

City Council Minutes

Meeting Date: Monday, August 15, 2016 5:30 PM

Pledge of Allegiance

Councilman López led the Pledge of Allegiance.

Roll Call

Present: Black, Brooks, Clark, Gilmore, Herndon, Kniech, López,
New, Susman (9)

Absent: Espinoza, Flynn, Kashmann, Ortega (4)

Approval of the Minutes

The minutes of meeting date, Monday, August 8, 2016, were distributed to Council. Council President Brooks ordered the minutes approved.

Council Announcements

Council members Black, Susman, López, and Brooks offered announcements.

Presentations

Communications

Proclamations

Resolutions

The Council Secretary read the following resolutions by titles.

Business Development

CR16-0556 A resolution approving a proposed First Amendment between the City and County of Denver and Parsons Brinckerhoff, Inc. concerning planning and programming support, design management services, construction management, and other support services for Denver International Airport. (BUSINESS DEVELOPMENT)

A motion offered by Councilman López, duly seconded by Councilwoman Black, that CR16-0556, CR16-0557, CR16-0558, CR16-0559, CR16-0560, CR16-0561, CR16-0555, CR16-0562, CR16-0456 and CR16-0489 be adopted en bloc, carried by the following vote:

Passed

For: Black, Brooks, Clark, Gilmore, Herndon, Kniech, López, New, Susman (9)

Against: (None) (0)

Absent: Espinoza, Flynn, Kashmann, Ortega (4)

Abstain: (None) (0)

CR16-0557 A resolution approving a proposed First Amendment between the City and County of Denver and AECOM Technical Services, Inc. concerning professional, technical and support personnel for quality assurance inspection services for Denver International Airport. (BUSINESS DEVELOPMENT)

A motion offered by Councilman López, duly seconded by Councilwoman Black, that CR16-0556, CR16-0557, CR16-0558, CR16-0559, CR16-0560, CR16-0561, CR16-0555, CR16-0562, CR16-0456 and CR16-0489 be adopted en bloc, carried by the following vote:

Passed

For: Black, Brooks, Clark, Gilmore, Herndon, Kniech, López, New, Susman (9)

Against: (None) (0)

Absent: Espinoza, Flynn, Kashmann, Ortega (4)

Abstain: (None) (0)

CR16-0558 A resolution approving a proposed Agreement between the City and County of Denver and Ricondo & Associates, Inc. concerning the on call professional services for Denver International Airport. (BUSINESS DEVELOPMENT)

A motion offered by Councilman López, duly seconded by Councilwoman Black, that CR16-0556, CR16-0557, CR16-0558, CR16-0559, CR16-0560, CR16-0561, CR16-0555, CR16-0562, CR16-0456 and CR16-0489 be adopted en bloc, carried by the following vote:

Passed

For: Black, Brooks, Clark, Gilmore, Herndon, Kniech, López, New, Susman (9)

Against: (None) (0)

Absent: Espinoza, Flynn, Kashmann, Ortega (4)

Abstain: (None) (0)

CR16-0559 A resolution approving a proposed First Amendment to Agreement, between the City and County of Denver and Logistical Planners, LLC concerning the design, management, support for the baggage system, the Automated Guideway Transportation Systems (AGTS), and the train servicing the airport for Denver International Airport. (BUSINESS DEVELOPMENT)

A motion offered by Councilman López, duly seconded by Councilwoman Black, that CR16-0556, CR16-0557, CR16-0558, CR16-0559, CR16-0560, CR16-0561, CR16-0555, CR16-0562, CR16-0456 and CR16-0489 be adopted en bloc, carried by the following vote:

Passed

For: Black, Brooks, Clark, Gilmore, Herndon, Kniech, López, New, Susman (9)

Against: (None) (0)

Absent: Espinoza, Flynn, Kashmann, Ortega (4)

Abstain: (None) (0)

CR16-0560 A resolution approving a proposed Second Amendment between the City and County of Denver and Brown and Caldwell, Inc. concerning on-call professional environmental, environmental design, and related engineering services for Denver International Airport. (BUSINESS DEVELOPMENT)

