

City Council Meeting of Monday, May 6, 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: 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, 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 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

[19-0442](#) Minutes of Monday, April 29, 2019

COUNCIL ANNOUNCEMENTS

PRESENTATIONS

COMMUNICATIONS

PROCLAMATIONS

[19-0436](#) A proclamation honoring and recognizing the 2019 University of Colorado Denver Latinx Cohort and all Education Doctoral graduates of Colorado.

Sponsor Brooks

[19-0437](#) A proclamation recognizing May 2019 as Cystic Fibrosis Awareness Month.

Sponsor Brooks

[19-0438](#) A proclamation in recognition of International Compost Awareness Week May 5 - 11, 2019.

Sponsor Clark

RESOLUTIONS**Finance & Governance Committee**

[19-0285](#) A resolution approving a proposed Third Amendatory Agreement between the City and County of Denver and Mitchell International, Inc. for pharmacy benefit management services for the city's workers' compensation program.

Amends a contract with Mitchell International Inc. by adding \$725,000 for a new total of \$2,000,000 and one year for a new end date of 12-31-20 for pharmacy benefit management services for the city's workers' compensation program (201418934). The last regularly scheduled Council meeting within the 30-day review period is on 5-20-19. The Committee approved filing this item at its meeting on 4-23-19.

[19-0379](#) A resolution approving a proposed Purchase Order between the City and County of Denver and K&H Printers Lithographers Inc. for ballot printing and postage for Run-Off and Municipal Elections for Denver Elections Division.

Approves a purchase order with K&H Printers Lithographers Inc. for \$950,014.52 for ballot printing and postage in support of the city's election processes (PO-00061867). The last regularly scheduled Council meeting within the 30-day review period is on 5-20-19. The Committee approved filing this item at its meeting on 4-23-19.

[19-0381](#) A resolution approving a proposed Incurred Deductible Agreement between the City and County of Denver and Zurich American Insurance Company to support a Rolling Owner Insurance Program.

Approves a contract with Zurich American Insurance Company for \$3,650,000 and through 07-01-28 for an incurred deductible agreement to support a previously approved Rolling Owner Controlled Insurance Program (ROCIP) that provides workers' compensation, general liability, excess liability, contractors pollution, and builders' risk insurance for the National Western Center renovation project in Council District 9 (FINAN - 201844067). The last regularly scheduled Council meeting within the 30-day review period is on 5-20-19. The Committee approved filing this item at its meeting on 4-23-19.

[19-0387](#) A resolution approving a proposed Third Amendatory Agreement between the City and County of Denver and CorVel Healthcare Corporation for bill review services for the city's workers' compensation program for the review of bills and medical reports for accuracy and medical necessity.

Amends a contract with CorVel Corporation by adding \$300,000 for a new total of \$1,725,000 and one year for a new end date of 12-31-20 for bill review services for the city's workers' compensation program for the review of bills and medical reports for accuracy and medical necessity (201419255). The last regularly scheduled Council meeting within the 30-day review period is on 5-20-19. The Committee approved filing this item at its meeting on 4-23-19.

[19-0388](#) A resolution approving a proposed Purchase and Sale Agreement between the City and County of Denver and Alison L. Tyler and Gary D. Luster for the purchase of real property located at 4301 and 4307 East Iliff Avenue.

Approves a purchase and sale agreement with Gary D. Luster and Alison L. Tyler for \$5,100,000 to acquire property located at 4301-4307 Iliff Avenue for future use as city park land in Council District 4 (FINAN-201948620-00). The last regularly scheduled Council meeting within the 30-day review period is on 5-20-19. The Committee approved filing this item at its meeting on 4-23-19.

[19-0390](#) A resolution approving a proposed Master Purchase Order between the City and County of Denver and E-Z-GO A Division of Textron Inc. for procurement of parts, components, maintenance, and repair services of City golf cars and turf equipment manufactured by Textron.

Approves a master purchase order with E-Z-GO A Division of Textron Inc. for \$750,000 and through 12-31-25 for the procurement of parts, components, maintenance and repair services of city golf cars and turf equipment manufactured by Textron, citywide (SC-00003092). The last regularly scheduled Council meeting within the 30-day review period is on 5-20-19. The Committee approved filing this item at its meeting on 4-23-19.

[19-0391](#) A resolution approving a proposed Purchase Order between the City and County of Denver and Insight Public Sector for the City's Enterprise Software Products with Microsoft.

