

City Council Minutes

Meeting Date: Monday, August 12, 2019 5:30 PM

PLEDGE OF ALLEGIANCE

Council member Ortega 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

[19-0801](#) Minutes of Monday, August 5, 2019

Council Minutes 19-0801 were approved

Approved

The minutes of Monday, August 5, 2019, were distributed to members of Council. Council President Clark ordered the minutes approved

COUNCIL ANNOUNCEMENTS

Council members Herndon, Black and CdeBaca offered announcements.

PRESENTATIONS

COMMUNICATIONS

BLOCK VOTE

A motion offered by Councilwoman Ortega, 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)

PROCLAMATIONS

[19-0810](#) A proclamation honoring the memory of Colorado Journalist John Ensslin.

A motion offered by Councilwoman Ortega, duly seconded by Councilman Flynn, that Council Proclamation 19-0810 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

Finance & Governance Committee

19-0698 A resolution approving a proposed Lease Agreement between the City and County of Denver and CAGSPI 4650, LLC to meet the city’s warehousing and storage needs while preserving future development opportunities located at 4650 Steele Street.

Approves a lease agreement with CAGSPI 4650, LLC for \$7,854,353.98 and for 87 months with an option to purchase, to lease approximately 120,907 square feet to meet the city’s warehousing and storage needs while preserving future development opportunities of the site, located at 4650 Steele Street in Council District 9 (FINAN 201950262). The last regularly scheduled Council meeting within the 30-day review period is on 8-26-19. The Committee approved filing this item at its meeting on 7-23-19.

A motion offered by Councilwoman Ortega, duly seconded by Councilman Flynn, that Council Resolution 19-0698 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)

19-0699 A resolution approving a proposed Lease Agreement between the City and County of Denver and IOV 4790 Vasquez, LLC for the city to lease 3 acres at 4780 Vasquez Street to support the lease at 4650 Steele Street.

Approves a lease agreement with IOV 4790 VASQUEZ, LLC for \$2,911,335.84 and for 87 months with an option to purchase, for the city to lease 3 acres at 4780 Vasquez Street to support the lease at 4650 Steele Street, in Council District 9 (FINAN 201950261). The last regularly scheduled Council meeting within the 30-day review period is on 8-26-19. The Committee approved filing this item at its meeting on 7-23-19.

A motion offered by Councilwoman Ortega, duly seconded by Councilman Flynn, that Council Resolution 19-0699 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)

19-0701 A resolution approving a proposed Amendment to Lease Agreement between the City and County of Denver and La Raza Services, Inc. for property located at 1391 Delaware Street.

Amends a lease agreement with La Raza Services, Inc. by adding \$10 for a new total of \$20 and 8 months for a new end date of 12-31-19 for office space to operate the Transition from Jail to Community program, located at 1391 Delaware Street in Council District 10 (FINAN-201841647-01). The last regularly scheduled Council meeting within the 30-day review period is on 8-26-19. The Committee approved filing this item at its meeting on 7-30-19.

A motion offered by Councilwoman Ortega, duly seconded by Councilman Flynn, that Council Resolution 19-0701 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)

19-0777 A resolution approving a proposed Amendatory Agreement between the City and County of Denver and Banc of America Public Capital Corp., for a replacement helicopter for the Denver Police Department.

Amends a capital equipment lease agreement with Banc of America Public Capital Corp. to remove all references to "title" in Section VI of the lease, at the request of the Federal Aviation Administration solely in order for the FAA to register the helicopter. No change to contract amount or duration (FINAN-201842877-01/ FINAN-201951240-01). The last regularly scheduled Council meeting within the 30-day review period is on 8-26-19. The Committee approved filing this item at its meeting on 8-6-19.

A motion offered by Councilwoman Ortega, duly seconded by Councilman Flynn, that Council Resolution 19-0777 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

19-0754 A resolution granting a revocable permit to GDG Chestnut Place II, LLC c/o Trent Conner, to encroach into the right-of-way on the north side of 19th Street west of Wewatta Street and the west side of Wewatta Street north of 19th Street.

Grants a revocable permit, subject to certain terms and conditions, to GDG Chestnut Place II, LLC, their successors and assigns, to encroach into the right of way with decks, canopies, storage parking below grade and a below grade 3,500-gallon grease trap located on the north side of 19th Street west of Wewatta Street and the west side of Wewatta Street north of 19th Street in Council District 9. The Committee approved filing this item at its meeting on 7-30-19.

A motion offered by Councilwoman Ortega, duly seconded by Councilman Flynn, that Council Resolution 19-0754 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

19-0579 A resolution approving a proposed First Amendatory Agreement between the City and County of Denver and E.T. Technologies, Inc., by adding two years to the term and amending exhibits, to provide collection, packaging, management, transportation, and compliant disposal of regulated materials.

Amends a contract with ET Technologies, Inc. by adding two years for a new end date of 06-30-21 and revises subcontracted rates and key personnel for on-call petroleum storage tank management services, citywide. No change to contract amount (ENVHL-201627640). The last regularly scheduled Council meeting within the 30-day review period is on 8-26-19. The Committee approved filing this item at its meeting on 6-19-19.

