

# City Council Minutes

Meeting Date: Monday, April 23, 2018 5:30 PM

## PLEDGE OF ALLEGIANCE

Council member Gilmore led the Pledge of Allegiance.

## ROLL CALL

Present: Black, Brooks, Clark, Espinoza, Flynn, Gilmore, Kashmann, Kniech, New, Ortega, Susman (11)

Absent: Herndon, López (2)

## APPROVAL OF THE MINUTES

[18-0405](#) Minutes of Monday, April 16, 2018

The minutes of Monday, April 23, 2018, were approved.

## Approved

The minutes of meeting date, Monday, April 16, 2018, were distributed to Council. Council President Brooks ordered the minutes approved.

## COUNCIL ANNOUNCEMENTS

Council members Kashmann, Black, and Susman offered an announcement.

## PRESENTATIONS

## COMMUNICATIONS

## PROCLAMATIONS

[18-0415](#) **A proclamation recognizing Colorado Young Leaders as a champion of youth voice and April 20 - 22, 2018 as Global Youth Service Day.**

A motion offered by Councilwoman Black, duly seconded by Councilman Clark, that Council Proclamation 18-0415 be adopted. The motion carried by the following vote:

## Adopted

Aye: Black, Brooks, Clark, Espinoza, Flynn, Gilmore, Kashmann, Kniech, New, Ortega, Susman (11)

Nay: (None) (0)

Absent: Herndon, López (2)

[18-0416](#) **A proclamation thanking MSU Denver student volunteers for their Service.**

A motion offered by Councilman Brooks, duly seconded by Councilman Kashmann, that Council Proclamation 18-0416 be adopted. The motion carried by the following vote:

## Adopted

Aye: Black, Brooks, Clark, Espinoza, Flynn, Gilmore, Kashmann, Kniech, New, Ortega, Susman (11)

Nay: (None) (0)

Absent: Herndon, López (2)

**18-0419 A proclamation declaring Wednesday, April 25, as Denim Day in support of victims of sexual assault.**

A motion offered by Councilman Kashmann, duly seconded by Councilman Clark, that Council Proclamation 18-0419 be adopted. The motion carried by the following vote:

**Adopted**

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

**RESOLUTIONS**

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

Block Vote

Block Vote

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

**Approved the consent agenda**

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

**18-0335 A resolution approving a proposed Agreement between the City and County of Denver and The Abo Group, Inc. concerning on call professional, technical, and support personnel to perform project management services at Denver International Airport.**

Approves a contract with The Abo Group, Inc. for \$2 million and for four years for on-call professional, technical, and support personnel to perform project management services including assisting with planning, design, construction management, project communications, project controls, and any other support services required on special projects at Denver International Airport (201734137). The last regularly scheduled Council meeting within the 30-day review period is on 5-14-18. The Committee approved filing this resolution by consent on 4-11-18.

A motion offered by Councilwoman Gilmore, duly seconded by Councilman Clark, that Council Resolution 18-0335 be adopted en bloc, carried by the following vote:

**Adopted**

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

**[18-0336](#) A resolution approving a proposed Agreement between the City and County of Denver and LS Gallegos & Associates, Inc. concerning on call professional, technical, and support personnel to perform project management services at Denver International Airport.**

Approves a contract with LS Gallegos & Associates, Inc. for \$13 million and for four years for on-call professional, technical, and support personnel to perform project management services including assisting with planning, design, construction management, project communications, project controls, and any other support services required on special projects at Denver International Airport (201839864). The last regularly scheduled Council meeting within the 30-day review period is on 5-14-18. The Committee approved filing this resolution by consent on 4-11-18.

A motion offered by Councilwoman Gilmore, duly seconded by Councilman Clark, that Council Resolution 18-0336 be adopted en bloc, carried by the following vote:

**Adopted**

Aye: Black, Brooks, Clark, Espinoza, Flynn, Gilmore, Kashmann, Kniech, New, Ortega, Susman (11)

Nay: (None) (0)

Absent: Herndon, López (2)

**Finance & Governance Committee**

**[18-0418](#) A resolution amending the Denver City Council rules of procedure to provide for a second general public comment session each month.**

Amends the Denver City Council Rules of Procedure to incorporate two public comment sessions each month. Council approved filing this resolution at the Operations meeting on 4-18-18.

