

# City Council Minutes

Meeting Date: Monday, May 13, 2019 5:30 PM

## PLEDGE OF ALLEGIANCE

Council member Flynn led the Pledge of Allegiance.

## ROLL CALL

Present: Black, Clark, Flynn, Gilmore, Herndon, Kashmann, Kniech, López, New, Ortega, Susman (11)

Absent: Brooks, Espinoza (2)

## APPROVAL OF THE MINUTES

The minutes of Monday, May 6, 2019 were distributed to members of Council. Council President Clark ordered the minutes approved.

[19-0472](#) Minutes of Monday, May 6, 2019

Council Minutes 19-0472 were approved

## Approved

## COUNCIL ANNOUNCEMENTS

Council members Flynn, Kashmann, Herndon, Gilmore and Susman offered announcements.

## PRESENTATIONS

## COMMUNICATIONS

## PROCLAMATIONS

[19-0473](#) A proclamation recognizing May 19th as "Hepatitis Testing Day" and July 28th as "World Hepatitis Day".

A motion offered by Councilman López, duly seconded by Councilman Flynn, that Council Proclamation 19-0473 be adopted. The motion carried by the following vote:

## Adopted

Aye: Black, Clark, Flynn, Gilmore, Herndon, Kashmann, Kniech, López, New, Ortega, Susman (11)

Nay: (None) (0)

Absent: Brooks, Espinoza (2)

## Block Vote

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

## Approved the consent agenda

Aye: Black, Clark, Flynn, Gilmore, Herndon, Kashmann, Kniech, López, New, Ortega, Susman (11)

Nay: (None) (0)

Absent: Brooks, Espinoza (2)

**RESOLUTIONS**

**Finance & Governance Committee**

**19-0361 A resolution approving a proposed Agreement between the City and County of Denver and Emerging Digital Concepts, LLC to provide and maintain a Computer Assisted Dispatch (CAD) solution.**

Approves a contract with Emerging Digital Concepts LLC for \$1,500,000 and through 06-30-21 to provide and maintain a Computer Assisted Dispatch (CAD) solution for the Phase I agencies of the North Central Region of the Denver metro area, including implementation, engineering services, CAD interfaces and two years of subscription, maintenance and support (MOOEM-201948860-00). The last regularly scheduled Council meeting within the 30-day review period is on 6-3-19. The Committee approved filing this item at its meeting on 4-16-19.

A motion offered by Councilman Flynn, duly seconded by Councilwoman Gilmore, that Council Resolution 19-0361 be adopted en bloc, carried by the following vote:

**Adopted**

- Aye: Black, Clark, Flynn, Gilmore, Herndon, Kashmann, Kniech, López, New, Ortega, Susman (11)
- Nay: (None) (0)
- Absent: Brooks, Espinoza (2)

**19-0416 A resolution approving a Second Amendatory Agreement between the City and County of Denver and Ernst & Young U.S. LLP f/k/a ERNST & YOUNG INFRASTRUCTURE ADVISORS, LLC for a new end date of December 31, 2020.**

Amends a contract with Ernst and Young Infrastructure Advisors by adding \$1,918,000 for a new total of \$2,368,000 and adding one year for a new end date of 12-31-20 to continue to serve as the city’s financial advisor on performance based infrastructure projects, including evaluation, planning, structuring and implementation (FINAN-201631788-02). The last regularly scheduled Council meeting within the 30-day review period is on 6-3-19. The Committee approved filing this item at its meeting on 4-30-19.

A motion offered by Councilman Flynn, duly seconded by Councilwoman Gilmore, that Council Resolution 19-0416 be adopted en bloc, carried by the following vote:

**Adopted**

- Aye: Black, Clark, Flynn, Gilmore, Herndon, Kashmann, Kniech, López, New, Ortega, Susman (11)
- Nay: (None) (0)
- Absent: Brooks, Espinoza (2)

**[19-0418](#) A resolution approving a proposed Sixth Amendatory Agreement between the City and County of Denver and Riskonnect ClearSight LLC successor to Marsh ClearSight LLC to extend the term and increase funding to provide maintenance services and support for STARS™ software.**

Amends a contract with Riskonnect ClearSight LLC by adding \$97,800 for a new total of \$1,047,626 and adding six months for a new end date of 10-31-19 to provide Risk Management Information System (RMIS) software for tracking of the city's workers' compensation, automobile and property insurance claims, citywide (CRCFD - 201311634-07). The last regularly scheduled Council meeting within the 30-day review period is on 6-3-19. The Committee approved filing this item at its meeting on 4-30-19.

