

City Council Minutes

Meeting Date: Monday, January 8, 2018 5:30 PM

PLEDGE OF ALLEGIANCE

Council member Ortega led the Pledge of Allegiance.

ROLL CALL

Council member Herndon arrived late.

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

Absent: Brooks, Flynn (2)

APPROVAL OF THE MINUTES

[18-0031](#) Minutes of Monday, January 2, 2018

The minutes of Tuesday, January 2, 2018, were approved.

Approved

The minutes of meeting date, Tuesday, January 2, 2018, were distributed to Council. Council President Pro-Tem Clark ordered the minutes approved.

COUNCIL ANNOUNCEMENTS

Council members Espinoza, Kashmann, New, and Ortega offered announcements.

PRESENTATIONS

COMMUNICATIONS

[18-0035](#) **20-92 Notice informing Council of the retention of financial advisors by the Department of Finance for financial advisory services related to City financial obligations, special district and conduit debt, and affordable housing matters.**

Council Communication 18-0035 was filed.

Filed

[18-0037](#) **20-93 Notice informing Council of the City's intent to issue 2018 Wastewater Revenue Bonds.**

Council Communication 18-0037 was filed.

Filed

PROCLAMATIONS

[18-0033](#) **A proclamation honoring Helga Grunerud for outstanding leadership and advocacy for small/minority/woman-owned construction companies in Colorado.**

A motion offered by Councilman New, duly seconded by Councilman Herndon, that Council Proclamation 18-0033 be adopted. The motion carried by the following vote:

Adopted

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

Nay: (None) (0)

Absent: Brooks, Flynn (2)

RESOLUTIONS

Finance & Governance Committee

Block Vote

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

Approved the consent agenda

Aye: Black, Clark, Gilmore, Herndon, Kashmann, Kniech, López,
New, Ortega, Susman (10)

Nay: (None) (0)

Absent: Brooks, Espinoza, Flynn (3)

17-1373 A resolution approving a proposed Third Amendment to Chilled Water Service Agreement between the City and County of Denver and the Public Service Company of Colorado regarding services provided to the Denver Art Museum.

Adds language for installation of a new temperature override system (if needed to maintain appropriate humidification conditions for art work) and species payment provisions for the Denver Art Museum to a contract with Public Service Company of Colorado. The last regularly scheduled Council meeting within the 30-day review period is on 1-29-18. The Committee approved filing this resolution by consent on 12-5-17.

A motion offered by Councilwoman Ortega, duly seconded by Councilman López, that Council Resolution 17-1373 be adopted en bloc, carried by the following vote:

Adopted

Aye: Black, Clark, Gilmore, Herndon, Kashmann, Kniech, López,
New, Ortega, Susman (10)

Nay: (None) (0)

Absent: Brooks, Espinoza, Flynn (3)

Safety, Housing, Education & Homelessness Committee

17-1453 A resolution approving the Mayor's reappointments of Zach Hochstadt, Rebecca Kantor, Amber Munck, and Susan Steele to the Denver Preschool Program Board of Directors.

Approves the Mayoral reappointments of Zach Hochstadt, Rebecca Kantor, Amber Munck, and Susan Steele to the Denver Preschool Program Board of Directors for terms effective immediately and expiring on 12-31-20, or until successors are duly appointed. The Committee approved filing this resolution by consent on 12-27-17.

A motion offered by Councilwoman Ortega, duly seconded by Councilman López, that Council Resolution 17-1453 be adopted en bloc, carried by the following vote:

Adopted

Aye: Black, Clark, Gilmore, Herndon, Kashmann, Kniech, López,
New, Ortega, Susman (10)

Nay: (None) (0)

Absent: Brooks, Espinoza, Flynn (3)

17-1457 A resolution approving a proposed Amendatory Agreement between the City and County of Denver and the Colorado Coalition for the Homeless to provide housing placement and treatment services to the homeless.

Approves a contract with the Colorado Coalition for the Homeless to add \$350,000 and to extend the term through 12-31-18 for housing placement and treatment services for chronically homeless adults. The last regularly scheduled Council meeting within the 30-day review period is on 1-29-18. The Committee approved filing this resolution by consent on 12-27-17.

