

# City Council Minutes

Meeting Date: Monday, May 11, 2020 5:30 PM

## PLEDGE OF ALLEGIANCE

Councilmember CdeBaca led the Pledge of Allegiance.

## ROLL CALL

Councilmembers Herndon and Kniech arrived late.

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

## APPROVAL OF THE MINUTES

[20-0450](#) Minutes of Monday, May 4, 2020

The minutes of Monday, May 4, 2020 were distributed to members of Council. Council President Clark ordered the minutes approved.

**Approved**

## COUNCIL ANNOUNCEMENTS

Councilmembers Flynn, CdeBaca, Hinds, Sawyer and Clark offered announcements.

## PRESENTATIONS

## COMMUNICATIONS

## PROCLAMATIONS

## BLOCK VOTE

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

[20-0457](#) A proclamation recognizing and honoring the community service of Edward S. Valdez.

A motion offered by Councilmember CdeBaca, duly seconded by Councilmember Flynn, that Council Proclamation 20-0457 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

**[20-0411](#) A resolution approving a proposed First Amendment, between the City and County of Denver and HNTB Corporation concerning architectural and engineering design services related to the Expansion and Renewal Program at Denver International Airport.**

Amends a contract with HNTB Corporation by adding \$20 million for a new total of \$85 million to provide architectural and engineering design services relating to the Expansion and Renewal Program to accommodate additional project delivery options at Denver International Airport. No change to contract duration (201631727). The last regularly scheduled Council meeting within the 30-day review period is on 6-1-20. Councilmember Flynn approved direct filing this item on 5-7-20. Pursuant to Council Rule 3.7, Councilmember Flynn called out this resolution at the 5-11-20 Council meeting for a one-week postponement to 5-18-20.

Pursuant to Council Rule 3.7, Councilmember Flynn postponed consideration of Council Resolution 20-0411 for one-week to Monday, 5-18-20.

### Postponed

**[20-0412](#) A resolution approving a proposed First Amendment, between the City and County of Denver and Holder-FCI, a Joint Venture concerning furnishing labor and all supplies, materials and equipment necessary for the Expansion and Renewal Program at Denver International Airport.**

Amends a contract with Holder-FCI Joint Venture by adding \$265 million for a new total of \$920 million for furnishing all labor, tools, supplies, equipment, materials and everything necessary for the Expansion and Renewal Program to accommodate additional project delivery options at Denver International Airport. No change to contract duration (201733063). The last regularly scheduled Council meeting within the 30-day review period is on 6-1-20. Councilmember Flynn approved direct filing this item on 5-7-20. Pursuant to Council Rule 3.7, Councilmember Flynn called out this resolution at the 5-11-20 Council meeting for a one-week postponement to 5-18-20.

Pursuant to Council Rule 3.7, Councilmember Flynn postponed consideration of Council Resolution 20-0412 for one-week to Monday, 5-18-20.

### Postponed

**[20-0413](#) A resolution approving a proposed First Amendment between the City and County of Denver and Jacobs Engineering Group, Inc. concerning architectural and engineering design services relating to the Expansion and Renewal Program at Denver International Airport.**

Amends a contract with Jacobs Engineering Group Inc. by adding \$20 million for a new total of \$85 million to provide architectural and engineering design services relating to the Expansion and Renewal Program to accommodate additional project delivery options at Denver International Airport. No change to contract duration (201733061). The last regularly scheduled Council meeting within the 30-day review period is on 6-1-20. Councilmember Flynn approved direct filing this item on 5-7-20. Pursuant to Council Rule 3.7, Councilmember Flynn called out this resolution at the 5-11-20 Council meeting for a one-week postponement to 5-18-20.

Pursuant to Council Rule 3.7, Councilmember Flynn postponed consideration of Council Resolution 20-0413 for one-week to Monday, 5-18-20.

**Postponed**

**[20-0414](#) A resolution approving a proposed First Amendment between the City and County of Denver and TURNER FLATIRON, Joint Venture concerning construction management and everything necessary for the Expansion and Renewal Program at Denver International Airport.**

Amends a contract with Turner-Flat Iron Joint Venture by adding \$240 million for a new total of \$940 million for furnishing all labor, tools, supplies, equipment, materials and everything necessary to the Expansion and Renewal Program to accommodate additional project delivery options at Denver International Airport. No change to contract duration (201631723). The last regularly scheduled Council meeting within the 30-day review period is on 6-1-20. Councilmember Flynn approved direct filing this item on 5-7-20. Pursuant to Council Rule 3.7, Councilmember Flynn called out this resolution at the 5-11-20 Council meeting for a one-week postponement to 5-18-20.

