

City Council Meeting of Monday, June 3, 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 online or 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. 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 online at <https://www.denvergov.org/councilpublicinput>, by phone at 720-337-2000, or in person in Rm. 451, City & County Building. Sign up starts at 12:00 p.m. the Friday before the session is held, and closes at 4:30 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

[19-0528](#) Minutes of Monday, May 20, 2019

COUNCIL ANNOUNCEMENTS

PRESENTATIONS

COMMUNICATIONS

PROCLAMATIONS

[19-0474](#) A proclamation declaring the first Friday in June, June 7, to be National Gun Violence Awareness Day.

Sponsor Kashmann

RESOLUTIONS

Business, Arts, Workforce, & Aviation Services Committee

[19-0466](#) **A resolution approving a proposed first Amendment between the City and County of Denver and Bombardier Transportation (Holdings) USA Inc. concerning clarification and conformity of the contract for the concourse train system at Denver International Airport.**

Amends a contract with Bombardier Transportation (Holdings) Inc. to clarify conflicting language within the different sections of the contract to ensure clarity and conformity regarding substantial completion, detailed project milestones, and the safety certification to construct, supply, test, and integrate, twenty-six APM300R People mover vehicles for the airside concourse train system at Denver International Airport. No change to contract amount or duration (201841190-01). The last regularly scheduled Council meeting within the 30-day review period is on 6-17-19. The Committee approved filing this item at its meeting on 5-15-19.

[19-0467](#) A resolution approving a proposed Agreement between the City and County of Denver and AECOM Technical Services Inc. concerning on-call facility assessments at Denver International Airport.

Approves an on-call contract with AECOM Technical Services Inc. for \$8,000,000 and through 06-02-24 to provide investigation and assessment of condition of a potential wide range of facility items, including structural items such as roofs, walls, flooring and caissons; electrical supply and distribution gear; other utility distribution such as sewer, water or gas; HVAC systems; life safety related equipment such as fire suppression and detection; specialized aviation related equipment such as lighting; parking garages; public conveyances; public address systems; automated doorways; fuel or chemical delivery systems at Denver International Airport (201738611). The last regularly scheduled Council meeting within the 30-day review period is on 6-17-19. The Committee approved filing this item at its meeting on 5-15-19.

[19-0468](#) A resolution approving a proposed Agreement between the City and County of Denver and Flatiron Constructors Inc. concerning on-call airfield construction task orders at Denver International Airport.

Approves an on-call contract with Flatiron Constructors Inc. for \$6,000,000 and three years for construction task orders on the airfield, including demolition, earthwork and turf, paving, fencing, drainage, erosion controls and utilities, lighting and signage, traffic control and haul route monitoring at Denver International Airport (201842969). The last regularly scheduled Council meeting within the 30-day review period is on 6-17-19. The Committee approved filing this item at its meeting on 5-15-19.

[19-0469](#) A resolution approving a proposed Agreement between the City and County of Denver and Interstate Highway Construction Inc. concerning on-call airfield construction task orders at Denver International Airport.

Approves an on-call contract with Interstate Highway Construction Inc. for \$6,000,000 and three years for construction task orders on the airfield, including demolition, earthwork and turf, paving, fencing, drainage, erosion controls and utilities, lighting and signage, traffic control and haul route monitoring at Denver International Airport (201846691). The last regularly scheduled Council meeting within the 30-day review period is on 6-17-19. The Committee approved filing this item at its meeting on 5-15-19.

[19-0470](#) A resolution approving a proposed Agreement between the City and County of Denver and Earth Services & Abatement, LLC concerning the maintenance of grease and sand pretreatment devices at Denver International Airport.

Approves a contract with Earth Services & Abatement Inc. for \$1,008,966 and for three years, with two additional one-year options to extend, for the maintenance of grease and sand pretreatment devices and associated drain lines servicing common use areas at Denver International Airport (201947417-00). The last regularly scheduled Council meeting within the 30-day review period is on 6-17-19. The Committee approved filing this item at its meeting on 5-15-19.

