

City Council Meeting of Monday, November 26, 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

[18-1423](#) Minutes of Monday, November 19, 2018

COUNCIL ANNOUNCEMENTS

PRESENTATIONS

COMMUNICATIONS

PROCLAMATIONS

[18-1422](#) A proclamation remembering the 85th Anniversary of Ukraine Holodomor.

Sponsor Espinoza and Kashmann

RESOLUTIONS

Finance & Governance Committee

[18-1168](#) **A resolution approving a proposed Purchase and Sale Agreement between the City and County of Denver and East 38th Avenue Properties, LLC for the purchase of real property located at 3857, 3863, 3869, 3875, 3881 and 3897 Steele Street.**

Approves a purchase and sale agreement with East 38th Avenue Properties LLC for \$983,340 to acquire the properties located at 3857, 3863, 3869, 3875, 3881 and 3897 Steele Street in support of the amenity components of the Platte to Park Hill Stormwater Systems project in Council District 9 (TBD). The last regularly scheduled Council meeting within the 30-day review period is on 12-17-18. The Committee approved filing this item at its meeting on 11-13-2018.

[18-1312](#) A resolution approving a proposed Master Purchase Order between the City and County of Denver and SuperTrees for the purchase of assorted trees.

Approves a master purchase order with SuperTrees Inc. for \$2,500,000 and through 10-31-21 for the purchase of assorted trees to be planted citywide (SC-00003410). The last regularly scheduled Council meeting within the 30-day review period is on 12-17-18. The Committee approved filing this item at its meeting on 11-13-2018.

[18-1313](#) A resolution approving a proposed Master Purchase Order between the City and County of Denver and Green Spot, Inc., for the purchase of assorted trees.

Approves a master purchase order with Green Spot Inc. for \$2,500,000 and through 10-31-21 for the purchase of assorted trees to be planted citywide (SC-00003406). The last regularly scheduled Council meeting within the 30-day review period is on 12-17-18. The Committee approved filing this item at its meeting on 11-13-2018.

[18-1317](#) A resolution approving a proposed Master Purchase Order between the City and County of Denver and Didier/Denver for the purchase of Panasonic Security Cameras and Accessories.

Amends a master purchase order with Didier-Denver by increasing the allowable spend amount by \$1,050,000 for a new total of \$1,500,000 to upgrade, replace, and expand current Panasonic security cameras and accessories used by multiple agencies, citywide (SC-00002596). The last regularly scheduled Council meeting within the 30-day review period is on 12-17-18. The Committee approved filing this item at its meeting on 11-13-2018.

[18-1419](#) A resolution authorizing and approving the expenditure and payment from the appropriation account designated "liability claims," the total sum of Seventeen Thousand Dollars and Zero Cents (\$17,000.00), payable to Atsani Jaroenjit and the Law Office of Wade H. Eldridge, Jr., in full payment and satisfaction of all claims in Case No. 2018CV31562, in the District Court for the City and County of Denver, Colorado.

Settles a claim involving the Department of Environmental Health. This resolution was approved for filing at the Mayor Council meeting on 11-20-18.

Land Use, Transportation & Infrastructure Committee**[18-1197](#) A resolution approving a proposed Amendatory Agreement between the City and County of Denver and Alpine Disposal, Inc., for the sorting and recycling of the materials collected through the Denver Recycles Program to amend exhibits regarding definitions and compensation.**

Amends a revenue contract with Alpine Disposal Inc., by adjusting portions of the scope, extreme market conditions agreement, contractor fees, and by adding disposable coffee cups as an acceptable recyclable item, for the sorting and recycling of the materials collected through the Denver Recycles Program, citywide. No change to contract amount or duration (201737957-01). The last regularly scheduled Council meeting within the 30-day review period is on 12-17-18. The Committee approved filing this item at its meeting on 10-23-18.

[18-1268](#) A resolution granting a revocable permit to NewPath Networks, LLC, to encroach into the right-of-way at 1449 California Street.

Grants a revocable permit to NewPath Networks LLC to encroach into the right-of-way with the installation of one small cell pole and facilities at 1449 California Street in Council District 9. The Committee approved filing this item at its meeting on 11-6-18.

