

City Council Meeting of Monday, September 17, 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

[18-1015](#) Minutes of Monday, September 10, 2018

COUNCIL ANNOUNCEMENTS

PRESENTATIONS

COMMUNICATIONS

PROCLAMATIONS

[18-0957](#) **A proclamation opposing Amendment 74, an attempt to amend the Colorado Constitution to drastically limit state and local government regulation at a high cost to taxpayers.**

Sponsors Ortega, López, Kashmann and Black

[18-1016](#) **A proclamation recommending full funding and permanent reauthorization of the Land and Water Conservation Fund**

Sponsors Gilmore, Kniech, López, Kashmann and Black

[18-1017](#) **A proclamation recognizing September as workforce development month.**

Sponsors Ortega, New, López, Kashmann, Gilmore and Kniech

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

[18-0964](#) **A resolution approving a proposed first Amendment between the City and County of Denver and University Corporation for Atmospheric Research concerning weather consulting services at Denver International Airport.**

Amends a contract with University Corporation for Atmospheric Research (UCAR) by adding \$356,730 for a new total of \$601,730 and three years for a new end date of 12-31-21 for weather consulting services at Denver International Airport (201522205-01). The last regularly scheduled Council meeting within the 30-day review period is on 10-8-18. The Committee approved filing this item at its meeting on 9-5-18.

Finance & Governance Committee

[18-0955](#) **A resolution approving a proposed Master Purchase Order between the City and County of Denver and O.J. Watson Company, Inc., to purchase various vehicle bodies for the City's large trucks, Class 6, 7 and 8.**

Approves a \$15 million master purchase order with O.J. Watson Company, Inc. through 7-31-21 for flatbeds, stake beds, and other vehicle body types and parts to support citywide fleet management operations (SC-00003211). The last regularly scheduled Council meeting within the 30-day review period is on 10-8-18. The Committee approved filing this item at its meeting on 9-4-18.

[18-0961](#) **A resolution approving and evidencing the intention of the City and County of Denver, Colorado to issue an amount not to exceed \$11,000,000 of Multifamily Housing Revenue Bonds for The Colburn.**

Declares the intent of the City to issue an amount not to exceed \$11 million of Multifamily Housing Revenue bonds by Gorman and Company, LLC to finance The Colburn project to acquire and rehabilitate the Colburn Hotel including 68 units at 60% Area Median Income and 23 units at 30% AMI located at 980 Grant Street in Council District 10. The Committee approved filing this item at its meeting on 9-4-18.

Land Use, Transportation & Infrastructure Committee**[18-0929](#) A resolution approving a proposed Contract between the City and County of Denver and Concrete Works of Colorado, Inc. for concrete services on the 33rd Street Outfall (31st and 36th Street Outfall Project) Segment - Curtis Street to Lafayette Street.**

Approves a contract with Concrete Works of Colorado, Inc. for \$7,636,119 and for ten months for the improvement of drainage conditions in an approximate area between the South Platte River, East 13th Avenue, North Williams Street, and North Grant Street as the final segment of the 31st and 36th Street Outfall project in Council District 9 (201840987). The last regularly scheduled Council meeting within the 30-day review period is on 10-8-18. The Committee approved filing this item at its meeting on 8-28-18.

[18-0960](#) A resolution laying out, opening and establishing as part of the City street system parcels of land as East 42nd Avenue located at East 42nd Avenue between North Monroe Street and Smith Road.

Dedicates a parcel of land as public right-of-way as East 42nd Avenue located between the intersections of East 42nd Avenue and North Monroe Street to East 42nd Avenue and East Smith Road in Council District 9. The Committee approved filing this item at its meeting on 9-4-18.

[18-0963](#) A resolution approving a proposed Permanent Non-Exclusive Easement between the City and County of Denver and 1710 Platte Associates, LLC for an easement for building egress from, and fire and emergency vehicle access to the building located at 1710 Platte St.

Approves a contract with 1710 Platte Associates, LLC for a permanent non-exclusive easement at 1710 Platte Street for fire access, trail, and water treatment facilities in Council District 1 (201843789). The last regularly scheduled Council meeting within the 30-day review period is on 10-8-18. The Committee approved filing this item at its meeting on 9-4-18.