Pursuant to Council Rule 3.7, Councilmember Flynn postponed consideration of Council Resolution 20-0414 for one-week to Monday, 5-18-20.

**Postponed**

**[20-0415](#) A resolution approving a proposed First Amendment between the City and County of Denver and WSP USA, Inc. concerning professional, technical and support staff to support the Expansion and Renewal Program at Denver International Airport.**

Amends a contract with WSP USA Inc. by adding \$15 million for a new total of \$60 million to provide professional, technical and support staff to support the Expansion and Renewal Program with design, construction, closeout and any other support services needed for additional project delivery options at Denver International Airport. No change to contract duration (201631389). The last regularly scheduled Council meeting within the 30-day review period is on 6-1-20. Councilmember Flynn approved direct filing this item on 5-7-20. Pursuant to Council Rule 3.7, Councilmember Flynn called out this resolution at the 5-11-20 Council meeting for a one-week postponement to 5-18-20.

Pursuant to Council Rule 3.7, Councilmember Flynn postponed consideration of Council Resolution 20-0415 for one-week to Monday, 5-18-20.

**Postponed**

**[20-0443](#) A resolution approving a proposed Third Amendatory Agreement between the City and County of Denver and HSS Inc. to provide additional security personnel services during the COVID-19 health crisis.**

Amends a contract with HSS, Inc. to add FEMA language to allow the City to seek reimbursement on security personnel services related to the COVID-19 pandemic. No changes to contract amount or duration (201524822). The last regularly scheduled Council meeting within the 30-day review period is on 6-1-20. Councilmember Black approved direct filing this item on 5-7-20.

A motion offered by Councilmember CdeBaca, duly seconded by Councilmember Flynn, that Council Resolution 20-0443 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)

**[20-0445](#) A resolution approving a proposed Amendatory Agreement between the City and County of Denver and K-M Concessions, LLC for a new amount and extension of time.**

Amends a contract with KM Concessions, LLC by adding \$1,140,600 for a new total of \$1,629,475 and one month for a new end date of 5-31-20 to provide support for food, snacks and beverages at the Denver Coliseum and portions of National Western complex to support auxiliary shelters in the City in response to the COVID-19 pandemic (HOST-202054549). The last regularly scheduled Council meeting within the 30-day review period is on 6-1-20. Councilmember Kashmann approved direct filing this item on 5-7-20.

A motion offered by Councilmember CdeBaca, duly seconded by Councilmember Flynn, that Council Resolution 20-0445 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)

**[20-0451](#) A resolution extending the declaration of local disaster filed with the clerk and recorder to June 15, 2020.**

Extends Denver's emergency declaration. The last regularly scheduled Council meeting within the 30-day review period is on 6-1-20. Councilmember Clark approved direct filing this item on 5-7-20.

A motion offered by Councilmember CdeBaca, duly seconded by Councilmember Flynn, that Council Resolution 20-0451 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)

**Finance & Governance Committee**

**20-0371 A resolution amending Resolution No. 0756, Series of 2019, concerning the "Cancer, Cardiovascular and Pulmonary Disease" program.**

Amends Resolution No. 0756, Series of 2019, to revise the fund, cost center, and expending authority for the Cancer, Cardiovascular and Pulmonary Disease grant agreement with the State of Colorado, due to the transfer of the Safe Routes to School Program from the Denver Department of Public Health and Environment to the Department of Transportation and Infrastructure. The last regularly scheduled Council meeting within the 30-day review period is on 6-1-20. The Committee approved filing this item at its meeting on 4-28-20.

A motion offered by Councilmember CdeBaca, duly seconded by Councilmember Flynn, that Council Resolution 20-0371 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**

**20-0252 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 Natural Resources concerning the "Sand Creek Regional Trail Complete Buildout" program and the funding therefor.**

Approves a grant agreement with Colorado Parks and Wildlife for \$500,000, including a required \$150,000 City match, and through 6-30-21 for a Colorado the Beautiful Grant to support construction of trail improvements on the Sand Creek Regional Trail in Council District 8 (PARKS - 303053985). The last regularly scheduled Council meeting within the 30-day review period is on 6-1-20. The Committee approved filing this item at its meeting on 3-17-20.

