

City Council Minutes

Meeting Date: Monday, April 1, 2019 5:30 PM

PLEDGE OF ALLEGIANCE

Council member Espinoza led the Pledge of Allegiance.

ROLL CALL

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

Absent: New (1)

APPROVAL OF THE MINUTES

[19-0312](#) Minutes of Tuesday, March 26, 2019

Council Minutes 19-0312 were approved.

Approved

The minutes of Tuesday, March 26, 2019 were distributed to members of Council. Council President Clark ordered the minutes approved.

COUNCIL ANNOUNCEMENTS

Council members Brooks, Black and Clark offered announcements.

PRESENTATIONS

COMMUNICATIONS

PROCLAMATIONS

[19-0314](#) **Nando "Yeyo" Mondragon and Certified Tattoo Studios, Community Service Appreciation.**

A motion offered by Councilman Espinoza, duly seconded by Councilman Flynn, that Council Proclamation 19-0314 be adopted en bloc, carried by the following vote:

Adopted

Aye: Black, Brooks, Clark, Espinoza, Flynn, Gilmore, Herndon, Kashmann, Kniech, López, Susman (11)

Nay: (None) (0)

Absent: New, Ortega (2)

Aye: Black, Brooks, Clark, Espinoza, Flynn, Gilmore, Herndon, Kashmann, Kniech, López, Susman (11)

Nay: (None) (0)

Absent: New, Ortega (2)

[19-0315](#) **A proclamation honoring Mike Flanagan for his 52 year career in radio.**

A motion offered by Councilman Kashmann, duly seconded by Councilman Flynn, that Council Proclamation 19-0315 be adopted. The motion carried by the following vote:

Adopted

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

Nay: (None) (0)

Absent: New (1)

RESOLUTIONS

Land Use, Transportation & Infrastructure Committee

19-0235 A resolution approving a proposed Purchase Order between the City and County of Denver and Trans-West Inc. to purchase six (6) 2019 street dump trucks.

Approves a purchase order with Trans-West Inc. for \$691,572 for six Freightliner 114 SD cabs and chassis, six Monroe spreader bodies and plows, and six Force America control systems for six dump trucks to support Public Works street maintenance operations, citywide (PO-00056940). The last regularly scheduled Council meeting within the 30-day review period is on 4-22-19. The Committee approved filing this item at its meeting on 3-19-19.

A motion offered by Councilman Espinoza, duly seconded by Councilman Flynn, that Council Resolution 19-0235 be adopted en bloc, carried by the following vote:

Adopted

- Aye: Black, Brooks, Clark, Espinoza, Flynn, Gilmore, Herndon, Kashmann, Kniech, López, Susman (11)
- Nay: (None) (0)
- Absent: New, Ortega (2)

19-0237 A resolution approving a proposed Purchase Order between the City and County of Denver and Front Range Fire Apparatus, Limited to purchase four (4) fire trucks.

Approves a purchase order with Front Range Fire Apparatus for \$2,888,497 for one Pierce Velocity Pumper 750 Truck, two Pierce Velocity Pumper Trucks, and one Pierce Velocity 100 ft. Platform Truck for the Denver Fire Department (PO-00056316). The last regularly scheduled Council meeting within the 30-day review period is on 4-22-19. The Committee approved filing this item at its meeting on 3-19-19.

A motion offered by Councilman Espinoza, duly seconded by Councilman Flynn, that Council Resolution 19-0237 be adopted en bloc, carried by the following vote:

Adopted

- Aye: Black, Brooks, Clark, Espinoza, Flynn, Gilmore, Herndon, Kashmann, Kniech, López, Susman (11)
- Nay: (None) (0)
- Absent: New, Ortega (2)

19-0252 A resolution approving and providing for the execution of a proposed Grant Agreement between the City and County of Denver and State of Colorado Department of Transportation concerning the "FY19 Federal Highway Safety Improvement Program (HSIP) Package 1" and the funding therefor.