A motion offered by Councilman López, duly seconded by Councilwoman Black, that CR16-0556, CR16-0557, CR16-0558, CR16-0559, CR16-0560, CR16-0561, CR16-0555, CR16-0562, CR16-0456 and CR16-0489 be adopted en bloc, carried by the following vote:

Passed

For: Black, Brooks, Clark, Gilmore, Herndon, Kniech, López, New, Susman (9)

Against: (None) (0)

Absent: Espinoza, Flynn, Kashmann, Ortega (4)

Abstain: (None) (0)

CR16-0561 A resolution approving a proposed First Amendment between the City and County of Denver and United Airlines, Inc. f/k/a Continental Airlines, Inc. concerning food and beverage concession at Denver International Airport. (BUSINESS DEVELOPMENT)

A motion offered by Councilman López, duly seconded by Councilwoman Black, that CR16-0556, CR16-0557, CR16-0558, CR16-0559, CR16-0560, CR16-0561, CR16-0555, CR16-0562, CR16-0456 and CR16-0489 be adopted en bloc, carried by the following vote:

Passed

For: Black, Brooks, Clark, Gilmore, Herndon, Kniech, López, New, Susman (9)

Against: (None) (0)

Absent: Espinoza, Flynn, Kashmann, Ortega (4)

Abstain: (None) (0)

Finance & Services

CR16-0555 A resolution to set a public hearing on the Service Plan for a C.R.S. Title 32 metropolitan district: Denver Connection Metropolitan District. (FINANCE & SERVICES)

A motion offered by Councilman López, duly seconded by Councilwoman Black, that CR16-0556, CR16-0557, CR16-0558, CR16-0559, CR16-0560, CR16-0561, CR16-0555, CR16-0562, CR16-0456 and CR16-0489 be adopted en bloc, carried by the following vote:

Passed

For: Black, Brooks, Clark, Gilmore, Herndon, Kniech, López, New, Susman (9)

Against: (None) (0)

Absent: Espinoza, Flynn, Kashmann, Ortega (4)

Abstain: (None) (0)

CR16-0562 A resolution approving a proposed Amendment to a Master Purchase Order between the City and County of Denver and O.J. Watson Company, Inc., for new snow equipment parts for needed repairs and replacement on City snow plowing equipment. (FINANCE & SERVICES)

A motion offered by Councilman López, duly seconded by Councilwoman Black, that CR16-0556, CR16-0557, CR16-0558, CR16-0559, CR16-0560, CR16-0561, CR16-0555, CR16-0562, CR16-0456 and CR16-0489 be adopted en bloc, carried by the following vote:

Passed

For: Black, Brooks, Clark, Gilmore, Herndon, Kniech, López, New, Susman (9)

Against: (None) (0)

Absent: Espinoza, Flynn, Kashmann, Ortega (4)

Abstain: (None) (0)

Infrastructure & Culture

CR16-0456 A resolution approving a Third Amendatory Agreement between the City and County of Denver and Colorado Miners Inc. for the use of Johnson Recreation Center. (INFRASTRUCTURE & CULTURE)

A motion offered by Councilman López, duly seconded by Councilwoman Black, that CR16-0556, CR16-0557, CR16-0558, CR16-0559, CR16-0560, CR16-0561, CR16-0555, CR16-0562, CR16-0456 and CR16-0489 be adopted en bloc, carried by the following vote:

Passed

For: Black, Brooks, Clark, Gilmore, Herndon, Kniech, López, New, Susman (9)

Against: (None) (0)

Absent: Espinoza, Flynn, Kashmann, Ortega (4)

Abstain: (None) (0)

Safety & Well-being

CR16-0489 A resolution approving a proposed Agreement between the City and County of Denver and Correctional Management, Inc., for community corrections services. (SAFETY & WELL-BEING)

A motion offered by Councilman López, duly seconded by Councilwoman Black, that CR16-0556, CR16-0557, CR16-0558, CR16-0559, CR16-0560, CR16-0561, CR16-0555, CR16-0562, CR16-0456 and CR16-0489 be adopted en bloc, carried by the following vote:

Passed

For: Black, Brooks, Clark, Gilmore, Herndon, Kniech, López, New, Susman (9)

Against: (None) (0)

Absent: Espinoza, Flynn, Kashmann, Ortega (4)

Abstain: (None) (0)

Land Use Transportation & Infrastructure

Bills for Introduction

The Council Secretary read the following bills by titles.