[19-0480](#) A resolution approving a proposed Purchase Order between the City and County of Denver and Batts, Inc. concerning the purchase of two deicer trucks for Denver International Airport.

Approves a purchase order with Batts Inc. for \$608,983.64 for two 2019 Batts 4000/50 Gallon Deicer Trucks on Wester Star 4700 Chassis for runway operations at Denver International Airport (PO-00064154). The last regularly scheduled Council meeting within the 30-day review period is on 6-24-19. The Committee approved filing this item at its meeting on 5-22-19.

[19-0481](#) A resolution approving a proposed Purchase Order between the City and County of Denver and Wagner Equipment Company, Inc. concerning the purchase of two Caterpillar loaders for Denver International Airport.

Approves a purchase order with Wagner Equipment Company, Inc. for \$1,048,979.96 for two Caterpillar Model 980M 7.5-yard loaders to support runway operations at Denver International Airport (PO-00064518). The last regularly scheduled Council meeting within the 30-day review period is on 6-24-19. The Committee approved filing this item at its meeting on 5-22-19.

[19-0482](#) A resolution approving a proposed Purchase Order between the City and County of Denver and RPM Tech Inc. concerning the purchase of two cold air blowers to support runway operations at Denver International Airport.

Approves a purchase order with RPM Tech, Inc. for \$824,828 for two 2019 AF1-EVO Cold Air Blowers to support runway operations at Denver International Airport (PO-00064095). The last regularly scheduled Council meeting within the 30-day review period is on 6-24-19. The Committee approved filing this item at its meeting on 5-22-19.

[19-0490](#) A resolution approving a proposed Agreement between the City and County of Denver and Southwest Airlines Co. concerning a ground lease to prepare for the construction of a new hangar at Denver International Airport.

Approves a Ground Lease Agreement with Southwest Airlines Co. for \$1,212,717.84 and one year to commence site preparation/ground work in anticipation of their construction of an aircraft maintenance hangar facility at Denver International Airport (201947863-00). The last regularly scheduled Council meeting within the 30-day review period is on 6-24-19. The Committee approved filing this item at its meeting on 5-22-19.

[19-0491](#) A resolution approving a proposed Agreement between the City and County of Denver and United Airlines, Inc. concerning a marketing incentive to promote air service to Frankfurt, Germany at Denver International Airport.

Approves a contract with United Airlines, Inc. for an air service marketing incentive in the amount of \$2,000,000 and one year to promote a new international destination service to Frankfurt, Germany, from Denver International Airport (201947887). The last regularly scheduled Council meeting within the 30-day review period is on 6-24-19. The Committee approved filing this item at its meeting on 5-22-19.

[19-0492](#) A resolution approving a proposed Agreement between the City and County of Denver and United Airlines, Inc. concerning an operational incentive to promote air service to Frankfurt, Germany at Denver International Airport.

Approves a contract with United Airlines, Inc. for an operational incentive agreement in the amount of \$2,500,000 and one year for credits against operational expenses to promote a new international destination service to Frankfurt, Germany, from Denver International Airport (201947913). The last regularly scheduled Council meeting within the 30-day review period is on 6-24-19. The Committee approved filing this item at its meeting on 5-22-19.

Finance & Governance Committee**[19-0444](#) A resolution approving the Mayor's appointment to the Denver African American Commission.**

Approves the Mayoral appointment of Melanie Williams to the Denver African American Commission for a term effective immediately and expiring 09-26-21, or until a successor is duly appointed. The Committee approved filing this resolution by consent on 5-14-19.

[19-0464](#) A resolution approving a proposed Amendatory Lease Agreement between the City and County of Denver and Denver Urban Gardens to extend the term and increase the rent.

