

City Council Minutes

Meeting Date: Monday, June 27, 2016 5:30 PM

Pledge of Allegiance

Councilman Brooks led the Pledge of Allegiance.

Roll Call

Present: Black, Brooks, Espinoza, Flynn, Gilmore, Herndon, Kashmann, Kniech, López, Ortega, Susman (11)

Absent: Clark, New (2)

Approval of the Minutes

The minutes of Monday, June 20, 2016, were distributed to Council. Council President Herndon ordered the minutes approved.

Council Announcements

Council members Kniech, Gilmore, Kashmann, Ortega, and Herndon offered announcements.

Presentations

Communications

Proclamations

CP16-0481 A proclamation commemorating Justice for Janitors Week June 26th through July 2nd in Denver.

Sponsored by Council members López, Kniech, Flynn, Gilmore, Ortega, Kashmann, Brooks, and Black.

A motion offered by Councilman López, duly seconded by Councilwoman Kniech, that CP16-0481 be adopted, carried by the following vote:

Passed

For: Black, Brooks, Espinoza, Flynn, Gilmore, Herndon, Kashmann, Kniech, López, Ortega, Susman (11)

Against: (None) (0)

Absent: Clark, New (2)

Abstain: (None) (0)

Council members Espinoza and Black asked to be added as a sponsor of CP16-0481.

Resolutions

The Council Secretary read the following resolutions by titles.

Business Development

CR16-0427 A resolution approving a proposed amendment between the City and County of Denver and United Airlines, Inc. concerning the use of space in the Concourse B Tower to control aircraft ramp and gate operations at Denver International Airport. (BUSINESS DEVELOPMENT)

A motion offered by Councilman Brooks, duly seconded by Councilwoman Black, that CR16-0427, CR16-0438, CR16-0440, CR16-0435, CR16-0436, CR16-0401, CR16-0428, CR16-0429, CR16-0434, and CR16-0425 be adopted en bloc, carried by the following vote:

Passed

For: Black, Brooks, Espinoza, Flynn, Gilmore, Herndon, Kashmann, Kniech, López, Ortega, Susman (11)

Against: (None) (0)

Absent: Clark, New (2)

Abstain: (None) (0)

Finance & Services

CR16-0438 A resolution approving a proposed Lease Agreement between the City and County of Denver and Rose Andom Center, Inc. for a resource center to provide services to the victims of domestic violence. (INFRASTRUCTURE & CULTURE)

A motion offered by Councilman Brooks, duly seconded by Councilwoman Black, that CR16-0427, CR16-0438, CR16-0440, CR16-0435, CR16-0436, CR16-0401, CR16-0428, CR16-0429, CR16-0434, and CR16-0425 be adopted en bloc, carried by the following vote:

Passed

For: Black, Brooks, Espinoza, Flynn, Gilmore, Herndon, Kashmann, Kniech, López, Ortega, Susman (11)

Against: (None) (0)

Absent: Clark, New (2)

Abstain: (None) (0)

CR16-0439 A resolution approving a proposed Escrow Agreement between the City and County of Denver and H.C. Peck and Associates, Inc., to process relocation payments within the National Western Center Project. (FINANCE & SERVICES)

A motion offered by Councilwoman Susman, duly seconded by Councilwoman Kniech, that CR16-0439 be adopted, carried by the following vote:

Passed

For: Brooks, Flynn, Gilmore, Herndon, Kashmann, Kniech, Ortega, Susman (8)

Against: (None) (0)

Absent: Clark, López, New (3)

Abstain: Black, Espinoza (2)

CR16-0440 A resolution approving a proposed Second Amendment to Concession Agreement and Revival between the City and County of Denver and HJB Convenience Corporation, d/b/a Russell's for the operation of a retail convenience store in the Webb Municipal Building. (FINANCE & SERVICES)

A motion offered by Councilman Brooks, duly seconded by Councilwoman Black, that CR16-0427, CR16-0438, CR16-0440, CR16-0435, CR16-0436, CR16-0401, CR16-0428, CR16-0429, CR16-0434, and CR16-0425 be adopted en bloc, carried by the following vote:

Passed

For: Black, Brooks, Espinoza, Flynn, Gilmore, Herndon, Kashmann, Kniech, López, Ortega, Susman (11)

Against: (None) (0)

Absent: Clark, New (2)

Abstain: (None) (0)

Governance & Charter Review

CR16-0435 A resolution approving the Mayor's appointments to the Denver Lesbian, Gay, Bisexual, Transgender and Queer Commission. (GOVERNANCE & CHARTER REVIEW)

A motion offered by Councilman Brooks, duly seconded by Councilwoman Black, that CR16-0427, CR16-0438, CR16-0440, CR16-0435, CR16-0436, CR16-0401, CR16-0428, CR16-0429, CR16-0434, and CR16-0425 be adopted en bloc, carried by the following vote:

