

City Council Minutes

Meeting Date: Monday, September 25, 2017 5:30 PM

PLEDGE OF ALLEGIANCE

Councilman Flynn led the Pledge of Allegiance.

ROLL CALL

Councilman Herndon arrived late.

Present: Black, Brooks, Clark, Espinoza, Flynn, Gilmore, Herndon,
Kashmann, Kniech, López, New, Ortega, Susman (13)

APPROVAL OF THE MINUTES

[17-1051](#) Minutes of Monday, September 18, 2017

[17-1063](#) **CORRECTED** Minutes of Monday, September 18, 2017

Corrected Council minutes 17-1063 were approved.

Approved

The minutes of meeting date, Monday, September 18, 2017, were distributed to Council. Councilman Flynn requested that the minutes of Monday, September 18, 2017, be corrected to reflect that Council Bills 17-0914, 17-0939, 17-0961, and 17-0962 be included in the consent or block vote and that these four bills did pass. Council President Brooks ordered the corrected minutes approved.

COUNCIL ANNOUNCEMENTS

Council members Flynn, López, Kashmann, and Herndon offered announcements.

PRESENTATIONS

COMMUNICATIONS

PROCLAMATIONS

[17-1059](#) **A proclamation recognizing and celebrating Denver's Sister City of Brest, France.**

A motion offered by Councilwoman Black, duly seconded by Councilwoman Kniech, that Proclamation 17-1059 be adopted. The motion carried by the following vote:

Adopted

Aye: Black, Brooks, Clark, Espinoza, Flynn, Gilmore, Herndon,
Kashmann, Kniech, López, New, Ortega, Susman (13)

Nay: (None) (0)

[17-1060](#) **A proclamation celebrating and thanking David Broadwell for eighteen years of outstanding legal service to the City and County of Denver upon his retirement.**

A motion offered by Councilwoman Kniech, duly seconded by Councilman López, that Proclamation 17-1060 be adopted. The motion carried by the following vote:

Adopted

Aye: Black, Brooks, Clark, Espinoza, Flynn, Gilmore, Herndon,
Kashmann, Kniech, López, New, Ortega, Susman (13)

Nay: (None) (0)

17-1061 A proclamation supporting a community solar project to benefit low-income households.

A motion offered by Councilwoman Ortega, duly seconded by Councilman Flynn, that Proclamation 17-1061 be adopted. The motion carried by the following vote:

Adopted

Aye: Black, Brooks, Clark, Espinoza, Flynn, Gilmore, Herndon, Kashmann, Kniech, López, New, Ortega, Susman (13)

Nay: (None) (0)

RESOLUTIONS

Business, Arts, Workforce & Aeronautical Services Committee

Block Vote

Block Vote

A motion offered by Councilman Flynn, duly seconded by Councilman Herndon, to approve the following items en bloc. The motion carried by the following vote:

Approved the consent agenda

Aye: Black, Brooks, Clark, Espinoza, Flynn, Gilmore, Herndon, Kashmann, Kniech, López, New, Ortega, Susman (13)

Nay: (None) (0)

17-0958 A resolution approving a proposed Lease Agreement between the City and County of Denver and OBMSMG, LLC to erect, maintain, and service digital advertising signs.

Approves a five-year lease agreement with OBMSMG, LLC, doing business as Orange Barrel, in the amount of \$1,543,120 to erect, maintain, and service digital advertising signs and associated equipment for the display of commercial, public service, or charitable advertising located at approximately 14th Street and Curtis Street, 14th Street and Arapahoe Street, Speer Boulevard and Arapahoe Street, and Speer Boulevard and Colfax Avenue in Council District 9 (THTRS-201631374). The last regularly scheduled Council meeting within the 30-day review period is on 10-16-17. The Committee approved filing this resolution by consent on 9-13-17.

A motion offered by Councilman Flynn, duly seconded by Councilman Herndon, that Resolution 17-0958 be adopted en bloc, carried by the following vote:

Adopted

Aye: Black, Brooks, Clark, Espinoza, Flynn, Gilmore, Herndon, Kashmann, Kniech, López, New, Ortega, Susman (13)

Nay: (None) (0)

[17-0959](#) A resolution approving a proposed Amendatory Agreement between the City and County of Denver and Denver Theatre District, Inc., to include certain signs, increase maximum compensation and modify the Scope of Work.

