

City Council Minutes

Meeting Date: Monday, January 6, 2020 5:30 PM

PLEDGE OF ALLEGIANCE

Council member Gilmore led the Pledge of Allegiance.

ROLL CALL

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

Absent: Torres (1)

APPROVAL OF THE MINUTES

[20-0021](#) Minutes of Monday, December 23, 2019

The minutes of Monday, December 23, 2019 were distributed to members of Council. Council President Clark ordered the minutes approved.

Council Minutes 20-0021 were approved.

Approved

COUNCIL ANNOUNCEMENTS

Council members Kashmann and Hinds offered announcements.

PRESENTATIONS

COMMUNICATIONS

PROCLAMATIONS

[20-0035](#) **A proclamation welcoming the 114th National Western Stock Show, Rodeo and Horse Show to Denver.**

A motion offered by Councilwoman Ortega, duly seconded by Councilwoman Gilmore, that Council Proclamation 20-0035 be adopted. The motion carried by the following vote:

Adopted

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

Nay: (None) (0)

Absent: Torres (1)

RECAP OF BILLS TO BE CALLED OUT

Items that were called out for a separate vote:

RESOLUTIONS

City Council - Direct Files

[20-0033](#) **A resolution amending the Denver City Council Rules of Procedure.**

Amends the Denver City Council Rules of procedure to incorporate decorum rules. Council member Herndon approved direct filing this item on 1-2-20.

A motion offered by Councilwoman Gilmore, duly seconded by Councilman Hinds, that Council Resolution 20-0033 be adopted, was followed by a motion offered by Councilwoman CdeBaca, duly seconded by Councilwoman Ortega, that Council Resolution 20-0033 be postponed to Monday, January 13, 2020. Which motion to postpone carried by the following vote:

Postponed

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

Nay: Clark (1)

Absent: Torres (1)

Finance & Governance Committee

[19-1338](#) **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 1-21-20. The Committee approved filing this item at its meeting on 12-10-19.

A motion offered by Councilwoman Gilmore, duly seconded by Councilman Herndon, that Council Resolution 19-1338 be adopted. The motion failed to carry by the following vote:

Adopted

Aye: Black, Clark, Gilmore, Herndon, Kashmann, Kniech (6)

Nay: CdeBaca, Flynn, Hinds, Ortega, Sandoval, Sawyer (6)

Absent: Torres (1)

Land Use, Transportation & Infrastructure Committee

19-1373 A resolution granting a revocable permit to 2525 Expo, LLC to encroach into the right-of-way at 2525 East Exposition Avenue.

Grants a revocable permit, subject to certain terms and conditions, to 2525 Expo, LLC their successors and assigns, to encroach into the right of way with a solid brick privacy wall at 2525 East Exposition Avenue in Council District 10. The last regularly scheduled Council meeting within the 30-day review period is on 1-27-20. The Committee approved filing this item at its meeting on 12-17-19.

A motion offered by Councilwoman Gilmore, duly seconded by Councilwoman Black, that Council Resolution 19-1373 be adopted, was followed by a motion offered by Councilman Hinds, duly seconded by Councilman Herndon, that Council Resolution 19-1373 be postponed to Monday, January 13, 2020. Which motion to postpone carried by the following vote:

Postponed

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

Safety, Housing, Education & Homelessness Committee

19-1374 A resolution approving a proposed Amendatory Agreement between the City and County of Denver and La Raza Services, Inc. to provide jail to community transition services.

Amends a contract with La Raza Services, Inc. by adding \$561,686 for a new total of \$1,111,686 and one year for a new end date of 12-31-20 for operation of the Transition from Jail to Community Collaborative (TJCC) to reduce recidivism through targeted supportive services delivered both in jail and in the community to address an individual’s criminogenic risk factors (ENVHL - 201952892-01). The last regularly scheduled Council meeting within the 30-day review period is on 1-27-20. The Committee approved filing this item at its meeting on 12-18-19.

