

City Council Meeting of Monday, February 6, 2023

City and County of Denver

Robin Kniech.....At Large
Deborah "Debbie" Ortega.....At Large
Amanda P. 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
Bonita Roznos.....Executive Director

Room 450
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. For other public accommodation requests/concerns related to a disability, please contact disabilityaccess@denvergov.org.

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 at www.denvergov.org/councilpublicinput or by phone at 720-337-2000 starting at 3 p.m. the day of the hearing or during the recess of Council. Sign up closes at 5:30 p.m. 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). To submit written testimony to the public record on an item, we ask that submissions be sent to dencc@denvergov.org no later than 3 p.m. on the date the item is heard before Council in order to give members of Council adequate time to review each submission before meeting start. Please contact the Denver City Council for more information at 720-337-2000.

GENERAL PUBLIC COMMENT SESSIONS

Starting at 5 p.m. before every regularly scheduled Council meeting, 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 www.denvergov.org/councilpublicinput, by phone at 720-337-2000, or in person in Rm. 451 of the City & County Building. Sign up starts at 12 p.m. the Friday before the session is held and closes at 4 p.m. the day the session is held. No sign up by proxy permitted. Please contact the Denver City Council for more information at 720-337-2000.

PLEDGE OF ALLEGIANCE

LAND ACKNOWLEDGEMENT

ROLL CALL

APPROVAL OF THE MINUTES

[23-0113](#) Minutes of Monday, January 30, 2023.

COUNCIL ANNOUNCEMENTS

PRESENTATIONS

COMMUNICATIONS

PROCLAMATIONS

[23-0118](#) **A proclamation honoring Council Secretary Mar'quasa Maes' years of service to the Denver City Council and the City and County of Denver. (Consent)**

RESOLUTIONS

Finance & Governance Committee

[23-0057](#) **A resolution approving a proposed Master Purchase Order between the City and County of Denver and Blazen Illuminations to continue providing exterior holiday lighting at the City & County Building.** Amends a contract with Blazen Illuminations by adding \$2,505,000 for a new total of \$3,000,000 and three 1-year options to extend, to continue providing exterior holiday lighting at the City & County Building (SC-00007135). The last regularly scheduled Council meeting within the 30-day review period is on 2-27-2023. The Committee approved filing this item at its meeting on 1-24-2023.

[23-0061](#) A resolution approving the Mayor's reappointments and appointments to the RiNo General Improvement District.

Approves the following Mayoral reappointments and appointments to the RiNo General Improvement District: reappointment of Liam Girard and Jamie Roupp for terms effective immediately and expiring 6-1-2025, or until successors are duly appointed; the appointment of Andrew Katz for a term effective immediately and expiring 6-1-2025, or until a successor is duly appointed; and the appointments of Kristy Greer, Teresa Ortiz and Edith "Edee" Anesi for terms effective immediately and expiring 6-1-2026, or until successors are duly appointed. The Committee approved filing this item at its meeting on 1-24-2023.

[23-0073](#) A resolution approving the City Council appointment of Keith Hayes to the Caring for Denver Board.

Approves the City Council appointment of Keith Hayes to the Caring for Denver Board. The Committee approved filing this item at its meeting on 1-24-2023.

Land Use, Transportation & Infrastructure Committee**[23-0029](#) A resolution approving a proposed Amendatory Agreement between the City and County of Denver and Bureau Veritas North America, Inc. to continue providing residential plan review services to reduce the current backlog in Community Planning and Development.**

Amends a contract with Bureau Veritas North America, Inc. by adding \$700,000 for a new total of \$1,175,000 to continue providing residential plan review services to reduce the current backlog in Community Planning and Development. No change to contract duration (CPLAN-202264326-01/ CPLAN-202266215-01). The last regularly scheduled Council meeting within the 30-day review period is on 2-27-2023. The Committee approved filing this item at its meeting on 1-24-2023.

Safety, Housing, Education & Homelessness Committee

[23-0064](#) **A resolution approving a proposed Second Amendatory Agreement between the City and County of Denver and The Community Firm to continue administering the Emergency Rental Assistance Program to eligible households earning up to 80% of the area median income that are unable to pay rent during or due to the COVID-19 pandemic, citywide.**

Amends a contract with The Community Firm by adding \$1,350,000 for a new total of \$11,050,000 and two months for a new end date of 9-30-2023 to continue administering the Emergency Rental Assistance Program (ERAP) to eligible households earning up to 80% of the area median income that are unable to pay rent during or due to the COVID-19 pandemic, citywide (HOST-202262616/HOST-202366439-02). The last regularly scheduled Council meeting within the 30-day review period is on 2-27-2023. The Committee approved filing this item at its meeting on 1-25-2023.