Amends a lease agreement with the Denver Theatre District, Inc. by adding additional signage to the existing contract with monthly base payments and commission fees located on the exterior facade of the Colorado Convention Center at 700 14th Street in Council 9. There is no change to the contract duration (THTRS-201311145-01). The last regularly scheduled Council meeting within the 30-day review period is on 10-16-17. The Committee approved filing this resolution by consent on 9-13-17.

A motion offered by Councilman Flynn, duly seconded by Councilman Herndon, that Resolution 17-0959 be adopted en bloc, carried by the following vote:

Adopted

Aye: Black, Brooks, Clark, Espinoza, Flynn, Gilmore, Herndon, Kashmann, Kniech, López, New, Ortega, Susman (13)
Nay: (None) (0)

[17-0967](#) A resolution approving a proposed Agreement between the City and County of Denver and Skyport Development Company, LLC and DIA Tech Services, LLC. concerning a concession at Denver International Airport.

Approves a ten-year contract with Skyport Development Company, LLC and DIA Tech Services, LLC for the occupancy and installation, operation, and support of video walls, monitors, and related equipment to be used for promoting the amenities on the B Concourse Mezzanine at Denver International Airport (201735988). The last regularly scheduled Council meeting within the 30-day review period is on 10-16-17. The Committee approved filing this resolution by consent on 9-13-17.

A motion offered by Councilman Flynn, duly seconded by Councilman Herndon, that Resolution 17-0967 be adopted en bloc, carried by the following vote:

Adopted

Aye: Black, Brooks, Clark, Espinoza, Flynn, Gilmore, Herndon, Kashmann, Kniech, López, New, Ortega, Susman (13)
Nay: (None) (0)

17-0996 A resolution approving the Mayor’s appointments and reappointments to the Denver Commission on Cultural Affairs.

Approves the following Mayoral reappointments to the Denver Commission on Cultural Affairs: Sean O’Connell for a term effective immediately and expiring on 8-31-19; Rachel Bayse, Kyle Chism, Josh Comfort, Evi Makovsky, and Michael Mowry for terms effective immediately and expiring on 8-31-20; and approves the Mayoral appointments of Stephen Brackett, Maria Cheng, FlorJane DiRienzo, Jami Duffy, Carolynne Harris, Paul Lhevine, Toluwanimi Obiwole, Madalena Salazar, Van Schoales, and Suzi Smith for terms effective immediately and expiring on 8-31-18, or until successors are duly appointed. The Committee approved filing this resolution by consent on 9-13-17.

A motion offered by Councilman Flynn, duly seconded by Councilman Herndon, that Resolution 17-0996 be adopted en bloc, carried by the following vote:

Adopted

Aye: Black, Brooks, Clark, Espinoza, Flynn, Gilmore, Herndon, Kashmann, Kniech, López, New, Ortega, Susman (13)
Nay: (None) (0)

17-1002 A resolution approving the Mayor’s reappointment to the Denver commission on Cultural Affairs.

Approves the Mayoral reappointment of Alvina Vasquez to the Denver Commission on Cultural Affairs for a term effective immediately and expiring on 8-31-18, or until a successor is duly appointed. The Committee approved filing this resolution by consent on 9-13-17.

A motion offered by Councilman Flynn, duly seconded by Councilman Herndon, that Resolution 17-1002 be adopted en bloc, carried by the following vote:

Adopted

Aye: Black, Brooks, Clark, Espinoza, Flynn, Gilmore, Herndon, Kashmann, Kniech, López, New, Ortega, Susman (13)
Nay: (None) (0)

Land Use, Transportation & Infrastructure Committee

17-1003 A resolution laying out, opening and establishing as part of the City street system a parcel of land as South Santa Fe Drive near the intersection of South Santa Fe Drive and West Arizona Avenue.

Dedicates a parcel of land as public right-of-way as South Santa Fe Drive located at the intersection of South Santa Fe Drive and West Arizona Avenue in Council District 7. The Committee approved filing this resolution by consent on 9-12-17.

A motion offered by Councilman Flynn, duly seconded by Councilman Herndon, that Resolution 17-1003 be adopted en bloc, carried by the following vote:

Adopted

Aye: Black, Brooks, Clark, Espinoza, Flynn, Gilmore, Herndon, Kashmann, Kniech, López, New, Ortega, Susman (13)
Nay: (None) (0)

Safety, Housing, Education & Homelessness Committee

17-0990 A resolution approving a proposed Seventh Amendatory Agreement between the City and County of Denver and Busco, Inc. to transport homeless persons to and from shelters.