[18-0965](#) A resolution laying out, opening and establishing as part of the City street system parcels of land as 1st Street bounded by 1st Street, West Colfax Avenue, Walnut Street and the South Platte River.

Dedicates a parcel of land as public right-of-way as 1st Street located near 1st Street, West Colfax Avenue, and the South Platte River in Council District 9. The Committee approved filing this item at its meeting on 9-4-18.

BILLS FOR INTRODUCTION**Land Use, Transportation & Infrastructure Committee**

[18-0908](#) **A bill for an ordinance approving a proposed Amendment to Agreement among the City and County of Denver and Urban Drainage and Flood Control District, Southeast Metro Stormwater Authority, and Arapahoe County, regarding flood control improvements as part of the Cherry Creek from Monaco Parkway to Iliff Avenue project.**

Amends an intergovernmental agreement with Urban Drainage and Flood Control District (UDFCD) by adding \$550,000 in UDFCD funds, \$200,000 in Southeast Metro Stormwater Authority (SEMSWA) funds, \$1 million in Arapahoe County funds, and \$1,850,000 in City funds for a new agreement total of \$7.3 million for construction of drainage and flood control improvements along Cherry Creek as part of the Cherry Creek from Monaco Parkway to Iliff Avenue project in Council District 6. No change to agreement duration (201103770-07). The last regularly scheduled Council meeting within the 30-day review period is on 10-8-18. The Committee approved filing this item at its meeting on 8-21-18.

[18-0933](#) **A bill for an ordinance designating 670 Marion Street, the Meyer-Reed-Muraglia House, as a structure for preservation.**

Approves an individual Denver landmark designation for property located at 670 Marion Street in Council District 10. If ordered published, a public hearing will be held on this item on 9-24-18. The Committee approved filing this item at its meeting on 8-28-18.

[18-0973](#) **A bill for an ordinance relinquishing the easement reserved in Ordinance No. 174, Series of 2006, recorded with Denver Clerk & Recorder at Reception No. 2006042919 and simultaneously replacing it with an alternate easement, located near 660 Bannock Street.**

Relinquishes the easement, in its entirety, established in Vacating Ordinance No. 174, Series of 2006 under Reception No. 2006042919 and simultaneously replaces it with alternative easements located near 660 Bannock Street in Council District 3. The last regularly scheduled Council meeting within the 30-day review period is on 10-8-18. The Committee approved filing this item at its meeting on 9-11-18.

BILLS FOR FINAL CONSIDERATION**Business, Arts, Workforce, & Aviation Services Committee****[18-0951](#) A bill for an ordinance exempting a children's neighborhood beverage stand from licensing requirements.**

Exempts a children's neighborhood beverage stand from licensing requirements. The Committee approved filing this item at its meeting on 8-29-18.

Finance & Governance Committee**[18-0927](#) A bill for an ordinance amending Chapters 32 and 53 of the Denver Revised Municipal Code to allow for third parties to collect or withhold the taxes imposed in Chapter 53 of the Denver Revised Municipal Code and to pay over such taxes to the manager of finance.**

Amends Chapters 32 and 53 of the Denver Revised Municipal Code to allow for third parties to collect or withhold and remit City taxes. The Committee approved filing this item at its meeting on 8-28-18.

[18-0943](#) A bill for an ordinance designating a certain property in Adams County as being required for public use and authorizing use and acquisition thereof by negotiation or through condemnation proceedings of fee simple, easement and other interests, including any rights and interests related or appurtenant to properties as needed for the National Western Center Project.

Grants the authority to acquire through negotiated purchase or condemnation the property interest, easement interests, access rights, improvements, buildings, fixtures, licenses, permits and other appurtenances the property located at 5440 Franklin Street in Adams County as needed for supporting services for the National Western Center project in Council District 9. The Committee approved filing this item by consent on 8-28-18.

