

City Council Meeting of Monday, December 17, 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

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 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, 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

[18-1514](#) Minutes of Monday, December 10, 2018

COUNCIL ANNOUNCEMENTS

PRESENTATIONS

COMMUNICATIONS

PROCLAMATIONS

[18-1511](#) A proclamation recognizing Donna Altieri, founder of Altieri Instrument Bags in the City and County of Denver

Sponsor Ortega

RESOLUTIONS

Finance & Governance Committee

[18-1374](#) **A resolution approving an Agreement between the City and County of Denver and Iron & Metals, Inc. for on-call removal, containerization and sale and recycling of scrap metal recovered from city facilities, citywide.**

Approves a revenue contract with Iron & Metals, Inc. for three years and for \$139,000 for on-call removal, containerization and sale and recycling of scrap metal recovered from city facilities, citywide (GENRL-201843515). The last regularly scheduled Council meeting within the 30-day review period is on 1-7-19. The Committee approved filing this item at its meeting on 12-4-18.

[18-1390](#) A resolution approving a proposed Second Amendatory Agreement by and between the City and County of Denver and Active Network, Inc. to extend the term and increase funding for the continual use and support of the vendor's application.

Amends a contract with The Active Network, Inc. by adding \$1,271,000 for a new total of \$2,278,272 and five years for a new end date of 12-31-23 for point of sale and management software for online transactions including payment, activity registrations, membership management, and facility reservations for all Parks and Recreation customers and staff, citywide (TECHS-201314203-02). The last regularly scheduled Council meeting within the 30-day review period is on 1-7-19. The Committee approved filing this item at its meeting on 12-4-18.

[18-1408](#) A resolution approving a proposed Agreement by and between the City and County of Denver and Ventiv Technology, Inc. to provide cloud based software for Risk Management's Workers' Compensation Program.

Approves a contract with Ventiv Technology, Inc. for \$1,200,000 and for five years for software used to track compensation, auto, and property claims from city employees (201846023). The last regularly scheduled Council meeting within the 30-day review period is on 1-7-19. The Committee approved filing this item at its meeting on 11-27-18.

[18-1409](#) A resolution approving a proposed Agreement between the City and County of Denver and Occupational Health Centers of the Southwest PA PC to act as a designated medical provider when an alleged injury is reported by a city employee.

Approves a contract with Occupational Health Centers of the Southwest, PA PC., for \$3,000,000 and for five years to act as a designated medical provider under the Workers' Compensation Act and Rules of Procedure of the State of Colorado for care when an alleged injury is reported by a city employee (201846056). The last regularly scheduled Council meeting within the 30-day review period is on 1-7-19. The Committee approved filing this item at its meeting on 11-27-18.

[18-1425](#) A resolution levying upon all taxable property within the City and County of Denver taxes for the year 2018, to be collected in 2019, for purposes authorized by law.

Approves the annual City Property Tax Mill Levy for the year 2018 to be collected in 2019 for purposes authorized by law. The Committee approved filing this item at its meeting on 12-4-18.

[18-1426](#) A resolution levying upon all taxable property within the City and County of Denver taxes for the year 2018 for purposes authorized by law for School District No. 1 in the City and County of Denver, State of Colorado.

Approves the annual tax levy upon all taxable property within the City for the year 2018 for purposes authorized by law for School District No. 1. The Committee approved filing this item at its meeting on 12-4-18.

[18-1427](#) A resolution levying taxes for the year 2018 upon all taxable property within special districts within the City and County of Denver for purposes authorized by law for special districts.

Approves the annual tax levy upon all taxable property within special districts within the City for the year 2018 for purposes authorized by law for special districts. The Committee approved filing this item at its meeting on 12-4-18.

[18-1429](#) A resolution approving the Mayor's reappointment to the Board of Public Health and Environment.

Approves the Mayoral reappointment of Chris Wiant to the Board of Public Health and Environment for a term effective immediately and expiring 12-31-23, or until a successor is duly appointed. The Committee approved filing this resolution by consent on 12-4-18.

[18-1430](#) A resolution approving the Mayor's appointments to the Commission for People with Disabilities.

Approves the Mayoral appointments of Nancy Palomares, Pierce Grandchamp and Shantelle Rockman to the Commission for People with Disabilities for terms effective immediately and expiring 9-30-20, or until a successor is duly appointed. The Committee approved filing this resolution by consent on 12-4-18.

