

City Council Minutes

Meeting Date: Monday, August 19, 2019 5:30 PM

PLEDGE OF ALLEGIANCE

Council member Kniech led the Pledge of Allegiance

ROLL CALL

Present: Black, CdeBaca, Clark, Flynn, Gilmore, Herndon, Hinds,
Kashmann, Kniech, Ortega, Sandoval, Sawyer, Torres (13)

APPROVAL OF THE MINUTES

The minutes of Monday, August 12, 2019 were distributed to members of Council.
Council President Clark ordered the minutes approved

[19-0848](#) Minutes of Monday, August 12, 2019

Approved

COUNCIL ANNOUNCEMENTS

Council member Sandoval offered announcements

PRESENTATIONS

COMMUNICATIONS

PROCLAMATIONS

[19-0838](#) A proclamation celebrating La Raza & Barnum Park Day - Cruise Down Fedz
on August 25th, 2019.

A motion offered by Councilwoman Sandoval, duly seconded by Councilwoman
Gilmore, that Council Proclamation 19-0838 be adopted. The motion carried by the
following vote:

Adopted

Aye: Black, CdeBaca, Clark, Flynn, Gilmore, Herndon, Hinds,
Kashmann, Kniech, Ortega, Sandoval, Sawyer, Torres (13)

Nay: (None) (0)

BLOCK VOTE

A motion offered by Councilwoman Kniech, duly seconded by Councilwoman Sawyer,
to approve the following items en bloc. The motion carried by the following vote:

Approved the consent agenda

Aye: Black, CdeBaca, Clark, Flynn, Gilmore, Herndon, Hinds,
Kashmann, Kniech, Ortega, Sandoval, Sawyer, Torres (13)

Nay: (None) (0)

RESOLUTIONS

Finance & Governance Committee

19-0765 A resolution approving a Second Amendatory Agreement between the City and County of Denver and Davis Graham & Stubbs, LLC for a new end date of October 18, 2020.

Amends a contract with Davis Graham & Stubbs, LLP by adding \$300,000 for a new total of \$795,000 and adding 10 months and 18 days for a new end date of 10-18-20 to provide professional legal services in employment-related matters and serve as legal counsel for conflict litigation and overflow and other legal matters and services as necessary (ATTNY-201524534). The last regularly scheduled Council meeting within the 30-day review period is on 9-9-19. The Committee approved filing this item at its meeting on 8-6-19.

A motion offered by Councilwoman Kniech, duly seconded by Councilwoman Sawyer, that Council Resolution 19-0765 be adopted en bloc, carried by the following vote:

Adopted

Aye: Black, CdeBaca, Clark, Flynn, Gilmore, Herndon, Hinds, Kashmann, Kniech, Ortega, Sandoval, Sawyer, Torres (13)

Nay: (None) (0)

19-0769 A resolution approving a proposed Master Purchase Order between the City and County of Denver and Traffic Signal Controls, Inc. for replacement LED's and associated Traffic Signal Control products in accordance with MUTCD specifications.

Approves a master purchase order with Traffic Signal Controls, Inc. for \$2,500,000 and through 7-31-22 for traffic signal LEDs and various traffic signal parts for ongoing maintenance of intersection signal devices, citywide (SC-00004170). The last regularly scheduled Council meeting within the 30-day review period is on 9-9-19. The Committee approved filing this item at its meeting on 8-6-19.

A motion offered by Councilwoman Kniech, duly seconded by Councilwoman Sawyer, that Council Resolution 19-0769 be adopted en bloc, carried by the following vote:

Adopted

Aye: Black, CdeBaca, Clark, Flynn, Gilmore, Herndon, Hinds, Kashmann, Kniech, Ortega, Sandoval, Sawyer, Torres (13)

Nay: (None) (0)

19-0770 A resolution approving a proposed Master License and Services Contract between the City and County of Denver and Wolters Kluwer ELM Solutions, Inc. for the purchase, implementation and ongoing support of an enterprise 'cloud' (hosted) Case Management system to support the City Attorney's Office.

Approves a contract with Wolters Kluwer ELM Solutions, Inc. for \$2,462,283 and for five years for the purchase, implementation and ongoing support of an enterprise cloud-hosted case management system to support City Attorney's office operations, citywide (TECHS - 201948298). The last regularly scheduled Council meeting within the 30-day review period is on 9-9-19. The Committee approved filing this item at its meeting on 8-6-19.