Approves the annual Microsoft enterprise agreement (EA) with Insight Public Sector for \$2,950,428.59 and through 02-28-20 for the continued use of software licenses such as Office 365, as well as patches, enhancements, and new releases for the products covered in this agreement, citywide (PO-00063465). The last regularly scheduled Council meeting within the 30-day review period is on 5-20-19. The Committee approved filing this item at its meeting on 4-23-19.

[19-0443](#) A resolution authorizing and approving the expenditure and payment from the appropriation account designated "liability claims," the sum of Twelve Thousand Dollars and No Cents (\$12,000.00), payable to Juanita Boston and Pribila, Aquino & Fields in full payment and satisfaction of all claims in Case No. 2018CV031733 in the District Court for the City and County of Denver, Colorado. Settles a claim with Public Works. This item was approved for filing at Mayor-Council on 4-30-19.

Land Use, Transportation & Infrastructure Committee

[19-0362](#) A resolution approving an Amendatory Agreement between the City and County of Denver and Tsiouvaras Simmons Holderness, Inc. to change the legal entity name to RS&H, Inc. for NEPA process improvements to Quebec Street from 13th to 26th Avenues, in Council Districts 5 and 8.

Amends a contract with Tsiouvaras Simmons Holderness Inc. to change the legal entity name to RS&H Inc. for environmental compliance through the National Environmental Policy Act (NEPA) process for multimodal improvements to Quebec Street from 13th to 26th Avenues, in Council Districts 5 and 8. No change to contract amount or duration (201628915). The last regularly scheduled Council meeting within the 30-day review period is on 5-20-19. The Committee approved filing this item at its meeting on 4-16-19.

[19-0363](#) A resolution approving an Amendatory Agreement between the City and County of Denver and Tsiouvaras Simmons Holderness, Inc. to change the legal entity name to RS&H, Inc. for Reconstruction of Federal Boulevard from 5th Avenue to Howard Place.

Amends a contract with Tsiouvaras Simmons Holderness Inc. to change the legal entity name to RS&H Inc. for professional design engineering and related consulting services for the Reconstruction of Federal Boulevard from 5th Avenue to Howard Place. No change to contract amount or duration (CE02011). The last regularly scheduled Council meeting within the 30-day review period is on 5-20-19. The Committee approved filing this item at its meeting on 4-16-19.

[19-0364](#) A resolution approving an Amendatory Agreement between the City and County of Denver and Tsiouvaras Simmons Holderness, Inc. to change the legal entity name to RS&H, Inc. for on-call engineering services to support various Public Works capital projects, and general engineering services, citywide.

Amends a contract with Tsiouvaras Simmons Holderness Inc. to change the legal entity name to RS&H Inc. for on-call engineering services to support various Public Works capital projects, and general engineering services in connection with the planning, design and construction of various projects, citywide. No change to contract amount or duration (OC201631686). The last regularly scheduled Council meeting within the 30-day review period is on 5-20-19. The Committee approved filing this item at its meeting on 4-16-19.

[19-0383](#) A resolution approving a proposed Purchase Order between the City and County of Denver and Wagner Equipment Co for two Caterpillar Wheel Loaders for Public Works Street Maintenance Operations.

Approves a purchase order with Wagner Equipment for \$759,364 for two Caterpillar 966 M Wheel Loaders for Public Works street maintenance operations, citywide (PO-00062824). The last regularly scheduled Council meeting within the 30-day review period is on 5-20-19. The Committee approved filing this item at its meeting on 4-23-19.

Safety, Housing, Education & Homelessness Committee**[19-0225](#) A resolution approving a proposed Second Amendatory Agreement between the City and County of Denver and The Salvation Army to provide outreach services to the homelessness.**

Amends a contract with The Salvation Army by adding \$189,000 for a new total of \$551,762 and one year for a new end date of 12-31-19 to provide additional after-hours programming and other services in collaboration with the Denver Street Outreach Collaborative (DSOC) and Denver's Road Home for case management, referrals, intervention and resources to individuals experiencing homelessness, citywide (SOCSV- 2016-31778-02). The Committee approved filing this item at its meeting on 3-13-19.

[19-0386](#) A resolution approving a proposed Memorandum of Agreement between the City and County of Denver and Natural Resources Defense Council, Inc. for in-kind technical assistance to implement climate programs and policies around transportation, electric vehicles and building codes.

Approves a non-financial grant acceptance agreement with Natural Resources Defense Council Inc. through 12-31-20 for in-kind technical assistance to implement climate programs and policies around transportation, electric vehicles and building codes, citywide (ENVHL-201846867-00). The last regularly scheduled Council meeting within the 30-day review period is on 5-20-19. The Committee approved filing this item at its meeting on 4-24-19.