A motion offered by Councilmember CdeBaca, duly seconded by Councilmember Flynn, that Council Resolution 20-0252 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)

**[20-0376](#) A resolution approving a proposed Contract between the City and County of Denver and Hallmark, Inc. for removal and replacement of substandard pedestrian rail systems as well as upgrading the curb ramps to current ADA standards as part of the Montbello Phase 3 Railing Replacement Project.**

Approves a contract with Hallmark, Inc. for \$648,175 and for 180 days for removal and replacement of substandard pedestrian rail systems as well as upgrading the curb ramps to current ADA standards as part of the Montbello Phase 3 Railing Replacement Project, located at the intersections of 53rd Avenue and North Altura Street, 53rd Avenue and North Granby Street, and 53rd Avenue and North Eagle Street in Council District 11 (202053704). The last regularly scheduled Council meeting within the 30-day review period is on 6-1-20. The Committee approved filing this item at its meeting on 4-28-20.

A motion offered by Councilmember CdeBaca, duly seconded by Councilmember Flynn, that Council Resolution 20-0376 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)

**[20-0385](#) 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 Health and Environment concerning the "Colorado Department of Public Health and Environment Carpio-Sanguinette Habitat Restoration" program and the funding therefor.**

Approves a grant agreement with Colorado Department of Public Health and Environment for \$741,788 and through 4-01-23 for the improvements on for the Heron Pond/Carpio-Sanguinette Park project, including trails, interpretative signage, and vegetation enhancements in Council District 9 (202053192). The last regularly scheduled Council meeting within the 30-day review period is on 6-1-20. The Committee approved filing this item at its meeting on 4-28-20.

A motion offered by Councilmember CdeBaca, duly seconded by Councilmember Flynn, that Council Resolution 20-0385 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**

**[20-0372](#) A resolution approving a proposed Amendatory Agreement between the City and County of Denver and Minerva Bunker Gear Cleaners of Colorado Corp. for the professional cleaning and service repair of personal protective gear for the Fire Department.**

Amends a contract with Minerva Bunker Gear Cleaners of Colorado by adding \$260,000 for a new total of \$750,000 and one year for a new end date of 4-20-21 for the professional cleaning and service repair of personal protective gear for the Fire Department (FIRES201846510-01; FIRES-202054200). The last regularly scheduled Council meeting within the 30-day review period is on 6-1-20. The Committee approved filing this item at its meeting on 4-29-20.

A motion offered by Councilmember CdeBaca, duly seconded by Councilmember Flynn, that Council Resolution 20-0372 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**

**City Council - Direct Files**

[20-0207](#) **A bill for an ordinance amending the Denver College Affordability Fund Article, Article IV, Chapter 11 of the Revised Municipal Code to clarify operations related to the Fund.**

Amends Article IV, Chapter 11 of the Revised Municipal Code, the Denver College Affordability Fund Article, to clarify operations related to the Fund. Councilmember Herndon approved direct filing this item on 5-7-20.

Council Bill 20-0207 was ordered published with a future required public hearing on 5-18-20.

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

**Finance & Governance Committee**

[20-0369](#) **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 Environmental Public Health Investigator (EPHI) classifications pay grade and range, changing the Fair Labor Standards Act (FLSA) status of the EPHI II & III and abolishes the Animal Control Investigator series. The Committee approved filing this item by consent on 4-28-20.

A motion offered by Councilmember CdeBaca, duly seconded by Councilmember Hinds, that Council Bill 20-0369 be ordered published. The motion carried by the following vote:

**Ordered published**

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

Nay: (None) (0)

**BILLS FOR FINAL CONSIDERATION**

**City Council - Direct Files**

[20-0394](#) **A bill for an ordinance adding a new section in Chapter 48, Article IX, Fee on Disposable Bags.**

Delays the effective date for the single-use plastic bag fee until July1, 2021. Councilmember Black approved direct filing this item on 4-30-20.

A motion offered by Councilmember CdeBaca, duly seconded by Councilmember Flynn, that Council Bill 20-0394 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**

**20-0354 A bill for an ordinance approving a proposed Intergovernmental Agreement between the City and County of Denver and State of Colorado, Department of Human Services, Division of Youth Services, for detention screening and pre-trial release services.**

Approves an intergovernmental agreement with the State of Colorado Division of Youth Corrections for \$1,550,888 and one year to perform detention screening and pre-trial release services for the 2nd Judicial District Senate Bill 94 Program - a statewide initiative that appropriates funds to reduce the length of time a juvenile is held in detention or a commitment facility (SAFTY-202054270). The last regularly scheduled Council meeting within the 30-day review period is on 5-18-20. The Committee approved filing this item at its meeting on 4-22-20.

