

## City Council Meeting of Monday, March 4, 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

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#### 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](mailto:dencc@denvergov.org) or call 720-337-2000 three (3) business-days prior to the Council meeting.

#### CITY COUNCIL AGENDA

The City Council agenda and meeting schedule are made available for public review during normal business hours at the City & County Building, 1437 Bannock St., Rm. 451, on Thursday afternoons prior to the regularly scheduled Council meeting. The agenda packet is also posted on the City Council website at <https://www.denvergov.org/citycouncil>. Questions on agenda items may be directed to the Denver City Council at 720-337-2000.

#### AUDIO/VIDEO ACCESS TO CITY COUNCIL MEETINGS

City Council meetings are televised live on cable TV Channel 8, and can be viewed via live or archived webcast at <https://denver.legistar.com>.

#### PUBLIC COMMENT DURING PUBLIC HEARINGS

This is the time of the meeting for the City Council to receive comments from the public regarding items up for consideration scheduled for public hearing. To speak, sign up with the Council Secretary either before the meeting starting at 5pm in Rm. 451 of the City & County Building, or during the recess of Council. Speakers must be present to sign a speaker card – no sign-up by proxy permitted. Each speaker is allowed 3 minutes, there is no yielding of time (unless necessary to accommodate translation or a disability). Please contact the Denver City Council for more information at 720-337-2000.

#### GENERAL PUBLIC COMMENT SESSIONS

Starting at 5pm before the first and third scheduled Council meeting each month, City Council hosts a 30-minute general public comment session, allowing members of the public to address the full Council with concerns regarding any matter not scheduled for a public hearing. Speakers have 3 minutes to speak and must sign up via email at [dencc@denvergov.org](mailto:dencc@denvergov.org), phone at 720-337-2000 or in person in Rm. 451, City & County Building starting at 12:00 p.m. the Friday before the session is held. Sign up ends at 4:00 p.m. the day of the session. No sign up by proxy permitted. Please contact the Denver City Council for more information at 720-337-2000.

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**

**APPROVAL OF THE MINUTES**

[19-0191](#) Minutes of Monday, February 25, 2019

**COUNCIL ANNOUNCEMENTS**

**PRESENTATIONS**

**COMMUNICATIONS**

**PROCLAMATIONS**

[19-0207](#) A proclamation recognizing International Women's Day.

**Sponsor** Ortega

**RESOLUTIONS**

**Business, Arts, Workforce, & Aviation Services Committee**

**Finance & Governance Committee**

[19-0123](#) **A resolution approving the Mayor's reappointments to the Denver Office of Strategic Partnerships Commission.**

Approves the Mayoral reappointments of Tracey Stewart and Stacie Gilmore to the Denver Office of Strategic Partnerships Commission for terms effective immediately and expiring 4-20-20, or until a successor is duly appointed. The Commission approved filing this resolution by consent on 2-19-19.

**[19-0129](#) A resolution approving the Mayor's reappointment and correcting the term of the Mayor's appointment to the Denver Convention Center Hotel Authority Board of Directors.**

Approves the Mayoral reappointment of Nick LeMasters to the Denver Convention Center Hotel Authority Board of Directors for a term effective immediately and expiring 12-31-21, or until a successor is duly appointed, and corrects the term of the Mayoral appointment of Amy Diaz to the Denver Convention Center Hotel Authority Board of Directors with a term expiring 12-21-2020, or until a successor is duly appointed. The Committee approved filing this resolution by consent on 2-19-19.

**Land Use, Transportation & Infrastructure Committee**

**[19-0057](#) A resolution approving a proposed Contract between the City and County of Denver and Sturgeon Electric Company, Inc. to provide services for the replacement of existing traffic signal equipment at Josephine/York and 7th Avenue.**

Approves a contract with Sturgeon Electric Company Inc. for \$1,056,887 and for eight months to remove and replace existing traffic signal equipment, curb ramps, sidewalk and curb and gutter, located at the intersections of York Street and 7th Avenue and Josephine Street and 7th Avenue in Council District 10 (201845552). The last regularly scheduled Council meeting within the 30-day review period is on 3-26-19. The Committee approved filing this item at its meeting on 1-29-19.