A motion offered by Councilwoman Kniech, duly seconded by Councilwoman Sawyer, that Council Resolution 19-0770 be adopted en bloc, carried by the following vote:

Adopted

Aye: Black, CdeBaca, Clark, Flynn, Gilmore, Herndon, Hinds, Kashmann, Kniech, Ortega, Sandoval, Sawyer, Torres (13)

Nay: (None) (0)

19-0774 A resolution approving the Mayor's appointment to the Citizens Oversight Board Nomination Committee.

Approves the Mayoral appointment of the Rev. Dr. Katherine Farley to the Citizens Oversight Board Nomination Committee for a term effective immediately and expiring 8-01-23, or until a successor is duly appointed. The Committee approved filing this resolution by consent on 8-6-19.

A motion offered by Councilwoman Kniech, duly seconded by Councilwoman Sawyer, that Council Resolution 19-0774 be adopted en bloc, carried by the following vote:

Adopted

Aye: Black, CdeBaca, Clark, Flynn, Gilmore, Herndon, Hinds, Kashmann, Kniech, Ortega, Sandoval, Sawyer, Torres (13)

Nay: (None) (0)

19-0778 A resolution approving the Mayor's reappointments to the Metro Wastewater Reclamation District Board of Directors.

Approves the Mayoral reappointments of Robert J. Duncanson, Christopher Pacheco, Michael Sapp, Peter Spanberger, Andrew Johnston, Barbara Puls and Peter Baertlein to the Metro Wastewater Reclamation District Board of Directors for terms effective immediately and expiring 6-30-21, or until a successor is duly appointed. The Committee approved filing this resolution by consent on 8-6-19.

A motion offered by Councilwoman Kniech, duly seconded by Councilwoman Sawyer, that Council Resolution 19-0778 be adopted en bloc, carried by the following vote:

Adopted

Aye: Black, CdeBaca, Clark, Flynn, Gilmore, Herndon, Hinds, Kashmann, Kniech, Ortega, Sandoval, Sawyer, Torres (13)

Nay: (None) (0)

Land Use, Transportation & Infrastructure Committee

19-0746 A resolution approving a proposed Third Amendatory Agreement between the City and County of Denver and Lytx, Inc. to extend the term and increase funds for technology-based fleet services to assist in driver behaviors, fuel cost savings, reduced idling and risk related mitigations.

Amends a contract with Lytx, Inc. by adding \$132,228.52 for a new total of \$1,169,946.66 and one year for a new end date of 03-31-20 for technology-based fleet services to assist in driver behaviors, fuel cost savings, reduced idling and risk related mitigations to support operations citywide (201209229). The last regularly scheduled Council meeting within the 30-day review period is on 9-9-19. The Committee approved filing this item at its meeting on 7-30-19.

A motion offered by Councilwoman Kniech, duly seconded by Councilwoman Sawyer, that Council Resolution 19-0746 be adopted en bloc, carried by the following vote:

Adopted

Aye: Black, CdeBaca, Clark, Flynn, Gilmore, Herndon, Hinds, Kashmann, Kniech, Ortega, Sandoval, Sawyer, Torres (13)

Nay: (None) (0)

19-0853 A resolution authorizing and approving the expenditure and payment from the appropriation account designated "liability claims," the sum of Twenty-Two Thousand, Five Hundred Dollars and Zero Cents (\$22,500.00) made payable to Austin Caldwell and Franklin D. Azar & Associates, P.C. in full payment and satisfaction of all claims related to Claim Number 2018.0018, regarding an accident that occurred on December 6, 2017.

Settles a claim with Denver Public Works. This resolution was approved for filing at the Mayor-Council meeting on 8-13-19.

A motion offered by Councilwoman Kniech, duly seconded by Councilwoman Sawyer, that Council Resolution 19-0853 be adopted en bloc, carried by the following vote:

Adopted

Aye: Black, CdeBaca, Clark, Flynn, Gilmore, Herndon, Hinds, Kashmann, Kniech, Ortega, Sandoval, Sawyer, Torres (13)

Nay: (None) (0)

Safety, Housing, Education & Homelessness Committee

19-0783 A resolution approving a proposed Agreement between the City and County of Denver and Caring for Denver Foundation to increase mental health and substance use disorder prevention, treatment, recovery and harm reduction services.

Approves a contract with Caring for Denver Foundation through 12-31-23 to administer the Caring for Denver Fund to increase mental health and substance use disorder prevention, treatment, recovery, and harm reduction services, citywide (ENVHL-201951262-00). The last regularly scheduled Council meeting within the 30-day review period is on 9-9-19. The Committee approved filing this item at its meeting on 8-7-19.