Approves a grant agreement with the Colorado Department of Transportation for \$1,000,000 in Federal Highway Safety Improvement Program (HSIP) funds to reconstruct two existing traffic signals located at the North and South intersections of the Yosemite Street and Interstate 225 On/Off ramps in Council District 4 (201948441). The last regularly scheduled Council meeting within the 30-day review period is on 4-22-19. The Committee approved filing this item at its meeting on 3-19-19.

A motion offered by Councilman Espinoza, duly seconded by Councilman Flynn, that Council Resolution 19-0252 be adopted en bloc, carried by the following vote:

Adopted

Aye: Black, Brooks, Clark, Espinoza, Flynn, Gilmore, Herndon, Kashmann, Kniech, López, Susman (11)

Nay: (None) (0)

Absent: New, Ortega (2)

Safety, Housing, Education & Homelessness Committee

19-0238 A resolution approving and providing for the execution of a proposed Grant Agreement between the City and County of Denver and the United States Department of Justice concerning the "FY2018 Innovations in Community-Based Crime Reduction Program" and the funding therefor.

Approves a grant agreement with the Department of Justice for \$999,989 and for three years as part of the Community-Based Crime Reduction program to fund the Westwood Partnership Policing project to reduce the rate of gun violence, motor vehicle theft and other crime in Council District 3 (201846154-00). The last regularly scheduled Council meeting within the 30-day review period is on 4-22-19. The Committee approved filing this item at its meeting on 3-20-19.

A motion offered by Councilman Espinoza, duly seconded by Councilman Flynn, that Council Resolution 19-0238 be adopted en bloc, carried by the following vote:

Adopted

Aye: Black, Brooks, Clark, Espinoza, Flynn, Gilmore, Herndon, Kashmann, Kniech, López, Susman (11)

Nay: (None) (0)

Absent: New, Ortega (2)

[19-0239](#) A resolution approving a proposed Fourth Amendatory Agreement between the City and County of Denver and Shotspotter, Inc. to add an exhibit and increase the compensation for the subscription to the ShotSpotter Flex System.

Amends a contract with ShotSpotter Inc. by adding \$104,250 for a new total of \$2,875,409 to expand the ShotSpotter Flex Gunfire location alert and analysis equipment and service agreement to include additional coverage in the downtown area in Police District 6. No change to contract duration (201525310-04). The last regularly scheduled Council meeting within the 30-day review period is on 4-22-19. The Committee approved filing this item at its meeting on 3-20-19.

A motion offered by Councilman Espinoza, duly seconded by Councilman Flynn, that Council Resolution 19-0239 be adopted en bloc, carried by the following vote:

Adopted

Aye: Black, Brooks, Clark, Espinoza, Flynn, Gilmore, Herndon, Kashmann, Kniech, López, Susman (11)
Nay: (None) (0)
Absent: New, Ortega (2)

[19-0243](#) 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 Department of Housing and Urban Development concerning the "Continuum of Care Spectrum 2019-2020" program and the funding therefor.

Approves a grant agreement with The U.S. Department of Housing and Urban Development (HUD) for \$885,958 and for one year to accept a Continuum of Care Spectrum Grant award to provide support services, project administration, and facilitate rental assistance for chronically homeless individuals, citywide (SOCSV- 2019-48250). The last regularly scheduled Council meeting within the 30-day review period is on 4-22-19. The Committee approved filing this item at its meeting on 3-20-19.

A motion offered by Councilman Espinoza, duly seconded by Councilman Flynn, that Council Resolution 19-0243 be adopted en bloc, carried by the following vote:

Adopted

Aye: Black, Brooks, Clark, Espinoza, Flynn, Gilmore, Herndon, Kashmann, Kniech, López, Susman (11)
Nay: (None) (0)
Absent: New, Ortega (2)

[19-0313](#) **A resolution authorizing and approving the expenditure and payment from the appropriation account designated "liability claims," the total sum of Sixty Thousand Dollars (\$60,000.00), payable to Killmer, Lane & Newman, LLP COLTAF account, in full payment and satisfaction of all claims in Case No. 16-cv-01747-WJM-MJW 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 3-26-19.