Land Use, Transportation & Infrastructure Committee

[18-1247](#) A resolution approving a Contract between the City and County of Denver and American Civil Constructors, LLC for Rude Park Ballfield & Access Improvements.

Approves a contract with American Civil Constructors, LLC for \$1,194,697.55 and through 8-15-19 for the Rude Park Ballfield & Access Improvements project in Council District 3 (201844162). The last regularly scheduled Council meeting within the 30-day review period is on 1-7-18. The Committee approved filing this item at its meeting on 10-30-18.

[18-1287](#) A resolution approving a proposed The River Mile Rezoning Development Agreement between the City and County of Denver and KSE Elitch Gardens / Revesco / Second City, LLLP for the development of approximately 58 acres in the Central Platte Valley-Auraria District.

Approves a development agreement with KSE Elitch Gardens/Revesco/Second City, LLLP., obligating the developer and their assigns to certain requirements for development of approximately 58 acres bounded by Interstate 25 to the south, South Platte River to the west, Speer Boulevard to the north, and the Consolidated Main Line to the east in Council District 9 (TBD). The last regularly scheduled Council meeting within the 30-day review period is on 1-2-18. The Committee approved filing this item at its meeting on 11-6-18.

[18-1431](#) A resolution laying out, opening and establishing as part of the City street system parcels of land as a public alley and as South Cherokee Street near the intersection of South Cherokee Street and West Evans Avenue.

Dedicates parcels of land as public alley, and public right of way as South Cherokee Street, located near the intersection of West Evans Avenue and South Cherokee Street in Council District 7. The Committee approved filing this item at its meeting on 12-4-18.

[18-1432](#) A resolution laying out, opening and establishing as part of the City street system a parcel of land as East 56th Avenue at East 56th Avenue between Peña Boulevard and North Tower Road.

Dedicates a parcel of land as public right of way as East 56th Avenue, located at East 56th Avenue between Peña Boulevard and North Tower Road in Council District 11. The Committee approved filing this item at its meeting on 12-4-18.

[18-1512](#) A resolution authorizing and approving the expenditure and payment from the appropriation account designated "liability claims," the total sum of Three Hundred Fifty Thousand Dollars and No Cents (\$350,000.00), payable to Clark Pyles and Ramos Law Injury Firm, LLC in full payment and satisfaction of all claims in Case No. 2017CV30037, in the District Court for the City and County of Denver, Colorado.

Settles a claim involving the Department of Public Works. This resolution was approved for filing at the Mayor-Council meeting on 2-13-18.

Safety, Housing, Education & Homelessness Committee**[18-1227](#) A resolution approving a proposed Agreement between the City and County of Denver and the Mental Health Center of Denver to co-manage the Denver Crisis Intervention Response Unit.**

Approves a contract with Mental Health Center of Denver for \$1 million and through 12-31-19 to co-manage the Denver Co-Responder program with the Denver Police Department and other city criminal justice agencies to improve outcomes, streamline services and create system efficiencies for persons with behavioral health issues who engage with members of Denver law enforcement, corrections, and emergency responders, citywide (201845517). The last regularly scheduled Council meeting within the 30-day review period is on 1-7-19. The Committee approved filing this item at its meeting on 11-7-18.

[18-1343](#) A resolution approving a proposed Amendatory Agreement between the City and County of Denver and Volunteers of America Colorado Branch to provide case management and support services to the homeless.

Amends a contract with Volunteers of America Colorado Branch by adding \$300,000 for a new total of \$600,000 and one year for a new end date of 12-31-19 for rapid rehousing and diversion services to individuals experiencing homelessness and their families, citywide (SOCSV- 2017-38662-01). The last regularly scheduled Council meeting within the 30-day review period is on 1-7-19. The Committee approved filing this item at its meeting on 11-21-18.

[18-1435](#) 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 Public Safety concerning the "Victim Advocate" program and the funding therefor.

Approves a grant agreement with the Colorado Department of Public Safety - Division of Criminal Justice for \$666,505 and for two years to accept funding to support the Victim Advocate program, citywide (DATTY 201846188). The last regularly scheduled Council meeting within the 30-day review period is on 1-7-19. The Committee approved filing this item at its meeting on 12-5-18.

