

City Council Meeting of Monday, December 2, 2019

City and County of Denver

Robin Kniech.....At Large
Deborah "Debbie" Ortega.....At Large
Amanda P. Sandoval.....District 1
Kevin Flynn.....District 2
Jamie Torres.....District 3
Kendra Black.....District 4
Amanda Sawyer.....District 5
Paul Kashmann.....District 6



Jolon Clark.....District 7
Christopher Herndon.....District 8
Candi CdeBaca.....District 9
Chris Hinds.....District 10
Stacie Gilmore.....District 11
Mar'quasa Hopson.....Secretary

Room 450
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

[19-1336](#) Minutes of Monday, November 25, 2019

COUNCIL ANNOUNCEMENTS

PRESENTATIONS

COMMUNICATIONS

PROCLAMATIONS

RESOLUTIONS

Business, Arts, Workforce, & Aviation Services Committee

[19-1220](#) **A resolution approving a proposed Contract between the City and County of Denver and AXS Group, LLC to add compensation and five years to provide ticketing services, box office operation, information and call center functions, and marketing support for City venues.**

Approves a contract with AXS Group, LLC for \$5,010,613 and for five years to provide ticketing services, box office operation, information and call center functions, and marketing support for City venues (THTRS-201952501). The last regularly scheduled Council meeting within the 30-day review period is on 12-23-19. The Committee approved filing this item at its meeting on 11-20-19.

[19-1238](#) A resolution approving a proposed Fourth Amendatory Agreement between the City and County of Denver and Amelie Company to add additional work, extend the term and add compensation to facilitate the Youth Marijuana Education and Prevention Campaign.

Amends a contract with Amelie Company by adding \$450,000 for a new total of \$2,900,000 and one year for a new end date of 12-31-20 to facilitate the Youth Marijuana Education and Prevention Campaign through strategic planning, creative development, media planning and placement, implementation, and performance tracking and measurement, citywide (EXCIS-201731482-01). The last regularly scheduled Council meeting within the 30-day review period is on 12-23-19. The Committee approved filing this item at its meeting on 11-20-19.

[19-1268](#) A resolution approving a proposed Amendatory Agreement between the City and County of Denver and Aramark Sports and Entertainment Services, LLC to remove obsolete language for food and beverage services, concessions, catering and other services and add minimum wage ordinance requirements.

Amends a concession agreement with Aramark Sports and Entertainment Services, LLC by adding two years for a new end date of 10-31-22, removes obsolete language for food and beverage services, concessions, catering and other services and adding minimum wage ordinance requirements at the Denver Coliseum and Red Rocks Amphitheatre. No change to agreement amount (THTRS-201737254-01 THTRS-201950684-01). The last regularly scheduled Council meeting within the 30-day review period is on 12-23-19. The Committee approved filing this item at its meeting on 11-20-19.

Land Use, Transportation & Infrastructure Committee**[19-1252](#) A resolution approving a proposed CM/GC Construction Contract between the City and County of Denver and AP Mountain States, LLC d/b/a Adolphson & Peterson Construction for construction services to complete the National Western Center Stockyard Event Center and South Stockyards.**

Approves a contract with AP Mountain States, doing business as Adolphson & Peterson, for \$8,529,490 and through 3-17-21 for the construction and associated administrative services of the National Western Center Stockyard Event Center and South Stockyards including early site work, utilities, building foundations, long lead materials (elevators, mechanical equipment, structural steel) and Pre-Engineered metal building in Council District 9 (201952497). The last regularly scheduled Council meeting within the 30-day review period is on 12-23-19. The Committee approved filing this item at its meeting on 11-12-19.

[19-1261](#) A resolution approving a proposed Second Amendatory Agreement between the City and County of Denver and SP Plus Corporation to increase the amount and extend the term.

Amends a contract with SP Plus Corporation by adding \$2,100,000 for a new total of \$10,635,107 and one year for a new end date of 9-30-20 for the operation and administration of three downtown city-owned parking garages (201417250 201951430). The last regularly scheduled Council meeting within the 30-day review period is on 12-23-19. The Committee approved filing this item at its meeting on 11-19-19.

[19-1267](#) A resolution accepting and approving the plat of Stapleton Filing No. 59.

Approves a subdivision plat for Stapleton Filing No. 59, located between Beeler Court, Northfield Boulevard, future Dallas Street and future 49th Place in Council District 8. The Committee approved filing this item at its meeting on 11-19-19.

[19-1275](#) A resolution approving a proposed Amendatory Agreement between the City and County of Denver and Groundfloor Media, Inc. by adding compensation for the Parks and Recreation Forestry Division's public education campaign.

