

City Council Meeting of Tuesday, February 19, 2019

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: dencc@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 dencc@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, 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 via email at dencc@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

[19-0144](#) Minutes of Monday, February 11, 2019

COUNCIL ANNOUNCEMENTS

PRESENTATIONS

COMMUNICATIONS

PROCLAMATIONS

[19-0146](#) A proclamation honoring the service of Retired Division Chiefs Casey Simpson and Armedia Gordon.

Sponsor Brooks

RESOLUTIONS

Business, Arts, Workforce, & Aviation Services Committee

[19-0091](#) **A resolution approving a proposed Agreement between the City and County of Denver and OUTFRONT Media, LLC concerning advertising on the welcome sign at Denver International Airport.**

Approves a revenue contract with OUTFRONT Media, LLC for \$150,000 annually or 67% of gross advertising sales, whichever is greater, and for five years to develop an appropriate sales market and model to maximize revenue generated by advertising on the welcome sign at Denver International Airport (201738496). The last regularly scheduled Council meeting within the 30-day review period is on 3-11-19. The Committee approved filing this item at its meeting on 2-6-19.

Finance & Governance Committee

[19-0076](#) **A resolution approving a proposed Amendatory Agreement by and between the City and County of Denver and VertiQ Software, LLC to amend the Agreement to add security and protection terms for protected health information.**

Amends a contract with VertiQ Software, LLC by adding security and protection terms pertaining to the Health Insurance Portability and Accountability Act (HIPAA). No change to contract amount or duration (TECHS-201737523). The last regularly scheduled Council meeting within the 30-day review period is on 3-11-19. The Committee approved filing this item at its meeting on 2-5-19.

[19-0088](#) **A resolution approving a proposed First Amendment to Agreement for Services between the City and County of Denver and UnifyHR, LLC to produce and provide required annual medical plan tax documents for city employees to comply with reporting individual medical plan enrollment requirements set forth in the Affordable Care Act.**

Amends a contract with UnifyHR LLC by adding \$270,000 for a new total of \$570,000 and two years for a new end date of 12-31-20 to produce and provide required annual medical plan tax documents for city employees to comply with reporting individual medical plan enrollment requirements set forth in the Affordable Care Act (201523351). The last regularly scheduled Council meeting within the 30-day review period is on 3-11-19. The Committee approved filing this item at its meeting on 2-5-19.

[19-0093](#) **A resolution approving a proposed Third Amendment to Lease and Agreement between the City and County of Denver and Safeway Inc. for a property located at 3698 West 44th Avenue, Denver, Colorado, to extend the lease for Denver Motor Vehicle Division.**

Amends a lease agreement with Safeway Inc. by adding \$600,222.72 for a new total of \$2,125,155.47 and five years for a new end date of 12-31-23 for a department of motor vehicle branch location at 3698 West 44th Avenue in Council District 1 (FINAN-CE45018-03). The last regularly scheduled Council meeting within the 30-day review period is on 3-11-19. The Committee approved filing this item at its meeting on 2-5-19.

Land Use, Transportation & Infrastructure Committee

[19-0089](#) **A resolution laying out, opening and establishing as part of the City street system a parcel of land as a public alley bounded by West 21st Avenue, North Eliot Street, West 22nd Avenue and North Decatur Street.**

Dedicates a parcel of land as public right of way as public alley, located in the alley bounded by West 21st Avenue, North Eliot Street, West 22nd Avenue and North Decatur Street in Council District 1. The Committee approved filing this item at its meeting on 2-5-19.

Safety, Housing, Education & Homelessness Committee

[19-0075](#) **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 Justice concerning the "Denver Police Crime Laboratory's Multidisciplinary Analysis of Evidence to Increase Laboratory Efficiency and Capacity Enhancement" program and the funding therefor.**

Approves a grant agreement with the Department of Justice for \$940,574 and for three years to fund the Forensic DNA Laboratory Efficiency Improvement and Capacity Enhancement program for the Denver Police Department, citywide (POLIC-201947405-00). The last regularly scheduled Council meeting within the 30-day review period is on 3-11-19. The Committee approved filing this item at its meeting on 2-6-19.

[19-0078](#) **A resolution approving a proposed Amendatory Agreement between the City and County of Denver and Sheridan Station Apartments LLC to provide funds for the development of an affordable housing project.**

Amends a loan agreement with Mile High Development, doing business as Sheridan Station Apartments LLC, by clarifying the definition of cash flow in the contract exhibit, to support the construction of 133 units of income-restricted housing at a wide range of income levels, including residents earning below 30% AMI and up to 60% AMI, in a transit-oriented development located at 1079 Ames Street adjacent to the Sheridan light rail station in Council District 3. No change to contract amount or duration (OEDEV-201840082-01). The last regularly scheduled Council meeting within the 30-day review period is on 3-11-19. The Committee approved filing this item at its meeting on 2-6-19.

