

City Council Minutes

Meeting Date: Monday, April 29, 2019 5:30 PM

PLEDGE OF ALLEGIANCE

Council member Kashmann led the Pledge of Allegiance.

ROLL CALL

Council member Kniech arrived late.

Present: Black, Brooks, Clark, Espinoza, Flynn, Gilmore, Herndon,
Kashmann, Kniech, López, New, Ortega, Susman (13)

APPROVAL OF THE MINUTES

[19-0422](#) Minutes of Monday, April 22, 2019

Council Minutes 19-0422 were approved.

Approved

The minutes of Monday, April 22, 2019, were distributed to members of Council. Council President Clark ordered the minutes approved.

COUNCIL ANNOUNCEMENTS

Council members Espinoza and Brooks offered announcements.

PRESENTATIONS

COMMUNICATIONS

PROCLAMATIONS

[19-0426](#) A proclamation supporting National Adopt a Shelter Pet Day.

A motion offered by Councilman Clark, duly seconded by Councilman Flynn, that Council Proclamation 19-0426 be adopted. The motion carried by the following vote:

Adopted

Aye: Black, Brooks, Clark, Espinoza, Flynn, Gilmore, Herndon,
Kashmann, Kniech, López, New, Ortega, Susman (13)
Nay: (None) (0)

[19-0429](#) A proclamation honoring Reverend Leon Kelly, Jr.

A motion offered by Councilman Brooks, duly seconded by Councilwoman Gilmore, that Council Proclamation 19-0429 be adopted. The motion carried by the following vote:

Adopted

Aye: Black, Brooks, Clark, Espinoza, Flynn, Gilmore, Herndon,
Kashmann, Kniech, López, New, Ortega, Susman (13)
Nay: (None) (0)

Block Vote

A motion offered by Councilman Kashmann, duly seconded by Councilwoman Gilmore, to approve the following items en bloc. The motion carried by the following vote:

Approved the consent agenda

- Aye: Black, Clark, Espinoza, Flynn, Gilmore, Herndon, Kashmann, Kniech, López, New, Ortega, Susman (12)
- Nay: (None) (0)
- Absent: Brooks (1)

RESOLUTIONS

Finance & Governance Committee

19-0350 A resolution approving a proposed Master Purchase Order between the City and County of Denver and Dell Marketing L.P. for the purchase of computer equipment, hardware peripherals, and related hardware services.

Approves a master purchase order with Dell Marketing L.P. for \$25,000,000 and through 10-31-24 for the purchase of computer equipment, hardware peripherals, and related hardware services for city employee computers, citywide, through the National Cooperative Purchasing Alliance (NCPA) (SC-00003210). The last regularly scheduled Council meeting within the 30-day review period is on 5-20-19. The Committee approved filing this item at its meeting on 4-16-19.

A motion offered by Councilman Kashmann, duly seconded by Councilwoman Gilmore, that Council Resolution 19-0350 be adopted en bloc, carried by the following vote:

Adopted

- Aye: Black, Clark, Espinoza, Flynn, Gilmore, Herndon, Kashmann, Kniech, López, New, Ortega, Susman (12)
- Nay: (None) (0)
- Absent: Brooks (1)

19-0351 A resolution approving the Mayor’s appointments to the Denver College Success Corporation, the non-profit corporation established to administer the Denver College Affordability Fund.

Approves the following Mayoral appointments to the Denver College Success Corporation, the non-profit corporation established to administer the Denver College Affordability Fund: Akasha Absher and John Kechriotis for terms effective immediately and expiring on 5-1-20; Mark Goodman and Theresa Pena for terms effective immediately and expiring on 5-1-21; Angela Cobián and Stephen Kurtz for terms effective immediately and expiring 5-1-22, or until a successor is duly appointed. The Committee approved filing this resolution by consent on 4-16-19.