Amends a contract with Groundfloor Media, Inc. by adding \$300,000 for a new total of \$1,050,000 for the Parks and Recreation Forestry Division's public education campaign to inform residents about actions they can take against the Emerald Ash Borer, a non-native insect, citywide. No change to contract duration (201523635). The last regularly scheduled Council meeting within the 30-day review period is on 12-23-19. The Committee approved filing this item at its meeting on 11-19-19.

Safety, Housing, Education & Homelessness Committee

[19-1230](#) A resolution approving a proposed First Amendment and Modification Agreement between the City and County of Denver and 101 Apartment Developers, LLC to add language allowing the City's loan to take a subordinate position to the Colorado Housing and Finance Authority Land Use Restriction Agreement to support the construction of 102 units of income-restricted housing through a redevelopment of the historic 101 South Broadway building located at 21 W. 1st Avenue in the Baker neighborhood.

Amends a loan agreement with 101 Apartment Developers, LLC to add language allowing the City's loan to take a subordinate position to the Colorado Housing and Finance Authority's (CHFA) Land Use Restriction Agreement (LURA) to support the construction of 102 units of income-restricted housing for residents earning 60% of area median income located at 21 West 1st Avenue in Council District 7. No change to agreement amount or duration (OEDEV-201738188-00). The last regularly scheduled Council meeting within the 30-day review period is on 12-23-19. The Committee approved filing this item at its meeting on 11-13-19.

[19-1253](#) A resolution approving a proposed Amendment and Modification Agreement between the City and County of Denver and Moline@Stapleton Apartments, LLLP to allow the City to subordinate its deed of trust to a land use restriction agreement.

Amends an agreement with Moline@Stapleton Apartments, LLLP to add language allowing the City's loan to take a subordinate position to the Colorado Housing and Finance Authority's (CHFA) Land Use Restriction Agreement (LURA) to support the development of Moline@Stapleton Apartments, a 180 unit affordable housing community located at 2820 Moline Street in Council District 8. No change to agreement amount or duration (OEDEV-201735845-00). The last regularly scheduled Council meeting within the 30-day review period is on 12-23-19. The Committee approved filing this item at its meeting on 11-13-19.

[19-1270](#) A resolution approving a proposed Fifth Amendatory Agreement between the City and County of Denver and Bailey & Deatsch, P.C. by adding compensation and a new end date to provide indigent defense.

Amends a contract with Bailey & Deatsch P.C. by adding \$207,345.60 for a new total of \$880,531.20 and one year for a new end date of 12-31-20 to provide indigent defense to those charged with a municipal ordinance violation when the Office of the Municipal Public Defender has a conflict of interest (DOMDP - 201525248 201952170). The last regularly scheduled Council meeting within the 30-day review period is on 12-23-19. The Committee approved filing this item at its meeting on 11-20-19.

BILLS FOR INTRODUCTION

City Council - Direct Files

[19-1292](#) A bill for an ordinance codifying the existing office of legislative services and specifying its personnel, duties and functions.

A bill for an ordinance codifying the existing office of legislative services and specifying its personnel, duties and functions. Council member Kniech approved direct filing this item on 11-27-19.

Finance & Governance Committee**[19-1195](#) A bill for an ordinance establishing a new fund in the General Government Special Revenue Fund Series for the "Stapleton Retained Tax Reserve" Fund.**

Establishes the Stapleton Retained Tax Reserve Special Revenue Fund in the General Government Special Revenue Fund Series. The Committee approved filing this item at its meeting on 11-19-19.

[19-1236](#) A bill for an ordinance approving the Mayor's appointments and reappointment to the Denver Community Corrections Board.

Approves the following Mayoral appointments and reappointment to the Denver Community Corrections Board: appointment of Steven Abraham to serve as a representative of the District Attorney's Office for a term effective immediately and expiring 6-30-21; appointment of Paul Rosenthal to serve as a citizen representative for a term effective immediately and expiring 6-30-22; and appointment of Frances Gomez to serve as a representative of the Sheriff's Department for a term effective immediately and expiring 6-30-22 or until a successor is duly appointed and the reappointment of Jane Prancan to serve as a citizen representative for a term effective immediately and expiring 6-30-23 or until a successor is duly appointed. The Committee approved filing this item by consent on 11-19-19.

[19-1240](#) A bill for an ordinance making a rescission from General Fund Contingency, making a supplemental appropriation to the Denver Police Department, making appropriations in the General Fund to make cash transfers to the Capital Improvements and Capital Maintenance Fund, and making a supplemental appropriation in the Environmental Services Enterprise Fund.

Rescinds \$6,196,000 from General Fund Contingency to make a supplemental appropriation in the Denver Police Department, to make a cash transfer to and appropriations in the Capital Improvement and Maintenance Projects Fund for technology investments and for capital improvements to the 405 South Platte project, and approves a supplemental appropriation of \$250,000 in the Environmental Services Enterprise Fund. The Committee approved filing this item at its meeting on 11-19-19.