Land Use, Transportation & Infrastructure Committee**[18-0394](#) A bill for an ordinance vacating a portion of the alley bounded by Cedar Avenue, South Birch Street and Leetsdale Drive, with reservations.**

Vacates the alley bounded by Cedar Avenue, South Birch Street, and Leetsdale Drive with a partial special reservation in Council District 5. The Committee approved filing this item at its meeting on 5-15-18.

[18-0872](#) A bill for an ordinance authorizing the purchase of capital equipment items from the Asphalt Plant Operations Internal Service Fund.

Approves a one-time capital equipment expenditure for \$2.2 million to procure an asphalt scale and silos to support the operations of the City's asphalt plant located at 5440 Roslyn Street in Council District 8. The last regularly scheduled Council meeting within the 30-day review period is on 9-24-18. The Committee approved filing this item at its meeting on 8-21-18.

[18-0906](#) A bill for an ordinance relinquishing a portion of an easement established in the Green Valley Ranch Filing No. 45 subdivision plat, recorded with the Denver Clerk & Recorder at Reception No. 2018012500, located near 53rd Drive and Jebel Street.

Relinquishes a portion of the utility easements reserved in Lot 4, Block 1 of Green Valley Ranch Filing No. 45 under Recordation No. 2018012500 located near East 53rd Drive and Jebel Street in Council District 11. The last regularly scheduled Council meeting within the 30-day review period is on 9-24-18. The Committee approved filing this item at its meeting on 8-21-18.

[18-0907](#) A bill for an ordinance vacating an alley bounded by West 40th Avenue, West 41st Avenue, Jason Street and Inca Street, without reservations.

Vacates the alley bounded by West 40th Avenue, West 41st Avenue, Jason Street, and Inca Street without reservations in Council District 1. The Committee approved filing this item at its meeting on 8-21-18.

[18-0911](#) A bill for an ordinance relinquishing a portion of the easement reserved in Ordinance No. 98, Series of 1948, recorded with the Denver Clerk & Recorder at Reception No. 2004117961, located at 1635 West 13th Avenue.

Relinquishes a portion of the easements established in the Vacating Ordinance No. 98, Series of 1948 under Reception No. 2004117961 located at 1635 West 13th Avenue in Council District 3. The last regularly scheduled Council meeting within the 30-day review period is on 9-24-18. The Committee approved filing this item at its meeting on 8-21-18.

[18-0935](#) A bill for an ordinance vacating an alley bounded by West 17th Avenue, West 18th Avenue, North King Street and North Julian Street, with reservations.

Vacates the northernmost east-west portion of the alley bounded by West 18th Avenue, West 17th Avenue, King Street, and North Julian Street, with reservations, in Council District 3. The Committee approved filing this item at its meeting on 8-28-18.

Safety, Housing, Education & Homelessness Committee

[18-0767](#) A bill for an ordinance approving a proposed Agreement between the City and County of Denver and Regents of the University of Colorado for community corrections services.

Approves a one year \$4,308,794 contract with the University of Colorado Health Sciences Center for Addiction Research and Treatment programing for residential and non-residential community corrections services (2018-42070). The Committee approved filing this item on 7-25-18.

[18-0798](#) A bill for an ordinance approving a proposed Agreement Amendment No. 4 between the City and County of Denver and the State of Colorado Department of Health Care Policy and Financing, for incentive payments for timely Medicaid determinations.

Amends a contract with the Colorado Department of Health Care Policy and Financing (HCPF) for HCPF's County Medicaid Incentive Program Agreement allowing Denver Human Services to earn financial incentives up to \$985,660.42 for the current state fiscal year based upon meeting specific program outcomes per the agreement (SOCSV2014-19599-04). The last regularly scheduled Council meeting within the 30-day review period is on 10-1-18. The Committee approved filing this item at its meeting on 7-25-18.

