

# City Council Minutes

Meeting Date: Monday, March 12, 2018 5:30 PM

## PLEDGE OF ALLEGIANCE

Council member Kniech led the Pledge of Allegiance.

## ROLL CALL

Present: Brooks, Clark, Espinoza, Flynn, Gilmore, Herndon,  
Kashmann, Kniech, López, New, Ortega, Susman (12)  
Absent: Black (1)

## APPROVAL OF THE MINUTES

[18-0252](#) Minutes of Monday, March 5, 2018

The minutes of Monday, March 5, 2018, were approved.

### Approved

The minutes of meeting date, Monday, March 5, 2018, were distributed to Council. Council President Brooks ordered the minutes approved.

## COUNCIL ANNOUNCEMENTS

Council members Gilmore, Kashmann, Espinoza, Ortega, Brooks, and López offered announcements.

## PRESENTATIONS

## COMMUNICATIONS

## PROCLAMATIONS

[18-0254](#) **A proclamation congratulating the Denver St. Patrick's Day Parade Committee on the occasion of the 56th annual parade on March 17, 2018.**

A motion offered by Councilman Brooks, duly seconded by Councilman Herndon, that Council Proclamation 18-0254 be adopted. The motion carried by the following vote:

### Adopted

Clark was called to speak

Aye: Brooks, Clark, Espinoza, Flynn, Gilmore, Herndon,  
Kashmann, Kniech, López, New, Ortega, Susman (12)

Nay: (None) (0)

Absent: Black (1)

## RESOLUTIONS

### Business, Arts, Workforce & Aeronautical Services Committee

Block Vote

Block Vote

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

### Approved the consent agenda

Aye: Brooks, Clark, Espinoza, Flynn, Gilmore, Herndon,  
Kashmann, Kniech, López, New, Ortega, Susman (12)

Nay: (None) (0)

Absent: Black (1)

**18-0189 A resolution approving a proposed First Amendment the City and County of Denver and Johnson Controls, Inc. concerning maintenance and emergency repair services for chillers, boilers, and associated equipment at Denver International Airport.**

Amends a contract with Johnson Controls, Inc. by adding \$400,000 for a new total of \$1.6 million and one year for a new end date of 12-31-18 for personnel, equipment, tools, materials, supervision, and services to perform regular scheduled maintenance, equipment repair, and emergency response services on the chillers, boilers and any associated equipment for the central utility plants on the A Concourse and C Concourse at Denver International Airport (201417438-01). The last regularly scheduled Council meeting within the 30-day review period is on 4-2-18. The Committee approved filing this resolution by consent on 2-28-18.

A motion offered by Councilwoman Kniech, duly seconded by Councilman Clark, that Council Resolution 18-0189 be adopted en bloc, carried by the following vote:

**Adopted**

Aye: Brooks, Clark, Espinoza, Flynn, Gilmore, Herndon, Kashmann, Kniech, López, New, Ortega, Susman (12)

Nay: (None) (0)

Absent: Black (1)

**18-0207 A resolution approving the Mayor's reappointments, and correcting the term of the Mayor's previous appointment, to the Denver Convention Center Hotel Authority Board.**

Approves the Mayoral reappointments of Susan Cantwell and Luella Chavez D'Angelo, and corrects the previous Mayoral appointment of Matthew Burkett to the Denver Convention Center Hotel Authority Board for terms effective immediately and expiring 12-31-20, or until a successor is duly appointed. The Committee approved filing this resolution by consent on 2-28-18.

A motion offered by Councilwoman Kniech, duly seconded by Councilman Clark, that Council Resolution 18-0207 be adopted en bloc, carried by the following vote:

**Adopted**

Aye: Brooks, Clark, Espinoza, Flynn, Gilmore, Herndon, Kashmann, Kniech, López, New, Ortega, Susman (12)

Nay: (None) (0)

Absent: Black (1)

## **Finance & Governance Committee**

### **18-0204 A resolution approving a proposed Amendatory Agreement between the City and County of Denver and Paymentech, LLC for modification of pricing and scope of work.**

Amends a contract with Chase Paymentech, LLC to add tokenization and encryption services for additional security for payment card transactions, citywide (FINAN-201520122-00). The last regularly scheduled Council meeting within the 30-day review period is on 4-2-18. The Committee approved filing this resolution by consent on 2-27-18.