A motion offered by Councilman Kashmann, duly seconded by Councilwoman Gilmore, that Council Resolution 19-0351 be adopted en bloc, carried by the following vote:

Adopted

- Aye: Black, Clark, Espinoza, Flynn, Gilmore, Herndon, Kashmann, Kniech, López, New, Ortega, Susman (12)
- Nay: (None) (0)

Absent: Brooks (1)

19-0365 A resolution approving a proposed First Amendment to Master Service Agreement between the City and County of Denver and Level 3 Communications, LLC to provide Dedicated Internet Access services.

Amends a contract with Level 3 Communications LLC by adding \$250,000 for a new total of \$700,000 and for one year for a new end date of 5-5-20 for the continued support of the city's dedicated internet access to city locations, citywide (201312955-01). The last regularly scheduled Council meeting within the 30-day review period is on 5-20-19. The Committee approved filing this item at its meeting on 4-16-19.

A motion offered by Councilman Kashmann, duly seconded by Councilwoman Gilmore, that Council Resolution 19-0365 be adopted en bloc, carried by the following vote:

Adopted

Aye: Black, Clark, Espinoza, Flynn, Gilmore, Herndon, Kashmann, Kniech, López, New, Ortega, Susman (12)

Nay: (None) (0)

Absent: Brooks (1)

19-0366 A resolution approving a proposed Second Amendatory Agreement between the City and County of Denver and BKD, LLP to increase amounts for additional renewal terms for independent audits.

Amends a contract with BKD LLP by adding \$1,853,100 for a new total of \$4,463,970 and for two years for a new end date of 12-31-21 for the annual independent audit of city finances (201629144-02). The last regularly scheduled Council meeting within the 30-day review period is on 5-20-19. The Committee approved filing this item at its meeting on 4-16-19.

A motion offered by Councilman Kashmann, duly seconded by Councilwoman Gilmore, that Council Resolution 19-0366 be adopted en bloc, carried by the following vote:

Adopted

Aye: Black, Clark, Espinoza, Flynn, Gilmore, Herndon, Kashmann, Kniech, López, New, Ortega, Susman (12)

Nay: (None) (0)

Absent: Brooks (1)

Land Use, Transportation & Infrastructure Committee

19-0130 A resolution approving a proposed Purchase Order between the City and County of Denver and J-R Motors Company South to purchase twenty-three 2019 Toyota Prius Prime vehicles.

Approves a purchase order with J-R Motors Company South for \$626,957 for 23 2019 Toyota Prius Prime vehicles to support citywide fire safety operations (PO-00057622). The last regularly scheduled Council meeting within the 30-day review period is on 5-20-19. The Committee approved filing this item at its meeting on 2-19-19.

A motion offered by Councilman Kashmann, duly seconded by Councilwoman Gilmore, that Council Resolution 19-0130 be adopted en bloc, carried by the following vote:

Adopted

- Aye: Black, Clark, Espinoza, Flynn, Gilmore, Herndon, Kashmann, Kniech, López, New, Ortega, Susman (12)
- Nay: (None) (0)
- Absent: Brooks (1)

19-0353 A resolution laying out, opening and establishing as part of the City street system a parcel of land as East Union Avenue at the intersection of East Union Avenue and South Niagara Street.

Dedicates a parcel of land as public right of way as East Union Avenue, located at the intersection of East Union Avenue and South Niagara Street in Council District 4. The Committee approved filing this item at its meeting on 4-16-19.

A motion offered by Councilman Kashmann, duly seconded by Councilwoman Gilmore, that Council Resolution 19-0353 be adopted en bloc, carried by the following vote:

Adopted

- Aye: Black, Clark, Espinoza, Flynn, Gilmore, Herndon, Kashmann, Kniech, López, New, Ortega, Susman (12)
- Nay: (None) (0)
- Absent: Brooks (1)

Safety, Housing, Education & Homelessness Committee

19-0186 A resolution approving a proposed Amendment to Purchase Agreement between the City and County of Denver and Bell Helicopter Textron Inc., to update the equipment list for the purchase of a Bell 407 GXi helicopter for the Denver Police Department.

