

City Council Minutes

Meeting Date: Monday, August 10, 2015 5:30 PM

Pledge of Allegiance

Councilwoman Kniech led the Pledge of Allegiance.

Roll Call

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

Absent: Brooks

Approval of the Minutes

The minutes of meeting date, Monday, August 3, 2015, were distributed to Council. Council President Herndon ordered the minutes approved.

Council Announcements

Councilwoman Ortega offered an announcement.

Presentations

Communications

Proclamations

Resolutions

The Council Secretary read the following resolutions by titles.

Finance & Services

CR15-0542 A resolution to set a public hearing on the approval of Service Plans for the proposed West Globeville Metropolitan District Nos. 1 and 2 related to the 25/70 Development. (FINANCE & SERVICES)

A motion offered by Councilwoman Kniech, duly seconded by Councilman Flynn, that CR15-0542 be adopted, failed to carry by the following vote:

Failed

For: (None) (0)

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

Absent: Brooks (1)

Abstain: (None) (0)

Infrastructure & Culture

CR15-0527 A resolution laying out, opening and establishing as part of the City street system a parcel of land as a public alley bounded by West 22nd Avenue, West 23rd Avenue, Eliot Street and Federal Boulevard. (INFRASTRUCTURE & CULTURE)

A motion offered by Councilwoman Kniech, duly seconded by Councilwoman Black, that CR15-0527, CR15-0532, CR15-0533, CR15-0534, and CR15-0540 be adopted en bloc, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: Brooks (1)

Abstain: (None) (0)

CR15-0532 A resolution laying out, opening and establishing as part of the City street system a parcel of land as a public alley bounded by West 19th Avenue, West 20th Avenue, Hooker Street and Grove Street. (INFRASTRUCTURE & CULTURE)

A motion offered by Councilwoman Kniech, duly seconded by Councilwoman Black, that CR15-0527, CR15-0532, CR15-0533, CR15-0534, and CR15-0540 be adopted en bloc, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: Brooks (1)

Abstain: (None) (0)

CR15-0533 A resolution accepting and approving the plat of Peña Station Filing No. 1. (INFRASTRUCTURE & CULTURE)

A motion offered by Councilwoman Kniech, duly seconded by Councilwoman Black, that CR15-0527, CR15-0532, CR15-0533, CR15-0534, and CR15-0540 be adopted en bloc, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: Brooks (1)

Abstain: (None) (0)

CR15-0534 A resolution accepting and approving the plat of Denver International Business Center Filing No. 5. (INFRASTRUCTURE & CULTURE)

A motion offered by Councilwoman Kniech, duly seconded by Councilwoman Black, that CR15-0527, CR15-0532, CR15-0533, CR15-0534, and CR15-0540 be adopted en bloc, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: Brooks (1)

Abstain: (None) (0)

CR15-0540 A resolution laying out, opening and establishing as part of the City street system a parcel of land as Tennyson Street at its intersection with West Wells Place. (INFRASTRUCTURE & CULTURE)

A motion offered by Councilwoman Kniech, duly seconded by Councilwoman Black, that CR15-0527, CR15-0532, CR15-0533, CR15-0534, and CR15-0540 be adopted en bloc, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: Brooks (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.

Business Development

CB15-0524 A bill for an ordinance approving a proposed First Amendment to Contract between the City and County of Denver and ABX Air, Inc. related to leased space at Denver International Airport. (BUSINESS

DEVELOPMENT)

A motion offered by Council President Herndon, duly seconded by Councilwoman Kniech, that CB15-0524, CB15-0537, CB15-0538, CB15-0528, CB15-0529, CB15-0530, CB15-0224, and CB15-0516 be ordered published en bloc, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: Brooks (1)

Abstain: (None) (0)

CB15-0537 A bill for an ordinance approving a proposed Airport Cargo Facilities Non Signatory Lease Agreement between the City and County of Denver and Air General, Inc., concerning the use of certain cargo premises and facilities at Denver International Airport. (BUSINESS DEVELOPMENT)

A motion offered by Council President Herndon, duly seconded by Councilwoman Kniech, that CB15-0524, CB15-0537, CB15-0538, CB15-0528, CB15-0529, CB15-0530, CB15-0224, and CB15-0516 be ordered published en bloc, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: Brooks (1)