A motion offered by Councilwoman Kniech, duly seconded by Councilwoman Sawyer, that Council Resolution 19-0783 be adopted en bloc, carried by the following vote:

Adopted

Aye: Black, CdeBaca, Clark, Flynn, Gilmore, Herndon, Hinds,
Kashmann, Kniech, Ortega, Sandoval, Sawyer, Torres (13)

Nay: (None) (0)

BILLS FOR INTRODUCTION

Finance & Governance Committee

19-0700 A bill for an ordinance designating certain properties as being required for public use and authorizing use and acquisition thereof by negotiation or through condemnation proceedings of fee, easement and other interests, including any rights and interests related or appurtenant to properties as needed for the Iowa Underpass Project at Santa Fe Drive, spanning Jewell Avenue to Florida Avenue.

Grants the authority to acquire through negotiated purchase or condemnation any property interest as needed for the Iowa Underpass Project, including easement interests, access rights, improvements, buildings, fixtures, licenses, permits and other appurtenances, located approximately at Santa Fe Drive, spanning Jewell Avenue to Florida Avenue in Council District 7. The last regularly scheduled Council meeting within the 30-day review period is on 9-9-19. The Committee approved filing this item at its meeting on 7-16-19.

Council Bill 19-0700 was ordered published on first reading

Ordered published on first reading

19-0744 A bill for an ordinance approving the East Colfax Corridor Urban Redevelopment Plan and the creation of the East Colfax Corridor Urban Redevelopment Area and the East Colfax Corridor Property Tax Increment Area and Sales Tax Increment Area.

Approves the Urban Redevelopment Plan for the East Colfax Corridor Urban Redevelopment Area to reduce or eliminate blighted conditions as well as to stimulate growth and redevelopment in the East Colfax Corridor, generally bounded by Monaco Parkway on the west and Yosemite Street on the east in Council Districts 5 and 8. If ordered published, a public hearing will be held on Monday, 8-26-19. The Committee approved filing this item at its meeting on 7-30-19.

A motion offered by Councilwoman Kniech, duly seconded by Councilwoman Gilmore, that Council Bill 19-0744 be ordered published, was followed by a motion offered by Councilwoman Black, duly seconded by Councilman Flynn, that Council Bill 19-0744 be amended in the following particulars: on page 1, line 7, strike "and the" and replace with "."; and on page 1, strike line 8. Which motion to amend carried by the following vote:

Amended

Aye: Black, CdeBaca, Clark, Flynn, Gilmore, Herndon, Hinds,
Kashmann, Kniech, Ortega, Sandoval, Sawyer, Torres (13)

Nay: (None) (0)

A motion offered by Councilwoman Kniech, duly seconded by Councilwoman Gilmore, that Council Bill 19-0744 be ordered published with a future required public hearing on 8-26-19. The motion carried by the following vote:

Ordered published with a future required public hearing

Aye: Black, Clark, Flynn, Gilmore, Herndon, Hinds, Kashmann,
Kniech, Ortega, Sandoval, Sawyer, Torres (12)

Nay: CdeBaca (1)

19-0745 A bill for an ordinance approving Service Plans for the creation of six (6) Title 32 Metropolitan Districts, the Loretto Heights Metropolitan District Nos. 1-5 and the Loretto Heights Programming Metropolitan District.

Approves six separate Service Plans for the formation and establishment of six Title 32 districts: Loretto Heights Metropolitan District No. 1, Loretto Heights Metropolitan District No. 2, Loretto Heights Metropolitan District No. 3, Loretto Heights Metropolitan District No. 4, Loretto Heights Metropolitan District No. 5 and Loretto Heights Programming Metropolitan District, in Council District 2. If ordered published, a public hearing will be held on Monday, 8-26-19. The Committee approved filing this item at its meeting on 7-30-19.

A motion offered by Councilwoman Kniech, duly seconded by Councilman Herndon, that Council Bill 19-0745 be ordered published with a future required public hearing on 8-26-19. The motion carried by the following vote:

Ordered published with a future required public hearing

Aye: Black, Clark, Flynn, Gilmore, Herndon, Hinds, Kashmann, Kniech, Ortega, Sandoval, Sawyer, Torres (12)

Nay: CdeBaca (1)

19-0768 A bill for an ordinance establishing a new fund in the Grant and Other Money Projects Series for the "Denver Water/NWC Recycled Water Pipeline IGA" program and making appropriations.

