

City Council Minutes

Meeting Date: Monday, March 07, 2016 5:30 PM

Pledge of Allegiance

Councilman Clark led the Pledge of Allegiance.

Roll Call

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

Absent: Brooks (1)

Councilwoman Ortega arrived late.

Approval of the Minutes

The minutes of meeting date, Monday, February 29, 2016, were distributed to Council. Council President Herndon ordered the minutes approved.

Council Announcements

Council members Kniech, Black, Espinoza, Susman, López, New, and Herndon offered announcements.

Presentations

Communications

Proclamations

CP16-0156 A proclamation congratulating the Denver St. Patrick's Day Parade Committee on the occasion of the 54th Annual Parade on March 12, 2016.

Sponsored by Council members Brooks, Ortega, Herndon, Kashmann, Susman, New, Flynn, López, Espinoza, Gilmore, and Black.

A motion offered by Council President Herndon, duly seconded by Councilman Flynn, that CP16-0156 be adopted, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: Brooks (1)

Abstain: (None) (0)

CP16-0157 A proclamation celebrating the 50th anniversary of Denver Health's Bernard F. Gipson Eastside Family Health Center and Denver Community Health Services.

Sponsored by Council members Brooks, Herndon, Kashmann, Susman, New, Ortega, Flynn, López, Espinoza, Gilmore, and Black.

A motion offered by Council President Herndon, duly seconded by Councilwoman Black, that CP16-0157 be adopted, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: Brooks (1)

Abstain: (None) (0)

CP16-0158 A proclamation in support of National Native HIV/AIDS Awareness Day and National Women and Girls HIV/AIDS Awareness Day.

Sponsored by Council members López, Kashmann, Susman, New, Ortega, Flynn, Espinoza, Kniech, Gilmore, and Black.

A motion offered by Councilman López, duly seconded by Councilman Flynn, that CP16-0158 be adopted, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: Brooks (1)

Abstain: (None) (0)

Resolutions

The Council Secretary read the following resolutions by titles.

Finance & Services

CR16-0116 A resolution approving a proposed Amendatory Agreement between the City and County of Denver and CH2M Hill Engineers, Inc. for an extension of an on-call contract. (FINANCE & SERVICES)

A motion offered by Councilman Clark, duly seconded by Councilwoman Kniech, that CR16-0116, CR16-0103, CR16-0106, CR16-0108, CR16-0109, CR16-0114, CR16-0115, and CR16-0063 be adopted en bloc, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: Brooks (1)

Abstain: (None) (0)

Infrastructure & Culture

CR16-0097 A resolution approving a proposed Second Amendatory Agreement between the City and County of Denver and CH2M Hill Engineers, Inc., for professional architecture and engineering design services relating to Brighton Boulevard (between 29th and 44th Streets) Project. (INFRASTRUCTURE & CULTURE)

A motion offered by Councilman Clark, duly seconded by Councilwoman Kniech, that CR16-0097 be adopted, carried by the following vote:

Passed

For: Black, Clark, Espinoza, Flynn, Gilmore, Herndon, Kashmann, Kniech, López, New, Susman (11)

Against: (None) (0)

Absent: Brooks (1)

Abstain: Ortega (1)

CR16-0103 A resolution approving a proposed Master Purchase Order between the City and County of Denver and A & E Tires, Inc., for tires for City vehicles. (FINANCE & SERVICES)

A motion offered by Councilman Clark, duly seconded by Councilwoman Kniech, that CR16-0116, CR16-0103, CR16-0106, CR16-0108, CR16-0109, CR16-0114, CR16-0115, and CR16-0063 be adopted en bloc, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: Brooks (1)

Abstain: (None) (0)

CR16-0106 A resolution approving a proposed Fifth Amendatory Agreement by and between the City and County of Denver and CenturyLink Communications, LLC f/k/a Qwest Communications Company, LLC to provide maintenance service to the City's 911 phone switches and supporting systems. (FINANCE & SERVICES)