Passed

For: Black, Brooks, Espinoza, Flynn, Gilmore, Herndon, Kashmann, Kniech, López, Ortega, Susman (11)

Against: (None) (0)

Absent: Clark, New (2)

Abstain: (None) (0)

CR16-0436 A resolution approving the Mayor's reappointments to the Denver Community Corrections Board. (GOVERNANCE & CHARTER REVIEW)

A motion offered by Councilman Brooks, duly seconded by Councilwoman Black, that CR16-0427, CR16-0438, CR16-0440, CR16-0435, CR16-0436, CR16-0401, CR16-0428, CR16-0429, CR16-0434, and CR16-0425 be adopted en bloc, carried by the following vote:

Passed

For: Black, Brooks, Espinoza, Flynn, Gilmore, Herndon, Kashmann, Kniech, López, Ortega, Susman (11)

Against: (None) (0)

Absent: Clark, New (2)

Abstain: (None) (0)

CR16-0437 A resolution approving the Mayor’s reappointments to the Metro Wastewater Reclamation District Board of Directors. (GOVERNANCE & CHARTER REVIEW)

A motion offered by Councilman Brooks, duly seconded by Councilwoman Black, that CR16-0437 be adopted, was followed by a motion offered by Councilwoman Ortega, duly seconded by Councilwoman Kniech, that adoption of CR16-0437 be postponed to the conclusion of the public hearing on CB16-0395 this evening, carried by the following vote:

Passed

For: Black, Brooks, Espinoza, Flynn, Gilmore, Herndon, Kashmann, Kniech, Ortega, Susman (10)

Against: (None) (0)

Absent: Clark, López, New (3)

Abstain: (None) (0)

A motion offered by Councilman Brooks, duly seconded by Councilman Flynn, that CR16-0437 be adopted, carried by the following vote:

Passed

For: Black, Brooks, Espinoza, Flynn, Gilmore, Herndon, Kashmann, Kniech, López, Ortega (10)

Against: (None) (0)

Absent: Clark, New, Susman (3)

Abstain: (None) (0)

Infrastructure & Culture

CR16-0401 A resolution approving a proposed Third Amendatory Agreement between the City and County of Denver and CH2M Hill, Inc. for professional program management services for the Public Infrastructure Improvement Program. (INFRASTRUCTURE & CULTURE)

A motion offered by Councilman Brooks, duly seconded by Councilwoman Black, that CR16-0427, CR16-0438, CR16-0440, CR16-0435, CR16-0436, CR16-0401, CR16-0428, CR16-0429, CR16-0434, and CR16-0425 be adopted en bloc, carried by the following vote:

Passed

For: Black, Brooks, Espinoza, Flynn, Gilmore, Herndon, Kashmann, Kniech, López, Ortega, Susman (11)

Against: (None) (0)

Absent: Clark, New (2)

Abstain: (None) (0)

CR16-0428 A resolution approving a proposed Contract between the City and County of Denver and B & M Construction, Inc., for construction of tenant space at Ellie Caulkins Opera House. (INFRASTRUCTURE & CULTURE)

A motion offered by Councilman Brooks, duly seconded by Councilwoman Black, that CR16-0427, CR16-0438, CR16-0440, CR16-0435, CR16-0436, CR16-0401, CR16-0428, CR16-0429, CR16-0434, and CR16-0425 be adopted en bloc, carried by the following vote:

Passed

For: Black, Brooks, Espinoza, Flynn, Gilmore, Herndon, Kashmann, Kniech, López, Ortega, Susman (11)

Against: (None) (0)

Absent: Clark, New (2)

Abstain: (None) (0)

CR16-0429 A resolution laying out, opening and establishing as part of the City street system a parcel of land as a public alley near the intersection of East 60th Avenue and Tower Road and East 64th Avenue and Tower Road. (INFRASTRUCTURE & CULTURE)

A motion offered by Councilman Brooks, duly seconded by Councilwoman Black, that CR16-0427, CR16-0438, CR16-0440, CR16-0435, CR16-0436, CR16-0401, CR16-0428, CR16-0429, CR16-0434, and CR16-0425 be adopted en bloc, carried by the following vote:

Passed

For: Black, Brooks, Espinoza, Flynn, Gilmore, Herndon, Kashmann, Kniech, López, Ortega, Susman (11)

Against: (None) (0)

Absent: Clark, New (2)

Abstain: (None) (0)

CR16-0434 A resolution granting a revocable permit to Speer & Alcott, LLC, to encroach into the right-of-way at 2785 North Speer Boulevard. (INFRASTRUCTURE & CULTURE)

