

City Council Meeting of Monday, August 19, 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 451
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

[19-0848](#) Minutes of Monday, August 12, 2019

COUNCIL ANNOUNCEMENTS

Tonight, Council was scheduled to hold a required public hearing on Council Bill 19-0577, changing the zoning classification for 1634, 1640, 1642, 1650 and 1680 Sheridan Boulevard in West Colfax- however, it is Council's intent to postpone final consideration of Council Bill 19-0577 with it's public hearing to Monday, September 16, 2019. If you are wishing to speak on this matter, we apologize for any inconvenience and ask that you attend the rescheduled hearing on Monday, September 16.

PRESENTATIONS

COMMUNICATIONS

PROCLAMATIONS

[19-0838](#) A proclamation celebrating La Raza & Barnum Park Day - Cruise Down Fedz on August 25th, 2019.

Sponsor Sandoval and Torres

RESOLUTIONS**Finance & Governance Committee****[19-0765](#) A resolution approving a Second Amendatory Agreement between the City and County of Denver and Davis Graham & Stubbs, LLC for a new end date of October 18, 2020.**

Amends a contract with Davis Graham & Stubbs, LLP by adding \$300,000 for a new total of \$795,000 and adding 10 months and 18 days for a new end date of 10-18-20 to provide professional legal services in employment-related matters and serve as legal counsel for conflict litigation and overflow and other legal matters and services as necessary (ATTNY-201524534). The last regularly scheduled Council meeting within the 30-day review period is on 9-9-19. The Committee approved filing this item at its meeting on 8-6-19.

[19-0769](#) A resolution approving a proposed Master Purchase Order between the City and County of Denver and Traffic Signal Controls, Inc. for replacement LED's and associated Traffic Signal Control products in accordance with MUTCD specifications.

Approves a master purchase order with Traffic Signal Controls, Inc. for \$2,500,000 and through 7-31-22 for traffic signal LEDs and various traffic signal parts for ongoing maintenance of intersection signal devices, citywide (SC-00004170). The last regularly scheduled Council meeting within the 30-day review period is on 9-9-19. The Committee approved filing this item at its meeting on 8-6-19.

[19-0770](#) A resolution approving a proposed Master License and Services Contract between the City and County of Denver and Wolters Kluwer ELM Solutions, Inc. for the purchase, implementation and ongoing support of an enterprise 'cloud' (hosted) Case Management system to support the City Attorney's Office.

Approves a contract with Wolters Kluwer ELM Solutions, Inc. for \$2,462,283 and for five years for the purchase, implementation and ongoing support of an enterprise cloud-hosted case management system to support City Attorney's office operations, citywide (TECHS - 201948298). The last regularly scheduled Council meeting within the 30-day review period is on 9-9-19. The Committee approved filing this item at its meeting on 8-6-19.

[19-0774](#) A resolution approving the Mayor's appointment to the Citizens Oversight Board Nomination Committee.

Approves the Mayoral appointment of the Rev. Dr. Katherine Farley to the Citizens Oversight Board Nomination Committee for a term effective immediately and expiring 8-01-23, or until a successor is duly appointed. The Committee approved filing this resolution by consent on 8-6-19.

[19-0778](#) A resolution approving the Mayor's reappointments to the Metro Wastewater Reclamation District Board of Directors.

Approves the Mayoral reappointments of Robert J. Duncanson, Christopher Pacheco, Michael Sapp, Peter Spanberger, Andrew Johnston, Barbara Puls and Peter Baertlein to the Metro Wastewater Reclamation District Board of Directors for terms effective immediately and expiring 6-30-21, or until a successor is duly appointed. The Committee approved filing this resolution by consent on 8-6-19.

Land Use, Transportation & Infrastructure Committee

[19-0746](#) A resolution approving a proposed Third Amendatory Agreement between the City and County of Denver and Lytx, Inc. to extend the term and increase funds for technology-based fleet services to assist in driver behaviors, fuel cost savings, reduced idling and risk related mitigations.