A motion offered by Councilman Flynn, duly seconded by Councilwoman Gilmore, that Council Resolution 19-0418 be adopted en bloc, carried by the following vote:

**Adopted**

Aye: Black, Clark, Flynn, Gilmore, Herndon, Kashmann, Kniech, López, New, Ortega, Susman (11)  
Nay: (None) (0)  
Absent: Brooks, Espinoza (2)

**Land Use, Transportation & Infrastructure Committee**

**[19-0336](#) A resolution approving a design Agreement between the City and County of Denver and STUDIOTROPE, LLC for the Denver Central Library Renovation in Council District 10.**

Approves a contract with Studiotrope LLC for \$3,366,447 and for five years for architectural and engineering professional design services for the Denver Central Library Renovation, as part of the Elevate Denver Bond Program, located at 10 West 14th Avenue in Council District 10 (201948702). The last regularly scheduled Council meeting within the 30-day review period is on 6-3-19. The Committee approved filing this item at its meeting on 4-9-19.

A motion offered by Councilman Flynn, duly seconded by Councilwoman Gilmore, that Council Resolution 19-0336 be adopted en bloc, carried by the following vote:

**Adopted**

Aye: Black, Clark, Flynn, Gilmore, Herndon, Kashmann, Kniech, López, New, Ortega, Susman (11)  
Nay: (None) (0)  
Absent: Brooks, Espinoza (2)

**[19-0384](#) A resolution approving an Agreement between the City and County of Denver and AECOM Technical Services, Inc. for engineering design services on Peoria Street in Council District 8 and 11.**

Approves a contract with AECOM Technical Services Inc. for \$953,258 and through 10-31-20 for engineering design services for multimodal improvements on Peoria Street from 37th Avenue to 56th Avenue in Council Districts 8 and 11 (201948462). The last regularly scheduled Council meeting within the 30-day review period is on 6-3-19. The Committee approved filing this item at its meeting on 4-23-19.

A motion offered by Councilman Flynn, duly seconded by Councilwoman Gilmore, that Council Resolution 19-0384 be adopted en bloc, carried by the following vote:

**Adopted**

Aye: Black, Clark, Flynn, Gilmore, Herndon, Kashmann, Kniech,  
López, New, Ortega, Susman (11)  
Nay: (None) (0)  
Absent: Brooks, Espinoza (2)

**19-0400 A resolution approving an Amendatory Agreement between the City and County of Denver and HDR Engineering, Inc. for a new end date of December 27, 2019 for additional professional design services.**

Amends a contract with HDR Engineering Inc. by adding \$71,015 for a new total of \$817,683.86 and adding 210 days for a new end date of 12-27-19 for additional professional design services related to the completion of the Iowa underpass project, which includes sidewalk upgrades, installation of ADA-compliant ramps, alterations or new installation of retaining walls, lighting improvements and other services as necessary, located near the intersection of Iowa Avenue and Santa Fe Drive in Council District 7 (201737759). The last regularly scheduled Council meeting within the 30-day review period is on 6-3-19. The Committee approved filing this item at its meeting on 4-30-19.

A motion offered by Councilman Flynn, duly seconded by Councilwoman Gilmore, that Council Resolution 19-0400 be adopted en bloc, carried by the following vote:

**Adopted**

Aye: Black, Clark, Flynn, Gilmore, Herndon, Kashmann, Kniech,  
López, New, Ortega, Susman (11)  
Nay: (None) (0)  
Absent: Brooks, Espinoza (2)

**19-0404 A resolution accepting and approving the plat of Green Valley Ranch Filing No. 63.**

Approves a subdivision plat for Green Valley Ranch Filing No. 63, located north of Elmendorf Drive and Tower Road in Council District 11. The Committee approved filing this item at its meeting on 4-30-19.