A motion offered by Councilwoman Gilmore, duly seconded by Councilman Herndon, that Council Resolution 19-1374 be adopted. The motion carried by the following vote:

Adopted

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

BILLS FOR INTRODUCTION

Finance & Governance Committee

19-1236 A bill for an ordinance approving the Mayor's appointments and reappointment to the Denver Community Corrections Board.

Approves the following Mayoral appointments and reappointment to the Denver Community Corrections Board: appointment of Steven Abraham to serve as a representative of the District Attorney's Office for a term effective immediately and expiring 6-30-21; appointment of Paul Rosenthal to serve as a citizen representative for a term effective immediately and expiring 6-30-22; and appointment of Frances Gomez to serve as a representative of the Sheriff's Department for a term effective immediately and expiring 6-30-23 or until a successor is duly appointed and the reappointment of Jane Prancan to serve as a citizen representative for a term effective immediately and expiring 6-30-23 or until a successor is duly appointed. The Committee approved filing this item on 12-17-19.

A motion offered by Councilwoman Gilmore, duly seconded by Councilman Flynn, that Council Bill 19-1236 be ordered published. The motion carried by the following vote:

Ordered published on first reading

Aye: Black, Clark, Flynn, Gilmore, Herndon, Hinds, Kashmann, Kniech, Ortega, Sandoval, Sawyer (11)
Nay: CdeBaca (1)
Absent: Torres (1)

BLOCK VOTE

A motion offered by Councilwoman Gilmore, duly seconded by Councilwoman Black, 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 (12)
Nay: (None) (0)
Absent: Torres (1)

19-1383 A resolution approving a proposed Amendatory Special Counsel Agreement between the City and County of Denver and Kaplan Kirsch & Rockwell, LLP to revive and amend the Agreement to extend the term and add funding.

Amends a contract with Kaplan Kirsch and Rockwell by adding \$1,700,000 for a new total of \$2,900,000 and one year for a new end date of 6-30-21 for essential outside counsel services for the performance-based infrastructure partnership for development of Phases 3-8 of the National Western Center, including advice, drafting related to risk allocation, design and construction specifications, operations and maintenance specifications, and project management for document production in Council District 9 (201840827-01). The last regularly scheduled Council meeting within the 30-day review period is on 1-27-20. The Committee approved filing this item at its meeting on 12-17-19.

A motion offered by Councilwoman Gilmore, duly seconded by Councilwoman Black, that Council Resolution 19-1383 be adopted en bloc, carried by the following vote:

Adopted

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

Land Use, Transportation & Infrastructure Committee

[19-1348](#) A resolution approving a proposed Agreement between the City and County of Denver and Handprint Architecture, Inc. for professional design services for the Denver Police Station District 5 relocation to 12025 East 45th Avenue.

Approves a contract with Handprint Architecture, Inc. for \$1,470,718 and for 1050 days for professional design services for the Denver Police Station District 5 relocation from 4685 Peoria Street to 12025 East 45th Avenue in Council District 8 (201952576). The last regularly scheduled Council meeting within the 30-day review period is on 1-27-20. The Committee approved filing this item at its meeting on 12-17-19.

A motion offered by Councilwoman Gilmore, duly seconded by Councilwoman Black, that Council Resolution 19-1348 be adopted en bloc, carried by the following vote:

Adopted

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

[19-1355](#) A resolution laying out, opening and establishing as part of the City street system parcels of land as West Exposition Avenue near the intersection of South Broadway and East Exposition Avenue.

Dedicates a parcel of land as public right of way as proposed West Exposition Avenue, located at the intersection of South Broadway and East Exposition Avenue in Council District 7. The Committee approved filing this item at its meeting on 12-17-19.