A motion offered by Councilwoman Kniech, duly seconded by Councilman Clark, that Council Resolution 18-0204 be adopted en bloc, carried by the following vote:

#### **Adopted**

Aye: Brooks, Clark, Espinoza, Flynn, Gilmore, Herndon, Kashmann, Kniech, López, New, Ortega, Susman (12)  
Nay: (None) (0)  
Absent: Black (1)

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

### **18-0213 A resolution laying out, opening and establishing as part of the City street system a parcel of land as a public alley bounded by West 17th Avenue, North Hooker Street, West 18th Avenue and North Grove Street.**

Dedicates a parcel of land public as right-of-way as public alley located at the alley bounded by West 17th Avenue, North Hooker Street, West 18th Avenue, and North Grove Street in Council District 3. The Committee approved filing this resolution by consent on 2-27-18.

A motion offered by Councilwoman Kniech, duly seconded by Councilman Clark, that Council Resolution 18-0213 be adopted en bloc, carried by the following vote:

#### **Adopted**

Aye: Brooks, Clark, Espinoza, Flynn, Gilmore, Herndon, Kashmann, Kniech, López, New, Ortega, Susman (12)  
Nay: (None) (0)  
Absent: Black (1)

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

### **18-0168 A resolution approving and providing for the execution of a proposed grant agreement between the City and County of Denver and the Colorado Department of Public Safety concerning the "Crime Victim Compensation" program and the funding therefor.**

Approves a grant agreement with the Colorado Division of Criminal Justice for \$800,000 and through 9-30-20 to accept Victims of Crime Act (VOCA) funding for the Citywide Crime Victim Compensation program (DATTY 201840072). The last regularly scheduled Council meeting within the 30-day review period is on 4-2-18. The Committee approved filing this resolution by consent on 2-28-18.

A motion offered by Councilwoman Kniech, duly seconded by Councilman Clark, that Council Resolution 18-0168 be adopted en bloc, carried by the following vote:

#### **Adopted**

Aye: Brooks, Clark, Espinoza, Flynn, Gilmore, Herndon, Kashmann, Kniech, López, New, Ortega, Susman (12)

Nay: (None) (0)

Absent: Black (1)

**18-0205 A resolution approving the joint Mayoral and City Council appointment to the Civil Service Commission.**

Approves the joint Mayoral and City Council appointment of Sylvia Murray to the Civil Service Commission for a term effectively immediately and expiring 12-31-19, or until a successor is duly appointed. The Committee approved filing this resolution by consent on 2-8-18.

A motion offered by Councilwoman Kniech, duly seconded by Councilman Clark, that Council Resolution 18-0205 be adopted en bloc, carried by the following vote:

**Adopted**

Aye: Brooks, Clark, Espinoza, Flynn, Gilmore, Herndon, Kashmann, Kniech, López, New, Ortega, Susman (12)

Nay: (None) (0)

Absent: Black (1)

**18-0209 A resolution approving and providing for the execution of a proposed grant agreement between the City and County of Denver and the United States Department of Housing and Urban Development concerning the " Lead Hazard Control and Healthy Homes " program and the funding therefor.**

Approves a grant agreement with U.S. Housing and Urban Development (HUD), Office of Lead Hazard Control and Healthy Homes for \$2,813,904 and for three years for funding to mitigate lead-based paint hazards in low-moderate income homes, citywide (ENVHL-201840252). The last regularly scheduled Council meeting within the 30-day review period is on 4-2-18. The Committee approved filing this resolution by consent on 2-28-18.

A motion offered by Councilwoman Kniech, duly seconded by Councilman Clark, that Council Resolution 18-0209 be adopted en bloc, carried by the following vote:

**Adopted**

Aye: Brooks, Clark, Espinoza, Flynn, Gilmore, Herndon, Kashmann, Kniech, López, New, Ortega, Susman (12)

Nay: (None) (0)

Absent: Black (1)

**18-0211 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 concerning the "Ryan White Part A FY18" program and the funding therefor.**

Approves a grant agreement with the U.S. Department of Health and Human Services, Health Resources and Services Administration for \$1,643,582 and for one year to provide services to persons living with HIV/AIDS in the Denver Metropolitan Area (ENVHL-201840349). The last regularly scheduled Council meeting within the 30-day review period is on 4-2-18. The Committee approved filing this resolution by consent on 2-28-18.

