

City Council Meeting of Monday, August 26, 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

[19-0876](#) Minutes of Monday, August 19, 2019

COUNCIL ANNOUNCEMENTS

Tonight, Council was scheduled to hold a courtesy public hearing on Council Bill 19-0805, establishing the Office of Climate Action, Sustainability, and Resiliency. However, it is Council's intent to postpone Council Bill 19-0805 to Monday, November 3, 2019. If you are wishing to speak on this matter, we apologize for any inconvenience and will bring the bill back before Council on Monday, November 3. Tonight, Council was also scheduled to hold a 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. However, it is Council's intent to postpone Council Bill 19-0803 to Monday, June 1, 2020. If you are wishing to speak on this matter, we apologize for any inconvenience and will bring the bill back before Council on Monday, June 1.

PRESENTATIONS

COMMUNICATIONS

PROCLAMATIONS

[19-0839](#) A proclamation recognizing September 2019 as Childhood Cancer Awareness Month.

Sponsor Ortega

RESOLUTIONS**City Council - Direct Files**

[19-0880](#) **A resolution approving a proposed Revival and Amendatory Agreement between the City and County of Denver to be administered by the Department of Safety, Division of Community Corrections in consultation with the Denver Community Corrections Board and Correctional Management, Inc. to add additional funds for residential and non-residential community corrections services.**

Amends a contract with Correctional Management, Inc. by adding \$60,368.01 for a new total of \$6,029,912.01 for residential and non-residential community corrections services provided in Fiscal Years 2018 and 2019 (201951095). The last regularly scheduled Council meeting within the 30-day review period is on 9-16-19. Council member Kashmann approved direct filing this item on 8-22-19.

[19-0881](#) **A resolution approving a proposed Agreement between the City and County of Denver to be administered by the Department of Safety, Division of Community Corrections in consultation with the Denver Community Corrections Board and Community Education Centers, Inc. for residential and non-residential community corrections services.**

Approves a contract with Community Education Centers, Inc. for \$2,000,000 and through 12-31-19 for residential and non-residential community corrections services (2019-51449). The last regularly scheduled Council meeting within the 30-day review period is on 9-16-19. Council member Kashmann approved direct filing this item on 8-22-19.

[19-0882](#) **A resolution approving a proposed Agreement between the City and County of Denver to be administered by the Department of Safety, Division of Community Corrections in consultation with the Denver Community Corrections Board and Corecivic, Inc. for residential and non-residential community corrections services.**

Approves a contract with Corecivic, Inc. for \$6,680,446.70 and through 6-30-20 for residential and non-residential community corrections services (2019-50074). The last regularly scheduled Council meeting within the 30-day review period is on 9-16-19. Council member Kashmann approved direct filing this item on 8-22-19.

Business, Arts, Workforce, & Aviation Services Committee**[19-0799](#) A resolution approving a proposed agreement between the City and County of Denver and Sky Chefs, Inc. concerning a cargo building lease at Denver International Airport.**

Approves a lease agreement with Sky Chefs, Inc. for rates and charges and for three years for approximately 16,767 square feet in the Joint Use Cargo Building to support catering operations for multiple airlines at Denver International Airport (201840776). The last regularly scheduled Council meeting within the 30-day review period is on 9-16-19. The Committee approved filing this item at its meeting on 8-14-19.

[19-0800](#) A resolution approving a proposed first amendment of the intergovernmental agreement between the City and County of Denver and Aviation Station North Metropolitan District concerning Operation and Maintenance at Peña Station Next.

Amends an intergovernmental agreement with Aviation Station North Metropolitan District No.1 to update the contract scope of work to address the wi-fi system implemented within the Transit Oriented Development (TOD) area regarding Operation and Maintenance (O&M) of Peña Station Area Improvements in Council District 11. No change to agreement amount or duration (201737149-01). The last regularly scheduled Council meeting within the 30-day review period is on 9-16-19. The Committee approved filing this item at its meeting on 8-14-19.

Finance & Governance Committee**[19-0793](#) A resolution approving a proposed Master Purchase Order between the City and County of Denver and Bimbo Bakeries USA, Inc. for fresh bread product to be delivered to the Denver Detention Facilities (Denver County Jail and Downtown Detention Center).**

Approves a master purchase order with Bimbo Bakeries USA, Inc. for \$1,500,000 and through 7-01-21, with three possible one-year extensions, for fresh bread product for the Denver Detention Facilities, including sliced whole wheat bread, sliced white bread, and hamburger buns (SC-00004096). The last regularly scheduled Council meeting within the 30-day review period is on 9-16-19. The Committee approved filing this item at its meeting on 8-13-19.

[19-0794](#) A resolution approving a proposed Master Purchase Order between the City and County of Denver and Millerbernd Manufacturing Company to purchase light poles, mast arms, luminaire arms and all necessary related parts for the City.

Approves a master purchase order with Millerbernd Manufacturing Company for \$3,500,000 and through 7-10-21, with three possible one-year extensions, for light poles, mast arms, luminaire arms and all necessary related parts to support Public Works Transportation Operations, citywide (SC-00004089). The last regularly scheduled Council meeting within the 30-day review period is on 9-16-19. The Committee approved filing this item at its meeting on 8-14-19.

