

City Council Minutes

Meeting Date: Monday, February 3, 2020 5:30 PM

PLEDGE OF ALLEGIANCE

Council member Flynn 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

[20-0104](#) Minutes of Monday, January 27, 2020

Council Minutes 20-0104 were approved.

Approved

The minutes of Monday, January 27, 2020 were distributed to members of Council. Council President Clark ordered the minutes approved.

COUNCIL ANNOUNCEMENTS

Council members Flynn, Black, Torres and Hinds offered announcements.

PRESENTATIONS

COMMUNICATIONS

PROCLAMATIONS

[20-0109](#) **Honoring the retirement of David Henninger, Co-founder of Bayaud Enterprises.**

A motion offered by Councilmember Torres, duly seconded by Councilmember Ortega, that Council Proclamation 20-0109 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)

RECAP OF BILLS TO BE CALLED OUT

BLOCK VOTE

A motion offered by Councilmember Flynn, duly seconded by Councilmember Herndon, 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)

PROCLAMATIONS

[20-0110](#) Proclaiming February 7, 2020 as Wear Red Day.

A motion offered by Councilmember Flynn, duly seconded by Councilmember Herndon, that Council Proclamation 20-0110 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)

RESOLUTIONS

City Council - Direct Files

[20-0108](#) A resolution approving a proposed Fourth Amendment To Sublease Agreement between the City and County of Denver and DP Media Network, LLC for additional office space and improvements at 101 West Colfax Avenue.

Amends a lease agreement with DP Media Network, LLC by adding \$9,876,705.71 for a new total of \$41,566,052.40 to lease an additional 25,193 square feet of office space on the 11th floor of the Denver Post building at 101 West Colfax Avenue for needed City office space. No change to contract duration (FINAN-201952609). The last regularly scheduled Council meeting within the 30-day review period is on 2-24-20. Councilmember Black approved filing this item on 1-30-20.

A motion offered by Councilmember Flynn, duly seconded by Councilmember Gilmore, that Council Resolution 20-0108 be adopted. The motion carried by the following vote:

Adopted

Aye: Black, Clark, Gilmore, Herndon, Kashmann, Kniech, Sandoval, Sawyer, Torres (9)

Nay: CdeBaca, Flynn, Hinds, Ortega (4)

Finance & Governance Committee

[20-0057](#) A resolution approving the Mayor's appointment to the Denver Convention Center Hotel Authority.

Approves the Mayoral appointment of Cesar Orozco to the Denver Convention Center Hotel Authority for a term effective immediately and expiring 12-31-21, or until a successor is duly appointed. The Committee approved filing this resolution by consent on 1-21-20.

A motion offered by Councilmember Flynn, duly seconded by Councilmember Herndon, that Council Resolution 20-0057 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)

20-0058 A resolution approving the Mayor’s appointments to the Denver Commission on Aging.

Approves the Mayoral appointments of Ruth Sanchez, Susan Maxfield, Kristine Burrows, Estella Wolff and Teresa Falagradý to the Denver Commission on Aging for terms effective immediately and expiring 8-31-21, or until a successor is duly appointed. The Committee approved filing this resolution by consent on 1-21-20.

A motion offered by Councilmember Flynn, duly seconded by Councilmember Herndon, that Council Resolution 20-0058 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

20-0066 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 Transportation concerning the “FY20 Denver Variable Message Signs (VMS) Installation” program and the funding therefor.

Approves a grant agreement with the Colorado Department of Transportation (CDOT) for \$628,844 of CDOT funds and \$157,210 of City funds and for ten years for Variable Message Signs (VMSs) to relay information to motorists of travel conditions on I-25 such as incidents, travel times and suggested alternative routes (202053146). The last regularly scheduled Council meeting within the 30-day review period is on 2-24-20. The Committee approved filing this item at its meeting on 1-21-20.

A motion offered by Councilmember Flynn, duly seconded by Councilmember Herndon, that Council Resolution 20-0066 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

[20-0061](#) A bill for an ordinance approving a proposed Intergovernmental Agreement between Denver Urban Renewal Authority, Adams County, Colorado, and the City and County of Denver regarding the Globeville Commercial Urban Redevelopment Plan.

