

City Council Minutes

Meeting Date: Monday, June 20, 2016 5:30 PM

Pledge of Allegiance

Councilman Espinoza led the Pledge of Allegiance.

Roll Call

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

Absent: Herndon (1)

Approval of the Minutes

The minutes of meeting date, Monday, June 13, 2016, were distributed to Council. Council President Pro-Tem López ordered the minutes approved.

Council Announcements

Council members Flynn, Kniech, Brooks, Gilmore, Ortega, López, and Espinoza offered announcements.

Presentations

Communications

Proclamations

CP16-0454 A proclamation designating the week of June 20 through June 24 as "Bike Week" and Wednesday, June 22, as "Bike to Work Day" in Denver.

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

A motion offered by Councilman Clark, duly seconded by Council President Pro-Tem López, that CP16-0454 be adopted, carried by the following vote:

Passed

For: Black, Brooks, Clark, Espinoza, Flynn, Gilmore, Kashmann, Kniech, Lopez, Ortega, Susman (11)

Against: (None) (0)

Absent: Herndon, New (2)

Abstain: (None) (0)

Councilwoman Kniech asked to be added as a sponsor of CP16-0454.

CP16-0455 A proclamation honoring the dedication of "El Viaje (The Journey) and the Annual Summer Solstice. Sponsored by Council members Espinoza, Kashmann, Flynn, Black, New, Susman, López, and Kniech.

A motion offered by Councilman Espinoza, duly seconded by Councilwoman Susman, that CP16-0455 be adopted, carried by the following vote:

Passed

For: Black, Brooks, Clark, Espinoza, Flynn, Gilmore, Kashmann, Kniech, Lopez, Ortega, Susman (11)

Against: (None) (0)

Absent: Herndon, New (2)

Abstain: (None) (0)

Council members Gilmore, Ortega, and Brooks asked to be added as sponsors of CP16-0455.

Resolutions

The Council Secretary read the following resolutions by titles.

Business Development

CR16-0411 A resolution approving a proposed Amendment, Assumption and Modification Agreement between the City and County of Denver, St. Charles Holding Company, LLC and 4331 Morrison Road, LLLP assigning the loan to 4331 Morrison Road, LLLP. (BUSINESS DEVELOPMENT)

A motion offered by Councilman Espinoza, duly seconded by Councilwoman Black, that CR16-0411, CR16-0412, CR16-0407, CR16-0416, CR16-0422, CR16-0369, CR16-0403, and CR16-0408 be adopted en bloc, carried by the following vote:

Passed

For: Black, Brooks, Clark, Espinoza, Flynn, Gilmore, Kashmann, Kniech, Lopez, Ortega, Susman (11)

Against: (None) (0)

Absent: Herndon, New (2)

Abstain: (None) (0)

CR16-0412 A resolution approving a proposed Amendment, Assumption and Modification Agreement between the City and County of Denver, St. Charles Holding Company, LLC and 4331 Morrison Road, LLLP assigning the loan to 4331 Morrison Road, LLLP. (BUSINESS DEVELOPMENT)

A motion offered by Councilman Espinoza, duly seconded by Councilwoman Black, that CR16-0411, CR16-0412, CR16-0407, CR16-0416, CR16-0422, CR16-0369, CR16-0403, and CR16-0408 be adopted en bloc, carried by the following vote:

Passed

For: Black, Brooks, Clark, Espinoza, Flynn, Gilmore, Kashmann, Kniech, Lopez, Ortega, Susman (11)

Against: (None) (0)

Absent: Herndon, New (2)

Abstain: (None) (0)

Finance & Services

CR16-0407 A resolution approving a proposed amendment to a Master Purchase Order between the City and County of Denver and O'Meara Ford Center, Inc., to increase the maximum amount for the purchase of light truck parts. (FINANCE & SERVICES)

A motion offered by Councilman Espinoza, duly seconded by Councilwoman Black, that CR16-0411, CR16-0412, CR16-0407, CR16-0416, CR16-0422, CR16-0369, CR16-0403, and CR16-0408 be adopted en bloc, carried by the following vote:

Passed

For: Black, Brooks, Clark, Espinoza, Flynn, Gilmore, Kashmann, Kniech, Lopez, Ortega, Susman (11)

Against: (None) (0)

Absent: Herndon, New (2)

Abstain: (None) (0)

