

City Council Minutes

Meeting Date: Monday, April 9, 2018 5:30 PM

PLEDGE OF ALLEGIANCE

Council member New led the Pledge of Allegiance.

ROLL CALL

Present: Flynn, Gilmore, Kashmann, Kniech, López, New, Ortega, Susman (8)

Absent: Black, Brooks, Clark, Espinoza, Herndon (5)

NOMINATION OF ACTING PRESIDENT PRO-TEM

Elect Acting President Pro-Tem

Acting President Pro-tem was Elected.

Elected

Aye: Flynn, Gilmore, Kashmann, Kniech, López, New, Ortega, Susman (8)

Nay: (None) (0)

Absent: Black, Brooks, Clark, Espinoza, Herndon (5)

APPROVAL OF THE MINUTES

[18-0354](#) Minutes of Monday, April 2, 2018

The minutes of Monday, April 9, 2018, were approved.

Approved

The minutes of meeting date, Tuesday, March 27, 2018, were distributed to Council. Acting Council President Pro-Tem Susman ordered the minutes approved.

COUNCIL ANNOUNCEMENTS

Council members Susman and Kniech offered announcements.

PRESENTATIONS

COMMUNICATIONS

PROCLAMATIONS

[18-0358](#) **A proclamation recognizing Carolyn Bluhm for her service in emergency management coordination for the City and County of Denver.**

A motion offered by Councilwoman Ortega, duly seconded by Councilman López, that Council Proclamation 18-0358 be adopted. The motion carried by the following vote:

Adopted

Aye: Flynn, Gilmore, Kashmann, Kniech, López, New, Ortega, Susman (8)

Nay: (None) (0)

Absent: Black, Brooks, Clark, Espinoza, Herndon (5)

18-0360 A proclamation proclaiming support for the 2018 March for Science.

A motion offered by Councilwoman Ortega, duly seconded by Councilman López, that Council Proclamation 18-0360 be adopted. The motion carried by the following vote:

Adopted

Aye: Flynn, Gilmore, Kashmann, Kniech, López, New, Ortega, Susman (8)

Nay: (None) (0)

Absent: Black, Brooks, Clark, Espinoza, Herndon (5)

RESOLUTIONS

Finance & Governance Committee

Block Vote

Block Vote

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

Approved the consent agenda

Aye: Flynn, Gilmore, Kashmann, Kniech, López, New, Ortega, Susman (8)

Nay: (None) (0)

Absent: Black, Brooks, Clark, Espinoza, Herndon (5)

18-0062 A resolution approving a proposed Second Amendment to License Agreement by and between the City and County of Denver and New Cingular Wireless PCS, LLC to extend term and increase maximum contract amount at 303 W. Colfax.

Adds \$7,300.08 to and extends the lease agreement with New Cingular Wireless PCS, LLC for a new total of \$46,698 through 05-31-22 for communication equipment placed on City property at 303 West Colfax Avenue in Council District 9 (FINAN RC1Y028-02). The last regularly scheduled Council meeting within the 30-day review period is on 4-30-18. The Committee approved filing this resolution by consent on 1-23-18.

A motion offered by Councilman New, duly seconded by Councilwoman Kniech, that Council Resolution 18-0062 be adopted en bloc, carried by the following vote:

Adopted

Aye: Flynn, Gilmore, Kashmann, Kniech, López, New, Ortega, Susman (8)

Nay: (None) (0)

Absent: Black, Brooks, Clark, Espinoza, Herndon (5)

18-0260 A resolution approving and providing for the execution of a proposed grant agreement between the City and County of Denver and the United States of America concerning the "Continuum of Care Projects" and the funding therefor.

Appropriates \$2,657,458 for the Combined Housing First Continuum of Care project from the U.S. Department of Housing and Urban Development to provide rental assistance and support services for homeless persons with special needs. The last regularly scheduled Council meeting within the 30-day review period is on 4-30-18. The Committee approved filing this resolution by consent on 3-13-18.

A motion offered by Councilman New, duly seconded by Councilwoman Kniech, that Council Resolution 18-0260 be adopted. The motion carried by the following vote:

Adopted

Aye: Flynn, Gilmore, Kashmann, Kniech, López, New, Susman (7)

Nay: (None) (0)

Absent: Black, Brooks, Clark, Espinoza, Herndon (5)

Abstain: Ortega (1)

18-0286 A resolution approving a proposed amended Master Purchase Order between the City and County of Denver and Conti Electric, Inc., for on-call maintenance and repair of electrical systems.

