

City Council Minutes

Meeting Date: Monday, July 18, 2016 5:30 PM

Pledge of Allegiance

Roll Call

Present: Black, Clark, Espinoza, Flynn, Gilmore, Herndon, Kashmann, Kniech, López, New, Ortega, Susman (12)
Absent: Brooks (1)

Election of Council President and President Pro Tem

8.1 Election of Officers. At the meeting on the third Monday of July of each year, except when a Council seat is vacant, the order of business shall be:

(a) Election of a President as provided in §3.3.1 of the Charter, who shall hold office until the third Monday of July of the ensuing year, or until a successor is duly elected, whichever is later.

(b) Election of a President Pro Tempore who shall serve without additional compensation and who shall hold office until the third Monday of July of the ensuing year, or until a successor is duly elected, whichever is later.

(c) The election of Council officers shall be conducted as follows:

1. Candidates for the office of President of Council, and of President Pro Tempore, shall be nominated from the floor, separately, before the election for each office.

2. No second to a nomination shall be required.

3. The nominations shall be closed by a declaration by the presiding officer after the presiding officer asks for further nominations and receives no reply.

4. The election for each office shall be in the form of a roll call election in which each member of Council, when called upon, declares his or her vote for a candidate.

5. An eligible person receiving a vote for an office need not have been nominated.

6. No nominee shall be removed from consideration unless he or she withdraws.

7. The candidate receiving at least seven votes for each office will be declared elected to that office by the presiding officer, after the verification by the Council Secretary of the votes cast.

(d) If a Council seat is vacant at the time of the regularly scheduled election, the election for President and President Pro Tempore shall take place at the first regular Council meeting after every seat on the Council is filled.

A motion offered by Councilwoman Black, duly seconded by Councilman Espinoza, that Councilman Brooks be elected to serve as Council President, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: Brooks (1)

Abstain: Espinoza (1)

A motion offered by Councilwoman Black, duly seconded by Councilwoman Susman, that Councilman Clark be elected to serve as Council President Pro-Tem, 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)

Approval of the Minutes

The minutes of meeting date, Monday, July 11, 2016, were distributed to Council. Council President Pro-Tem Clark ordered the minutes approved.

Council Announcements

Council members Flynn, Herndon, Gilmore, Kashmann, Kniech, New, López, and Clark offered announcements.

Presentations

Communications

Proclamations

Resolutions

The Council Secretary read the following resolutions by titles.

Finance & Services

CR16-0447 A resolution approving a proposed Agreement by and between the City and County of Denver and W. J. Dickensheet & Associates, Inc., to provide auctioneering services. (FINANCE & SERVICES)

A motion offered by Councilwoman Black, duly seconded by Councilman Flynn, that CR16-0447, CR16-0471, CR16-0486, CR16-0480, CR16-0484, CR16-0487, CR16-0487, CR16-0500, and CR16-0501 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)

CR16-0471 A resolution to set a public hearing on the Service Plan for one C.R.S. Title 32 metropolitan district: First Creek Village Metropolitan District. (FINANCE & SERVICES)

A motion offered by Councilwoman Black, duly seconded by Councilman Flynn, that CR16-0447, CR16-0471, CR16-0486, CR16-0480, CR16-0484, CR16-0487, CR16-0487, CR16-0500, and CR16-0501 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)

Governance & Charter Review

CR16-0486 A resolution approving the Mayor's appointments to the Advisory Commission on Youth. (GOVERNANCE & CHARTER REVIEW)

A motion offered by Councilwoman Black, duly seconded by Councilman Flynn, that CR16-0447, CR16-0471, CR16-0486, CR16-0480, CR16-0484, CR16-0487, CR16-0487, CR16-0500, and CR16-0501 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

CR16-0480 A resolution approving a proposed Amendatory Agreement between the City and County of Denver and The Greenway Foundation for Professional Services related to the South Platte River. (INFRASTRUCTURE & CULTURE)

A motion offered by Councilwoman Black, duly seconded by Councilman Flynn, that CR16-0447, CR16-0471, CR16-0486, CR16-0480, CR16-0484, CR16-0487, CR16-0487, CR16-0500, and CR16-0501 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)

CR16-0484 A resolution laying out, opening and establishing as part of the City street system a parcel of land as a public alley located near the intersection of South Grant Street and East Mexico Avenue. (INFRASTRUCTURE & CULTURE)

A motion offered by Councilwoman Black, duly seconded by Councilman Flynn, that CR16-0447, CR16-0471, CR16-0486, CR16-0480, CR16-0484, CR16-0487, CR16-0487, CR16-0500, and CR16-0501 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

CR16-0487 A resolution approving a proposed Amendatory Agreement between the City and County of Denver and Griffith Centers for Children, Inc. to provide treatment through the Core Services Program. (SAFETY & WELL-BEING)