A motion offered by Councilman Flynn, duly seconded by Councilwoman Gilmore, that Council Resolution 19-0404 be adopted en bloc, carried by the following vote:

**Adopted**

Aye: Black, Clark, Flynn, Gilmore, Herndon, Kashmann, Kniech,  
López, New, Ortega, Susman (11)  
Nay: (None) (0)  
Absent: Brooks, Espinoza (2)

**19-0412 A resolution approving a Contract between the City and County of Denver and Insituform Technologies, LLC for rehabilitation of sewer mains of various diameters, located in wastewater District 2 of the city in Council Districts 3,7,9 and 10.**

Approves a contract with Insituform Technologies LLC for \$3,322,677.70 and for one year for the rehabilitation of approximately 117,600 linear feet of sewer mains of various diameters with structural deterioration problems, located in Wastewater District 2 of the city in Council Districts 3, 7, 9 and 10 (201948329). The last regularly scheduled Council meeting within the 30-day review period is on 6-3-19. The Committee approved filing this item at its meeting on 4-30-19.

A motion offered by Councilman Flynn, duly seconded by Councilwoman Gilmore, that Council Resolution 19-0412 be adopted en bloc, carried by the following vote:

**Adopted**

Aye: Black, Clark, Flynn, Gilmore, Herndon, Kashmann, Kniech, López, New, Ortega, Susman (11)  
Nay: (None) (0)  
Absent: Brooks, Espinoza (2)

**19-0413 A resolution approving a proposed Purchase Order between the City and County of Denver and O.J. Watson Company, Inc., for the purchase of six 16' DVS dump trucks.**

Approves a purchase order with OJ Watson Company, Inc. for the purchase of six 16' DVS dump truck stainless steel spreader bodies/plows at a price of \$120,249 each, for a total of \$721,494, to support Public Works street maintenance operations, citywide (PO-00063881). The last regularly scheduled Council meeting within the 30-day review period is on 6-3-19. The Committee approved filing this item at its meeting on 4-30-19.

A motion offered by Councilman Flynn, duly seconded by Councilwoman Gilmore, that Council Resolution 19-0413 be adopted en bloc, carried by the following vote:

**Adopted**

Aye: Black, Clark, Flynn, Gilmore, Herndon, Kashmann, Kniech, López, New, Ortega, Susman (11)  
Nay: (None) (0)  
Absent: Brooks, Espinoza (2)

**19-0417 A resolution approving a proposed Second Amendatory Agreement between the City and County of Denver and Dig Studio, Inc. for performance of certain work.**

Amends a contract with Dig Studio Inc. by adding \$259,726 for a new total of \$1,247,682 and adding 13 months for a new end date of 12-30-20 for construction administration and oversight during Phase II of the construction of Re-Imagine Play at Paco Sanchez Park in Council District 3 (201524291). The last regularly scheduled Council meeting within the 30-day review period is on 6-3-19. The Committee approved filing this item at its meeting on 4-30-19.

A motion offered by Councilman Flynn, duly seconded by Councilwoman Gilmore, that Council Resolution 19-0417 be adopted en bloc, carried by the following vote:

**Adopted**

Aye: Black, Clark, Flynn, Gilmore, Herndon, Kashmann, Kniech, López, New, Ortega, Susman (11)

Nay: (None) (0)  
Absent: Brooks, Espinoza (2)

**Safety, Housing, Education & Homelessness Committee**

**19-0402 A resolution approving and providing for the execution of a proposed Grant Agreement between the City and County of Denver and the United States of America Department of Housing and Urban Development concerning the "Continuum of Care Bedrock 2019-2020" program and the funding therefor.**

Approves a grant agreement with Department of Housing and Urban Development (HUD) to accept \$629,750 and through 10-31-20 to provide rental assistance to individuals experiencing homelessness through the Continuum of Care Bedrock program, citywide (SOCSV- 2019-48905). The last regularly scheduled Council meeting within the 30-day review period is on 6-3-19. The Committee approved filing this item at its meeting on 5-1-19.