A motion offered by Councilwoman Ortega, duly seconded by Councilman López, that Council Resolution 17-1457 be adopted en bloc, carried by the following vote:

Adopted

Aye: Black, Clark, Gilmore, Herndon, Kashmann, Kniech, López, New, Ortega, Susman (10)

Nay: (None) (0)

Absent: Brooks, Espinoza, Flynn (3)

17-1459 A resolution approving a proposed Collective Bargaining Agreement between the City and County of Denver and the Fraternal Order of Police, Denver Sheriff Lodge 27, for the years 2018 through 2019.

Approves the Collective Bargaining Agreement with the Fraternal Order of Police, Denver Sheriff Lodge 27 for two years for pay and benefits including salary increases of 3.5% in 2018, 3% in 2019, and increasing the uniform allowance by \$50 for a total of \$650 in 2019. The Committee approved filing this resolution by consent on 12-27-17.

A motion offered by Councilwoman Ortega, duly seconded by Councilman López, that Council Resolution 17-1459 be adopted en bloc, carried by the following vote:

Adopted

Aye: Black, Clark, Gilmore, Herndon, Kashmann, Kniech, López, New, Ortega, Susman (10)

Nay: (None) (0)

Absent: Brooks, Espinoza, Flynn (3)

BILLS FOR INTRODUCTION

Safety, Housing, Education & Homelessness Committee

17-1454 A bill for an ordinance approving a proposed Amendatory Agreement between the City and County of Denver and Denver Health and Hospital Authority to expand access and availability of treatment services to the homeless.

Approves a contract with Denver Health and Hospital Authority to add \$350,000 and to extend the term through 12-31-18 to provide services through the CHARTS III program for case management and group therapy treatment. The last regularly scheduled Council meeting within the 30-day review period is on 1-29-18. The Committee approved filing this bill by consent on 12-27-17.

Council Bill 17-1454 was ordered published on first reading.

Ordered published on first reading

[17-1458](#) A bill for an ordinance amending Chapter 18 of the Revised Municipal Code to establish the 2018 and 2019 salary and fringe benefits of the Sheriff, Deputy Sheriff Division Chiefs and Deputy Sheriff Majors.

Amends Chapter 18 of the Denver Revised Municipal Code to establish the 2018 and 2019 salary and fringe benefits of the Sheriff, Deputy Sheriff Division Chiefs, and Deputy Sheriff Majors for the Denver Sheriff Department. The bill reflects a 3.5% pay increase in 2018 and a 3% increase in 2019. The Committee approved filing this bill by consent on 12-27-17.

Council Bill 17-1458 was ordered published on first reading.

Ordered published on first reading

BILLS FOR FINAL CONSIDERATION

Finance & Governance Committee

[17-1356](#) A bill for an ordinance approving a proposed Purchase and Sale Agreement between the City and County of Denver and the State of Colorado, by and through its Department of Transportation, to purchase property located at 4201 E. Arkansas Avenue.

Approves a purchase and sale agreement with the State of Colorado for \$651,250 to purchase property located at 4201 East Arkansas Avenue, and work with an identified buyer to ensure ensuing development is consistent with existing neighborhood, area plans, and economic and job development in Council District 6. The last regularly scheduled Council meeting within the 30-day review period is on 1-22-18. The Committee approved filing this bill at its meeting on 12-12-17.

A motion offered by Councilwoman Ortega, duly seconded by Councilman López, that Council Bill 17-1356 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, Gilmore, Herndon, Kashmann, Kniech, López, New, Ortega, Susman (10)

Nay: (None) (0)

Absent: Brooks, Espinoza, Flynn (3)

[17-1357](#) A bill for an ordinance approving a proposed Purchase and Sale Agreement between the City and County of Denver and KRF Arkansas, LLC to sell property located at 4201 E. Arkansas Avenue.

Approves a purchase and sale agreement with KRF Arkansas, LLC for \$651,250 to sell the property located at 4201 East Arkansas Avenue with plans to develop a portion of the land for commercial purposes and another for 150 housing units in Council District 6. The last regularly scheduled Council meeting within the 30-day review period is on 1-22-18. The Committee approved filing this bill at its meeting on 12-12-17.