CR16-0416 A resolution approving a proposed Purchase Order between the City and County of Denver and World Wide Technology, Inc., to purchase and install servers and assorted equipment to upgrade the City's primary technology storage platform. (FINANCE & SERVICES)

A motion offered by Councilman Espinoza, duly seconded by Councilwoman Black, that CR16-0411, CR16-0412, CR16-0407, CR16-0416, CR16-0422, CR16-0369, CR16-0403, and CR16-0408 be adopted en bloc, carried by the following vote:

Passed

For: Black, Brooks, Clark, Espinoza, Flynn, Gilmore, Kashmann, Kniech, Lopez, Ortega, Susman (11)

Against: (None) (0)

Absent: Herndon, New (2)

Abstain: (None) (0)

Governance & Charter Review

CR16-0422 A resolution approving a proposed Second Amendatory Agreement by and between the City and County of Denver and SkillSoft Corporation, for a learning content services. (GOVERNANCE & CHARTER REVIEW)

A motion offered by Councilman Espinoza, duly seconded by Councilwoman Black, that CR16-0411, CR16-0412, CR16-0407, CR16-0416, CR16-0422, CR16-0369, CR16-0403, and CR16-0408 be adopted en bloc, carried by the following vote:

Passed

For: Black, Brooks, Clark, Espinoza, Flynn, Gilmore, Kashmann, Kniech, Lopez, Ortega, Susman (11)

Against: (None) (0)

Absent: Herndon, New (2)

Abstain: (None) (0)

Infrastructure & Culture

CR16-0369 A resolution approving a proposed Contract between the City and County of Denver and Sky Blue Builders LLC for installation of protected bike lane and neighborhood bikeway facilities. (INFRASTRUCTURE & CULTURE)

A motion offered by Councilman Espinoza, duly seconded by Councilwoman Black, that CR16-0411, CR16-0412, CR16-0407, CR16-0416, CR16-0422, CR16-0369, CR16-0403, and CR16-0408 be adopted en bloc, carried by the following vote:

Passed

For: Black, Brooks, Clark, Espinoza, Flynn, Gilmore, Kashmann, Kniech, Lopez, Ortega, Susman (11)

Against: (None) (0)

Absent: Herndon, New (2)

Abstain: (None) (0)

CR16-0370 A resolution approving a proposed Agreement between the City and County of Denver and Broadway Station Partners LLC, concerning environmental standards, open space, vested rights, and horizontal infrastructure design and construction related to their development of a portion of the former Gates Rubber Factory site at I-25 and Broadway. (INFRASTRUCTURE & CULTURE)

A motion offered by Councilman Espinoza, duly seconded by Councilwoman Kniech, that CR16-0370 be adopted, was followed by a motion offered by Councilman Clark, duly seconded by Councilwoman Kniech, that adoption of CR16-0370 be postponed to the conclusion of the public hearing on CB16-0314 scheduled this evening, carried by the following vote:

Passed

For: Black, Brooks, Clark, Espinoza, Flynn, Gilmore, Kashmann, Kniech, Lopez, Ortega, Susman (11)

Against: (None) (0)

Absent: Herndon, New (2)

Abstain: (None) (0)

A motion offered by Councilman Espinoza, duly seconded by Councilman Flynn, that CR16-0370 be adopted, carried by the following vote:

Passed

For: Black, Clark, Espinoza, Flynn, Gilmore, Kashmann, Lopez, New, Ortega, Susman (10)

Against: (None) (0)

Absent: Brooks, Herndon, Kniech (3)

Abstain: (None) (0)

CR16-0403 A resolution approving two proposed Purchase Orders between the City and County of Denver and Trans-West Truck Inc., and O J Watson Equip Co Inc., to manufacture and deliver seven quad axle Freightliner cab and chassis with dump, plow and spreader bodies fully installed. (INFRASTRUCTURE & CULTURE)

A motion offered by Councilman Espinoza, duly seconded by Councilwoman Black, that CR16-0411, CR16-0412, CR16-0407, CR16-0416, CR16-0422, CR16-0369, CR16-0403, and CR16-0408 be adopted en bloc, carried by the following vote:

Passed

For: Black, Brooks, Clark, Espinoza, Flynn, Gilmore, Kashmann, Kniech, Lopez, Ortega, Susman (11)

Against: (None) (0)

Absent: Herndon, New (2)

Abstain: (None) (0)

