

City Council Minutes

Meeting Date: Monday, April 10, 2017 5:30 PM

PLEDGE OF ALLEGIANCE

Council member López led the Pledge of Allegiance.

ROLL CALL

Councilman New arrived late.

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

APPROVAL OF THE MINUTES

[17-0403](#) Minutes of Monday, April 3, 2017.

The minutes of Monday, April 3, 2017 were approved.

Approved

Note

The minutes of meeting date, April 3, 2017, were distributed to Council. Council President Brooks ordered the minutes approved.

COUNCIL ANNOUNCEMENTS

Council members Kashmann, Gilmore, Black, Susman, and Brooks offered announcements. Councilwoman Black requested a one-hour courtesy public hearing Monday, April 17, 2017, on first reading of Council Bill 17-0324, which would allow retail marijuana stores to remain open until 10:00 p.m.

PRESENTATIONS

COMMUNICATIONS

PROCLAMATIONS

[17-0404](#) **A proclamation in recognition of National Library Week, April 9-15, 2017.**

A motion offered by Councilman Brooks, duly seconded by Councilwoman Ortega, that Proclamation 17-0404 be adopted. The motion carried by the following vote:

Adopted

Councilwoman Ortega asked to be added as sponsor of 17-0404.

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

Nay: (None) (0)

[17-0417](#) **A proclamation honoring the life and contributions of Emily M. Busch.**

A motion offered by Councilwoman Ortega, duly seconded by Councilman Herndon, that Proclamation 17-0417 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)

RESOLUTIONS

Finance & Governance Committee

Block Vote

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

Approved the consent agenda

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

17-0365 A resolution approving a proposed Sixth Amendatory Agreement by and between the City and County of Denver and Tyler Technologies, Inc., to extend term and increase funds to cover maintenance, technical support and related professional services.

Adds \$476,810 and two years to the contract with Tyler Technologies, Inc. for a new total amount of \$2,088,503.20 and end date of 12-31-18 for continued maintenance, technical support, and professional services for programs used for assessing property value and the billing and collecting of property taxes (TECHS-CE62074). The last regularly scheduled Council meeting within the 30-day review period is on 5-1-17. The Committee approved filing this resolution by consent on 3-28-17.

A motion offered by Councilman López, duly seconded by Councilwoman Kniech, that Resolution 17-0365 be adopted en bloc, carried by the following vote:

Adopted

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

Land Use, Transportation & Infrastructure Committee

17-0337 A resolution approving a proposed Contract between the City and County of Denver and W. L. Contractors, Inc., for the Mill Levy 8A & 8B traffic signal upgrade.

Approves a contract with W.L. Contractors, Inc. for \$1,178,904.74 and for eight months for the replacement and upgrade of traffic signals at the intersections of Kalamath Street and 7th Avenue, Southbound Speer Boulevard and Market Street, Lincoln Street and 8th Avenue, and Lincoln Street and 14th Avenue, including the removal and replacement of existing signal equipment, signage, ADA compliant pedestrian ramps, curb and gutter, and upgraded sidewalks in Council Districts 3, 9, and 10 (201732595). The last regularly scheduled Council meeting within the 30-day review period is on 5-1-17. The Committee approved filing this resolution by consent on 3-21-17.

A motion offered by Councilman López, duly seconded by Councilwoman Kniech, that Resolution 17-0337 be adopted en bloc, carried by the following vote:

Adopted

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

[17-0363](#) A resolution approving and providing for the execution of a proposed contract between the City and County of Denver and the Great Outdoors Colorado (GOCO), concerning the "Go Wild NE Metro Coalition" project and the funding therefor.

Accepts pass-through grant funds to Environmental Learning for Kids for their future education center. The last regularly scheduled Council meeting within the 30-day review period is on 5-1-17. The Committee approved filing this resolution by consent on 3-29-17.

