

## **City Council Minutes**

Meeting Date: Monday, November 30, 2015 5:30 PM

### **Pledge of Allegiance**

Councilman López led the Pledge of Allegiance.

### **Roll Call**

Present: Black, Brooks, Clark, Espinoza, Flynn, Gilmore, Herndon, Kashmann,  
Kniech, Lopez, Ortega, Susman

Absent: New

Councilwoman Ortega arrived late.

### **Approval of the Minutes**

The minutes of meeting date, Monday, November 23, 2015, were distributed to Council. Council President Herndon ordered the minutes approved.

### **Council Announcements**

Council members Brooks, López, and Herndon offered announcements.

### **Presentations**

### **Communications**

### **Proclamations**

**CP15-0914 A proclamation recognizing World AIDS Day and the UNAIDS 90-90-90 Paris Declaration Goals.**

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

A motion offered by Councilwoman Kniech, duly seconded by Councilman López, that CP15-0914 be adopted, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: New (1)

Abstain: (None) (0)

Councilman Espinoza asked to be added as a sponsor of CP15-0914.

## **Resolutions**

The Council Secretary read the following resolutions by titles.

### **Business Development**

#### **CR15-0879 A resolution approving a proposed Standard Licensing Agreement between the City and County of Denver and United Service Organizations, Inc., for space at Denver International Airport. (BUSINESS DEVELOPMENT)**

A motion offered by Councilman López, duly seconded by Councilwoman Kniech, that CR15-0879, CR15-0880, CR15-0888, CR15-0832, CR15-0863, CR15-0871, CR15-0872, CR15-0873, CR15-0876, and CR15-0936 be adopted en bloc, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: New (1)

Abstain: (None) (0)

#### **CR15-0880 A resolution approving a proposed Master Purchase Order between the City and County of Denver and John Bean Technologies Corporation for jet bridges at Denver International Airport. (BUSINESS DEVELOPMENT)**

A motion offered by Councilman López, duly seconded by Councilwoman Kniech, that CR15-0879, CR15-0880, CR15-0888, CR15-0832, CR15-0863, CR15-0871, CR15-0872, CR15-0873, CR15-0876, and CR15-0936 be adopted en bloc, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: New (1)

Abstain: (None) (0)

#### **CR15-0888 A resolution approving a proposed Master Purchase Order between the City and County of Denver and John Bean Technologies Corporation for parts and supplies for the jet bridges at Denver**

**International Airport. (BUSINESS DEVELOPMENT)**

A motion offered by Councilman López, duly seconded by Councilwoman Kniech, that CR15-0879, CR15-0880, CR15-0888, CR15-0832, CR15-0863, CR15-0871, CR15-0872, CR15-0873, CR15-0876, and CR15-0936 be adopted en bloc, carried by the following vote:

Passed  
For: Black, Brooks, Clark, Espinoza, Flynn, Gilmore, Herndon, Kashmann, Kniech, Lopez, Ortega, Susman (12)  
Against: (None) (0)  
Absent: New (1)  
Abstain: (None) (0)

**Finance & Services**

**CR15-0832 A resolution approving a proposed Agreement between the City and County of Denver and HSS, Inc., for security services at multiple City facilities. (FINANCE & SERVICES)**

A motion offered by Councilman López, duly seconded by Councilwoman Kniech, that CR15-0879, CR15-0880, CR15-0888, CR15-0832, CR15-0863, CR15-0871, CR15-0872, CR15-0873, CR15-0876, and CR15-0936 be adopted en bloc, carried by the following vote:

Passed  
For: Black, Brooks, Clark, Espinoza, Flynn, Gilmore, Herndon, Kashmann, Kniech, Lopez, Ortega, Susman (12)  
Against: (None) (0)  
Absent: New (1)  
Abstain: (None) (0)

**CR15-0863 A resolution approving a proposed Lease Agreement between the City and County of Denver and CA New Plan Villa Monaco, L.P. for 2223 South Monaco Parkway. (FINANCE & SERVICES)**