Establishes the Denver Water/NWC Recycled Water Pipeline IGA capital project fund in the Grant and Other Money Projects Fund for the Denver Water/National Western Center recycled water pipeline and makes appropriations. The Committee approved filing this item at its meeting on 8-6-19.

Council Bill 19-0768 was ordered published on first reading

Ordered published on first reading

19-0771 A bill for an ordinance (I) authorizing and approving the City's sponsorship of the metroDPA Program; (II) authorizing the execution of all Program Documents; (III) authorizing the appointment of a Servicer, Escrow Agent, Administrator, and Program Monitor for the Program; (IV) allocating funds for down payment assistance; and (V) delegating the power to take all such actions as are necessary or appropriate to accomplish the foregoing.

Authorizes and approves program documents for the City's sponsorship of the regional metroDPA Program, which includes authorizing the appointment of a Servicer, Escrow Agent, Administrator, and Program Monitor for the Program, allocation of funds for down payment assistance, and other program enhancements. The Committee approved filing this item at its meeting on 8-6-19.

Council Bill 19-0771 was ordered published on first reading

Ordered published on first reading

[19-0772](#) A bill for an ordinance submitting to a vote of the qualified and registered electors of the City and County of Denver at a special municipal election to be held in conjunction with the coordinated election of November 5, 2019, a proposed amendment to the charter of the City and County of Denver concerning management and control of Arts and Venues.

Refers a proposed Charter amendment to a vote of the qualified and registered electors of the City and County of Denver at the 11-05-19 election to remove the requirement that management of owned or leased facilities for theater, concert, auditorium or arena purposes be assigned by Charter to General Services. The Committee approved filing this item at its meeting on 8-6-19.

Council Bill 19-0772 was ordered published on first reading

Ordered published on first reading

[19-0773](#) A bill for an ordinance conforming city code with historical city practices and revisions to charter section 2.9.3 if approved by electors at a special municipal election to be held in conjunction with the coordinated election of November 5, 2019.

Amends sections 2-191 through 2-194 and 2-275 of the Denver Revised Municipal Code (DRMC) to remove reference to oversight of the Department of General Services and to formally assign care and operation of the facilities, structures and land used for theater, concert, auditorium, arena and other cultural purpose to Arts and Venues, pending voter approval of a November 2019 Charter measure. The Committee approved filing this item at its meeting on 8-6-19.

Council Bill 19-0773 was ordered published on first reading

Ordered published on first reading

[19-0781](#) A bill for an ordinance submitting to a vote of the qualified and registered electors of the City and County of Denver at a special municipal election to be held in conjunction with the general election of November 5, 2019, a proposed amendment to the Charter of the City and County of Denver concerning ranks and grades in the fire department.

Refers a proposed Charter amendment to a vote of the qualified and registered electors of the City and County of Denver at the 11-05-19 election to add Emergency Medical Technician (EMT) as a named rank of the Denver Fire Department and to allow the Fire Chief to assign duties of Shift Commander to an assistant chief of the Denver Fire Department. The Committee approved filing this item at its meeting on 8-6-19.

Council Bill 19-0781 was ordered published on first reading

Ordered published on first reading

[19-0782](#) **A bill for an ordinance submitting to a vote of the registered electors of the City and County of 9 Denver at a special municipal election to be held in conjunction with the coordinated 10 election on November 5, 2019, a proposed amendment to the Charter of the City and 11 County of Denver to require elected officials to maintain residency in Denver and, if a 12 district Councilmember, in the district, throughout the term of office.**

Submits to a vote of the registered electors of the City and County of Denver at a special municipal election to be held in conjunction with the coordinated election on November 5, 2019, a proposed amendment to the Charter of the City and County of Denver to require elected officials to maintain residency in Denver and, if a district Councilmember, in the district, throughout the term of office. The Committee approved filing this item at its meeting on 8-6-19.

Council Bill 19-0782 was ordered published on first reading

Ordered published on first reading

19-0803 A bill for an ordinance establishing an excise tax on electricity and natural gas for commercial and industrial customers to fund the office of climate action, sustainability, and resiliency, subject to the approval of the voters at a special municipal election to be conducted in coordination with the state coordinated election on November 5, 2019.

A Bill for an ordinance establishing an excise tax on electricity and natural gas for commercial and industrial customers to fund the office of climate action, sustainability, and resiliency, subject to the approval of the voters at a special municipal election to be conducted in coordination with the state coordinated election on November 5, 2019. Committee approved filing this item at its meeting on 8-13-19.