A motion offered by Councilman Brooks, duly seconded by Councilwoman Black, that CR16-0427, CR16-0438, CR16-0440, CR16-0435, CR16-0436, CR16-0401, CR16-0428, CR16-0429, CR16-0434, and CR16-0425 be adopted en bloc, carried by the following vote:

Passed

For: Black, Brooks, Espinoza, Flynn, Gilmore, Herndon, Kashmann, Kniech, López, Ortega, Susman (11)

Against: (None) (0)

Absent: Clark, New (2)

Abstain: (None) (0)

Safety & Well-being

CR16-0425 A resolution approving a Contract Services Agreement with Marken Enterprises d/b/a Marken PPE Restoration, to provide bunker gear cleaning and repair. (SAFETY & WELL-BEING)

A motion offered by Councilman Brooks, duly seconded by Councilwoman Black, that CR16-0427, CR16-0438, CR16-0440, CR16-0435, CR16-0436, CR16-0401, CR16-0428, CR16-0429, CR16-0434, and CR16-0425 be adopted en bloc, carried by the following vote:

Passed

For: Black, Brooks, Espinoza, Flynn, Gilmore, Herndon, Kashmann, Kniech, López, Ortega, Susman (11)

Against: (None) (0)

Absent: Clark, New (2)

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

CB16-0413 A bill for an ordinance rescinding budget and transferring cash in the General Fund and making appropriations in the Human Services Special Revenue Fund. (INFRASTRUCTURE & CULTURE)

A motion offered by Council President Herndon, duly seconded by Councilman Brooks, that CB16-0413, CB16-0414, CB16-0431, and CB16-0432 be ordered published en bloc, carried by the following vote:

Passed

For: Black, Brooks, Espinoza, Flynn, Gilmore, Herndon, Kashmann, Kniech, Ortega, Susman (10)

Against: (None) (0)

Absent: Clark, López, New (3)

Abstain: (None) (0)

CB16-0414 A bill for an ordinance amending Ordinance No. 156, Series of 2004, concerning establishing the "Drug Strategy Donations" Special Revenue Fund and changing it to "Drug Strategy and Behavioral Health Donations" Special Revenue Fund. (FINANCE & SERVICES)

A motion offered by Council President Herndon, duly seconded by Councilman Brooks, that CB16-0413, CB16-0414, CB16-0431, and CB16-0432 be ordered published en bloc, carried by the following vote:

Passed

For: Black, Brooks, Espinoza, Flynn, Gilmore, Herndon, Kashmann, Kniech, Ortega, Susman (10)

Against: (None) (0)

Absent: Clark, López, New (3)

Abstain: (None) (0)

Governance & Charter Review

CB16-0431 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 Council President Herndon, duly seconded by Councilman Brooks, that CB16-0413, CB16-0414, CB16-0431, and CB16-0432 be ordered published en bloc, carried by the following vote:

Passed

For: Black, Brooks, Espinoza, Flynn, Gilmore, Herndon, Kashmann, Kniech, Ortega, Susman (10)

Against: (None) (0)

Absent: Clark, López, New (3)

Abstain: (None) (0)

CB16-0432 A bill for an Ordinance approving a proposed purchase by the City and County of Denver ("City") of insurance coverage from: Kaiser Foundation Health Plan of Colorado; UnitedHealthcare Insurance Company; Denver Health Medical Plan, Inc.; Delta Dental of Colorado; Standard Insurance Company; Vision Service Plan Insurance Company. (GOVERNANCE AND CHARTER REVIEW)

A motion offered by Council President Herndon, duly seconded by Councilman Brooks, that CB16-0413, CB16-0414, CB16-0431, and CB16-0432 be ordered published en bloc, carried by the following vote:

Passed

For: Black, Brooks, Espinoza, Flynn, Gilmore, Herndon, Kashmann, Kniech, Ortega (9)

Against: (None) (0)

Absent: Clark, López, New, Susman (4)

Abstain: (None) (0)

Bills for Final Consideration

Infrastructure & Culture

CB16-0424 A bill for an ordinance to vacate six (6) inches of sidewalk adjacent to the building at 1601 Wewatta Street along Chestnut Place at 16th Street, without reservations (INFRASTRUCTURE & CULTURE)

A motion offered by Councilman Brooks, duly seconded by Councilwoman Kniech, that CB16-0424 be placed upon final consideration and do pass, carried by the following vote:

Passed

For: Black, Brooks, Flynn, Gilmore, Herndon, Kashmann, Kniech, López, Ortega, Susman (10)

Against: (None) (0)

Absent: Clark, New (2)

Abstain: Espinoza (1)

Recap of Bills to be Called Out

Pre-Recess Announcement

Council President Herndon announced that tonight there will be a required public hearing on Council Bill 277, changing the zoning classification for 3800 Franklin Street; a combined required public hearing on Council Bill 320 and Council Bill 321, regarding multiple properties in the Arapahoe Square Neighborhood; and a required public hearing on Council Bill 395, designating 1899 York Street, the Ghost/Rose House as a structure for preservation. Anyone wishing to speak on any of 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