CR16-0408 A resolution approving a proposed amendment to a Master Purchase Order between the City and County of Denver and EP Blazer, LLC Db a John Elway Chevrolet to increase the maximum amount for the purchase of light truck parts. (INFRASTRUCTURE & CULTURE)

A motion offered by Councilman Espinoza, duly seconded by Councilwoman Black, that CR16-0411, CR16-0412, CR16-0407, CR16-0416, CR16-0422, CR16-0369, CR16-0403, and CR16-0408 be adopted en bloc, carried by the following vote:

Passed

For: Black, Brooks, Clark, Espinoza, Flynn, Gilmore, Kashmann, Kniech, Lopez, Ortega, Susman (11)

Against: (None) (0)

Absent: Herndon, New (2)

Abstain: (None) (0)

Bills for Introduction

The Council Secretary read the following bills by titles. Council President Pro-Tem López announced that all other bills are ordered published.

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 Council President Pro-Tem López, duly seconded by Councilman Espinoza, that CB16-0424 and CB16-0395 be ordered published en bloc, carried by the following vote:

Passed

For: Black, Brooks, Clark, Espinoza, Flynn, Gilmore, Kashmann, Kniech, Lopez, Ortega, Susman (11)

Against: (None) (0)

Absent: Herndon, New (2)

Abstain: (None) (0)

Neighborhoods & Planning

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 Council President Pro-Tem López, duly seconded by Councilman Espinoza, that CB16-0424 and CB16-0395 be ordered published en bloc, carried by the following vote:

Passed

For: Black, Brooks, Clark, Espinoza, Flynn, Gilmore, Kashmann, Kniech, Lopez, Ortega, Susman (11)

Against: (None) (0)

Absent: Herndon, New (2)

Abstain: (None) (0)

Bills for Final Consideration

Finance & Services

CB16-0418 A bill for an ordinance making a supplemental appropriation from the General Contingency Fund to Community Planning and Development (FINANCE & SERVICES)

A motion offered by Councilman Espinoza, duly seconded by Councilman Flynn, that CB16-0418, CB16-0406, and CB16-0371 be placed upon final consideration and do pass en bloc, carried by the following vote:

Passed

For: Black, Brooks, Clark, Espinoza, Flynn, Gilmore, Kashmann, Kniech, Lopez, Ortega, Susman (11)

Against: (None) (0)

Absent: Herndon, New (2)

Abstain: (None) (0)

Governance & Charter Review

CB16-0406 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 Espinoza, duly seconded by Councilman Flynn, that CB16-0418, CB16-0406, and CB16-0371 be placed upon final consideration and do pass en bloc, carried by the following vote:

Passed

For: Black, Brooks, Clark, Espinoza, Flynn, Gilmore, Kashmann, Kniech, Lopez, Ortega, Susman (11)

Against: (None) (0)

Absent: Herndon, New (2)

Abstain: (None) (0)

Infrastructure & Culture

CB16-0371 A bill for an ordinance approving the execution of a series of Sewer Use and Drainage Permits between the City and County of Denver and CCGF LLC, to provide sanitary sewer and/or wastewater services to property located outside City limits. (INFRASTRUCTURE & CULTURE)

A motion offered by Councilman Espinoza, duly seconded by Councilman Flynn, that CB16-0418, CB16-0406, and CB16-0371 be placed upon final consideration and do pass en bloc, carried by the following vote:

Passed

For: Black, Brooks, Clark, Espinoza, Flynn, Gilmore, Kashmann, Kniech, Lopez, Ortega, Susman (11)

Against: (None) (0)

Absent: Herndon, New (2)

Abstain: (None) (0)

Recap of Bills to be Called Out

Pre-Recess Announcement

Council President Pro-Tem López announced that tonight there will be a required public hearing on Council Bill 277, changing the zoning classification for 3800 Franklin Street; a required public hearing on Council Bill 320, amending the provisions of the D-AS-12+ and D-AS20+ zone districts as well as a new Design Advisory Board for the Arapahoe Square Neighborhood; a required public hearing on Council Bill 321, changing the zoning classification 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

CB16-0252 A bill for an ordinance changing the zoning classification for 3441 W. 39th Avenue and 3914 N. King Street. (NEIGHBORHOODS AND PLANNING)

A motion offered by Councilman Espinoza, duly seconded by Councilwoman Susman, that CB16-0252 be placed upon final consideration and do pass, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: Herndon (1)

Abstain: (None) (0)

Council sat as a Committee of the Whole commencing at 7:16 p.m., Council President Pro-Tem López presiding, to hear speakers on CB16-0252. David McMurtry, Allison McMurtry, Annie Levinsky, Ryan Howsam, Chris Penny, Emily Jacobson, Melissa Nochlin, Jill Donahue, and Amy Jagunich signed up to speak in favor of the bill. No speakers signed up to speak in opposition of the bill. Analiese Hock of Community Planning and Development delivered the staff report.