A motion offered by Councilman López, duly seconded by Councilwoman Kniech, that CR15-0879, CR15-0880, CR15-0888, CR15-0832, CR15-0863, CR15-0871, CR15-0872, CR15-0873, CR15-0876, and CR15-0936 be adopted en bloc, carried by the following vote:

Passed  
For: Black, Brooks, Clark, Espinoza, Flynn, Gilmore, Herndon, Kashmann, Kniech, Lopez, Ortega, Susman (12)  
Against: (None) (0)  
Absent: New (1)  
Abstain: (None) (0)

## **Infrastructure & Culture**

### **CR15-0871 A resolution approving the proposed CM/GC Construction Contract between the City and County of Denver and SEMA Construction Inc. for the Red Rocks Parking Lot and Traffic Control Phase I project. (INFRASTRUCTURE & CULTURE)**

A motion offered by Councilman López, duly seconded by Councilwoman Kniech, that CR15-0879, CR15-0880, CR15-0888, CR15-0832, CR15-0863, CR15-0871, CR15-0872, CR15-0873, CR15-0876, and CR15-0936 be adopted en bloc, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: New (1)

Abstain: (None) (0)

### **CR15-0872 A resolution granting a revocable permit to The Robert L. Naiman CO., LLC, to encroach into the right-of-way at 4040 Tennyson Street. (INFRASTRUCTURE & CULTURE)**

A motion offered by Councilman López, duly seconded by Councilwoman Kniech, that CR15-0879, CR15-0880, CR15-0888, CR15-0832, CR15-0863, CR15-0871, CR15-0872, CR15-0873, CR15-0876, and CR15-0936 be adopted en bloc, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: New (1)

Abstain: (None) (0)

### **CR15-0873 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 West 32nd Avenue and Pecos Street. (INFRASTRUCTURE & CULTURE)**

A motion offered by Councilman López, duly seconded by Councilwoman Kniech, that CR15-0879, CR15-0880, CR15-0888, CR15-0832, CR15-0863, CR15-0871, CR15-0872, CR15-0873, CR15-0876, and CR15-0936 be adopted en bloc, carried by the following vote:

Passed

For: Black, Brooks, Clark, Espinoza, Flynn, Gilmore, Herndon, Kashmann, Kniech,

Lopez, Ortega, Susman (12)  
Against: (None) (0)  
Absent: New (1)  
Abstain: (None) (0)

**CR15-0876 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 West 32nd Avenue and Vallejo Street. (INFRASTRUCTURE & CULTURE)**

A motion offered by Councilman López, duly seconded by Councilwoman Kniech, that CR15-0879, CR15-0880, CR15-0888, CR15-0832, CR15-0863, CR15-0871, CR15-0872, CR15-0873, CR15-0876, and CR15-0936 be adopted en bloc, carried by the following vote:

Passed  
For: Black, Brooks, Clark, Espinoza, Flynn, Gilmore, Herndon, Kashmann, Kniech, Lopez, Ortega, Susman (12)  
Against: (None) (0)  
Absent: New (1)  
Abstain: (None) (0)

**Safety & Well-being**

**CR15-0936 A resolution authorizing the payment of any judgment entered for punitive damages against city employee Kyllion Chafin in Case No. 13-cv-01761-CMA-MJW, in the United States District Court for the District of Colorado. (SAFETY & WELL-BEING)**

A motion offered by Councilman López, duly seconded by Councilwoman Kniech, that CR15-0879, CR15-0880, CR15-0888, CR15-0832, CR15-0863, CR15-0871, CR15-0872, CR15-0873, CR15-0876, and CR15-0936 be adopted en bloc, carried by the following vote:

Passed  
For: Black, Brooks, Clark, Espinoza, Flynn, Gilmore, Herndon, Kashmann, Kniech, Lopez, Ortega, Susman (12)  
Against: (None) (0)  
Absent: New (1)  
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**

**CB15-0868 A bill for an ordinance approving a Purchase and Sale Agreement between the City and County of Denver and Recreational Equipment, Inc. for the sale of 1416 Platte Street. (FINANCE & SERVICES)**

