

City Council Minutes

Meeting Date: Monday, May 20, 2019 5:30 PM

PLEDGE OF ALLEGIANCE

Council member Flynn led the Pledge of Allegiance.

ROLL CALL

Council member Ortega arrived late.

Present: Black, Brooks, Clark, Espinoza, Flynn, Gilmore, Kashmann,
López, New, Ortega, Susman (11)

Absent: Herndon, Kniech (2)

APPROVAL OF THE MINUTES

The minutes of Monday, May 13, 2019 were distributed to members of Council. Council President Clark ordered the minutes approved.

[19-0495](#) Minutes of Monday, May 13, 2019

Council Minutes 19-0495 were approved

Approved

COUNCIL ANNOUNCEMENTS

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

PRESENTATIONS

COMMUNICATIONS

PROCLAMATIONS

[19-0496](#) **A proclamation designating May 19th through May 25th as "Public Works Week in Denver" and congratulating the Denver Public Works fifteen Employees of the Year for 2018**

A motion offered by Councilwoman Susman, duly seconded by Councilman Flynn, that Council Proclamation 19-0496 be adopted. The motion carried by the following vote:

Adopted

Aye: Black, Brooks, Clark, Espinoza, Flynn, Gilmore, Kashmann,
López, New, Ortega, Susman (11)

Nay: (None) (0)

Absent: Herndon, Kniech (2)

[19-0500](#) **A proclamation honoring Bob McCormick**

A motion offered by Councilman Espinoza, duly seconded by Councilwoman Gilmore, that Council Proclamation 19-0500 be adopted. The motion carried by the following vote:

Adopted

Aye: Black, Brooks, Clark, Espinoza, Flynn, Gilmore, Kashmann,
López, New, Ortega (10)

Nay: (None) (0)

Absent: Herndon, Kniech, Susman (3)

BLOCK VOTE

A motion offered by Councilwoman Ortega, 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, Brooks, Clark, Espinoza, Flynn, Gilmore, Kashmann,
López, New, Ortega, Susman (11)
Nay: (None) (0)
Absent: Herndon, Kniech (2)

RESOLUTIONS

Business, Arts, Workforce, & Aviation Services Committee

19-0434 A resolution approving a proposed Agreement between the City and County of Denver and Frontier Airlines Inc. concerning a hangar lease agreement at Denver International Airport.

Approves a lease agreement with Frontier Airlines Inc. for rates and charges and for ten years with two optional five-year extensions, for the use of a hangar at Denver International Airport (201948113). The last regularly scheduled Council meeting within the 30-day review period is on 6-10-19. The Committee approved filing this item at its meeting on 5-8-19.

A motion offered by Councilwoman Ortega, duly seconded by Councilwoman Gilmore, that Council Resolution 19-0434 be adopted en bloc, carried by the following vote:

Adopted

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

Finance & Governance Committee

19-0433 A resolution approving a proposed Third Amendatory Agreement between the City and County of Denver and The Greenway Foundation to update the Consult Rate Schedule, extend the Term and increase the Maximum Contract Amount.

Amends an on-call contract with The Greenway Foundation by adding \$200,000 for a new total of \$1,189,000 and two years for a new end date of 12-31-21 for advisory services to the city, including advocacy, fundraising and environmental education programs related to the South Platte River and its tributaries (FINAN-201415058). The last regularly scheduled Council meeting within the 30-day review period is on 6-10-19. The Committee approved filing this item at its meeting on 5-7-19.

A motion offered by Councilwoman Ortega, duly seconded by Councilwoman Gilmore, that Council Resolution 19-0433 be adopted en bloc, carried by the following vote:

Adopted

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

19-0435 A resolution approving a proposed Purchase Order between the City and County of Denver and Astec, Inc. for the purchase, delivery and installation of three (3) new asphalt containment silos for the City's Asphalt Plant.

Approves a purchase order with Astec Industries for \$1,841,820 for three asphalt containment silos to support and enhance the current capabilities of the city's asphalt plant located at 5440 Roslyn Street in Council District 8 (PO-00064047). The last regularly scheduled Council meeting within the 30-day review period is on 6-10-19. The Committee approved filing this item at its meeting on 5-7-19.

A motion offered by Councilwoman Ortega, duly seconded by Councilwoman Gilmore, that Council Resolution 19-0435 be adopted en bloc, carried by the following vote:

Adopted

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

Land Use, Transportation & Infrastructure Committee

19-0430 A resolution laying out, opening and establishing as part of the City street system parcels of land as a public alley bounded by North Broadway, West 1st Avenue, North Acoma Street and West 2nd Avenue.

Dedicates a parcel of land as public right of way as public alley, located at the alley bounded by North Broadway, West 1st Avenue, North Acoma Street and West 2nd Avenue in Council District 7. The Committee approved filing this item at its meeting on 5-7-19.