CB16-0314 A bill for an ordinance changing the zoning classification for multiple addresses at 800-1000 blocks S. Broadway, 301 W. Mississippi Ave., 700 S. Santa Fe Dr., 925 S. Santa Fe Dr., 711 S. Cherokee St., 701 W. Ohio Ave., 501 W. Tennessee Ave. and 99 W. Kentucky Ave. (NEIGHBORHOODS AND PLANNING)

A motion offered by Councilman Espinoza, duly seconded by Councilwoman Ortega, that CB16-0314 be placed upon final consideration and do pass, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: Herndon (1)

Abstain: (None) (0)

Council sat as a Committee of the Whole commencing at 7:52 p.m., Council President Pro-Tem López presiding, to hear speakers on CB16-0314. Kate Iverson and Lisa Ingle signed up to speak in favor of the bill. No speakers signed up to speak in opposition of the bill. Ryan Winterberg-Lipp of Community Planning and Development delivered the staff report.

CB16-0319 A bill for an ordinance changing the zoning classification for 18400 E. 64th Ave., 6004-6294 Panasonic Way, 6006-6106 Salida St., 6007-6208 Telluride Way and 6297 Tower Rd. (NEIGHBORHOODS AND PLANNING)

A motion offered by Councilman Espinoza, duly seconded by Councilman Flynn, that CB16-0319 be placed upon final consideration and do pass, carried by the following vote:

Passed

For: Black, Clark, Espinoza, Flynn, Gilmore, Kashmann, Kniech, Lopez, New, Ortega, Susman (11)

Against: (None) (0)

Absent: Brooks, Herndon (2)

Abstain: (None) (0)

Council sat as a Committee of the Whole commencing at 8:41 p.m., Council President Pro-Tem López presiding, to hear speakers on CB16-0319. Ferd Belz signed up no speak in favor of the bill. No speakers signed up to speak in opposition of the bill. Curt Upton of Community Planning and Development delivered the staff report.

CB16-0346 A bill for an ordinance relating to the Denver Zoning Code, Amending the Provisions of the Denver International Airport (DIA) Zone District and creating the Peña Station Next Design Overlay District (DO-6). (NEIGHBORHOODS AND PLANNING)

A motion offered by Councilman Espinoza, duly seconded by Councilwoman Kniech, that CB16-0346 be placed upon final consideration and do pass, carried by the following vote:

Passed

For: Black, Clark, Flynn, Gilmore, Kashmann, Kniech, Lopez, New, Ortega (9)

Against: (None) (0)

Absent: Brooks, Herndon, Susman (3)

Abstain: Espinoza (1)

Council sat as a Committee of the Whole commencing at 9:09 p.m., Council President Pro-Tem López presiding, to hear speakers on both CB16-0346 and CB16-0347. Ferd Belz signed up to speak in favor of the bills. No speakers signed up to speak in opposition of the bill. Steve Nalley of Community Planning and Development delivered the staff report.

CB16-0347 A bill for an ordinance changing the zoning classification for the area from Peña Boulevard to Tower Road, from 56th Avenue to 64th Avenue. (NEIGHBORHOODS AND PLANNING)

A motion offered by Councilman Espinoza, duly seconded by Councilman Flynn, that CB16-0347 be placed upon final consideration and do pass, carried by the following vote:

Passed

For: Black, Clark, Espinoza, Flynn, Gilmore, Kashmann, Kniech, Lopez, New, Ortega (10)

Against: (None) (0)

Absent: Brooks, Herndon, Susman (3)

Abstain: (None) (0)

Announcement

Council President Pro-Tem López announced that on Monday, June 27, 2016, Council will hold a required public hearing on Council Bill 395, designating 1899 York Street, the Ghost/Rose House, as a structure for preservation.

Adjourn

President

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

Clerk and Recorder, Ex-Officio Clerk