

City Council Minutes

Meeting Date: Monday, July 22, 2019 5:30 PM

PLEDGE OF ALLEGIANCE

Council member Kashmann led the Pledge of Allegiance.

ROLL CALL

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

APPROVAL OF THE MINUTES

[19-0737](#) Minutes of Monday, July 15, 2019

Council Minutes 19-0737 were approved

Approved

The minutes of Monday, July 15, 2019 were distributed to members of Council. Council President Clark ordered the minutes approved.

COUNCIL ANNOUNCEMENTS

Council members Torres, Gilmore, Ortega, Kniech, Sandoval and Kashmann offered announcements.

PRESENTATIONS

COMMUNICATIONS

PROCLAMATIONS

BLOCK VOTE

A motion offered by Councilman Kashmann, duly seconded by Councilman 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)

RESOLUTIONS

Finance & Governance Committee

[19-0478](#) A resolution approving the Mayor's reappointment and appointment to the Denver Urban Renewal Authority.

Approves the Mayoral reappointment of Angela Montoya Bricmont and the Mayoral appointment of Robert Lee to the Denver Urban Renewal Authority for terms effective immediately and expiring 04-03-24, or until a successor is duly appointed. The Committee approved filing this resolution by consent on 7-9-19.

A motion offered by Councilman Kashmann, duly seconded by Councilman Flynn, that Council Resolution 19-0478 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)

19-0600 A resolution approving a proposed Agreement between the City and County of Denver and Vision Service Plan Insurance Company to provide a vision benefit plan to eligible City employees and classified Denver Police employees.

Approves a contract with Vision Service Plan Insurance Company (VSP) for \$840,000 and for one year to provide a vision benefit plan to eligible City employees and classified Denver Police employees (201948822). The last regularly scheduled Council meeting within the 30-day review period is on 8-12-19. The Committee approved filing this item at its meeting on 6-25-19.

A motion offered by Councilman Kashmann, duly seconded by Councilman Flynn, that Council Resolution 19-0600 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)

19-0705 A resolution approving the appointment of James Fitzpatrick to the Civil Service Commission.

Approves the City Council Appointment of James Fitzpatrick to the Civil Service Commission for a term effective immediately and expiring 07-23-21, or until a successor is duly appointed. The Committee approved filing this item at its meeting on 7-16-19.

A motion offered by Councilman Kashmann, duly seconded by Councilman Flynn, that Council Resolution 19-0705 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

19-0517 A resolution approving a proposed Third Amendatory Agreement between the City and County of Denver and WM Curbside, LLC to extend the term for residential household hazardous waste collection.

Amends a contract with WM Curbsides, LLC by adding one year with a new end date of 03-31-20 for door-to-door collection, disposal, and recycling of residential household hazardous waste, including oil, pesticides and batteries, on an appointment basis, citywide. No change to contract amount (PWADM-201520767-00). The last regularly scheduled Council meeting within the 30-day review period is on 8-12-19. The Committee approved filing this item at its meeting on 5-28-19.

A motion offered by Councilman Kashmann, duly seconded by Councilman Flynn, that Council Resolution 19-0517 be adopted en bloc, carried by the following vote:

Adopted

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

Nay: (None) (0)

BILLS FOR INTRODUCTION

Finance & Governance Committee

[19-0675](#) 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 for multiple small impact changes, provisionally approved by the Office of Human Resources Executive Director for the period of January 2019 through June 2019. The Committee approved filing this bill by consent on 7-9-19.

Council Bill 19-0675 was ordered published on first reading

Ordered published on first reading

Land Use, Transportation & Infrastructure Committee

[19-0576](#) A bill for an ordinance changing the zoning classification for 4600 South Kipling Street in Marston.

Approves an official map amendment to rezone property from OS-B to S-RH-2.5 (open-space to suburban row-house), located at 4600 South Kipling Street in Council District 2. The Committee approved filing this item at its meeting on 6-18-19.

Council Bill 19-0576 was ordered published with a future required public hearing on 8-19-19.

Ordered published with a future required public hearing

[19-0577](#) A bill for an ordinance changing the zoning classification for 1634, 1640, 1642, 1650 and 1680 Sheridan Boulevard in West Colfax.

Approves an official map amendment to rezone properties from U-RH-3A and U-SU-C2 to U-MS-2 and U-MS-3 (urban row-home and single-unit to urban main-street districts), located at 1634, 1640, 1642, 1650 and 1680 Sheridan Boulevard in Council District 1. The Committee approved filing this item at its meeting on 6-18-19. Community Planning and Development has determined that the requirement for a legal protest (signatures by the owners of 20 percent or more either of the area of the lots included in the proposed change or of the total land area within 200 feet from the perimeter of the area proposed for change) has been met (petition signatures represent 0% and 21%, respectively).

Council Bill 19-0577 was ordered published with a future required public hearing on 8-19-19.