A motion offered by Councilman Clark, duly seconded by Councilwoman Kniech, that CR16-0116, CR16-0103, CR16-0106, CR16-0108, CR16-0109, CR16-0114, CR16-0115, and CR16-0063 be adopted en bloc, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: Brooks (1)

Abstain: (None) (0)

CR16-0108 A resolution granting a revocable permit to Denver Bike Sharing, to encroach into the right-of-way at 2401 Blake Street. (INFRASTRUCTURE & CULTURE)

A motion offered by Councilman Clark, duly seconded by Councilwoman Kniech, that CR16-0116, CR16-0103, CR16-0106, CR16-0108, CR16-0109, CR16-0114, CR16-0115, and CR16-0063 be adopted en bloc, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: Brooks (1)

Abstain: (None) (0)

CR16-0109 A resolution approving a proposed Master Purchase Order between the City and County of Denver and Jebro, Incorporated for the procurement of liquid asphalt for asphalt manufacturing for street paving. (INFRASTRUCTURE & CULTURE)

A motion offered by Councilman Clark, duly seconded by Councilwoman Kniech, that CR16-0116, CR16-0103, CR16-0106, CR16-0108, CR16-0109, CR16-0114, CR16-0115, and CR16-0063 be adopted en bloc, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: Brooks (1)

Abstain: (None) (0)

CR16-0114 A resolution approving an Access & Use Permit Agreement with Regional Rail Partners to facilitate the construction of RTD's Commuter Rail Line in Globeville Landing Park. (INFRASTRUCTURE & CULTURE)

A motion offered by Councilman Clark, duly seconded by Councilwoman Kniech, that CR16-0116, CR16-0103, CR16-0106, CR16-0108, CR16-0109, CR16-0114, CR16-0115, and CR16-0063 be adopted en bloc, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: Brooks (1)

Abstain: (None) (0)

CR16-0115 A resolution approving a First Amendment to Contract Services Agreement with Summit Services, Inc., for the performance of the median area maintenance services. (INFRASTRUCTURE & CULTURE)

A motion offered by Councilman Clark, duly seconded by Councilwoman Kniech, that CR16-0116, CR16-0103, CR16-0106, CR16-0108, CR16-0109, CR16-0114, CR16-0115, and CR16-0063 be adopted en bloc, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: Brooks (1)

Abstain: (None) (0)

Safety & Well-being

CR16-0063 A resolution approving a proposed Third Amendatory Agreement between the City and County of Denver and Mental Health Center of Denver to support the chronically homeless. (SAFETY & WELL-BEING)

A motion offered by Councilman Clark, duly seconded by Councilwoman Kniech, that CR16-0116, CR16-0103, CR16-0106, CR16-0108, CR16-0109, CR16-0114, CR16-0115, and CR16-0063 be adopted en bloc, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: Brooks (1)

Abstain: (None) (0)

Bills for Introduction

The Council Secretary read the following bills by titles. Council President Herndon announced that all other bills on introduction are ordered published.

Finance & Services

CB16-0111 A bill for an ordinance amending Sec. 53-27(b)2, 53-98(b)(2), 53-171(b) and Account Number 97000/282110 of the Revised Municipal Code of the City and County of Denver to implement the results of the election held in the City on November 3, 2015. (FINANCE & SERVICES)

A motion offered by Council President Herndon, duly seconded by Councilman Clark, that CB16-0111, CR16-0120, CB16-0110, CB16-0112, CB16-0113, CB16-0121, and CB16-0122 be ordered published en bloc, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: Brooks (1)

Abstain: (None) (0)

CB16-0120 A bill for an ordinance rescinding budget, transferring cash and making appropriations in the General Fund, General Government, Safety, Culture and Recreation Special Revenue Funds and Capital Improvements and Capital Maintenance Fund of moneys designated by City Council for various projects. (FINANCE & SERVICES)