Amends a zero-dollar purchase agreement with Bell Helicopter Textron Inc. to change the equipment configuration to account for certain equipment upgrades standard on the latest model aircraft, and with funding provided through a companion capital lease purchase agreement, to support citywide police department operations (POLIC-201843211-01). The last regularly scheduled Council meeting within the 30-day review period is on 5-20-19. The Committee approved filing this item at its meeting on 4-17-19.

A motion offered by Councilman Kashmann, duly seconded by Councilwoman Gilmore, that Council Resolution 19-0186 be adopted en bloc, carried by the following vote:

Adopted

- Aye: Black, Clark, Espinoza, Flynn, Gilmore, Herndon, Kashmann, Kniech, López, New, Ortega, Susman (12)
- Nay: (None) (0)
- Absent: Brooks (1)

19-0342 A resolution approving City Council’s appointment of Yumiko Dougherty to the Denver Great Kids Head Start Policy Council.

A resolution approving the appointment of Yumiko Dougherty to the Denver Great Kids Head Start Policy Council effective 5-1-19 for a term expiring 5-1-20. The Committee approved filing this item at its meeting on 4-10-19.

A motion offered by Councilman Kashmann, duly seconded by Councilwoman Gilmore, that Council Resolution 19-0342 be adopted en bloc, carried by the following vote:

Adopted

- Aye: Black, Clark, Espinoza, Flynn, Gilmore, Herndon, Kashmann, Kniech, López, New, Ortega, Susman (12)
- Nay: (None) (0)
- Absent: Brooks (1)

BILLS FOR INTRODUCTION

Finance & Governance Committee

[19-0360](#) 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 Crime Data Analyst Associate at pay grade N-809, Crime Data Analyst Senior at pay grade N-811, Continuous Improvement Specialist II at pay grade A-809, Continuous Improvement Specialist III at pay grade A-811, Continuous Improvement Specialist IV at pay grade A-813, and revises job Classification titles for the Management Analyst Series to match the city's job title naming convention. The Committee approved filing this resolution by consent on 4-16-19.

Council Bill 19-0360 was ordered published on first reading

Ordered published on first reading

[19-0369](#) A bill for an ordinance establishing a new fund in the Grant and Other Money Projects Series for the "29th and Fairfax Park" program and making appropriations.

Establishes the 29th and Fairfax Park Capital Fund and appropriates \$650,000 for the planning, design and construction of a park at 29th Avenue and North Fairfax Street in Council District 8. The Committee approved filing this item at its meeting on 4-16-19.

Council Bill 19-0369 was ordered published on first reading

Ordered published on first reading

[19-0370](#) A bill for an ordinance establishing a new fund in the Grant and Other Money Projects Series for the "Public Art Contributions" program.

Establishes the Public Art Contributions Capital Fund for expenditures related to planning, design and construction of existing or new public art, citywide. The Committee approved filing this item at its meeting on 4-16-19.

Council Bill 19-0370 was ordered published on first reading

Ordered published on first reading

[19-0371](#) A bill for an ordinance authorizing transfers from the Gateway Impact Fee Trust Funds to the Capital Improvements and Capital Maintenance Fund and making appropriations in the Capital Improvements and Capital Maintenance Fund to support the Gateway Infrastructure projects.

Transfers and appropriates \$7,700,293 from the Gateway Impact Fee Trust Funds to the Capital Improvements and Capital Maintenance Fund to support the Gateway Regional Infrastructure projects, including contract obligations, roadway and median projects, and other projects for parks and drainage improvements, in Council District 11. The Committee approved filing this item at its meeting on 4-16-19.

Council Bill 19-0371 was ordered published on first reading

Ordered published on first reading

[19-0372](#) A bill for an ordinance making a rescission in the General Fund, making appropriations in the General Fund and the Capital Improvements and Capital Maintenance Fund, and authorizing expenditures in the General Government Special Revenue Fund, the Culture and Recreation Special Revenue Fund, and the Grant and Other Money Projects Fund.