Amends a contract with Busco, Inc. to add \$290,000 for a new contract total in the amount of \$3,050,000 to provide transportation for people experiencing homelessness from the Denver Rescue Mission to various approved recreation centers and shelters located throughout the City. The added funding is to cover the costs for transporting homeless individuals from the Peoria location. There is no change to the contract term (2013-13589-07). The last regularly scheduled Council meeting within the 30-day review period is on 10-16-17. The Committee approved filing this resolution by consent on 9-6-17.

A motion offered by Councilman Flynn, duly seconded by Councilman Herndon, that Resolution 17-0990 be adopted en bloc, carried by the following vote:

Adopted

Aye: Black, Brooks, Clark, Espinoza, Flynn, Gilmore, Herndon, Kashmann, Kniech, López, New, Ortega, Susman (13)
Nay: (None) (0)

17-0997 A resolution approving the Mayor’s reappointments to the Head Start Policy Council.

Approves the Mayoral reappointments of Dr. Tricia Hudson-Matthew, Jennifer Garcia Rosendo, and Martina Hinjosa to the Head Start Policy Council for terms effective immediately and expiring on 7-20-18, or until successors are duly appointed. The Committee approved filing this resolution by consent on 9-13-17.

A motion offered by Councilman Flynn, duly seconded by Councilman Herndon, that Resolution 17-0997 be adopted en bloc, carried by the following vote:

Adopted

Aye: Black, Brooks, Clark, Espinoza, Flynn, Gilmore, Herndon, Kashmann, Kniech, López, New, Ortega, Susman (13)
Nay: (None) (0)

17-1000 A resolution approving the Mayor’s appointment to the Denver Asian American Pacific Islander Commission.

Approves the Mayoral appointment of Patrick Walton to the Denver Asian American Pacific Islander Commission for a term effective immediately and expiring on 1-22-19, or until a successor is duly appointed. The Committee approved filing this resolution by consent on 9-13-17.

A motion offered by Councilman Flynn, duly seconded by Councilman Herndon, that Resolution 17-1000 be adopted en bloc, carried by the following vote:

Adopted

Aye: Black, Brooks, Clark, Espinoza, Flynn, Gilmore, Herndon, Kashmann, Kniech, López, New, Ortega, Susman (13)
Nay: (None) (0)

BILLS FOR INTRODUCTION

Business, Arts, Workforce & Aeronautical Services Committee

[17-0999](#) A bill for an ordinance approving a proposed Agreement for Special Event Traffic Control Services between the City and County of Denver and the Town of Morrison for traffic control at Red Rocks Amphitheatre.

Approves a ten-year intergovernmental agreement with the Town of Morrison in the amount of \$500,000 for traffic control at Red Rocks Park to help facilitate traffic egress during events at Red Rocks Amphitheatre (201735389-00). The last regularly scheduled Council meeting within the 30-day review period is on 10-16-17. The Committee approved filing this bill by consent on 9-13-17.

Council Bill 17-0999 was ordered published on first reading.

Ordered published on first reading

Finance & Governance Committee

[17-1004](#) A bill for an ordinance approving the I-25 and Broadway Urban Redevelopment Plan and the I-25 and Broadway Project, the creation of the I-25 and Broadway Urban Redevelopment Area and the I-25 and Broadway Tax Increment Area, and in connection therewith repealing the Cherokee Urban Redevelopment Plan.

Approves the I-25 and Broadway Urban Redevelopment Plan and authorizes the creation of an Urban Redevelopment Area to support the Broadway Station Partners project in Council District 7. If ordered published, a public hearing will be held on October 2, 2017. The Committee approved filing this bill at its meeting on 9-12-17.

Council Bill 17-1004 was ordered published with future required public hearing on 10-2-2017.

Ordered published with future required public hearing

[17-1005](#) A bill for an ordinance approving a proposed I-25 and Broadway Property Tax Increment Area and Sales Tax Increment Area Cooperation Agreement between the City and County of Denver and Denver Urban Renewal Authority for the I-25 and Broadway Urban Redevelopment Plan.

Approves a cooperation agreement with the Denver Urban Renewal Authority (DURA) for the sales and property tax increment area within the I-25 and Broadway Urban Redevelopment Area in Council District 7. The Committee approved filing this bill at its meeting on 9-12-17.