BILLS FOR INTRODUCTION**Finance & Governance Committee****[19-0080](#) A bill for an ordinance establishing a new fund in the Capital Improvements and Capital Maintenance Fund Series for the “Strategic Shelter Facilities” program.**

Establishes the Strategic Shelter Facilities Capital Fund in the Capital Improvement Fund as a follow-up administrative financial action to support the \$3.35M appropriated for citywide Strategic Shelter Facilities projects as part of the 2019 budget. The Committee approved filing this item at its meeting on 2-5-19.

[19-0085](#) A bill for an ordinance amending Ordinance No. 309 in the Series of 2007 to change the cost center and expending authority associated with the Denver Preschool Program Fund.

Modifies the Denver Preschool Program Special Revenue Fund by moving the cost center from the Department of Finance to the Office of Children’s Affairs and changing the expending authority from the Chief Financial Officer to the Executive Director of the Office of Children’s Affairs. The Committee approved filing this item at its meeting on 2-5-19.

[19-0087](#) A bill for an ordinance rescinding Ordinance No. 280, Series of 2014, concerning the Developmental Disabilities Fund, thereby establishing the fund’s budget basis as appropriated, and making the fund non-lapsing.

Modifies the Developmental Disabilities Fund by making it an appropriating, non-lapsing fund. The Committee approved filing this item at its meeting on 2-5-19.

Land Use, Transportation & Infrastructure Committee**[19-0079](#) A bill for an ordinance changing the zoning classification for 901 Irving Street in Villa Park.**

Approves an official map amendment to rezone property from E-SU-D to E-SU-D1 (allows accessory dwelling unit), located at 901 Irving Street in Council District 3. If ordered published, a public hearing will be held on Monday, 3-18-19. The Committee approved filing this item at its meeting on 2-5-19.

[19-0086](#) A bill for an ordinance approving the purchase of capital equipment from the General Fund appropriation for the Solid Waste Division of Public Works.

Approves a one-time capital equipment expenditure for \$110,000 to procure one above ground truck scale to ensure compliance with state solid waste regulations and requirements in support of solid waste operations, citywide. The last regularly scheduled Council meeting within the 30-day review period is on 3-11-19. The Committee approved filing this item at its meeting on 2-5-19.

Safety, Housing, Education & Homelessness Committee

[19-0077](#) A bill for an ordinance approving a proposed Agreement between the City and County of Denver and Denver Urban Renewal Authority to administer a Single-Family Rehabilitation Program for income-qualified Denver homeowners.

Approves an intergovernmental agreement with the Denver Urban Renewal Authority for \$850,000 and through 5-31-20 to administer the 2019 Single Family Rehabilitation Program to help preserve existing housing stock and stabilize occupants who are at or below 80% Area Median Income, citywide (OEDEV-201946950-00). The last regularly scheduled Council meeting within the 30-day review period is on 3-11-19. The Committee approved filing this item at its meeting on 2-6-19.

BILLS FOR FINAL CONSIDERATION

Finance & Governance Committee

[19-0064](#) 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 new classifications of City Planner Staff at paygrade E-810, Airport Planner Staff at paygrade E-811, Airport Planner Associate at paygrade E-813, Airport Planner Senior at paygrade E-815, Airport Planner Principal at paygrade E-817, Manager Airport Planning at paygrade E-819, Manager City Planning at paygrade E-819, and Director City Planning at paygrade E-821, and changes the title of six associated planner classifications and the pay grade of ten associated planner classifications. The Committee approved filing this bill by consent on 1-29-19.

Land Use, Transportation & Infrastructure Committee

[19-0065](#) **A bill for an ordinance relinquishing a portion of the easement established in the Easement Agreement recorded with Denver Clerk & Recorder at Reception No. 2006027027, located near the intersection of East 45th Avenue and Tower Road.**

Relinquishes a portion of the easement established in the Easement Agreement document with Recordation No. 200627027, located at East 45th Avenue and Tower Road in Council District 11. The last regularly scheduled Council meeting within the 30-day review period is on 3-4-19. The Committee approved filing this item at its meeting on 1-29-19.

Safety, Housing, Education & Homelessness Committee

[19-0029](#) **A bill for an ordinance clarifying and amending the authority of the Office of the Independent Monitor.**

An ordinance clarifying and amending the authority of the Office of the Independent Monitor and expanding the appointment process for the Citizen Oversight Board to include City Council appointments. The Committee approved filing this item at its meeting on 1-30-19.