A motion offered by Councilwoman Gilmore, duly seconded by Councilman Clark, that Council Resolution 18-0418 be adopted en bloc, carried by the following vote:

**Adopted**

Aye: Black, Brooks, Clark, Espinoza, Flynn, Gilmore, Kashmann, Kniech, New, Ortega, Susman (11)

Nay: (None) (0)

Absent: Herndon, López (2)

**Land Use, Transportation & Infrastructure Committee**

**[18-0344](#) A resolution approving a proposed Second Amendatory Agreement between the City and County of Denver and CTM, Inc. to add additional funds.**

Amends a contract with CTM, Inc. by adding \$250,000 for a new total of \$700,000 for on-call tree planting and watering services citywide due to an increase in demand from the emerald ash borer program. No change to contract duration (201628078). The last regularly scheduled Council meeting within the 30-day review period is on 5-14-18. The Committee approved filing this resolution by consent on 4-10-18.

A motion offered by Councilwoman Gilmore, duly seconded by Councilman Clark, that Council Resolution 18-0344 be adopted en bloc, carried by the following vote:

**Adopted**

Aye: Black, Brooks, Clark, Espinoza, Flynn, Gilmore, Kashmann, Kniech, New, Ortega, Susman (11)

Nay: (None) (0)

Absent: Herndon, López (2)

**18-0345 A resolution approving a proposed Amendatory Agreement between the City and County of Denver and TigerTree, Inc. for tree planting and care.**

Amends a contract with TigerTree, Inc. by adding \$250,000 for a new total of \$700,000 for on-call tree planting and watering services citywide due to an increase in demand from the emerald ash borer program. No change to contract duration (201628569). The last regularly scheduled Council meeting within the 30-day review period is on 5-14-18. The Committee approved filing this resolution by consent on 4-10-18.

A motion offered by Councilwoman Gilmore, duly seconded by Councilman Clark, that Council Resolution 18-0345 be adopted en bloc, carried by the following vote:

**Adopted**

Aye: Black, Brooks, Clark, Espinoza, Flynn, Gilmore, Kashmann, Kniech, New, Ortega, Susman (11)

Nay: (None) (0)

Absent: Herndon, López (2)

**18-0349 A resolution approving a proposed Purchase Order between the City and County of Denver and Larry H. Miller Ford Lakewood to purchase 21 Ford Police Interceptor SUV's.**

Approves a purchase order with Larry H. Miller Ford Lakewood for \$743,190 for 21 Ford Police Interceptor Sport Utility Vehicles for the Denver Police Department (PO-00034767). The last regularly scheduled Council meeting within the 30-day review period is on 5-14-18. The Committee approved filing this resolution by consent on 4-10-18.

A motion offered by Councilwoman Gilmore, duly seconded by Councilman Clark, that Council Resolution 18-0349 be adopted en bloc, carried by the following vote:

**Adopted**

Aye: Black, Brooks, Clark, Espinoza, Flynn, Gilmore, Kashmann, Kniech, New, Ortega, Susman (11)

Nay: (None) (0)

Absent: Herndon, López (2)

**18-0350 A resolution approving a proposed Agreement between the City and County of Denver and Alpine Disposal, Inc. for the sorting and recycling of the materials collected through the City's Denver Recycles Program.**

Approves a revenue contract with Alpine Disposal, Inc. for three years and for an estimated amount of \$500,000 to sort and recycle the materials collected through the citywide Denver Recycles residential collection program (201737957). The last regularly scheduled Council meeting within the 30-day review period is on 5-14-18. The Committee approved filing this resolution by consent on 4-10-18.