Adds \$250,000 to the master purchase order with Conti Electric, Inc. for a new maximum spend of \$650,000 through 2-28-20 for on-call maintenance and repair of electrical systems in City-owned facilities including small and medium initial installation, wiring, repair of existing fixtures, and related services (0767A0215). Pursuant to Council Rule 3.7, Councilman Flynn called out this resolution at the Monday, April 9, 2018 Council meeting for a one-week postponement to Monday, April 16, 2018. The last regularly scheduled Council meeting within the 30-day review period is on 4-30-18. The Committee approved filing this resolution by consent on 3-20-18.

Council Resolution 18-0286 was postponed to 4-16-18.

Postponed to a date certain

Per Council Rule 3.7, Councilman Flynn called out this resolution at the Monday, April 9, 2018 meeting for one-week postponement to Monday, April 16, 2018.

[18-0317](#) A resolution approving a proposed Amendatory Agreement by and between the City and County of Denver and EZLinks Golf, Inc., to extend the term and add functionality for the golf scheduling system for Parks and Recreation

Amends a revenue-sharing agreement with EZLinks Golf, Inc, by adding five years for a new end date of 2-28-23 and amending the terms to upgrade the current point of sale and integrated web-based tee sheet software to utilize additional functionality and on-going support and maintenance for Citywide golf operations (TECHS-201309960-01). The last regularly scheduled Council meeting within the 30-day review period is on 4-30-18. The Committee approved filing this resolution at its meeting on 3-27-18.

A motion offered by Councilman New, duly seconded by Councilwoman Kniech, that Council Resolution 18-0317 be adopted en bloc, carried by the following vote:

Adopted

Aye: Flynn, Gilmore, Kashmann, Kniech, López, New, Ortega, Susman (8)

Nay: (None) (0)

Absent: Black, Brooks, Clark, Espinoza, Herndon (5)

Land Use, Transportation & Infrastructure Committee

[18-0203](#) A resolution approving a proposed Contract between the City and County of Denver and W.E. O’Neil Construction Co. of Colorado for roof and HVAC replacement at 4330 East 48th Avenue.

Approves a contract with W.E. O’Neil Construction Co. of Colorado for \$1,032,036 and for six months to replace the roof of the building located at 4330 East 48th Avenue in Council District 8 (201737536). The last regularly scheduled Council meeting within the 30-day review period is on 4-30-18. The Committee approved filing this resolution by consent on 2-27-18.

A motion offered by Councilman New, duly seconded by Councilwoman Kniech, that Council Resolution 18-0203 be adopted en bloc, carried by the following vote:

Adopted

Aye: Flynn, Gilmore, Kashmann, Kniech, López, New, Ortega, Susman (8)

Nay: (None) (0)

Absent: Black, Brooks, Clark, Espinoza, Herndon (5)

18-0214 A resolution approving a proposed Amendatory Agreement between the City and County of Denver and Federal Contracting, Inc. dba Bryan Construction, Incorporated for the build out of Denver County Jail Building 24.

Amends a contract with Bryan Construction, Incorporated by adding \$5,182,496 for a new total of \$8,228,427 for the completion of the Denver County Jail Building 24 levels 6 and 7 Project to improve the living conditions and programmatic opportunities for women offenders, as well as the working conditions for the staff assigned to their safety, security, care and custody located at 10500 Smith Road in Council District 8. No change to contract duration (201736311). The last regularly scheduled Council meeting within the 30-day review period is on 4-30-18. The Committee approved filing this resolution by consent on 2-27-18.

A motion offered by Councilman New, duly seconded by Councilwoman Kniech, that Council Resolution 18-0214 be adopted en bloc, carried by the following vote:

Adopted

Aye: Flynn, Gilmore, Kashmann, Kniech, López, New, Ortega, Susman (8)

Nay: (None) (0)

Absent: Black, Brooks, Clark, Espinoza, Herndon (5)

18-0310 A resolution approving a proposed Contract between the City and County of Denver and David Evans and Associates, Inc. for professional design services.