Amends a lease agreement with Denver Urban Gardens by adding \$15 for a new total of \$30 and five years for a new end date of 09-30-23 for community gardens to promote learning and healthy living, and linking gardens with related local food systems projects, located at 1350 East Florida Avenue, 201 Grant Street, and 2200 Emerson Street in Council Districts 6, 7, and 9 (FINAN-201313505-01). The last regularly scheduled Council meeting within the 30-day review period is on 6-17-19. The Committee approved filing this item at its meeting on 5-14-19.

[19-0489](#) A resolution approving a proposed Amended and Restated Denver Arena Agreement Including Basketball and Hockey Commitments Agreement between the City and County of Denver and Kroenke Arena Company, LLC, The Denver Nuggets Limited Partnership and Colorado Avalanche, LLC.

Approves an agreement with Kroenke Arena Company, LLC, The Denver Nuggets Limited Partnership, and the Colorado Avalanche, LLC, through 06-30-40 to extend the teams' obligations to remain in the City and maintain certain use rights at the Pepsi Center beyond the current term expiration date, in exchange for an early termination of the current Ground Lease and conveyance of the land to Kroenke Arena, and a release from certain financial covenants in accordance with the terms and conditions of this Agreement (FINAN-201950342). The last regularly scheduled Council meeting within the 30-day review period is on 6-24-19. The Committee approved filing this item at its meeting on 5-21-19.

Land Use, Transportation & Infrastructure Committee**[19-0445](#) A resolution granting a revocable permit to Platte Street Plaza Owners Association, to encroach into the right-of-way at 16th Street and Platte Street.**

Grants a revocable permit to Platte Street Plaza Owners Association, their successors and assigns, to encroach into the right of way with six pedestrian lighting poles, electrical receptacles, brick paving, timber benches, site steps with accompanying handrails, irrigation lines and an existing tap for a subsurface system, and a masonry screen wall along the edge of property line, at 16th Street and Platte Street in Council District 1. The Committee approved filing this item at its meeting on 5-14-19.

[19-0451](#) A resolution laying out, opening and establishing as part of the City street system a parcel of land as North Claude Court at the intersection of East 47th Avenue and North Claude Court.

Dedicates a parcel of land as public right of way as North Claude Court, located at the intersection of East 47th Avenue and North Claude Court in Council District 9. The Committee approved filing this item at its meeting on 5-14-19.

[19-0458](#) A resolution granting a revocable permit to Revesco UPVF1 - 17th Street, LLLP, to encroach into the right-of-way at 2721 17th Street.

Grants a revocable permit to Revesco UPVF1 - 17th Street LLLP, their successors and assigns, to encroach into the right of way with a steel awning with supports atop an elevated entrance with railings, and two detached, elevated concrete patios at 2721 17th Street in Council District 1. The Committee approved filing this item at its meeting on 5-14-19.

[19-0487](#) A resolution approving a proposed Second Amendatory Agreement to Concession License between the City and County of Denver and Flog, LLC for providing concession services and maintenance at Overland Golf Course.

Amends a contract with Flog, LLC for food and beverage services at Overland Golf Course in Council District 7 to replace the requirement to purchase and install a permanent tent with capital improvements of equal value. No change to contract amount or duration (201738457). The last regularly scheduled Council meeting within the 30-day review period is on 6-24-19. The Committee approved filing this item at its meeting on 5-21-19.

Safety, Housing, Education & Homelessness Committee**[19-0354](#) A resolution approving a proposed Agreement between the City and County of Denver and Catholic Charities and Community Services of The Archdiocese of Denver, Inc. for Head Start Services for Program Year 2019-2020.**

Approves a contract with Catholic Charities and Community Services of the Archdiocese of Denver for \$1,280,571 and through 06-30-20 to provide direct Head Start services to 195 children, in Council Districts 3,7,8, and 9 (201948395). The last regularly scheduled Council meeting within the 30-day review period is on 6-17-19. The Committee approved filing this item at its meeting on 4-17-19.

[19-0355](#) A resolution approving a proposed Agreement between the City and County of Denver and Clayton Early Learning, Trustee, George W. Clayton Trust for Head Start Services for Program Year 2019-2020.

