

City Council Minutes

Meeting Date: Monday, April 22, 2019 5:30 PM

PLEDGE OF ALLEGIANCE

Council member Susman led the Pledge of Allegiance.

ROLL CALL

Council member Herndon arrived late.

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

Absent: Ortega (1)

APPROVAL OF THE MINUTES

[19-0393](#) Minutes of Monday, April 15, 2019

Council Minutes 19-0393 were approved.

Approved

The minutes of Monday, April 15, 2019, were distributed to members of Council. Council President Clark ordered the minutes approved.

COUNCIL ANNOUNCEMENTS

Council members Flynn, Kashmann, Lopez and Brooks offered announcements.

PRESENTATIONS

COMMUNICATIONS

PROCLAMATIONS

[19-0395](#) A proclamation honoring the 49th Anniversary of Earth Day.

A motion offered by Councilman Kashmann, duly seconded by Councilwoman Gilmore, that Council Proclamation 19-0395 be adopted. The motion carried by the following vote:

Adopted

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

Nay: (None) (0)

Absent: Ortega (1)

Block Vote

A motion offered by Councilwoman Susman, duly seconded by Councilman Flynn, 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, Susman (12)

Nay: (None) (0)

Absent: Ortega (1)

[19-0421](#) A proclamation honoring the 300th Month Anniversary of Nippon Kan's tradition of serving meals to those in need in the Denver Community.

A motion offered by Councilwoman Susman, duly seconded by Councilman Flynn, that Council Proclamation 19-0421 be adopted en bloc, carried by the following vote:

Adopted

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

RESOLUTIONS

Business, Arts, Workforce, & Aviation Services Committee

[19-0334](#) **A resolution approving a proposed Agreement between the City and County of Denver and Interstate Highway Construction, Inc. concerning the rehabilitation of runway 17R-35L complex at Denver International Airport.**

Approves a contract with Interstate Highway Construction, Inc. for \$21,542,256.01 and for 103 days for the rehabilitation of the Runway 17R-35L complex, including the rehabilitation of runway pavement, upgrading the airfield lighting system, refreshing the surface painted pavement markings, and addressing any surface drainage and slope, at Denver International Airport (201846271-00). 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 4-10-19.

A motion offered by Councilwoman Susman, duly seconded by Councilman Flynn, that Council Resolution 19-0334 be adopted en bloc, carried by the following vote:

Adopted

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

Finance & Governance Committee

[19-0327](#) **A resolution approving the proposed purchase by the City and County of Denver including DEN of insurance policies through Willis of Minnesota, Inc., Arthur J. Gallagher Risk Management Services, Inc., FM Global and Huntington T. Block Insurance Agency, Inc. in an amount not to exceed \$5,135,650.**

Authorizes the annual renewal of the City's property and liability insurance policies renewing 05-01-19 with a total premium for all policies not to exceed \$5,135,650 (Willis - FINAN-201419401; Arthur J. Gallagher - FINAN-201419402; Huntington T. Block - FINAN-201415384-02). 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 Councilwoman Susman, duly seconded by Councilman Flynn, that Council Resolution 19-0327 be adopted en bloc, carried by the following vote:

Adopted

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

Nay: (None) (0)

Absent: Ortega (1)

19-0332 A resolution approving the Mayor’s appointment and reappointment to the Santa Fe Business Improvement District Board of Directors.

Approves the Mayoral appointment of Susan Taub, and the Mayoral reappointment of Lindi Sinton, to the Santa Fe Business Improvement District Board of Directors for terms effective immediately and expiring 12-31-2021, or until a successor is duly appointed. The Committee approved filing this resolution by consent on 4-9-19.

A motion offered by Councilwoman Susman, duly seconded by Councilman Flynn, that Council Resolution 19-0332 be adopted en bloc, carried by the following vote:

Adopted

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

Nay: (None) (0)

Absent: Ortega (1)

19-0333 A resolution approving the Mayor’s appointment to the Mayor’s Housing Advisory Committee.

Approves the Mayoral appointment of Jessica Dominguez to the Mayor’s Housing Advisory Committee for a term effective immediately and expiring 12-31-2020, or until a successor is duly appointed. The Committee approved filing this resolution by consent on 4-9-19.

