

City Council Meeting of Monday, September 23, 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

Room 450
City & County Building
1437 Bannock Street
Denver CO 80202
Phone: 720-337-2000
Email: denc@denvergov.org

MEETING ASSISTANCE NOTICE - AMERICANS WITH DISABILITIES ACT AND LANGUAGE INTERPRETATION

The Council Chambers has listening devices for people with a hearing loss. Request a device from the Council Secretary. The City can provide sign language interpretation, CART (computer assisted real-time transcription), and foreign language interpretation for persons attending City Council meetings. If you need any of these accommodations, please email denc@denvergov.org or call 720-337-2000 three (3) business-days prior to the Council meeting.

CITY COUNCIL AGENDA

The City Council agenda and meeting schedule are made available for public review during normal business hours at the City & County Building, 1437 Bannock St., Rm. 451, on Thursday afternoons prior to the regularly scheduled Council meeting. The agenda packet is also posted on the City Council website at <https://www.denvergov.org/citycouncil>. Questions on agenda items may be directed to the Denver City Council at 720-337-2000.

AUDIO/VIDEO ACCESS TO CITY COUNCIL MEETINGS

City Council meetings are televised live on cable TV Channel 8, and can be viewed via live or archived webcast at <https://denver.legistar.com>.

PUBLIC COMMENT DURING PUBLIC HEARINGS

This is the time of the meeting for the City Council to receive comments from the public regarding items up for consideration scheduled for public hearing. To speak, sign up 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

[19-0999](#) Minutes of Monday, September 16, 2019

COUNCIL ANNOUNCEMENTS

Tonight Council is scheduled to hold a required public hearing on Council Bill 19-0913, designating 4345 West 46th Avenue as a structure for preservation. However, it is Council’s intent to postpone final consideration of Council Bill 19-0913 with its public hearing to Tuesday, November 12, 2019. If you are planning to speak on this matter, we apologize for any inconvenience and ask that you return on Tuesday, November 12.

PRESENTATIONS

COMMUNICATIONS

PROCLAMATIONS

[19-1005](#) A proclamation celebrating 100 years of Civic Center.

Sponsor Hinds

RESOLUTIONS**Business, Arts, Workforce, & Aviation Services Committee****[19-0920](#) A resolution approving a proposed Master Purchase Order between the City and County of Denver and ITW GSE, Inc. concerning passenger bridge components at Denver International Airport.**

Approves a master purchase order with ITW GSE, Inc. for \$3,000,000 and through 1-31-21, with options for three, one-year extensions for passenger bridge components at Denver International Airport (SC-00004222). The last regularly scheduled Council meeting within the 30-day review period is on 10-14-19. The Committee approved filing this item at its meeting on 9-11-19.

Finance & Governance Committee**[19-0901](#) A resolution approving the Mayor's reappointments to the Tourism Improvement District.**

Approves the Mayoral reappointments of Allen Paty and Navin Dimond to the Tourism Improvement District for terms effective immediately and expiring 8-31-22, or until a successor is duly appointed. The Committee approved filing this resolution by consent on 9-10-19.

[19-0916](#) A resolution approving the Mayor's appointment to the Bluebird Business Improvement District.

Approves the Mayoral appointment of Jareb Parker to the Bluebird Business Improvement District for a term effective immediately and expiring 5-31-21, or until a successor is duly appointed. The Committee approved filing this resolution by consent on 9-10-19.

[19-0919](#) A resolution approving the Mayor's appointment to the RiNo General Improvement District.

Approves the Mayoral appointment of James Roupp to the RiNo General Improvement District 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 9-10-19.

[19-0935](#) **A resolution approving a proposed Agreement between the City and County of Denver and Denver College Success Corporation to administer the voter-approved Denver College Affordability Fund for one year to distribute grants to non-profits that provide scholarships to Denver youth.**

Approves a contract with Denver College Success Corporation for \$11,844,613 and for one year to provide grants to non-profits for scholarships for youth to administer the voter approved Denver College Affordability Fund (MOEAI-201951693). The last regularly scheduled Council meeting within the 30-day review period is on 10-14-19. The Committee approved filing this item at its meeting on 9-10-19.