A motion offered by Councilwoman Ortega, duly seconded by Councilwoman Gilmore, that Council Resolution 19-0430 be adopted en bloc, carried by the following vote:

Adopted

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

19-0431 A resolution laying out, opening and establishing as part of the City street system a parcel of land as a public alley bounded by North Elati Street, West Ellsworth Avenue, North Fox Street and West 1st Avenue.

Dedicates a parcel of land as public right of way as public alley, located in the alley bounded by North Elati Street, West Ellsworth Avenue, North Fox Street and West 1st Avenue in Council District 7. The Committee approved filing this item at its meeting on 5-7-19.

A motion offered by Councilwoman Ortega, duly seconded by Councilwoman Gilmore, that Council Resolution 19-0431 be adopted en bloc, carried by the following vote:

Adopted

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

Absent: Herndon, Kniech (2)

[19-0432](#) A resolution laying out, opening and establishing as part of the City street system a parcel of land as South Cherokee Street at South Cherokee Street and West Alameda Avenue.

Dedicates a parcel of land as public right of way as South Cherokee Street, located at the intersection of South Cherokee Street and West Alameda Avenue in Council District 7. The Committee approved filing this item at its meeting on 5-7-19.

A motion offered by Councilwoman Ortega, duly seconded by Councilwoman Gilmore, that Council Resolution 19-0432 be adopted en bloc, carried by the following vote:

Adopted

Aye: Black, Brooks, Clark, Espinoza, Flynn, Gilmore, Kashmann, López, New, Ortega, Susman (11)

Nay: (None) (0)

Absent: Herndon, Kniech (2)

Safety, Housing, Education & Homelessness Committee

[19-0357](#) A resolution approving a proposed Agreement between the City and County of Denver and Volunteers of America of Colorado for Head Start Services for Program Year 2019-2020.

Approves a contract with Volunteers of America for \$527,223 and through 06-30-20 to provide direct Head Start services to 80 children, in Council Districts 1, 2, 3, and 7 (201948402). The last regularly scheduled Council meeting within the 30-day review period is on 6-10-19. The Committee approved filing this item at its meeting on 4-17-19.

A motion offered by Councilwoman Ortega, duly seconded by Councilwoman Gilmore, that Council Resolution 19-0357 be adopted en bloc, carried by the following vote:

Adopted

Aye: Black, Brooks, Clark, Espinoza, Flynn, Gilmore, Kashmann, López, New, Ortega, Susman (11)

Nay: (None) (0)

Absent: Herndon, Kniech (2)

BILLS FOR INTRODUCTION

Land Use, Transportation & Infrastructure Committee

[19-0337](#) 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 to add additional funds for the Marston Lake North Drainageway Project.

Amends an intergovernmental agreement with Urban Drainage and Flood Control District (UDFCD) by adding \$250,790 of City funds for a new total of \$3,600,790, to remove properties from the regulated floodplain associated with the Marston Lake North Drainageway Improvements Project from South Garrison Street to the Eastern Limit of West Stanford Avenue in Council District 2. No change to agreement duration (201313021-04). The last regularly scheduled Council meeting within the 30-day review period is on 6-10-19. The Committee approved filing this item at its meeting on 4-9-19.

Council Bill 19-0337 was ordered published on first reading

Ordered published on first reading

[19-0401](#) A bill for an ordinance changing the zoning classification for the area bounded by 17th Avenue, Lowell Boulevard, 16th Avenue, Newton Street & 1570, 1572, 1576, 1578, 1580, 1584, 1586, 1590, 1592 Meade Street in West Colfax.

Approves an official map amendment to rezone properties from PUD 8, U-TU-C to PUD-G, U-TU-C, (planned development to urban, two-unit) for the properties located at the block bounded by Newton Street, 17th Avenue, Lowell Boulevard, and 16th Avenue and 1570, 1572, 1576, 1578, 1580, 1584, 1586, 1590, 1592 Meade Street in Council District 3. The Committee approved filing this item at its meeting on 4-30-19.

Council Bill 19-0401 was ordered published with a future required public hearing on 6-24-19

Ordered published with a future required public hearing

[19-0406](#) A bill for an ordinance changing the zoning classification for 1901 S. Navajo Street and 1900 S. Osage Street in College View - South Platte.

Approves an official map amendment to rezone properties from I-MX-3 to I-MX-5, (increases the height limit from 3 to 5 stories) for properties located at 1901 South Navajo Street and 1900 South Osage Street in Council District 7. The Committee approved filing this item at its meeting on 5-7-19.

Council Bill 19-0406 was ordered published with a future required public hearing on 6-24-19

Ordered published with a future required public hearing

19-0407 A bill for an ordinance changing the zoning classification for 7698 Jewell Avenue and 1901 South Ulster Street in Indian Creek.