Approves the City Council 2018 year-end budget amendment by transferring \$220,742.52 of City Council's 2018 General Fund budget savings to City Council Special Revenue Funds, transferring \$150,060.11 of City Council's 2018 General Fund budget savings to other city funds for various projects, and returning \$60,096.41 of City Council's 2018 General Fund budget savings to the City's General Fund. The Committee approved filing this item at its meeting on 4-16-19.

Council Bill 19-0372 was ordered published on first reading

Ordered published on first reading

Land Use, Transportation & Infrastructure Committee

[19-0359](#) A bill for an ordinance relinquishing a portion of the easement established in the Permanent Easement recorded with the Denver Clerk & Recorder at Reception No. 2017107806, located at 400 North Grant Street.

Relinquishes a portion of the utility easement established in recorded document No. 2017107806, located at 400 North Grant Street in Council District 7. The last regularly scheduled Council meeting within the 30-day review period is on 5-20-19. The Committee approved filing this item at its meeting on 4-16-19.

Council Bill 19-0359 was ordered published on first reading

Ordered published on first reading

Safety, Housing, Education & Homelessness Committee

19-0338 A bill for an ordinance approving a proposed Amendment to Intergovernmental Agreement between the City and County of Denver, Denver Police Department and Jefferson County, Colorado through the Jefferson County Sheriff’s Office to extend the term and increase maximum contract amount to provide patrol services within Denver's Mountain Parks.

Amends an intergovernmental agreement with Jefferson County Sheriff’s Office by adding \$691,440 for a new total of \$1,331,218 and three years for a new end date of 12-31-2021 for patrol services within designated Denver Mountain Parks (POLIC-201525679-01). The last regularly scheduled Council meeting within the 30-day review period is on 5-20-19. The Committee approved filing this item at its meeting on 4-17-19.

Council Bill 19-0338 was ordered published on first reading

Ordered published on first reading

BILLS FOR FINAL CONSIDERATION

Business, Arts, Workforce, & Aviation Services Committee

19-0287 A bill for an ordinance approving a proposed Amendatory Agreement between the City and County of Denver and West Metro Fire Protection District for emergency medical services for events at Red Rocks amphitheater.

Amends an agreement with West Metro Fire Protection by adding \$350,000 for a new total of \$1,200,000 for emergency medical services for events at Red Rocks amphitheater. No change to agreement duration (201733988-01). The last regularly scheduled Council meeting within the 30-day review period is on 5-13-19. The Committee approved filing this item at its meeting on 3-27-19.

A motion offered by Councilman Kashmann, duly seconded by Councilwoman Gilmore, that Council Bill 19-0287 be placed upon final consideration and do pass en bloc, carried by the following vote:

Placed upon final consideration and do pass

- Aye: Black, Clark, Espinoza, Flynn, Gilmore, Herndon, Kashmann, Kniech, López, New, Ortega, Susman (12)
- Nay: (None) (0)
- Absent: Brooks (1)

Finance & Governance Committee

19-0335 A bill for an ordinance designating certain properties as being required for public use and authorizing use and acquisition thereof by negotiation or through condemnation proceedings of fee, easement and other interests, including any rights and interests related or appurtenant to properties as needed for the South Broadway Multimodal Access and Safety Improvement Project at South Broadway and Interstate 25.

Grants the authority to acquire through negotiated purchase or condemnation any property interest as needed for the Broadway and I25 Improvement Project, including easement interests, access rights, improvements, buildings, fixtures, licenses, permits and other appurtenances, located in the approximate project boundaries of South Bannock Street to South Lincoln Street and East Exposition Avenue to just south of East Kentucky Avenue in Council District 7. The Committee approved filing this item at its meeting on 4-9-19.