[18-1437](#) A resolution approving a proposed First Amendment to Management Program Agreement by and between the City and County of Denver and Conduent State & Local Solutions, Inc. f/ka Xerox State & Local Solutions, Inc. to reflect the contractor's name change and increase the contract maximum amount to provide expanded Photo Radar and Photo Red Light Services.

Amends a contract with Conduent State and Local Solutions, Inc. by adding \$1,177,460 for a new total of \$7,807,421 for expanded photo radar and photo red light services including the relocation of one photo red light, the addition of two photo red light locations and one additional photo speed van. No change to contract duration (201627552). The last regularly scheduled Council meeting within the 30-day review period is on 1-7-19. The Committee approved filing this item at its meeting on 12-5-18.

[18-1513](#) A resolution authorizing and approving the expenditure and payment from the appropriation account designated "liability claims," the total sum of Thirty-Five Thousand Dollars and No Cents (\$35,000.00), payable to Civil Rights Litigation Group and Victoria Ugalde in full payment and satisfaction of all claims related to her January 15, 2017 arrest and subsequent detention.

Settles a claim involving the Denver Police Department. This resolution was approved for filing at the Mayor-Council meeting on 2-13-18.

BILLS FOR INTRODUCTION

Finance & Governance Committee

[18-1418](#) A bill for an ordinance approving a proposed Purchase and Sale Agreement between the City and County of Denver and Clayton Lane Investors, LLC, for the sale of 198 parking spaces in the Clayton Lane parking structure in Cherry Creek North.

Approves a purchase and sale agreement with Clayton Lane Investors LLC for \$6,000,000 for the sale of 198 parking spaces in the Cherry Creek North parking garage in Council District 10 (FINAN-201846108-00). The last regularly scheduled Council meeting within the 30-day review period is on 1-7-19. The Committee approved filing this item at its meeting on 11-27-18.

[18-1434](#) A bill for an ordinance authorizing expenditures from the Dental Self-Insurance Fund.

Approves an appropriation for the 2019 Self-Insured Dental Fund totaling \$11,089,823.18. The Committee approved filing this item at its meeting on 12-4-18.

[18-1464](#) A bill for an ordinance amending Section 15-11 (Initiative and referendum petitions) of the Revised Municipal Code of the City and County of Denver to extend the timeframe during an election for the review and determination of sufficiency of initiative, referendum, and recall petitions and to modify the section heading.

Adjust timeframe for initiative and referendum petitions. The Committee approved filing this item at its meeting on 12-11-18.

Land Use, Transportation & Infrastructure Committee

[18-1381](#) A bill for an ordinance changing the zoning classification for 1845 W 46th Avenue in Sunnyside.

Approves an official map amendment to rezone property from U-SU-C to U-TU-C (urban, single-unit to urban, two-unit), located at 1845 West 46th Avenue in Council District 1. If ordered published, a public hearing will be held on Monday, 1-14-18. The Committee approved filing this item at its meeting on 12-4-18.

[18-1428](#) A bill for an ordinance relinquishing an easement established in the Deed recorded with the Denver Clerk & Recorder at Book 3539, Page 393, and number 1925817859, located at 810-870 East 50th Avenue.

Relinquishes the sanitary sewer easement in its entirety as established in recorded document no. 1925817859, located at 810-870 East 50th Avenue in Council District 9. The last regularly scheduled Council meeting within the 30-day review period is on 1-7-19. The Committee approved filing this item at its meeting on 12-4-18.

BILLS FOR FINAL CONSIDERATION**Land Use, Transportation & Infrastructure Committee**

[18-1380](#) **A bill for an ordinance approving a proposed donation of surplus personal property acquired incidental to the development of the National Western Center from the City and County of Denver to History Colorado, the Denver Museum of Nature and Science, the National Western Center Authority, the Western Stock Show Association, and other qualified organizations.**

Approves the donation of surplus personal property acquired incidental to the development of the National Western Center to History Colorado, the Denver Museum of Nature and Science, the National Western Center Authority, the Western Stock Show Association, and other qualified organizations. The Committee approved filing this item at its meeting on 11-6-18.

[18-1405](#) **A bill for an ordinance vacating a portion of the alley bounded by West 22nd Avenue, Lowell Boulevard, West 23rd Avenue and King Street, with reservations.**

Vacates 13 feet of the alley directly behind 3533 West 22nd Avenue, with reservations, in Council District 1. The Committee approved filing this item at its meeting on 11-6-18.