A motion offered by Councilman Flynn, duly seconded by Councilwoman Gilmore, that Council Resolution 19-0402 be adopted en bloc, carried by the following vote:

**Adopted**

Aye: Black, Clark, Flynn, Gilmore, Herndon, Kashmann, Kniech, López, New, Ortega, Susman (11)  
Nay: (None) (0)  
Absent: Brooks, Espinoza (2)

**19-0423 A resolution approving the City Council appointment of Councilman Christopher Herndon to the Denver College Success Corporation.**

That the City Council appointment of Councilman Christopher Herndon to the Denver College Success Corporation, the non-profit corporation established to administer the Denver College Affordability Fund, for a term effective immediately and expiring on 05-01-2022 be and hereby is approved. The Committee approved filing this item at its meeting on 5-1-19.

A motion offered by Councilman Flynn, duly seconded by Councilwoman Gilmore, that Council Resolution 19-0423 be adopted en bloc, carried by the following vote:

**Adopted**

Aye: Black, Clark, Flynn, Gilmore, Herndon, Kashmann, Kniech, López, New, Ortega, Susman (11)  
Nay: (None) (0)  
Absent: Brooks, Espinoza (2)

## **BILLS FOR INTRODUCTION**

### **Finance & Governance Committee**

**[19-0408](#) 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 making multiple pay range adjustments and pay grade changes based upon the annual market study of prevailing wages in the Denver metropolitan area. The Committee approved filing this item at its meeting on 4-30-19.

Council Bill 19-0408 was ordered published on first reading

#### **Ordered published on first reading**

**[19-0409](#) 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 new classifications of Tax Technician Specialist at pay grade V-618, Tax Compliance Specialist at pay grade V-621, Tax Technician Supervisor at pay grade V-810, amends the titles and pay grades of existing classifications of Tax Compliance Agent I, Tax Compliance Agent II and Tax Compliance Supervisor, amends the pay grade of existing classifications of Tax Technician I and Tax Technician II, and abolishes the classifications of Tax Analyst and Treasury Agent. The Committee approved filing this item at its meeting on 4-30-19.

Council Bill 19-0409 was ordered published on first reading

#### **Ordered published on first reading**

**[19-0420](#) A bill for an ordinance approving a proposed Purchase and Sale Agreement between the City and County of Denver and Diane C Lomonaco, for the purchase of real property located at 1800 North Cherry Street.**

Approves a purchase and sale agreement with Diane C. Lomonaco for \$1,000 to sell approximately 320 square feet of vacant land located at 1800 Cherry Street in Council District 8 (FINAN-201947885-00). The last regularly scheduled Council meeting within the 30-day review period is on 6-3-19. The Committee approved filing this item at its meeting on 4-30-19.

Council Bill 19-0420 was ordered published on first reading

#### **Ordered published on first reading**

## **Land Use, Transportation & Infrastructure Committee**

**[19-0399](#) A bill for an ordinance relinquishing a portion of the easement reserved in Southmoor Park Filing No. Two, recorded with the Denver Clerk & Recorder at Book 25, Pages 45-46, located at South Oneida Way and East Hampden Avenue.**

Relinquishes a portion of the utility easement within Lots 3 and 4, Block 2 as recorded in the Southmoor Park Filing No. Two in Book 25, Pages 45 - 46, located at South Oneida Way and East Hampden Avenue in Council District 4. The last regularly scheduled Council meeting within the 30-day review period is on 6-3-19. The Committee approved filing this item at its meeting on 4-30-19.

Council Bill 19-0399 was ordered published on first reading

### **Ordered published on first reading**

**[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. If ordered published, a public hearing will be held on Monday, 6-10-19. The Committee approved filing this item at its meeting on 4-30-19.

