

City Council Minutes

Meeting Date: Monday, March 2, 2020 5:30 PM

PLEDGE OF ALLEGIANCE

Councilmember Herndon led the Pledge of Allegiance.

ROLL CALL

Present: CdeBaca, Clark, Flynn, Gilmore, Herndon, Hinds, Kniech,
Ortega, Sandoval, Sawyer, Torres (11)

Absent: Black, Kashmann (2)

APPROVAL OF THE MINUTES

[20-0214](#) Minutes of Monday, February 24, 2020

The minutes of Monday, February 24, 2020 were distributed to members of Council. Council President Clark ordered the minutes approved.

Council Minutes 20-0214 were approved.

Approved

COUNCIL ANNOUNCEMENTS

Councilmembers Torres, Herndon, CdeBaca, Sandoval, Hinds and Clark offered announcements.

PRESENTATIONS

COMMUNICATIONS

PROCLAMATIONS

[20-0215](#) A proclamation recognizing the service of Judge Brian Thomas Campbell to the City of Denver.

A motion offered by Councilmember Ortega, duly seconded by Councilmember Flynn, that Council Proclamation 20-0215 be adopted. The motion carried by the following vote:

Adopted

Aye: CdeBaca, Clark, Flynn, Gilmore, Herndon, Hinds, Kniech,
Ortega, Sandoval, Sawyer, Torres (11)

Nay: (None) (0)

Absent: Black, Kashmann (2)

BLOCK VOTE

A motion offered by Councilmember Herndon, duly seconded by Councilmember Flynn, to approve the following items en bloc. The motion carried by the following vote:

Approved the consent agenda

Aye: CdeBaca, Clark, Flynn, Gilmore, Herndon, Hinds, Kniech,
Ortega, Sandoval, Sawyer, Torres (11)

Nay: (None) (0)

Absent: Black, Kashmann (2)

RESOLUTIONS

Finance & Governance Committee

[20-0139](#) **A resolution approving the Mayor's appointments to the Latino Commission.**

Approves the Mayoral appointments of Berlin Almeda, Emily Cervantes, Sonia Del Real, Alexis Newton, Monica Padilla and Noah M. Atencio to the Latino Commission for terms effective immediately and expiring 1-1-21 or until a successor is duly appointed. The Committee approved filing this resolution by consent on 2-18-20.

A motion offered by Councilmember Herndon, duly seconded by Councilmember Flynn, that Council Resolution 20-0139 be adopted en bloc, carried by the following vote:

Adopted

Aye: CdeBaca, Clark, Flynn, Gilmore, Herndon, Hinds, Kniech, Ortega, Sandoval, Sawyer, Torres (11)
Nay: (None) (0)
Absent: Black, Kashmann (2)

[20-0140](#) **A resolution approving the Mayor's reappointments and appointments to the Commission for People with Disabilities.**

Approves the following Mayoral reappointments and appointments to the Commission for People with Disabilities: reappointments of Michael Pearl, Shannon Callahan, Kate Quillin, Brandon Selinsky, Carol Reagan, Julie Bernard for terms effective immediately and expiring on 9-30-21; appointments of Andre' van Hall, Joanne Stranahan, Wade Balmer and Bonita Felden for terms effective immediately and expiring 9-30-22 or until a successor is duly appointed. The Committee approved filing this resolution by consent on 2-18-20.

A motion offered by Councilmember Herndon, duly seconded by Councilmember Flynn, that Council Resolution 20-0140 be adopted en bloc, carried by the following vote:

Adopted

Aye: CdeBaca, Clark, Flynn, Gilmore, Herndon, Hinds, Kniech, Ortega, Sandoval, Sawyer, Torres (11)
Nay: (None) (0)
Absent: Black, Kashmann (2)

20-0142 A resolution approving a proposed Amendatory Agreement between the City and County of Denver and ConvergeOne, Inc. assigning the Agreement from ISC, Inc. d/b/a Venture Technologies to ConvergeOne, Inc. for the Denver 911 emergency telephone platform.

Amends a contract with ISC, Inc. doing business as Venture Technologies, to change their business entity name to ConvergeOne, Inc. regarding the purchase of the NextGen 9-1-1 Emergency Telephone Platform and professional services required to upgrade the city's current 911 system, citywide. No change in contract amount or duration (TECHS-202053429). The last regularly scheduled Council meeting within the 30-day review period is on 3-23-20. The Committee approved filing this item at its meeting on 2-18-20.