[18-1301](#) A resolution laying out, opening and establishing as part of the City street system a parcel of land as West Wesley Avenue at the intersection of South Navajo Street and West Wesley Avenue.

Dedicates a parcel of land as public right of way as West Wesley Avenue, located at the intersection of South Navajo Street and West Wesley Avenue in Council District 7. The Committee approved filing this item at its meeting on 11-13-18.

[18-1302](#) A resolution approving a proposed Second Amendatory Agreement by and between the City and County of Denver and TransCore, LP to extend the term of Denver's traffic signal software with Advanced Traffic Management Systems (ATMS).

Amends a contract with Transcore LP by adding three years for a new end date of 1-22-22 for software used for the management and administration citywide traffic signal system. No change to contract amount (201314013). The last regularly scheduled Council meeting within the 30-day review period is on 12-17-18. The Committee approved filing this item at its meeting on 11-13-18.

[18-1305](#) 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 Health and Environment concerning the "Platte Farm Open Space Restoration Project" and the funding therefor.

Approves a grant agreement with the Colorado Department of Public Health & Environment for \$552,885 and for five years to restore approximately 5.6 acres of a dilapidated property into a short-grass prairie for the Platte Farm Open Space restoration project located at approximately 49th Avenue and Grant Street in Council District 9 (201845526). The last regularly scheduled Council meeting within the 30-day review period is on 12-17-18. The Committee approved filing this item at its meeting on 11-13-18.

[18-1306](#) A resolution approving a proposed Concession License between the City and County of Denver and H. W. Stewart, Inc., for food, beverage, and merchandise sales for the Echo Lake Lodge at Echo Lake Park.

Approves a revenue contract with H.W. Stewart Inc. for \$31,699.99 guaranteed annual minimum payment and for five years for food, beverage, and merchandise sales for the Echo Lake Lodge at Echo Lake Park (201840618). The last regularly scheduled Council meeting within the 30-day review period is on 12-17-18. The Committee approved filing this item at its meeting on 11-13-18.

[18-1307](#) A resolution approving a proposed Concession License between the City and County of Denver and H. W. Stewart, Inc., for food, beverage, and merchandise sales for the Pahaska Tepee and Buffalo Bill gravesite on Lookout Mountain.

Approves a revenue contract with H.W. Stewart Inc. for \$31,699.99 guaranteed annual minimum payment and for five years for food, beverage, and merchandise sales for the Pahaska Tepee and Buffalo Bill gravesite on Lookout Mountain (201840617). The last regularly scheduled Council meeting within the 30-day review period is on 12-17-18. The Committee approved filing this item at its meeting on 11-13-18.

Safety, Housing, Education & Homelessness Committee**[18-1286](#) A resolution approving a proposed Amendment to Master Services Agreement by and between the City and County of Denver and Securus Technologies, Inc., to extend the term, increase the contract maximum amount and update the scope of work for installation and maintenance services of video visitation equipment at the Downtown Detention Center and the County Jail.**

Amends a contract with Securus Technologies Inc. by adding \$175,553 for a new total of \$1,587,553 and twenty months for a new end date of 8-31-23 for video visitation services to inmates and their families at the Denver County Jail and Downtown Detention Center (SHERF - 201734866). The last regularly scheduled Council meeting within the 30-day review period is on 12-17-18. The Committee approved filing this item at its meeting on 11-14-2018.

[18-1289](#) A resolution approving a proposed Second Amendatory Agreement by and between the City and County of Denver and Securus Technologies, Inc., to extend the term, revise the monthly guaranteed amount and lower the rates that inmates pay to use the inmate phone system at the Downtown Detention Center and the County Jail.

Amends a revenue contract with Securus Technologies Inc. by adding \$1,900,000 for a new total of \$4,060,000, adding five years for a new end date of 8-31-23, changing the cost of inmate phone calls from a flat rate of \$2.60 to .086 cents per minute, with a maximum of \$2.60, and reducing the commission to the city from \$52,000 to \$30,000 on a monthly basis, for inmates using payphones at the Denver County Jail and Downtown Detention Center (TECHS - 201312032). The last regularly scheduled Council meeting within the 30-day review period is on 12-17-18. The Committee approved filing this item at its meeting on 11-14-2018.