A motion offered by Councilwoman Gilmore, duly seconded by Councilwoman Black, that Council Resolution 19-1355 be adopted en bloc, carried by the following vote:

Adopted

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

19-1356 A resolution approving a proposed Contract between the City and County of Denver and Centerre Construction, Inc. for construction of courtroom buildouts at the Lindsey Flanigan Courthouse.

Approves a contract with Centerre Construction, Inc. for \$4,219,100 and for 185 days for construction of courtroom buildouts at the Lindsey Flanigan Courthouse, including the construction of new courtrooms, jury deliberation rooms with restrooms, judge's chamber with restroom, holding areas including cells, visitation rooms, and conference rooms in Council District 10 (201951453). The last regularly scheduled Council meeting within the 30-day review period is on 1-27-20. The Committee approved filing this item at its meeting on 12-17-19.

A motion offered by Councilwoman Gilmore, duly seconded by Councilwoman Black, that Council Resolution 19-1356 be adopted en bloc, carried by the following vote:

Adopted

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

19-1357 A resolution laying out, opening and establishing as part of the City street system a parcel of land as North Huron Street near the intersection of North Huron Street and West 29th Avenue.

Dedicates a parcel of land as public right of way as North Huron Street, located at the intersection of West 29th Avenue and North Huron Street in Council District 9. The Committee approved filing this item at its meeting on 12-17-19.

A motion offered by Councilwoman Gilmore, duly seconded by Councilwoman Black, that Council Resolution 19-1357 be adopted en bloc, carried by the following vote:

Adopted

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

19-1358 A resolution laying out, opening and establishing as part of the City street system a parcel of land as a public alley bounded by Lawrence Street, Larimer Street, 22nd Street and Park Avenue West.

Dedicates a parcel of land as public right of way as public alley, located in the alley bounded by Lawrence Street, Larimer Street, 22nd Street and Park Avenue West in Council District 9. The Committee approved filing this item at its meeting on 12-17-19.

A motion offered by Councilwoman Gilmore, duly seconded by Councilwoman Black, that Council Resolution 19-1358 be adopted en bloc, carried by the following vote:

Adopted

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

[19-1359](#) 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 22nd Avenue, North Eliot Street, West 21st Avenue and North Federal Boulevard.

Dedicates a parcel of land as public alley, located in the alley bounded by West 22nd Avenue, North Eliot Street, West 21st Avenue and North Federal Boulevard in Council District 1. The Committee approved filing this item at its meeting on 12-17-19.

A motion offered by Councilwoman Gilmore, duly seconded by Councilwoman Black, that Council Resolution 19-1359 be adopted en bloc, carried by the following vote:

Adopted

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

Nay: (None) (0)

Absent: Torres (1)

[19-1371](#) A resolution approving and providing for the execution of a proposed Grant Agreement between the City and County of Denver and Adams County concerning the "Adams County Open Space Grants" program and the funding therefor.

Approves a grant agreement with Adams County Open Space for the City to receive \$750,000 and through 11-19-21 for improvements on the Heller property as part of the Heron Pond/Carpio-Sanguinette Park project, including trails, interpretative signage, wildlife overlook and vegetation enhancements in Council District 9 (201952775). The last regularly scheduled Council meeting within the 30-day review period is on 1-27-20. The Committee approved filing this item at its meeting on 12-17-19.

A motion offered by Councilwoman Gilmore, duly seconded by Councilwoman Black, that Council Resolution 19-1371 be adopted en bloc, carried by the following vote:

Adopted

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

Nay: (None) (0)

Absent: Torres (1)

[19-1372](#) A resolution laying out, opening and establishing as part of the City street system a parcel of land as a public alley bounded by 34th Street, Blake Street, 35th Street and Walnut Street.

Dedicates a parcel of land as public right of way as public alley, located in the alley bounded by 34th Street, Blake Street, 35th Street and Walnut Street in Council District 9. The Committee approved filing this item at its meeting on 12-17-19.