A motion offered by Councilwoman Kniech, duly seconded by Councilman Herndon, that Council Bill 19-0803 be ordered published, was followed by a motion offered by Councilman Clark, duly seconded by Councilman Kashmann, that Council Bill 19-0803 be amended in the following particulars: 1. On page 2, strike lines 25 through 27 and substitute the following:

"(e) Exemptions. The following electricity or natural gas customers are not subject to the taxes levied in accordance with article IX:

(1) The federal government, state government, municipal government, or kindergarten-through-twelfth grade educational institutions; and

(2) A domestic customer whose meter serves a multi-family residential building or other residential common area."

2. On page 3, strike lines 19 through 34.

3. On page 4, strike lines 1 through 11 and substitute the following:

"SHALL CITY AND COUNTY OF DENVER TAXES BE INCREASED BY \$30,391,224 ANNUALLY, COMMENCING JULY 1, 2020, AND BY WHATEVER ADDITIONAL AMOUNTS ARE RAISED ANNUALLY THEREAFTER, BY AUTHORIZING THE CITY AND COUNTY OF DENVER TO LEVY A CLIMATE ACTION, SUSTAINABILITY, AND RESILIENCY EXCISE TAX UPON COMMERCIAL AND INDUSTRIAL CUSTOMERS CONSUMING ELECTRICITY AND NATURAL GAS, WITH A FIRST YEAR ELECTRICITY TAX RATE OF \$0.0060 PER KILOWATT HOUR FOR BOTH COMMERCIAL AND INDUSTRIAL CUSTOMERS, A FIRST YEAR NATURAL GAS TAX RATE OF \$0.030 PER THERM FOR COMMERCIAL CUSTOMERS, AND A FIRST YEAR RATE OF \$0.015 PER THERM FOR INDUSTRIAL CUSTOMERS. THE ELECTRICITY PORTION OF THE TAX EXPIRES WHEN XCEL ENERGY'S GRID REACHES 70% RENEWABLE ENERGY. THE NATURAL GAS PORTION OF THE TAX DOES NOT EXPIRE, AND INCREASES 10% ANNUALLY AFTER JANUARY 1, 2025. THE EXCISE TAX IS FOR THE PURPOSE OF FUNDING THE OFFICE OF CLIMATE ACTION, SUSTAINABILITY, AND RESILIENCY. SHALL THE FULL PROCEEDS OF THE TAX AND ANY EARNINGS THEREFROM BE COLLECTED AND SPENT WITHOUT ADDITIONAL LIMITATION OR CONDITION UNDER ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION OR ANY OTHER LAW?" which motion to amend carried by the following vote:

Amended

Aye: Black, CdeBaca, Clark, Gilmore, Herndon, Hinds, Kashmann, Kniech, Ortega, Sandoval, Sawyer, Torres (12)

Nay: Flynn (1)

A motion offered by Councilwoman Kniech, duly seconded by Councilman Herndon, that Council Bill 19-0803 be ordered published. The motion carried by the following vote:

Ordered published on first reading

Aye: CdeBaca, Clark, Gilmore, Hinds, Kashmann, Sandoval, Sawyer (7)

Nay: Black, Flynn, Herndon, Kniech, Ortega, Torres (6)

19-0805 A bill for an ordinance establishing the Office of Climate Action, Sustainability, and Resiliency.

A bill for an ordinance establishing the Office of Climate Action, Sustainability, and Resiliency. The Committee approved filing this item at its meeting on 8-13-19.

A motion offered by Councilwoman Kniech, duly seconded by Councilman Herndon, that Council Bill 19-0803 be ordered published, was followed by a motion offered by Councilman Clark, duly seconded by Councilwoman Hinds, that Council Bill 19-0805 be amended in the following particulars:

1. On page 10, line 1, strike "board" and substitute: "board executive director of the office of climate action, sustainability, and resiliency."
2. On page 17, line 33, strike "section 10-301 (a)." and substitute "section 10-301 (a) section 11.5-19 (a)."
3. On page 18, line 22, strike "year" and insert "year, effective".
4. On page 18, line 31, strike "section 11.5-20 (a)," and substitute "section 11.5-19 (a),".
5. On page 20, line 20, strike "board of public health and environment" and substitute: board of public health and environment office of climate action, sustainability, and resiliency".
6. On page 22, line 33, after "resiliency," insert "or their designees,".
7. On page 24, line 9, strike "article XIII" and substitute "article XIII article III".
8. On page 24, line 11, strike "the department of public health and environment" and substitute "the department of public health and environment the office of climate action, sustainability, and resiliency". Which motion to amend carried by the following vote:

Amended

Aye: Black, CdeBaca, Clark, Flynn, Gilmore, Herndon, Hinds, Kashmann, Kniech, Ortega, Sandoval, Torres (12)

Nay: (None) (0)

Absent: Sawyer (1)

A motion offered by Councilwoman Kniech, duly seconded by Councilwoman Hinds, that Council Bill 19-0805 be amended in the following particulars: 1. On page 24, after line 26, insert the following:

“(h) Prevailing wage.

(1) Payment of Prevailing Wage. Every city contract in excess of two thousand dollars that requires or authorizes covered work on non-commercial property and every city contract in excess of five thousand dollars that requires or authorizes covered work on commercial property, whether for an individual contract or subcontract, or in aggregate where a contract or subcontract may require or authorize covered work across multiple properties, expending green building fund monies must require that every worker, mechanic, or other laborer employed by any contractor or subcontractor for covered work must be paid the prevailing wage, as described in section 20-76, D.R.M.C.

(2) Covered Work. For purposes of this subsection (h), covered work shall mean: drayage or construction, alteration, improvement, repair, maintenance or demolition, and the work of a doorkeeper, caretaker, cleaner, window washer, porter, keeper, janitor, or similar custodial or janitorial work. This subsection (h) shall not apply to any person excepted from prevailing wage coverage by 20-76(a), D.R.M.C.

(3) Record retention. A contractor or subcontractor that is required to pay prevailing wage in connection with a contract in accordance with paragraph (1) of this subsection (h) must keep and preserve, for a period of at least three years, payroll records and other suitable books and records as may be necessary to determine the prevailing wage paid to workers for covered work. The auditor shall be entitled at any reasonable time to examine the books and payroll records of a contractor or subcontractor related to such a contract and to make copies of their contents.

(4) Certified payroll. A contractor or subcontractor performing covered work and receiving compensation from the green building fund in excess of fifty thousand dollars, whether for an individual contract or in aggregate, must furnish to the auditor each pay period during which work is in progress in connection with the contract a true and correct electronically certified copy of the payroll records of every person performing work related to the contract. The certified records must show the number of hours worked, hourly pay, any deductions made from pay, and the net amount of pay received by each worker for the period covered by the payroll.

(5) Enforcement. The auditor has the authority and duty to enforce the provisions of this subsection (h). The penalty, complaint, and review provisions of section 20-76 (e), (f), and (g) apply to violations of this paragraph (h).” Which motion to amend carried by the following vote:

Amended

Aye: Black, CdeBaca, Clark, Flynn, Gilmore, Herndon, Hinds, Kashmann, Kniech, Ortega, Sandoval, Sawyer, Torres (13)

Nay: (None) (0)

A motion offered by Councilwoman Kniech, duly seconded by Councilwoman Gilmore, that Council Bill 19-0805 be ordered published. The motion carried by the following vote:

Ordered published on first reading

Aye: Black, CdeBaca, Clark, Flynn, Gilmore, Herndon, Hinds, Kashmann, Kniech, Ortega, Sandoval, Sawyer, Torres (13)

Nay: (None) (0)

Land Use, Transportation & Infrastructure Committee

19-0766 A bill for an ordinance approving the purchase of capital equipment from the Wastewater Enterprise Fund.

Approves a one-time capital equipment expenditure in an amount not to exceed \$35,000 to procure one John Deere gator utility vehicle in place of a Bobcat that was authorized in the 2019 budget, to support citywide Public Works Wastewater operations. The last regularly scheduled Council meeting within the 30-day review period is on 9-9-19. The Committee approved filing this item at its meeting on 8-6-19.

Council Bill 19-0766 was ordered published on first reading

Ordered published on first reading

19-0784 A bill for an ordinance concerning the operation of electric scooters in the city and county of Denver.

Amends various sections of Chapter 54 of the Denver Revised Municipal Code (DRMC) concerning the operation of electric scooters in the City. The Committee approved filing this item at its meeting on 8-6-19.

Council Bill 19-0784 was ordered published on first reading

Ordered published on first reading

Safety, Housing, Education & Homelessness Committee

19-0780 A bill for an ordinance approving a proposed Intergovernmental Option Letter between the City and County of Denver and State of Colorado, Department of Human Services, for Denver childcare facility inspections.

