

## **City Council Minutes**

Meeting Date: Monday, March 14, 2016 5:30 PM

### **Pledge of Allegiance**

Councilwoman Gilmore led the Pledge of Allegiance.

### **Roll Call**

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

Absent: None

### **Approval of the Minutes**

The minutes of meeting date, Monday, March 7, 2016, were distributed to Council. Council President Herndon ordered the minutes approved.

### **Council Announcements**

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

### **Presentations**

### **Communications**

### **Proclamations**

**CP16-0185 A proclamation honoring Anthony Frazzini for his career with the City and County of Denver.**

**Sponsored by Council members Flynn, Ortega, Lopez, Kashmann, Brooks, Black, Espinoza and New.**

A motion offered by Councilman Flynn, duly seconded by Councilwoman Susman, that CP16-0185 be adopted, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: (None) (0)

Abstain: (None) (0)

Councilwoman Gilmore asked to be added as a sponsor of CP16-0185.

**Resolutions**

The Council Secretary read the following resolutions by titles.

**Business Development**

**CR16-0133 A resolution approving a proposed Standard Concession Agreement between the City and County of Denver and MCE-DIA, LLC concerning restaurant and convenience concessions in the Westin Hotel, on Concourse B, and on Concourse C at Denver International Airport. (BUSINESS DEVELOPMENT)**

A motion offered by Councilwoman Gilmore, duly seconded by Councilwoman Black, that CR16-0133 be adopted, carried by the following vote:

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

**Finance & Services**

**CR16-0117 A resolution approving a proposed Purchase Order between the City and County of Denver and Landscape Forms, Inc., to manufacture and deliver historic replicas of the 16th Street Mall lights. (FINANCE & SERVICES)**

A motion offered by Councilwoman Gilmore, duly seconded by Councilwoman Susman, that CR16-0117, CR16-0119, CR16-0123, CR16-0126, CR16-0132, and CR16-0136 be adopted en bloc, carried by the following vote:

Passed  
For: Black, Brooks, Clark, Espinoza, Flynn, Gilmore, Herndon, Kashmann, Kniech, Lopez, New, Ortega, Susman (13)  
Against: (None) (0)  
Absent: (None) (0)  
Abstain: (None) (0)

**CR16-0119 A resolution approving a proposed Amendatory Agreement by and between the City and County of Denver and Iron and Metals, Inc., to provide containers/roll-offs for the collection and sale of scrap metal.**

**(FINANCE & SERVICES)**

A motion offered by Councilwoman Gilmore, duly seconded by Councilwoman Susman, that CR16-0117, CR16-0119, CR16-0123, CR16-0126, CR16-0132, and CR16-0136 be adopted en bloc, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: (None) (0)

Abstain: (None) (0)

**CR16-0123 A resolution approving a proposed Master Purchase Order between the City and County of Denver and Transwest Freightliner LLC dba Tranwest/All Truck and Trailer Parts for medium-heavy equipment and trailer parts that are used on City vehicles. (FINANCE & SERVICES)**

A motion offered by Councilwoman Gilmore, duly seconded by Councilwoman Susman, that CR16-0117, CR16-0119, CR16-0123, CR16-0126, CR16-0132, and CR16-0136 be adopted en bloc, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: (None) (0)

Abstain: (None) (0)

**Governance & Charter Review**

**CR16-0126 A resolution approving the Mayor’s appointment to the Denver Latino Commission. (GOVERNANCE & CHARTER REVIEW)**

A motion offered by Councilwoman Gilmore, duly seconded by Councilwoman Susman, that CR16-0117, CR16-0119, CR16-0123, CR16-0126, CR16-0132, and CR16-0136 be adopted en bloc, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: (None) (0)

Abstain: (None) (0)

**Infrastructure & Culture**

**CR16-0132 A resolution approving a proposed Purchase Order between the City and County of Denver and Rush Peterbilt Truck Center Denver for the purchase of three Peterbilt 320/Heil body rear loading refuse trucks. (INFRASTRUCTURE & CULTURE)**

A motion offered by Councilwoman Gilmore, duly seconded by Councilwoman Susman, that CR16-0117, CR16-0119, CR16-0123, CR16-0126, CR16-0132, and CR16-0136 be adopted en bloc, carried by the following vote:

Passed  
For: Black, Brooks, Clark, Espinoza, Flynn, Gilmore, Herndon, Kashmann, Kniech, Lopez, New, Ortega, Susman (13)  
Against: (None) (0)  
Absent: (None) (0)  
Abstain: (None) (0)

**CR16-0136 A resolution approving a proposed Second Amendatory Agreement by and between the City and County of Denver and Standard Parking Corporation IL, to provide the management and operation of the City’s surface parking lots. (INFRASTRUCTURE & CULTURE)**

A motion offered by Councilwoman Gilmore, duly seconded by Councilwoman Susman, that CR16-0117, CR16-0119, CR16-0123, CR16-0126, CR16-0132, and CR16-0136 be adopted en bloc, carried by the following vote:

Passed  
For: Black, Brooks, Clark, Espinoza, Flynn, Gilmore, Herndon, Kashmann, Kniech, Lopez, New, Ortega, Susman (13)  
Against: (None) (0)  
Absent: (None) (0)  
Abstain: (None) (0)

**Safety & Well-being**

**CR16-0138 A resolution approving a proposed Second Amendment and Modification Agreement between the City and County of Denver and Del Norte Neighborhood Development Corporation. (SAFETY & WELL-BEING)**

A motion offered by Councilwoman Gilmore, duly seconded by Councilman Flynn, that CR16-0138 be adopted, carried by the following vote:

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

## **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**

#### **CB16-0134 A bill for an ordinance approving an Amended Budget for 2016 for the Colfax Business Improvement District. (BUSINESS DEVELOPMENT)**

A motion offered by Councilwoman Gilmore, duly seconded by Councilman Flynn, that CB16-0134 be ordered published, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: (None) (0)

Abstain: Ortega (1)

### **Finance & Services**

#### **CB16-0137 A bill for an ordinance designating certain property as being required for public use and authorizing use and acquisition thereof by negotiation, purchase and/or through condemnation proceedings of fee simple and other interests, including any rights and interests related or appurtenant to such property, as needed for the Mississippi and Federal Retail Center Alley Improvement Project. (FINANCE & SERVICES)**

A motion offered by Council President Herndon, duly seconded by Councilwoman Gilmore, that CB16-0137, CB16-0128, CB16-0127, CB16-0135, CB16-0129, CB16-130, and CB16-0107 be ordered published en bloc, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: (None) (0)

Abstain: (None) (0)

### **Governance & Charter Review**

#### **CB16-0128 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 Council President Herndon, duly seconded by Councilwoman Gilmore, that CB16-0137, CB16-0128, CB16-0127, CB16-0135, CB16-0129, CB16-130, and CB16-0107 be ordered published en bloc, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: (None) (0)

Abstain: (None) (0)

**Infrastructure & Culture**

**CB16-0127 A bill for an ordinance vacating a portion of the alley bounded by Utica Street, West 43rd Avenue, Tennyson Street and West 41st Avenue in Chavez Park, without reservations. (INFRASTRUCTURE & CULTURE)**

A motion offered by Council President Herndon, duly seconded by Councilwoman Gilmore, that CB16-0137, CB16-0128, CB16-0127, CB16-0135, CB16-0129, CB16-130, and CB16-0107 be ordered published en bloc, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: (None) (0)

Abstain: (None) (0)

**CB16-0135 A bill for an ordinance relinquishing two utility easements conveyed by a Deed of Easement recorded at Reception No. 1996067098 and bounded by South Colorado Boulevard, East Kentucky Avenue, South Birch Street, and East Mississippi Avenue. (INFRASTRUCTURE & CULTURE)**

A motion offered by Council President Herndon, duly seconded by Councilwoman Gilmore, that CB16-0137, CB16-0128, CB16-0127, CB16-0135, CB16-0129, CB16-130, and CB16-0107 be ordered published en bloc, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: (None) (0)

Abstain: (None) (0)

**Neighborhoods & Planning**

**CB16-0129 A bill for an ordinance changing the zoning classification for 210 Saint Paul Street. (NEIGHBORHOODS AND PLANNING)**

A motion offered by Council President Herndon, duly seconded by Councilwoman Gilmore, that CB16-0137, CB16-0128, CB16-0127, CB16-0135, CB16-0129, CB16-130, and CB16-0107 be ordered published en bloc, carried by the following vote:

Passed  
For: Black, Brooks, Clark, Espinoza, Flynn, Gilmore, Herndon, Kashmann, Kniech, Lopez, New, Ortega, Susman (13)  
Against: (None) (0)  
Absent: (None) (0)  
Abstain: (None) (0)

**CB16-0130 A bill for an ordinance changing the zoning classification for 3200 Walnut St., 3220 Walnut St., 3254 Walnut St. and 3235 Larimer St. (NEIGHBORHOODS AND PLANNING)**

A motion offered by Council President Herndon, duly seconded by Councilwoman Gilmore, that CB16-0137, CB16-0128, CB16-0127, CB16-0135, CB16-0129, CB16-130, and CB16-0107 be ordered published en bloc, carried by the following vote:

Passed  
For: Black, Brooks, Clark, Espinoza, Flynn, Gilmore, Herndon, Kashmann, Kniech, Lopez, New, Ortega, Susman (13)  
Against: (None) (0)  
Absent: (None) (0)  
Abstain: (None) (0)

**Safety & Well-being**

**CB16-0107 A bill for an ordinance amending Sections 28-17, 28-20, and 28-21 of the Revised Municipal Code concerning the Agency for Human Rights and Community Partnerships and, in connection therewith, modifying the terms referring to certain community groups and eliminating gender-specific language. (SAFETY & WELL-BEING)**

A motion offered by Council President Herndon, duly seconded by Councilwoman Gilmore, that CB16-0137, CB16-0128, CB16-0127, CB16-0135, CB16-0129, CB16-130, and CB16-0107 be ordered published en bloc, carried by the following vote:

Passed  
For: Black, Brooks, Clark, Espinoza, Flynn, Gilmore, Herndon, Kashmann, Kniech, Lopez, New, Ortega, Susman (13)  
Against: (None) (0)  
Absent: (None) (0)  
Abstain: (None) (0)

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

### **Recess**

Council did not take a recess.

## **Council Reconvenes and Resumes its Regular Session**

### **Bills for Final Consideration**

#### **Finance & Services**

**CB16-0111 A bill for an ordinance amending Sec. 53-27(b)2, 53-98(b)(2), 53-171(b) and Account Number 97000/282110 of the Revised Municipal Code of the City and County of Denver to implement the results of the election held in the City on November 3, 2015. (FINANCE & SERVICES)**

A motion carried by Councilwoman Gilmore, duly seconded by Councilman Flynn, that CB16-0111, CB16-0120, CB16-0118, CB16-0110, CB16-0112, CB16-0113, CB16-0121, and CB16-0122 be placed upon final consideration and do pass en bloc, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: (None) (0)

Abstain: (None) (0)

**CB16-0120 A bill for an ordinance rescinding budget, transferring cash and making appropriations in the General Fund, General Government, Safety, Culture and Recreation Special Revenue Funds and Capital Improvements and Capital Maintenance Fund of moneys designated by City Council for various projects. (FINANCE & SERVICES)**

A motion carried by Councilwoman Gilmore, duly seconded by Councilman Flynn, that CB16-0111, CB16-0120, CB16-0118, CB16-0110, CB16-0112, CB16-0113, CB16-0121, and CB16-0122 be placed upon final consideration and do pass en bloc, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: (None) (0)  
Abstain: (None) (0)

### **Governance & Charter Review**

#### **CB16-0118 A bill for an ordinance amending the annual salaries of certain appointed charter officers and the chief of police. (GOVERNANCE AND CHARTER REVIEW)**

A motion carried by Councilwoman Gilmore, duly seconded by Councilman Flynn, that CB16-0111, CB16-0120, CB16-0118, CB16-0110, CB16-0112, CB16-0113, CB16-0121, and CB16-0122 be placed upon final consideration and do pass en bloc, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: (None) (0)

Abstain: (None) (0)

### **Infrastructure & Culture**

#### **CB16-0110 A bill for an ordinance approving a proposed Donation Agreement between the City and County of Denver and Adolescent Counseling Exchange providing for the acceptance of donated artwork, "Cesar E. Chavez Bust" by artist Emanuel Martinez for Cesar Chavez Park. (INFRASTRUCTURE & CULTURE)**

A motion carried by Councilwoman Gilmore, duly seconded by Councilman Flynn, that CB16-0111, CB16-0120, CB16-0118, CB16-0110, CB16-0112, CB16-0113, CB16-0121, and CB16-0122 be placed upon final consideration and do pass en bloc, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: (None) (0)