A motion offered by Council President Herndon, duly seconded by Councilman Clark, that CB16-0111, CR16-0120, CB16-0110, CB16-0112, CB16-0113, CB16-0121, and CB16-0122 be ordered published en bloc, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: Brooks (1)

Abstain: (None) (0)

Governance & Charter Review

CB16-0118 A bill for an ordinance amending the annual salaries of certain appointed charter officers and the chief of police. (GOVERNANCE AND CHARTER REVIEW)

A motion offered by Councilman Clark, duly seconded by Councilwoman Kniech, that CB16-0118 be ordered published, carried by the following vote:

Passed

For: Black, Clark, Flynn, Gilmore, Herndon, Kashmann, Kniech, López, New, Susman (10)

Against: Espinoza, Ortega (2)

Absent: Brooks (1)

Abstain: (None) (0)

Infrastructure & Culture

CB16-0110 A bill for an ordinance approving a proposed Donation Agreement between the City and County of Denver and Adolescent Counseling Exchange providing for the acceptance of donated artwork, "Cesar E. Chavez Bust" by artist Emanuel Martinez for Cesar Chavez Park. (INFRASTRUCTURE & CULTURE)

A motion offered by Council President Herndon, duly seconded by Councilman Clark, that CB16-0111, CR16-0120, CB16-0110, CB16-0112, CB16-0113, CB16-0121, and CB16-0122 be ordered published en bloc, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: Brooks (1)

Abstain: (None) (0)

CB16-0112 A bill for an ordinance relinquishing the easement granted by the Harvey Park Addition Filing No. 3 subdivision plat and accepted by Ordinance No. 172, Series of 1954, bounded by South Patton Court, Evans Avenue, and South Osceola Street. (INFRASTRUCTURE & CULTURE)

A motion offered by Council President Herndon, duly seconded by Councilman Clark, that CB16-0111, CR16-0120, CB16-0110, CB16-0112, CB16-0113, CB16-0121, and CB16-0122 be ordered published en bloc, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: Brooks (1)

Abstain: (None) (0)

CB16-0113 A bill for an ordinance relinquishing the easements reserved in Ordinance No. 15, Series of 1946 and Ordinance No. 339, Series of 2001, at 2980 Huron Street. (INFRASTRUCTURE & CULTURE)

A motion offered by Council President Herndon, duly seconded by Councilman Clark, that CB16-0111, CR16-0120, CB16-0110, CB16-0112, CB16-0113, CB16-0121, and CB16-0122 be ordered published en bloc, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: Brooks (1)

Abstain: (None) (0)

CB16-0121 A bill for an ordinance approving a proposed First Amendment to the Funding Agreement between the City and County of Denver and Friends of Levitt Pavilion Denver, Mortimer & Mimi Levitt Foundation and Levitt Pavilions. (INFRASTRUCTURE & CULTURE)

A motion offered by Council President Herndon, duly seconded by Councilman Clark, that CB16-0111, CR16-0120, CB16-0110, CB16-0112, CB16-0113, CB16-0121, and CB16-0122 be ordered published en bloc, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: Brooks (1)

Abstain: (None) (0)

CB16-0122 A bill for an ordinance approving a proposed Intergovernmental Agreement between the City and County of Denver and the Town of Morrison regarding water supply for Red Rocks Park. (INFRASTRUCTURE & CULTURE)

A motion offered by Council President Herndon, duly seconded by Councilman Clark, that CB16-0111, CR16-0120, CB16-0110, CB16-0112, CB16-0113, CB16-0121, and CB16-0122 be ordered published en bloc, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: Brooks (1)

Abstain: (None) (0)

Recap of Bills to be Called Out

Pre-Recess Announcement

Council President Herndon announced that tonight there will be a required public hearing on CB16-0079, approving Service Plans for the creation of West Globeville Metropolitan District No. 1 and West Globeville Metropolitan District No. 2. Anyone wishing to speak on this matter 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

Finance & Services

CB16-0079 A bill for an ordinance approving Service Plans for the creation of West Globeville Metropolitan District No. 1 and West Globeville Metropolitan District No. 2, relating to the redevelopment project known as the 25/70 Development. (FINANCE & SERVICES)