A motion offered by Councilman Espinoza, duly seconded by Councilman Flynn, that Council Resolution 19-0313 be adopted en bloc, carried by the following vote:

Adopted

Aye: Black, Brooks, Clark, Espinoza, Flynn, Gilmore, Herndon, Kashmann, Kniech, López, Susman (11)

Nay: (None) (0)

Absent: New, Ortega (2)

BILLS FOR INTRODUCTION

Finance & Governance Committee

[19-0194](#) **A bill for an ordinance adding additional grounds to the city's debarment ordinance in order to further protect the city in its contracting.**

Amends Section 20-77 of the Denver Revised Municipal Code to provide for temporary suspension of contractors by the debarment board and to add additional grounds for debarment to further protect the city in its contracting. The Committee approved filing this item at its meeting on 3-19-19.

Council Bill 19-0194 was ordered published on first reading

Ordered published on first reading

[19-0246](#) **A bill for an ordinance approving the First Amendment to the Amended and Restated Service Plan for Denver International Business Center Metropolitan District No. 1.**

Approves the First Amendment to the Amended and Restated Service Plan for Denver International Business Center Metropolitan District No. 1, located near Tower Road between 64th and 72nd Avenues in Council District 11. The Committee approved filing this item at its meeting on 3-19-19.

Council Bill 19-0246 was ordered published with a future required public hearing on 4-8-19.

Ordered published with a future required public hearing

[19-0253](#) **A bill for an ordinance amending the classification and pay plan for employees in the Career Service to increase minimum wage.**

Amends the Classification and Pay Plan to increase the minimum wage for all eligible city employees to \$13 per hour, effective 7-1-19. The Committee approved filing this item at its meeting on 3-19-19.

Council Bill 19-0253 was ordered published on first reading

Ordered published on first reading

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.

Final Consideration

Required Public Hearing

Council Bill 19-0240 was ordered published with a future required public hearing on 4-29-19.

Ordered published with a future required public hearing

Safety, Housing, Education & Homelessness Committee

[18-1361](#) A bill for an ordinance approving a proposed First Amendment to Intergovernmental Agreement between the City and County of Denver and School District No. 1 in the City and County of Denver and State of Colorado to add exhibits and to increase compensation to provide school resource officers through the Denver Police Department at various Denver Public School locations citywide.

Amends a revenue contract with School District No. 1 in the City and County of Denver (Denver Public Schools) by adding \$703,202.63 for a new total of \$1,292,382.13 for provision by the Denver Police Department of School Resource Officers at various Denver Public School locations citywide. No change to contract duration (201736749-01). The last regularly scheduled Council meeting within the 30-day review period is on 4-22-19. The Committee approved filing this item at its meeting on 11-28-18.

Council Bill 18-1361 was ordered published on first reading

Ordered published on first reading

[19-0241](#) A bill for an ordinance authorizing the purchase of capital equipment from the Denver Police Department Federal Grants Fund.

Approves a one-time capital equipment expenditure for \$129,026.20 to procure one Hamilton MICROLAB STARlet Liquid Handling Robotic Workstation funded by the Forensic DNA Laboratory Efficiency Improvement and Capacity Enhancement program, for improved forensic processing, citywide. The Committee approved filing this item at its meeting on 3-20-19.

Council Bill 19-0241 was ordered published on first reading

Ordered published on first reading

BILLS FOR FINAL CONSIDERATION

Land Use, Transportation & Infrastructure Committee

19-0208 A bill for an ordinance relinquishing the easements established in the Easement, recorded with the Denver Clerk & Recorder at Reception No. 1939499057, Book 5340, pages 155-158; the Easement, recorded with the Denver Clerk & Recorder at Reception No. 2011143786; and, Denargo Market Subdivision Filing No. 2, recorded with the Denver Clerk & Recorder at Reception No. 2012049308, located near the intersection of Denargo Street and Wewatta Way.