A motion offered by Councilwoman Susman, duly seconded by Councilman Flynn, that Council Resolution 19-0333 be adopted en bloc, carried by the following vote:

Adopted

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

Nay: (None) (0)

Absent: Ortega (1)

Land Use, Transportation & Infrastructure Committee

19-0209 A resolution approving a Contract between the City and County of Denver and Jacobs Investments, LLC dba Colorado Boring Co. to improve the signal system control at multiple intersections across the city and other services in Council Districts 4,5,6,8 and 11.

Approves a contract with Jacobs Investments, LLC, doing business as Colorado Boring Co. for \$718,144 and for eight months to improve the signal system control at multiple intersections across the city by furnishing and installing system software and equipment, signal equipment, communication devices, and communication media, in Council Districts 4,5,6,8 and 11 (201846136). 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 3-12-19.

A motion offered by Councilwoman Susman, duly seconded by Councilman Flynn, that Council Resolution 19-0209 be adopted en bloc, carried by the following vote:

Adopted

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

Nay: (None) (0)

Absent: Ortega (1)

[19-0330](#) A resolution laying out, opening and establishing as part of the City street system parcels of land as South Delaware Street and a public alley located near the intersection of South Delaware Street and West Iliff Avenue.

Dedicates parcels of land as public right of way as South Delaware Street and public alley, located near the intersection of South Delaware Street and West Iliff Avenue in Council District 7. The Committee approved filing this item at its meeting on 4-9-19.

A motion offered by Councilwoman Susman, duly seconded by Councilman Flynn, that Council Resolution 19-0330 be adopted en bloc, carried by the following vote:

Adopted

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

Nay: (None) (0)

Absent: Ortega (1)

BILLS FOR INTRODUCTION

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.

Council Bill 19-0287 was ordered published on first reading

Ordered published on first reading

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.

Council Bill 19-0335 was ordered published on first reading

Ordered published on first reading

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.

Council Bill 19-0192 was ordered published on first reading

Ordered published on first reading

[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.

Council Bill 19-0328 was ordered published on first reading

Ordered published on first reading

[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.

Council Bill 19-0329 was ordered published on first reading

Ordered published on first reading

[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.

Council Bill 19-0344 was ordered published with a future required public hearing on 4-29-19

Ordered published with a future required public hearing

BILLS FOR FINAL CONSIDERATION

City Council - Direct Files

[19-0349](#) A bill for an ordinance concerning designated consumption area setback requirements.

Designated consumption areas will be permitted to operate at least 1000 feet from of a school, 500 feet of a Child Care Establishment, 500 feet of a alcohol or drug treatment facility; 500 feet of a city-owned recreation center or city-owned outdoor pool. Council member Black approved direct filing this item on 4-11-19.

A motion offered by Councilwoman Susman, duly seconded by Councilman Kashmann, that Council Bill 19-0349 be placed upon final consideration and do pass. The motion failed by the following vote:

Placed upon final consideration and do pass

Aye: Black, Brooks, Clark, Kashmann, Kniech, López, Susman (7)

Nay: Espinoza, Flynn, Gilmore, Herndon, New (5)

Absent: Ortega (1)

Land Use, Transportation & Infrastructure Committee

19-0212 A bill for an ordinance approving a proposed Amendment to Agreement between the City and County of Denver and Urban Drainage and Flood Control District for drainage and flood control improvements along Sanderson Gulch.

Amends an intergovernmental agreement with Urban Drainage and Flood Control District (UDFCD) by adding \$1,650,000 in UDFCD funds for a new total agreement amount of \$18,922,032 for drainage and flood control improvements along Sanderson Gulch, from Lipan Street to the South Platte River, in Council District 7. No additional city funds being added and no change to agreement duration (201523631). The last regularly scheduled Council meeting within the 30-day review period is on 5-6-19. The Committee approved filing this item at its meeting on 3-12-19.

A motion offered by Councilwoman Susman, duly seconded by Councilman Flynn, that Council Bill 19-0212 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, Susman (12)

Nay: (None) (0)

Absent: Ortega (1)

19-0299 A bill for an ordinance approving the purchase of capital equipment from the Planned Fleet Special Revenue Fund.