Amends a contract with Lytx, Inc. by adding \$132,228.52 for a new total of \$1,169,946.66 and one year for a new end date of 03-31-20 for technology-based fleet services to assist in driver behaviors, fuel cost savings, reduced idling and risk related mitigations to support operations citywide (201209229). The last regularly scheduled Council meeting within the 30-day review period is on 9-9-19. The Committee approved filing this item at its meeting on 7-30-19.

[19-0853](#) A resolution authorizing and approving the expenditure and payment from the appropriation account designated "liability claims," the sum of Twenty-Two Thousand, Five Hundred Dollars and Zero Cents (\$22,500.00) made payable to Austin Caldwell and Franklin D. Azar & Associates, P.C. in full payment and satisfaction of all claims related to Claim Number 2018.0018, regarding an accident that occurred on December 6, 2017.

Settles a claim with Denver Public Works. This resolution was approved for filing at the Mayor-Council meeting on 8-13-19.

Safety, Housing, Education & Homelessness Committee

[19-0783](#) **A resolution approving a proposed Agreement between the City and County of Denver and Caring for Denver Foundation to increase mental health and substance use disorder prevention, treatment, recovery and harm reduction services.**

Approves a contract with Caring for Denver Foundation through 12-31-23 to administer the Caring for Denver Fund to increase mental health and substance use disorder prevention, treatment, recovery, and harm reduction services, citywide (ENVHL-201951262-00). The last regularly scheduled Council meeting within the 30-day review period is on 9-9-19. The Committee approved filing this item at its meeting on 8-7-19.

BILLS FOR INTRODUCTION**Finance & Governance Committee**

[19-0700](#) **A bill for an ordinance designating certain properties as being required for public use and authorizing use and acquisition thereof by negotiation or through condemnation proceedings of fee, easement and other interests, including any rights and interests related or appurtenant to properties as needed for the Iowa Underpass Project at Santa Fe Drive, spanning Jewell Avenue to Florida Avenue.**

Grants the authority to acquire through negotiated purchase or condemnation any property interest as needed for the Iowa Underpass Project, including easement interests, access rights, improvements, buildings, fixtures, licenses, permits and other appurtenances, located approximately at Santa Fe Drive, spanning Jewell Avenue to Florida Avenue in Council District 7. The last regularly scheduled Council meeting within the 30-day review period is on 9-9-19. The Committee approved filing this item at its meeting on 7-16-19.

[19-0744](#) A bill for an ordinance approving the East Colfax Corridor Urban Redevelopment Plan and the creation of the East Colfax Corridor Urban Redevelopment Area and the East Colfax Corridor Property Tax Increment Area and Sales Tax Increment Area.

Approves the Urban Redevelopment Plan for the East Colfax Corridor Urban Redevelopment Area to reduce or eliminate blighted conditions as well as to stimulate growth and redevelopment in the East Colfax Corridor, generally bounded by Monaco Parkway on the west and Yosemite Street on the east in Council Districts 5 and 8. If ordered published, a public hearing will be held on Monday, 8-26-19. The Committee approved filing this item at its meeting on 7-30-19.

[19-0745](#) A bill for an ordinance approving Service Plans for the creation of six (6) Title 32 Metropolitan Districts, the Loretto Heights Metropolitan District Nos. 1-5 and the Loretto Heights Programming Metropolitan District.

Approves six separate Service Plans for the formation and establishment of six Title 32 districts: Loretto Heights Metropolitan District No. 1, Loretto Heights Metropolitan District No. 2, Loretto Heights Metropolitan District No. 3, Loretto Heights Metropolitan District No. 4, Loretto Heights Metropolitan District No. 5 and Loretto Heights Programming Metropolitan District, in Council District 2. If ordered published, a public hearing will be held on Monday, 8-26-19. The Committee approved filing this item at its meeting on 7-30-19.