Relinquishes three separate easements in their entirety as established in the Highway and Slope Easement in Book 5340, Pages 155 - 158 with Recordation No. 1939499057, the 30-foot storm Easement document with Recordation No. 2011143786, and the Utility easements as reserved in Denargo Market Subdivision Filing No. 2 with Recordation No. 2012049308, respectively, located at Denargo Street and Wewatta Way in Council District 9. The last regularly scheduled Council meeting within the 30-day review period is on 4-15-19. The Committee approved filing this item at its meeting on 3-12-19.

A motion offered by Councilman Espinoza, duly seconded by Councilman Flynn, that Council Bill 19-0208 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, Susman (11)
- Nay: (None) (0)
- Absent: New, Ortega (2)

19-0211 A bill for an ordinance approving the Department of Public Works 2019 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 4-15-19. The Committee approved filing this item at its meeting on 3-12-19.

A motion offered by Councilman Espinoza, duly seconded by Councilman Flynn, that Council Bill 19-0211 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, Susman (11)
- Nay: (None) (0)
- Absent: New, Ortega (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 18-1543, changing the zoning classification for 3700-3746 Gaylord Street and 3701-3749 York Street in Cole; and, a required public hearing on Council Bill 19-0128, changing the zoning classification for 999 Jasmine Street in Montclair. Anyone wishing to speak on these matters must see the Council Secretary to receive a speaker card to fill out and return to her 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

18-1543 A bill for an ordinance changing the zoning classification for 3700-3746 Gaylord Street and 3701-3749 York Street in Cole.

Approves an official map amendment to rezone property from U-RH-2.5 to U-RX-3 and U-RX-5 (urban, row-house to urban, mixed-use), located at 3701-3749 York Street and 3700-3746 Gaylord Street in Council District 9. The Committee approved filing this item at its meeting on 1-29-19.

A motion offered by Councilman Espinoza, duly seconded by Councilwoman Gilmore, that Council Bill 18-1543 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 6:02 p.m., Council President Clark presiding, to hear speakers on Council Bill 18-1543. Sandra Douglas, Juana Gonzalez, Kevin Holwerda-Hommies, Donald Aguon and Jeff Johnsen signed up to speak in favor of the bill. Jesse Parris signed up to speak against the bill. David Roybal signed up to speak neither for nor against the bill. Elizabeth Weigle of Community Planning and Development delivered the staff report.

Aye: Black, Clark, Espinoza, Flynn, Gilmore, Herndon, Kashmann, Kniech, López, Ortega, Susman (11)

Nay: (None) (0)

Absent: New (1)

Abstain: Brooks (1)

19-0128 A bill for an ordinance changing the zoning classification for 999 Jasmine Street in Montclair.

Approves an official map amendment to rezone property from PUD#223 to E-MX-3A (planned development to urban edge, mixed-use), located at 999 Jasmine Street in Council District 5. The Committee approved filing this item at its meeting on 2-19-19.

A motion offered by Councilman Espinoza, duly seconded by Councilman Herndon, that Council Bill 19-0128 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 6:51 p.m., Council President Clark presiding, to hear speakers on Council Bill 19-0128. Paul Wilkinson 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, Ortega, Susman (12)
Nay: (None) (0)
Absent: New (1)

PRE-ADJOURNMENT ANNOUNCEMENT

Council President Clark announced that on Monday, April 8, 2019, Council will hold a required public hearing on Council Bill 19-0246, approving the first amendment to the amended and restated service plan for Denver International Business Center Metropolitan District No. 1; and, dependent upon publication, on Monday, April 29, 2019, Council will hold a required public hearing on Council Bill 19-0240, changing the zoning classification for 10 S. Colorado Boulevard in Hilltop. Any protests against Council Bill 19-0240, must be filed with the Council Offices no later than noon on April 22, 2019.

ADJOURN

There being no further business before the City Council, Council President Clark adjourned the meeting at 6:59 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