A motion offered by Councilwoman Ortega, duly seconded by Councilman López, that Council Bill 17-1357 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, Gilmore, Herndon, Kashmann, Kniech, López, New, Ortega, Susman (10)

Nay: (None) (0)

Absent: Brooks, Espinoza, Flynn (3)

17-1358 A bill for an ordinance approving a proposed Purchase and Sale Agreement between the City and County of Denver and the State of Colorado, by and through its Department of Transportation, to purchase property located at 2000 S. Holly Street

Approves a purchase and sale agreement with the State of Colorado for \$243,000 to purchase property located at 2000 South Holly Street and work with an identified buyer to ensure ensuing development is consistent with existing neighborhood, area plans, and economic and job development in Council District 6. The last regularly scheduled Council meeting within the 30-day review period is on 1-22-18. The Committee approved filing this bill at its meeting on 12-12-17.

A motion offered by Councilwoman Ortega, duly seconded by Councilman López, that Council Bill 17-1358 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, Gilmore, Herndon, Kashmann, Kniech, López, New, Ortega, Susman (10)

Nay: (None) (0)

Absent: Brooks, Espinoza, Flynn (3)

17-1359 A bill for an ordinance approving a proposed Purchase and Sale Agreement between the City and County of Denver and KRF Holly, LLC to sell property located at 2000 S. Holly Street.

Approves a purchase and sale agreement with KRF Holly, LLC for \$243,000 to sell the property located at 2000 South Holly Street with plans to develop 225 housing units to be sold at market rate and an additional 50-80 units for senior housing in Council District 6. The last regularly scheduled Council meeting within the 30-day review period is on 1-22-18. The Committee approved filing this bill at its meeting on 12-12-17.

A motion offered by Councilwoman Ortega, duly seconded by Councilman López, that Council Bill 17-1359 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, Gilmore, Herndon, Kashmann, Kniech, López, New, Ortega, Susman (10)

Nay: (None) (0)

Absent: Brooks, Espinoza, Flynn (3)

17-1416 A bill for an ordinance making appropriations to the Wastewater Management Enterprise Fund.

Appropriates \$5,368,343 to the Wastewater Management Enterprise Fund as previously approved by Council in an agreement with Denver Water for tracking, accounting, and depositing Denver Water funding separate from the appropriated wastewater bond funding for the City Park Golf Course project. The Committee approved filing this bill by consent on 12-12-17.

A motion offered by Councilwoman Ortega, duly seconded by Councilman López, that Council Bill 17-1416 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, Gilmore, Herndon, Kashmann, Kniech, López, New, Ortega, Susman (10)

Nay: (None) (0)

Absent: Brooks, Espinoza, Flynn (3)

17-1433 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.

Increases the pay grade of the Executive Director of the Civil Service Commission from A-814 to A-816. The Committee approved filing this bill by consent on 12-19-17.

A motion offered by Councilwoman Ortega, duly seconded by Councilman López, that Council Bill 17-1433 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, Gilmore, Herndon, Kashmann, Kniech, López, New, Ortega, Susman (10)

Nay: (None) (0)

Absent: Brooks, Espinoza, Flynn (3)

17-1434 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.

Creates the Lead Prevailing Wage Investigator classification at pay grade A-809. The Committee approved filing this bill by consent on 12-19-17.

A motion offered by Councilwoman Ortega, duly seconded by Councilman López, that Council Bill 17-1434 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, Gilmore, Herndon, Kashmann, Kniech, López, New, Ortega, Susman (10)

Nay: (None) (0)

Absent: Brooks, Espinoza, Flynn (3)

17-1435 A bill for an ordinance amending the classification and pay plan for employees in the Career Service and certain employees not in the Career Service.

Creates the Marketing/Communications Director classification at pay grade A-816. The Committee approved filing this bill by consent on 12-19-17.

A motion offered by Councilwoman Ortega, duly seconded by Councilman López, that Council Bill 17-1435 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, Gilmore, Herndon, Kashmann, Kniech, López, New, Ortega, Susman (10)

Nay: (None) (0)

Absent: Brooks, Espinoza, Flynn (3)

Land Use, Transportation & Infrastructure Committee

17-1427 A bill for an ordinance approving and providing for the execution of a proposed Intergovernmental Agreement between the City and County of Denver and the State of Colorado, Department of Transportation, concerning the "Federal Highway Safety Improvement Program (HSIP) 2018 Package 1 City and County of Denver Traffic Signal Replacement" project and the funding therefor.