[19-0768](#) A bill for an ordinance establishing a new fund in the Grant and Other Money Projects Series for the "Denver Water/NWC Recycled Water Pipeline IGA" program and making appropriations.

Establishes the Denver Water/NWC Recycled Water Pipeline IGA capital project fund in the Grant and Other Money Projects Fund for the Denver Water/National Western Center recycled water pipeline and makes appropriations. The Committee approved filing this item at its meeting on 8-6-19.

[19-0771](#) A bill for an ordinance (I) authorizing and approving the City's sponsorship of the metroDPA Program; (II) authorizing the execution of all Program Documents; (III) authorizing the appointment of a Servicer, Escrow Agent, Administrator, and Program Monitor for the Program; (IV) allocating funds for down payment assistance; and (V) delegating the power to take all such actions as are necessary or appropriate to accomplish the foregoing.

Authorizes and approves program documents for the City's sponsorship of the regional metroDPA Program, which includes authorizing the appointment of a Servicer, Escrow Agent, Administrator, and Program Monitor for the Program, allocation of funds for down payment assistance, and other program enhancements. The Committee approved filing this item at its meeting on 8-6-19.

[19-0772](#) 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 coordinated election of November 5, 2019, a proposed amendment to the charter of the City and County of Denver concerning management and control of Arts and Venues.

Refers a proposed Charter amendment to a vote of the qualified and registered electors of the City and County of Denver at the 11-05-19 election to remove the requirement that management of owned or leased facilities for theater, concert, auditorium or arena purposes be assigned by Charter to General Services. The Committee approved filing this item at its meeting on 8-6-19.

[19-0773](#) A bill for an ordinance conforming city code with historical city practices and revisions to charter section 2.9.3 if approved by electors at a special municipal election to be held in conjunction with the coordinated election of November 5, 2019.

Amends sections 2-191 through 2-194 and 2-275 of the Denver Revised Municipal Code (DRMC) to remove reference to oversight of the Department of General Services and to formally assign care and operation of the facilities, structures and land used for theater, concert, auditorium, arena and other cultural purpose to Arts and Venues, pending voter approval of a November 2019 Charter measure. The Committee approved filing this item at its meeting on 8-6-19.

[19-0781](#) 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 5, 2019, a proposed amendment to the Charter of the City and County of Denver concerning ranks and grades in the fire department.

Refers a proposed Charter amendment to a vote of the qualified and registered electors of the City and County of Denver at the 11-05-19 election to add Emergency Medical Technician (EMT) as a named rank of the Denver Fire Department and to allow the Fire Chief to assign duties of Shift Commander to an assistant chief of the Denver Fire Department. The Committee approved filing this item at its meeting on 8-6-19.

[19-0782](#) A bill for an ordinance submitting to a vote of the registered electors of the City and County of 9 Denver at a special municipal election to be held in conjunction with the coordinated 10 election on November 5, 2019, a proposed amendment to the Charter of the City and 11 County of Denver to require elected officials to maintain residency in Denver and, if a 12 district Councilmember, in the district, throughout the term of office.

Submits 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 coordinated election on November 5, 2019, a proposed amendment to the Charter of the City and County of Denver to require elected officials to maintain residency in Denver and, if a district Councilmember, in the district, throughout the term of office. The Committee approved filing this item at its meeting on 8-6-19.

[19-0803](#) A bill for an ordinance establishing an excise tax on electricity and natural gas for commercial and industrial customers to fund the office of climate action, sustainability, and resiliency, subject to the approval of the voters at a special municipal election to be conducted in coordination with the state coordinated election on November 5, 2019.

A Bill for an ordinance establishing an excise tax on electricity and natural gas for commercial and industrial customers to fund the office of climate action, sustainability, and resiliency, subject to the approval of the voters at a special municipal election to be conducted in coordination with the state coordinated election on November 5, 2019. Committee approved filing this item at its meeting on 8-13-19.

[19-0805](#) A bill for an ordinance establishing the Office of Climate Action, Sustainability, and Resiliency.