Amends an intergovernmental agreement with the Colorado Department of Human Services by adding \$640,642 for a new total of \$3,128,929 and one year for a new end date of 6-30-20 to provide reimbursement for the City's Child Care Facility Inspection program, citywide (201521228-06). The last regularly scheduled Council meeting within the 30-day review period is on 9-9-19. The Committee approved filing this item at its meeting on 8-7-19.

Council Bill 19-0780 was ordered published on first reading

Ordered published on first reading

BILLS FOR FINAL CONSIDERATION

Finance & Governance Committee

19-0741 A bill for an ordinance amending the classification and pay plan for employees in the Career Service and for certain employees not in the Career Service.

Amends the Classification and Pay Plan by changing the title and pay grades of various associated labor and equipment operator classifications. The Committee approved filing this bill by consent on 7-30-19.

A motion offered by Councilwoman Kniech, duly seconded by Councilwoman Sawyer, that Council Bill 19-0741 be placed upon final consideration and do pass en bloc, carried by the following vote:

Placed upon final consideration and do pass

Aye: Black, CdeBaca, Clark, Flynn, Gilmore, Herndon, Hinds, Kashmann, Kniech, Ortega, Sandoval, Sawyer, Torres (13)

Nay: (None) (0)

19-0742 A bill for an ordinance amending the classification and pay plan for employees in the Career Service and for certain employees not in the Career Service.

Amends the Classification and Pay Plan by changing the pay grades for Judicial Assistant I, Judicial Assistant II, Judicial Assistant III, and Judicial Assistant IV. The Committee approved filing this bill by consent on 7-30-19.

A motion offered by Councilwoman Kniech, duly seconded by Councilwoman Sawyer, that Council Bill 19-0742 be placed upon final consideration and do pass en bloc, carried by the following vote:

Placed upon final consideration and do pass

Aye: Black, CdeBaca, Clark, Flynn, Gilmore, Herndon, Hinds,
Kashmann, Kniech, Ortega, Sandoval, Sawyer, Torres (13)

Nay: (None) (0)

19-0743 A bill for an ordinance amending the classification and pay plan for employees in the Career Service and for certain employees not in the Career Service.

Amends the Classification and Pay Plan by creating a new classification series for the Document Management Technicians and abolishes the current Document Management Technician classification. The Committee approved filing this bill by consent on 7-30-19.

A motion offered by Councilwoman Kniech, duly seconded by Councilwoman Sawyer, that Council Bill 19-0743 be placed upon final consideration and do pass en bloc, carried by the following vote:

Placed upon final consideration and do pass

Aye: Black, CdeBaca, Clark, Flynn, Gilmore, Herndon, Hinds,
Kashmann, Kniech, Ortega, Sandoval, Sawyer, Torres (13)

Nay: (None) (0)

Safety, Housing, Education & Homelessness Committee

19-0760 A bill for an ordinance approving a proposed Amendatory Agreement between the City and County of Denver and the Denver Urban Renewal Authority, by modifying the scope of work, to assist the Department of Public Health and Environment with administering the Lead Based Paint Hazard Control Grant Program.

Amends an intergovernmental agreement with the Denver Urban Renewal Authority (DURA) by modifying eligibility and financial requirements for the administration of the Lead Based Paint Hazard Control Grant Program (LBPHC), to mitigate lead paint hazards in low income homes, citywide. No change to agreement amount or duration (201843088). The last regularly scheduled Council meeting within the 30-day review period is on 8-26-19. The Committee approved filing this item at its meeting on 7-31-19.

A motion offered by Councilwoman Kniech, duly seconded by Councilwoman Sawyer, that Council Bill 19-0760 be placed upon final consideration and do pass en bloc, carried by the following vote:

Placed upon final consideration and do pass

Aye: Black, CdeBaca, Clark, Flynn, Gilmore, Herndon, Hinds,
Kashmann, Kniech, Ortega, Sandoval, Sawyer, Torres (13)

Nay: (None) (0)

RECAP OF BILLS TO BE CALLED OUT

PRE-RECESS ANNOUNCEMENT

Council President Clark announced that tonight, Council was scheduled to hold a required public hearing on Council Bill 19-0577, changing the zoning classification for 1634, 1640, 1642, 1650 and 1680 Sheridan Boulevard in West Colfax- however, it is Council's intent to postpone final consideration of Council Bill 19-0577 with its public hearing to Monday, September 16, 2019. If you are wishing to speak on this matter, we apologize for any inconvenience and ask that you attend the rescheduled hearing on Monday, September 16.