[18-1315](#) A resolution approving a proposed Fourth Amendatory Agreement between the City and County of Denver and Meeting the Challenge, Inc. by adding three months to the contract for consultation services on the City's overall compliance with ADA.

Amends a contract with Meeting the Challenge Inc. by adding three months for a new end date of 3-31-19 for consultation services on the city's compliance with the Americans with Disabilities Act, citywide. No change to contract amount (HRCRS-201418678-03). The last regularly scheduled Council meeting within the 30-day review period is on 12-17-18. The Committee approved filing this item at its meeting on 11-14-2018.

[18-1329](#) A resolution approving a proposed Fourth Amendatory Agreement between the City and County of Denver and Urban Peak Denver to provide residential housing and case management services to youth.

Amends a contract with Urban Peak Denver by adding \$224,224 for a new total of \$993,064 and one year for a new end date of 12-31-19 for housing and supportive services including 8 housing units and case management services for eligible homeless youth in transition (ages 16-22) who have aged out of foster care or might otherwise be experiencing homelessness (SOCSV- 2015-25131-04). The last regularly scheduled Council meeting within the 30-day review period is on 12-17-18. The Committee approved filing this item at its meeting on 11-14-2018.

BILLS FOR INTRODUCTION

Finance & Governance Committee

[18-1318](#) A bill for an ordinance making appropriations from the State Conservation Trust Fund contingency and the Capital Improvements Fund contingency.

Appropriates \$185,000 from the State Conservation Trust Fund contingency and \$1,500,000 from Capital Improvement Fund contingency for a total amount of \$1,685,000 for multiple capital projects, citywide. The Committee approved filing this item at its meeting on 11-13-2018.

[18-1319](#) A bill for an ordinance authorizing cash transfers to and making appropriations from the Colorado Convention Center Capital Fund.

Transfers cash from Special Revenue Funds and Capital Project Funds and makes appropriations to the Colorado Convention Center Capital Fund to support the annual Certificate of Participation (COP) and capital maintenance needs at the Colorado Convention Center in Council District 9. The Committee approved filing this item at its meeting on 11-13-2018.

[18-1320](#) A bill for an ordinance making appropriations in the Winter Park Parks and Recreation Capital Fund.

Appropriates \$1,193,710 in the Winter Park Parks and Recreation Capital Fund, due to receipt of 2018 Incentive Payment per the terms of the existing Winter Park Lease and Operating Agreement, for the capital repair and rehabilitation of existing park and recreation facilities, citywide. The Committee approved filing this item at its meeting on 11-13-2018.

[18-1323](#) A bill for an ordinance making a rescission, cash transfers, and supplemental appropriations from the General Fund to Capital Improvement Project Funds.

Rescinds, transfers, and appropriates \$790,000 from the Public Works General Fund appropriation to CIP Project Funds to finance the installation of 44 street lights along Tower Road from Peña Boulevard to 80th Avenue in Council District 11, and irrigation requirements related to the Colfax/Lipan intersection project in Council District 3. The Committee approved filing this item at its meeting on 11-13-2018.

Land Use, Transportation & Infrastructure Committee

[18-1303](#) A bill for an ordinance approving a proposed Amendment to Agreement between the City and County of Denver and Urban Drainage and Flood Control District regarding the Marston Lake North Drainageway South Garrison Street to the Eastern Limit of West Stanford Avenue.

Amends an intergovernmental agreement with Urban Drainage and Flood Control District (UDFCD) by adding \$650,000 in UDFCD funds and \$650,000 in city funds for a new total amount of \$3,350,000 as part of the Marston Lake North Drainageway flood contract project from South Garrison Street to the Eastern Limit of West Stanford Avenue in Council District 2. No change to agreement duration (201313021-03). The last regularly scheduled Council meeting within the 30-day review period is on 12-17-18. The Committee approved filing this item at its meeting on 11-13-18.

[18-1321](#) A bill for an ordinance creating a Local Maintenance District for the continuing care, operation, repair, maintenance and replacement of the Skyline Park Local Maintenance District in the City and County of Denver, State of Colorado, with the costs of said continuing care, operation, repair, maintenance and replacement of said Skyline Park Local Maintenance District to be assessed upon the real property, exclusive of improvements thereon, benefited.

Approves the creation of the Skyline Park Local Maintenance District in Council District 9. The Committee approved filing this item at its meeting on 11-13-18.