A motion offered by Councilwoman Kniech, duly seconded by Councilman Clark, that Council Resolution 18-0211 be adopted. The motion carried by the following vote:

**Adopted**

Aye: Brooks, Clark, Espinoza, Flynn, Gilmore, Herndon,  
Kashmann, Kniech, López, New, Susman (11)  
Nay: (None) (0)  
Absent: Black (1)  
Abstain: Ortega (1)

**18-0216 A resolution approving the Mayor's appointments and reappointments to the Crime Prevention and Control Commission.**

Approves the following Mayoral appointments and reappointments to the Crime Prevention and Control Commission: reappointments of Sean McDermott and Heather Salazar for terms effective immediately and expiring on 9-1-18; reappointments of Shawn Cohn and Henry Jackson for terms effective immediately and expiring 9-1-19; reappointments of Stacey Hervey and Robert Bremer for terms effective immediately and expiring 9-1-20; appointments of Eldridge Greer, Kyla Armstrong Romero, Leslie Herod, Lisa Thompson, Jennifer Gafford, and Robert Schleper for terms effective immediately and expiring 9-1-20, or until a successor is duly appointed. The Committee approved filing this resolution by consent on 2-28-18.

A motion offered by Councilwoman Kniech, duly seconded by Councilman Clark, that Council Resolution 18-0216 be adopted en bloc, carried by the following vote:

**Adopted**

Aye: Brooks, Clark, Espinoza, Flynn, Gilmore, Herndon,  
Kashmann, Kniech, López, New, Ortega, Susman (12)  
Nay: (None) (0)  
Absent: Black (1)

**BILLS FOR INTRODUCTION**

**Finance & Governance Committee**

**18-0212 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 the Fraud Claims Investigator classification at pay grade A-616. The Committee approved filing this bill by consent on 2-27-18.

Council Bill 18-0212 was ordered published on first reading.

**Ordered published on first reading**

**Land Use, Transportation & Infrastructure Committee**

**[18-0170](#) A bill for an ordinance changing the zoning classification for 935 West 11th Avenue in Lincoln Park.**

Approves an official map amendment to rezone property located at 935 West 11th Avenue from U-RH-2.5 to U-MX-2x (urban, row-home to urban, mixed-use) in Council District 3. If ordered published, a public hearing will be held on Monday, 4-9-18. The Committee approved filing this bill at its meeting on 2-27-18.

**Final Consideration**

**Required Public Hearing**

Council Bill 18-0170 was ordered published with a future required public hearing on 4-9-18.

**Ordered published with future required public hearing**

**[18-0172](#) A bill for an ordinance changing the zoning classification for 301, 303 and 327 South Harrison Street in Belcaro.**

Approves an official map amendment to rezone property located at 301, 303 and 327 South Harrison Street from B-4 with waivers, UO-1, UO-2 to C-MX-5 and C-MX-8 (former Chapter 59 zoning code to urban center, mixed-use) in Council District 10. The Committee approved filing this bill at its meeting on 2-27-18.

**Final Consideration**

**Required Public Hearing**

Council Bill 18-0172 was ordered published with future required public hearing on 4-9-18.

**Ordered published with future required public hearing**

**[18-0173](#) A bill for an ordinance changing the zoning classification for 1660, 1682 & 1684 Grove Street and 3088 & 3092 West 17th Avenue in West Colfax.**

Approves an official map amendment to rezone property located at 1660, 1682 & 1684 Grove Street and 3088 & 3092 West 17th Avenue from G-MU-3 to C-MX-5 (general urban, multi-unit to urban center, mixed-use) in Council District 3. The Committee approved filing this bill at its meeting on 2-27-18.

**Final Consideration**

**Required Public Hearing**

Council Bill 18-0173 was ordered published with future required public hearing on 4-9-18.

**Ordered published with future required public hearing**

**[18-0215](#) A bill for an ordinance designating 2145 South Adams Street, the Ormleigh House, as a structure for preservation.**

Approves an individual Denver landmark designation for property located at 2145 South Adams Street in Council District 6. The Committee approved filing this bill at its meeting on 2-27-18.

Council Bill 18-0215 was ordered published with future required public hearing on 3-19-18.