Approves a contract with David Evans and Associates, Inc. for three years and for a maximum amount of \$791,769.33 for professional design services supporting the West 8th Avenue over the South Platte River Bridge Replacement Project in Council District 3 (201839479). The last regularly scheduled Council meeting within the 30-day review period is on 4-30-18. The Committee approved filing this resolution by consent on 3-27-18.

A motion offered by Councilman New, duly seconded by Councilwoman Kniech, that Council Resolution 18-0310 be adopted en bloc, carried by the following vote:

Adopted

Aye: Flynn, Gilmore, Kashmann, Kniech, López, New, Ortega, Susman (8)

Nay: (None) (0)

Absent: Black, Brooks, Clark, Espinoza, Herndon (5)

Safety, Housing, Education & Homelessness Committee

[18-0305](#) A resolution approving a proposed Amendatory Agreement between the City and County of Denver and Mental Health Center of Denver to provide services for the homeless.

Adds \$850,000 to a contract with the Mental Health Center of Denver through 12-31-18 for a new total of \$1.7 million to provide housing and treatment services for 75 chronically homeless individuals with co-occurring disorders (SOCSV-2016-31657-01). The last regularly scheduled Council meeting within the 30-day review period is on 4-30-18. The Committee approved filing this resolution by consent on 3-28-18.

A motion offered by Councilman New, duly seconded by Councilwoman Kniech, that Council Resolution 18-0305 be adopted en bloc, carried by the following vote:

Adopted

Aye: Flynn, Gilmore, Kashmann, Kniech, López, New, Ortega, Susman (8)

Nay: (None) (0)

Absent: Black, Brooks, Clark, Espinoza, Herndon (5)

BILLS FOR INTRODUCTION

Finance & Governance Committee

[18-0259](#) A bill for an ordinance approving a proposed Purchase and Sale Agreement between the City and County of Denver and The Nichols Partnership Inc. for the sale of 1701 Platte Street.

Approves a \$13.5 million purchase and sale agreement with The Nichols Partnership Inc. to sell property located at 1701 Platte Street in Council District 1. The Committee approved filing this bill at its meeting on 3-27-18.

Council Bill 18-0259 was ordered published on first reading.

Ordered published on first reading

[18-0300](#) A bill for an ordinance amending Council Bill 17-0659 which named the City-owned building located at 2851 Tremont Place the Anna Jo Haynes Early Learning Center.

Corrects Council Bill 17-0659 by adjusting the naming of the City-owned building located at 2851 Tremont Place from the Anna Jo Haynes Early Learning Center to the Anna Jo Garcia Haynes Early Learning Center in Council District 9. The Committee approved filing this bill by consent on 3-20-18.

Council Bill 18-0300 was ordered published on first reading.

Ordered published on first reading

Land Use, Transportation & Infrastructure Committee

[18-0288](#) A bill for an ordinance changing the zoning classification for 3649 East 40th Avenue and 3600 East 41st Avenue in Elyria Swansea.

Approves an official map amendment to rezone property located at 3649 East 40th Avenue and 3600 East 41st Avenue from I-A, UO-2 and C-MU-10 with Waivers to C-MX-5 (industrial to urban center, mixed-use residential) in Council District 9. The Committee approved filing this bill at its meeting on 3-27-18.

Council Bill 18-0288 was ordered published with future required public hearing on 5-7-18.

Ordered published with a future required public hearing

[18-0291](#) A bill for an ordinance changing the zoning classification for 4552 South Ulster St. in Hampden South.

Approves an official map amendment to rezone property located at 4552 South Ulster Street from B-8 with waivers UO-1, UO-2 to S-MX-12 (business zoning in the former chapter 57 zoning to suburban, mixed-use) in Council District 4. The Committee approved filing this bill at its meeting on 3-27-18.

Council Bill 18-0291 was ordered published with future required public hearing on 5-7-18.

Ordered published with a future required public hearing

[18-0306](#) AS AMENDED a bill for an ordinance relating to the Denver Zoning Code, to modify certain building form standards in response to slot home construction.

Approves Text Amendment #3 to the Denver Zoning Code to create a new Town House building form with revisions to other related building forms to address "slot home" development through new or revised zoning standards for side-by-side residential development. Amended 4-16-18 to make reference to a corrected version of the text amendment filed with the clerk. The previously filed text amendment incorrectly stated in five locations that certain dwelling units located within 20 feet of the Side Street Zone Lot Line shall be oriented to the primary street zone lot line. The language in these five sections should have stated that the dwelling units shall be oriented to the Side Street Zone Lot Line. The Committee approved filing this bill at its meeting on 3-27-18.