Approves an official map amendment to rezone properties from S-SU-D and OS-C to OS-C and OS-B (suburban to open space) with Waivers, for properties located at 7698 Jewell Avenue and 1901 South Ulster Street in Council District 6. The Committee approved filing this item at its meeting on 5-7-19.

Council Bill 19-0407 was ordered published with a future required public hearing on 6-17-19

Ordered published with a future required public hearing

Safety, Housing, Education & Homelessness Committee

19-0358 A bill for an ordinance approving a proposed Agreement between the City and County of Denver and School District No. 1 in the City and County of Denver and the State of Colorado, for Head Start Services for Program Year 2019-2020.

Approves an intergovernmental agreement with School District Number One for \$1,981,515 and through 06-30-20 to provide direct Head Start services to 302 children, citywide (201948397). The last regularly scheduled Council meeting within the 30-day review period is on 6-10-19. The Committee approved filing this item at its meeting on 4-17-19.

Council Bill 19-0358 was ordered published on first reading

Ordered published on first reading

BILLS FOR FINAL CONSIDERATION

Finance & Governance Committee

19-0408 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 making multiple pay range adjustments and pay grade changes based upon the annual market study of prevailing wages in the Denver metropolitan area. The Committee approved filing this item at its meeting on 4-30-19.

A motion offered by Councilwoman Ortega, duly seconded by Councilwoman Gilmore, that Council Bill 19-0408 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, Kashmann, López, New, Ortega, Susman (11)

Nay: (None) (0)

Absent: Herndon, Kniech (2)

19-0409 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 Tax Technician Specialist at pay grade V-618, Tax Compliance Specialist at pay grade V-621, Tax Technician Supervisor at pay grade V-810, amends the titles and pay grades of existing classifications of Tax Compliance Agent I, Tax Compliance Agent II and Tax Compliance Supervisor, amends the pay grade of existing classifications of Tax Technician I and Tax Technician II, and abolishes the classifications of Tax Analyst and Treasury Agent. The Committee approved filing this item at its meeting on 4-30-19.

A motion offered by Councilwoman Ortega, duly seconded by Councilwoman Gilmore, that Council Bill 19-0409 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, Kashmann,
López, New, Ortega, Susman (11)
Nay: (None) (0)
Absent: Herndon, Kniech (2)

19-0420 A bill for an ordinance approving a proposed Purchase and Sale Agreement between the City and County of Denver and Diane C Lomonaco, for the purchase of real property located at 1800 North Cherry Street.

Approves a purchase and sale agreement with Diane C. Lomonaco for \$1,000 to sell approximately 320 square feet of vacant land located at 1800 Cherry Street in Council District 8 (FINAN-201947885-00). The last regularly scheduled Council meeting within the 30-day review period is on 6-3-19. The Committee approved filing this item at its meeting on 4-30-19.

A motion offered by Councilwoman Ortega, duly seconded by Councilwoman Gilmore, that Council Bill 19-0420 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, Kashmann,
López, New, Ortega, Susman (11)
Nay: (None) (0)
Absent: Herndon, Kniech (2)

Land Use, Transportation & Infrastructure Committee

19-0399 A bill for an ordinance relinquishing a portion of the easement reserved in Southmoor Park Filing No. Two, recorded with the Denver Clerk & Recorder at Book 25, Pages 45-46, located at South Oneida Way and East Hampden Avenue.

Relinquishes a portion of the utility easement within Lots 3 and 4, Block 2 as recorded in the Southmoor Park Filing No. Two in Book 25, Pages 45 - 46, located at South Oneida Way and East Hampden Avenue in Council District 4. The last regularly scheduled Council meeting within the 30-day review period is on 6-3-19. The Committee approved filing this item at its meeting on 4-30-19.

A motion offered by Councilwoman Ortega, duly seconded by Councilwoman Gilmore, that Council Bill 19-0399 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, Kashmann, López, New, Ortega, Susman (11)
- Nay: (None) (0)
- Absent: Herndon, Kniech (2)

19-0405 A bill for an ordinance relinquishing the easements established in the Deed of Easement recorded with Denver Clerk & Recorder at Reception No. 1977099893, Book 1446, Page 314, located at 2099 Chestnut Place.

Relinquishes the storm sewer utility easement, in its entirety, established in the deed in Book 1446 Page 314, recorded on May 26, 1977, located at 2099 Chestnut Place in Council District 9. The last regularly scheduled Council meeting within the 30-day review period is on 6-3-19. The Committee approved filing this item at its meeting on 4-30-19.