Council Bill 19-0403 was ordered published with a future required public hearing on 6-10-19

### **Ordered published with a future required public hearing**

**[19-0405](#) A bill for an ordinance relinquishing the easements established in the Deed of Easement recorded with Denver Clerk & Recorder at Reception No. 1977099893, Book 1446, Page 314, located at 2099 Chestnut Place.**

Relinquishes the storm sewer utility easement, in its entirety, established in the deed in Book 1446 Page 314, recorded on May 26, 1977, located at 2099 Chestnut Place in Council District 9. The last regularly scheduled Council meeting within the 30-day review period is on 6-3-19. The Committee approved filing this item at its meeting on 4-30-19.

Council Bill 19-0405 was ordered published on first reading

### **Ordered published on first reading**

**[19-0410](#) A bill for an ordinance relinquishing the easement established in the Permanent Non-Exclusive Easement recorded with the Denver Clerk & Recorder at Reception No. 2018045567, located at 3722 and 3770 Walnut Street.**

Relinquishes the Permanent Non-Exclusive Easement, in its entirety, as established in the recorded document 2018045567, located at 3722 and 3770 Walnut Street in Council District 9. The last regularly scheduled Council meeting within the 30-day review period is on 6-3-19. The Committee approved filing this item at its meeting on 4-30-19.

Council Bill 19-0410 was ordered published on first reading

### **Ordered published on first reading**



**[19-0414](#) A bill for an ordinance relinquishing a portion of the easement reserved in Ordinance No. 239, Series of 1956, recorded with Denver Clerk & Recorder at Reception No. 1956041666, located at 2501 South Bellaire Street.**

Relinquishes a portion of the utility easement established in the Vacating Ordinance No. 239, Series of 1956 located at 2501 South Bellaire Street in Council District 4. The last regularly scheduled Council meeting within the 30-day review period is on 6-3-19. The Committee approved filing this item at its meeting on 4-30-19.

Council Bill 19-0414 was ordered published on first reading

**Ordered published on first reading**

**[19-0415](#) A bill for an ordinance vacating portions of right-of-way bounded by West 28th Avenue, North Decatur Street, North Speer Boulevard and North Clay Street, without reservations.**

Vacates portions of the Right of Way on the north and south side of the alley, bounded by West 28th Avenue, North Decatur Street, North Speer Boulevard, and North Clay Street, without reservations, in Council District 1. The Committee approved filing this item at its meeting on 4-30-19.

Council Bill 19-0415 was ordered published on first reading

**Ordered published on first reading**

**[19-0424](#) A bill for an ordinance approving the Game Plan for a Healthy City 2019, which plan shall supplement the Comprehensive Plan 2040 for the City and County of Denver.**

Adopts Game Plan for a Healthy City, as part of the city's Comprehensive Plan. If ordered published, a courtesy public hearing will be held on Monday, 5-20-19. The Committee approved filing this item at its meeting on 4-30-19.

Council Bill 19-0424 was ordered published with a future courtesy public hearing on 5-20-19

**Ordered published with a future courtesy public hearing**

**BILLS FOR FINAL CONSIDERATION**

**Finance & Governance Committee**

**19-0385 A bill for an ordinance authorizing expenditures in the General Government Special Revenue Fund based on a letter of intent from the Colorado Division of Homeland Security and Emergency Management to fund the City and County of Denver for the "Emergency Management Performance" program.**

Authorizes expenditures based on a letter of intent from the Colorado Division of Homeland Security to award \$65,000 in funding for the 2019 Emergency Management Performance Grant. The Committee approved filing this item at its meeting on 4-23-19.

A motion offered by Councilman Flynn, duly seconded by Councilwoman Gilmore, that Council Bill 19-0385 be placed upon final consideration and do pass en bloc, carried by the following vote:

**Placed upon final consideration and do pass**

- Aye: Black, Clark, Flynn, Gilmore, Herndon, Kashmann, Kniech, López, New, Ortega, Susman (11)
- Nay: (None) (0)
- Absent: Brooks, Espinoza (2)

**Land Use, Transportation & Infrastructure Committee**

**19-0382 A bill for an ordinance relinquishing an easement reserved in Ordinance No. 255, Series of 1986, recorded with Denver Clerk & Recorder at Reception No. 1986065934, located at West 38th Avenue and North Julian Street.**

Relinquishes the 16' utility easement, in its entirety, as established in Vacating Ordinance No. 255, Series of 1986, located at West 38th Avenue and North Julian Street in Council District 1. The last regularly scheduled Council meeting within the 30-day review period is on 5-20-19. The Committee approved filing this item at its meeting on 4-23-19.

