

City Council Meeting of Monday, July 9, 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
Kelly Velez.....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

[18-0760](#) Minutes of Monday, June 25, 2018

COUNCIL ANNOUNCEMENTS

PRESENTATIONS

COMMUNICATIONS

[18-0750](#) A letter dated July 19, 2018, notifying of the Departments of Finance's intent to enter into a certificates of participation lease purchase transaction in a par amount not to exceed \$129,000,000, the proceeds of which will be used to fund the Colorado Convention Center Expansion Project.

[18-0752](#) A letter dated July 9, 2018, notifying of the Department of Finance's intent to issue City and County of Denver Dedicated Tax Revenue Bonds, Series 2018A-B in a par amount not to exceed \$300,000,000 for the purpose of funding costs related to the development of the National Western Center and to pay costs of issuance.

PROCLAMATIONS

[18-0753](#) **A proclamation promoting healthier foods and beverages.**

Sponsors Clark, Brooks, New, Gilmore, Black, Flynn, Kashmann, López, Espinoza and Kniech

[18-0754](#) **A proclamation honoring the life and contributions of John**

Prosser.

Sponsors Ortega, Brooks, New, Gilmore, Black, Flynn, Kashmann, López and Espinoza

RESOLUTIONS**Business, Arts, Workforce & Aeronautical Services
Committee****[18-0625](#) A resolution approving a proposed Agreement between the City and County of Denver and Nossaman LLP concerning special counsel services for implementation of the development agreement for the Great Hall project at Denver International Airport.**

Approves a contract with Nossaman LLP for \$538,000 and through 06-30-22 to assist in the implementation of the development agreement for the Great Hall during the design and construction phase including providing legal analyses during implementation and to assist with the review and preparation of related correspondence and documents at Denver International Airport (2018-42194). The last regularly scheduled Council meeting within the 30-day review period is on 7-23-18. The Committee approved filing this item at its meeting on 6-20-18.

[18-0690](#) A resolution approving a proposed On-Call Contract, between the City and County of Denver and Thyssenkrupp Elevator Corporation concerning conveyance modernization of elevators, escalators, and moving walks at Denver International Airport.

Approves an on-call contract with Thyssenkrupp Elevator Corporation for \$10 million and for five years for conveyance modernization including upgrading critical parts with modern technology, increasing performance, improving safety, and providing an up-to-date appearance for elevators, escalators, and moving walks at Denver International Airport (201734681-00). The last regularly scheduled Council meeting within the 30-day review period is on 7-30-18. The Committee approved filing this item at its meeting on 6-27-18.

Finance & Governance Committee**[18-0598](#) A resolution approving a proposed Agreement between the City and County of Denver and The Colorado Coalition for the Homeless for funding of housing and services for 75 qualified participants.**

Approves a \$2,338,350 contract with The Colorado Coalition for the Homeless through 12-31-20 to expand the existing Social Impact Bond program by providing housing and supportive services to an additional 75 chronically homeless individuals who have been identified as high-cost users of government funded services (201738812). The last regularly scheduled Council meeting within the 30-day review period is on 7-30-18. The Committee approved filing this item at its meeting on 6-26-18.

[18-0599](#) A resolution approving a proposed Amendatory Agreement between the City and County of Denver and The Urban Institute for an amendment to the scope of work and additional funding.

Adds \$200,000 to contract with The Urban Institute for a new total of \$1,137,500 to provide additional evaluation services related to the Social Impact Bond program to accommodate evaluation of the expanded program. The last regularly scheduled Council meeting within the 30-day review period is on 7-30-18. The Committee approved filing this item at its meeting on 6-26-18.

[18-0670](#) A resolution approving the Mayor's reappointments and appointment to the Metro Wastewater Reclamation District Board of Directors.

Approves the Mayoral reappointments of Charlie Brown and Ronald Younger; and, the appointment of Janet Kieler to the Metro Wastewater Reclamation District Board of Directors for terms effective immediately and expiring 6-30-20. The Committee approved filing this item by consent on 6-19-18.

[18-0681](#) A resolution approving the Mayor's appointment to the Tourism Improvement District Board of Directors.