Governance & Charter Review

CB16-0548 A bill for an ordinance amending 38-158 the Denver Revised Municipal Code to clarify the behaviors which are indicative of someone trying to engage in acts that further the practice of prostitution. (GOVERNANCE & CHARTER REVIEW)

A motion offered by Council President Brooks, duly seconded by Councilman López, that CB16-0548, CB16-0552, CB16-0430, CB16-0509, CB16-0563, and CB16-0566 be ordered published en bloc, was carried by the following vote:

Passed

For: Black, Brooks, Clark, Gilmore, Herndon, Kniech, López, New, Susman (9)

Against: (None) (0)

Absent: Espinoza, Flynn, Kashmann, Ortega (4)

Abstain: (None) (0)

Infrastructure & Culture

CB16-0552 A bill for an Ordinance approving a Modification of Agreement with the U.S. Forest Service for collection of Denver fees at Summit Lake Park. (INFRASTRUCTURE & CULTURE)

A motion offered by Council President Brooks, duly seconded by Councilman López, that CB16-0548, CB16-0552, CB16-0430, CB16-0509, CB16-0563, and CB16-0566 be ordered published en bloc, was carried by the following vote:

Passed

For: Black, Brooks, Clark, Gilmore, Herndon, Kniech, López, New, Susman (9)

Against: (None) (0)

Absent: Espinoza, Flynn, Kashmann, Ortega (4)

Abstain: (None) (0)

Neighborhoods & Planning

CB16-0430 A bill for an ordinance changing the zoning classification for Geneva Court and Martin Luther King Jr. Boulevard. (NEIGHBORHOODS AND PLANNING)

A motion offered by Council President Brooks, duly seconded by Councilman López, that CB16-0548, CB16-0552, CB16-0430, CB16-0509, CB16-0563, and CB16-0566 be ordered published en bloc, was carried by the following vote:

Passed

For: Black, Brooks, Clark, Gilmore, Herndon, Kniech, López, New, Susman (9)

Against: (None) (0)

Absent: Espinoza, Flynn, Kashmann, Ortega (4)

Abstain: (None) (0)

CB16-0509 A bill for an ordinance changing the zoning classification for 3705 Shoshone St. & 1945 W. 37th Ave. (NEIGHBORHOODS AND PLANNING)

A motion offered by Council President Brooks, duly seconded by Councilman López, that CB16-0548, CB16-0552, CB16-0430, CB16-0509, CB16-0563, and CB16-0566 be ordered published en bloc, was carried by the following vote:

Passed

For: Black, Brooks, Clark, Gilmore, Herndon, Kniech, López, New, Susman (9)

Against: (None) (0)

Absent: Espinoza, Flynn, Kashmann, Ortega (4)

Abstain: (None) (0)

CB16-0563 A bill for an ordinance changing the zoning classification for 2541-2731 W. Holden Pl., 2602-2660 W. Holden Pl., 2516-2610 W. 13th Ave., 2646-2746 W. 13th Ave., 1260-1280 N. Decatur St. and 2775 W. 13th Ave. (NEIGHBORHOODS AND PLANNING)

A motion offered by Council President Brooks, duly seconded by Councilman López, that CB16-0548, CB16-0552, CB16-0430, CB16-0509, CB16-0563, and CB16-0566 be ordered published en bloc, was carried by the following vote:

Passed

For: Black, Brooks, Clark, Gilmore, Herndon, Kniech, López, New, Susman (9)

Against: (None) (0)

Absent: Espinoza, Flynn, Kashmann, Ortega (4)

Abstain: (None) (0)

CB16-0566 A bill for an ordinance designating 1400 Lafayette Street, the First Unitarian Society of Denver Church, as a structure for preservation. (NEIGHBORHOODS AND PLANNING)

A motion offered by Council President Brooks, duly seconded by Councilman López, that CB16-0548, CB16-0552, CB16-0430, CB16-0509, CB16-0563, and CB16-0566 be ordered published en bloc, was carried by the following vote:

Passed

For: Black, Brooks, Clark, Gilmore, Herndon, Kniech, López, New, Susman (9)

Against: (None) (0)

Absent: Espinoza, Flynn, Kashmann, Ortega (4)

Abstain: (None) (0)

Bills for Final Consideration

Finance & Services

CB16-0527 A bill for an ordinance to appropriate funds from the RiNo General Improvement District for the Streetscape Enhancements along Brighton Boulevard. (FINANCE & SERVICES)

A motion offered by Councilman López, duly seconded by Councilman Herndon, that CB16-0527, CB16-0528, CB16-0542, CB16-0569, CB16-0503, CB16-0504, CB16-0517, CB16-0518, CB16-0519, and CB16-0538 be placed upon final consideration and do pass en bloc, carried by the following vote:

Passed

For: Black, Brooks, Clark, Gilmore, Herndon, Kniech, López, New, Susman (9)

Against: (None) (0)

Absent: Espinoza, Flynn, Kashmann, Ortega (4)

Abstain: (None) (0)

CB16-0528 A bill for an ordinance to appropriate funds from the Amended Funding Agreement for the Levitt Pavilion Amphitheatre. (FINANCE AND SERVICES)

A motion offered by Councilman López, duly seconded by Councilman Herndon, that CB16-0527, CB16-0528, CB16-0542, CB16-0569, CB16-0503, CB16-0504, CB16-0517, CB16-0518, CB16-0519, and CB16-0538 be placed upon final consideration and do pass en bloc, carried by the following vote:

Passed

For: Black, Brooks, Clark, Gilmore, Herndon, Kniech, López, New, Susman (9)

Against: (None) (0)

Absent: Espinoza, Flynn, Kashmann, Ortega (4)

Abstain: (None) (0)

CB16-0542 A bill for an ordinance to appropriate funds from the Revenue Based Winter Park Parks and Recreation Capital Fund. (FINANCE AND SERVICES)

A motion offered by Councilman López, duly seconded by Councilman Herndon, that CB16-0527, CB16-0528, CB16-0542, CB16-0569, CB16-0503, CB16-0504, CB16-0517, CB16-0518, CB16-0519, and CB16-0538 be placed upon final consideration and do pass en bloc, carried by the following vote:

Passed

For: Black, Brooks, Clark, Gilmore, Herndon, Kniech, López, New, Susman (9)

Against: (None) (0)

Absent: Espinoza, Flynn, Kashmann, Ortega (4)

Abstain: (None) (0)

Governance & Charter Review

CB16-0569 A bill for an ordinance amending Section 2-3 of Chapter 2 of the Denver Revised Municipal Code regarding electronic signatures. (GOVERNANCE & CHARTER REVIEW)

A motion offered by Councilman López, duly seconded by Councilman Herndon, that CB16-0527, CB16-0528, CB16-0542, CB16-0569, CB16-0503, CB16-0504, CB16-0517, CB16-0518, CB16-0519, and CB16-0538 be placed upon final consideration and do pass en bloc, carried by the following vote:

Passed

For: Black, Brooks, Clark, Gilmore, Herndon, Kniech, López, New, Susman (9)

Against: (None) (0)

Absent: Espinoza, Flynn, Kashmann, Ortega (4)

Abstain: (None) (0)

Infrastructure & Culture

CB16-0503 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 "Highline Canal-Hampden and Colorado" project and the funding therefor. (INFRASTRUCTURE & CULTURE)

A motion offered by Councilman López, duly seconded by Councilman Herndon, that CB16-0527, CB16-0528, CB16-0542, CB16-0569, CB16-0503, CB16-0504, CB16-0517, CB16-0518, CB16-0519, and CB16-0538 be placed upon final consideration and do pass en bloc, carried by the following vote:

Passed

For: Black, Brooks, Clark, Gilmore, Herndon, Kniech, López, New, Susman (9)

Against: (None) (0)

Absent: Espinoza, Flynn, Kashmann, Ortega (4)

Abstain: (None) (0)

CB16-0504 A bill for an ordinance approving a proposed Intergovernmental Agreement with Cherry Hills Village and County of Arapahoe regarding cost sharing on the High Line Canal Underpasses Project at Hampden Avenue and Colorado Boulevard. (INFRASTRUCTURE & CULTURE)