Approves a grant agreement with the Colorado Department of Transportation accepting \$540,000 and with matching City funds of \$60,000 for a total of \$600,000, as part of the Federal Highway Safety Improvement Program (HSIP) Package I to fund the construction of two new traffic signals located at the intersections of 5th Avenue and Broadway, and 5th Avenue and Lincoln Street in Council District 7 (201738519). The last regularly scheduled Council meeting within the 30-day review period is on 1-22-18. The Committee approved filing this bill by consent on 12-19-17.

A motion offered by Councilwoman Ortega, duly seconded by Councilman López, that Council Bill 17-1427 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, Gilmore, Herndon, Kashmann, Kniech, López, New, Ortega, Susman (10)

Nay: (None) (0)

Absent: Brooks, Espinoza, Flynn (3)

17-1428 A bill for an ordinance approving and providing for the execution of a proposed Intergovernmental Agreement between the City and County of Denver and the State of Colorado, Department of Transportation, concerning the "Federal Highway Safety Improvement Program (HSIP) 2018 Package 2 City and County of Denver Traffic Signal Replacement " project and the funding therefor.

Accepts a grant from the Colorado Department of Transportation (CDOT) for \$3.4 million and for five years, as part of the Federal Highway Safety Improvement Program (HSIP) Package II to fund the construction of five new traffic signals located at the intersections of Federal Boulevard and 38th Avenue, Federal Boulevard and Kentucky Avenue, Federal Boulevard and Mississippi Avenue, Federal Boulevard and Jewell Avenue, and Colorado Boulevard and Martin Luther King Jr. Boulevard in Council Districts 3 and 9 (201738522). The last regularly scheduled Council meeting within the 30-day review period is on 1-22-18. The Committee approved filing this bill by consent on 12-19-17.

A motion offered by Councilwoman Ortega, duly seconded by Councilman Herndon, that Council Bill 17-1428 be placed upon final consideration and do pass. The motion FAILED by the following vote:

Placed upon final consideration and do pass

Aye: (None) (0)

Nay: Black, Clark, Espinoza, Gilmore, Herndon, Kashmann, Kniech, López, New, Ortega, Susman (11)

Absent: Brooks, Flynn (2)

17-1429 A bill for an ordinance approving and providing for the execution of a proposed Intergovernmental Agreement between the City and County of Denver and the State of Colorado, Department of Transportation, concerning the "Federal Highway Safety Improvement Program (HSIP) 2018 Package 3 City and County of Denver Traffic Signal Replacement" project and the funding therefor.

Approves a grant agreement with the Colorado Department of Transportation accepting \$540,000 and with matching City funds of \$60,000 for a total of \$600,000, as part of the Federal Highway Safety Improvement Program (HSIP) Package III to fund the construction of two new traffic signals located at the intersections of 7th Avenue and Josephine Street, and 7th Avenue and York Street in Council District 10 (201738526). The last regularly scheduled Council meeting within the 30-day review period is on 1-22-18. The Committee approved filing this bill by consent on 12-19-17.

A motion offered by Councilwoman Ortega, duly seconded by Councilman López, that Council Bill 17-1429 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, Gilmore, Herndon, Kashmann, Kniech, López, New, Ortega, Susman (10)

Nay: (None) (0)

Absent: Brooks, Espinoza, Flynn (3)

17-1430 A bill for an ordinance relinquishing a portion of the easement reserved in Ordinance No. 524, Series of 1987 located near the intersection of South Harrison Street and East Alameda Avenue.

Relinquishes a portion of the easements retained in the Vacating Ordinance No. 524, Series of 1987, located near the intersection of South Harrison Street and East Alameda Avenue in Council District 10. The last regularly scheduled Council meeting within the 30-day review period is on 1-22-18. The Committee approved filing this bill by consent on 12-19-17.

A motion offered by Councilwoman Ortega, duly seconded by Councilman López, that Council Bill 17-1430 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, Gilmore, Herndon, Kashmann, Kniech, López,
New, Ortega, Susman (10)
Nay: (None) (0)
Absent: Brooks, Espinoza, Flynn (3)

17-1444 A bill for an ordinance relinquishing a portion of the easements established in Green Valley Ranch Filing No. 39 recorded with the Denver Clerk & Recorder at Reception No. 2014095230, located at 49th Drive and Beekman Place.

Relinquishes a portion of the easements established in the Green Valley Ranch Filing No 39 located at 49th Drive and Beekman Place in Council District 11. The last regularly scheduled Council meeting within the 30-day review period is on 1-22-18. The Committee approved filing this bill by consent on 12-19-17.