A motion offered by Councilwoman Gilmore, duly seconded by Councilman Clark, that Council Resolution 18-0350 be adopted en bloc, carried by the following vote:

**Adopted**

Aye: Black, Brooks, Clark, Espinoza, Flynn, Gilmore, Kashmann, Kniech, New, Ortega, Susman (11)

Nay: (None) (0)

Absent: Herndon, López (2)

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

**18-0304 A resolution approving and providing for the execution of a proposed grant agreement between the City and County of Denver and the Office of National Drug Control Policy concerning the "High Intensity Drug Trafficking area (H.I.D.T.A.) FY18" program and the funding therefor.**

Authorizes expenditures in the Public Safety Special Revenue Fund based on a letter of intent from the Office of National Drug Control Policy (ONDCP) to award \$919,338 in funding for the FY18 High Intensity Drug Trafficking Area (HIDTA) Program (201840770-00). The last regularly scheduled Council meeting within the 30-day review period is on 5-14-18. The Committee approved filing this resolution by consent on 3-28-18.

A motion offered by Councilwoman Gilmore, duly seconded by Councilman Clark, that Council Resolution 18-0304 be adopted en bloc, carried by the following vote:

#### **Adopted**

Aye: Black, Brooks, Clark, Espinoza, Flynn, Gilmore, Kashmann, Kniech, New, Ortega, Susman (11)

Nay: (None) (0)

Absent: Herndon, López (2)

**18-0346 A resolution approving the Mayor's reappointments and appointments to the Denver Women's Commission.**

Approves the following Mayoral reappointments to the Denver Women's Commission: Jessica Skibo, Corelle Spettigue, Nancy Reichman, and Nicole Portee for terms effective immediately and expiring 6-30-19; Ariana Nikamanesh, Catherine Pierce, Marisol Solarte-Erlacher, Laurie Heydman, Kayla Frawley, Magen Dodge, and Marisa Herrera for terms effective immediately and expiring 6-30-20. The Committee approved filing this resolution by consent on 4-11-18.

A motion offered by Councilwoman Gilmore, duly seconded by Councilman Clark, that Council Resolution 18-0346 be adopted en bloc, carried by the following vote:

#### **Adopted**

Aye: Black, Brooks, Clark, Espinoza, Flynn, Gilmore, Kashmann, Kniech, New, Ortega, Susman (11)

Nay: (None) (0)

Absent: Herndon, López (2)

### **BILLS FOR INTRODUCTION**

#### **Finance & Governance Committee**

**18-0319 A bill for an ordinance to correct two typographical errors found in Section 18-42(d) of the Revised Municipal Code.**

Corrects errors in the previously approved Council Bill 18-0156 revising the process for changing the City Classification and Pay Plan. The Committee approved filing this bill by consent on 4-12-18.

Council Bill 18-0319 was ordered published on first reading.

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

## Land Use, Transportation & Infrastructure Committee

### [18-0323](#) **A bill for an ordinance to amend Chapter 59 (Zoning) of the Denver Revised Municipal Code relating to the Denver Zoning Code and to amend and restate the Denver Zoning Code.**

Amends the Zoning Code with multiple substantive, clarification, and usability amendments in response to customer and community feedback, industry changes, and other factors. The Committee approved filing this bill at its meeting on 4-10-18.

#### **Final Consideration**

#### **Required Public Hearing**

Council Bill 18-0323 was ordered published with future required public hearing on 5-21-18.

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

### [18-0337](#) **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 the Platte Farm Open Space Detention Basin.**

Amends an Intergovernmental Agreement with the Urban Drainage and Flood Control District by adding \$500,000 for a new total of \$800,000 for the design and construction of drainage and flood control improvements at Platte Farm Open Space at 49th Avenue and Grant Street in Council District 9. No change to agreement duration (201733020). The last regularly scheduled Council meeting within the 30-day review period is on 5-14-18. The Committee approved filing this bill by consent on 4-3-18.

Council Bill 18-0337 was ordered published on first reading.

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

## **BILLS FOR FINAL CONSIDERATION**

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

### [18-0085](#) **A bill for an ordinance approving a proposed Amendatory Agreement between the City and County of Denver and Arapahoe County, Community Resource Department, A/D Works! Division to provide workforce development services and programs under the federally-funded H1-B Ready-to-Work partnership program.**

Amends an intergovernmental agreement with Arapahoe County by adding \$102,373.45 for a new contract total in the amount of \$751,743.61 and to add six months for a new end date of 3-31-19 to support the Technology Employment in Colorado Partnership (TEC-P) project to assist those experiencing long-term unemployment gain access to employment services (201520646-01). The last regularly scheduled Council meeting within the 30-day review period is on 5-7-18. The Committee approved filing this bill at its meeting on 1-31-18.