BILLS FOR INTRODUCTION**City Council - Direct Files**

[23-0105](#) **A bill for an ordinance authorizing a capital equipment purchase in the Planned Fleet Special Revenue Fund.**

Approves the purchase of two vans from the Planned Fleet Fund (Special Revenue Fund 11804) to support the Department of Public Health and Environment, Office of the Medical Examiner for decedent transport. Councilmember Torres approved direct filing this item on 2-2-2023.

Finance & Governance Committee

[23-0060](#) **A bill for an ordinance repealing the requirement to include a “worker without authorization” clause in city contracts, and related provisions, from the Denver Revised Municipal Code.**

Repeals Denver Revised Municipal Code Article IV Division 5 to remove requirements for city verification of contractor employee lawful employment status in conformance with changes to state law. The Committee approved filing this item at its meeting on 1-24-2023.

[23-0065](#) A bill for an ordinance amending Article VII of Chapter 15 of the Revised Municipal Code, regarding the ACCESO-Spanish Language Voter Advisory Board.

A bill for an ordinance updating the provisions governing the Acceso Spanish Language Voter Advisory Board. Amends Article XII of Chapter 15 of the Denver Revised Municipal Code to facilitate better recruitment of Acceso Board members; lower the minimum number of serving board members; and add consideration of new laws regarding language access to the Board's purpose. The Committee approved filing this item at its meeting on 1-24-2023.

Land Use, Transportation & Infrastructure Committee

[23-0032](#) A bill for an ordinance changing the zoning classification for 961 South Washington Street in Washington Park West.

Approves a map amendment to rezone property from U-SU-B, UO-3 to U-SU-B1, UO-3, located at 961 South Washington Street in Council District 7. If ordered published, a public hearing will be held on Monday, 3-6-2023. The Committee approved filing this item at its meeting on 1-24-2023.

[23-0033](#) A bill for an ordinance changing the zoning classification for 1100 South Vine Street in Washington Park.

Approves a map amendment to rezone property from U-SU-C to U-SU-C1, located at 1100 South Vine Street in Council District 6. If ordered published, a public hearing will be held on Monday, 3-6-2023. The Committee approved filing this item at its meeting on 1-24-2023.

[23-0058](#) A bill for an ordinance amending the Denver Zoning Code.

Approves a Denver Zoning Code legislative text amendment to update the DO-8 Active Centers and Corridors Design Overlay and to expand replacement of mobile home units in nonconforming mobile home parks, citywide. If ordered published, a public hearing will be held on Monday, 3-6-2023. The Committee approved filing this item at its meeting on 1-24-2023.

[23-0059](#) A bill for an ordinance changing the zoning classification for Multiple properties in the Lincoln Park and Baker neighborhoods.

Approves a legislative map amendment to rezone multiple properties from C-MS-8, UO-1, UO-2; C-MS-5; C-MS-5, UO-1, UO-2; and U-MS-3, UO-1, UO-2 to add the DO-8 Overlay along the Santa Fe and 8th Avenue corridors, located in Council Districts 3 and 7. If ordered published, a public hearing will be held on Monday, 3-6-2023. The Committee approved filing this item at its meeting on 1-24-2023.

[23-0062](#) A bill for an ordinance relinquishing an easement, in its entirety, established in the Permanent Non-Exclusive Easement recorded with Denver Clerk & Recorder at Reception No. 2020053681 located at 2100-2130 Arapahoe Street.

Relinquishes the easement in its entirety as established in the Permanent Non-Exclusive Easement with recordation No. 2020053681, located at 2100-2130 Arapahoe Street in Council District 9. The last regularly scheduled Council meeting within the 30-day review period is on 2-27-2023. The Committee approved filing this item at its meeting on 1-24-2023.

[23-0063](#) A bill for an ordinance vacating a portion of the alley right-of-way bounded by 40th Street, East 40th Avenue, and Walnut Street at 4003 Walnut Street, without reservations.

Vacates 190 square feet of alley without reservations, bounded by 40th Street and East 40th Avenue and Walnut Street, located at 4003 Walnut Street in Council District 9. The Committee approved filing this item at its meeting on 1-24-2023.