BILLS FOR INTRODUCTION**Finance & Governance Committee****[19-0385](#) A bill for an ordinance authorizing expenditures in the General Government Special Revenue Fund based on a letter of intent from the Colorado Division of Homeland Security and Emergency Management to fund the City and County of Denver for the "Emergency Management Performance" program.**

Authorizes expenditures based on a letter of intent from the Colorado Division of Homeland Security to award \$65,000 in funding for the 2019 Emergency Management Performance Grant. The Committee approved filing this item at its meeting on 4-23-19.

Land Use, Transportation & Infrastructure Committee**[19-0352](#) A bill for an ordinance changing the zoning classification for 4891 Lincoln Street in Globeville.**

Approves an official map amendment to rezone property from E-SU-D to U-SU-C1 (urban edge, single-unit to urban, single-unit), located at 4891 Lincoln Street in Council District 9. If ordered published, a public hearing will be held on Monday, 6-3-19. The Committee approved filing this item at its meeting on 4-23-19.

[19-0380](#) A bill for an ordinance changing the zoning classification for multiple properties located in the University Park Neighborhood between I-25 and Harvard Gulch in University Park.

Approves an official map amendment to rezone properties from E-SU-Dx to E-SU-D (removes suburban home building form as an allowable use), for multiple properties in the University Park neighborhood in Council District 6. If ordered published, a public hearing will be held on Monday, 6-3-19. The Committee approved filing this item at its meeting on 4-23-19.

[19-0382](#) A bill for an ordinance relinquishing an easement reserved in Ordinance No. 255, Series of 1986, recorded with Denver Clerk & Recorder at Reception No. 1986065934, located at West 38th Avenue and North Julian Street.

Relinquishes the 16' utility easement, in its entirety, as established in Vacating Ordinance No. 255, Series of 1986, located at West 38th Avenue and North Julian Street in Council District 1. The last regularly scheduled Council meeting within the 30-day review period is on 5-20-19. The Committee approved filing this item at its meeting on 4-23-19.

[19-0392](#) A bill for an ordinance approving the purchase of capital equipment from the Planned Fleet Special Revenue Fund.

Approves a one-time capital equipment expenditure with a not to exceed price of \$105,000 for one Bobcat 5610 Toolcat in place of an Industrial Farm Tractor that was authorized in the 2019 Long Bill, to support citywide Parks and Recreation maintenance projects. The last regularly scheduled Council meeting within the 30-day review period is on 5-20-19. The Committee approved filing this item at its meeting on 4-23-19.

Safety, Housing, Education & Homelessness Committee

[19-0245](#) **A bill for an ordinance approving a proposed Agreement between the City and County of Denver and the Housing Authority of the City and County of Denver, to provide assistance to low-income homeowners for the construction of accessory dwelling units.**

Approves an intergovernmental agreement with the Housing Authority of the City and County of Denver, Colorado for \$500,000 and for two years to provide soft second mortgages of up to \$25,000 to low-income homeowners participating in the West Denver Single Family Plus program to assist in the development of accessory dwelling units (ADUs) to serve as an income-generation and anti-displacement tool in Council Districts 3, 7, and 9 (OEDEV-201846549-00). The last regularly scheduled Council meeting within the 30-day review period is on 5-20-19. The Committee approved filing this item at its meeting on 3-27-19.

BILLS FOR FINAL CONSIDERATION**Finance & Governance Committee**

[19-0360](#) **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 Crime Data Analyst Associate at pay grade N-809, Crime Data Analyst Senior at pay grade N-811, Continuous Improvement Specialist II at pay grade A-809, Continuous Improvement Specialist III at pay grade A-811, Continuous Improvement Specialist IV at pay grade A-813, and revises job Classification titles for the Management Analyst Series to match the city's job title naming convention. The Committee approved filing this item at its meeting on 4-16-19.

[19-0369](#) **A bill for an ordinance establishing a new fund in the Grant and Other Money Projects Series for the "29th and Fairfax Park" program and making appropriations.**

Establishes the 29th and Fairfax Park Capital Fund and appropriates \$650,000 for the planning, design and construction of a park at 29th Avenue and North Fairfax Street in Council District 8. The Committee approved filing this item at its meeting on 4-16-19.

[19-0370](#) A bill for an ordinance establishing a new fund in the Grant and Other Money Projects Series for the “Public Art Contributions” program.

Establishes the Public Art Contributions Capital Fund for expenditures related to planning, design and construction of existing or new public art, citywide. The Committee approved filing this item at its meeting on 4-16-19.