[18-1406](#) **A bill for an ordinance relinquishing a portion of the easement established in the Deed of Easement recorded with the Denver Clerk & Recorder at Reception No. 9500126670, located near the intersection of West Alameda Avenue and South Cherokee Street.**

Relinquishes a portion of the Deed of Easement with Reception No. 9500126670 (in the Clerk and Recorder's System as 1995126670), located at Alameda Avenue and Cherokee Street in Council District 7. The Committee approved filing this item at its meeting on 11-6-18.

[18-1407](#) A bill for an ordinance amending Article VI, Chapter 27, of the Denver Revised Municipal Code, concerning incentives for the increased levels of affordable housing or the payment of increased fees in the Central Platte Valley, and a corresponding amendment to Article V, Chapter 27.

Amends Chapter 27 Article VI of the Denver Revised Municipal Code (DRMC) to establish affordable housing requirements for projects using incentive height in the D-CPV-T, D-CPV-R, and D-CPV-C zoning classifications. The Committee approved filing this item at its meeting on 11-6-18.

Safety, Housing, Education & Homelessness Committee

[18-1267](#) A bill for an ordinance amending Division 11, Article VIII of Chapter 2 of the Revised Municipal Code of the City and County of Denver to update procedures and transfer governance of the Crime Prevention and Control Commission from the Department of Human Services to the Department of Public Health and Environment.

Amends Article VIII, Chapter 2 of the Denver Revised Municipal Code (DRMC) to update procedures and transfer governance of the Crime Prevention and Control Commission from the Department of Human Services to the Department of Public Health and Environment. The Committee approved filing this item at its meeting on 11-28-18.

RECAP OF BILLS TO BE CALLED OUT

PRE-RECESS ANNOUNCEMENT

Tonight, there will be a required public hearing on Council Bill 18-1222, relating to the Denver Zoning Code to create new zone districts in the Downtown context; and, a required public hearing on Council Bill 18-1225, changing the zoning classification for 1901 7th Street in Auraria. Anyone wishing to speak on either of these matters must see the Council Secretary to receive a speaker card to fill out and return to her during the recess of Council.

RECESS

COUNCIL RECONVENES AND RESUMES ITS REGULAR SESSION

PUBLIC HEARINGS - BILLS FOR FINAL CONSIDERATION

Land Use, Transportation & Infrastructure Committee

[18-1222](#) A bill for an ordinance relating to the Denver Zoning Code, to create new zone districts in the Downtown context.

Approves a text amendment to the Denver Zoning Code to establish three new Downtown Neighborhood Context zone districts and other associated amendments. The Committee approved filing this item at its meeting on 11-6-18.

[18-1225](#) A bill for an ordinance changing the zoning classification for 1901 7th Street in Auraria.

Approves an official map amendment to rezone property from CMP-ENT to D-CPV-R, D-CPV-C, located at 1901 7th Street in Council District 9. The Committee approved filing this item at its meeting on 11-6-18.

PRE-ADJOURNMENT ANNOUNCEMENT

Dependent upon publication, on Monday, January 14, 2019, Council will hold a required public hearing on Council Bill 18-1381, changing the zoning classification for 1845 W 46th Avenue in Sunnyside. Any protests against Council Bill 18-1381 must be filed with the Council Offices no later than Monday, January 7, 2019.

ADJOURN

PENDING

FOR 1-7-19:

[18-1346](#) A bill for an ordinance changing the zoning classification for 219, 221, 223, 225, 227, 235, 245 South Holly Street in Hilltop.

Approves an official map amendment to rezone property from E-MU-2.5 and E-SU-Dx to E-MU-2.5 (urban edge, mixed-use and single-unit to urban edge mixed-use) with a waiver, located at 219, 221, 223, 225, 227, 235, and 245 South Holly Street in Council District 5. The Committee approved filing this item at its meeting on 11-6-18.

[18-1387](#) A bill for an ordinance changing the zoning classification for 4675, 4685 North Fillmore Street, 4401 North Milwaukee Street in Elyria Swansea.

Approves an official map amendment to rezone property from E-SU-D to U-TU-C (urban edge, single-unit to urban, two-unit), located at 4401 Milwaukee Street, 4675 Fillmore Street, and 4685 Fillmore Street in Council District 9. The Committee approved filing this item at its meeting on 11-6-18.

FOR 1-14-19:

[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. The Committee approved filing this item at its meeting on 10-2-18.