Land Use, Transportation & Infrastructure Committee

[19-0813](#) **A resolution laying out, opening and establishing as part of the City street system a parcel of land as North Inca Street near the intersection of West 29th Avenue and North Inca Street.**

Dedicates a parcel of land as public right of way as North Inca Street, located near the intersection of West 29th Avenue and North Inca Street in Council District 9. The Committee approved filing this item at its meeting on 9-10-19.

[19-0820](#) **A resolution approving a proposed Contract between the City and County of Denver and Concrete Works of Colorado, Inc. for the construction of Phase 2 of the 27th Street Storm Interceptor project to improve drainage conditions.**

Approves a contract with Concrete Works of Colorado, Inc. for \$5,135,998 and for 210 days for the construction of Phase 2 of the 27th Street Storm Interceptor project to improve drainage conditions in Basin 0062-1 located from 27th Street and Arapahoe Street southeast to 27th Street and California Street in Council District 9 (201950389). The last regularly scheduled Council meeting within the 30-day review period is on 10-14-19. The Committee approved filing this item at its meeting on 9-10-19.

[19-0884](#) A resolution approving a proposed Amendatory Agreement between the City and County of Denver and Richdell Construction, Inc. to extend the term by five months.

Amends a contract with Richdell Construction, Inc. by adding five months for a new end date of 7-31-20 for on-call site development, landscape and irrigation construction services citywide. No change to contract amount (201732900). The last regularly scheduled Council meeting within the 30-day review period is on 10-14-19. The Committee approved filing this item at its meeting on 9-3-19.

[19-0886](#) A resolution approving a proposed Amendatory Agreement between the City and County of Denver and T2 Construction, Inc. to extend the term and add compensation for landscape and irrigation construction services.

Amends a contract with T2 Construction by adding \$500,000 for a new total of \$3,000,000 and five months for a new end date of 7-31-20 for on-call site development, landscape and irrigation construction services citywide (201631182). The last regularly scheduled Council meeting within the 30-day review period is on 10-14-19. The Committee approved filing this item at its meeting on 9-3-19.

[19-0887](#) A resolution approving a proposed Amendatory Agreement between the City and County of Denver and Goodland Construction, Inc. to extend the term and add compensation for landscape and irrigation construction services.

Amends a contract with Goodland Construction, Inc. by adding five months for a new end date of 7-31-20 for on-call site development, landscape and irrigation construction services citywide. No change to contract amount (201732897). The last regularly scheduled Council meeting within the 30-day review period is on 10-14-19. The Committee approved filing this item at its meeting on 9-3-19.

[19-0888](#) A resolution approving a proposed Amendatory Agreement between the City and County of Denver and CTM, Inc. to extend the term and add compensation for landscape and irrigation construction services.

Amends a contract with CTM, Inc. by adding \$750,000 for a new total of \$3,250,000 and five months for a new end date of 7-31-20 for on-call site development, landscape and irrigation construction services citywide (201631142). The last regularly scheduled Council meeting within the 30-day review period is on 10-14-19. The Committee approved filing this item at its meeting on 9-3-19.

[19-0889](#) A resolution approving a proposed Amendatory Agreement between the City and County of Denver and ECI Site Construction Management, Inc. to extend the term by five months.

Amends a contract with ECI Site Construction Management, Inc. by adding five months for a new end date of 7-31-20 for on-call site development, landscape and irrigation construction services citywide. No change to contract amount (201631146). The last regularly scheduled Council meeting within the 30-day review period is on 10-14-19. The Committee approved filing this item at its meeting on 9-3-19.

[19-0890](#) A resolution approving a proposed Amendatory Agreement between the City and County of Denver and Colorado Designsapces, Inc. to extend the term and add compensation for landscape and irrigation construction services.

Amends a contract with Colorado Designsapces, Inc. by adding \$750,000 for a new total of \$3,250,000 and five months for a new end date of 7-31-20 for on-call site development, landscape and irrigation construction services citywide (201631171). The last regularly scheduled Council meeting within the 30-day review period is on 10-14-19. The Committee approved filing this item at its meeting on 9-3-19.

[19-0909](#) A resolution laying out, opening and establishing as part of the City street system a parcel of land as North Yates Street at the intersection of West 13th Avenue and North Yates Street.