Approves a one-time capital equipment expenditure for \$61,477 for one Bobcat Skid-Steer Loader in place of a Ford F350 Truck that was authorized in the 2019 Long Bill, to support citywide Public Works street maintenance operations. The Committee approved filing this item at its meeting on 4-2-19.

A motion offered by Councilwoman Susman, duly seconded by Councilman Flynn, that Council Bill 19-0299 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, Susman (12)

Nay: (None) (0)

Absent: Ortega (1)

[19-0306](#) A bill for an ordinance relinquishing an easement reserved in Ordinance No. 107, Series of 1967, recorded with Denver Clerk & Recorder at Reception No. 1967055976, located at 19th Avenue and Park Avenue.

Relinquishes the easement, in its entirety, as reserved in Vacating Ordinance No. 107, Series of 1967, under Recordation No. 1967055976, located at 19th Avenue and Park Avenue in Council District 9. The last regularly scheduled Council meeting within the 30-day review period is on 5-6-19. The Committee approved filing this item at its meeting on 4-2-19.

A motion offered by Councilwoman Susman, duly seconded by Councilman Flynn, that Council Bill 19-0306 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, Susman (12)

Nay: (None) (0)

Absent: Ortega (1)

Safety, Housing, Education & Homelessness Committee

[19-0307](#) A bill for an ordinance amending Article II of Chapter 37, Public Nuisance Offenses, by updating certain ordinance and statute references, and amending Article III of Chapter 37, Civil Abatement of Public Nuisances, by revising certain provisions concerning the procedure to be followed in nuisance abatement proceedings.

Amends Chapter 37 of the Denver Revised Municipal Code to revise certain nuisance abatement proceedings and update certain related ordinance and statute references. The Committee approved filing this item at its meeting on 4-3-19.

A motion offered by Councilwoman Susman, duly seconded by Councilman Flynn, that Council Bill 19-0307 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, Susman (12)

Nay: (None) (0)

Absent: Ortega (1)

RECAP OF BILLS TO BE CALLED OUT

PRE-RECESS ANNOUNCEMENT

Council President Clark announced that tonight there will be a combined public hearing on Council Bill 19-0302, approving and accepting Comprehensive Plan 2040, as the City’s Comprehensive Plan for the City and County of Denver; and, Council Bill 19-0303, approving and accepting Blueprint Denver: A Blueprint for an Inclusive City, which plan shall become a part of the Comprehensive Plan 2040 for the City and County of Denver. Anyone wishing to speak on any of these matters must see the Council Secretary to sign up during the recess of Council.

RECESS

Council took a recess.

COUNCIL RECONVENES AND RESUMES ITS REGULAR SESSION

COURTESY PUBLIC HEARINGS - BILLS FOR FINAL CONSIDERATION

Land Use, Transportation & Infrastructure Committee

[19-0302](#) A bill for an ordinance approving and accepting Comprehensive Plan 2040, as the City’s Comprehensive Plan for the City and County of Denver.

Adopts Comprehensive Plan 2040 as the city’s required comprehensive planning document to express the city’s vision for the future. The Committee approved filing this item at its meeting on 4-2-19.

A motion offered by Councilwoman Susman, duly seconded by Councilwoman Gilmore, that Council Bill 19-0302 be placed upon final consideration and do pass was followed by a motion offered by Councilman Kashmann, duly seconded by Councilwoman Gilmore, that Council Bill 19-0302 be amended to change the Clerk's reference number to the filed Comprehensive Plan to allow for inserting a sentence on Page 51 of the Comprehensive Plan, under the enviornmenally resilient introduction. The motion to amend carried by the following vote:

Amended

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

A motion offered by Councilwoman Susman, duly seconded by Councilman Herndon, that Council Bill 19-0302 be placed upon final consideration and do pass as amended. The motion carried by the following vote:

Placed upon final consideration and do pass as amended

Council sat as a Committee of the Whole, commencing at 6:26 p.m., Council President Clark presiding, to hear speakers on Council Bill 19-0302 and Council Bill 19-0303. Kimball Crangle, Joel Noble, Chris Spelke, Gabriel Guillaume, Logan Meyer, Ken Schroepfel, Fred Glick, Parry Burnap, Kyle Lacey, Pam Giner, Steven Schwedt, David Nye, Dmitrii Zavorotny, David Schultz, James Waddell, Darrell Watson, Will Kralovec, Jeff Hopfenbeck, Piep Van Heuven, Naomi Amaha Gollnick, Leslie Twarogowski, John Riecke, Teresa St Peter, Ryan Keeney, Adam Estroff, Jeff Walker, Alison Torvik, John Desmond, Brad Buchanan, Heather Noyes Gregg, Angelle Fother, Jesse Adkins, Carson Rohrbaugh, Rebecca Alexis, Mathew Krick, Margie Valdez, Jeff Baker and Steven Chester signed up to speak in favor of the bills. Terrence Ware, Christine O’connor, Loretta Koehler, Sarah O. McCarthy, Charlotte Winzenburg, Sherri Way, Charlie Busch and Jesse Parris signed up to speak in opposition of the bills. Sarah Showalter and David Gaspers of Community Planning and Development delivered the staff reports.

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

Nay: Flynn (1)

Absent: Ortega (1)

19-0303 A bill for an ordinance approving and accepting Blueprint Denver: A Blueprint for an Inclusive City, which plan shall become a part of the Comprehensive Plan 2040 for the City and County of Denver pursuant to the provisions of Section 12-61 of the Denver Revised Municipal Code.

Adopts Blueprint Denver, as part of the city’s Comprehensive Plan. The Committee approved filing this item at its meeting on 4-2-19.

A motion offered by Councilwoman Susman, duly seconded by Councilman Herndon, that Council Bill 19-0303 be placed upon final consideration and do pass was followed by a motion offered by Councilman Kashmann, duly seconded by Councilman Herndon, that Council Bill 19-0303 be amended to change the Clerk’s reference number to the filed Blueprint Denver to allow for inserting a sentence on Page 27 of Blueprint Denver, under the vision introduction. The motion to amend carried by the following vote:

Amended

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

Nay: (None) (0)

Absent: Ortega (1)

A motion offered by Councilwoman Susman, duly seconded by Councilman Herndon, that Council Bill 19-0303 be placed upon final consideration and do pass as amended. The motion carried by the following vote:

Placed upon final consideration and do pass as amended

Council sat as a Committee of the Whole, commencing at 6:26 p.m., Council President Clark presiding, to hear speakers on Council Bill 19-0302 and Council Bill 19-0303. Kimball Crangle, Joel Noble, Chris Spelke, Gabriel Guillaume, Logan Meyer, Ken Schroepel, Fred Glick, Parry Burnap, Kyle Lacey, Pam Giner, Steven Schwedt, David Nye, Dmitrii Zavorotny, David Schultz, James Waddell, Darrell Watson, Will Kralovec, Jeff Hopfenbeck, Piep Van Heuven, Naomi Amaha Gollnick, Leslie Twarogowski, John Riecke, Teresa St Peter, Ryan Keeney, Adam Estroff, Jeff Walker, Alison Torvik, John Desmond, Brad Buchanan, Heather Noyes Gregg, Angelle Fother, Jesse Adkins, Carson Rohrbaugh, Rebecca Alexis, Mathew Krick, Margie Valdez, Jeff Baker and Steven Chester signed up to speak in favor of the bills. Terrence Ware, Christine O’connor, Loretta Koehler, Sarah O. McCarthy, Charlotte Winzenburg, Sherri Way, Charlie Busch and Jesse Parris signed up to speak in opposition of the bills. Sarah Showalter and David Gaspers of Community Planning and Development delivered the staff reports.

Aye: Black, Brooks, Clark, Gilmore, Herndon, Kashmann, Kniech, López, New, Susman (10)

Nay: Espinoza, Flynn (2)

Absent: Ortega (1)

PRE-ADJOURNMENT ANNOUNCEMENT

Council President Clark announced that dependent upon publication, on Monday, April 29, 2019, Council will hold a required public hearing on Council Bill 19-0344, designating 4150 East Shangri La Drive, Cableland, as a structure for preservation.

ADJOURN

There being no further business before the City Council, Council President Clark adjourned the meeting at 10:24 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