A motion offered by Councilman Kashmann, duly seconded by Councilwoman Gilmore, that Council Bill 19-0335 be placed upon final consideration and do pass en bloc, carried by the following vote:

Placed upon final consideration and do pass

- Aye: Black, Clark, Espinoza, Flynn, Gilmore, Herndon, Kashmann, Kniech, López, New, Ortega, Susman (12)
- Nay: (None) (0)
- Absent: Brooks (1)

Land Use, Transportation & Infrastructure Committee

19-0192 A bill for an ordinance approving a proposed Contract between the City and County of Denver and State of Colorado, acting by and through the Department of Transportation, approves an Agreement for extensions and pedestrian refuge areas with push buttons for pedestrian signals, and other improvements in Council District 4.

Approves an intergovernmental agreement with the Colorado Department of Transportation for \$500,000 and for three years for reimbursement for CDOT-constructed infrastructure improvements including seven median nose extensions and pedestrian refuge areas with push buttons for pedestrian signals, pedestrian ramps and median refuge, median cover material for existing medians, and other improvements, located on Hampden Avenue from Dahlia Street to Parker Road in Council District 4 (201948128). The last regularly scheduled Council meeting within the 30-day review period is on 5-13-19. The Committee approved filing this item at its meeting on 3-5-19.

A motion offered by Councilman Kashmann, duly seconded by Councilwoman Gilmore, that Council Bill 19-0192 be placed upon final consideration and do pass en bloc, carried by the following vote:

Placed upon final consideration and do pass

- Aye: Black, Clark, Espinoza, Flynn, Gilmore, Herndon, Kashmann, Kniech, López, New, Ortega, Susman (12)
- Nay: (None) (0)
- Absent: Brooks (1)

19-0328 A bill for an ordinance relinquishing a portion of the easement established in the Grant of Permanent Access and Common Easement for Alley Way, recorded with Denver Clerk & Recorder at Reception No. 2003116383; and the easement established in the Deed of Easement, recorded with Denver Clerk & Recorder at Book 7792, Page 433, located at East 51st Avenue and Broadway.

Relinquishes a portion of the easement established in the Permanent Access and Common Easement for Alley Way document with Recordation No. 2003116383; and relinquishes the easement in its entirety as established in the Deed of Easement document as recorded in Book 7792 Page 433, located at East 51st Avenue and Broadway, in Council District 9. The last regularly scheduled Council meeting within the 30-day review period is on 5-13-19. The Committee approved filing this item at its meeting on 4-9-19.

A motion offered by Councilman Kashmann, duly seconded by Councilwoman Gilmore, that Council Bill 19-0328 be placed upon final consideration and do pass en bloc, carried by the following vote:

Placed upon final consideration and do pass

Aye: Black, Clark, Espinoza, Flynn, Gilmore, Herndon, Kashmann, Kniech, López, New, Ortega, Susman (12)
Nay: (None) (0)
Absent: Brooks (1)

19-0329 A bill for an ordinance relinquishing a portion of the easement reserved in Ordinance No. 53, Series of 1938, recorded with Denver Clerk & Recorder at Reception No. 1938376686, Book 5227, Page 545 located at 1555 North Xavier Street.

Relinquishes a portion of the 12' utility easement established in Vacating Ordinance No. 53, Series of 1938, located at 1555 North Xavier Street in Council District 1. The last regularly scheduled Council meeting within the 30-day review period is on 5-13-19. The Committee approved filing this item at its meeting on 4-9-19.

A motion offered by Councilman Kashmann, duly seconded by Councilwoman Gilmore, that Council Bill 19-0329 be placed upon final consideration and do pass en bloc, carried by the following vote:

Placed upon final consideration and do pass

Aye: Black, Clark, Espinoza, Flynn, Gilmore, Herndon, Kashmann, Kniech, López, New, Ortega, Susman (12)
Nay: (None) (0)
Absent: Brooks (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 19-0240, changing the zoning classification for 10 S Colorado Boulevard; a required public hearing for Council Bill 19-0344, designating 4150 East Shangri La Drive, Cableland, as a structure for preservation; and, a courtesy public hearing for Council Resolution 19-0367, approving a proposed revocable license between the City and County of Denver and Colorado Village Collaborative for a tiny home village site located at 4400 Pearl Street. Anyone wishing to speak on any of these matters may go online or see the Council Secretary or staff 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

[19-0240](#) A bill for an ordinance changing the zoning classification for 10 S Colorado Boulevard in Hilltop.