A motion offered by Councilwoman Black, duly seconded by Councilman Flynn, that CR16-0447, CR16-0471, CR16-0486, CR16-0480, CR16-0484, CR16-0487, CR16-0487, CR16-0500, and CR16-0501 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)

CR16-0500 A resolution authorizing and approving the expenditure and payment from the appropriation account designated "liability claims," the sum of Twenty-Five Thousand Dollars (\$25,000.00), payable to the Civil Rights Litigation Group, PLLC, in full payment and satisfaction of all claims in Case No. 16-cv-01082-MSK-KMT, in the United States District Court for the District of Colorado. (SAFETY & WELL-BEING)

A motion offered by Councilwoman Black, duly seconded by Councilman Flynn, that CR16-0447, CR16-0471, CR16-0486, CR16-0480, CR16-0484, CR16-0487, CR16-0487, CR16-0500, and CR16-0501 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)

CR16-0501 A resolution authorizing and approving the expenditure and payment from the appropriation account designated "liability claims," the sum of Sixteen Thousand Dollars (\$16,000.00), payable to Niesha Leaks in the amount of Four Thousand Dollars (\$4,000) and to the Law Office of Ralph Lamar in the amount of Twelve Thousand Dollars (\$12,000), in full payment and satisfaction of all claims in Case No. 14-cv-00696-RM-KLM, in the United States District Court for the District of Colorado. (SAFETY & WELL-BEING)

A motion offered by Councilwoman Black, duly seconded by Councilman Flynn, that CR16-0447, CR16-0471, CR16-0486, CR16-0480, CR16-0484, CR16-0487, CR16-0487, CR16-0500, and CR16-0501 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 Final Consideration

Finance & Services

CB16-0470 A bill for an ordinance transferring cash in the Special Trust Fund and making appropriations in the Capital Improvements and Capital Maintenance Fund. (FINANCE & SERVICES)

A motion offered by Councilwoman Black, duly seconded by Councilman Flynn, that CB16-0470, CB16-0444, CB16-0458, and CB16-0478 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

CB16-0444 A bill for an ordinance approving and providing for the execution of a proposed Intergovernmental Agreement between the City and County of Denver and the Colorado Department of Transportation (CDOT) concerning the "High Intensity Activated Cross Walk (HAWK)" project and the funding therefor. (INFRASTRUCTURE & CULTURE)

A motion offered by Councilwoman Black, duly seconded by Councilman Flynn, that CB16-0470, CB16-0444, CB16-0458, and CB16-0478 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)

CB16-0458 A bill for an ordinance modifying paragraphs (6)d and e of section 121 of Chapter 39 of the Revised Municipal Code, relating to fees and charges for rental of facilities at Botanic Gardens and Chatfield. (INFRASTRUCTURE & CULTURE)

A motion offered by Councilwoman Black, duly seconded by Councilman Flynn, that CB16-0470, CB16-0444, CB16-0458, and CB16-0478 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)

CB16-0478 A bill for an ordinance designating certain property as “park” under section 2.4.5 of the City Charter which is to be incorporated into and known as Red Rocks Park, a Denver Mountain Park. (INFRASTRUCTURE & CULTURE)

A motion offered by Councilwoman Black, duly seconded by Councilman Flynn, that CB16-0470, CB16-0444, CB16-0458, and CB16-0478 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)

Recap of Bills to be Called Out

Pre-Recess Announcement

Council President Pro-Tem Clark announced that tonight there will be a one-hour courtesy public hearing on CB16-0443, approving the Westwood Neighborhood Plan. 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

Neighborhoods & Planning

CB16-0443 A bill for an ordinance approving the Westwood Neighborhood Plan, which plan shall become a part of the Comprehensive Plan for the City and County of Denver pursuant to the provisions of Section 12-61 of the Denver Revised Municipal Code. (NEIGHBORHOODS AND PLANNING)

A motion offered by Councilwoman Black, duly seconded by Councilman Flynn, that CB16-0443 be placed upon final consideration and do pass, 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)

Council sat as a Committee of the Whole commencing at 6:22 p.m., Council President Pro-Tem Clark presiding, to hear speakers on CB16-0443. Monique Lovato, Gabriela Medina, Michael Juarez, David López, Luz Martinez, Sayuri Toribio, Norma Brambila, Brandon L., Rachel Cleaves, John Gomez, Ana Claudia Masalhaes, Rachel Prestidge, and Noemi Enriquez signed up to speak in favor of the bill. Christine Hause and Philip Hause signed up to speak in opposition of the bill. Steven Chester of Community Planning and Development delivered the Staff Report.

Adjourn

There being no further business before the City Council, Council President Pro-Tem Clark adjourned the meeting at 8:22 p.m.

President Pro-Tem

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

Clerk and Recorder, Ex-Officio Clerk