A motion offered by Councilman López, duly seconded by Councilman Herndon, that CB16-0527, CB16-0528, CB16-0542, CB16-0569, CB16-0503, CB16-0504, CB16-0517, CB16-0518, CB16-0519, and CB16-0538 be placed upon final consideration and do pass en bloc, carried by the following vote:

Passed

For: Black, Brooks, Clark, Gilmore, Herndon, Kniech, López, New, Susman (9)

Against: (None) (0)

Absent: Espinoza, Flynn, Kashmann, Ortega (4)

Abstain: (None) (0)

CB16-0517 A bill for an ordinance relinquishing five easements established by the Boulevard One Filing No. 4 Subdivision Plat, recorded with the Denver Clerk & Recorder at Reception No. 2015153702, located along the rear lot lines of Lots 15 through 20, Block 1 and bound by South Quebec Street, East Archer Drive and Oneida Court. (INFRASTRUCTURE & CULTURE)

A motion offered by Councilman López, duly seconded by Councilman Herndon, that CB16-0527, CB16-0528, CB16-0542, CB16-0569, CB16-0503, CB16-0504, CB16-0517, CB16-0518, CB16-0519, and CB16-0538 be placed upon final consideration and do pass en bloc, carried by the following vote:

Passed

For: Black, Brooks, Clark, Gilmore, Herndon, Kniech, López, New, Susman (9)

Against: (None) (0)

Absent: Espinoza, Flynn, Kashmann, Ortega (4)

Abstain: (None) (0)

CB16-0518 A bill for an ordinance relinquishing the easement established by the Easement for Right-Of-Way, recorded with the Denver Clerk & Recorder at Reception No. 2011051715 and located at 155 Steele Street. (INFRASTRUCTURE & CULTURE)

A motion offered by Councilman López, duly seconded by Councilman Herndon, that CB16-0527, CB16-0528, CB16-0542, CB16-0569, CB16-0503, CB16-0504, CB16-0517, CB16-0518, CB16-0519, and CB16-0538 be placed upon final consideration and do pass en bloc, carried by the following vote:

Passed

For: Black, Brooks, Clark, Gilmore, Herndon, Kniech, López, New, Susman (9)

Against: (None) (0)

Absent: Espinoza, Flynn, Kashmann, Ortega (4)

Abstain: (None) (0)

CB16-0519 A bill for an ordinance relinquishing the easement established by the Permanent Non-Exclusive Easement, recorded with the Denver Clerk & Recorder at Reception No. 2012129620 and located at 2979 Uinta Street. (INFRASTRUCTURE & CULTURE)

A motion offered by Councilman López, duly seconded by Councilman Herndon, that CB16-0527, CB16-0528, CB16-0542, CB16-0569, CB16-0503, CB16-0504, CB16-0517, CB16-0518, CB16-0519, and CB16-0538 be placed upon final consideration and do pass en bloc, carried by the following vote:

Passed

For: Black, Brooks, Clark, Gilmore, Herndon, Kniech, López, New, Susman (9)

Against: (None) (0)

Absent: Espinoza, Flynn, Kashmann, Ortega (4)

Abstain: (None) (0)

CB16-0538 A bill for an ordinance vacating a portion of the alley bounded by Steele Street, 2nd Avenue, and Saint Paul Street without reservations. (INFRASTRUCTURE & CULTURE)

A motion offered by Councilman López, duly seconded by Councilman Herndon, that CB16-0527, CB16-0528, CB16-0542, CB16-0569, CB16-0503, CB16-0504, CB16-0517, CB16-0518, CB16-0519, and CB16-0538 be placed upon final consideration and do pass en bloc, carried by the following vote:

Passed

For: Black, Brooks, Clark, Gilmore, Herndon, Kniech, López, New, Susman (9)

Against: (None) (0)

Absent: Espinoza, Flynn, Kashmann, Ortega (4)

Abstain: (None) (0)