[19-0371](#) A bill for an ordinance authorizing transfers from the Gateway Impact Fee Trust Funds to the Capital Improvements and Capital Maintenance Fund and making appropriations in the Capital Improvements and Capital Maintenance Fund to support the Gateway Infrastructure projects.

Transfers and appropriates \$7,700,293 from the Gateway Impact Fee Trust Funds to the Capital Improvements and Capital Maintenance Fund to support the Gateway Regional Infrastructure projects, including contract obligations, roadway and median projects, and other projects for parks and drainage improvements, in Council District 11. The Committee approved filing this item at its meeting on 4-16-19.

[19-0372](#) A bill for an ordinance making a rescission in the General Fund, making appropriations in the General Fund and the Capital Improvements and Capital Maintenance Fund, and authorizing expenditures in the General Government Special Revenue Fund, the Culture and Recreation Special Revenue Fund, and the Grant and Other Money Projects Fund.

Approves the City Council 2018 year-end budget amendment by transferring \$220,742.52 of City Council’s 2018 General Fund budget savings to City Council Special Revenue Funds, transferring \$150,060.11 of City Council’s 2018 General Fund budget savings to other city funds for various projects, and returning \$60,096.41 of City Council’s 2018 General Fund budget savings to the City’s General Fund. The Committee approved filing this item at its meeting on 4-16-19.

Land Use, Transportation & Infrastructure Committee

[19-0359](#) A bill for an ordinance relinquishing a portion of the easement established in the Permanent Easement recorded with the Denver Clerk & Recorder at Reception No. 2017107806, located at 400 North Grant Street.

Relinquishes a portion of the utility easement established in recorded document No. 2017107806, located at 400 North Grant Street in Council District 7. The last regularly scheduled Council meeting within the 30-day review period is on 5-20-19. The Committee approved filing this item at its meeting on 4-16-19.

Safety, Housing, Education & Homelessness Committee

[19-0338](#) **A bill for an ordinance approving a proposed Amendment to Intergovernmental Agreement between the City and County of Denver, Denver Police Department and Jefferson County, Colorado through the Jefferson County Sheriff's Office to extend the term and increase maximum contract amount to provide patrol services within Denver's Mountain Parks.**

Amends an intergovernmental agreement with Jefferson County Sheriff's Office by adding \$691,440 for a new total of \$1,331,218 and three years for a new end date of 12-31-2021 for patrol services within designated Denver Mountain Parks (POLIC-201525679-01). The last regularly scheduled Council meeting within the 30-day review period is on 5-20-19. The Committee approved filing this item at its meeting on 4-17-19.

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

Tonight there will be a required public hearing on Council Bill 19-0247, changing the zoning classification for 3429 W. 3rd Avenue; and, a continued public hearing on Council Bill 19-0127, changing the zoning classification for 2535 E. 40th Avenue. Anyone wishing to speak on these matters may go online or see the Council Secretary or staff to sign up during the recess of Council.

RECESS**COUNCIL RECONVENES AND RESUMES ITS REGULAR SESSION**

PUBLIC HEARINGS - BILLS FOR FINAL CONSIDERATION

Land Use, Transportation & Infrastructure Committee

[19-0247](#) A bill for an ordinance changing the zoning classification for 3429 W 3rd Avenue in Barnum, with a reasonable condition.

Approves an official map amendment to rezone property from E-SU-D1x to E-MU-2.5 (urban edge, single-unit to urban edge, multi-unit) with a waiver, located at 3429 West 3rd Avenue in Council District 3. The Committee approved filing this item at its meeting on 4-29-19.

PUBLIC HEARINGS - BILLS FOR FINAL CONSIDERATION - CONTINUED FROM APRIL 8

[19-0127](#) A bill for an ordinance changing the zoning classification for 2535 E. 40th Avenue in Elyria Swansea.

Approves an official map amendment to rezone property from I-A UO-2 and I-A to I-MX-3 (light industrial to industrial, mixed-use), located at 2535 E. 40th Avenue in Council District 9. The Committee approved filing this item at its meeting on 2-26-19.

PRE-ADJOURNMENT ANNOUNCEMENT

Dependent upon publication, on June 3, 2019, Council will hold a required public hearing on Council Bill 19-0352, changing the zoning classification for 4891 Lincoln Street in Globeville; and, a required public hearing on Council Bill 19-0380, changing the zoning classification for multiple properties located in the University Park Neighborhood between I-25 and Harvard Gulch in University Park. Any protests against Council Bill 19-0352 or Council Bill 19-0380, must be filed with the Council Offices no later than noon on Tuesday, May 28, 2019.

ADJOURN