Abstain: (None) (0)

#### **CB16-0112 A bill for an ordinance relinquishing the easement granted by the Harvey Park Addition Filing No. 3 subdivision plat and accepted by Ordinance No. 172, Series of 1954, bounded by South Patton Court, Evans Avenue, and South Osceola Street. (INFRASTRUCTURE & CULTURE)**

A motion carried by Councilwoman Gilmore, duly seconded by Councilman Flynn,

that CB16-0111, CB16-0120, CB16-0118, CB16-0110, CB16-0112, CB16-0113, CB16-0121, and CB16-0122 be placed upon final consideration and do pass en bloc, carried by the following vote:

Passed  
For: Black, Brooks, Clark, Espinoza, Flynn, Gilmore, Herndon, Kashmann, Kniech, Lopez, New, Ortega, Susman (13)  
Against: (None) (0)  
Absent: (None) (0)  
Abstain: (None) (0)

**CB16-0113 A bill for an ordinance relinquishing the easements reserved in Ordinance No. 15, Series of 1946 and Ordinance No. 339, Series of 2001, at 2980 Huron Street. (INFRASTRUCTURE & CULTURE)**

A motion carried by Councilwoman Gilmore, duly seconded by Councilman Flynn, that CB16-0111, CB16-0120, CB16-0118, CB16-0110, CB16-0112, CB16-0113, CB16-0121, and CB16-0122 be placed upon final consideration and do pass en bloc, carried by the following vote:

Passed  
For: Black, Brooks, Clark, Espinoza, Flynn, Gilmore, Herndon, Kashmann, Kniech, Lopez, New, Ortega, Susman (13)  
Against: (None) (0)  
Absent: (None) (0)  
Abstain: (None) (0)

**CB16-0121 A bill for an ordinance approving a proposed First Amendment to the Funding Agreement between the City and County of Denver and Friends of Levitt Pavilion Denver, Mortimer & Mimi Levitt Foundation and Levitt Pavilions. (INFRASTRUCTURE & CULTURE)**

A motion carried by Councilwoman Gilmore, duly seconded by Councilman Flynn, that CB16-0111, CB16-0120, CB16-0118, CB16-0110, CB16-0112, CB16-0113, CB16-0121, and CB16-0122 be placed upon final consideration and do pass en bloc, carried by the following vote:

Passed  
For: Black, Brooks, Clark, Espinoza, Flynn, Gilmore, Herndon, Kashmann, Kniech, Lopez, New, Ortega, Susman (13)  
Against: (None) (0)  
Absent: (None) (0)  
Abstain: (None) (0)

**CB16-0122 A bill for an ordinance approving a proposed Intergovernmental Agreement between the City and County of Denver and the Town of Morrison regarding water supply for Red Rocks Park.**

## **(INFRASTRUCTURE & CULTURE)**

A motion carried by Councilwoman Gilmore, duly seconded by Councilman Flynn, that CB16-0111, CB16-0120, CB16-0118, CB16-0110, CB16-0112, CB16-0113, CB16-0121, and CB16-0122 be placed upon final consideration and do pass en bloc, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: (None) (0)

Abstain: (None) (0)

## **Announcement**

**Dependent upon publication on Monday, April 11, 2016 Council will hold a required public hearing on CB16-0129, changing the zoning classification for 210 Saint Paul Street; and a required public hearing on CB16-0130, changing the zoning classification for 3200 Walnut Street, 3220 Walnut Street, 3254 Walnut Street, and 3235 Larimer Street. Any protests against CB16-0129 or CB16-0130 must be filed with the Council Offices no later than noon on Monday, April 4, 2016.**

## **Adjourn**

There being no further business before the City Council, Council President Herndon adjourned the meeting at 6:41 PM.

## **Pending**

**For 3-29-16**

**CB15-0937 AS AMENDED a bill for an ordinance changing the zoning classification for 725 West 39th Avenue.**

**Required Public Hearing**

**Final Consideration (NEIGHBORHOODS AND PLANNING)**

**For 3-29-16**

**CB16-0069 A bill for an ordinance changing the zoning classification for 5050 S. Syracuse Street.**

**Final Consideration**

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

**For 3-29-16**

**CB16-0087 A bill for an ordinance changing the zoning classification for portions of 601 South Bannock Street, 801 South Broadway, and 99 West Kentucky Avenue.**

**Final Consideration**

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