Approves the Mayoral appointment of Laura Lojas to the Tourism Improvement District Board of Directors for a term effective immediately and expiring 8-31-18. The Committee approved filing this item by consent on 6-26-18.

[18-0691](#) A resolution to set a public hearing on Service Plans for the formation and establishment of six (6) Title 32 Districts: The River Mile Metropolitan District No. 1; The River Mile Metropolitan District No. 2; The River Mile Metropolitan District No. 3; The River Mile Metropolitan District No. 4; The River Mile Metropolitan District No. 5; The River Mile Platte Valley Metropolitan District.

Sets a public hearing before City Council on 8-13-18 to approve the service plans for the formation and establishment of six Title 32 districts: The River Mile Metropolitan District No. 1, The River Mile Metropolitan District No. 2, The River Mile Metropolitan District No. 3, The River Mile Metropolitan District No. 4, The River Mile Metropolitan District No. 5, and The River Mile Platte Valley Metropolitan District all located in Council District 9. The Committee approved filing this item at its meeting on 6-26-18.

Land Use, Transportation & Infrastructure Committee

[18-0586](#) A resolution approving a proposed Second Amendatory Agreement between the City and County of Denver and WM Curbside, LLC to extend the term for residential household hazardous waste collection.

Amends a contract with WM Curbside, LLC by adding one year for a new end date of 3-31-19 for the door-to-door collection, disposal, and recycling of residential household hazardous waste including oil, pesticides, batteries, and other materials on an appointment basis, citywide. No change to contract amount (201520767). The last regularly scheduled Council meeting within the 30-day review period is on 7-23-18. The Committee approved filing this item at its meeting on 5-22-18.

[18-0667](#) A resolution approving a proposed License Agreement between the City and County of Denver and T-Mobile West, LLC for services related to radio frequency equipment and a communication facility at Red Rocks Amphitheatre.

Approves a revenue contract with T-Mobile West, LLC for \$571,139.28 and through 3-31-26 for a distributed antenna system at Red Rocks Amphitheatre to provide better telecommunications coverage at the venue (THTRS-201733538-00). The last regularly scheduled Council meeting within the 30-day review period is on 7-23-18. The Committee approved filing this item at its meeting on 6-19-18.

[18-0683](#) A resolution approving a proposed Master Purchase Order between the City and County of Denver and Traffic Signal Controls, Inc. to purchase new traffic signal control cabinets.

Approves a master purchase order with Traffic Signal Controls, Inc. for \$2 million for new traffic signal control cabinets to be used for replacement, construction, and upgrade of signalized intersections, citywide (SC-00003027). The last regularly scheduled Council meeting within the 30-day review period is on 7-30-18. The Committee approved filing this item at its meeting on 6-26-18.

Safety, Housing, Education & Homelessness Committee

[18-0642](#) A resolution approving a proposed Agreement between the City and County of Denver and E.T. Technologies, Inc. to provide collection, packaging, management, transportation, and compliant disposal of regulated materials.

Approves a three-year \$15 million on-call contract with E.T. Technologies, Inc. to provide collection, packaging, management, transportation, and compliant disposal of regulated materials (hazardous and non-hazardous wastes) generated by City operations as well as emergency response to spills, abandoned hazardous wastes, and disposal of contaminated soils due to development projects (201842353). The last regularly scheduled Council meeting within the 30-day review period is on 7-30-18. The Committee approved filing this item at its meeting on 6-13-18.

[18-0643](#) A resolution approving a proposed Agreement between the City and County of Denver and Environmental Hazmat Services, Inc. to provide collection, packaging, management, transportation, and compliant disposal of regulated materials.

Approves a three-year \$15 million on-call contract with Environmental Hazmat Services, Inc. to provide collection, packaging, management, transportation, and compliant disposal of regulated materials (hazardous and non-hazardous wastes) generated by City operations as well as role of emergency response to spills, abandoned hazardous wastes, and disposal of contaminated soils due to development projects (201842363). The last regularly scheduled Council meeting within the 30-day review period is on 7-30-18. The Committee approved filing this item at its meeting on 6-13-18.