A motion offered by Councilman López, duly seconded by Councilwoman Kniech, that Resolution 17-0363 be adopted en bloc, carried by the following vote:

Adopted

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

Nay: (None) (0)

Safety, Housing, Education & Homelessness Committee

[17-0360](#) A resolution approving a proposed First Amendatory Agreement by and between the City and County of Denver and Shotspotter, Inc., to extend term and increase funds to continue to provide ShotSpotter Flex gunfire location.

Amends a contract with ShotSpotter, Inc. by adding \$123,909 for a new contract total in the amount of \$648,909 and to add two years for a new end date of 12-31-18, to provide the city with ShotSpotter Flex gunfire location, alert and analysis services, and equipment (201525310-01). The last regularly scheduled Council meeting within the 30-day review period is on 5-1-17. The Committee approved filing this resolution by consent on 3-29-17.

A motion offered by Councilman López, duly seconded by Councilwoman Kniech, that Resolution 17-0360 be adopted en bloc, carried by the following vote:

Adopted

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

Nay: (None) (0)

[17-0370](#) A resolution approving the Mayor's appointment to the Regional Emergency Medical and Trauma Council (RETAC).

Approves the Mayoral appointment of Ryan Broughton to the Regional Emergency Medical and Trauma Council (RETAC) for a term effective immediately and expiring 12-31-19, or until a successor is duly appointed. The Committee approved filing this resolution by consent on 3-29-17.

A motion offered by Councilman López, duly seconded by Councilwoman Kniech, that Resolution 17-0370 be adopted en bloc, carried by the following vote:

Adopted

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

Nay: (None) (0)

[17-0408](#) A resolution authorizing and approving the expenditure and payment from the appropriation account designated "liability claims," the sum of Forty Seven Thousand Five Hundred Dollars (\$47,500.00), payable to Civil Rights Litigation Group, PLLC, in full payment and satisfaction of all claims in Case No. 16-cv-02234-RM-STV, in the United States District Court for the District of Colorado.

Settles a claim involving the Denver Police Department. This resolution was approved for filing at the Mayor Council meeting on 4-4-17.

A motion offered by Councilman López, duly seconded by Councilwoman Kniech, that Resolution 17-0408 be adopted en bloc, carried by the following vote:

Adopted

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

Nay: (None) (0)

BILLS FOR INTRODUCTION

Finance & Governance Committee

[17-0367](#) 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.

Revises the Community Rate Salary and Training and Intern Salary schedules for City employees to comply with the State increase in minimum wage for 2017 from \$8.31 per hour to \$9.30 per hour, abolishes certain pay grades and associated ranges, and moves all classes in the Short Range schedule to the Community Rate schedule. The Committee approved filing this bill by consent on 3-28-17.

Council Bill 17-0367 was ordered published on first reading.

Ordered published on first reading

BILLS FOR FINAL CONSIDERATION

Business, Arts, Workforce & Aeronautical Services Committee

[17-0338](#) A bill for an ordinance approving a proposed Fourth Amendment to Intergovernmental Agreement Between the Town of Morrison, Colorado and the City and County of Denver to increase the amount paid by the City for treatment of wastewater discharge for Red Rocks Amphitheatre.

Amends an intergovernmental agreement with the Town of Morrison for a lump-sum payment of \$40,000 (total contract not to exceed \$548,500) for a contract term through 10-31-17 to accommodate the volume and quality of the wastewater through wastewater treatment services for Red Rocks Amphitheater (CE45001-4). The last regularly scheduled Council meeting within the 30-day review period is on 4-24-17. The Committee approved filing this bill by consent on 3-22-17.

A motion offered by Councilman López, duly seconded by Councilwoman Kniech, that Bill 17-0338 be placed upon final consideration and do pass en bloc, carried by the following vote:

Placed upon final consideration and do pass

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

Nay: (None) (0)

Finance & Governance Committee

17-0330 A bill for an ordinance approving the Second Supplemental Infrastructure Funding Agreement between the City and County of Denver and the Denver Urban Renewal Authority relating to Central Park Boulevard Bridge (Phase 2), a fire station, and other infrastructure in Stapleton.