Abstain: (None) (0)

CB15-0538 A bill for an ordinance approving a proposed Reimbursable Services Agreement between the City and County of Denver and U.S. Customs and Border Protection concerning the reimbursement of an alternative funding source at Denver International Airport. (BUSINESS DEVELOPMENT)

A motion offered by Council President Herndon, duly seconded by Councilwoman Kniech, that CB15-0524, CB15-0537, CB15-0538, CB15-0528, CB15-0529, CB15-0530, CB15-0224, and CB15-0516 be ordered published en bloc, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: Brooks (1)

Abstain: (None) (0)

Finance & Services

CB15-0522 A bill for an ordinance approving a proposed Amendatory Lease Agreement between the City and County of Denver and the Colorado Symphony Association, for offices used by the Colorado Symphony Association. (FINANCE & SERVICES)

A motion offered by Councilwoman Kniech, duly seconded by Councilman Clark, that CB15-0522 be ordered published was followed by a motion offered by Councilman Flynn, duly seconded by Councilman Espinoza, that CB15-0522 be held in committee to Monday, August 24, 2015, which motion to hold in committee, carried by the following vote:

Passed

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

Against: Gilmore, Susman (2)

Absent: Brooks (1)

Abstain: (None) (0)

CB15-0528 A bill for an ordinance approving a proposed Purchase Order between the City and County of Denver and Software House International Inc., for Oracle Database maintenance and support renewal for data collection and management. (FINANCE & SERVICES)

A motion offered by Council President Herndon, duly seconded by Councilwoman Kniech, that CB15-0524, CB15-0537, CB15-0538, CB15-0528, CB15-0529, CB15-0530, CB15-0224, and CB15-0516 be ordered published en bloc, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: Brooks (1)

Abstain: (None) (0)

CB15-0529 A bill for an ordinance approving a proposed Master Purchase Order between the City and County of Denver and Prodocument Solutions, Inc., dba Pro Vote Solutions for ballot printing in support of the City's elections processes. (FINANCE & SERVICES)

A motion offered by Council President Herndon, duly seconded by Councilwoman Kniech, that CB15-0524, CB15-0537, CB15-0538, CB15-0528, CB15-0529, CB15-0530, CB15-0224, and CB15-0516 be ordered published en bloc, carried by the

following vote:

Passed

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

Against: (None) (0)

Absent: Brooks (1)

Abstain: (None) (0)

CB15-0530 A bill for an ordinance approving a Second Amendatory Agreement between the City and County of Denver and Ferkam, Inc., d/b/a Extreme Towing and Recovery for citywide towing services. (FINANCE & SERVICES)

A motion offered by Council President Herndon, duly seconded by Councilwoman Kniech, that CB15-0524, CB15-0537, CB15-0538, CB15-0528, CB15-0529, CB15-0530, CB15-0224, and CB15-0516 be ordered published en bloc, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: Brooks (1)

Abstain: (None) (0)

Infrastructure & Culture

CB15-0541 A bill for an ordinance approving a proposed Possession and Use Agreement and Improvement Agreement with the Regional Transportation District and the Western Stock Show Association. (INFRASTRUCTURE & CULTURE)

A motion offered by Councilwoman Kniech, duly seconded by Councilman Clark, that CB15-0541 be ordered published, carried by the following vote:

Passed

For: Black, Clark, Gilmore, Herndon, Kashmann, Kniech, Lopez, New, Ortega, Susman (10)

Against: (None) (0)

Absent: Brooks (1)

Abstain: Espinoza, Flynn (2)

Safety & Well-being

CB15-0224 A bill for an ordinance approving a proposed License and Recycling Agreement between the City and County of Denver, Asphalt

Specialties Company, Inc. and Waste Management of Colorado, Inc., for shingle processing and recycling operations at the Denver Arapahoe Disposal Site. (SAFETY & WELL-BEING)

A motion offered by Council President Herndon, duly seconded by Councilwoman Kniech, that CB15-0524, CB15-0537, CB15-0538, CB15-0528, CB15-0529, CB15-0530, CB15-0224, and CB15-0516 be ordered published en bloc, carried by the following vote:

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

CB15-0516 A bill for an ordinance amending various provisions of the Denver Revised Municipal Code to clarify the circumstances under which it is unlawful to violate a rule or regulation. (SAFETY & WELL-BEING)

A motion offered by Council President Herndon, duly seconded by Councilwoman Kniech, that CB15-0524, CB15-0537, CB15-0538, CB15-0528, CB15-0529, CB15-0530, CB15-0224, and CB15-0516 be ordered published en bloc, carried by the following vote:

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

Recap of Bills to be Called Out

Pre-Recess Announcement

Tonight, there will be a required public hearing on CB15-0410, changing the zoning classification for 270 South Madison Street, and a required public hearing on CB15-0424, changing the zoning classification for 59-75 South Jackson Street. Anyone wishing to speak on either matter must see the Council Secretary to receive a speaker card to fill out and return to her during the recess of Council.

Council President Herndon announced that tonight there will be a required public hearing on CB15-0410, changing the zoning classification for 270 South Madison Street, and a required public hearing on CB15-0424, changing the zoning

classification for 59-75 South Jackson Street.

Recess

Council took a recess.

Council Reconvenes and Resumes its Regular Session

Public Hearings - Bills for Final Consideration

Neighborhoods & Planning

CB15-0410 A bill for an ordinance changing the zoning classification for 270 S. Madison Street. (NEIGHBORHOODS & PLANNING)

A motion offered by Councilwoman Kniech, duly seconded by Councilwoman Ortega, that CB15-0410 be placed upon final consideration and do pass, carried by the following vote:

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

Council sat as a Committee of the Whole commencing at 6:24 PM, Council President Herndon presiding, to hear speakers on CB15-0410. Howard Kent 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.

CB15-0424 A bill for an ordinance changing the zoning classification for 59-75 S. Jackson Street. (NEIGHBORHOODS AND PLANNING)

A motion offered by Councilwoman Kniech, duly seconded by Councilman Clark, that CB15-0424 be placed upon final consideration and do pass, carried by the following vote:

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

Council sat as a Committee of the Whole commencing at 6:53 PM, Council President Herndon presiding, to hear speakers on CB15-0424. Kelly Chopin signed up to speak in favor of the bill. No speakers signed up to speak in opposition of the bill. Tim Watkins of Community Planning and Development delivered the Staff Report.

Bills for Final Consideration

Business Development

CB15-0505 A bill for an ordinance approving a proposed On-Call Agreement between the City and County of Denver and AECOM Technical Services, Inc. for professional on-call asset condition assessment services at Denver International Airport. (BUSINESS DEVELOPMENT COMMITTEE)

A motion offered by Councilwoman Kniech, duly seconded by Councilwoman Black, that CB15-0505, CB15-0523, CB15-0525, CB15-0526, CB15-0465, CB15-0519, CB15-0497, CB15-0499, and CB15-0509 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, Lopez, New, Ortega, Susman (12)
Against: (None) (0)
Absent: Brooks (1)
Abstain: (None) (0)

CB15-0523 A bill for an ordinance approving a proposed First Amendment to the Airport Use and Lease Agreement between the City and County of Denver and Great Lakes Aviation, Ltd., related to leased space at Denver International Airport. (BUSINESS DEVELOPMENT COMMITTEE)

A motion offered by Councilwoman Kniech, duly seconded by Councilwoman Black, that CB15-0505, CB15-0523, CB15-0525, CB15-0526, CB15-0465, CB15-0519, CB15-0497, CB15-0499, and CB15-0509 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, Lopez, New, Ortega, Susman (12)
Against: (None) (0)
Absent: Brooks (1)
Abstain: (None) (0)

CB15-0525 A bill for an ordinance approving a proposed Airport Use and Lease Agreement between the City and County of Denver and Trans States

**Airlines, LLC related to leased space at Denver International Airport.
(BUSINESS DEVELOPMENT COMMITTEE)**

A motion offered by Councilwoman Kniech, duly seconded by Councilwoman Black, that CB15-0505, CB15-0523, CB15-0525, CB15-0526, CB15-0465, CB15-0519, CB15-0497, CB15-0499, and CB15-0509 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, Lopez, New, Ortega, Susman (12)
Against: (None) (0)
Absent: Brooks (1)
Abstain: (None) (0)