[18-0645](#) A resolution approving a proposed Agreement between the City and County of Denver and Custom Environmental Services, Inc. to provide collection, packaging, management, transportation, and compliant disposal of regulated materials.

Approves a three-year \$4.5 million on-call contract with Custom Environmental Services, Inc. to provide collection, packaging, management, transportation, and compliant disposal of regulated materials (hazardous and non-hazardous wastes) generated by City operations as well as emergency response to spills, abandoned hazardous wastes, and disposal of contaminated soils due to development projects (201842464). The last regularly scheduled Council meeting within the 30-day review period is on 7-30-18. The Committee approved filing this item at its meeting on 6-13-18.

[18-0671](#) A resolution approving a proposed Second Amendatory Agreement between the City and County of Denver and The Salvation Army to provide emergency shelter facilities and services for homeless men.

Adds \$491,306 and six months to a contract with The Salvation Army for a new total of \$1,984,612 through 12-31-18 for emergency shelter operations at the Crossroads Emergency Shelter located at 1901 29th Street in Council District 9 (SOCSV 2016-31673-02). The last regularly scheduled Council meeting within the 30-day review period is on 7-30-18. The Committee approved filing this item at its meeting on 6-20-18.

[18-0721](#) A resolution authorizing and approving the expenditure and payment from the appropriation account designated "liability claims," the sum of One Hundred Thousand Dollars (\$100,000.00) payable to Marion Stewart, in payment and satisfaction of all claims filed by Mr. Stewart with the Federal Equal Employment Opportunity Commission in EEOC Charge Nos. 541-2015-01548 and 541-2017-00373.

Settles a claim involving the Denver Sheriff Department. This item was approved for filing at the Mayor-Council meeting on 6-26-18.

BILLS FOR INTRODUCTION**Finance & Governance Committee**

[18-0641](#) **A bill for an ordinance increasing the sales and use tax by a rate of 0.25 percent and dedicating the revenue derived from the tax rate increase to fund Denver parks, trails, and open space, subject to the approval of the voters at a special municipal election to be conducted in coordination with the state general election on November 6, 2018.**

Refers a measure to the eligible voters in Denver to extend the sales and use tax to be used to fund Denver's parks and open space. The Committee approved filing this item at its meeting on 6-12-18.

[18-0673](#) **A bill for an ordinance making an appropriation to the Public Health and Wellness Special Revenue Fund.**

Appropriates an additional \$100,000 to the Public Health and Wellness Special Revenue fund for the Healthy Foods Challenge to facilitate access to fresh food in the Globeville and Elyria-Swansea neighborhoods in Council District 9. The Committee approved filing this item at its meeting on 6-19-18.

[18-0680](#) **A bill for an Ordinance creating a new survivor benefit for employees of the City and County of Denver.**

Authorizes continuation of health insurance benefits for one year for families of certain city employees who have died on the job. The Committee approved filing this item at its meeting on 6-26-18.

Land Use, Transportation & Infrastructure Committee

[18-0580](#) **A bill for an ordinance vacating portions of right of way at 17th Street, 18th Street, Pecos Street and the alley bounded by 17th Street, 18th Street, Platte Street and Interstate 25, with reservations.**

Vacates portions of 17th Street, 18th Street, Pecos Street, and the public alley bounded by 17th Street, 18th Street, Platte Street, and Interstate 25 with a partial reservation in Council District 1. The Committee approved filing this item at its meeting on 6-26-18.

[18-0668](#) A bill for an ordinance changing the zoning classification for 2900 South University Boulevard in Wellshire.

Approves an official map amendment to rezone property located at 2900 South University Boulevard from S-SU-F to S-SU-F UO-3 (adding conservation overlay to existing zoning) with Waiver in Council District 4. If ordered published, a public hearing will be held on Monday, 8-6-18. The Committee approved filing this item at its meeting on 6-26-18.

[18-0689](#) A bill for an ordinance revoking the revocable permit granted to Grand American, Inc. by Ordinance No. 176, Series of 2005.