A motion offered by Councilwoman Gilmore, duly seconded by Councilwoman Black, that Council Resolution 19-1372 be adopted en bloc, carried by the following vote:

Adopted

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

Nay: (None) (0)

Absent: Torres (1)

19-1394 A resolution laying out, opening and establishing as part of the City street system a parcel of land as a public alley bounded by East Alameda Avenue, South Harrison Street, East Dakota Avenue and South Jackson Street; and, a parcel of land as East Alameda Avenue at the intersection of East Alameda Avenue and South Harrison Street.

Dedicates parcels of land as public right of way as East Alameda Avenue, located at the intersection of East Alameda Avenue and South Harrison Street, and as public alley bounded by East Alameda Avenue, South Harrison Street, East Dakota Avenue and South Jackson Street in Council District 10. The Committee approved filing this item at its meeting on 12-24-19.

A motion offered by Councilwoman Gilmore, duly seconded by Councilwoman Black, that Council Resolution 19-1394 be adopted en bloc, carried by the following vote:

Adopted

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

Safety, Housing, Education & Homelessness Committee

19-1380 A resolution approving a proposed Fourth Amendatory Agreement between the City and County of Denver and Bayaud Enterprises, Inc. for same-day work experience services to homeless individuals.

Amends a contract with Bayaud Enterprises, Inc. by adding \$1,025,300 for a new total of \$2,439,031 and one year for a new end date of 12-31-20 to provide same-day work experience to individuals experiencing homelessness as part of the citywide Denver Day Works program (SOCSV-2018-42632-03, SOCSV-201952518-04). The last regularly scheduled Council meeting within the 30-day review period is on 1-27-20. The Committee approved filing this item at its meeting on 12-18-19.

A motion offered by Councilwoman Gilmore, duly seconded by Councilwoman Black, that Council Resolution 19-1380 be adopted en bloc, carried by the following vote:

Adopted

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

BILLS FOR INTRODUCTION

Finance & Governance Committee

[19-1334](#) A bill for an ordinance approving the Mayor's appointments to the Denver Community Corrections Board.

Approves the Mayoral appointments of Senator Julie Gonzales as a local elected official and Sherry Jackson as a representative of the Department of Safety to the Denver Community Corrections Board for terms effective immediately and expiring on 6-30-23, or until a successor is duly appointed. The Committee approved filing this bill on 12-17-19.

Council Bill 19-1334 was ordered published on first reading

Ordered published on first reading

[19-1360](#) A bill for an ordinance authorizing expenditures in the Human Services Special Revenue Fund based on a letter of intent from the State of Colorado to award funding to the City and County of Denver for the "Community Services Block Grant (CSBG)" program for the 2020 program year.

Appropriates \$720,652 based on a letter of intent provided by the Colorado Department of Local Affairs to fund the Community Services Block Grant (CSBG) program for program year 2020 to fund projects intended to alleviate the effects of poverty, demonstrate a way out of poverty and promote long-term or sustainable futures for low income persons, citywide. The Committee approved filing this item at its meeting on 12-17-19.

Council Bill 19-1360 was ordered published on first reading

Ordered published on first reading

[19-1366](#) A bill for an ordinance authorizing expenditures in the Economic Opportunity Special Revenue Fund for the "Community Development Block Grant (CDBG)" program for the 2020 program year.

Appropriates \$2,500,000 for the 2020 program year of the Community Development Block Grant based on its 5-year action plan and forecasted program income for 2020. The Committee approved filing this item at its meeting on 12-17-19.

Council Bill 19-1366 was ordered published on first reading

Ordered published on first reading

[19-1367](#) A bill for an ordinance establishing a new fund in the General Government Special Revenue Fund Series for the "Disposable Bag Fee" Program.

Establishes the Disposable Bag Fee Special Revenue Fund in the General Government Fund Series to receive new revenue from retail stores and to administer the program pursuant to the Disposable Bag Fee Ordinance. The Committee approved filing this item at its meeting on 12-17-19.