Approves a supplemental infrastructure funding agreement with Denver Urban Renewal Authority (DURA) whereby DURA agrees to repay from future tax increment revenue the City’s 2017 budget allocation of \$8.4 million for the construction of the final span of the Central Park Boulevard Bridge in Council District 8 (FINAN-2017-33342-00). The last regularly scheduled Council meeting within the 30-day review period is on 4-24-17. The Committee approved filing this bill at its meeting on 3-21-17.

A motion offered by Councilman López, duly seconded by Councilwoman Kniech, that Bill 17-0330 be placed upon final consideration and do pass en bloc, carried by the following vote:

Placed upon final consideration and do pass

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

17-0331 A bill for an ordinance approving the Central Park Boulevard Bridge (Phase 2) Funding Agreement between the City and County of Denver and the Park Creek Metropolitan District related to the Central Park Boulevard Bridge (Phase 2) over Sand Creek.

Approves an intergovernmental agreement with the Park Creek Metropolitan District for \$8.4 million for the design and construction of the final span of the Central Park Boulevard Bridge in Council District 8 (FINAN-2017-33343-00). The last regularly scheduled Council meeting within the 30-day review period is on 4-24-17. The Committee approved filing this bill at its meeting on 3-21-17.

A motion offered by Councilman López, duly seconded by Councilwoman Kniech, that Bill 17-0331 be placed upon final consideration and do pass en bloc, carried by the following vote:

Placed upon final consideration and do pass

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

[17-0332](#) A bill for an ordinance approving the DPS/City Post-Election Bond and Mill Levy Agreement between the City and County of Denver and School District No.1 in the City and County of Denver seeking annual appropriations of a portion of the Stapleton tax increment attributable to the DPS 2016 election.

Approves an intergovernmental agreement with Denver Public Schools (DPS) to appropriate annually from 2017-2025 an amount equal to the applicable City Retained Tax (CRT) percentage multiplied by Stapleton tax-increment revenue attributable to the DPS 2016 election for the construction of an additional elementary school in Council District 8 (FINAN-2017-33346-00). The last regularly scheduled Council meeting within the 30-day review period is on 4-24-17. The Committee approved filing this bill at its meeting on 3-21-17.

A motion offered by Councilman López, duly seconded by Councilwoman Kniech, that Bill 17-0332 be placed upon final consideration and do pass en bloc, carried by the following vote:

Placed upon final consideration and do pass

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

[17-0333](#) A bill for an ordinance approving the North Fire Station Reimbursement Agreement between the City and County of Denver, the Denver Urban Renewal Authority, and School District No.1 in the City and County of Denver for funding relating to the design and construction of a fire station in the vicinity of 50th Avenue and Central Park Boulevard in Stapleton.

Approves an agreement with Denver Urban Renewal Authority and Denver Public Schools to reimburse the City for up to \$9.4 million for the development costs of the North Fire Station in Council District 8 (FINAN-2017-33347-00). The last regularly scheduled Council meeting within the 30-day review period is on 4-24-17. The Committee approved filing this bill at its meeting on 3-21-17.

A motion offered by Councilman López, duly seconded by Councilwoman Kniech, that Bill 17-0333 be placed upon final consideration and do pass en bloc, carried by the following vote:

Placed upon final consideration and do pass

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

[17-0340](#) A bill for an ordinance authorizing the purchase of capital equipment from the General Fund.

Approves a \$93,950 capital equipment purchase of a mobile voter service and polling center from SIDI Spaces, LLC to increase access to voter registration services and polling centers for Denver citizens particularly at peak times. The Committee approved filing this bill by consent on 3-21-17.

A motion offered by Councilman López, duly seconded by Councilwoman Kniech, that Bill 17-0340 be placed upon final consideration and do pass en bloc, carried by the following vote:

Placed upon final consideration and do pass

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

Nay: (None) (0)

Safety, Housing, Education & Homelessness Committee

17-0329 A bill for an ordinance approving a proposed Second Amendatory Agreement between the City and County of Denver and the State of Colorado, Colorado Department of Human Services for Denver childcare facility inspections.