A motion offered by Councilwoman Gilmore, duly seconded by Councilman Clark, that Council Bill 18-0085 be placed upon final consideration and do pass en bloc, carried by the following vote:

#### **Placed upon final consideration and do pass**

Aye: Black, Brooks, Clark, Espinoza, Flynn, Gilmore, Kashmann, Kniech, New, Ortega, Susman (11)

Nay: (None) (0)

Absent: Herndon, López (2)

**18-0086 A bill for an ordinance approving a proposed Amendatory Agreement between the City and County of Denver and Boulder County Community Services Department to provide workforce development services and programs under the federally-funded H1-B Ready-to-Work partnership program.**

Amends an intergovernmental agreement with Boulder County to add six months for a new end date of 3-31-19 to support the Technology Employment in Colorado Partnership (TEC-P) project to assist those experiencing long-term unemployment gain access to employment services. There is no change to the agreement amount (201520605-01). The last regularly scheduled Council meeting within the 30-day review period is on 5-7-18. The Committee approved filing this bill at its meeting on 1-31-18.

A motion offered by Councilwoman Gilmore, duly seconded by Councilman Clark, that Council Bill 18-0086 be placed upon final consideration and do pass en bloc, carried by the following vote:

**Placed upon final consideration and do pass**

Aye: Black, Brooks, Clark, Espinoza, Flynn, Gilmore, Kashmann, Kniech, New, Ortega, Susman (11)

Nay: (None) (0)

Absent: Herndon, López (2)

**Finance & Governance Committee**

**18-0322 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 a new classification called Deputy Director of Aviation at pay grade A-822. The Committee approved filing this bill by consent on 4-6-18.

A motion offered by Councilwoman Gilmore, duly seconded by Councilman Clark, that Council Bill 18-0322 be placed upon final consideration and do pass en bloc, carried by the following vote:

**Placed upon final consideration and do pass**

Aye: Black, Brooks, Clark, Espinoza, Flynn, Gilmore, Kashmann, Kniech, New, Ortega, Susman (11)

Nay: (None) (0)

Absent: Herndon, López (2)

**Land Use, Transportation & Infrastructure Committee**

**18-0320 A bill for an ordinance vacating the alley bounded by South University Boulevard, East Vassar Avenue, South Josephine Street and Harvard Gulch, with reservations.**

Vacates the alley bounded by South University Boulevard, East Vassar Avenue, South Josephine Street, and Harvard Gulch, with reservations, in Council District 6. The Committee approved filing this bill by consent on 4-3-18.

A motion offered by Councilwoman Gilmore, duly seconded by Councilman Clark, that Council Bill 18-0320 be placed upon final consideration and do pass en bloc, carried by the following vote:

**Placed upon final consideration and do pass**

Aye: Black, Brooks, Clark, Espinoza, Flynn, Gilmore, Kashmann, Kniech, New, Ortega, Susman (11)

Nay: (None) (0)

Absent: Herndon, López (2)

**18-0321 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.**

Approves a grant agreement with the Colorado Department of Transportation (CDOT) for \$3.4 million in Federal Highway Safety Improvement Program (HSIP) funds to construct five new traffic signals 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 1, 3, and 9 (201738522). The last regularly scheduled Council meeting within the 30-day review period is on 5-7-18. The Committee approved filing this bill by consent on 4-3-18.