A motion offered by Councilwoman Ortega, duly seconded by Councilwoman Gilmore, that Council Bill 19-0405 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, Kashmann, López, New, Ortega, Susman (11)
- Nay: (None) (0)
- Absent: Herndon, Kniech (2)

19-0410 A bill for an ordinance relinquishing the easement established in the Permanent Non-Exclusive Easement recorded with the Denver Clerk & Recorder at Reception No. 2018045567, located at 3722 and 3770 Walnut Street.

Relinquishes the Permanent Non-Exclusive Easement, in its entirety, as established in the recorded document 2018045567, located at 3722 and 3770 Walnut Street in Council District 9. The last regularly scheduled Council meeting within the 30-day review period is on 6-3-19. The Committee approved filing this item at its meeting on 4-30-19.

A motion offered by Councilwoman Ortega, duly seconded by Councilwoman Gilmore, that Council Bill 19-0410 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, Kashmann, López, New, Ortega, Susman (11)
Nay: (None) (0)
Absent: Herndon, Kniech (2)

19-0414 A bill for an ordinance relinquishing a portion of the easement reserved in Ordinance No. 239, Series of 1956, recorded with Denver Clerk & Recorder at Reception No. 1956041666, located at 2501 South Bellaire Street.

Relinquishes a portion of the utility easement established in the Vacating Ordinance No. 239, Series of 1956 located at 2501 South Bellaire Street in Council District 4. The last regularly scheduled Council meeting within the 30-day review period is on 6-3-19. The Committee approved filing this item at its meeting on 4-30-19.

A motion offered by Councilwoman Ortega, duly seconded by Councilwoman Gilmore, that Council Bill 19-0414 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, Kashmann, López, New, Ortega, Susman (11)
Nay: (None) (0)
Absent: Herndon, Kniech (2)

19-0415 A bill for an ordinance vacating portions of right-of-way bounded by West 28th Avenue, North Decatur Street, North Speer Boulevard and North Clay Street, without reservations.

Vacates portions of the Right of Way on the north and south side of the alley, bounded by West 28th Avenue, North Decatur Street, North Speer Boulevard, and North Clay Street, without reservations, in Council District 1. The Committee approved filing this item at its meeting on 4-30-19.

A motion offered by Councilwoman Ortega, duly seconded by Councilwoman Gilmore, that Council Bill 19-0415 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, Kashmann, López, New, Ortega, Susman (11)
Nay: (None) (0)

Absent: Herndon, Kniech (2)

RECAP OF BILLS TO BE CALLED OUT

PRE-RECESS ANNOUNCEMENT

Council President Clark announced that tonight there will be a courtesy public hearing on Council Bill 19-0424, approving the Game Plan for a Healthy City 2019, which plan shall supplement the Comprehensive Plan 2040 for the City and County of Denver. Anyone wishing to speak on this matter must see the Council Secretary or go online 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

[19-0424](#) **A bill for an ordinance approving the Game Plan for a Healthy City 2019, which plan shall supplement the Comprehensive Plan 2040 for the City and County of Denver.**

Adopts Game Plan for a Healthy City, as part of the city’s Comprehensive Plan. The Committee approved filing this item at its meeting on 4-30-19.

A motion offered by Councilwoman Ortega, duly seconded by Councilwoman Gilmore, that Council Bill 19-0424 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 6:29 p.m., Council President Clark presiding, to hear speakers on Council Bill 19-0424. Florence Navarro, Joel Noble, David Richter, Darrell Watson, Leslie Twarogowski and Andrew Sense signed up to speak in favor of the bill. Chairman Seku signed up in opposition of the bill. Jesse Parris signed up neither for nor against the bill. Laura Morales of Parks and Recreation delivered the staff report.

Aye: Black, Brooks, Clark, Espinoza, Flynn, Gilmore, Kashmann, López, New, Ortega (10)

Nay: (None) (0)

Absent: Herndon, Kniech, Susman (3)

PRE-ADJOURNMENT ANNOUNCEMENT

Council President Clark announced that on Monday, June 17, 2019, Council will hold a required public hearing on Council Bill 19-0407, changing the zoning classification for 7698 Jewell Avenue and 1901 South Ulster Street in Indian Creek. On Monday, June 24, 2019, Council will hold a required public hearing on Council Bill 19-0401, changing the zoning classification for the area bounded by 17th Avenue, Lowell Boulevard, 16th Avenue, Newton Street & 1570, 1572, 1576, 1578, 1580, 1584, 1586, 1590, 1592 Meade Street in West Colfax; and, a required public hearing on Council Bill 19-0406, changing the zoning classification for 1901 S. Navajo Street and 1900 S. Osage Street in College View - South Platte. Any protests against Council Bill 19-0407 must be filed with the Council Offices no later than noon on Monday, June 10, 2019. Any protests against Council Bill 19-0401 or 19-0406, must be filed with the Council Offices no later than noon on Monday, June 17, 2019.

ADJOURN

There being no further business before the City Council, Council President Clark adjourned the meeting at 7:09 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