Ordered published with a future required public hearing

[19-0682](#) A bill for an ordinance approving a proposed Intergovernmental Agreement between the City and County of Denver, through its Denver Human Services Department, and the Regional Transportation District, to provide eligibility determination and enrollment into RTD's LiVE Program.

Approves an intergovernmental agreement with the Regional Transportation District (RTD) for \$1,835,299 and for five years for RTD to fund up to four Denver Human Services Eligibility Technician II's, who will provide eligibility determination and enrollment into RTD's LiVE Program, a fare discount program for low-income individuals, citywide (SOCSV-201950941). The last regularly scheduled Council meeting within the 30-day review period is on 8-12-19. The Committee approved filing this item at its meeting on 7-9-19.

Council Bill 19-0682 was ordered published on first reading

Ordered published on first reading

[19-0685](#) A bill for an ordinance approving the purchase of capital equipment items from the Parks, Trails, and Open Space Special Revenue Fund and from the Denver Arts and Venues Special Revenue Fund.

Approves the purchase of capital equipment from the Parks, Trails, and Open Space Special Revenue Fund and from the Denver Arts and Venues Special Revenue Fund. The Committee approved filing this item at its meeting on 7-9-19.

Council Bill 19-0685 was ordered published on first reading

Ordered published on first reading

[19-0686](#) A bill for an ordinance amending Sections 20-18 and 39-224 of the Denver Revised Municipal Code to establish a new capital improvement fund series 37000 for bond projects and to establish a new capital improvement fund series 36000 to receive transfers and appropriate funds for parks, trails and open space capital projects, as approved by voters through ballot question 2A in the November 2018 General Election.

Amends the Denver Revised Municipal Code (DRMC) to establish a new capital improvement fund series 36000 named the Parks, Trails, and Open Space fund, for the purpose of planning, design, and construction of capital improvements for parks, trails, and open space projects, including land acquisition. The Committee approved filing this item at its meeting on 7-9-19.

Council Bill 19-0686 was ordered published on first reading

Ordered published on first reading

[19-0687](#) A bill for an ordinance establishing capital project funds in the Parks, Trails, and Open Space Capital Improvement Fund Series for the "Parks Debt Payments" program, the "Parks Citywide Projects" program, and the "Parks Improvement Projects" program.

Establishes three new capital improvement projects funds (36015, 36045, 36050) within the Parks, Trails, and Open Space Capital Improvements Fund Series, for expenditures related to planning, design, and construction of capital improvements for parks, trails, and open space projects, including land acquisition. The Committee approved filing this item at its meeting on 7-9-19.

Council Bill 19-0687 was ordered published on first reading

Ordered published on first reading

[19-0688](#) A bill for an ordinance authorizing the transfer of cash from the Parks, Trails, and Open Space Special Revenue Fund to the Parks, Trails, and Open Space Capital Improvement Fund and making appropriations.

Transfers and appropriates \$15,125,000 from the Parks, Trails and Open Space operating Special Revenue Fund 15828 into the Parks, Trails, and Open Space Capital Improvement Fund Series for various capital projects consistent with the Parks, Trails, and Open Space Program Plan. The Committee approved filing this item at its meeting on 7-9-19.

A motion offered that Council Bill 19-0688 be ordered published on first reading. The motion carried by the following vote:

Ordered published on first reading

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

Nay: (None) (0)

Safety, Housing, Education & Homelessness Committee

[19-0581](#) A bill for an ordinance amending Section 14-131 of the Denver Revised Municipal Code (DRMC) to delete the residency requirement for the Municipal Public Defender Commission.

The Committee approved filing this item at its meeting on 6-19-19.

Council Bill 19-0581 was ordered published on first reading

Ordered published on first reading

[19-0615](#) A bill for an ordinance approving a proposed Amendatory Agreement between the City and County of Denver and School District No. 1 in the City and County of Denver and the State of Colorado, for Head Start Services for Program Year 2019-2020.

Amends an intergovernmental agreement with School District Number One by adding \$202 for a new total of \$1,981,717 to reflect full funding to provide direct Head Start services to 302 children, citywide. No change to contract duration (201948397). The last regularly scheduled Council meeting within the 30-day review period is on 8-12-19. The Committee approved filing this item at its meeting on 7-3-19.

Council Bill 19-0615 was ordered published on first reading

Ordered published on first reading

[19-0676](#) A bill for an ordinance approving a proposed Contract Amendment #2 between the City and County of Denver and the State of Colorado, Department of Human Services, Office of Behavioral Health, for the Jail Based Behavioral Health Services Program.

Amends an agreement with the State of Colorado Office of Behavioral Health by adding \$257,849 for a new total of \$821,252 and adding one year for a new end date of 6-30-19 to fund the Fiscal Year 2019 Denver Sheriff Department's Recovery In a Secure Environment (RISE) to provide mental health and substance abuse assistance at the County Jail (201627831-02). The last regularly scheduled Council meeting within the 30-day review period is on 8-12-19. The Committee approved filing this item at its meeting on 7-10-19.