Approves a contract with Clayton Early Learning for \$1,319,878 and through 06-30-20 to provide direct Head Start services to 201 children, in Council Districts 8 and 11 (201948396). The last regularly scheduled Council meeting within the 30-day review period is on 6-17-19. The Committee approved filing this item at its meeting on 4-17-19.

BILLS FOR INTRODUCTION**Finance & Governance Committee****[19-0462](#) A bill for an ordinance approving a proposed Easement Agreement between the City and County of Denver and Lowry Environmental Protection/Cleanup Trust Fund, to install, operate, and maintain a new water pipeline.**

Approves an Easement Agreement with Lowry Environmental Protection/Cleanup Trust Fund to install, operate, and maintain a new water pipeline across city owned property in perpetuity, located near the intersection of Hampden Avenue and Gun Club Road in unincorporated Arapahoe County, to further the environmental remediation of the Lowry Landfill Superfund Site (FINAN-201948549-00). The last regularly scheduled Council meeting within the 30-day review period is on 6-17-19. The Committee approved filing this item at its meeting on 5-14-19.

[19-0471](#) A bill for an ordinance approving a proposed Agreement between the City and County of Denver and Regional Transportation District (RTD) to offer RTD's Flexpass monthly transit passes to Denver on-call/seasonal employees in 2019.

Approves an intergovernmental agreement with the Regional Transportation District (RTD) for \$44,000 and through 12-31-19 to offer RTD's Flexpass monthly transit passes to Denver on-call/seasonal employees in 2019 (201948043). The last regularly scheduled Council meeting within the 30-day review period is on 6-24-19. The Committee approved filing this item at its meeting on 5-14-19.

[19-0497](#) A bill for an ordinance approving the appointment of Joseph Michaels to the Denver Board of Ethics.

The Committee approved filing this item at its meeting on 5-21-19.

Land Use, Transportation & Infrastructure Committee

[19-0331](#) 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 to add additional funds regarding the Platte Farm Open Space Detention Basin.

Amends an intergovernmental agreement with Urban Drainage and Flood Control District (UDFCD) by adding \$600,000 in UDFCD funds and \$1,206,102.89 in City funds for a new agreement total of \$2,606,102.89, for the design and construction of drainage and flood control improvements at Platte Farm Open Space at 49th Avenue and Grant Street in Council District 9 (201733020). The last regularly scheduled Council meeting within the 30-day review period is on 6-17-19. The Committee approved filing this item at its meeting on 4-9-19.

[19-0461](#) A bill for an ordinance vacating the alley bounded by East 43rd Avenue, North Steele Street, East 42nd Avenue and North Milwaukee Street, with reservations.

Vacates the alley bounded by East 43rd Avenue, North Steele Street, East 42nd Avenue, and North Milwaukee Street, adjacent to the east of 3125 East 42nd Avenue, with reservations, in Council District 9. The Committee approved filing this item at its meeting on 5-14-19.

[19-0465](#) A bill for an ordinance amending Section 39-121 of the Revised Municipal Code of the City and County of Denver regarding the Schedule for Use of Facilities, specifically for the Urban Farm.

Amends Section 39-121 of the Denver Revised Municipal Code (DRMC) to establish fees for admission for The Urban Farm Facility located in Council District 8. The Committee approved filing this item at its meeting on 5-21-19.

[19-0477](#) A bill for an ordinance approving and accepting the Far Northeast Area Plan, which plan shall become a part of the Comprehensive Plan 2040 for the City and County of Denver pursuant to the provisions of Section 12-61 of the Denver Revised Municipal Code.

Adopts the Far Northeast Area Plan, as part of the city's Comprehensive Plan. If ordered published, a courtesy public hearing will be held on Monday, 6-10-19. The Committee approved filing this item at its meeting on 5-21-19.

BILLS FOR FINAL CONSIDERATION

Land Use, Transportation & Infrastructure Committee

[19-0337](#) 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 to add additional funds for the Marston Lake North Drainageway Project.

