.

**[18-0820](#) A bill for an ordinance changing the zoning classification for 3901 Elati Street in Globeville.**

Approves an official map amendment to rezone property at 3901 Elati Street from I-A, UO-2 to C-MX-20 (industrial to commercial, mixed-use) in Council District 9. If ordered published, a public hearing will be held on Monday, 9-17-18. The Committee approved filing this item at its meeting on 8-7-18.

**[18-0849](#) A bill for an ordinance relinquishing portions of easements reserved in Ordinance No. 23, Series of 1985 and Ordinance No. 273, Series of 1988; and, also, to relinquish the easements reserved in Ordinance No. 218, Series of 1926; Ordinance No. 62, Series of 1945, located near South Broadway, between West Kentucky Avenue and East Mississippi Avenue; and, Ordinance No. 522, Series of 1982, located near the intersection of West Ohio Avenue and South Cherokee Street.**

Relinquishes a portion of two easements as established in Vacating Ordinance No. 23, Series of 1985, and Vacating Ordinance 273, Series of 1988; and, relinquishes three easements in their entirety as established in Vacating Ordinance No. 218, Series of 1926, Vacating Ordinance No. 62, Series of 1945, and Vacating Ordinance No. 522, Series of 1982, respectively, located at South Broadway between East Mississippi Avenue and East Kentucky Avenue, except for Vacating Ordinance No. 522, Series of 1982, which is located at West Ohio Avenue and South Cherokee Street in Council District 7. The last regularly scheduled Council meeting within the 30-day review period is on 9-10-18. The Committee approved filing this item at its meeting on 8-7-18.

**[18-0866](#) A bill for an ordinance changing the zoning classification for 52 Monroe Street in Cherry Creek.**

Approves an official map amendment to rezone property located at 52 Monroe Street from PUD to G-RO-3 (planned development to general urban, residential-office) in Council District 10. If ordered published, a public hearing will be held on Monday, 9-17-18. The Committee approved filing this item at its meeting on 8-7-18.

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

**[18-0863](#) A bill for an ordinance approving a proposed twenty-year Agreement between the City and County of Denver and the Housing Authority of the City and County of Denver, Colorado (“DHA”), to allow transfer of certain funds from the city’s affordable housing fund to DHA, and for the accelerated development, rehabilitation and preservation of affordable housing.**

Approves an Intergovernmental Agreement with the Denver Housing Authority (DHA) for twenty years for the transfer of the city’s dedicated property tax from the Affordable Housing Fund to DHA to support accelerated development, rehabilitation, and preservation of affordable housing serving low- and moderate-income households, citywide (OEDEV-201843652-00). The last regularly scheduled Council meeting within the 30-day review period is on 9-10-18. The Committee approved filing this item at its meeting on 8-8-18.

**[18-0864](#) A bill for an ordinance amending Article V of Chapter 27 of the Revised Municipal Code of the City and County of Denver regarding Dedicated Funding for Affordable Housing, amending Article II of Chapter 53 of the Revised Municipal Code of the City and County of Denver regarding Imposition of Tax and dedicating such increased revenue from sales tax on retail marijuana and retail marijuana products to the funding of affordable housing programs, and amending ordinance no. 20160625 in Series 2016 establishing the Affordable Housing Permanent Funds.**

Amends Article V, Chapter 27 and Article II, Chapter 53 of the Denver Revised Municipal Code (DMRC) to remove language stating that the city's Dedicated Fund for Affordable Housing would sunset after 10 years, change the name of the special revenue fund from "Property Tax Special Revenue Fund" to "Affordable Housing Property Tax and Other Local Revenue Fund," increase the retail marijuana tax rate from 3.5% to 5.5%, and require the additional tax revenue generated from the 2% rate increase to support affordable housing. The Committee approved filing this item at its meeting on 8-8-18.

#### **LATE FILINGS - BILL FOR INTRODUCTION**

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

**[18-0855](#) A bill for an ordinance approving a proposed Contract to Exchange Property between the City and County of Denver and PHC Mixed Use, LLC for payment and exchange of property for park improvements.**

Approves an agreement with PHC Mixed Use, LLC (PHC) to exchange city-owned property located at 2863 Fairfax Street for PHC-owned property located at 2868 Fairfax Street, and to include \$650,000 from PHC for certain park improvements on the newly obtained city parcel in Council District 8 (FINAN 201842934). The last regularly scheduled Council meeting within the 30-day review period is on 9-10-18. The Committee approved filing this item at its meeting on 8-7-18.

**BILLS FOR FINAL CONSIDERATION****Business, Arts, Workforce & Aviation Services Committee**

[18-0794](#) **A bill for an ordinance approving a proposed Second Amendatory Agreement between the City and County of Denver and Town of Morrison, to perform certain engineering services related to improvements to the Town's wastewater system which collects wastewater from the City's Red Rocks Amphitheatre.**

Amends an intergovernmental agreement with the Town of Morrison by adding \$375,000 for a new total of \$554,900 and six months for a new end date of 6-30-19 for engineering services related to wastewater infrastructure at Red Rocks amphitheater (THTRS-201628380-02). The last regularly scheduled Council meeting within the 30-day review period is on 8-27-18. The Committee approved filing this item at its meeting on 7-25-18.