Council Bill 19-0676 was ordered published on first reading

Ordered published on first reading

[19-0677](#) A bill for an ordinance approving a proposed Contract Amendment #3 between the City and County of Denver and State of Colorado, Department of Human Services, Office of Behavioral Health, for the Jail Based Behavioral Health Services Program.

Amends an agreement with the State of Colorado Office of Behavioral Health by adding \$260,176 for a new total of \$1,081,428 and adding one year for a new end date of 6-30-20 to fund the Fiscal Year 2020 Denver Sheriff Department's Recovery In a Secure Environment (RISE) to provide mental health and substance abuse assistance at the County Jail (201627831-03). The last regularly scheduled Council meeting within the 30-day review period is on 8-12-19. The Committee approved filing this item at its meeting on 7-10-19.

Council Bill 19-0677 was ordered published on first reading

Ordered published on first reading

BILLS FOR FINAL CONSIDERATION

Finance & Governance Committee

[19-0612](#) 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 creating a new classification called Civilian Report Technician at pay grade N-619. The Committee approved filing this bill by consent on 7-2-19.

A motion offered by Councilman Kashmann, duly seconded by Councilman Flynn, that Council Bill 19-0612 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)

19-0613 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 creating new classifications of Trades and Vocational Intern at pay grade A-411, Field Intern at pay grade A-412, Professional Administration Intern at pay grade A-413, and Professional Technical Intern at pay grade A-414 and amends the Classification and Pay Plan by abolishing certain classifications. The Committee approved filing this bill by consent on 7-2-19.

A motion offered by Councilman Kashmann, duly seconded by Councilman Flynn, that Council Bill 19-0613 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)

19-0619 A bill for an ordinance amending Ordinance No. 288, Series of 1984, to change the name of the "Denver Employment and Training Administration" Fund and clarify the allowable expenditures.

Amends the Denver Employment and Training Administration (DETA) Special Project Fund by changing the name to Business and Workforce Development Training, Support and Outreach Fund and clarifying allowable expenditures. The Committee approved filing this item at its meeting on 7-2-19.

A motion offered by Councilman Kashmann, duly seconded by Councilman Flynn, that Council Bill 19-0619 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)

Land Use, Transportation & Infrastructure Committee

19-0623 A bill for an ordinance vacating a portion of East Asbury Avenue between South High Street, and South York Street, with reservations.

Vacates a portion of East Asbury Avenue between South High Street and South York Street, with reservations, in Council District 6. The Committee approved filing this item at its meeting on 7-2-19.

A motion offered by Councilman Kashmann, duly seconded by Councilman Flynn, that Council Bill 19-0623 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)

[19-0628](#) A bill for an ordinance amending the Building and Fire Code of the City and County of Denver.

Amends Article II, Chapter 10 of the Denver Revised Municipal Code to add amendment package 6 to the Denver Building Code and Denver Fire Code Amendments, to implement a new occupancy group, the R-X Occupancy Group, that generally provides for residential occupancy in sleeping units with an associated detached community building. The Committee approved filing this item at its meeting on 7-2-19.

A motion offered by Councilman Kashmann, duly seconded by Councilman Flynn, that Council Bill 19-0628 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 19-0449, changing the zoning classification for 2701 Lawrence Street in Five Points. Anyone wishing to speak on this matter must see the Council Secretary or go online to sign up during the recess of Council.

RECESS

Council took a recess.

COUNCIL RECONVENES AND RESUMES ITS REGULAR SESSION

PUBLIC HEARINGS - BILLS FOR FINAL CONSIDERATION

Land Use, Transportation & Infrastructure Committee

[19-0449](#) A bill for an ordinance changing the zoning classification for 2701 Lawrence Street in Five Points.

Approves an official map amendment to rezone property from G-MU-3 to U-MX-2 (general urban multi-unit to urban, mixed-use), located at 2701 Lawrence Street in Council District 9. The Committee approved filing this item at its meeting on 5-14-19.

A motion offered by Councilman Kashmann, duly seconded by Councilman Hinds, that Council Bill 19-0449 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 6:01 p.m., Council President Clark presiding, to hear speakers on Council Bill 19-0449. Justin Fries signed up to speak in favor of the bill. Jesse Parris signed up neither for nor against the bill. No speakers signed up in opposition of the bill. Kyle Dalton of Community Planning and Development delivered the staff report.

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

Nay: (None) (0)

PRE-ADJOURNMENT ANNOUNCEMENT

Council President Clark announced that on Monday, August 19, 2019, Council will hold a required public hearing on Council Bill 19-0576, changing the zoning classification for 4600 South Kipling Street in Marston; and, a required public hearing on Council Bill 19-0577, changing the zoning classification for 1634, 1640, 1642, 1650 and 1680 Sheridan Boulevard in West Colfax. Any protests against Council Bill 19-0576 or 19-0577, must be filed with the Council Offices no later than noon on Monday, August 12, 2019.

ADJOURN

There being no further business before the City Council, Council President Clark adjourned the meeting at 6:19 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