Revokes Ordinance No. 176, Series of 2005, to grant a revocable permit to Grand American, Inc., their successors and assigns, to encroach into the right-of-way with a parking lot at 1701 Platte Street in Council District 1. The Committee approved filing this item at its meeting on 6-26-18.

[18-0699](#) A bill for an ordinance changing the zoning classification for 10050 & 10150 East Harvard Avenue and 2570 South Dayton Way in the Hampden neighborhood.

Approves an official map amendment to rezone land at 10050 East Harvard Avenue, 10150 East Harvard Avenue, and 2570 South Dayton Way from R-2-A to S-MU-5 and S-MU-8 (residential in the former zoning code to suburban, mixed-use) in Council District 4. If ordered published, a public hearing will be held on Monday, 8-6-18. The Committee approved filing this item at its meeting on 6-26-18.

Safety, Housing, Education & Homelessness Committee

[18-0672](#) A bill for an ordinance repealing and reenacting with amendments Articles I through VIII of Chapter 8, Denver Revised Municipal Code concerning animals and for conforming amendments to Chapters 2 and 24, Denver Revised Municipal Code.

Amends Chapter 8 and with conforming amendments to Chapters 2 and 24 of the Denver Revised Municipal Code regarding animal safety to reflect current best practices meant to protect public safety, public health, and the environment; and, to reduce possibility of misinterpretation. The last regularly scheduled Council meeting within the 30-day review period is on 7-30-18. The Committee approved filing this item at its meeting on 6-20-18.

[18-0685](#) A bill for an ordinance approving a proposed Intergovernmental Contract Amendment #3 between the City and County of Denver and State of Colorado, Department of Human Services, for Denver childcare facility inspections.

Adds \$640,642 and one year to the intergovernmental agreement with the Colorado Department of Human Services for a new total of \$2,488,287 through 6-30-19 and modifies the workplan to clarify administrative requirements for reimbursement for child care facility inspections (ENVHL-201521228-05). The last regularly scheduled Council meeting within the 30-day review period is on 7-30-18. The Committee approved filing this item at its meeting on 6-27-18.

[18-0694](#) 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 state general election of November 18, 2018, a proposed amendment to the Charter of the City and County of Denver concerning the qualifications for lateral hires to the Denver Police Department.

Refers a proposed Charter amendment to a vote of the qualified and registered electors of the City and County of Denver at the 11-6-18 election concerning the lateral hiring of police officers for the Denver Police Department. This bill must pass no later than August 27, 2018 to meet the deadlines for the November ballot. The Committee approved filing this item at its meeting on 6-27-18.

BILLS FOR FINAL CONSIDERATION

Business, Arts, Workforce & Aeronautical Services Committee

[18-0651](#) A bill for an ordinance approving a proposed Amendatory 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 low-income youth with summer work experience and job readiness training through the Summer Youth Employment Program (SYEP).

Amends a contract with Denver Public Schools to expand the City's Summer Youth Employment Program (SYEP) for the summer of 2018 increasing the contract by \$100,000 for a new total of \$600,000 and increasing the capacity by 75 to serve 325 youth, citywide (2017-35301-01). The last regularly scheduled Council meeting within the 30-day review period is on 7-16-18. The Committee approved filing this item at its meeting on 6-13-18.

Finance & Governance Committee

[18-0614](#) **A bill for an ordinance amending Chapter 2, Articles IV and V concerning the regulation and disclosures of certain gifts under the code of ethics.**

Clarifies interpretation of the city Ethics Code and Disclosure Ordinance to specify that a donor does not include city agencies, that employee disclosure reports are required only of those who have received a gift, and to establish a new report listing city-paid items, such as travel, that are provided to officers by city agencies. The Committee approved filing this item at its meeting on 6-19-18.

Land Use, Transportation & Infrastructure Committee

[18-0623](#) **A bill for an ordinance approving the execution of a series of Sewer Use and Drainage Permits by the City and County of Denver to provide sanitary sewer and/or wastewater services to property located outside City limits at 1700 South Quebec Street, Denver, Colorado.**

Approves a request to connect the property located outside the City at 1700 South Quebec Street to wastewater facilities within the City boundary. The Committee approved filing this item at its meeting on 6-5-18.