A bill for an ordinance establishing the Office of Climate Action, Sustainability, and Resiliency. The Committee approved filing this item at its meeting on 8-13-19.

Land Use, Transportation & Infrastructure Committee

[19-0766](#) A bill for an ordinance approving the purchase of capital equipment from the Wastewater Enterprise Fund.

Approves a one-time capital equipment expenditure in an amount not to exceed \$35,000 to procure one John Deere gator utility vehicle in place of a Bobcat that was authorized in the 2019 budget, to support citywide Public Works Wastewater operations. The last regularly scheduled Council meeting within the 30-day review period is on 9-9-19. The Committee approved filing this item at its meeting on 8-6-19.

[19-0784](#) A bill for an ordinance concerning the operation of electric scooters in the city and county of Denver.

Amends various sections of Chapter 54 of the Denver Revised Municipal Code (DRMC) concerning the operation of electric scooters in the City. The Committee approved filing this item at its meeting on 8-6-19.

Safety, Housing, Education & Homelessness Committee

[19-0780](#) A bill for an ordinance approving a proposed Intergovernmental Option Letter between the City and County of Denver and State of Colorado, Department of Human Services, for Denver childcare facility inspections.

Amends an intergovernmental agreement with the Colorado Department of Human Services by adding \$640,642 for a new total of \$3,128,929 and one year for a new end date of 6-30-20 to provide reimbursement for the City's Child Care Facility Inspection program, citywide (201521228-06). The last regularly scheduled Council meeting within the 30-day review period is on 9-9-19. The Committee approved filing this item at its meeting on 8-7-19.

BILLS FOR FINAL CONSIDERATION**Finance & Governance Committee**

[19-0741](#) **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 changing the title and pay grades of various associated labor and equipment operator classifications. The Committee approved filing this bill by consent on 7-30-19.

[19-0742](#) **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 changing the pay grades for Judicial Assistant I, Judicial Assistant II, Judicial Assistant III, and Judicial Assistant IV. The Committee approved filing this bill by consent on 7-30-19.

[19-0743](#) **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 creating a new classification series for the Document Management Technicians and abolishes the current Document Management Technician classification. The Committee approved filing this bill by consent on 7-30-19.

Safety, Housing, Education & Homelessness Committee**[19-0760](#) A bill for an ordinance approving a proposed Amendatory Agreement between the City and County of Denver and the Denver Urban Renewal Authority, by modifying the scope of work, to assist the Department of Public Health and Environment with administering the Lead Based Paint Hazard Control Grant Program.**

Amends an intergovernmental agreement with the Denver Urban Renewal Authority (DURA) by modifying eligibility and financial requirements for the administration of the Lead Based Paint Hazard Control Grant Program (LBPHC), to mitigate lead paint hazards in low income homes, citywide. No change to agreement amount or duration (201843088). The last regularly scheduled Council meeting within the 30-day review period is on 8-26-19. The Committee approved filing this item at its meeting on 7-31-19.

RECAP OF BILLS TO BE CALLED OUT**PRE-RECESS ANNOUNCEMENT**

Tonight, Council was scheduled to hold a required public hearing on Council Bill 19-0577, changing the zoning classification for 1634, 1640, 1642, 1650 and 1680 Sheridan Boulevard in West Colfax- however, it is Council's intent to postpone final consideration of Council Bill 19-0577 with it's public hearing to Monday, September 16, 2019. If you are wishing to speak on this matter, we apologize for any inconvenience and ask that you attend the rescheduled hearing on Monday, September 16.

Tonight, there will be a required public hearing on Council Bill 19-0576, changing the zoning classification for 4600 South Kipling Street in Marston. Anyone wishing to speak on either of these matters must see the Council Secretary or go online 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****[19-0576](#) A bill for an ordinance changing the zoning classification for 4600 South Kipling Street in Marston.**

Approves an official map amendment to rezone property from OS-B to S-RH-2.5 (open-space to suburban row-house), located at 4600 South Kipling Street in Council District 2. The Committee approved filing this item at its meeting on 6-18-19.