Amends an intergovernmental agreement with Urban Drainage and Flood Control District (UDFCD) by adding \$250,790 of City funds for a new total of \$3,600,790, to remove properties from the regulated floodplain associated with the Marston Lake North Drainageway Improvements Project from South Garrison Street to the Eastern Limit of West Stanford Avenue in Council District 2. No change to agreement duration (201313021-04). The last regularly scheduled Council meeting within the 30-day review period is on 6-10-19. The Committee approved filing this item at its meeting on 4-9-19.

Safety, Housing, Education & Homelessness Committee**[19-0358](#) A bill for an ordinance approving a proposed Agreement between the City and County of Denver and School District No. 1 in the City and County of Denver and the State of Colorado, for Head Start Services for Program Year 2019-2020.**

Approves an intergovernmental agreement with School District Number One for \$1,981,515 and through 06-30-20 to provide direct Head Start services to 302 children, citywide (201948397). The last regularly scheduled Council meeting within the 30-day review period is on 6-10-19. 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 19-0352, changing the zoning classification for 4891 Lincoln Street; and, a required public hearing on Council Bill 19-0380, changing the zoning classification for multiple properties located in the University Park neighborhood. Anyone wishing to speak on any of these matters must see the Council Secretary or go online 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****[19-0352](#) 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. 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. The Committee approved filing this item at its meeting on 4-23-19.

PRE-ADJOURNMENT ANNOUNCEMENT

Dependent upon publication, on Monday, June 10, 2019, Council will hold a courtesy public hearing on Council Bill 19-0477, approving and accepting the Far Northeast Area Plan, which plan shall become a part of the Comprehensive Plan 2040 for the City and County of Denver pursuant to the provisions of Section 12-61 of the Denver Revised Municipal Code.

ADJOURN

PENDING

FOR 6-10-19:

[19-0403](#) A bill for an ordinance changing the zoning classification of 1683, 1685, 1687, 1691, 1693, 1695, and 1699 Cedar Avenue in Washington Park.

Approves an official map amendment to rezone properties from PUD-G 5 to PUD-G 22 (changing the footprint and floor area limitations), for properties located at 1683, 1685, 1687, 1691, 1693, 1695, and 1699 Cedar Avenue in Council District 6. The Committee approved filing this item at its meeting on 4-30-19.

FOR 6-17-19:

[19-0407](#) A bill for an ordinance changing the zoning classification for 7698 Jewell Avenue and 1901 South Ulster Street in Indian Creek.

Approves an official map amendment to rezone properties from S-SU-D and OS-C to OS-C and OS-B (suburban to open space) with Waivers, for properties located at 7698 Jewell Avenue and 1901 South Ulster Street in Council District 6. The Committee approved filing this item at its meeting on 5-7-19.

FOR 6-24-19:

[19-0401](#) A bill for an ordinance changing the zoning classification for the area bounded by 17th Avenue, Lowell Boulevard, 16th Avenue, Newton Street & 1570, 1572, 1576, 1578, 1580, 1584, 1586, 1590, 1592 Meade Street in West Colfax.

Approves an official map amendment to rezone properties from PUD 8, U-TU-C to PUD-G, U-TU-C, (planned development to urban, two-unit) for the properties located at the block bounded by Newton Street, 17th Avenue, Lowell Boulevard, and 16th Avenue and 1570, 1572, 1576, 1578, 1580, 1584, 1586, 1590, 1592 Meade Street in Council District 3. The Committee approved filing this item at its meeting on 4-30-19.

[19-0406](#) A bill for an ordinance changing the zoning classification for 1901 S. Navajo Street and 1900 S. Osage Street in College View - South Platte.

Approves an official map amendment to rezone properties from I-MX-3 to I-MX-5, (increases the height limit from 3 to 5 stories) for properties located at 1901 South Navajo Street and 1900 South Osage Street in Council District 7. The Committee approved filing this item at its meeting on 5-7-19.