A motion offered by Councilman Flynn, duly seconded by Councilwoman Gilmore, that Council Bill 19-0382 be placed upon final consideration and do pass en bloc, carried by the following vote:

**Placed upon final consideration and do pass**

- Aye: Black, Clark, Flynn, Gilmore, Herndon, Kashmann, Kniech, López, New, Ortega, Susman (11)
- Nay: (None) (0)
- Absent: Brooks, Espinoza (2)

**19-0392 A bill for an ordinance approving the purchase of capital equipment from the Planned Fleet Special Revenue Fund.**

Approves a one-time capital equipment expenditure with a not to exceed price of \$105,000 for one Bobcat 5610 Toolcat in place of an Industrial Farm Tractor that was authorized in the 2019 Long Bill, to support citywide Parks and Recreation maintenance projects. The last regularly scheduled Council meeting within the 30-day review period is on 5-20-19. The Committee approved filing this item at its meeting on 4-23-19.

A motion offered by Councilman Flynn, duly seconded by Councilwoman Gilmore, that Council Bill 19-0392 be placed upon final consideration and do pass en bloc, carried by the following vote:

**Placed upon final consideration and do pass**

Aye: Black, Clark, Flynn, Gilmore, Herndon, Kashmann, Kniech, López, New, Ortega, Susman (11)  
Nay: (None) (0)  
Absent: Brooks, Espinoza (2)

**Safety, Housing, Education & Homelessness Committee**

**19-0245 A bill for an ordinance approving a proposed Agreement between the City and County of Denver and the Housing Authority of the City and County of Denver, to provide assistance to low-income homeowners for the construction of accessory dwelling units.**

Approves an intergovernmental agreement with the Housing Authority of the City and County of Denver, Colorado for \$500,000 and for two years to provide soft second mortgages of up to \$25,000 to low-income homeowners participating in the West Denver Single Family Plus program to assist in the development of accessory dwelling units (ADUs) to serve as an income-generation and anti-displacement tool in Council Districts 3, 7, and 9 (OEDEV-201846549-00). The last regularly scheduled Council meeting within the 30-day review period is on 5-20-19. The Committee approved filing this item at its meeting on 3-27-19.

A motion offered by Councilman Flynn, duly seconded by Councilwoman Gilmore, that Council Bill 19-0245 be placed upon final consideration and do pass en bloc, carried by the following vote:

**Placed upon final consideration and do pass**

Aye: Black, Clark, Flynn, Gilmore, Herndon, Kashmann, Kniech, López, New, Ortega, Susman (11)  
Nay: (None) (0)  
Absent: Brooks, Espinoza (2)

**RECAP OF BILLS TO BE CALLED OUT**

**PRE-RECESS ANNOUNCEMENT**

**RECESS**

Council did not take a recess

**COUNCIL RECONVENES AND RESUMES ITS REGULAR SESSION**

**PUBLIC HEARINGS - BILLS FOR FINAL CONSIDERATION**

**PRE-ADJOURNMENT ANNOUNCEMENT**

Council President Clark announced that on Monday, May 20, 2019, Council will hold a courtesy public hearing on Council Bill 19-0424, adopting the Game Plan for a Healthy City 2019, which shall supplement the Comprehensive Plan 2040 for the City and County of Denver. On Monday, June 10, 2019, Council will hold a required public hearing on Council Bill 19-0403, changing the zoning classification of 1683, 1685, 1687, 1691, 1693, 1695, and 1699 Cedar Avenue in Washington Park. Any protests against Council Bill 19-0403, must be filed with the Council Offices no later than noon on Monday, June 3, 2019.

**ADJOURN**

There being no further business before the City Council, Council President Clark adjourned the meeting at 6:05 p.m.

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President

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

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