RECAP OF BILLS TO BE CALLED OUT

PRE-RECESS ANNOUNCEMENT

Tonight, there will be a required public hearing on Council Bill 885, approving the Service Plan for the creation of Denver Rock Drill Metropolitan District.; a required public hearing on Council Bill 944, approving the Service Plans for the creation of Hurley Place Residential Metropolitan District and Hurley Place Commercial Metropolitan District; a required public hearing Council Bill 820, changing the zoning classification for 3901 Elati Street in Globeville; and, a required public hearing on Council Bill 866, changing the zoning classification for 52 Monroe Street in Cherry Creek. 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****Finance & Governance Committee****[18-0885](#) A bill for an ordinance approving the Service Plan for the creation of Denver Rock Drill Metropolitan District.**

Approves the service plan for the formation and establishment of the Denver Rock Drill Metropolitan District Title 32 district in Council District 9. The Committee approved filing this item at its meeting on 8-28-18.

[18-0944](#) A bill for an ordinance approving the Service Plans for the creation of Hurley Place Residential Metropolitan District and Hurley Place Commercial Metropolitan District.

Approves two separate service plans for the formation and establishment of two Title 32 districts: The Hurley Place Residential Metropolitan District and the Hurley Place Commercial Metropolitan District in Council District 9. The Committee approved filing this item at its meeting on 8-28-18.

Land Use, Transportation & Infrastructure Committee

[18-0820](#) A bill for an ordinance changing the zoning classification for 3901 Elati Street in Globeville.

Approves an official map amendment to rezone property at 3901 Elati Street from I-A, UO-2 to C-MX-20 (industrial to commercial, mixed-use) in Council District 9. The Committee approved filing this item at its meeting on 8-7-18.

[18-0866](#) A bill for an ordinance changing the zoning classification for 52 Monroe Street in Cherry Creek.

Approves an official map amendment to rezone property located at 52 Monroe Street from PUD to G-RO-3 (planned development to general urban, residential-office) in Council District 10. The Committee approved filing this item at its meeting on 8-7-18.

PRE-ADJOURNMENT ANNOUNCEMENT

Dependent upon publication, on Monday, September 24, 2018, Council will hold a required public hearing on Council Bill 18-0933, designating 670 Marion Street, the Meyer-Reed-Muraglia House, as a structure for preservation.

ADJOURN

PENDING

FOR 10-1-18:

[18-0884](#) **A resolution to set a public hearing before City Council on 10-1-18 to amend the Emily Griffith Opportunity School Urban Redevelopment Plan to add the Emily Griffith Project and the renovation of the Historic Emily Griffith Opportunity School into an approximately 250 room hotel and adaptive reuse of additional buildings to provide office and retail space, in Council District 9.**

Sets a public hearing before City Council on 10-1-18 to amend the Emily Griffith Opportunity School Urban Redevelopment Plan to add the Emily Griffith Project and the renovation of the Historic Emily Griffith Opportunity School into an approximately 250 room hotel and adaptive reuse of additional buildings to provide office and retail space in Council District 9. The Committee approved filing this item at its meeting on 8-14-18.

FOR 10-8-18:

[18-0874](#) **A bill for an ordinance changing the zoning classification for 3600 West 29th Avenue in West Highland.**

Approves an official map amendment to rezone property located at 3600 West 29th Avenue from U-SU-C to U-MX-2x (urban, single-unit, to urban, mixed-use) in Council District 1. The Committee approved filing this item at its meeting on 8-21-18.

Final Consideration**Required Public Hearing**

[18-0877](#) **A bill for an ordinance changing the zoning classification for 5124, 5128, 5132 & 5136 West 41st Avenue in Berkeley.**

Approves an official map amendment to rezone property located at 5124, 5128, 5132, and 5136 West 41st Avenue from U-SU-C1 to U-MX-2x (urban, single-unit, to urban, mixed-use) in Council District 1. The Committee approved filing this item at its meeting on 8-21-18.

Final Consideration**Required Public Hearing**

[18-0886](#) A bill for an ordinance relating to the Denver Zoning Code, to improve clarity and usability.

Approves a text amendment to the Denver Zoning Code to clarify what constitutes a "sign" for purposes of zoning regulation and correct a code drafting error that may cause confusion regarding permitted setback encroachments for one-story porches and similar features. The Committee approved filing this item at its meeting on 8-21-18.

Final Consideration

Required Public Hearing