Tonight, there will be a required public hearing on Council Bill 19-0576, changing the zoning classification for 4600 South Kipling Street in Marston. Anyone wishing to speak on either of these matters must see the Council Secretary or go online to sign up during the recess of Council.

RECESS

Council took a recess

COUNCIL RECONVENES AND RESUMES ITS REGULAR SESSION

PUBLIC HEARINGS - BILLS FOR FINAL CONSIDERATION

Land Use, Transportation & Infrastructure Committee

[19-0576](#) A bill for an ordinance changing the zoning classification for 4600 South Kipling Street in Marston.

Approves an official map amendment to rezone property from OS-B to S-RH-2.5 (open-space to suburban row-house), located at 4600 South Kipling Street in Council District 2. The Committee approved filing this item at its meeting on 6-18-19.

A motion offered by Councilwoman Kniech, duly seconded by Councilwoman Gilmore, that Council Bill 19-0576 be placed upon final consideration and do pass. The motion carried by the following vote:

Placed upon final consideration and do pass

Council sat as a Committee of the Whole, commencing at 7:13p.m., Council President Clark presiding, to hear speakers on Council Bill 19-0576. Bonnie Niziolek, Kurtis Williams, Allison Altaras, Glenn Nier, Alisha Hammett signed up to speak in favor of the bill. Chairman Seku signed up to speak in opposition of the bill. Theresa Lucero of Community Planning and Development delivered the staff report.

Aye: Black, CdeBaca, Clark, Flynn, Gilmore, Hinds, Kashmann, Kniech, Ortega, Sandoval, Sawyer, Torres (12)

Nay: (None) (0)

Absent: Herndon (1)

19-0577 A bill for an ordinance changing the zoning classification for 1634, 1640, 1642, 1650 and 1680 Sheridan Boulevard in West Colfax.

Approves an official map amendment to rezone properties from U-RH-3A and U-SU-C2 to U-MS-2 and U-MS-3 (urban row-home and single-unit to urban main-street districts), located at 1634, 1640, 1642, 1650 and 1680 Sheridan Boulevard in Council District 1. The Committee approved filing this item at its meeting on 6-18-19. Community Planning and Development has determined that the requirement for a legal protest (signatures by the owners of 20 percent or more either of the area of the lots included in the proposed change or of the total land area within 200 feet from the perimeter of the area proposed for change) has been met (petition signatures represent 0% and 21%, respectively).

A motion offered by Councilwoman Kniech, duly seconded by Councilwoman Gilmore, that Council Bill 19-0577 be placed upon final consideration and do pass, was followed by a motion offered by Councilwoman Sandoval, duly seconded by Councilwoman Hinds, that final consideration of Council Bill 19-0577 with its public hearing be postponed to Monday, 9-16-19. Which motion to postpone carried by the following vote:

Postponed to a date certain

Aye: Black, CdeBaca, Clark, Flynn, Gilmore, Hinds, Kashmann, Kniech, Ortega, Sandoval, Sawyer, Torres (12)

Nay: (None) (0)

Absent: Herndon (1)

PRE-ADJOURNMENT ANNOUNCEMENT

Council President Clark announced that on Monday, August 26, 2019, Council will hold a required public hearing on Council Bill 19-0744, approving the East Colfax Corridor Urban Redevelopment Plan and the creation of the East Colfax Corridor Urban Redevelopment Area and the East Colfax Corridor Property Tax Increment Area and Sales Tax Increment Area; and, a required public hearing on Council Bill 19-0745, approving Service Plans for the creation of six (6) Title 32 Metropolitan Districts, the Loretto Heights Metropolitan District Nos. 1-5 and the Loretto Heights Programming Metropolitan District. Dependent upon publication, Council will hold a combined courtesy public hearing on Council Bill 19-0803, establishing an excise tax on electricity and natural gas for commercial and industrial customers to fund the office of climate action, sustainability, and resiliency, subject to the approval of the voters at a special municipal election to be conducted in coordination with the state coordinated election on November 5, 2019; and, Council Bill 19-0805, establishing the Office of Climate Action, Sustainability, and Resiliency.

ADJOURN

There being no further business before the City Council, Council President Clark adjourned the meeting at 7:36 p.m.

President

Attested by me with the Corporate Seal of the City and County of Denver

Clerk and Recorder, Ex-Officio Clerk
of the City and County of Denver