Council Bill 18-0306 was ordered published with future required public hearing on 5-7-18.

Ordered published with a future required public hearing

[18-0309](#) A bill for an ordinance vacating a portion of right-of-way bounded by West 16th Avenue, West Conejos Place, North Lowell Boulevard and North King Street, without reservations.

Vacates the northernmost east/west alley bounded by West 16th Avenue, West Conejos Place, North Lowell Boulevard, and North King Street, without reservations, in Council District 3. The Committee approved filing this bill by consent on 3-27-18.

Council Bill 18-0309 was ordered published on first reading.

Ordered published on first reading

BILLS FOR FINAL CONSIDERATION

Business, Arts, Workforce & Aeronautical Services Committee

18-0237 A bill for an ordinance amending Sections 39-121(c) of the Revised Municipal Code of the City and County of Denver regarding the Schedule for Use of Facilities, specifically for the Denver Zoological Gardens.

Amends Chapter 39 of the Denver Revised Municipal Code to increase entrances fees and rental fees at the Denver Zoological Gardens. The Committee approved filing this bill at its meeting on 3-21-18.

A motion offered by Councilman New, duly seconded by Councilwoman Kniech, that Council Bill 18-0237 be placed upon final consideration and do pass en bloc, carried by the following vote:

Placed upon final consideration and do pass

Aye: Flynn, Gilmore, Kashmann, Kniech, López, New, Ortega,
Susman (8)

Nay: (None) (0)

Absent: Black, Brooks, Clark, Espinoza, Herndon (5)

Finance & Governance Committee

18-0292 A bill for an ordinance establishing a new funds in the Grant and Other Money Projects Fund.

Establishes the National Western Center Colorado State University (CSU) Facilities Development special revenue fund no. 38426 and the National Western Center Western Stock Show Association (WSSA) Campus Development special revenue fund no. 38427, and approves the associated appropriations of \$27.7 million for the CSU Facilities Development fund and \$15 million for the WSSA Campus Development fund. The Committee approved filing this bill by consent on 3-20-18.

A motion offered by Councilman New, duly seconded by Councilwoman Kniech, that Council Bill 18-0292 be placed upon final consideration and do pass en bloc, carried by the following vote:

Placed upon final consideration and do pass

Aye: Flynn, Gilmore, Kashmann, Kniech, López, New, Ortega,
Susman (8)

Nay: (None) (0)

Absent: Black, Brooks, Clark, Espinoza, Herndon (5)

18-0301 A bill for an ordinance amending Ordinance No. 20171335, Series of 2017 to revise the legal description designated as Unit 3 located near 17th Street, Platte Street and Interstate 25.

Amends Ordinance No. 20171335, Series of 2017, to correct the legal description designated as Unit 3 located near 17th Street, Platte Street, and Interstate 25 in Council District 1. Companion to 18-0282. The Committee approved filing this bill by consent on 3-20-18.

A motion offered by Councilman New, duly seconded by Councilwoman Kniech, that Council Bill 18-0301 be placed upon final consideration and do pass en bloc, carried by the following vote:

Placed upon final consideration and do pass

Aye: Flynn, Gilmore, Kashmann, Kniech, López, New, Ortega,
Susman (8)

Nay: (None) (0)

Absent: Black, Brooks, Clark, Espinoza, Herndon (5)

RECAP OF BILLS TO BE CALLED OUT

PRE-RECESS ANNOUNCEMENT

Acting Council President Pro-Tem Susman announced that tonight, there will be a required public hearing on Council Bill 18-0170, changing the zoning classification for 935 West 11th Avenue in Lincoln Park; a required public hearing on Council Bill 18-0172, changing the zoning classification for 301, 303 and 327 South Harrison Street in Belcaro; and, a required public hearing on Council Bill 18-0173, changing the zoning classification for 1660, 1682 and 1684 Grove Street and 3088 and 3092 West 17th Avenue in West Colfax. Anyone wishing to speak on any of these matters must see the Council Secretary to receive a speaker card to fill out and return to her during the recess of Council. Per the request of the applicant, it is Council's intent to postpone final consideration and the public hearing of Council Bill 18-0172 to Monday, April 16, 2018. If you are here to speak on this item, please return on Monday, April 16, 2018.

