

City Council Minutes

Meeting Date: Monday, February 10, 2020 5:30 PM

PLEDGE OF ALLEGIANCE

Council member Ortega led the Pledge of Allegiance.

ROLL CALL

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

Absent: Gilmore (1)

APPROVAL OF THE MINUTES

[20-0133](#) Minutes of Monday, February 3, 2020

Council Minutes 20-0133 were approved.

The minutes of Monday, February 3, 2020 were delivered to members of Council. Council President Clark ordered the minutes approved.

Approved

COUNCIL ANNOUNCEMENTS

Council members Black, Ortega and Torres offered announcements.

PRESENTATIONS

COMMUNICATIONS

PROCLAMATIONS

[20-0138](#) **A proclamation recognizing Black History Month 2020.**

A motion offered by Councilmember Herndon, duly seconded by Councilmember Flynn, that Council Proclamation 20-0138 be adopted. The motion carried by the following vote:

Adopted

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

Nay: (None) (0)

Absent: Gilmore (1)

BLOCK VOTE

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

Approved the consent agenda

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

Nay: (None) (0)

Absent: Gilmore (1)

RESOLUTIONS

Finance & Governance Committee

[20-0054](#) A resolution approving a proposed Master Purchase Order between the City and County of Denver and AM Signal, Inc. for Hirschmann ethernet switches and accessories used at traffic signals to support the Department of Transportation & Infrastructure.

Approves a master purchase order with AM Signal, Inc. for \$1.5 million and through 12-12-22, with two possible annual renewals, to be purchased with federal grant dollars for Hirschmann ethernet switches and accessories used at traffic signals to support Public Works Transportation Operations, citywide (SC-00004506). The last regularly scheduled Council meeting within the 30-day review period is on 3-2-20. The Committee approved filing this item at its meeting on 1-28-20.

A motion offered by Councilmember Ortega, duly seconded by Councilmember Hinds, that Council Resolution 20-0054 be adopted en bloc, carried by the following vote:

Adopted

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

[20-0055](#) A resolution approving a proposed Master Purchase Order between the City and County of Denver and AM Signal, Inc. for Hirschmann ethernet switches and accessories used at traffic signals to support the Department of Transportation & Infrastructure.

Approves a master purchase order with AM Signal, Inc. for \$500,000 and through 12-12-22, with two possible annual renewals, for Hirschmann ethernet switches and accessories used at traffic signals to support Public Works Transportation Operations, citywide (SC-00004507). The last regularly scheduled Council meeting within the 30-day review period is on 3-2-20. The Committee approved filing this item at its meeting on 1-28-20.

A motion offered by Councilmember Ortega, duly seconded by Councilmember Hinds, that Council Resolution 20-0055 be adopted en bloc, carried by the following vote:

Adopted

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

20-0073 A resolution approving a proposed Fourth Amendatory Agreement between the City and County of Denver and Environmental Systems Research Institute, Inc. to extend the term and increase the maximum contract liability for use of the ESRI ArcGIS software for the City's Geographical Information Systems.

Amends a contract with Environmental Systems Research Institute (ESRI) by adding \$1,500,000 for a new total of \$4,769,305 and three years for a new end date of 3-3-23 for use and support of the ESRI ArcGIS software used within the City's Geographical Information Systems (GIS); citywide (TECHS-CE84013). The last regularly scheduled Council meeting within the 30-day review period is on 3-2-20. The Committee approved filing this item at its meeting on 1-28-20.

A motion offered by Councilmember Ortega, duly seconded by Councilmember Hinds, that Council Resolution 20-0073 be adopted en bloc, carried by the following vote:

Adopted

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

Nay: (None) (0)

Absent: Gilmore (1)

Land Use, Transportation & Infrastructure Committee

20-0056 A resolution approving a proposed Second Amendatory Agreement between the City and County of Denver and Alpine Disposal, Inc. for the sorting and recycling of the materials collected through the Denver Recycles Program.

Amends a contract with Alpine Disposal, Inc. by adding \$2.5 million for a new total of \$2.8 million to accept the City's co-mingled recyclables delivered by the Denver Recycles program at their Materials Recycling Facility (MRF) at 645 West 53rd Place, where the material will be sorted and marketed. No change to contract duration (201737957-02). The last regularly scheduled Council meeting within the 30-day review period is on 3-2-20. The Committee approved filing this item at its meeting on 1-21-20.

A motion offered by Councilmember Ortega, duly seconded by Councilmember Hinds, that Council Resolution 20-0056 be adopted en bloc, carried by the following vote:

Adopted

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

Nay: (None) (0)

Absent: Gilmore (1)

20-0063 A resolution approving and providing for the execution of a proposed Grant Agreement between the City and County of Denver and the Colorado Department of Transportation concerning the "FY20 Bluetooth Expansion" program and the funding therefor.

Approves a grant agreement with the Colorado Department of Transportation (CDOT) for \$635,029 of CDOT funds and \$158,757 of City funds and for ten years to expand the existing Bluetooth deployments to fill the gaps of Colorado Trip's traveler information map on Denver arterial roadways, at locations throughout the city (202053144). The last regularly scheduled Council meeting within the 30-day review period is on 3-2-20. The Committee approved filing this item at its meeting on 1-28-20.