Dedicates city owned land as North Yates Street, located near the intersection of West 13th Avenue and North Yates Street in Council District 1. The Committee approved filing this item at its meeting on 9-10-19.

[19-0910](#) A resolution approving and providing for the execution of a proposed Grant Agreement between the City and County of Denver and the Colorado Department of Transportation concerning the "McAuliffe School Safe Routes to Schools" program and the funding therefor.

Approves a grant agreement with the Colorado Department of Transportation for \$500,000 of State funds with a match of \$125,000 of City funds for a total of \$625,000 and for ten years for the Safe Routes to School Program to improve pedestrian crossings at McAuliffe International School in Council District 8 (201951572). The last regularly scheduled Council meeting within the 30-day review period is on 10-14-19. The Committee approved filing this item at its meeting on 9-10-19.

[19-0915](#) A resolution laying out, opening and establishing as part of the City street system parcels of land as North Detroit Street near the intersection of East Colfax Avenue and North Detroit Street.

Dedicates city owned land as North Detroit Street, located near the intersection of East Colfax Avenue and North Detroit Street in Council District 9. The Committee approved filing this item at its meeting on 9-10-19.

Safety, Housing, Education & Homelessness Committee

[19-0828](#) 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) FY19" program and the funding therefor.

Approves a grant agreement with the U.S. Department of Housing & Urban Development (HUD) for the 2019 allocation of \$2,278,782 through the Housing Opportunities for People with AIDS (HOPWA) program to provide housing and supportive services for persons with Acquired Immunodeficiency Syndrome (AIDS) or related diseases (201951393). The last regularly scheduled Council meeting within the 30-day review period is on 10-14-19. The Committee approved filing this item at its meeting on 9-11-19.

[19-0829](#) 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 FY19" program and the funding therefor.

Approves a grant agreement with the U.S. Department of Housing & Urban Development (HUD) for the 2019 allocation of \$2,935,765 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 (OEDEV-201951391). The last regularly scheduled Council meeting within the 30-day review period is on 10-14-19. The Committee approved filing this item at its meeting on 9-11-19.

[19-0908](#) A resolution approving a proposed Second Amendatory Agreement between the City and County of Denver and Jewish Family Service of Colorado, Inc. to provide TANF support services.

Amends a contract with Jewish Family Service of Colorado, Inc. by adding \$489,311 for a new total of \$1,954,311 and one year for a new end date of 6-30-20 for case management services and support for individuals and families in the Temporary Assistance for Needy Families (TANF) program, to build effective relationships with participants and assist families in becoming stable and self-sufficient (SOCSV-2017-34826-02). The last regularly scheduled Council meeting within the 30-day review period is on 10-14-19. The Committee approved filing this item at its meeting on 9-11-19.

BILLS FOR INTRODUCTION

Finance & Governance Committee

[19-0835](#) A bill for an ordinance authorizing cash transfers from the Capital Improvement Fund to the Human Services Special Revenue Fund and the Economic Opportunity Special Revenue Fund.

Transfers \$9,950,000 in cash from the Capital Improvements Fund received from the sale of 1701 S. Platte Street, allocates \$3,200,000 to the DHS Homeless Services Fund and \$6,750,000 to the Affordable Housing Property Tax and Other Local Revenue Fund. The Committee approved filing this item at its meeting on 9-10-19.

[19-0900](#) A bill for an ordinance authorizing a rescission, a cash transfer, and a supplemental appropriation from the General Fund Contingency to the Human Services Special Revenue Fund.

Approves a supplemental appropriation of \$1,000,000 from General Fund Contingency to transfer cash to Denver Human Services to fund the General Fund match for provision of day shelter services in 2019. The Committee approved filing this item at its meeting on 9-10-19.

[19-0902](#) A bill for an ordinance making a rescission and a supplemental appropriation from the General Fund Contingency to Human Rights and Community Partnerships.

Approves a supplemental appropriation of \$150,000 from General Fund Contingency for Human Rights and Community Partnerships to continue providing direct legal representation to immigrants through the Legal Defense Fund. The Committee approved filing this item at its meeting on 9-10-19.

Land Use, Transportation & Infrastructure Committee

[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.