A motion offered by Councilmember Herndon, duly seconded by Councilmember Flynn, that Council Resolution 20-0142 be adopted en bloc, carried by the following vote:

Adopted

Aye: CdeBaca, Clark, Flynn, Gilmore, Herndon, Hinds, Kniech, Ortega, Sandoval, Sawyer, Torres (11)

Nay: (None) (0)

Absent: Black, Kashmann (2)

Land Use, Transportation & Infrastructure Committee

20-0145 A resolution approving a proposed Purchase Order between the City and County of Denver and Front Range Fire Apparatus, Limited for a Pierce Velocity Ascendant Ladder Truck, a Velocity Rescue Truck and two Velocity Pumper Fire Trucks for the Denver Fire Department.

Approves a purchase order with Front Range Fire Apparatus for \$3,321,864 for one Pierce Velocity Ascendant Ladder Truck, one Velocity Rescue Truck and two Velocity Pumpers Fire Trucks for the Denver Fire Department (PO-00081202). The last regularly scheduled Council meeting within the 30-day review period is on 3-23-20. The Committee approved filing this item at its meeting on 2-18-20.

A motion offered by Councilmember Herndon, duly seconded by Councilmember Flynn, that Council Resolution 20-0145 be adopted en bloc, carried by the following vote:

Adopted

Aye: CdeBaca, Clark, Flynn, Gilmore, Herndon, Hinds, Kniech, Ortega, Sandoval, Sawyer, Torres (11)

Nay: (None) (0)

Absent: Black, Kashmann (2)

20-0216 A resolution authorizing and approving the expenditure and payment from the appropriation account designated "liability claims," the total sum of Thirty Three Thousand Dollars and No Cents (\$33,000.00), to be issued as follows: one payment shall be issued in the amount of Nineteen Thousand Five Hundred Dollars and No Cents (\$19,500.00) and made payable to Cristal Loya and Sawaya, Rose, McClure & Wilhite, P.C. and the second payment shall be issued in the amount of Thirteen Thousand Five Hundred Dollars and No Cents (\$13,500.00) and made payable to Ever Palacios and Sawaya, Rose, McClure & Wilhite, P.C. with the total sum of both payments being made in full payment and satisfaction of all claims in Case No. 2018 CV 32905, in the District Court for the City and County of Denver, Colorado.

Settles a claim involving the Department of Transportation & Infrastructure. This resolution was approved for filing at the Mayor-Council meeting on 2-25-20.

A motion offered by Councilmember Herndon, duly seconded by Councilmember Flynn, that Council Resolution 20-0216 be adopted en bloc, carried by the following vote:

Adopted

Aye: CdeBaca, Clark, Flynn, Gilmore, Herndon, Hinds, Kniech, Ortega, Sandoval, Sawyer, Torres (11)

Nay: (None) (0)

Absent: Black, Kashmann (2)

20-0218 A resolution authorizing and approving the expenditure and payment from the appropriation account designated "liability claims," the total sum of Fifteen Thousand Five Hundred Dollars and No Cents (\$15,500.00), made payable to Maritza Esteban-Martinez, in full payment and satisfaction of all claims in Claim No. 2019.0391, regarding an accident which occurred on January 23, 2019 in the City and County of Denver, Colorado.

Settles a claim involving the Department of Transportation & Infrastructure. This resolution was approved for filing at the Mayor-Council meeting on 2-25-20.

A motion offered by Councilmember Herndon, duly seconded by Councilmember Flynn, that Council Resolution 20-0218 be adopted en bloc, carried by the following vote:

Adopted

Aye: CdeBaca, Clark, Flynn, Gilmore, Herndon, Hinds, Kniech, Ortega, Sandoval, Sawyer, Torres (11)

Nay: (None) (0)

Absent: Black, Kashmann (2)

Safety, Housing, Education & Homelessness Committee

20-0146 A resolution approving and providing for the execution of a proposed Grant Agreement between the City and County of Denver and the State of Colorado concerning the "ESINet Migration" program and the funding therefor.

Approves a grant agreement with the State of Colorado Department of Regulatory Agencies for \$603,987 and through 3-31-22 to reimburse the City for non-recurring costs related to the implementation of ESInet by the Denver 911 Emergency Communications Center (SAFTY-202053484). The last regularly scheduled Council meeting within the 30-day review period is on 3-23-20. The Committee approved filing this item at its meeting on 2-19-20.