Amends an intergovernmental agreement with the State of Colorado by extending the contract term for an additional year through 6-30-18, and adding an additional \$640,642 to the revenue amount for a total of \$1,847,645 for reimbursement for the Department of Environmental Health’s Public Health Inspection Division’s Child Care Facility Inspection Program to provide services related to childcare facility inspections (201521228-02). The last regularly scheduled Council meeting within the 30-day review period is on 4-24-17. The Committee approved filing this bill by consent on 3-22-17.

A motion offered by Councilman López, duly seconded by Councilwoman Kniech, that Bill 17-0329 be placed upon final consideration and do pass en bloc, carried by the following vote:

Placed upon final consideration and do pass

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

Nay: (None) (0)

17-0352 A bill for an ordinance approving a proposed Second Amendatory Agreement between the City and County of Denver and Denver Health and Hospital Authority for Transitional Residential Treatment (TRT) services.

Amends a contract with Denver Health and Hospital Authority (DHHA) by adding one year for a new end date of 8-31-17, and adding \$276,013 for a new contract in the amount of \$552,456.50 to provide up to 13 transitional residential treatment beds to individuals at DHHA's detoxification center, Denver CARES, including individuals with high, undermanaged addiction levels who are repetitive users of costly public services including criminal justice, emergency medical, or mental health services and/or detoxification services (2015-23052-02). The last regularly scheduled Council meeting within the 30-day review period is on 4-24-17. The Committee approved filing this bill by consent on 3-22-17.

A motion offered by Councilman López, duly seconded by Councilwoman Kniech, that Bill 17-0352 be placed upon final consideration and do pass en bloc, carried by the following vote:

Placed upon final consideration and do pass

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

Nay: (None) (0)

RECAP OF BILLS TO BE CALLED OUT

PRE-RECESS ANNOUNCEMENT

RECESS

COUNCIL RECONVENES AND RESUMES ITS REGULAR SESSION

PUBLIC HEARINGS - BILLS FOR FINAL CONSIDERATION

PRE-ADJOURNMENT ANNOUNCEMENT

PENDING

FOR 5-1-17

17-0161 AS AMENDED a bill for an ordinance amending the Denver Zoning Code to revise parking exemptions for pre-existing small zone lots.

Approves a text amendment to the Denver Zoning Code to revise the Pre-Existing Small Zone Lot parking exemption. The Committee approved filing this bill at its meeting on 2-14-17. On 2-27-17, Council held this item in Committee to 3-20-17. Amended 3-20-17 to ensure that the parking exemption is applied for all uses. Some parking requirements are calculated based on gross floor area while others are on number of units and not explicitly for gross floor area, to further clarify the legislative intent of the proposed bill to emphasize the city’s commitment to more comprehensively address transportation demand management strategies in the short term, and to require a Zoning Permit with Informational Notice for all new buildings on Pre-Existing Small Zone Lots that request to use the small lot parking exemption; Enables all expansions to existing buildings to receive the full parking exemption; and clarifies at what point an “existing building” is considered a “new building” for the purposes of applying the small lot parking exemption (i.e., “Voluntary Demolition”). Amended 04-03-17 to reduce the number of stories that will be exempt from providing vehicle parking by one story from the current proposal.

Final Consideration

Required Public Hearing

A motion offered by Councilman López, duly seconded by Councilman Herndon, that Bill 17-0161 be taken out of order. The motion carried by the following vote:

Took out of order

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

A motion offered by Councilman López, duly seconded by Councilwoman Ortega, that Council Bill 17-0161 be placed upon final consideration and do pass, was followed by a motion offered by Councilwoman Susman, duly seconded by Councilman Herndon, that Council Bill 17-0161 be amended. The motion failed by the following vote:

Amended

- Aye: Black, Brooks, Gilmore, Herndon, Kniech, Susman (6)
- Nay: Clark, Espinoza, Flynn, Kashmann, López, New, Ortega (7)

ADJOURN

There being no further business before the City Council, Council President Brooks adjourned the meeting at 6:32 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