A motion offered by Councilmember Ortega, duly seconded by Councilmember Hinds, that Council Resolution 20-0063 be adopted en bloc, carried by the following vote:

Adopted

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

Nay: (None) (0)

Absent: Gilmore (1)

Safety, Housing, Education & Homelessness Committee

20-0074 A resolution approving a proposed First Amendatory Agreement between the City and County of Denver and Colorado Housing Assistance Corporation for down payment assistance to Denver homebuyers.

Amends a contract with Colorado Housing Assistance Corporation (CHAC) by adding \$350,000 for a new total of \$700,000 and one year for a new end date of 12-31-20 to provide down payment assistance to first time homebuyers with household income at or below 80% of the area median income (AMI) who are purchasing a home in the City (201846938-01; HOST-202053147). The last regularly scheduled Council meeting within the 30-day review period is on 3-2-20. The Committee approved filing this item at its meeting on 1-29-20.

A motion offered by Councilmember Ortega, duly seconded by Councilmember Hinds, that Council Resolution 20-0074 be adopted en bloc, carried by the following vote:

Adopted

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

Nay: (None) (0)

Absent: Gilmore (1)

20-0075 A resolution approving a proposed Collective Bargaining Agreement between the City and County of Denver and Fraternal Order of Police, Denver Sheriff Lodge 27 for the year 2020.

Approves the Collective Bargaining Agreement with the Fraternal Order of Police, Denver Sheriff Lodge 27 for one year for pay and benefits, including a salary increase of 3.5%. The last regularly scheduled Council meeting within the 30-day review period is on 3-2-20. The Committee approved filing this item at its meeting on 1-29-20.

A motion offered by Councilmember Ortega, duly seconded by Councilmember Hinds, that Council Resolution 20-0075 be adopted en bloc, carried by the following vote:

Adopted

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

Nay: (None) (0)

Absent: Gilmore (1)

20-0132 A resolution authorizing and approving the expenditure and payment from the appropriation account designated "liability claims," the sum of Forty Thousand Dollars and No Cents (\$40,000.00), to be issued in two separate checks with one payment issued in the amount of Eighteen Thousand Dollars and No Cents (\$18,000.00) made payable to Sarah Scalise and The Babcock Law Firm, LLC; and the second payment to be issued in the amount of Twenty-Two Thousand and No Cents (\$22,000.00) made payable to Pinnacol Assurance, in full payment and satisfaction of all claims in Case No. 2019CV30542, 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 2-4-20.

A motion offered by Councilmember Ortega, duly seconded by Councilmember Hinds, that Council Resolution 20-0132 be adopted en bloc, carried by the following vote:

Adopted

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

Nay: (None) (0)

Absent: Gilmore (1)

BILLS FOR INTRODUCTION

Finance & Governance Committee

[20-0076](#) A bill for an ordinance establishing a new fund in the Community Development Special Revenue Fund for the "Housing Stability Private Grants" program.

Establishes the Housing Stability Private Grants Special Revenue Fund in the Community Development Fund Series to facilitate the Department of Housing Stability's administration of private grants. The Committee approved filing this item at its meeting on 1-28-20.

Council Bill 20-0076 was ordered published on first reading

Ordered published on first reading

[20-0077](#) A bill for an ordinance making a rescission from and an appropriation in the Capital Improvements and Capital Maintenance Fund.

Rescinds and re-appropriates \$407,600 in the Capital Improvements Fund for Technology Services projects, moving budget from the Innovation Fund to new capital program Agency Technology Projects to better align with the programs' purposes. The Committee approved filing this item at its meeting on 1-28-20.

Council Bill 20-0077 was ordered published on first reading

Ordered published on first reading

BILLS FOR FINAL CONSIDERATION

Finance & Governance Committee

[20-0061](#) A bill for an ordinance approving a proposed Intergovernmental Agreement between Denver Urban Renewal Authority, Adams County, Colorado, and the City and County of Denver regarding the Globeville Commercial Urban Redevelopment Plan.

Approves an intergovernmental agreement with the Denver Urban Renewal Authority and Adams County regarding the existing Globeville Commercial Urban Redevelopment Area (URA) and the associated Tax Increment Financing (TIF) area to address the final true up of the initial project, repayment of the HUD 108 loan, reimbursing Adams County for funds advanced and starting a 12-month period for all parties to finalize four additional projects in Council District 9. The last regularly scheduled Council meeting within the 30-day review period is on 2-24-20. The Committee approved filing this item at its meeting on 1-21-20.

A motion offered by Councilmember Ortega, duly seconded by Councilmember Hinds, that Council Bill 20-0061 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, Herndon, Hinds, Kashmann, Kniech, Ortega, Sandoval, Sawyer, Torres (12)
- Nay: (None) (0)
- Absent: Gilmore (1)

20-0067 A bill for an ordinance approving a proposed Access and Storm Sewer Easement and Temporary Grading Easement Agreement between the City and County of Denver and O'Fallon's, Inc. for the installation, maintenance, repair and other improvements of an access road and storm sewer pipe at 1400 Morrison Road.