**[19-0110](#) A resolution approving a Contract between the City and County of Denver and ABCO Contracting, Inc. for bridge and structural construction services, citywide.**

Approves an on-call contract with Abco Contracting Inc. for \$3,000,000 and for three years for bridge and structural construction services, citywide (201947269). The last regularly scheduled Council meeting within the 30-day review period is on 3-26-19. The Committee approved filing this item at its meeting on 2-12-19.

**[19-0111](#) A resolution approving a Contract between the City and County of Denver and Hallmark, Inc. for bridge and structural construction services, citywide.**

Approves an on-call contract with Hallmark Inc. for \$3,000,000 and for three years for bridge and structural construction services, citywide (201947369). The last regularly scheduled Council meeting within the 30-day review period is on 3-26-19. The Committee approved filing this item at its meeting on 2-12-19.

**[19-0114](#) A resolution approving a Contract between the City and County of Denver and Structures, Inc. for bridge and structural construction services, citywide.**

Approves an on-call contract with Structures Inc. for \$3,000,000 and for three years for bridge and structural construction services, citywide (201947370). The last regularly scheduled Council meeting within the 30-day review period is on 3-26-19. The Committee approved filing this item at its meeting on 2-12-19.

**[19-0124](#) A resolution approving a proposed Amendatory Agreement between the City and County of Denver and Root Tree Service, LLC, to update the rates, extend the term and increase the maximum contract amount for tree maintenance.**

Amends an on-call contract with Root Tree Service LLC by adding \$500,000 for a new total of \$1,500,000 and one year for a new end date of 6-1-20 for tree maintenance, including tree management and pruning, tree removal, stump removal and other services on public and private property, citywide (201735111). The last regularly scheduled Council meeting within the 30-day review period is on 3-26-19. The Committee approved filing this item at its meeting on 2-19-19.

**[19-0125](#) A resolution approving a proposed Amendatory Agreement between the City and County of Denver and ACME Tree Service, Inc. to update the rates, extend the term and increase the maximum contract amount for tree maintenance.**

Amends an on-call contract with Acme Tree Service Inc. by adding \$500,000 for a new total of \$1,500,000 and one year for a new end date of 6-1-20 for tree maintenance, including tree management and pruning, tree removal, stump removal and other services on public and private property, citywide (201735119). The last regularly scheduled Council meeting within the 30-day review period is on 3-26-19. The Committee approved filing this item at its meeting on 2-19-19.

**[19-0134](#) A resolution approving and providing for the execution of a proposed Grant Agreement between the City and County of Denver and State of Colorado Department of Transportation concerning the “Federal Highway Safety Improvement Program (HSIP) Package 4” and the funding therefor.**

Approves a grant agreement with the Colorado Department of Transportation for \$2,000,000 and for ten years as part of the Federal Highway Safety Improvement Program (HSIP) Package IV to fund the construction of four new traffic signals located at the intersections of Park Avenue West and the Interstate 25/ Interstate 70 On-Ramp, Mississippi Avenue and Platte River Drive, Mississippi Avenue and Santa Fe Drive, and Colfax Avenue and Downing Street in Council Districts 7, 9 and 10 (201947876). The last regularly scheduled Council meeting within the 30-day review period is on 3-26-19. The Committee approved filing this item at its meeting on 2-19-19.

**[19-0135](#) A resolution approving and providing for the execution of a proposed Grant Agreement between the City and County of Denver and State of Colorado Department of Transportation concerning the “Federal Highway Safety Improvement Program (HSIP) Package 5” and the funding therefor.**

Approves a grant agreement with the Colorado Department of Transportation for \$1,200,000 and for ten years as part of the Federal Highway Safety Improvement Program (HSIP) Package V to fund the construction of three new traffic signals located at the intersections of Colfax Avenue and Broadway, Colfax Avenue and Lincoln Street and Colfax Avenue and Grant Street in Council District 10 (201947881). The last regularly scheduled Council meeting within the 30-day review period is on 3-26-19. The Committee approved filing this item at its meeting on 2-12-19.