Recap of Bills to be Called Out

Pre-Recess Announcement

Council President Brooks announced that tonight, there will be a required public hearing on CB16-0524, approving the service plan for the creation of the Midtown Metropolitan District; a required public hearing on CB16-0525, approving a service plan for the creation of the First Creek Village Metropolitan District; and, a one-hour courtesy public hearing on CB16-0567, regarding a proposed amendment to the Charter of the City and County of Denver concerning the Office of the Independent Monitor. 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

Finance & Services

CB16-0524 A bill for an ordinance approving a Service Plan for the creation of Midtown Metropolitan District. (FINANCE AND SERVICES)

A motion offered by Councilman López, duly seconded by Councilman Herndon, that CB16-0524 be placed upon final consideration and do pass, carried by the following vote:

Passed

For: Black, Brooks, Clark, Gilmore, Herndon, Kniech, López, New, Susman (9)

Against: (None) (0)

Absent: Espinoza, Flynn, Kashmann, Ortega (4)

Abstain: (None) (0)

Council sat as a Committee of the Whole commencing at 6:02 p.m., Council President Brooks presiding, to hear speakers on CB16-0524. Norman F. Kron, Jr., Anne Hayes, and Kevin McClintock signed up to speak in favor of the bill. No speakers signed up to speak in opposition of the bill. John Karner of the Department of Finance offered the Staff Report.

CB16-0525 A bill for an ordinance approving a Service Plan for the creation of First Creek Village Metropolitan District. (FINANCE AND SERVICES)

A motion offered by Councilman López, duly seconded by Councilman Herndon, that CB16-0525 be placed upon final consideration and do pass, carried by the following vote:

Passed

For: Black, Brooks, Clark, Gilmore, Herndon, Kniech, López, New, Susman (9)

Against: (None) (0)

Absent: Espinoza, Flynn, Kashmann, Ortega (4)

Abstain: (None) (0)

Council sat as a Committee of the Whole commencing at 6:17 p.m., Council President Brooks presiding, to hear speakers on CB16-0525. Brandon Wyszynski and Matthew Dalton signed up to speak in favor of the bill. No speakers signed up to speak in opposition of the bill. Andrew Johnston of the Department of Finance offered the Staff Report.

Governance & Charter Review

CB16-0567 A bill for an ordinance submitting to a vote of the qualified and registered electors of the City and County of Denver at a special municipal election to be held in conjunction with the state general election of November 8, 2016, a proposed amendment to the Charter of the City and County of Denver concerning the Office of the Independent Monitor.

A motion offered by Councilman López, duly seconded by Councilman Herndon, that CB16-0567 be placed upon final consideration and do pass, carried by the following vote:

Passed

For: Black, Brooks, Clark, Gilmore, Herndon, Kniech, López, New, Susman (9)

Against: (None) (0)

Absent: Espinoza, Flynn, Kashmann, Ortega (4)

Abstain: (None) (0)

Council sat as a Committee of the Whole commencing at 6:24 p.m., Council President Brooks presiding, to hear speakers on CB16-0567. Barbara Cohen, Mark Cohen, John Ferguson, Scott Bernard, Amy Kafuema, Michael Rezik, James A. Salem, Dale McDonald, David Larson, Alex Landau, Mimi Madrid, Denise Maes, Darlene January, Andy Coco, Dr. Val Flores, Rebecca Rivas, Rachael Lehman, Andrew Palmer, Brittany Katalenas, and Roshan Bliss signed up to speak in favor of the bill. No speakers signed up to speak in opposition of the bill. Councilman López offered an overview.

Announcement

Council President Brooks announced that on Monday, August 22, 2016, there will be a required public hearing on CB16-0566, designating 1400 Lafayette Street, the First Unitarian Society of Denver Church, as a structure of preservation. On Monday, September 12, 2016, a required public hearing on CB16-0430, changing the zoning classification for Geneva Court and Martin Luther King Jr. Boulevard; a required public hearing on CB16-0509, changing the zoning classification for 3705 Shoshone St. and 1945 W. 37th Ave; and, a required public hearing on CB16-0563, changing the zoning classification for 2541-2731 W. Holden Pl., 2602-2660 W. Holden Pl., 2516-2610 W. 13th Ave., 1260-1280 N. Decatur St. and 2775 W. 13th Ave.

Adjourn

There being no further business before the City Council, Council President Brooks adjourned the meeting at 7:38 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