A motion offered by Councilmember CdeBaca, duly seconded by Councilmember Flynn, that Council Bill 20-0354 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 there will be a required public hearing on Council Bill 20-0105, changing the zoning classification for 3275 Denargo Street and 3315 Denargo Street in Five Points; a required public hearing on Council Bill 20-0106, changing the zoning classification for 2530 Xavier Street in Sloan Lake; a required public hearing on Council Bill 20-0107, changing the zoning classification for 2625 Julian Street in Sloan Lake; and, a required public hearing on Council Bill 20-0228, accepting the Future Places 2020 Plan Map in Blueprint Denver (2019). Anyone wishing to speak on any 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**

**20-0105 A bill for an ordinance changing the zoning classification for 3275 Denargo Street and 3315 Denargo Street in Five Points.**

Approves an official map amendment to rezone property located at 3275 & 3315 Denargo Street from I-B, UO-2 to C-MX-12, DO-7 (industrial to mixed-use) in Council District 9. The Committee approved filing this item at its meeting on 2-4-20.

Council sat as a Committee of the Whole, commencing at 6:00 p.m., Council President Clark presiding, to hear speakers on Council Bill 20-0105. No speakers signed up to speak in favor of the bill. Jesse Parris signed up to speak in opposition the bill. Brandon Shaver of Community Planning and Development delivered the staff report.

A motion offered by Councilmember CdeBaca, duly seconded by Councilmember Flynn, that Council Bill 20-0105 be placed upon final consideration and do pass. The motion failed to carry by the following vote:

**Placed upon final consideration and do pass**

Aye: Black, Clark, Flynn, Gilmore, Herndon, Kniech (6)  
Nay: CdeBaca, Hinds, Kashmann, Ortega, Sandoval, Sawyer, Torres (7)

**20-0106 A bill for an ordinance changing the zoning classification for 2530 Xavier Street in Sloan Lake.**

Approves an official map amendment to rezone property located at 2530 Xavier Street from U-SU-C to U-SU-C1 (allows for an accessory dwelling unit) in Council District 1. The Committee approved filing this item at its meeting on 2-4-20.

Council sat as a Committee of the Whole, commencing at 6:37 p.m., Council President Clark presiding, to hear speakers on Council Bill 20-0106. No speakers signed up in favor of the bill. Jesse Parris signed up in opposition of the bill. Libbie Adams of Community Planning and Development delivered the staff report.

A motion offered by Councilmember CdeBaca, duly seconded by Councilmember Flynn, that Council Bill 20-0106 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)

**20-0107 A bill for an ordinance changing the zoning classification for 2625 Julian Street in Sloan Lake.**

Approves an official map amendment to rezone property located at 2625 Julian Street from U-SU-B to U-SU-B1 (allows for an accessory dwelling unit) in Council District 1. The Committee approved filing this item at its meeting on 2-4-20.

Council sat as a Committee of the Whole, commencing at 6:51 p.m., Council President Clark presiding, to hear speakers on Council Bill 20-0107. No speakers signed up to speak in favor of the bill. Jesse Parris signed up to speak in opposition of the bill. Libbie Adams of Community Planning and Development delivered the staff report.

A motion offered by Councilmember CdeBaca, duly seconded by Councilmember Torres, that Council Bill 20-0107 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)

**20-0228 A bill for an ordinance accepting the Future Places 2020 Plan Map in Blueprint Denver (2019), a supplement to Comprehensive Plan 2040, to reflect the change in the Overland Park Neighborhood in Council District 7.**

Adopts the amended Future Places 2020 Plan Map in Blueprint Denver 2019, a supplement to Comprehensive Plan 2040, to reflect a change in the Overland Park Neighborhood in Council District 7. The Committee approved filing this item at its meeting on 3-10-20.

Council sat as a Committee of the Whole, commencing at 7:01 p.m., Council President Clark presiding, to hear speakers on Council Bill 20-0228. Jesse Parris signed up to speak in favor of the bill. No speakers signed up to speak in opposition of the bill. David Gaspers of Community Planning and Development delivered the staff report.

A motion offered by Councilmember CdeBaca, duly seconded by Councilmember Flynn, that Council Bill 20-0228 be placed upon final consideration and do pass. The motion carried by the following vote:

**Placed upon final consideration and do pass**

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

Nay: (None) (0)

Absent: CdeBaca (1)

**PRE-ADJOURNMENT ANNOUNCEMENT**

Council President Clark announced that on Monday, May 18, 2020, Council will hold a required public hearing on Council Bill 20-0207, amending the Denver College Affordability Fund Article, Article IV, Chapter 11 of the Revised Municipal Code to clarify operations related to the Fund.

**ADJOURN**

There being no further business before the City Council, Council President Clark adjourned the meeting at 7:19 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