**Finance & Governance Committee**

[18-0746](#) **A bill for an ordinance making a supplemental appropriation from the General Contingency Fund to purchase property at 700 West Colfax Avenue.**

Approves a \$3 million supplemental appropriation from the General Fund contingency to purchase property at 700 West Colfax Avenue in Council District 10. The Committee approved filing this item at its meeting on 7-31-18.

[18-0822](#) **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.**

Changes the pay grade of Director of Recreation from A-814 to A-815. The Committee approved filing this item at its meeting on 7-31-18.

[18-0823](#) **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.**

Changes the pay grade of Booking Coordinator from A-810 to A-620. The Committee approved filing this item at its meeting on 7-31-18.

[18-0837](#) **A bill for an ordinance submitting to a vote of the qualified and registered electors of the City and County of Denver at a special municipal election to be held in conjunction with the general election of November 6, 2018, a proposed amendment to the Charter of the City and County of Denver concerning the authority for the clerk and recorder to make appointments.**

Refers a question to the November 6, 2018 ballot to amend the Charter to change appointments of deputies and assistants by the Clerk and Recorder including requiring the Deputy Clerk and Recorder to be an at-will appointee, eliminating the requirement that the Director of Elections be at-will, and allowing the Clerk to appoint two additional at-will employees to serve in positions designated by the Clerk and Recorder. This bill must pass no later than August 27, 2018 to meet the deadlines for the November ballot. The Committee approved filing this item at its meeting on 8-7-18.

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

### **PRE-RECESS ANNOUNCEMENT**

Tonight, there will be a one-hour courtesy public hearing on first reading of Council Bill 855, regarding an agreement with PHC Mixed Use, LLC., (PHC) to exchange city-owned property located at 2863 Fairfax Street for PHC-owned property located at 2868 Fairfax Street, and to include \$650,000 from PHC for certain park improvements on the newly obtained city parcel, in Council District 8. 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 ON INTRODUCTION****Land Use, Transportation & Infrastructure Committee****[18-0855](#) A bill for an ordinance approving a proposed Contract to Exchange Property between the City and County of Denver and PHC Mixed Use, LLC for payment and exchange of property for park improvements.**

Approves an agreement with PHC Mixed Use, LLC (PHC) to exchange city-owned property located at 2863 Fairfax Street for PHC-owned property located at 2868 Fairfax Street, and to include \$650,000 from PHC for certain park improvements on the newly obtained city parcel in Council District 8 (FINAN 201842934). The last regularly scheduled Council meeting within the 30-day review period is on 9-10-18. The Committee approved filing this item at its meeting on 8-7-18.

**PRE-ADJOURNMENT ANNOUNCEMENT**

Dependent upon publication, on Monday, September 17, 2018, Council will hold a required public hearing on Council Bill 18-0820, changing the zoning classification for 3901 Elati Street in Globeville; and, a required public hearing on Council Bill 18-0866, changing the zoning classification for 52 Monroe Street in Cherry Creek. Any protests against Council Bill 18-0820 or 18-0866 must be filed with the Council Offices no later than Monday, September 10, 2018.

**ADJOURN**

**PENDING**

FOR 8-27-18:

[18-0705](#) **A bill for an ordinance changing the zoning classification for 5611 East Iowa Avenue in Virginia Village.**

Approves an official map amendment to rezone property located at 5611 East Iowa Avenue from S-SU-D to S-RH-2.5 (suburban, single-unit to suburban, rowhouse) in Council District 6. The Committee approved filing this item at its meeting on 7-10-18.

**Final Consideration****Required Public Hearing**

[18-0774](#) **A resolution to set a public hearing on Service Plans for two new metropolitan districts titled West Lot Metropolitan District No. 1 and West Lot Metropolitan District No. 2.**

Sets a public hearing before City Council on 8-27-18 on the West Lot Metropolitan District No. 1 and West Lot Metropolitan District No. 2 in Council District 9. The Committee approved filing this item at its meeting on 7-17-18.

FOR 9-10-18:

[18-0763](#) **A resolution to set a public hearing on the approval of the Service Plan for a new metropolitan district 2000 Holly Metropolitan District.**

Sets a public hearing on 9-10-18 before City Council on the 2000 Holly Metropolitan District in Council District 6. The Committee approved filing this item at its meeting on 7-17-18.

[18-0764](#) **A resolution to set a public hearing on Service Plans for two new metropolitan districts titled 4201 Arkansas Metropolitan District No. 1 and 4201 Arkansas Metropolitan District No. 2.**

Sets a public hearing before City Council on 9-10-18 on the 4201 Arkansas Metropolitan District No. 1 and the 4201 Arkansas Metropolitan District No. 2 in Council District 6. The Committee approved filing this item at its meeting on 7-17-18.

[18-0791](#) **A bill for an ordinance changing the zoning classification for 12680 E. Albrook Drive in Montbello.**

Approves an official map amendment to rezone property located at 12680 East Albrook Drive from S-MX-12 to OS-A (suburban, mixed-use to open space) in Council District 8. The Committee approved filing this item at its meeting on 7-31-18.

**Final Consideration**

**Required Public Hearing**

FOR 9-17-18:

[18-0827](#) **A resolution to set a public hearing on the approval of the Service Plan for a new metropolitan district Denver Rock Drill Metropolitan District.**

Sets a public hearing before City Council on 9-17-18 on the Denver Rock Drill Metropolitan District located near 39th Avenue and High Street in Council District 9. The Committee approved filing this item at its meeting on 7-31-18.