[19-0577](#) A bill for an ordinance changing the zoning classification for 1634, 1640, 1642, 1650 and 1680 Sheridan Boulevard in West Colfax.

Approves an official map amendment to rezone properties from U-RH-3A and U-SU-C2 to U-MS-2 and U-MS-3 (urban row-home and single-unit to urban main-street districts), located at 1634, 1640, 1642, 1650 and 1680 Sheridan Boulevard in Council District 1. The Committee approved filing this item at its meeting on 6-18-19. Community Planning and Development has determined that the requirement for a legal protest (signatures by the owners of 20 percent or more either of the area of the lots included in the proposed change or of the total land area within 200 feet from the perimeter of the area proposed for change) has been met (petition signatures represent 0% and 21%, respectively).

PRE-ADJOURNMENT ANNOUNCEMENT

On Monday, August 26, 2019, Council will hold a required public hearing on Council Bill 19-0744, approving the East Colfax Corridor Urban Redevelopment Plan and the creation of the East Colfax Corridor Urban Redevelopment Area and the East Colfax Corridor Property Tax Increment Area and Sales Tax Increment Area; and, a required public hearing on Council Bill 19-0745, approving Service Plans for the creation of six (6) Title 32 Metropolitan Districts, the Loretto Heights Metropolitan District Nos. 1-5 and the Loretto Heights Programming Metropolitan District. Dependent upon publication, Council will hold a combined courtesy public hearing on Council Bill 19-0803, establishing an excise tax on electricity and natural gas for commercial and industrial customers to fund the office of climate action, sustainability, and resiliency, subject to the approval of the voters at a special municipal election to be conducted in coordination with the state coordinated election on November 5, 2019; and, Council Bill 19-0805, establishing the Office of Climate Action, Sustainability, and Resiliency.

ADJOURN

PENDING

FOR 9-9-19:

[19-0724](#) A bill for an ordinance changing the zoning classification for 1969, 1975 and 1995 South Decatur Street and the west portion of 1957 South Decatur Street in College View South Platte.

Approves an official map amendment to rezone properties from R-2-A to S-MU-3 (residential, multi-unit to suburban, multi-unit), located at 1969, 1975, and 1995 South Decatur Street and 1957 South Decatur Street Rear in Council District 7. If ordered published, a public hearing will be held on Monday, 9-9-19. The Committee approved filing this item at its meeting on 7-30-19.

[19-0752](#) A bill for an ordinance relating to the Denver Zoning Code to establish new zone districts that implement the objectives of the adopted 2015 National Western Center Master Plan.

Approves a text amendment to the Denver Zoning Code to establish four new zone districts referred to as Campus-National Western Center-Core (CMP-NWC-C), Campus-National Western Center-General (CMP-NWC-G), Campus-National Western Center-Flex (CMP-NWC-F) and Campus-National Western Center-Riverfront (CMP-NWC-R) in furtherance of implementation of the National Western Center Master Plan and Globeville and Elyria and Swansea Neighborhood Plans in Council District 9. If ordered published, a public hearing will be held on Monday, 9-9-19. The Committee approved filing this item at its meeting on 7-30-19.

[19-0753](#) A bill for an ordinance changing the zoning classification for multiple properties generally bounded by the South Platte River, Race Court, the BNSF railway property and East 46th Avenue in Elyria and Swansea.

Approves a legislative map amendment to rezone properties generally bounded by the South Platte River, Race Court, the Burlington North Santa Fe railway property and East 46th Avenue with some exceptions, from I-A, UO-2; I-B, UO-2; and I-MX-5, UO-2 to CMP-NWC-C, UO-2; CMP-NWC-G, UO-2; CMP-NWC-F, UO-2; and CMP-NWC-R, UO-2 in Council District 9. If ordered published, a public hearing will be held on Monday, 9-9-19. The Committee approved filing this item at its meeting on 7-30-19.