Approves an intergovernmental agreement with the Denver Urban Renewal Authority and Adams County regarding the existing Globeville Commercial Urban Redevelopment Area (URA) and the associated Tax Increment Financing (TIF) area to address the final true up of the initial project, repayment of the HUD 108 loan, reimbursing Adams County for funds advanced and starting a 12-month period for all parties to finalize four additional projects in Council District 9. The last regularly scheduled Council meeting within the 30-day review period is on 2-24-20. The Committee approved filing this item at its meeting on 1-21-20.

Council Bill 20-0061 was ordered published on first reading

Ordered published on first reading

[20-0067](#) A bill for an ordinance approving a proposed Access and Storm Sewer Easement and Temporary Grading Easement Agreement between the City and County of Denver and O'Fallon's, Inc. for the installation, maintenance, repair and other improvements of an access road and storm sewer pipe at 1400 Morrison Road.

Approves an access easement to O'Fallon's, Inc. through 12-31-20 for ingress and egress, a temporary grading easement to construct the necessary improvements needed for the access road to Grantee property, and a storm and sewer easement to install, maintain, and repair a storm sewer pipe and other improvements to provide drainage on city owned land at 1400 Morrison Road in Council District 3 (FINAN-201952234). The Committee approved filing this item at its meeting on 1-21-20.

Council Bill 20-0067 was ordered published on first reading

Ordered published on first reading

Land Use, Transportation & Infrastructure Committee

[20-006](#) A bill for an ordinance changing the zoning classification for 1430 Race Street in Cheesman Park.

Approves an official map amendment to rezone property located at 1430 Race Street from PUD 554 to G-RX-3 (planned development to general urban, residential mixed-use) in Council District 10. If ordered published, a public hearing will be held on Monday, 3-2-20. The Committee approved filing this item at its meeting on 1-14-20.

Council Bill 20-006 was ordered published with a future required public hearing on 3-2-20.

Ordered published with a future required public hearing

[20-0062](#) A bill for an ordinance relinquishing an easement reserved in Ordinance No. 102, Series of 1923 recorded with the Denver Clerk & Recorder at Book 5999, Page 23 located at 4290 Brighton Boulevard.

Relinquishes one of the easements, in its entirety, as established in Ordinance No. 102, series of 1923, located at 4290 North Brighton Boulevard in Council District 9. The Committee approved filing this item at its meeting on 1-21-20.

Council Bill 20-0062 was ordered published on first reading

Ordered published on first reading

Safety, Housing, Education & Homelessness Committee

[20-0071](#) A bill for an ordinance amending section 8-67 of the Denver Revised Municipal Code requiring a provisional breed-restricted license for owners of pit bulls.

A bill for an ordinance amending section 8-67 of the Denver Revised Municipal Code requiring a provisional breed-restricted license for owners of pit bulls. The Committee approved filing this item at its meeting on 1-22-20.

A motion offered by Councilmember Flynn, duly seconded by Councilmember Herndon, that Council Bill 20-0071 be ordered published, was followed by a motion offered by Councilmember Herndon, duly seconded by Councilmember Flynn, that Council Bill 20-0071 be amended in the following particulars: "1) On Page 5, after line 27, insert the following: '(6)Proof that the animal has been spayed or neutered;'. 2) Renumber subsequent subsections accordingly." to include the requirement for a breed-specific license that the animal must be spayed or neutered. The motion to amend carried by the following vote:

Amended

Aye: Black, Clark, Flynn, Gilmore, Herndon, Hinds, Kashmann, Kniech, Ortega, Sandoval, Sawyer, Torres (12)
Nay: (None) (0)
Abstain: CdeBaca (1)

A motion offered by Councilmember Herndon, duly seconded by Councilmember Torres, that Council Bill 20-0071 be amended in the following particulars: "1) On Page 6, line 33, strike 'five (5)' and replace with 'two (2)'." to decrease the timeline for animal protection to report back to City Council from 5 to 2 years. The motion to amend carried by the following vote:

Amended

Aye: Black, Clark, Flynn, Gilmore, Herndon, Hinds, Kashmann, Kniech, Ortega, Sandoval, Sawyer, Torres (12)
Nay: (None) (0)
Abstain: CdeBaca (1)

A motion offered by Councilmember Flynn, duly seconded by Councilmember Herndon, that Council Bill 20-0071 be ordered published as amended. The motion carried by the following vote:

Ordered published as amended

Aye: Black, CdeBaca, Clark, Flynn, Herndon, Hinds, Kashmann, Kniech, Sandoval, Sawyer, Torres (11)
Nay: Gilmore, Ortega (2)

BILLS FOR FINAL CONSIDERATION

Land Use, Transportation & Infrastructure Committee

[20-0039](#) **A bill for an ordinance amending references in the D.R.M.C. to Public Works with the Department of Transportation and Infrastructure as appropriate in conformance with the Charter change approved by the voters at the General Election conducted on November 5, 2019.**

Amends the Denver Revised Municipal Code to replace references to Public Works with Department of Transportation and Infrastructure as appropriate and in conformance with the Charter change approved by the voters at the General Election conducted on November 5, 2019. The Committee approved filing this item at its meeting on 1-14-20.

A motion offered by Councilmember Flynn, duly seconded by Councilmember Herndon, that Council Bill 20-0039 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)

PRE-RECESS ANNOUNCEMENT

Council President Clark announced that tonight, there will be a required public hearing on 19-1361, changing the zoning classification for 4338 Lipan Street in Sunnyside; and, a required public hearing on Council Bill 19-1363, changing the zoning classification for 7111, 7101, and 7125 Tower Road in DIA. Anyone wishing to speak on either of these matters must go online or see the Council Secretary 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

[19-1361](#) **A bill for an ordinance changing the zoning classification for 4338 Lipan Street in Sunnyside.**

Approves an official map amendment to rezone property from U-RH-2.5 to U-RX-3 (rban row-house, to urban mixed-use, located at 4338 Lipan Street in Council District 1. The Committee approved filing this item at its meeting on 12-17-19.

Council sat as a Committee of the Whole, commencing at 6:51 p.m., Council President Clark presiding, to hear speakers on Council Bill 19-1361. Jesse Parris signed up to speak in opposition of the bill. No speakers signed up to speak in favor of the bill. Brandon Shaver of Community Planning and Development delivered the staff report.

A motion offered by Councilmember Flynn, duly seconded by Councilmember Gilmore, that Council Bill 19-1361 be placed upon final consideration and do pass. The motion 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)

19-1363 A bill for an ordinance changing the zoning classification for 7111, 7101, and 7125 Tower Road in DIA.

Approves an official map amendment to rezone properties from C-MU-10 with waivers and conditions AIO to S-MX-8 AIO (urban center, multi-unit to suburban mixed-use), located at 7101, 7111, and 7125 Tower Road at Denver International Airport in Council District 11. The Committee approved filing this item at its meeting on 12-17-19.

Council sat as a Committee of the Whole, commencing at 7:11 p.m., Council President Clark presiding, to hear speakers on Council Bill 19-1363. Jim Erwin-Svoboda signed up to speak in favor of the bill. Jesse Parris signed up to speak in opposition of the bill. Liz Weigle of Community Planning and Development delivered the staff report.

A motion offered by Councilmember Flynn, duly seconded by Councilmember Gilmore, that Council Bill 19-1363 be placed upon final consideration and do pass. The motion 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)

PRE-ADJOURNMENT ANNOUNCEMENT

Council President Clark announced that on Monday, March 2, 2020, Council will hold a required public hearing on Council Bill 20-006, changing the zoning classification for 1430 Race Street in Cheesman Park. Any protests against Council Bill 20-006 must be filed with the Council Offices no later than noon on Monday, February 24, 2020.

ADJOURN

There being no further business before City Council, Council President Clark adjourned the meeting at 7:24 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