

City Council Meeting of Monday, December 3, 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

[18-1444](#) Minutes of Monday, November 26, 2018

COUNCIL ANNOUNCEMENTS

PRESENTATIONS

COMMUNICATIONS

PROCLAMATIONS

RESOLUTIONS

Business, Arts, Workforce, & Aviation Services Committee

[18-1337](#) **A resolution approving a proposed Purchase Order between the City and County of Denver and ITW GSE, Inc. concerning ground power units and air units for jet bridges and gates at Denver International Airport.**

Approves a purchase order with ITW GSE, Inc. for \$1,762,410.16 for 16 ground power units and 11 preconditioned air units for jet bridges and gates at Denver International Airport (PO-00052525). 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 11-21-18.

[18-1353](#) **A resolution approving a proposed Agreement between the City and County of Denver and Quiz-DIA, LLC concerning casual dining services at Denver International Airport.**

Approves a contract with QUIZ-DIA, LLC doing business as Chef Jimmy's, for \$1,671,206.20 Minimum Annual Privilege Fee (MAPF) and for ten years for casual dining services with alcohol on the A Concourse at Denver International Airport (201845381). 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 11-21-18.

Finance & Governance Committee**[18-1338](#) A resolution approving the Mayor's appointments and reappointments to the Denver Downtown Development Authority Board of Directors.**

Approves the following Mayoral appointments and reappointments to the Denver Downtown Development Authority Board of Directors: reappointments of Frank Cannon and Jay Lambiotte for terms effective immediately and expiring 6-30-21; and the appointments of Marshall Johnston and Doug Tisdale for terms effective immediately and expiring 6-30-22, or until a successor is duly appointed. The Committee approved filing this resolution by consent on 11-20-18.

[18-1352](#) A resolution approving a proposed Amendatory Agreement by and between the City and County of Denver and Clear Selections Group, Inc. d/b/a Liberty Waste Management to extend the term and increase the compensation for on-call rental services of portable toilets.

Amends an on-call contract with Clear Selections Group, Inc. doing business as Liberty Waste Management, by adding one year for a new end date of 12-31-19 for rental services of portable toilets, citywide. No change to contract amount (GENRL-201631628-01). 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 11-20-18.

[18-1355](#) A resolution approving a proposed Amendatory Agreement by and between the City and County of Denver and HSS, Inc. to extend the term, increase the compensation and revise the scope of work to provide unarmed and armed security personnel services.

Amends a contract with HSS, Inc. by adding \$3,300,000 for a new total of \$22,300,000, adding one year for a new end date of 12-31-19 and revising the original scope of work to include additional locations, for various unarmed and armed security services, citywide (GENRL-201524822-01). 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 11-20-18.

Land Use, Transportation & Infrastructure Committee

[18-1341](#) A resolution laying out, opening and establishing as part of the City street system a parcel of land as a public alley bounded by East Asbury Avenue, South Broadway, East Jewell Avenue and South Lincoln Street.

Dedicates a parcel of land as public right of way as public alley, located at the alley bounded by East Asbury Avenue, South Broadway, East Jewell Avenue and South Lincoln Street in Council District 7. The Committee approved filing this item at its meeting on 11-20-18.

Safety, Housing, Education & Homelessness Committee

[18-1278](#) A resolution approving a proposed Loan Agreement between the City and County of Denver and Walnut Street Lofts, LLLP to construct a structure at 3733 Walnut Street containing 66 units of income-restricted housing.

Approves a loan agreement with Medici Development LLC., doing business as Walnut Street Lofts, LLLP for \$1,350,000 to support the construction of 66 units of income-restricted housing for residents earning between 0% and 60% of area median income, located at 3601, 3733, and 3789 Walnut Street in Council District 9 (OEDEV-201844238-00). 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 11-14-18.

[18-1310](#) A resolution approving a proposed Second Amendatory Agreement between the City and County of Denver and The Mouty Group, LLC to extend the term, increase the maximum amount and update the scope of services for deliverables on criminal justice technology projects, and other projects and services as assigned by the Department of Safety.