A motion offered by Councilwoman Ortega, duly seconded by Councilman López, that Council Bill 17-1444 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, Gilmore, Herndon, Kashmann, Kniech, López,
New, Ortega, Susman (10)
Nay: (None) (0)
Absent: Brooks, Espinoza, Flynn (3)

RECAP OF BILLS TO BE CALLED OUT

PRE-RECESS ANNOUNCEMENT

Council President Pro-Tem Clark announced that tonight, there will be a required public hearing on Council Bill 17-1421, changing the zoning classification for 1420 38th Street in Five Points; a required public hearing on Council Bill 17-1448, approving an amended and restated service plan for Broadway Park Metropolitan District No. 1; and, a required public hearing on Council Bill 17-1449, approving three metropolitan district service plans: Broadway Park Metropolitan District No. 2, Broadway Park Metropolitan District No. 3, and Broadway Park Metropolitan District No. 4. Anyone wishing to speak on any of these matters must see the Council Secretary to receive a speaker card to fill out and return to her during the recess of Council.

RECESS

Council took a recess.

COUNCIL RECONVENES AND RESUMES ITS REGULAR SESSION

PUBLIC HEARINGS - BILLS FOR FINAL CONSIDERATION

Land Use, Transportation & Infrastructure Committee

17-1421 A bill for an ordinance changing the zoning classification for 1420 38th Street in Five Points.

Approves an official map amendment to rezone land at 1420 38th Street from R-MU-30 with waivers to C-MX-8 (residential, mixed-use in the chapter 59 code, to urban center, mixed-use in the current zoning code) in Council District 9. If ordered published, a public hearing will be held on Monday, January 8, 2018. The Committee approved filing this bill at its meeting on 12-12-17.

A motion offered by Councilwoman Ortega, duly seconded by Councilman Herndon, that Council Bill 17-1421 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 6:31 p.m., Council President Pro-Tem Clark presiding, to hear speakers on Council Bill 17-1421. Mark Marshall, Lauren DeBell, Amanda Lyall, Cole Chandler, and Chairman Seku signed up to speak in favor of the bill. No speakers signed up to speak in opposition of the bill. Andrew Webb of Community Planning and Development delivered the Staff Report.

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

Nay: (None) (0)

Absent: Brooks, Flynn (2)

Finance & Governance Committee

17-1448 A bill for an ordinance approving an Amended and Restated Service Plan for Broadway Park Metropolitan District No. 1.

Approves an amended and restated service plan for Broadway Park Metropolitan District No. 1 located near Broadway and Center Avenue in Council District 7. The Committee approved filing this bill at its meeting on 12-19-17.

A motion offered by Councilwoman Ortega, duly seconded by Councilwoman Susman, that Council Bill 17-1448 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 7:23 p.m., Council President Pro-Tem Clark presiding, to hear speakers on Council Bill 17-1448. Paula Williams, Dan Cohen, and Chairman Seku signed up to speak in favor of the bill. No speakers signed up to speak in opposition of the bill. Andrew Johnston of the Department of Finance delivered the Staff Report.

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

Nay: (None) (0)

Absent: Brooks, Flynn (2)

[17-1449](#) **A bill for an ordinance approving three metropolitan district Service Plans: Broadway Park Metropolitan District No. 2, Broadway Park Metropolitan District No. 3 and Broadway Park Metropolitan District No. 4.**

Approves three metropolitan district service plans: Broadway Park Metropolitan District No. 2, Broadway Park Metropolitan District No. 3, and Broadway Park Metropolitan District No. 4 located west of Broadway and Center Avenue in Council District 7. The Committee approved filing this bill at its meeting on 12-19-17.

A motion offered by Councilwoman Ortega, duly seconded by Councilman Herndon, that Council Bill 17-1449 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 7:45 p.m., Council President Pro-Tem Clark presiding, to hear speakers on Council Bill 17-1449. Paula Williams, Dan Cohen, and Chairman Seku signed up to speak in favor of the bill. No speakers signed up to speak in opposition of the bill. Andrew Johnston of the Department of Finance delivered the Staff Report.

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

Nay: (None) (0)

Absent: Brooks, Flynn (2)

PRE-ADJOURNMENT ANNOUNCEMENT

ADJOURN

There being no further business before the City Council, Council President Pro-Tem Clark adjourned the meeting at 8:05 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