RECAP OF BILLS TO BE CALLED OUT

PRE-RECESS ANNOUNCEMENT

Tonight there will be a required public hearing on Council Bill 19-0024, repealing the sunset date of the cannabis consumption pilot program. 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

PUBLIC HEARINGS - BILLS ON INTRODUCTION

Special Issues: Marijuana

[19-0024](#) **A bill for an ordinance repealing the sunset date of the cannabis consumption pilot program.**

The Committee approved filing this item at its meeting on 1-28-19.

PRE-ADJOURNMENT ANNOUNCEMENT

Dependent upon publication, on Monday, March 18, 2019, Council will hold a required public hearing on Council Bill 19-0079, changing the zoning classification for 901 Irving Street in Villa Park. Any protests against Council Bill 19-0079 must be filed with the Council Offices no later than noon on Monday, March 11, 2019.

ADJOURN

PENDING

FOR 2-25-19:

[18-1484](#) A bill for an ordinance changing the zoning classification for 4201 Delaware Street in Globeville.

Approves an official map amendment to rezone property from I-A UO-2 to C-RX-8 (industrial to urban center, residential mixed-use), located at 4201 Delaware Street in Council District 9. The Committee approved filing this item at its meeting on 1-15-19.

Final Consideration**Required Public Hearing****[18-1540](#) A bill for an ordinance changing the zoning classification for 4055 Elati Street in Globeville.**

Approves an official map amendment to rezone property from I-A UO-2 to C-MX-8 (industrial to urban center, mixed-use), located at 4055 Elati Street in Council District 9. The Committee approved filing this item at its meeting on 1-15-19.

Final Consideration**Required Public Hearing****[18-1541](#) A bill for an ordinance changing the zoning classification for 3411 Albion Street, in Northeast Park Hill.**

Approves an official map amendment to rezone property from E-SU-Dx to E-MX-2x (urban edge, single-unit to urban edge, mixed-use), located at 3411 Albion Street in Council District 8. The Committee approved filing this item at its meeting on 1-8-19.

Final Consideration**Required Public Hearing**

FOR 3-4-19:

[18-1538](#) **A bill for an ordinance changing the zoning classification for 1080 and 1090 King Street in Villa Park.**

Approves an official map amendment to rezone property from E-SU-D1x to E-RH-2.5 (urban edge, single unit, to urban edge, row house), located at 1080 and 1090 King Street in Council District 3. The Committee approved filing this item at its meeting on 1-8-19.

Final Consideration

Required Public Hearing

[19-0055](#) **A bill for an ordinance changing the zoning classification for 4519 Pearl Street in Globeville.**

Approves an official map amendment to rezone property from E-SU-B to U-SU-B1 (urban edge, to urban context), located at 4519 Pearl Street in Council District 9. The Committee approved filing this item at its meeting on 1-22-19.

Final Consideration

Required Public Hearing

FOR 3-11-19:

[19-0042](#) **AS AMENDED a bill for an ordinance changing the zoning classification for 805 West 38th Avenue in Globeville.**

Approves an official map amendment to rezone property from I-B UO-2 to C-MX-20 (industrial in the former zoning code to urban center, mixed-use), located at 805 West 38th Avenue in Council District 9. The Committee approved filing this item at its meeting on 1-29-19. Amended 2-11-19 to clarify the boundary of the proposed rezoning on Galapago Street. The amendment does not substantively change the proposed ordinance.

Final Consideration

Required Public Hearing

[19-0058](#) A bill for an ordinance changing the zoning classification for the 3600 Block of Downing, bounded by Downing Street, 37th Avenue, Marion Street, and 36th Avenue, and including vacated portions of Lawrence Street south of 36th Avenue in Cole.

Approves an official map amendment to rezone the 3600 block of Downing Street from B-4 with waivers and conditions, UO-1, UO-2; U-SU-A1; and C-MX-3, UO-1, UO-2 to C-MX-5, UO-1, UO-2, IO-1, DO-7; C-MX-3, UO-1, UO-2, IO-1, DO-7; and C-MS-5, UO-1, UO-2 (business zoning in the former zoning code to downtown, urban, and urban center with overlays), located in an area bounded by Downing Street, 37th Avenue, Marion Street, and 36th Avenue, and including vacated portions of Lawrence Street near 36th Avenue, in Council District 9. The Committee approved filing this item at its meeting on 1-29-19.

Final Consideration

Required Public Hearing