Approves an official map amendment to rezone property from E-SU-D to E-TU-C (urban edge, single-unit to urban edge, two-unit), located at 10 South Colorado Boulevard in Council District 5. The Committee approved filing this item at its meeting on 3-19-19.

A motion offered by Councilman Kashmann, duly seconded by Councilman Herndon, that Council Bill 19-0240 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 6:26 p.m., Council President Clark presiding, to hear speakers on Council Bill 19-0240. Mike Kortendick, ChairMan SeKu and Tom Hart signed up to speak in favor of the bill. Jesse Parris signed up to speak in opposition of the bill. Theresa Lucero of Community Planning and Development delivered the staff report.

Aye: Black, Brooks, Clark, Espinoza, Flynn, Gilmore, Herndon, Kashmann, Kniech, López, New, Ortega, Susman (13)

Nay: (None) (0)

19-0344 A bill for an ordinance designating 4150 East Shangri La Drive, Cableland, as a structure for preservation.

Approves the designation of Cableland as a Landmark Historic structure for preservation, located at 4150 East Shangri La Drive in Council District 5. The Committee approved filing this item at its meeting on 4-9-19.

A motion offered by Councilman Kashmann, duly seconded by Councilwoman Gilmore, that Council Bill 19-0344 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 6:44 p.m., Council President Clark presiding, to hear speakers on Council Bill 19-0344. Tom Hart, Tim David, ChairMan Seku and Jesse Parris signed up to speak in favor of the bill. No speakers signed up to speak in opposition of the bill. Kara Hahn of Community Planning and Development delivered the staff report.

Aye: Black, Brooks, Clark, Espinoza, Flynn, Gilmore, Herndon, Kashmann, Kniech, López, New, Ortega, Susman (13)

Nay: (None) (0)

COURTESY PUBLIC HEARINGS - RESOLUTIONS

19-0367 A resolution approving a proposed revocable license between the City and County of Denver and Colorado Village Collaborative for a tiny home village site located at 4400 Pearl Street.

Approves a revocable license agreement with Colorado Village Collaborative for \$10 and for one year with two additional one-year extensions at the City's sole option, for use of city-owned property for the use of a tiny home village, located at 4400 Pearl street in Council District 9 (FINAN-201947500-00). The last regularly scheduled Council meeting within the 30-day review period is on 5-20-19. The Committee approved filing this item at its meeting on 4-16-19.

A motion offered by Councilman Kashmann, duly seconded by Councilman Flynn, that Council Resolution 19-0367 be adopted. The motion carried by the following vote:

Adopted

Council sat as a Committee of the Whole, commencing at 7:12 p.m., Council President Clark presiding, to hear speakers on Council Bill 19-0367. Elizabeth Garfield, Amanda McDougals, Amanda Henderson, Jennifer Wilson, Sue Gomez, Tobin Houser, Janice Ediger, Mike Keldsen, Scott Kerr, Marilyn Malagon, Cole Chandler, Tom Luehrs, Laura Rossbert, ChairMan Seku, John Hayden, Cesiah Guadarrama, Julie Patiño, Jerry Burton, Jesse Parris and Mark Marshall signed up to speak in favor of the bill. Kevin Conroy, Derik Martinez, Gayle Leroux, Rose Riley, Jazz Leroux, Kelli Pinella, Brenda Carrasco, David Oletski and John Oletski signed up to speak in opposition of the bill. Anne-Elizabeth signed up to speak neither for nor against the bill. Jill Jennings of Community Planning and Development delivered the staff report.

Aye: Black, Brooks, Clark, Espinoza, Flynn, Gilmore, Herndon, Kashmann, Kniech, López, New, Ortega, Susman (13)

Nay: (None) (0)

PRE-ADJOURNMENT ANNOUNCEMENT

ADJOURN

There being no further business before the City Council, Council President Clark adjourned the meeting at 11:02 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