A motion offered by Councilman López, duly seconded by Councilman Flynn, that CB15-0868 be ordered published, carried by the following vote:

Passed  
For: Black, Brooks, Clark, Flynn, Gilmore, Herndon, Kashmann, Kniech, Lopez, Ortega, Susman (11)  
Against: Espinoza (1)  
Absent: New (1)  
Abstain: (None) (0)

**CB15-0875 A bill for an Ordinance creating Article XII, Chapter 20 of the Denver Revised Municipal Code, authorizing the Treasurer of the City and County of Denver to collect and enforce rates, tolls and charges on behalf of improvement districts created pursuant to Part 6, Article 25, Title 31 of the Colorado Revised Statutes. (FINANCE & SERVICES)**

A motion offered by Council President Herndon, duly seconded by Councilman López, that CB15-0875, CB15-0883, CB15-0885, CB15-0886, CB15-0887, and CB15-0892 be ordered published en bloc, carried by the following vote:

Passed  
For: Black, Brooks, Clark, Espinoza, Flynn, Gilmore, Herndon, Kashmann, Kniech, Lopez, Ortega, Susman (12)  
Against: (None) (0)  
Absent: New (1)  
Abstain: (None) (0)

**CB15-0883 A bill for an ordinance rescinding unspent budget from completed Capital Improvements and Capital Maintenance Projects and making appropriations for Capital Improvements and Capital Maintenance Projects. (FINANCE & SERVICES)**

A motion offered by Council President Herndon, duly seconded by Councilman López, that CB15-0875, CB15-0883, CB15-0885, CB15-0886, CB15-0887, and CB15-0892 be ordered published en bloc, carried by the following vote:

Passed  
For: Black, Brooks, Clark, Espinoza, Flynn, Gilmore, Herndon, Kashmann, Kniech, Lopez, Ortega, Susman (12)  
Against: (None) (0)  
Absent: New (1)  
Abstain: (None) (0)

**CB15-0885 A bill for an ordinance rescinding appropriation from the General Fund Transfer to the Workman’s Compensation Internal Service Fund and making appropriations to the Worker’s Compensation Billings. (FINANCE & SERVICES)**

A motion offered by Council President Herndon, duly seconded by Councilman López, that CB15-0875, CB15-0883, CB15-0885, CB15-0886, CB15-0887, and CB15-0892 be ordered published en bloc, carried by the following vote:

Passed  
For: Black, Brooks, Clark, Espinoza, Flynn, Gilmore, Herndon, Kashmann, Kniech, Lopez, Ortega, Susman (12)  
Against: (None) (0)  
Absent: New (1)  
Abstain: (None) (0)

**Governance & Charter Review**

**CB15-0886 A bill for an ordinance authorizing expenditures in the Employees Voluntary Salary Redirection Plan Special Trust Fund for Uninsured Medical Expense, Dependent Care Expense, and Qualified Parking Expense. (GOVERNANCE & CHARTER REVIEW)**

A motion offered by Council President Herndon, duly seconded by Councilman López, that CB15-0875, CB15-0883, CB15-0885, CB15-0886, CB15-0887, and CB15-0892 be ordered published en bloc, carried by the following vote:

Passed  
For: Black, Brooks, Clark, Espinoza, Flynn, Gilmore, Herndon, Kashmann, Kniech, Lopez, Ortega, Susman (12)  
Against: (None) (0)  
Absent: New (1)  
Abstain: (None) (0)

**CB15-0887 A bill for an ordinance authorizing expenditures from the Dental Self-Insurance Fund. (GOVERNANCE & CHARTER REVIEW)**

A motion offered by Council President Herndon, duly seconded by Councilman López, that CB15-0875, CB15-0883, CB15-0885, CB15-0886, CB15-0887, and CB15-0892 be ordered published en bloc, carried by the following vote:

Passed  
For: Black, Brooks, Clark, Espinoza, Flynn, Gilmore, Herndon, Kashmann, Kniech, Lopez, Ortega, Susman (12)  
Against: (None) (0)  
Absent: New (1)  
Abstain: (None) (0)