BILLS FOR FINAL CONSIDERATION

Finance & Governance Committee

[23-0024](#) 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 for multiple small impact changes, provisionally approved by the Office of Human Resources Executive Director for the period of July 2022 through December 2022. The Committee approved filing this item at its meeting on 1-17-2023.

[23-0036](#) A bill for an ordinance making a supplemental appropriation in the Wastewater Management Division Urban Drainage and Flood Control District Tracking Fund.

Appropriates \$5 million in the Wastewater Management Division Urban Drainage and Flood Control District Tracking fund (72701) for land acquisitions related to the Weir Gulch Reach W1 - South Platte River to 8th Ave project in Council District 3. The last regularly scheduled Council meeting within the 30-day review period is on 2-20-2023. The Committee approved filing this item at its meeting on 1-17-2023.

[23-0038](#) A bill for an ordinance approving a proposed Intergovernmental Agreement between the City and County of Denver and Regional Transportation District (RTD) to offer the EcoPass program to qualified city employees.

Approves an intergovernmental agreement with the Regional Transportation District (RTD) for \$536,216.08 and through 12-31-2023 to offer the EcoPass program to qualified city employees (CSAHR-202265775-00). The last regularly scheduled Council meeting within the 30-day review period is on 2-20-2023. The Committee approved filing this item at its meeting on 1-17-2023.

Land Use, Transportation & Infrastructure Committee

[22-1652](#) A bill for an ordinance approving a proposed Third Amendment to the Intergovernmental Agreement between the City and County of Denver and Urban Drainage and Flood Control District d/b/a Mile High Flood District to continue the Weir Gulch Reach drainage and flood control improvements in Council District 3.

Amends an intergovernmental agreement with Urban Drainage and Flood Control District, doing business as Mile High Flood District, by adding \$5,000,000 in city funds for a new agreement total of \$18,400,000 for land acquisition approved by CB22-0320 to continue the Weir Gulch Reach drainage and flood control improvements in Council District 3. No change to contract duration. (202055100-03/ 202265765-03). The last regularly scheduled Council meeting within the 30-day review period is on 2-20-2023. The Committee approved filing this item at its meeting on 1-17-2023.

RECAP OF BILLS TO BE CALLED OUT

PRE-RECESS ANNOUNCEMENT

Tonight, there will be a required public hearing on Council Bill 22-1455 changing the zoning classification for 4350 Shoshone Street in Sunnyside; a required public hearing on Council Bill 22-1551 changing the zoning classification for 1901 North Eudora Street in South Park Hill; and a combined required public hearing on Council Bill 22-1664 amending the Denver Zoning Code, establishing the Cherry Creek East Mixed Use Design Overlay zone district and the Cherry Creek East Residential Design Overlay zone district, and clarifying certain rules of measurement and Council Bill 22-1647 changing the zoning classification for multiple properties to apply the Cherry Creek East Mixed Use and Cherry Creek East Residential Design Overlays in Cherry Creek. Anyone wishing to speak on these matters must go online to sign up during the recess of Council.

RECESS**COUNCIL RECONVENES AND RESUMES ITS REGULAR SESSION****UNFINISHED BUSINESS****PROCLAMATIONS****PUBLIC HEARINGS - BILLS FOR FINAL CONSIDERATION****Land Use, Transportation & Infrastructure Committee****[22-1455](#) A bill for an ordinance changing the zoning classification for 4350 Shoshone Street in Sunnyside.**

Approves a map amendment to rezone a property from U-TU-C to U-SU-B1, located at 4350 Shoshone Street in Council District 1. The Committee approved filing this item at its meeting on 11-15-2022.

[22-1551](#) A bill for an ordinance changing the zoning classification for 1901 North Eudora Street in South Park Hill.

Approves a map amendment to rezone property from PUD 377 to PUD-G 30, located at 1901 North Eudora Street in Council District 8. The Committee approved filing this item at its meeting on 12-6-2022.

[22-1664](#) A bill for an ordinance amending the Denver Zoning Code, establishing the Cherry Creek East Mixed Use Design Overlay zone district and the Cherry Creek East Residential Design Overlay zone district, and clarifying certain rules of measurement.