**Safety, Housing, Education & Homelessness Committee**

[18-1356](#) **A resolution approving a proposed Loan Agreement between the City and County of Denver and RAHF IV Juanita Nolasco, LLC to support the preservation and rehabilitation of 188 units of existing income-restricted senior housing located at 4550 West 9th Avenue.**

Approves a loan agreement with RAHF IV Juanita Nolasco LLC for \$2,600,000 and for forty years to support the preservation and rehabilitation of 188 existing units of income-restricted housing for low and very low-income senior residents in a fully leased building at 4550 West 9th Avenue in Council District 3 (OEDEV-201842291-00). The last regularly scheduled Council meeting within the 30-day review period is on 3-26-19. The Committee approved filing this item at its meeting on 11-21-18.

[19-0205](#) **A resolution authorizing and approving the expenditure and payment from the appropriation account designated "liability claims," the total sum of Thirty Thousand Dollars (\$30,000.00) to the individually named Plaintiffs, Raymond Lyall, Garry Anderson, Thomas Peterson, Frederick Jackson, Brian Cooks, and William Pepper, issued in six separate drafts in the amount of Five Thousand Dollars (\$5,000.00), made payable to the Killmer, Lane & Newman, LLP COLTAF Account to resolve their individual damage claims in Case No. 16-cv-2155-WJM-CBS in the United States District Court for the District of Colorado.**

Settles Plaintiffs' individual damage claims against the City and County of Denver. This resolution was approved for filing at the Mayor Council meeting on 2-26-19.

**BILLS FOR INTRODUCTION****Finance & Governance Committee**

[19-0163](#) **A bill for an ordinance adding a new Division 3.75 of Article IV, Minimum Wage Protections for Workers Associated with City Contracts.**

Amends the Denver Revised Municipal Code to add a new Division 3.75 of Article IV requiring minimum wage protections for workers associated with city contracts. The Committee approved filing this item at its meeting on 2-26-19.

**Land Use, Transportation & Infrastructure Committee****[18-1543](#) A bill for an ordinance changing the zoning classification for 3700-3746 Gaylord Street and 3701-3749 York Street in Cole.**

Approves an official map amendment to rezone property from U-RH-2.5 to U-RX-3 and U-RX-5 (urban, row-house to urban, mixed-use), located at 3701-3749 York Street and 3700-3746 Gaylord Street in Council District 9. If ordered published, a public hearing will be held on Monday, 4-1-19. The Committee approved filing this item at its meeting on 1-29-19.

**[19-0122](#) A bill for an ordinance amending Article II of Chapter 57 (Vegetation) of the Revised Municipal Code.**

Amends Chapter 57 of the Denver Revised Municipal Code (DRMC) to increase the time allotted to 30 days for first payment of ordered tree work and to correct an inaccurate code reference. The Committee approved filing this item at its meeting on 2-19-19.

**[19-0128](#) A bill for an ordinance changing the zoning classification for 999 Jasmine Street in Montclair.**

Approves an official map amendment to rezone property from PUD#223 to E-MX-3A (planned development to urban edge, mixed-use), located at 999 Jasmine Street in Council District 5. If ordered published, a public hearing will be held on Monday, 4-1-19. The Committee approved filing this item at its meeting on 2-19-19.

**BILLS FOR FINAL CONSIDERATION****Finance & Governance Committee****[19-0081](#) A bill for an ordinance establishing a new fund in the Public Health Special Revenue Fund Series for the "Caring for Denver" Fund and appropriating budget for the fund in 2019.**

Establishes the Caring for Denver Special Revenue Fund and appropriates \$37,014,414 to the fund for fiscal year 2019 as part of a voter-approved ballot measure, for a variety of mental health services and treatment for children and adults, citywide. The Committee approved filing this item at its meeting on 2-12-19.