A motion offered by Councilwoman Ortega, duly seconded by Councilman Flynn, that Council Resolution 19-0579 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)

19-0616 A resolution approving a proposed Amendatory Agreement between the City and County of Denver and Volunteers of America of Colorado for Head Start Services for Program Year 2019-2020.

Amends a contract with Volunteers of America by adding \$14 for a new total of \$527,237 to reflect full funding to provide direct Head Start services to 80 children, in Council Districts 1, 2, 3, and 7. No change to contract duration (201948402). The last regularly scheduled Council meeting within the 30-day review period is on 8-26-19. The Committee approved filing this item at its meeting on 7-3-19.

A motion offered by Councilwoman Ortega, duly seconded by Councilman Flynn, that Council Resolution 19-0616 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)

19-0618 A resolution approving a proposed Amendatory Agreement between the City and County of Denver and Clayton Early Learning, Trustee, George W. Clayton Trust, for Head Start Services for Program Year 2019-2020.

Amends a contract with Clayton Early Learning by adding \$117 for a new total of \$1,319,995 to reflect full funding to provide direct Head Start services to 201 children, in Council Districts 8 and 11. No change to contract duration (201948396). The last regularly scheduled Council meeting within the 30-day review period is on 8-26-19. The Committee approved filing this item at its meeting on 7-3-19.

A motion offered by Councilwoman Ortega, duly seconded by Councilman Flynn, that Council Resolution 19-0618 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)

19-0756 A resolution approving and providing for the execution of a proposed amended Grant Agreement between the City and County of Denver and the Colorado Department of Public Health and Environment concerning the "Cancer, Cardiovascular and Pulmonary Disease" program and the funding therefor.

Amends a grant agreement with the Colorado Department of Public Health and Environment (CPDHE) by adding \$590,009 for a new total of \$1,017,450 and one year for a new end date of 6-30-20 to fund the Denver Engaged and Active Communities (DEAC) grant to reduce chronic disease and associated inequities in Colorado, specifically through built environment interventions that decrease barriers to physical activity and active transportation, citywide (201841524-02). The last regularly scheduled Council meeting within the 30-day review period is on 8-26-19. The Committee approved filing this item at its meeting on 7-31-19.

A motion offered by Councilwoman Ortega, duly seconded by Councilman Flynn, that Council Resolution 19-0756 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)

19-0808 A resolution authorizing and approving the expenditure and payment from the appropriation account designated "liability claims," the sum of Twelve Thousand Five Hundred Dollars and Zero Cents (\$12,500.00) made payable to Ana Alvarado, in full payment and satisfaction of all claims related to Claim Number 2018.0488 and the accident which occurred on August 9, 2018.

A motion offered by Councilwoman Ortega, duly seconded by Councilman Flynn, that Council Resolution 19-0808 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)

19-0809 A resolution authorizing and approving the expenditure and payment from the appropriation account designated "liability claims," the sum of Twenty Two Thousand Dollars and Zero Cents (\$22,000.00) made payable to Tommy Hertzberg, in full payment and satisfaction of all claims related to Claim Number 2019.0060 and the accident which occurred on January 27, 2019.

A motion offered by Councilwoman Ortega, duly seconded by Councilman Flynn, that Council Resolution 19-0809 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

19-0741 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 title and pay grades of various associated labor and equipment operator classifications. The Committee approved filing this bill by consent on 7-30-19.

Council Bill 19-0741 was ordered published on first reading

Ordered published on first reading

19-0742 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 pay grades for Judicial Assistant I, Judicial Assistant II, Judicial Assistant III, and Judicial Assistant IV. The Committee approved filing this bill by consent on 7-30-19.

Council Bill 19-0742 was ordered published on first reading

Ordered published on first reading

19-0743 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 series for the Document Management Technicians and abolishes the current Document Management Technician classification. The Committee approved filing this bill by consent on 7-30-19.

Council Bill 19-0743 was ordered published on first reading

Ordered published on first reading

Land Use, Transportation & Infrastructure Committee

19-0724 A bill for an ordinance changing the zoning classification for 1969, 1975 and 1995 South Decatur Street and the west portion of 1957 South Decatur Street in College View South Platte.

Approves an official map amendment to rezone properties from R-2-A to S-MU-3 (residential, multi-unit to suburban, multi-unit), located at 1969, 1975, and 1995 South Decatur Street and 1957 South Decatur Street Rear in Council District 7. If ordered published, a public hearing will be held on Monday, 9-9-19. The Committee approved filing this item at its meeting on 7-30-19.

Council Bill 19-0724 was ordered published with a future required public hearing on 9-9-19

Ordered published with a future required public hearing

[19-0752](#) A bill for an ordinance relating to the Denver Zoning Code to establish new zone districts that implement the objectives of the adopted 2015 National Western Center Master Plan.