A motion offered by Councilmember Herndon, duly seconded by Councilmember Flynn, that Council Resolution 20-0146 be adopted en bloc, carried by the following vote:

Adopted

Aye: CdeBaca, Clark, Flynn, Gilmore, Herndon, Hinds, Kniech, Ortega, Sandoval, Sawyer, Torres (11)

Nay: (None) (0)

Absent: Black, Kashmann (2)

20-0219 A resolution authorizing and approving the expenditure and payment from the appropriation account designated "liability claims," the total sum of Ten Thousand Dollars and No Cents (\$10,000.00), made payable to Mason Dingess and Sak Law Firm, LLC in full payment and satisfaction of all claims in Case No. 2019CV30964, in the District Court for the City and County of Denver, Colorado.

Settles a claim involving the Denver Police Department. This resolution was approved for filing at the Mayor-Council meeting on 2-25-20.

A motion offered by Councilmember Herndon, duly seconded by Councilmember Flynn, that Council Resolution 20-0219 be adopted en bloc, carried by the following vote:

Adopted

Aye: CdeBaca, Clark, Flynn, Gilmore, Herndon, Hinds, Kniech, Ortega, Sandoval, Sawyer, Torres (11)

Nay: (None) (0)

Absent: Black, Kashmann (2)

BILLS FOR INTRODUCTION

Finance & Governance Committee

[20-0079](#) **A bill for an ordinance approving a proposed Intergovernmental Agreement between the City and County of Denver and Denver Housing Authority for the installation and acquisition of the W. 13th Avenue Multimodal Reconstruction Elevate Denver Bond Project for improvements to W. 13th Avenue, W. Holden Place and Bryant Street.**

Approves an intergovernmental agreement with the Denver Housing Authority (DHA) for \$16,700,000 and for three years for the installation and acquisition of improvements to 13th Avenue, Holden Place and Bryant Street as part of the redevelopment of Sun Valley through the Elevate Denver Bond program in Council District 3 (202053180). The last regularly scheduled Council meeting within the 30-day review period is on 3-23-20. The Committee approved filing this item at its meeting on 2-18-20.

Council Bill 20-0079 was ordered published

Ordered published

[20-0152](#) **A bill for an ordinance making a rescission from and an appropriation in the Culture and Recreation Special Revenue Fund, and authorizing a cash transfer to and an appropriation in the Parks, Trails and Open Space Capital Improvement Fund.**

Transfers and appropriates \$498,000 from the Parks, Trails and Open Space Operating Special Revenue Fund 15828 into the Parks, Trails, and Open Space Capital Improvement Fund 36050 to be utilized for the purchase of 4849 West Kentucky Avenue in Council District 3. The Committee approved filing this item at its meeting on 2-18-20.

Council Bill 20-0152 was ordered published

Ordered published

Land Use, Transportation & Infrastructure Committee

[20-0059](#) **A bill for an ordinance approving the Department of Transportation and Infrastructure (DOTI) 2020 annual programs and waiving further City Council approval of specific contracts implementing the annual programs.**

Approves the annual Public Works infrastructure program by waiving the requirement that contracts above \$500,000 be individually approved by City Council. The last regularly scheduled Council meeting within the 30-day review period is on 3-23-20. The Committee approved filing this item at its meeting on 2-18-20.

A motion offered by Councilmember Herndon, duly seconded by Councilmember Flynn, that Council Bill 20-0059 be ordered published. The motion carried by the following vote:

Ordered published

Aye: Clark, Flynn, Gilmore, Herndon, Hinds, Kniech, Ortega, Sandoval, Torres (9)
Nay: CdeBaca, Sawyer (2)
Absent: Black, Kashmann (2)

[20-0144](#) A bill for an ordinance revoking the revocable permit granted by Ordinance No. 332, Series of 1982, to 1480 Welton, Inc.

Revokes Ordinance No. 332, Series of 1982 to grant a revocable permit to 1480 Welton, Inc. their successors and assigns, to encroach into the right of way with an underground transformer vault at 990 Bannock Street in Council District 10. The Committee approved filing this item at its meeting on 2-18-20.

Council Bill 20-0144 was ordered published

Ordered published

Safety, Housing, Education & Homelessness Committee

[20-0148](#) A bill for an ordinance amending Chapter 18 of the Revised Municipal Code to establish the 2020 salary and fringe benefits of the Sheriff, Deputy Sheriff Division Chiefs and Deputy Sheriff Majors.