Council Bill 17-1005 was ordered published on first reading.

Ordered published on first reading

[17-1006](#) A bill for an ordinance approving a proposed Land and Easement Conveyance and Drainage Agreement between the City and County of Denver and Broadway Station Partners LLC, BSP East, LLC and Broadway Station Metropolitan District No. 1 for the I-25 and Broadway Station Development.

Approves a land and easement conveyance and drainage agreement with Broadway Station Partners, LLC, BSP East, LLC, and Broadway Station Metropolitan District No. 1 to facilitate the relocation of a portion of West Kentucky Avenue to increase safety, improve access to the light rail station, and ease traffic congestion along Broadway in Council District 7. The Committee approved filing this bill at its meeting on 9-12-17.

Council Bill 17-1006 was ordered published on first reading.

Ordered published on first reading

[17-1007](#) A bill for an ordinance amending the 1963 Retirement Plan with regard to definitions, retirement board, eligibility, contributions; payroll deductions, retirement categories, and retirement benefits.

Amends Chapter 18 of the Denver Revised Municipal Code (DRMC) pertaining to the Denver Employees Retirement Plan (DERP) by lowering the actuarially assumed rate of return, increasing employer contributions, aligning the language in the DRMC with DERP plan practices and removing obsolete DRMC language. The Committee approved filing this bill at its meeting on 9-12-17.

Council Bill 17-1007 was ordered published on first reading.

Ordered published on first reading

Land Use, Transportation & Infrastructure Committee

[17-0984](#) A bill for an ordinance renaming Northside Park located at 1400 53rd Avenue as "Carpio-Sanguinette Park"

Renames Northside Park as the Carpio-Sanguinette Park located at 1400 53rd Avenue in Council District 9. The Committee approved filing this bill at its meeting on 9-12-17.

Council Bill 17-0984 was ordered published with future courtesy public hearing on 10-2-2017.

Ordered published with future courtesy public hearing

Councilwoman Ortega requested a one-hour courtesy public hearing on final consideration, Monday, October 2, 2017.

Safety, Housing, Education & Homelessness Committee

[17-0978](#) A bill for an ordinance amending Section 2-143 of the Revised Municipal Code concerning membership of community representatives to the Denver Head Start Policy Council.

Amends Section 2-143 of the Revised Municipal Code concerning the Denver Head Start Policy Council by removing occupation categories to recruit community representatives and extending the term that members can serve to a maximum of five years. The Committee approved filing this bill by consent on 9-13-17.

Council Bill 17-0978 was ordered published on first reading.

Ordered published on first reading

[17-0981](#) A bill for an ordinance approving a proposed Contract Amendment #1 between the City and County of Denver and the State of Colorado, Department of Human Services, Office of Behavioral Health, for the Jail Based Behavioral Health Services Program.

Amends an agreement with the State of Colorado to add \$283,662 for a total reimbursement in the amount of \$563,403 and to add one year for a new end date of 6-30-18 to fund the Denver Sheriff Department's Recovery In a Secure Environment (RISE) Program to provide mental health and substance abuse assistance at the County Jail (201627831-01). The last regularly scheduled Council meeting within the 30-day review period is on 10-16-17. The Committee approved filing this bill by consent on 9-13-17.

Council Bill 17-0981 was ordered published on first reading.

Ordered published on first reading

[17-1013](#) A bill for an ordinance approving a proposed Intergovernmental Agreement between the City and County of Denver and the Colorado Department of Transportation regarding the CDOT Central 70 Environmental Mitigation and Denver Home Improvement Project.

Approves an intergovernmental agreement with the Colorado Department of Transportation in the amount of \$2.3 million through 12-31-18 to implement home improvements for residents in Elyria and Swansea to mitigate for noise and dust during the Central 70 construction project in Council District 9. The last regularly scheduled Council meeting within the 30-day review period is on 10-16-17. The Committee approved filing this bill at its meeting on 9-13-17.

Council Bill 17-1013 was ordered published on first reading.

Ordered published on first reading

BILLS FOR FINAL CONSIDERATION

Finance & Governance Committee

17-0982 A bill for an ordinance making an appropriation within the Denver Arts and Venues Special Revenue Fund.