RECESS

Council took a recess.

COUNCIL RECONVENES AND RESUMES ITS REGULAR SESSION

PUBLIC HEARINGS - BILLS FOR FINAL CONSIDERATION

Land Use, Transportation & Infrastructure Committee

18-0170 A bill for an ordinance changing the zoning classification for 935 West 11th Avenue in Lincoln Park.

Approves an official map amendment to rezone property located at 935 West 11th Avenue from U-RH-2.5 to U-MX-2x (urban, row-home to urban, mixed-use) in Council District 3. If ordered published, a public hearing will be held on Monday, 4-9-18. The Committee approved filing this bill at its meeting on 2-27-18.

A motion offered by Councilman New, duly seconded by Councilwoman Kniech, that Council Bill 18-0170 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 6:35 p.m., Acting Council President Pro-Tem Susman presiding, to hear speakers on Council Bill 18-0170. Jesse Heilman and Chairman Seku signed up to speak in favor of the bill. William Moore signed up to speak in opposition of the bill. Scott Robinson of Community Planning and Development delivered the Staff Report.

Aye: Gilmore, Kashmann, Kniech, López, New, Ortega, Susman (7)

Nay: Flynn (1)

Absent: Black, Brooks, Clark, Espinoza, Herndon (5)

18-0172 A bill for an ordinance changing the zoning classification for 301, 303 and 327 South Harrison Street in Belcaro.

Approves an official map amendment to rezone property located at 301, 303 and 327 South Harrison Street from B-4 with waivers, UO-1, UO-2 to C-MX-5 and C-MX-8 (former Chapter 59 zoning code to urban center, mixed-use) in Council District 10. The Committee approved filing this bill at its meeting on 2-27-18.

A motion offered by Councilman New, duly seconded by Councilman Flynn, was followed by a motion offered by Councilman New, duly seconded by Councilman Kashmann, that final consideration of Council Bill 18-0172 with its public hearing was postponed to Monday, April 16, 2018.

Postponed to a date certain

Aye: Flynn, Gilmore, Kashmann, Kniech, López, New, Ortega, Susman (8)

Nay: (None) (0)

Absent: Black, Brooks, Clark, Espinoza, Herndon (5)

18-0173 A bill for an ordinance changing the zoning classification for 1660, 1682 & 1684 Grove Street and 3088 & 3092 West 17th Avenue in West Colfax.

Approves an official map amendment to rezone property located at 1660, 1682 & 1684 Grove Street and 3088 & 3092 West 17th Avenue from G-MU-3 to C-MX-5 (general urban, multi-unit to urban center, mixed-use) in Council District 3. The Committee approved filing this bill at its meeting on 2-27-18.

A motion offered by Councilman New, duly seconded by Councilman Flynn, that Council Bill 18-0173 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 7:02 p.m., Acting Council President Pro-Tem Susman presiding, to hear speakers on Council Bill 18-0173. Richard Taft, Bruce O'Donnell, and Chairman Seku signed up to speak in favor of the bill. No speakers signed up to speak in opposition of the bill. Theresa Lucero of Community Planning and Development delivered the Staff Report.

Aye: Flynn, Gilmore, Kashmann, Kniech, López, New, Ortega, Susman (8)

Nay: (None) (0)

Absent: Black, Brooks, Clark, Espinoza, Herndon (5)

PRE-ADJOURNMENT ANNOUNCEMENT

Acting President Pro-Tem Susman announced that on Monday, May 7, 2018, Council will hold a required public hearing on Council Bill 18-0288, changing the zoning classification for 3649 East 40th Avenue and 3600 East 41st Avenue in Elyria Swansea; a required public hearing on Council Bill 18-0291, changing the zoning classification for 4552 South Ulster St. in Hampden South; and, a required public hearing on Council Bill 18-0306, to modify certain building form standards in response to slot home construction. Any protests against Council Bill 18-0288 or 18-0291 must be filed with the Council Offices no later than Monday, April 30, 2018.

ADJOURN

There being no further business before the City Council, Acting Council President Pro-Tem Susman adjourned the meeting at 7:35 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