Land Use, Transportation & Infrastructure Committee

[19-0554](#) A resolution approving a proposed Contract between the City and County of Denver and Silva Construction, Inc. for the construction of the Knox Court & 35th Avenue Neighborhood Bikeway.

Approves a contract with Silva Construction, Inc. for \$901,217.50 and for 180 days for the construction of the Knox Court Neighborhood Bikeway, including bumpouts at intersections, median refuges, bike boxes, sharrows, signage and bicycle wayfinding signs, located northbound from Kentucky Avenue to Nevada Place and West 35th Avenue northbound from Sheridan Avenue to Jason Street at Inca Trail in Council Districts 1 and 3 (201948771). The last regularly scheduled Council meeting within the 30-day review period is on 9-16-19. The Committee approved filing this item at its meeting on 6-11-19.

[19-0726](#) A resolution approving a proposed Contract between the City and County of Denver and Myers and Sons Construction, LP to remove and construct the replacement Evergreen Lakehouse Bridge over Bear Creek in Dedisse Mountain Park.

Approves a contract with Myers and Sons Construction, LP for \$1,105,840.08 and for 180 days to remove and construct the replacement Evergreen Lakehouse Bridge over Bear Creek in Dedisse Mountain Park (201950258). The last regularly scheduled Council meeting within the 30-day review period is on 9-16-19. The Committee approved filing this item at its meeting on 7-23-19.

[19-0775](#) A resolution approving a proposed Second Amendatory Agreement between the City and County of Denver and IPS Group, Inc. to increase the amount and extend the term for on-street parking management systems, including installation and testing of meters.

Amends a contract with IPS Group, Inc. by adding \$1.5 million for a new total of \$21.5 million and adding one year for a new end date of 10-31-20 to provide technology for on-street parking management systems, including installation and testing of meters, citywide (CE95036). The last regularly scheduled Council meeting within the 30-day review period is on 9-16-19. The Committee approved filing this item at its meeting on 8-6-19.

Safety, Housing, Education & Homelessness Committee

[19-0795](#) 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 concerning the "High Intensity Drug Trafficking Areas" program and the funding therefor.

Approves a grant agreement with the Office of National Drug Control Policy (ONDCP) High Intensity Drug Trafficking Area (HIDTA) Program for \$835,343 and through 12-30-20 to support initiatives designed to implement the strategy proposed by the Executive Board of the Rocky Mountain HIDTA and administered by the Denver Police Department, citywide (POLIC-201950418). The last regularly scheduled Council meeting within the 30-day review period is on 9-16-19. The Committee approved filing this item at its meeting on 8-14-19.

BILLS FOR INTRODUCTION**Land Use, Transportation & Infrastructure Committee**

[19-0767](#) **A bill for an ordinance approving a proposed Intergovernmental Agreement between the City and County of Denver, acting by and through its Board of Water Commissioners, and the City and County of Denver to fund the design and construction of a recycled water main within the National Western Center Campus.**

Approves an Intergovernmental Agreement with Denver Water for \$2.6 million of Denver Water funds to fund the design and construction of a recycled water main within the National Western Center campus with a goal to minimize potable water use at the National Western Center located in Council District 9 (PWADM-201951213). The last regularly scheduled Council meeting within the 30-day review period is on 9-16-19. The Committee approved filing this item at its meeting on 8-6-19.

[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.

[19-0796](#) **A bill for an ordinance approving the execution of a Sewer Use and Drainage Permit by the City and County of Denver to provide sanitary sewer and/or wastewater services to property located outside City limits at 2420 and 2424 South Zuni Street, Englewood, Colorado 80110.**

Approves a request to connect residential properties located outside the City at 2420 and 2424 South Zuni Street to wastewater facilities within the City boundary. The Committee approved filing this item at its meeting on 7-23-19.

Safety, Housing, Education & Homelessness Committee

[19-0672](#) **A bill for an ordinance approving a proposed Agreement between the City and County of Denver and Regents of the University of Colorado for community corrections services.**

Approves a contract with University of Colorado Health Sciences Center - Addiction Research and Treatment Services for \$4,270,380.12 and on year for residential and non-residential community corrections services (2019-50129). The last regularly scheduled Council meeting within the 30-day review period is on 9-16-19. The Committee approved filing this item at its meeting on 7-17-19.

BILLS FOR FINAL CONSIDERATION**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.

[19-0768](#) **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.

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.

RECAP OF BILLS TO BE CALLED OUT

PRE-RECESS ANNOUNCEMENT

Tonight, there will be 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, 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. Anyone wishing to speak on any 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

REQUIRED PUBLIC HEARINGS - BILLS FOR FINAL CONSIDERATION**Land Use, Transportation & Infrastructure Committee****[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.**

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. 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. The Committee approved filing this item at its meeting on 7-30-19.

COURTESY PUBLIC HEARINGS - COMBINED - BILLS FOR FINAL CONSIDERATION**Finance & Governance Committee**

[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.

PRE-ADJOURNMENT ANNOUNCEMENT**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. The Committee approved filing this item at its meeting on 7-30-19.

Final Consideration | Required Public Hearing**[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. The Committee approved filing this item at its meeting on 7-30-19.

Final Consideration | Required Public Hearing**[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. The Committee approved filing this item at its meeting on 7-30-19.

Final Consideration | Required Public Hearing

FOR 9-16-19:

[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).

Final Consideration | Required Public Hearing