Approves a Denver Zoning Code text amendment to create the Cherry Creek East Commercial Mixed-Use Design Overlay zone district (DO-9) and the Cherry Creek East Residential Design Overlay zone district (DO-10), as well as make a minor clarification to the rules of measurement. The Committee approved filing this item at its meeting on 12-20-2022.

[22-1647](#) A bill for an ordinance changing the zoning classification for multiple properties to apply the Cherry Creek East Mixed Use and Cherry Creek East Residential Design Overlays in Cherry Creek.

Approves a legislative map amendment to rezone multiple properties in the Cherry Creek neighborhood to apply the Cherry Creek East Commercial Mixed Use Design Overlay zone district (DO-9) and the Cherry Creek East Residential Design Overlay zone district (DO-10) in Council District 10. The Committee approved filing this item at its meeting on 12-20-2022.

PRE-ADJOURNMENT ANNOUNCEMENT

Dependent upon publication, on Monday, March 6, 2023, Council will hold a required public hearing on Council Bill 23-0032 changing the zoning classification for 961 South Washington Street in Washington Park West; a required public hearing on Council Bill 23-0033 changing the zoning classification for 1100 South Vine Street in Washington Park; and a combined required public hearing on Council Bill 23-0058 amending the Denver Zoning Code and Council Bill 23-0059 changing the zoning classification for Multiple properties in the Lincoln Park and Baker neighborhoods. Any protests against Council Bills 23-0032, 23-0033 or 23-0059, must be filed with the Council Offices no later than noon on Monday, February 27, 2023.

ADJOURN

PENDING

FOR 2-13-2023

[22-1673](#) A bill for an ordinance designating 1618 East 38th Avenue as a structure for preservation.

Approves an individual Denver landmark designation for property located at 1618 East 38th Avenue in Council District 9. The Committee approved filing this item at its meeting on 1-3-2023.

[22-1674](#) A bill for an ordinance changing the zoning classification for 1618 East 38th Avenue in Cole.

Approves a map amendment to rezone property from PUD 17 to U-MX-2x, located at 1618 East 38th Avenue in Council District 9. The Committee approved filing this item at its meeting on 1-3-2023.

[23-0005](#) A bill for an ordinance changing the zoning classification for 2107, 2111, 2115 & 2119 West 29th Avenue in Highland.

Approves a map amendment to rezone property from U-MS-3 and G-MU-3, UO-3 to U-MS-3, DO-8, located at 2107, 2111, 2115 and 2119 West 29th Avenue in Council District 1. The Committee approved filing this item at its meeting on 1-3-2023.

FOR 2-21-2023

[23-0011](#) A bill for an ordinance changing the zoning classification for 4320 Morrison Road, 753 South Raleigh Street and 4849 West Kentucky Avenue in Westwood.

Approves a map amendment to rezone property from E-MX-3, E-MX-3, UO-1, UO-2; E-UT-C; and E-SU-D to OS-A, located at 4320 Morrison Rd, 753 S Raleigh St, and 4849 W Kentucky Ave in Council District 3. The Committee approved filing this item at its meeting on 1-10-2023.

[23-0012](#) A bill for an ordinance changing the zoning classification for 1254 North Monaco Street Parkway in Montclair.

Approves a map amendment to rezone property from E-SU-Dx to E-SU-D1x, located at 1254 North Monaco Street Parkway in Council District 5. The Committee approved filing this item at its meeting on 1-10-2023.

FOR 2-27-2023

[23-0030](#) **A bill for an ordinance amending the Denver Zoning Code, establishing the Sunnyside Conservation Overlay zone district and the Sunnyside Conservation and Brick Overlay zone district, and clarifying standards in the Potter Highlands Conservation Overlay zone district and the Bungalow Conservation Overlay zone district.**

Approves a Denver Zoning code legislative text amendment to create the Sunnyside Conservation Overlay zone district (CO-7) and Sunnyside Conservation and Brick Overlay zone district (CO-8) in Council District 1. The Committee approved filing this item at its meeting on 1-17-2023.

[23-0031](#) **A bill for an ordinance changing the zoning classification for multiple properties to apply the Sunnyside Conservation Overlay and the Sunnyside Conservation and Brick Overlays within the Sunnyside neighborhood.**

Approves a legislative map amendment to rezone multiple properties in the Sunnyside neighborhood to apply the Sunnyside Conservation Overlay zone district (CO-7) and the Sunnyside Conservation Overlay and Brick zone district (CO-8) in Council District 1. The Committee approved filing this item at its meeting on 1-17-2023.