A motion offered by Councilman Clark, duly seconded by Councilwoman Kniech, that CB16-0079 be placed upon final consideration and do pass, carried by the following vote:

Passed

For: Black, Clark, Flynn, Gilmore, Herndon, Kashmann, Kniech, López, New, Ortega, Susman (11)

Against: (None) (0)

Absent: Brooks, Espinoza (2)

Abstain: (None) (0)

Council sat as a Committee of the Whole commencing at 6:57 PM, Council President Herndon presiding, to hear speakers on CB16-0079. Bradley Neiman, Graham Benes, and Seku signed up to speak in favor of the bill. No speakers signed up to speak in opposition of the bill. Thad Tecza and Nathan Berger signed up to speak neither in favor of nor against the bill. John Karner of the Department of Finance delivered the Staff Report.

Bills for Final Consideration

Business Development

CB16-0053 A bill for an ordinance approving a proposed Purchase Agreement between the City and County of Denver and Paradigm Systems, Inc., related to the sale of a parcel of land at the former Stapleton International Airport. (BUSINESS DEVELOPMENT)

A motion offered by Councilman Clark, duly seconded by Councilwoman Susman, that CB16-0053, CB16-0086, CB16-0078, and CB16-0056 be placed upon final consideration and do pass en bloc, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: Brooks (1)

Abstain: (None) (0)

Governance & Charter Review

CB16-0086 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. (GOVERNANCE & CHARTER REVIEW)

A motion offered by Councilman Clark, duly seconded by Councilwoman Susman, that CB16-0053, CB16-0086, CB16-0078, and CB16-0056 be placed upon final consideration and do pass en bloc, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: Brooks (1)

Abstain: (None) (0)

Infrastructure & Culture

CB16-0078 A bill for an ordinance renaming a portion of Rifle Street to Panasonic Way at Peña Station Filing No. 1. (INFRASTRUCTURE & CULTURE)

A motion offered by Councilman Clark, duly seconded by Councilwoman Susman, that CB16-0053, CB16-0086, CB16-0078, and CB16-0056 be placed upon final consideration and do pass en bloc, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: Brooks (1)

Abstain: (None) (0)

Safety & Well-being

CB16-0056 A bill approving a proposed Second Amendatory Agreement between the City and County of Denver and Denver Health and Hospital Authority to provide transitional residential treatment, case management, and/or traditional outpatient treatment services to chronically homeless individuals who have a history of detoxification use. (SAFETY & WELL-BEING)

A motion offered by Councilman Clark, duly seconded by Councilwoman Susman, that CB16-0053, CB16-0086, CB16-0078, and CB16-0056 be placed upon final consideration and do pass en bloc, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: Brooks (1)

Abstain: (None) (0)

CB16-0092 A bill for an ordinance adopting the 2015 International Building Code, International Energy Conservation Code, International Fire Code, International Fuel Gas Code, International Mechanical Code, International Plumbing Code, International Existing Building Code, and International Residential Code with amendments, together to be known as the Building and Fire Code of the City and County of Denver. (SAFETY & WELL-BEING)

A motion offered by Councilman Clark, duly seconded by Councilwoman Kniech, that CB16-0092 be placed upon final consideration and do pass, was followed by a motion offered by Councilman New, duly seconded by Councilwoman Kniech, that CB16-0092 be amended in the following particulars: on page 1, line 25 strike "February 25," and replace with "March 4,"; and strike "20160067" and replace with "20160067001", carried by the following vote:

Passed

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

Against: (None) (0)

Absent: Brooks (1)

Abstain: (None) (0)

A motion offered by Councilman Clark, duly seconded by Councilwoman Susman, that CB16-0092 be placed upon final consideration and do pass as amended, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: Brooks (1)

Abstain: (None) (0)

Adjourn

There being no further business before the City Council, Council President Herndon adjourned the meeting at 7:32 PM.

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