[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. If ordered published, a public hearing will be held on Monday, 10-21-19. 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. If ordered published, a public hearing will be held on Monday, 10-21-19. The Committee approved filing this item at its meeting on 8-27-19.

[19-0914](#) **A bill for an ordinance amending Chapter 30 (Landmark Preservation) of the Revised Municipal Code.**

Amends Chapter 30 of the Denver Revised Municipal Code (DRMC), Landmark Ordinance to simplify designation criteria, add criteria associated with cultural significance, to extend time frames for demolition/designation review process, to add required mediation and to clarify language and ensure consistency throughout the ordinance. If ordered published, a public hearing will be held on Monday, 9-30-19. The Committee approved filing this item at its meeting on 9-10-19.

Safety, Housing, Education & Homelessness Committee

[19-0921](#) **A bill for an ordinance amending the Revised Municipal Code of the City and County of Denver to prohibit the sale of tobacco products to persons under twenty-one years of age and require a license to operate a retail tobacco store.**

Amends Chapter 24 and Chapter 32 of the Denver Revised Municipal Code (DRMC) to prohibit the sale of tobacco products to persons under twenty-one years of age and require a license to operate a retail tobacco store. The Committee approved filing this item at its meeting on 9-11-19.

BILLS FOR FINAL CONSIDERATION

Finance & Governance Committee

[19-0863](#) **AS AMENDED a bill for an ordinance amending the City Retail Sales Tax Article, Article II, Chapter 53 of the Revised Municipal Code and the City Use Tax Article, Article III, Chapter 53 of the Revised Municipal Code to exempt the passthrough of the federal excise tax imposed on trucks, trailers, and tractors from taxation.**

Amends Chapter 53 of the Denver Revised Municipal Code (DRMC) to exempt federal excise tax from being included in the taxable purchase price for heavy trucks and trailers. The Committee approved filing this item at its meeting on 8-27-19. Amended 9-16-19 to clarify that "use" tax is under Article III of Chapter 53 of the D.R.M.C.

RECAP OF BILLS TO BE CALLED OUT

PRE-RECESS ANNOUNCEMENT

Tonight Council is scheduled to hold a required public hearing on Council Bill 19-0913, designating 4345 West 46th Avenue as a structure for preservation. However, it is Council's intent to postpone final consideration of Council Bill 19-0913 with its public hearing to Tuesday, November 12, 2019. If you are planning to speak on this matter, we apologize for any inconvenience and ask that you return on Tuesday, November 12.

RECESS

COUNCIL RECONVENES AND RESUMES ITS REGULAR SESSION

PUBLIC HEARINGS - BILLS FOR FINAL CONSIDERATION

Land Use, Transportation & Infrastructure Committee

[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.

EXECUTIVE SESSION

[19-1006](#) The Council will meet in executive session for the purpose of receiving legal advice. Rachelle Hill, City Attorney's Office

PRE-ADJOURNMENT ANNOUNCEMENT

Dependent upon publication, on Monday, September 30, Council will hold a courtesy public hearing on Council Bill 19-0914, amending Chapter 30 (Landmark Preservation) of the Revised Municipal Code. Dependent upon publication, on Monday, October 21, Council will hold 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. Any protests against Council Bill 19-0877 or Council Bill 19-0878 must be filed with the Council Offices no later than noon on Monday, October 14.

ADJOURN

PENDING

FOR 10-7-19:

[19-0817](#) A bill for an ordinance changing the zoning classification for 3141 Raleigh Street in West Highland.

Approves an official map amendment to rezone property located at 3141 Raleigh Street from U-SU-A to U-SU-A1 (allowing an accessory dwelling unit), in Council District 1. The Committee approved filing this item at its meeting on 8-20-19.

Final Consideration | Required Public Hearing

[19-0834](#) A bill for an ordinance amending the Denver Zoning Code.

Approves text amendment #6 to the Denver Zoning Code to add a new Temporary Tiny Home Village use and associated regulations and procedures, updates and clarifies outreach procedures related to Large Development Review, and amends regulations for an affordable housing parking reduction. The Committee approved filing this item at its meeting on 8-20-19.

Final Consideration | Required Public Hearing