Council Bill 19-1367 was ordered published on first reading

Ordered published on first reading

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 (urban 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.

Final Consideration | Required Public Hearing

Council Bill 19-1361 was ordered published with a future required public hearing on 2-3-20.

Ordered published with a future required public hearing

[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.

Final Consideration | Required Public Hearing

Council Bill 19-1363 was ordered published with a future required public hearing on 2-3-20.

Ordered published with a future required public hearing

[19-1392](#) **A bill for an ordinance relinquishing an easement established in the Deed of Easement recorded with the Denver Clerk & Recorder at Book 1283, Page 128, located at West 19th Avenue and Clay Street.**

Relinquishes an easement, in its entirety, established in the Deed of Easement, Book 1283, Page 128, located at West 19th Avenue and Clay Street in Council District 1. The Committee approved filing this item at its meeting on 12-24-19.

Council Bill 19-1392 was ordered published on first reading

Ordered published on first reading

BILLS FOR FINAL CONSIDERATION

Finance & Governance Committee

[19-1337](#) **A bill for an ordinance approving a proposed Purchase and Sale Agreement between the City and County of Denver and Brothers Redevelopment, Inc. for the city to convey the property located at 7900 East Colfax Avenue.**

Approves a purchase and sale agreement with Brothers Redevelopment, Inc. for \$10 with a 99-year affordable housing deed restriction to sell city-owned vacant land located at 7900 East Colfax in Council District 5 (FINAN-201952186). The last regularly scheduled Council meeting within the 30-day review period is on 1-13-20. The Committee approved filing this item at its meeting on 12-10-19.

A motion offered by Councilwoman Gilmore, duly seconded by Councilwoman Black, that Council Bill 19-1337 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 (12)
Nay: (None) (0)
Absent: Torres (1)

PRE-RECESS ANNOUNCEMENT

Council President Clark announced that tonight, there will be a 30-minute courtesy public hearing on Council Bill 19-1313, amending Sections 39-121 of the Revised Municipal Code of the City and County of Denver regarding the Schedule for Use of Facilities, specifically for the Denver Botanic Gardens. Anyone wishing to speak on this matter 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

COURTESY PUBLIC HEARINGS - BILLS FOR FINAL CONSIDERATION

Land Use, Transportation & Infrastructure Committee

[19-1313](#) A bill for an ordinance amending Sections 39-121 of the Revised Municipal Code of the City and County of Denver regarding the Schedule for Use of Facilities, specifically for the Denver Botanic Gardens.

Amends Section 39-121 of the Denver Revised Municipal Code regarding Denver Botanic Garden fees. The Committee approved filing this item at its meeting on 12-10-19.

Council sat as a Committee of the Whole, commencing at 6:42 p.m., Council President Clark presiding, to hear speakers on Council Bill 19-1313. Brian Vogt, Caroline Schomp, Jonathan Pitot and Steve Lang signed up to speak in favor of the bill. Brian Loma, Jamie Perkins, Kimberly Morse and Jesse Parris signed up to speak in opposition of the bill. John Riecke signed up to speak neither in favor nor against the bill. No staff report was delivered.

A motion offered by Councilwoman Gilmore, duly seconded by Councilman Hinds, that Council Bill 19-1313 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, Kashmann, Kniech, Ortega, Sandoval, Sawyer (10)
Nay: Hinds (1)
Absent: CdeBaca, Torres (2)

PRE-ADJOURNMENT ANNOUNCEMENT

Council President Clark announced that on Monday, February 3, 2020, Council will hold a required public hearing on Council Bill 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. Any protests against Council Bill 19-1361 or Council Bill 19-1363 must be filed with the Council Offices no later than noon on Monday, January 27, 2020.

ADJOURN

There being no further business before the City Council, Council President Clark adjourned the meeting at 7:35 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