Amends a contract with The Mouty Group, LLC by adding \$216,000 for a new total of \$672,120 and one year for a new end date of 12-31-19 to complete the Electronic Warrants project, Mobile Fingerprints in the Field project and other criminal justice technology projects for the Department of Safety, citywide (POLIC-201630777-01). 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 11-14-18.

[18-1328](#) A resolution approving a proposed Amendatory Agreement between the City and County of Denver and Volunteers of America Colorado Branch to provide emergency shelter services.

Amends a contract with Volunteers of America Colorado Branch by adding \$515,400 for a new total of \$1,006,200 for emergency short-term shelter for individuals and families when the city's emergency shelter beds are full (SOCSV-2018-39578-01). 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 11-14-18.

[18-1342](#) A resolution approving a proposed Second Amendatory Agreement between the City and County of Denver and Mental Health Center of Denver to provide housing assistance and support services to homeless individuals.

Amends a contract with Mental Health Center of Denver by reducing the total amount by \$400,000 for a new total of \$1,300,000 to unencumber funds ultimately billable to Medicaid and for use on future services contracts, for housing and treatment services for 75 chronically homeless individuals with co-occurring mental illness and substance use disorders, citywide (SOCSV-2016-31657-02). 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 11-21-18.

BILLS FOR INTRODUCTION

Finance & Governance Committee

[18-1362](#) A bill for an ordinance amending Ordinance No. 144 in the Series of 2011 to expand allowable revenues to the "Energy Conservation Capital Projects" Fund, making a rescission from the General Services General Fund Appropriation, and transferring cash to and making an appropriation in the "Energy Conservation Capital Projects" Fund.

Amends Ordinance No. 0144 in Series 2011, establishing the Energy Conservation Capital Projects Fund, to expand the scope of allowable revenues to the Fund; and approves rescinding \$1,000,000 from the General Services General Fund appropriation, transferring cash and making appropriations to the Energy Conservation Capital Projects Fund to fund additional energy conservation projects, citywide. The Committee approved filing this item at its meeting on 11-20-18.

[18-1420](#) **A bill for an ordinance compiling and codifying the fund plan, tax imposition, and tax remittance portions of the four sales and use tax increases approved by the people of the City and County of Denver at the General Election conducted on November 6, 2018.**

Sales and use tax ballot measures reconciliation bill. The Committee approved filing this item at its meeting on 11-27-18.

Safety, Housing, Education & Homelessness Committee

[18-1308](#) **A bill for an ordinance amending Articles I and III, amending and repealing Articles II and IV of Chapter 14, and amending Article I of Chapter 54, Denver Revised Municipal Code of the Denver County Court rules and procedures for hours, bonds, fees, records, reports, clerk's duties, ministerial and administrative functions and traffic regulations.**

Amends Chapter 14 and Chapter 54 of the Denver Revised Municipal Code (DRMC) to repeal the bond fee assessed by the courts, clarify regular court session hours, eliminate the bond requirement for the chief clerk and deputy clerk, and other changes concerning traffic regulations. The Committee approved filing this item at its meeting on 11-14-18.

[18-1324](#) **A bill for an ordinance approving an Agreement between the City and County of Denver and Denver Health and Hospital Authority for medical child welfare services.**

Approves a contract with Denver Health and Hospital Authority (DHHA) for \$868,693 and for one year for child abuse and neglect medical evaluations, consultation services, medical passport services, and nursing health assessment triage and training (SOCSV2018-44199). 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 11-14-18.

BILLS FOR FINAL CONSIDERATION**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.

RECAP OF BILLS TO BE CALLED OUT

PRE-RECESS ANNOUNCEMENT

Tonight there will be a required public hearing on Council Bill 18-1163, changing the zoning classification for 7900 East Colfax Avenue; a required public hearing on Council Bill 18-1164, changing the zoning classification for 8315 East Colfax Avenue and 1500 Valentia Street; and, a required public hearing on Council Bill 18-1075, changing the zoning classification for 4201 East Arkansas Avenue. Anyone wishing to speak on any of these matters 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

[18-1163](#) 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.

[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.

[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.

PRE-ADJOURNMENT ANNOUNCEMENT

ADJOURN

PENDING

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**