**Ordered published with future required public hearing**

**BILLS FOR FINAL CONSIDERATION**

**Finance & Governance Committee**

**18-0115 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 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 any property interest as needed for the Brighton Boulevard 47th Avenue to Race Court Reconstruction project including easement interests, access rights, improvements, buildings, fixtures, licenses, permits and other appurtenances located at Brighton Boulevard from 47th Avenue to Race Court in Council District 9. The Committee approved filing this bill by consent on 2-6-18.

A motion offered by Councilwoman Kniech, duly seconded by Councilman Clark, that Council Bill 18-0115 be placed upon final consideration and do pass en bloc, carried by the following vote:

**Placed upon final consideration and do pass**

- Aye: Brooks, Clark, Espinoza, Flynn, Gilmore, Herndon, Kashmann, Kniech, López, New, Ortega, Susman (12)
- Nay: (None) (0)
- Absent: Black (1)

**18-0183 A bill for an ordinance establishing a new fund in the General Government Special Revenue fund and making rescissions, cash transfers and supplemental appropriations from the General Contingency Fund to the General Government Special Revenue Fund.**

Establishes the Tourism Improvement District Marketing and Promotion Special Revenue Fund and appropriates \$5 million to the fund for tourism marketing and promotion services. The Committee approved filing this bill by consent on 2-20-18.

A motion offered by Councilwoman Kniech, duly seconded by Councilman Clark, that Council Bill 18-0183 be placed upon final consideration and do pass en bloc, carried by the following vote:

**Placed upon final consideration and do pass**

- Aye: Brooks, Clark, Espinoza, Flynn, Gilmore, Herndon, Kashmann, Kniech, López, New, Ortega, Susman (12)
- Nay: (None) (0)
- Absent: Black (1)

**18-0188 A bill for an Ordinance amending Division 1, Article VI of Chapter 18 (Insurance Program) of the Denver Revised Municipal Code to correct the definition of eligible employee and to correct the 2018 employee wellness incentive for employees not eligible for health savings accounts.**

Corrects Chapter 18 of the Denver Revised Municipal Code (DRMC) to include elected officials in the definition of employees eligible to receive health insurance benefits to include elected officials. The Committee approved filing this bill by consent on 2-20-18.

A motion offered by Councilwoman Kniech, duly seconded by Councilman Clark, that Council Bill 18-0188 be placed upon final consideration and do pass en bloc, carried by the following vote:

**Placed upon final consideration and do pass**

Aye: Brooks, Clark, Espinoza, Flynn, Gilmore, Herndon,  
Kashmann, Kniech, López, New, Ortega, Susman (12)  
Nay: (None) (0)  
Absent: Black (1)

**18-0193 A bill for an ordinance making appropriations to the Golf Enterprise Fund.**

Adds \$410,000 to the Golf Enterprise Capital Improvements Program Fund from First Tee of Denver to construct a junior golf course at Overland Golf Course in Council District 7. The Committee approved filing this bill by consent on 2-20-18.

A motion offered by Councilwoman Kniech, duly seconded by Councilman Clark, that Council Bill 18-0193 be placed upon final consideration and do pass en bloc, carried by the following vote:

**Placed upon final consideration and do pass**

Aye: Brooks, Clark, Espinoza, Flynn, Gilmore, Herndon,  
Kashmann, Kniech, López, New, Ortega, Susman (12)  
Nay: (None) (0)  
Absent: Black (1)



**Land Use, Transportation & Infrastructure Committee**

**18-0139 A bill for an ordinance approving a proposed Amendment to Agreement between the City and County of Denver and Urban Drainage and Flood Control District regarding flood control improvements for Sanderson Gulch.**

Amends an intergovernmental agreement with Urban Drainage and Flood Control District (UDFCD) by adding \$1,630,000 in UDFCD funds and \$5,642,032 in City funds for a total added amount of \$7,272,032 and new agreement total of \$17,272,032 for drainage and flood control improvements along Sanderson Gulch from Lipan Street to the South Platte River in Council District 7. No change to contract duration (201523631-02). The last regularly scheduled Council meeting within the 30-day review period is on 3-27-18. The Committee approved filing this bill by consent on 2-13-18.