Amends Chapter 18 of the Denver Revised Municipal Code to establish the 2020 salary and fringe benefits of the command staff for the Denver Sheriff's Department. The Committee approved filing this bill on 2-19-20.

A motion offered by Councilmember Herndon, duly seconded by Councilmember Flynn, that Council Bill 20-0148 be ordered published. The motion carried by the following vote:

Ordered published

Aye: Clark, Flynn, Gilmore, Herndon, Hinds, Kniech, Ortega, Sandoval, Sawyer, Torres (10)

Nay: CdeBaca (1)

Absent: Black, Kashmann (2)

BILLS FOR FINAL CONSIDERATION

Land Use, Transportation & Infrastructure Committee

[20-0125](#) A bill for an ordinance relinquishing a portion of the easement established in the Kentucky Gardens plat recorded with the Arapahoe County Clerk & Recorder at Plat Book 5, Page 39 located near the intersection of West Tennessee Avenue and Morrison Road.

Relinquishes a portion of the 10 foot easement as established by the Kentucky Gardens Plat dated August 8, 1938 at West Tennessee Avenue and Morrison Road in Council District 3. The last regularly scheduled Council meeting within the 30-day review period is on 3-16-20. The Committee approved filing this item at its meeting on 2-11-20.

A motion offered by Councilmember Herndon, duly seconded by Councilmember Flynn, that Council Bill 20-0125 be placed upon final consideration and do pass en bloc, carried by the following vote:

Placed upon final consideration and do pass

Aye: CdeBaca, Clark, Flynn, Gilmore, Herndon, Hinds, Kniech, Ortega, Sandoval, Sawyer, Torres (11)

Nay: (None) (0)

Absent: Black, Kashmann (2)

Safety, Housing, Education & Homelessness Committee

20-0091 A bill for an ordinance approving a proposed Amendatory Agreement between the City and County of Denver and the Regents of the University of Colorado, to provide services to individuals living with HIV/AIDS in the Denver Transitional Grant Area.

Amends an intergovernmental agreement with the Regents of the University of Colorado by adding \$345,585 for a new total of \$704,875 and one year for a new end date of 2-29-20 for early intervention services, medical case management, mental health services, outpatient ambulatory medical care (HIV specialty care), and substance abuse services to individuals living with HIV/AIDS, within the Denver Transitional Grant Area (TGA) (ENVHL - 201951355-01). The last regularly scheduled Council meeting within the 30-day review period is on 3-16-20. The Committee approved filing this item at its meeting on 2-5-20.

A motion offered by Councilmember Herndon, duly seconded by Councilmember Flynn, that Council Bill 20-0091 be placed upon final consideration and do pass en bloc, carried by the following vote:

Placed upon final consideration and do pass

Aye: CdeBaca, Clark, Flynn, Gilmore, Herndon, Hinds, Kniech, Ortega, Sandoval, Sawyer, Torres (11)

Nay: (None) (0)

Absent: Black, Kashmann (2)

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 20-006, changing the zoning classification for 1430 Race Street. 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

PUBLIC HEARINGS - BILLS FOR FINAL CONSIDERATION

Land Use, Transportation & Infrastructure Committee

20-006 A bill for an ordinance changing the zoning classification for 1430 Race Street in Cheesman Park.

Approves an official map amendment to rezone property located at 1430 Race Street from PUD 554 to G-RX-3 (planned development to general urban, residential mixed-use) in Council District 10. The Committee approved filing this item at its meeting on 1-14-20.

Council sat as a Committee of the Whole, commencing at 6:41 p.m., Council President Clark presiding, to hear speakers on Council Bill 20-006. Bruce O'Donnell signed up to speak in favor of the bill. Jesse Parris signed up to speak neither for nor against the bill. No speakers signed up to speak in opposition of the bill. Edson Ibanez of Community Planning and Development delivered the staff report.

A motion offered by Councilmember Herndon, duly seconded by Councilmember Hinds, that Council Bill 20-006 be placed upon final consideration and do pass. The motion carried by the following vote:

Placed upon final consideration and do pass

- Aye: CdeBaca, Clark, Flynn, Gilmore, Herndon, Hinds, Kniech, Ortega, Sandoval, Sawyer, Torres (11)
- Nay: (None) (0)
- Absent: Black, Kashmann (2)

PRE-ADJOURNMENT ANNOUNCEMENT

ADJOURN

There being no further business before the City Council, Council President Clark adjourned the meeting at 6:56 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