## **Infrastructure & Culture**

### **CB15-0892 A bill for an ordinance amending Article V of Chapter 48 and Article II of Chapter 32 of the Revised Municipal Code of the City and County of Denver regarding solid waste haulers. (INFRASTRUCTURE & CULTURE)**

A motion offered by Council President Herndon, duly seconded by Councilman López, that CB15-0875, CB15-0883, CB15-0885, CB15-0886, CB15-0887, and CB15-0892 be ordered published en bloc, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: New (1)

Abstain: (None) (0)

## **Recap of Bills to be Called Out**

### **Pre-Recess Announcement**

**Tonight there will be a required public hearing on CB15-0828, designating 5115 West 29th Avenue, the Lambourns' View House, as a structure for preservation. 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**

Council sat as a Committee of the Whole commencing at 6:21 PM, Council President Herndon presiding, to hear speakers on CB15-0828. Anne Levinsky, Kevin Bickel, Jonathan Tesky, Paul Cloyd, Scott Holiday, Sherry Allen, Joan M. Boldue, Pat Defa, Niloufer Khan, Marie Benedix, Sonja Roybal, Tim Yeomans, Marilyn Quinn, Stephanie Goldammer, Barbara Marcus, Thomas H. Simmons, Jude



Aiello, Daniel Findlay, Mary Hendrick, Richard Lobato, Ernest Marranzino, and Marie Edgar signed up to speak in favor of the bill. Joe Vigil, Brad Teets, Robert Mawson, David Foster, Manuel Karamaroudis, and Keith Painter signed up to speak in opposition of the bill. Kara Hahn of Community Planning and Development delivered the Staff Report.

**CB15-0828 A bill for an ordinance designating 5115 W. 29th Avenue, the Lambourns’ View House, as a structure for preservation. (NEIGHBORHOODS AND PLANNING)**

A motion offered by Councilman López, duly seconded by Councilwoman Susman, that CB15-0828 be placed upon final consideration and do pass, failed to carry by the following vote:

Failed  
For: Espinoza, Kniech, Lopez, Ortega (4)  
Against: Black, Brooks, Clark, Flynn, Gilmore, Herndon, Kashmann, Susman (8)  
Absent: New (1)  
Abstain: (None) (0)

**Bills for Final Consideration**

**Infrastructure & Culture**

**CB15-0845 A bill for an Ordinance approving an Amendment to Agreement with Urban Drainage and Flood Control District regarding design and construction of drainage and flood control improvements for Weir Gulch from Sheridan Boulevard to Hooker Street. (INFRASTRUCTURE & CULTURE)**

A motion offered by Councilman López, duly seconded by Councilman Flynn, that CB15-0845 be placed upon final consideration and do pass, carried by the following vote:

Passed  
For: Black, Brooks, Clark, Espinoza, Flynn, Gilmore, Herndon, Kashmann, Kniech, Lopez, Ortega, Susman (12)  
Against: (None) (0)  
Absent: New (1)  
Abstain: (None) (0)

**Adjourn**

There being no further business before the City Council, Council President Herndon adjourned the meeting at 9:54 PM.

## **Pending**

**For 12-7-15**

**CB15-0775 A bill for an ordinance changing the zoning classification for 2901 Grove Street, 2921 Grove Street, 2890 Hazel Court, and 3120 West 29th Avenue.**

**Final Consideration**

**Required Public Hearing (NEIGHBORHOODS AND PLANNING)**

**For 12-14-15**

**CB15-0827 A bill for an ordinance changing the zoning classification for 510 E. 51st Avenue, 480 E. 51st Avenue, 4855 Pearl Street, 4871 Pearl Street, and 4877 Pearl Street.**

**Required Public Hearing**

**Final Consideration (NEIGHBORHOODS AND PLANNING)**

**For 1-25-16**

**CB15-0625 A bill for an ordinance changing the zoning classification for 3268 West 32nd Avenue.**

**Required Public Hearing**

**Final Consideration (NEIGHBORHOODS AND PLANNING)**