Approves a text amendment to the Denver Zoning Code to establish four new zone districts referred to as Campus-National Western Center-Core (CMP-NWC-C), Campus-National Western Center-General (CMP-NWC-G), Campus-National Western Center-Flex (CMP-NWC-F) and Campus-National Western Center-Riverfront (CMP-NWC-R) in furtherance of implementation of the National Western Center Master Plan and Globeville and Elyria and Swansea Neighborhood Plans in Council District 9. If ordered published, a public hearing will be held on Monday, 9-9-19. The Committee approved filing this item at its meeting on 7-30-19.

Council Bill 19-0752 was ordered published with a future required public hearing on 9-9-19

Ordered published with a future required public hearing

[19-0753](#) A bill for an ordinance changing the zoning classification for multiple properties generally bounded by the South Platte River, Race Court, the BNSF railway property and East 46th Avenue in Elyria and Swansea.

Approves a legislative map amendment to rezone properties generally bounded by the South Platte River, Race Court, the Burlington North Santa Fe railway property and East 46th Avenue with some exceptions, from I-A, UO-2; I-B, UO-2; and I-MX-5, UO-2 to CMP-NWC-C, UO-2; CMP-NWC-G, UO-2; CMP-NWC-F, UO-2; and CMP-NWC-R, UO-2 in Council District 9. If ordered published, a public hearing will be held on Monday, 9-9-19. The Committee approved filing this item at its meeting on 7-30-19.

Council Bill 19-0753 was ordered published with a future required public hearing on 9-9-19

Ordered published with a future required public hearing

Safety, Housing, Education & Homelessness Committee

[19-0760](#) A bill for an ordinance approving a proposed Amendatory Agreement between the City and County of Denver and the Denver Urban Renewal Authority, by modifying the scope of work, to assist the Department of Public Health and Environment with administering the Lead Based Paint Hazard Control Grant Program.

Amends an intergovernmental agreement with the Denver Urban Renewal Authority (DURA) by modifying eligibility and financial requirements for the administration of the Lead Based Paint Hazard Control Grant Program (LBPHC), to mitigate lead paint hazards in low income homes, citywide. No change to agreement amount or duration (201843088). The last regularly scheduled Council meeting within the 30-day review period is on 8-26-19. The Committee approved filing this item at its meeting on 7-31-19.

Council Bill 19-0760 was ordered published on first reading

Ordered published on first reading

BILLS FOR FINAL CONSIDERATION

Finance & Governance Committee

19-0727 A bill for an ordinance making a rescission from and an appropriation in the Environmental Services Enterprise Fund, transferring cash to the Planned Fleet Special Revenue Fund, and authorizing a capital equipment purchase from the Planned Fleet Special Revenue Fund.

Approves a rescission of \$900,000 from the Department of Public Health and Environment’s Environmental Services Enterprise Fund, makes an appropriation, transferring cash to the Department of Public Works Planned Fleet Special Revenue Fund, and authorizes the purchase of capital equipment to support the City’s composting program. The Committee approved filing this item at its meeting on 7-23-19.

A motion offered by Councilwoman Ortega, duly seconded by Councilman Flynn, that Council Bill 19-0727 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)

19-0736 A bill for an ordinance authorizing the transfer of cash from the City Council Special Revenue Fund and making appropriations.

Approves a cash transfer of \$195,000 from the City Council Special Revenue Fund and an appropriation in the General Fund to support Council District operations. The Committee approved filing this item at its meeting on 7-23-19.

A motion offered by Councilwoman Ortega, duly seconded by Councilman Flynn, that Council Bill 19-0736 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

19-0731 A bill for an ordinance vacating a subsurface portion of both Argonne Street and Biscay Street, adjacent to 64th Avenue, with reservations.

Vacates a subsurface portion of Argonne Street and Biscay Street, adjacent to 64th Avenue, with reservations, in Council District 11. The Committee approved filing this item at its meeting on 7-23-19.

A motion offered by Councilwoman Ortega, duly seconded by Councilman Flynn, that Council Bill 19-0731 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

RECESS

Council did not take a recess

COUNCIL RECONVENES AND RESUMES ITS REGULAR SESSION

PUBLIC HEARINGS - BILLS FOR FINAL CONSIDERATION

PRE-ADJOURNMENT ANNOUNCEMENT

Council President Clark announced that on Monday, September 9, 2019, Council will hold a required public hearing on Council Bill 19-0724, changing the zoning classification for 1969, 1975 and 1995 South Decatur Street and the west portion of 1957 South Decatur Street in College View South Platte; a required public hearing on Council Bill 19-0752, relating to the Denver Zoning Code to establish new zone districts that implement the objectives of the adopted 2015 National Western Center Master Plan; and, a required public hearing on Council Bill 19-0753, changing the zoning classification for multiple properties generally bounded by the South Platte River, Race Court, the BNSF railway property and East 46th Avenue in Elyria and Swansea. Any protests against Council Bill 19-0724 or 19-0753, must be filed with the Council Offices no later than noon on Tuesday, September 3, 2019.

ADJOURN

There being no further business before the City Council, Council President Clark adjourned the meeting at 6:00 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