[19-1260](#) A bill for an ordinance authorizing expenditures from the Dental Self-Insurance Fund.

Approves an appropriation for the 2020 Self-Insured Dental Fund totaling \$11,196,418.32. The Committee approved filing this item at its meeting on 11-19-19.

[19-1271](#) A bill for an ordinance amending the 1963 Retirement Plan with regard to contributions and payroll deductions.

Amends Chapter 18 of the Denver Revised Municipal Code (DRMC) for modifications to the Denver Employees Retirement Plan (DERP) regarding contributions and payroll deductions. The Committee approved filing this item at its meeting on 11-19-19.

[19-1272](#) A bill for an ordinance making a supplemental appropriation from General Fund Contingency to the Department of Finance to make a payment to the Denver Employees Retirement Plan.

Approves a supplemental appropriation of \$4,772,435 from General Fund contingency to the Department of Finance for a payment in 2019 to maintain the Denver Employees Retirement Plan (DERP) on a sound actuarial basis. The Committee approved filing this item at its meeting on 11-19-19.

[19-1273](#) A bill for an ordinance making a rescission from the General Fund Public Works appropriation and making an appropriation in and a cash transfer to the Capital Improvements and Capital Maintenance Fund.

Rescinds and re-appropriates \$200,000 from General Fund appropriations to the Capital Improvements and Capital Maintenance Fund to support a speed and safety study in response to City Council's 2020 budget request. The Committee approved filing this item at its meeting on 11-19-19.

[19-1274](#) A bill for an ordinance making an appropriation in the Community Corrections Special Revenue Fund and authorizing a cash transfer to the General Fund.

Establishes budget in the Community Corrections Special Revenue Fund to transfer the cash balance from prior year State contracts that total \$110,652 to the General Fund. This revenue is assumed in the 2020 General Fund budget appropriation. The Committee approved filing this item at its meeting on 11-19-19.

Land Use, Transportation & Infrastructure Committee**[19-1109](#) A bill for an ordinance approving a proposed Agreement between the City and County of Denver and Urban Drainage and Flood Control District for drainage and flood control improvements regarding the South Platte River upstream of Mississippi Avenue.**

Approves an intergovernmental agreement with Urban Drainage and Flood Control District (UDFCD), doing business as Mile High Flood District for \$2,000,000, with \$1,000,000 of UDFCD funds and \$1,000,000 of City funds for the South Platte River Upstream of Mississippi project, for drainage and flood control facilities improvements extending along the South Platte River upstream of Mississippi throughout the City (201952174). The last regularly scheduled Council meeting within the 30-day review period is on 12-23-19. The Committee approved filing this item at its meeting on 10-22-19.

[19-1269](#) A bill for an ordinance approving a proposed Agreement between the City and County of Denver and Metro Wastewater Reclamation District, to perform rehabilitation work on major sanitary sewer lines serving the City.

Approves an access and use permit agreement with Metro Wastewater Reclamation District to perform rehabilitation work on major sanitary sewer lines serving the City, located in Lower Lakewood Gulch Park, City of Cuernavaca Park and Carpio-Sanguinette Park in Council Districts 1, 3, and 9 (201952332-00). The last regularly scheduled Council meeting within the 30-day review period is on 12-23-19. The Committee approved filing this item at its meeting on 11-19-19.

Safety, Housing, Education & Homelessness Committee**[19-1242](#) A bill for an ordinance approving a proposed Third Amendatory Agreement between the City and County of Denver and Denver Health and Hospital Authority, to increase the amount and extend the term.**

Amends a contract with Denver Health and Hospital Authority by adding \$349,992 for a new total of \$1,399,984 and one year for a new end date of 12-31-20 to expand access and availability of evidence-based treatment services to Denver's homeless population, recently released from detox, citywide (SOCSV-2016-31694-03; SOCSV-201952411-03). The last regularly scheduled Council meeting within the 30-day review period is on 12-23-19. The Committee approved filing this item at its meeting on 11-13-19.

BILLS FOR FINAL CONSIDERATION**Finance & Governance Committee****[19-1116](#) A bill for an ordinance increasing the number of county judges from seventeen to eighteen.**

Amends Section 14-2(a) of the Denver Revised Municipal Code (DRMC) to increase the number of County Judges from seventeen to eighteen. The Committee approved filing this item at its meeting on 10-22-19. This item was approved for late filing by Council President Clark.

[19-1246](#) A bill for an ordinance approving a proposed Cooperation Agreement between the City and County of Denver and 4201 East Arkansas Urban Redevelopment Area, to establish, among other matters, the parameters for tax increment financing with incremental sales and property taxes.