A motion offered by Councilwoman Gilmore, duly seconded by Councilman Clark, that Council Bill 18-0321 be placed upon final consideration and do pass en bloc, carried by the following vote:

**Placed upon final consideration and do pass**

Aye: Black, Brooks, Clark, Espinoza, Flynn, Gilmore, Kashmann, Kniech, New, Ortega, Susman (11)

Nay: (None) (0)

Absent: Herndon, López (2)

**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 18-0229, changing the zoning classification for 580 South Forest Street in Washington Virginia Vale; a required public hearing on Council Bill 18-0243, changing the zoning classification for 3400 Arkins Court, 3460 Arkins Court and 1930 35th Street in Five Points; and, a required public hearing on Council Bill 18-0244, changing the zoning classification for 25th Street and Glenarm Place in Five Points. 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**

**18-0229 A bill for an ordinance changing the zoning classification for 580 South Forest Street in Washington Virginia Vale.**

Approves an official map amendment to rezone property located at 580 South Forest Street from S-SU-D to S-MU-3 (suburban, single-unit to suburban, multi-unit) in Council District 5. The Committee approved filing this bill at its meeting on 3-13-18.

A motion offered by Councilwoman Gilmore, duly seconded by Councilman Clark, that Council Bill 18-0229 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 6:36 p.m., Council President Brooks presiding, to hear speakers on Council Bill 18-0229. Carl Jenkins and Chairman Seku 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: Black, Brooks, Clark, Flynn, Gilmore, Kashmann, Kniech,  
New, Ortega, Susman (10)

Nay: Espinoza (1)

Absent: Herndon, López (2)

**18-0243 A bill for an ordinance changing the zoning classification for 3400 Arkins Court, 3460 Arkins Court and 1930 35th Street in Five Points.**

Approves an official map amendment to rezone property located at 3400 Arkins Court, 3460 Arkins Court, 1900 35th Street, 1930 35th Street, and 1950 35th Street from I-MX-5/UO-2 to OS-A (industrial, mixed-use to open space) in Council District 9. The Committee approved filing this bill at its meeting on 3-13-18.

A motion offered by Councilwoman Gilmore, duly seconded by Councilman Clark, that Council Bill 18-0243 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 6:58 p.m., Council President Brooks presiding, to hear speakers on Council Bill 18-0243. Sloane Nystrom and Chairman Seku signed up to speak in favor of the bill. No speakers signed up to speak in opposition of the bill. Jeff Hirt of Community Planning and Development delivered the Staff Report.

Aye: Black, Brooks, Clark, Espinoza, Flynn, Gilmore, Kashmann,  
Kniech, New, Ortega, Susman (11)

Nay: (None) (0)

Absent: Herndon, López (2)

**18-0244 AS AMENDED a bill for an ordinance changing the zoning classification for 25th Street and Glenarm Place in Five Points.**

Approves an official map amendment to rezone property located at and around 25th Street and Glenarm Place from G-MU-3/UO-3 and R-3/UO-3 to U-RH-2.5/UO-3 (general urban, multi-unit to urban, row-house) in Council District 9. Amended 4-23-18 to modify the rezoning boundaries to exclude four parcels due to the impacts on nearby redevelopment. The Committee approved filing this bill at its meeting on 3-13-18.

A motion offered by Councilwoman Gilmore, duly seconded by Councilman Clark, that Council Bill 18-0244 be placed upon final consideration and do pass, was followed by a motion offered by Councilman Brooks, duly seconded by Councilwoman Ortega, that Council Bill 18-0244 be amended to modify the rezoning boundaries to exclude four parcels due to the impacts on nearby redevelopment, which motion to amend carried by the following vote:

**Amended**

Aye: Black, Brooks, Clark, Espinoza, Flynn, Gilmore, Kashmann, Kniech, New, Ortega, Susman (11)

Nay: (None) (0)

Absent: Herndon, López (2)

Council Bill 18-0244 was placed upon final consideration and do pass as amended.

**Placed upon final consideration and do pass as amended**

Aye: Black, Brooks, Clark, Espinoza, Flynn, Gilmore, Kashmann, Kniech, New, Ortega, Susman (11)

Nay: (None) (0)

Absent: Herndon, López (2)

**PRE-ADJOURNMENT ANNOUNCEMENT**

Council President Brooks announced that on Monday, May 21, 2018, Council will hold a required public hearing on Council Bill 18-0323, amending the Zoning Code with multiple substantive, clarification, and usability amendments.

**ADJOURN**

There being no further business before the City Council, Council President Brooks adjourned the meeting at 8:16 .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