**[19-0082](#) A bill for an ordinance establishing a new fund in the Public Health Special Revenue Fund Series for the "Healthy Food for Denver's Kids" Fund and appropriating budget for the fund in 2019.**

Establishes the Healthy Food for Denver's Kids Special Revenue Fund and appropriates \$11,844,613 to the fund for fiscal year 2019 as part of a voter-approved ballot measure, for food and food-based education to primarily low-income and at-risk youth, citywide. The Committee approved filing this item at its meeting on 2-12-19.

**[19-0083](#) A bill for an ordinance establishing a new fund in the Culture and Recreation Special Revenue Fund Series for the "Parks, Trails, and Open Space" Fund and appropriating budget for the fund in 2019.**

Establishes the Parks, Trails, and Open Space Special Revenue Fund and appropriates \$37,014,414 to fund for fiscal year 2019 as part of a voter-approved ballot measure, for acquiring additional land for parks, open spaces, and trails, citywide. The Committee approved filing this item at its meeting on 2-12-19.

**[19-0084](#) A bill for an ordinance establishing a new fund in the General Government Special Revenue Fund Series for the "College Affordability" Fund and appropriating budget for the fund in 2019.**

Establishes the College Affordability Special Revenue Fund and appropriates \$11,844,613 to the fund for fiscal year 2019 as part of a voter-approved ballot measure, for programs that increase college enrollment and degree completion by Denver residents who are earning a degree from a public or not-for-profit college, university, community college, or technical school in Colorado. The Committee approved filing this item at its meeting on 2-12-19.

**[19-0103](#) A bill for an ordinance establishing a new fund in the General Government Special Revenue Fund for "State Grants".**

Establishes the State Grants Special Revenue Fund in the General Government Special Revenue Fund series to accept funding from state grants. The Committee approved filing this item at its meeting on 2-12-19.

**[19-0120](#) A bill for an ordinance amending Section 18-81, D.R.M.C., setting the salaries of elected officers for terms beginning July 15, 2019.**

A bill for an ordinance amending Section 18-81, D.R.M.C., setting the salaries of elected officers for terms beginning July 15, 2019. The Committee approved filing this item at its meeting on 2-12-19.

**RECAP OF BILLS TO BE CALLED OUT**



**PRE-RECESS ANNOUNCEMENT**

Tonight there will be a required public hearing on Council Bill 18-1538, changing the zoning classification for 1080 and 1090 King Street in Villa Park. 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****[18-1538](#) A bill for an ordinance changing the zoning classification for 1080 and 1090 King Street in Villa Park.**

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

**PRE-ADJOURNMENT ANNOUNCEMENT**

Dependent upon publication, on April 1, 2019, Council will hold a required public hearing on Council Bill 18-1543, changing the zoning classification for 3700-3746 Gaylord Street and 3701-3749 York Street in Cole; and, a required public hearing on Council Bill 19-0128, changing the zoning classification for 999 Jasmine Street in Montclair. Any protests against Council Bill 18-1543 or Council Bill 19-0128 must be filed with the Council Offices no later than noon on Tuesday, March 26, 2019.

**ADJOURN**

**PENDING**

FOR 3-11-19:

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

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

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

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

**Final Consideration****Required Public Hearing**

**PENDING**

FOR 3-18-19:

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

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

**Final Consideration**

**Required Public Hearing**

[19-0079](#) **A bill for an ordinance changing the zoning classification for 901 Irving Street in Villa Park.**

Approves an official map amendment to rezone property from E-SU-D to E-SU-D1 (allows accessory dwelling unit), located at 901 Irving Street in Council District 3. The Committee approved filing this item at its meeting on 2-5-19.

**Final Consideration**

**Required Public Hearing**