Approves a \$6.9 million supplemental budget appropriation request for Denver Arts & Venues from the Arts and Venues Special Revenue Fund to cover the costs of additional events in City venues due to higher than expected event space utilization for 2017. The Committee approved filing this bill by consent on 9-5-17.

A motion offered by Councilman Flynn, duly seconded by Councilman Herndon, that Bill 17-0982 be placed upon final consideration and do pass en bloc, carried by the following vote:

Placed upon final consideration and do pass

Aye: Black, Brooks, Clark, Espinoza, Flynn, Gilmore, Herndon, Kashmann, Kniech, López, New, Ortega, Susman (13)

Nay: (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 Council Bill 17-0903, designating the Packard’s Hill Historic District. 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

Land Use, Transportation & Infrastructure Committee

17-0903 A bill for an ordinance designating the Packard’s Hill Historic District, located generally between Lowell Boulevard on the east, 35th Avenue on the north, the alley between Osceola Street and Perry Street on the west, and 32nd Avenue on the south, as a district for preservation.

Approves the designation of Packard’s Hill as a Landmark Historic District for preservation, bounded approximately by Lowell Boulevard & Osceola Street and 32nd Avenue & 35th Avenue in Council District 1. The Committee approved filing this bill at its meeting on 8-22-17.

A motion offered by Councilman Flynn, duly seconded by Councilman Espinoza, that Bill 17-0903 be placed upon final consideration and do pass. The motion carried by the following vote:

Placed upon final consideration and do pass

Council sat as a Committee of the Whole commencing at 7:06 p.m., Council President Brooks presiding, to hear speakers on Council Bill 17-0903. Marie Benedix, Ira Selkowitz, Chris Miles, Yvette Harrell, Linda Paulsen, Annie Levinsky, Patricia Kunkle, Trevor Greco, Marilyn B. Quinn, Rene Galindo, Nancy Chase, Jody Robins, Betty Luce, Elizabeth Clayton, Sharman Sather, Linda Hilton, Julie Anne Moore, Jackie Youngblood, K.C. Mason, Laurie Simmons, Michelle Meyer, Gerald O'Hare, Sheila Pelczarski, Fil Alonso, Joan Bolduc, Stephanie Berg Oram, Stephanie Goldammer, Fran Trujillo, Mary Margaret Jonsson, Paola Golo, Mary Schons, Sherri Moore, Jerry Moline, Bob McCormick, Pat Defa, Chris Vasiliotis, Roger Oran, Rosemary Stoffel, Camille Palmeri, Joseph Halpern, Thomas H. Simmons, Leslie Fogle, John P. Olson, John Harrell, Jenny Parrytt, William J. Chesser, Jamie Chesser, Alison Williams Helm, Paul C. Cloyd, John Palmeri, Terry Gulliver, Anita Lynch, Gertrude "Gertie" Grant, and Stockton Baker signed up to speak in favor of the bill. Dee Hayes, Michelle Bauer, Paul Hudgens, Ricardo Gonzales, Bradley Brubaker, Madeleine O'Connell, Kevin O'Connell, Matthew Brown, Christina Holderness, Alex Holderness, Mark Brandes, Mary Lemieux, Steve Milek, Heidi Van Sickle, Carol Purdy, Melissa Ortega, Ilyanna Kreske, Marc Macaluso, Jeff Snell, Zoe Zuker, Gene Allday, Meggan Wynja, Beau Wynja, Tony Julianelle, Matt Mullane, Carolyn Snell, Jessica Alizadeh, Nick Bertrand, Alex Lafleur, Thomas Felch, Alex Ollig, Matt Poulin, Violet Baker, William Baker, and Ron Johnson signed up to speak in opposition of the bill. Seku signed up to speak neither in favor of nor against the bill. Kara Hahn of Community Planning and Development delivered the Staff Report.

Aye: Brooks, Clark, Espinoza, Kashmann, Kniech, López, New, Ortega (8)

Nay: Black, Flynn, Gilmore, Herndon, Susman (5)

PRE-ADJOURNMENT ANNOUNCEMENT

Council President Brooks announced that on Monday, October 2, 2017, Council will hold a required public hearing on Council Bill 17-1004, approving the I-25 and Broadway Urban Redevelopment Plan and authorizing the creation of an Urban Redevelopment Area to support the Broadway Station Partners Project.

ADJOURN

There being no further business before the City Council, Council President Brooks adjourned the meeting at 1:17 a.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