[18-1322](#) **A bill for an ordinance assessing the annual costs of the continuing care, operation, repair, maintenance and replacement of the Skyline Park Local Maintenance District upon the real property, exclusive of improvements thereon, benefited.**

Approves the 2019 annual costs for the continuing care, operation, security, repair, maintenance and replacement of the Skyline Park Local Maintenance District in Council District 9. The Committee approved filing this item at its meeting on 11-13-18.

[18-1325](#) **A bill for an ordinance amending the Building and Fire Code of the City and County of Denver.**

Amends Article II of Chapter 10 of the Denver Revised Municipal Code to amend the 2016 Denver Building and Fire Code to align electrical apprentice ratios and electrical work with state requirements, modify exit stair remoteness criteria, require habitable attic space over 3 stories to require sprinklers, and other changes. The Committee approved filing this item at its meeting on 11-13-18.

Safety, Housing, Education & Homelessness Committee

[18-1331](#) **A bill for an ordinance repealing the fee for committing and discharging convicted inmates to and from the county jail.**

Amends Section 53 of the Denver Revised Municipal Code (DRMC) to repeal the collection of the \$30.00 Inmate Processing Fee and amends the utilization of the fund until all such revenues have been expended. The Committee approved filing this item at its meeting on 11-14-18.

BILLS FOR FINAL CONSIDERATION

Finance & Governance Committee

[18-1207](#) **A bill for an ordinance to amend the Revised Municipal Code relating to the manager of finance, auditor, and audit committee.**

Amends Chapter 18 of the Denver Revised Municipal Code (DRMC) relating to the manager of finance, auditor, and audit committee. The Committee approved filing this item at its meeting on 11-6-18.

[18-1269](#) A bill for an ordinance making rescissions and supplemental appropriations from the General Fund Contingency to Departments.

Approves a supplemental appropriation of \$4,005,000 from General Fund Contingency for city agencies, including Community Planning and Development, the Denver Police Department, the Denver Fire Department, Office of Human Resources, the Clerk and Recorder, North Denver Cornerstone Collaborative, Human Rights and Community Partnerships, Denver County Court, and Office of Emergency Management. The Committee approved filing this item at its meeting on 11-6-18.

[18-1270](#) A bill for an ordinance making rescissions, cash transfers, and supplemental appropriations from the General Fund to Capital Improvement Project Funds.

Rescinds and re-appropriates \$1,488,000 in General Fund appropriations to Capital Improvement Project funds to fund the construction of ADA-compliant restrooms, elevator repairs, electric vehicle infrastructure and other capital maintenance needs at city facilities, citywide. The Committee approved filing this item at its meeting on 11-6-2018.

[18-1280](#) A bill for an ordinance making appropriations to pay the expenses of conducting the public business for the year 2019 and for the purposes required by the Charter and by other law.

Approves the 2019 Annual Appropriation Ordinance (Long Bill).

[18-1281](#) A bill for an ordinance establishing a new fund in the General Government Special Revenue Fund Series for the "2020 Census Fund".

Establishes the 2020 Census Special Revenue Fund to support the 2020 Census. The Committee approved filing this item at its meeting on 11-6-18.

[18-1283](#) A bill for an ordinance establishing a new fund in the Public Health Special Revenue Fund Series for the "Crime Prevention and Control Commission" Program, transferring the cash balance from the existing Program fund in the Human Services Special Revenue Fund Series, and closing the existing fund.

Establishes the Crime Prevention and Control Commission (CPCC) Special Revenue Fund, transfers cash from the current CPCC fund in the Human Services series to the new fund, and closes the fund in the Human Services Fund Series. The Committee approved filing this item at its meeting on 11-6-18.

[18-1284](#) **A bill for an ordinance establishing a new fund in the Public Health Special Revenue Fund Series for the "Solutions Center" Program, transferring the cash balance associated with the "Solutions Center" Program from the Human Services Special Revenue Fund Series, and making an appropriation in the Public Health Special Revenue Fund.**

Establishes the Solutions Center Special Revenue Fund and transfers cash from Fund 13812 in the Human Services Fund Series into the new Solutions Center fund. The Committee approved filing this item at its meeting on 11-6-18.