[18-0649](#) **A bill for an ordinance relinquishing a portion of the easement reserved in Ordinance No. 20161198, Series of 2016, recorded with the Denver Clerk & Recorder at Reception No. 2016179729, located in the alley bounded by 15th Street, 16th Street, California Street and Welton Street.**

Relinquishes a portion of an easement established in the Vacating Ordinance No. 1198, Series of 2016, located in the alley bounded by 15th Street, 16th Street, and California Street, and Welton Street in Council District 9. The last regularly scheduled Council meeting within the 30-day review period is on 7-16-18. The Committee approved filing this item at its meeting on 6-12-18.

Safety, Housing, Education & Homelessness Committee

[18-0592](#) A bill for an ordinance approving a proposed Intergovernmental Agreement between the City and County of Denver and The Housing Authority of the City and County of Denver, to launch the new Lower Income Voucher Equity (LIVE Denver) program.

Approves an \$1,180,000 intergovernmental agreement with the Denver Housing Authority (DHA) through 12-31-23 to launch the Lower Income Voucher Equity (LIVE Denver) program to create immediate affordable housing options for employed workers by connecting vacant rental units with income-qualified Denver residents. The Committee approved filing this item at its meeting on 5-23-18.

RECAP OF BILLS TO BE CALLED OUT

PRE-RECESS ANNOUNCEMENT

Tonight, there will be a required public hearing on Council Bill 18-0424, changing the zoning classification for approximately 9701 East 56th Avenue in Stapleton; and, a required public hearing on Council Bill 18-0570, approving the Service Plan for a new metropolitan district Boulevard at Lowry Metropolitan District. Anyone wishing to speak on either 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**Finance & Governance Committee****[18-0570](#) A bill for an ordinance approving the Service Plan for a new metropolitan district Boulevard at Lowry Metropolitan District.**

Approves a service plan for the Boulevard at Lowry Metropolitan District located near 1st and Quebec in the Lowry Redevelopment Plan in Council District 5. The Committee approved filing this item at its meeting on 6-12-18.

Land Use, Transportation & Infrastructure Committee**[18-0424](#) A bill for an ordinance changing the zoning classification for approximately 9701 East 56th Avenue in Stapleton.**

Approves an official map amendment to rezone property located at approximately 9701 East 56th Avenue from M-RH-3 and OS-B to M-RX-5 (master planned, row-home to master planned, residential mixed-use) in Council District 8. The Committee approved filing this item at its meeting on 5-15-18.

PRE-ADJOURNMENT ANNOUNCEMENT

Dependent upon publication, on Monday, August 6, 2018, Council will hold a required public hearing on Council Bill 18-0668, changing the zoning classification for 2900 South University Boulevard in Wellshire; and, a required public hearing on Council Bill 18-0699, changing the zoning classification for 10050 and 10150 East Harvard Avenue and 2570 South Dayton Way in the Hampden neighborhood. Any protests against Council Bill 18-0668 or 18-0699 must be filed with the Council Offices no later than Monday, July 30.

ADJOURN

PENDING

FOR 7-23-18:

[18-0605](#) A bill for an ordinance changing the zoning classification for 4890 Zuni Street in Chaffee Park.

Rezones 4890 Zuni Street in Chaffee Park from E-SU-Dx to E-MX-2x (urban edge, single-unit to urban edge, mixed use) with waivers in Council District 1. The Committee approved filing this item at its meeting on 6-12-18.

Final Consideration**Required Public Hearing****[18-0619](#) A bill for an ordinance changing the zoning classification for 146 Madison Street in Cherry Creek.**

Rezones property located at 146 Madison Street from B-1 with waivers and conditions to C-MX-5 (business, limited office to urban center, mixed-use) in Council District 10. The Committee approved filing this item at its meeting on 6-12-18.

Final Consideration**Required Public Hearing**

FOR 7-30-18:

[18-0656](#) A resolution to set a public hearing on the approval of the Service Plan for a new metropolitan district Football Stadium Metropolitan District.

Sets a public hearing before City Council on the Football Stadium Metropolitan District on 7-30-18. The Committee approved filing this item at its meeting on 6-12-18.