Neighborhoods & Planning

CB16-0277 A bill for an ordinance changing the zoning classification for 3800 Franklin St. (NEIGHBORHOODS AND PLANNING)

A motion offered by Councilman Brooks, duly seconded by Councilwoman Kniech, that CB16-0277 be placed upon final consideration and do pass, carried by the following vote:

Passed

For: Black, Brooks, Flynn, Gilmore, Herndon, Kashmann, Kniech, López, Ortega, Susman (10)

Against: Espinoza (1)

Absent: Clark, New (2)

Abstain: (None) (0)

Council sat as a Committee of the Whole commencing at 6:38 p.m., Council President Herndon presiding, to hear speakers on CB16-0277. Sam Leger signed up to speak in favor of the bill. No speakers signed up to speak in opposition of the bill. Tim Watkins of Community Planning and Development delivered the Staff Report.

CB16-0320 A bill for an ordinance relating to the Denver Zoning Code, Amending the Provisions of the D-AS-12+ and D-AS-20+ zone districts as well as a new Design Advisory Board for the Arapahoe Square neighborhood. (NEIGHBORHOODS AND PLANNING)

A motion offered by Councilman Brooks, duly seconded by Councilman López, that CB16-0320 be placed upon final consideration and do pass, carried by the following vote:

Passed

For: Black, Brooks, Flynn, Gilmore, Herndon, Kniech, López, Ortega (8)

Against: Kashmann (1)

Absent: Clark, New, Susman (3)

Abstain: Espinoza (1)

A motion offered by Councilman Brooks, duly seconded by Councilwoman Kniech, that CB16-0320 be amended in the following particulars: On page 1, line 27, strike the numbers "0214" and replace with "0214-001" and on line 27, strike the date of "May 24, 2016" and replace with the date of "June 27, 2016", carried by the following vote:

Passed

For: Black, Brooks, Espinoza, Flynn, Gilmore, Herndon, Kniech, López, Ortega (9)

Against: (None) (0)

Absent: Clark, New, Susman (3)

Abstain: Kashmann (1)

A motion offered by Councilman Brooks, duly seconded by Councilwoman Kniech, that CB16-0320 be placed upon final consideration and do pass as amended, carried by the following vote:

Passed

For: Black, Brooks, Flynn, Gilmore, Herndon, Kniech, López, Ortega (8)

Against: Kashmann (1)

Absent: Clark, New, Susman (3)

Abstain: Espinoza (1)

Council sat as a Committee of the Whole commencing at 7:36 p.m., Council President Herndon presiding, to hear speakers on CB16-0320 or CB16-0321. Keith Pryor, Joel Noble, Craig Supplee, Richard Farley, Amy Harmon, Brice Leconte, and John Desmond signed up to speak in favor of the bill. No speakers signed up to speak in opposition of the bill. Abe Barge and Analiese Hoch of Community Planning and Development, and Councilman Brooks delivered the Staff Report.

CB16-0321 A bill for an ordinance changing the zoning classification for multiple properties in the Arapahoe Square Neighborhood. (NEIGHBORHOODS AND PLANNING)

A motion offered by Councilman Brooks, duly seconded by Councilwoman Black, that CB16-0321 be placed upon final consideration and do pass, carried by the following vote:

Passed

For: Black, Brooks, Flynn, Gilmore, Herndon, Kniech, López, Ortega (8)

Against: Kashmann (1)

Absent: Clark, New, Susman (3)

Abstain: Espinoza (1)

CB16-0395 A bill for an ordinance designating 1899 York Street, the Ghost/Rose House, as a structure for preservation. (NEIGHBORHOODS AND PLANNING)

A motion offered by Councilman Brooks, duly seconded by Councilman Flynn, that CB16-0395 be placed upon final consideration and do pass, carried by the following vote:

Passed

For: Black, Brooks, Espinoza, Flynn, Gilmore, Herndon, Kashmann, Kniech, Ortega (9)

Against: (None) (0)

Absent: Clark, López, New, Susman (4)

Abstain: (None) (0)

Council sat as a Committee of the Whole commencing at 9:41 p.m., Council President Herndon presiding, to hear speakers on CB16-0395. Ryan Rose and Becca Dierschow signed up to speak in favor of the bill. No speakers signed up to speak in opposition of the bill. Kara Hahn of Community Planning and Development delivered the Staff Report.

Announcement

Council President Herndon announced that due to the Independence Day holiday, Council will next meet on Monday, July 11, 2016. Have a safe and happy Fourth of July.

Adjourn

President

Attested by me with the Corporate Seal
of the City and County of Denver

Clerk and Recorder, Ex-Officio Clerk