**CB15-0526 A bill for an ordinance approving a proposed Airport Use and Lease Agreement between the City and County of Denver and Republic Airlines, LLC related to leased space at Denver International Airport.
(BUSINESS DEVELOPMENT COMMITTEE)**

A motion offered by Councilwoman Kniech, duly seconded by Councilwoman Black, that CB15-0505, CB15-0523, CB15-0525, CB15-0526, CB15-0465, CB15-0519, CB15-0497, CB15-0499, and CB15-0509 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, Lopez, New, Ortega, Susman (12)
Against: (None) (0)
Absent: Brooks (1)
Abstain: (None) (0)

Infrastructure & Culture

CB15-0465 A bill for an Ordinance approving an Agreement with Summer Scholars to implement the Summer Scholars/Scholar After School Recreation Programs. (INFRASTRUCTURE & CULTURE)

A motion offered by Councilwoman Kniech, duly seconded by Councilwoman Black, that CB15-0505, CB15-0523, CB15-0525, CB15-0526, CB15-0465, CB15-0519, CB15-0497, CB15-0499, and CB15-0509 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, Lopez, New, Ortega, Susman (12)
Against: (None) (0)

Absent: Brooks (1)
Abstain: (None) (0)

CB15-0519 A bill for an ordinance vacating a portion of right-of-way west of 1233 Tennyson Street, without reservations. (INFRASTRUCTURE & CULTURE)

A motion offered by Councilwoman Kniech, duly seconded by Councilwoman Black, that CB15-0505, CB15-0523, CB15-0525, CB15-0526, CB15-0465, CB15-0519, CB15-0497, CB15-0499, and CB15-0509 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, Lopez, New, Ortega, Susman (12)

Against: (None) (0)

Absent: Brooks (1)

Abstain: (None) (0)

Safety & Well-being

CB15-0497 A bill for an ordinance authorizing expenditures in the Public Safety Special Revenue Fund based on a letter of intent from the Office of National Drug Control Policy to award funding for the "High Intensity Drug Trafficking Area (H.I.D.T.A) FY16" program. (SAFETY & WELL-BEING)

A motion offered by Councilwoman Kniech, duly seconded by Councilwoman Black, that CB15-0505, CB15-0523, CB15-0525, CB15-0526, CB15-0465, CB15-0519, CB15-0497, CB15-0499, and CB15-0509 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, Lopez, New, Ortega, Susman (12)

Against: (None) (0)

Absent: Brooks (1)

Abstain: (None) (0)

CB15-0499 A bill for an ordinance amending Chapter 18 of the Revised Municipal Code to establish the 2015 salary and fringe benefits of the Sheriff, Deputy Sheriff Division Chiefs and Deputy Sheriff Majors. (SAFETY & WELL-BEING)

A motion offered by Councilwoman Kniech, duly seconded by Councilwoman Black, that CB15-0505, CB15-0523, CB15-0525, CB15-0526, CB15-0465, CB15-0519, CB15-0497, CB15-0499, and CB15-0509 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, Lopez, New, Ortega, Susman (12)

Against: (None) (0)

Absent: Brooks (1)

Abstain: (None) (0)

CB15-0509 A bill for an ordinance to approve an amendment to a contract between the City and County of Denver and the State of Colorado Department of Labor and Employment, Division of Oil and Public Safety for reimbursement of cleanup costs for an underground storage tank site located at 5440 Roslyn Street, Denver, Colorado. (SAFETY & WELL-BEING)

A motion offered by Councilwoman Kniech, duly seconded by Councilwoman Black, that CB15-0505, CB15-0523, CB15-0525, CB15-0526, CB15-0465, CB15-0519, CB15-0497, CB15-0499, and CB15-0509 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, Lopez, New, Ortega, Susman (12)

Against: (None) (0)

Absent: Brooks (1)

Abstain: (None) (0)

Adjourn

There being no further business before the City Council, Council President Herndon adjourned the meeting at 7:13 PM.

Pending

For 8-31-15

CB15-0498 A bill for an ordinance changing the zoning classification for 6502 East Union Avenue.

Required Public Hearing

Final Consideration (NEIGHBORHOODS AND PLANNING)

For 8-31-15

CB15-0503 A bill for an ordinance changing the zoning classification for 22 South Adams Street and 44 South Adams Street.

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