Approves an access easement to O'Fallon's, Inc. through 12-31-20 for ingress and egress, a temporary grading easement to construct the necessary improvements needed for the access road to Grantee property, and a storm and sewer easement to install, maintain, and repair a storm sewer pipe and other improvements to provide drainage on city owned land at 1400 Morrison Road in Council District 3 (FINAN-201952234). The Committee approved filing this item at its meeting on 1-21-20.

A motion offered by Councilmember Ortega, duly seconded by Councilmember Hinds, that Council Bill 20-0067 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, Herndon, Hinds, Kashmann, Kniech, Ortega, Sandoval, Sawyer, Torres (12)

Nay: (None) (0)

Absent: Gilmore (1)

Land Use, Transportation & Infrastructure Committee

20-0062 A bill for an ordinance relinquishing an easement reserved in Ordinance No. 102, Series of 1923 recorded with the Denver Clerk & Recorder at Book 5999, Page 23 located at 4290 Brighton Boulevard.

Relinquishes one of the easements, in its entirety, as established in Ordinance No. 102, series of 1923, located at 4290 North Brighton Boulevard in Council District 9. The Committee approved filing this item at its meeting on 1-21-20.

A motion offered by Councilmember Ortega, duly seconded by Councilmember Hinds, that Council Bill 20-0062 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, Herndon, Hinds, Kashmann, Kniech, Ortega, Sandoval, Sawyer, Torres (12)

Nay: (None) (0)

Absent: Gilmore (1)

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 19-1381, changing the zoning classification for 2060 West Colfax Avenue in Lincoln Park; and, a courtesy public hearing on Council Bill 20-0071, amending section 8-67 of the Denver Revised Municipal Code requiring a provisional breed-restricted license for owners of pit bulls. Anyone wishing to speak on either of these matters 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

REQUIRED PUBLIC HEARINGS - BILLS FOR FINAL CONSIDERATION

Land Use, Transportation & Infrastructure Committee

19-1381 A bill for an ordinance changing the zoning classification for 2060 West Colfax Avenue in Lincoln Park.

Approves an official map amendment to rezone property from C-MX-5 to C-MX-8 (urban center, mixed-use from 5 to 8 stories), located at 2060 West Colfax Avenue in Council District 3. The Committee approved filing this item at its meeting on 12-17-19.

Council sat as a Committee of the Whole, commencing at 6:20 p.m., Council President Clark presiding, to hear speakers on Council Bill 19-1381. Susan Powers, Jose Beteta and Jeanne Granville signed up to speak in favor of the bill. Jesse Parris and Chairman Seku signed up to speak in opposition of the bill. Kyle Dalton with Community Planning and Development delivered the staff report.

A motion offered by Councilmember Ortega, duly seconded by Councilmember Torres, that Council Bill 19-1381 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, Herndon, Hinds, Kashmann, Kniech, Ortega, Sandoval, Sawyer, Torres (11)
- Nay: (None) (0)
- Absent: CdeBaca, Gilmore (2)

**COURTESY PUBLIC HEARINGS - BILLS FOR FINAL
CONSIDERATION**

Safety, Housing, Education & Homelessness Committee

[20-0071](#) A bill for an ordinance amending section 8-67 of the Denver Revised Municipal Code requiring a provisional breed-restricted license for owners of pit bulls.

A bill for an ordinance amending section 8-67 of the Denver Revised Municipal Code requiring a provisional breed-restricted license for owners of pit bulls. The Committee approved filing this item at its meeting on 1-22-20.

Council sat as a Committee of the Whole, commencing at 6:45 p.m., Council President Clark presiding, to hear speakers on Council Bill 20-0071. Michelle Larsen, Connor Stevenson, Marta Garbowski, Lori Browne, Dr Apryl Steele, Shira Hereld, Scott Ross, Lindsay Graham, Caroline Smith, Stefanie Klatt, Nikki Gwin, Megan Shanle, Davyd Smith, David Walsh and Jodie Villanueva signed up to speak in favor of the bill. Paul Vranas, Reginald Norman, Larry Murray, Karen Norman, Pam Jiner, Tom More Jr, Joni Caldwell, Vernon York, Sharon Faragalla, Richard Poole, Jesse Parris, Chairman Seku and Tom Sisk signed up to speak in opposition of the bill. Council member Herndon delivered an overview.

A motion offered by Councilmember Ortega, duly seconded by Councilmember Hinds, that Council Bill 20-0071 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, Herndon, Hinds, Kniech, Sandoval, Torres (7)

Nay: Flynn, Kashmann, Ortega, Sawyer (4)

Absent: CdeBaca, Gilmore (2)

PRE-ADJOURNMENT ANNOUNCEMENT

ADJOURN

There being no further business before the City Council, Council President Clark adjourned the meeting at 9:55 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