A motion offered by Councilwoman Kniech, duly seconded by Councilman Clark, that Council Bill 18-0139 be placed upon final consideration and do pass en bloc, carried by the following vote:

**Placed upon final consideration and do pass**

- Aye: Brooks, Clark, Espinoza, Flynn, Gilmore, Herndon, Kashmann, Kniech, López, New, Ortega, Susman (12)
- Nay: (None) (0)
- Absent: Black (1)

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

**18-0179 A bill for an ordinance approving a proposed Agreement between the City and County of Denver and Denver Health and Hospital Authority for additional mental health providers at the Downtown Detention Center and the Denver County Jail.**

Approves a 10-month intergovernmental agreement with Denver Health and Hospital Authority in the amount of \$814,527 for two additional on-site mental health providers at the Downtown Detention Center and the Denver County Jail (SHERF201840183). The last regularly scheduled Council meeting within the 30-day review period is on 3-27-18. The Committee approved filing this bill by consent on 2-21-18.

A motion offered by Councilwoman Kniech, duly seconded by Councilman Clark, that Council Bill 18-0179 be placed upon final consideration and do pass en bloc, carried by the following vote:

**Placed upon final consideration and do pass**

- Aye: Brooks, Clark, Espinoza, Flynn, Gilmore, Herndon, Kashmann, Kniech, López, New, Ortega, Susman (12)
- Nay: (None) (0)
- Absent: Black (1)

**RECAP OF BILLS TO BE CALLED OUT**

**PRE-RECESS ANNOUNCEMENT**

Council President Brooks announced that tonight, there will be a required public hearing on Council Bill 18-0094, changing the zoning classification of 30-50 South Colorado Boulevard; and, a required public hearing on Council Bill 18-0129, placing a moratorium on certain site development plans. Anyone wishing to speak on either matter must see the Council Secretary to receive a speaker card to fill out and return to her 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**

**18-0094 A bill for an ordinance changing the zoning classification of 30-50 South Colorado Boulevard in Hilltop.**

Approves an official map amendment to rezone property located at 30-50 South Colorado Boulevard from E-SU-D to PUD G-17 (urban edge to planned unit development) in Council District 5. The Committee approved filing this bill at its meeting on 1-30-18.

A motion offered by Councilwoman Kniech, duly seconded by Councilman Kashmann, that Council Bill 18-0094 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 6:18 p.m., Council President Brooks presiding, to hear speakers on Council Bill 18-0094. Douglas McKinnon, Tom Hart, and Wende Reoch signed up to speak in favor of the bill. No speakers signed up to speak in opposition of the bill. Theresa Lucero of Community Planning and Development delivered the Staff Report.

Aye: Brooks, Clark, Espinoza, Flynn, Gilmore, Herndon, Kashmann, Kniech, López, New, Ortega, Susman (12)

Nay: (None) (0)

Absent: Black (1)

**18-0129 A bill for an ordinance placing a moratorium on the approval of site development plans and the amendment of approved site development plans for developments using side-by-side dwelling units with certain building forms in the Denver Zoning Code for a period of approximately two months.**

Places a moratorium on certain site development plans. The Committee approved filing this bill at its meeting on 2-6-18.

A motion offered by Councilwoman Kniech, duly seconded by Councilman Herndon, that Council Bill 18-0129 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 6:43 p.m., Council President Brooks presiding, to hear speakers on Council Bill 18-0129. No speakers signed up to speak in favor of or in opposition of the bill. Councilman Espinoza delivered the Staff Report.

Aye: Brooks, Clark, Espinoza, Flynn, Gilmore, Herndon,  
Kashmann, Kniech, López, New, Ortega, Susman (12)  
Nay: (None) (0)  
Absent: Black (1)

**PRE-ADJOURNMENT ANNOUNCEMENT**

Council President Brooks announced that on Monday, March 19, 2018, Council will hold a required public hearing on Council Bill 18-0215, designating 2145 South Adams Street, the Ormleigh House, as a structure for preservation. On Monday, April 9, 2018, Council will hold a required public hearing on Council Bill 18-0170, changing the zoning classification for 935 West 11th Avenue in Lincoln Park; a required public hearing on Council Bill 18-0172, changing the zoning classification for 301, 303 and 327 South Harrison Street in Belcaro; and, a required public hearing on Council Bill 18-0173, changing the zoning classification for 1660, 1682 and 1684 Grove Street and 3088 and 3092 West 17th Avenue in West Colfax. Any protests against Council Bill 18-0170, 18-0172, or 18-0173 must be filed with the Council Offices no later than Tuesday, March 27, 2018.

**ADJOURN**

There being no further business before the City Council, Council President Brooks adjourned the meeting at 7:00 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