Land Use, Transportation & Infrastructure Committee

[18-1263](#) **A bill for an ordinance relinquishing the easements reserved in Ordinance No. 348, Series of 1972 and Ordinance No. 212, Series of 1956, recorded with the Denver Clerk & Recorder at Book No. 546, Page No. 138, and Book No. 7892, Page No. 79, respectively, located at 99 South Broadway.**

Relinquishes two separate easements in their entirety established in the Vacation Ordinance No. 348, Series of 1972, and Vacation Ordinance No. 212, Series of 1956, located at 99 South Broadway in Council District 7. The last regularly scheduled Council meeting within the 30-day review period is on 12-10-18. The Committee approved filing this item at its meeting on 11-6-18.

[18-1282](#) **A bill for an ordinance establishing a new fund in the General Government Special Revenue Fund Series for the "National Western Center Campus Management Fund".**

Establishes the National Western Center Campus Management Special Revenue Fund to capture revenue and expend funds related to the development and construction of the National Western Center Campus in Council District 9. The Committee approved filing this item at its meeting on 11-6-18.

Safety, Housing, Education & Homelessness Committee

[18-1273](#) **A bill for an ordinance approving a proposed Agreement between the City and County of Denver and School District No. 1 in the City and County of Denver and the State of Colorado, to provide work experience and job readiness training through the Summer Youth Employment Program (SYEP).**

Approves a contract with Denver Public Schools for \$600,000 and for one year to administer the Summer Youth Employment Program (SYEP) to provide low-income youth with summer work experience and job readiness training at various locations citywide (OEDEV-201842418-00). The last regularly scheduled Council meeting within the 30-day review period is on 12-10-18. The Committee approved filing this item at its meeting on 11-7-18.

[18-1292](#) **A bill for an ordinance authorizing a supervised use site pilot program contingent upon the state General Assembly passing legislation authorizing the operation of supervised use sites in the state of Colorado.**

The Committee approved filing this item at its meeting on 11-7-18.

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

Tonight there will be a required public hearing on Council Bill 18-1208, designating 2600 Milwaukee Street, the Henderson House, as a structure for preservation. 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 FOR FINAL CONSIDERATION

Land Use, Transportation & Infrastructure Committee

[18-1208](#) **A bill for an ordinance designating 2600 Milwaukee Street, the Henderson House, as a structure for preservation.**

Approves an individual Denver landmark designation for property located at 2600 Milwaukee Street in Council District 9. The Committee approved filing this item at its meeting on 10-2-18.

PRE-ADJOURNMENT ANNOUNCEMENT

ADJOURN

PENDING

FOR 12-3-18:

[18-1075](#) A bill for an ordinance changing the zoning classification for 4201 East Arkansas Avenue in Virginia Village.

Approves an official map amendment to rezone property located at 4201 East Arkansas Avenue, 4040 East Louisiana Avenue and 1380 South Birch Street from CMP-EI2 and S-MX-5 UO-1 UO-2 to S-MX-8 UO-2, S-MX-8, S-MX-5, S-MX-3, and S-MU-3 (campus, various districts, to suburban, mixed-use various heights), in Council District 6. The Committee approved filing this item at its meeting on 10-9-18.

Final Consideration**Required Public Hearing****[18-1163](#) A bill for an ordinance changing the zoning classification for 7900 East Colfax Avenue in East Colfax.**

Approves an official map amendment to rezone property from E-MS-3 to E-MS-5 (main street, 3 stories to main street 5 stories), located at 7900 East Colfax Avenue in Council District 5. The Committee approved filing this item at its meeting on 10-23-18.

Final Consideration**Required Public Hearing****[18-1164](#) A bill for an ordinance changing the zoning classification for 8315 East Colfax Avenue and 1500 Valentia Street in East Colfax.**

Approves an official map amendment to rezone property from E-MS-3 to E-MS-5 (main street, 3 stories to main street, 5 stories), located at 8315 East Colfax Avenue and 1500 Valentia Street in Council District 8. The Committee approved filing this item at its meeting on 10-23-18.

Final Consideration**Required Public Hearing**

FOR 12-10-18:

[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.

Final Consideration

Required Public Hearing

FOR 12-17-18:

[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.

Final Consideration

Required Public Hearing

[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.

Final Consideration

Required Public Hearing