Approves a cooperation agreement with Denver Urban Renewal Authority for the 4201 East Arkansas Urban Redevelopment Area to establish the parameters for tax increment financing with incremental sales and property taxes in Council District 6. The last regularly scheduled Council meeting within the 30-day review period is on 12-16-19. The Committee approved filing this item at its meeting on 11-12-19.

Safety, Housing, Education & Homelessness Committee**[19-1189](#) A bill for an ordinance approving a proposed Seventh Amended and Restated Intergovernmental Agreement to Provide Fire Protection between the City and County of Denver and the City of Sheridan.**

Amends an intergovernmental agreement with the City of Sheridan by renewing the agreement for an additional year through 12-31-20 at an annual rate of \$2,148,634 in revenue to provide fire protection services to the City of Sheridan (FIRES201208809 FIRES-201952305). The last regularly scheduled Council meeting within the 30-day review period is on 12-16-19. The Committee approved filing this item at its meeting on 11-6-19.

RECAP OF BILLS TO BE CALLED OUT

PRE-RECESS ANNOUNCEMENT

Tonight there will be a required public hearing on Council Bill 19-1057, changing the zoning classification for 2975 Huron Street in Five Points; a required public hearing on Council Bill 19-1058, changing the zoning classification for 2100 South Colorado Boulevard, 4040 East Evans Avenue, 2140 South Albion Street, 2130-2150 South Colorado Boulevard and 4102-4108 East Evans Avenue in University Hills; and, a required public hearing on Council Bill 19-1245, approving the 4201 East Arkansas Urban Redevelopment Plan and the creation of the 4201 East Arkansas Urban Redevelopment Area and the 4201 East Arkansas Sales and Property Tax Increment Areas. 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****[19-1057](#) A bill for an ordinance changing the zoning classification for 2975 Huron Street in Five Points.**

Approves an official map amendment to rezone property located at 2975 Huron Street from R-MU-30 with waivers to C-MX-12 (residential, mixed-use to urban center, mixed-use) in Council District 9. The Committee approved filing this item at its meeting on 10-15-19.

[19-1058](#) A bill for an ordinance changing the zoning classification for 2100 South Colorado Boulevard, 4040 East Evans Avenue, 2140 South Albion Street, 2130-2150 South Colorado Boulevard and 4102-4108 East Evans Avenue in University Hills.

Approves an official map amendment to rezone properties located at 2100 South Colorado Boulevard, 4040 East Evans Avenue, 2140 South Albion Street, 2130-2150 South Colorado Boulevard, and 4102- 4108 East Evans Avenue from C-MX-5 and C-MX-5 UO-1, UO-2 to C-MX-12 (urban center, mixed-use, five-stories to urban center, mixed-use, twelve-stories) in Council District 4. The Committee approved filing this item at its meeting on 10-22-19.

[19-1245](#) A bill for an ordinance approving the 4201 East Arkansas Urban Redevelopment Plan and the creation of the 4201 East Arkansas Urban Redevelopment Area and the 4201 East Arkansas Sales and Property Tax Increment Areas.

Approves the 4201 East Arkansas Urban Redevelopment Plan authorizing the creation of an Urban Redevelopment Area and sales and property tax increment areas in Council District 6. The Committee approved filing this item at its meeting on 11-12-19.

PRE-ADJOURNMENT ANNOUNCEMENT

ADJOURN

PENDING

FOR 12-9-19:

[19-1155](#) A bill for an ordinance changing the zoning classification for 10353 East Mississippi Avenue in Windsor.

Approves an official map amendment to rezone property located at 10353 East Mississippi Avenue from B-1 with Condition to S-MX-3 (business district in the former chapter 59 zoning to suburban, mixed-use) in Council District 5. The Committee approved filing this item at its meeting on 10-29-19.

Final Consideration | Required Public Hearing

[19-1156](#) A bill for an ordinance changing the zoning classification for 2220 Blake Street in Five Points.

Approves an official map amendment to rezone a portion of the property located at 2220 Blake Street from R-MU-30 with waivers and conditions to C-MX-5 (residential, multi-unit in the former chapter 59 zoning code to urban center, mixed use) in Council District 9. The Committee approved filing this item at its meeting on 10-29-19.

Final Consideration | Required Public Hearing

FOR 12-16-19:

[19-1158](#) A bill for an ordinance changing the zoning classification for 1369 Quince Street in East Colfax.

Approves an official map amendment to rezone property located at 1369 Quince Street from E-SU-Dx to E-SU-D1x (allows for an accessory dwelling unit) in Council District 5. The Committee approved filing this item at its meeting on 11-5-19.

Final Consideration | Required Public Hearing