

City Council Minutes

Meeting Date: Tuesday, January 17, 2017 5:30 PM

PLEDGE OF ALLEGIANCE

Council member Ortega led the Pledge of Allegiance.

ROLL CALL

Council member Herndon arrived late.

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

APPROVAL OF THE MINUTES

The minutes of meeting date, Monday, January 9, 2017, were distributed to Council. Council President Brooks ordered the minutes approved.

[17-0041](#) Minutes of Monday, January 9, 2017

The minutes of Monday, January 9, 2017 were approved.

Approved

COUNCIL ANNOUNCEMENTS

Council members Black, Kniech, Ortega, and Brooks offered announcements.

PRESENTATIONS

COMMUNICATIONS

PROCLAMATIONS

RESOLUTIONS

Block Vote

Block Vote

A motion offered by Councilwoman Ortega, duly seconded by Councilwoman Black, 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, Kashmann, Kniech, López, New, Ortega, Susman (12)

Nay: (None) (0)

Absent: Herndon (1)

Business, Arts, Workforce & Aeronautical Services Committee

[17-0004](#) A resolution approving the Mayor's reappointment and appointment to the Downtown Denver Business Improvement District Board of Directors.

Approves the Mayoral reappointment of Gina Guarascio and the appointment of Sandrena Robinson to the Downtown Denver Business Improvement District Board of Directors for terms effective 1-1-17 and expiring 12-31-20. The Committee approved filing this resolution by consent on 1-4-17.

A motion offered by Councilwoman Ortega, duly seconded by Councilwoman Black, that Resolution 17-0004 be adopted en bloc, carried by the following vote:

Adopted

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

Nay: (None) (0)
Absent: Herndon (1)

Finance & Governance Committee

[16-1294](#) A resolution approving a proposed Purchase and Sale Agreement between the City and County of Denver and Crosscheck LLC for acquisition of property located at 7900 E. Colfax Ave.

Approves a \$650,000 purchase and sale agreement with Crosscheck LLC for purchase of 7900 East Colfax Avenue to allow the Office of Economic Development to work with a community partner to create an affordable housing project in Council District 5 (FINAN 201631601). The last regularly scheduled Council meeting within the 30-day review period is on 2-6-17. The Committee approved filing this resolution by consent on 12-13-16.

A motion offered by Councilwoman Ortega, duly seconded by Councilwoman Black, that Resolution 16-1294 be adopted en bloc, carried by the following vote:

Adopted

Aye: Black, Brooks, Clark, Espinoza, Flynn, Gilmore, Kashmann, Kniech, López, New, Ortega, Susman (12)
Nay: (None) (0)
Absent: Herndon (1)

[16-1295](#) A resolution approving a proposed Lease Agreement between the City and County of Denver and Service America Corporation, d/b/a Centerplate, for operation of a restaurant in the Denver Performing Arts Complex Galleria.

Approves a \$72,000 lease agreement with Service America Corporation through 6-30-18 for the Limelight restaurant space at the Denver Performing Arts Complex (FINAN-201628965-00). The last regularly scheduled Council meeting within the 30-day review period is on 2-6-17. The Committee approved filing this resolution by consent on 12-13-16.

A motion offered by Councilwoman Ortega, duly seconded by Councilwoman Black, that Resolution 16-1295 be adopted en bloc, carried by the following vote:

Adopted

Aye: Black, Brooks, Clark, Espinoza, Flynn, Gilmore, Kashmann, Kniech, López, New, Ortega, Susman (12)
Nay: (None) (0)
Absent: Herndon (1)

[16-1318](#) A resolution approving a proposed Purchase and Sale Agreement between the City and County of Denver and BCP-48th Ave I LLC to purchase property at 4330 East 48th Avenue for use as an emergency shelter and general City storage. Approves the \$4.45 million purchase and sale agreement with BCP-48th Avenue I, LLC for the purchase of property located at 4330 East 48th Avenue for multiple City uses including overflow emergency shelter and City storage in Council District 8 (FINAN 201631701-00). The last regularly scheduled Council meeting within the 30-day review period is on 2-6-17. The Committee approved filing this resolution by consent on 1-3-17.

A motion offered by Councilwoman Ortega, duly seconded by Councilwoman Black, that Resolution 16-1318 be adopted en bloc, carried by the following vote:

Adopted

Aye: Black, Brooks, Clark, Espinoza, Flynn, Gilmore, Kashmann, Kniech, López, New, Ortega, Susman (12)
Nay: (None) (0)
Absent: Herndon (1)

[17-0003](#) A resolution approving a proposed Master Purchase Order between the City and County of Denver and Hardline Equipment LLC for Automatic Lube Systems for City and County Solid Waste and Street Maintenance vehicles. Adds \$475,000 to the current contract with Hardline Equipment, LLC for a total contract amount of \$950,000 for the installation of lubrication systems on solid waste and street maintenance vehicles citywide (10839A0116). The last regularly scheduled Council meeting within the 30-day review period is on 2-6-17. The Committee approved filing this resolution by consent on 1-3-17.

A motion offered by Councilwoman Ortega, duly seconded by Councilwoman Black, that Resolution 17-0003 be adopted en bloc, carried by the following vote:

Adopted

Aye: Black, Brooks, Clark, Espinoza, Flynn, Gilmore, Kashmann, Kniech, López, New, Ortega, Susman (12)
Nay: (None) (0)
Absent: Herndon (1)

Safety, Housing, Education & Homelessness Committee

[16-1207](#) A resolution approving a proposed Agreement between the City and County of Denver and The Denver Rescue Mission for emergency shelter for homeless men and women. Approves a contract with Denver Rescue Mission for \$559,000 and for one year through 12-31-17 for emergency overflow shelter services for adult men and women ages 18 and above at a current and future overflow facility for overnight sleeping (SOCSV-2016-31650). The last regularly scheduled Council meeting within the 30-day review period is on 2-6-17. The Committee approved filing this resolution by consent on 12-14-16.

A motion offered by Councilwoman Ortega, duly seconded by Councilwoman Black, that Resolution 16-1207 be adopted en bloc, carried by the following vote:

Adopted

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

Nay: (None) (0)
Absent: Herndon (1)

[16-1209](#) A resolution approving a proposed Second Amendatory Agreement between the City and County of Denver and Warren Village, Inc. to provide housing and supportive services to homeless women and children.

Amends a contract with Warren Village, Inc. by adding \$177,500 for a new total contract in the amount of \$532,500 and extending the term by one year for a new end date of 12-31-17 to provide 13 units of transitional housing and intensive support services for six homeless single women and seven homeless women with children as part of the First Step Program, a citywide project funded by Denver's Road Home (SOCSV-2014-19878). The last regularly scheduled Council meeting within the 30-day review period is on 2-6-17. The Committee approved filing this resolution by consent on 11-30-16.

A motion offered by Councilwoman Ortega, duly seconded by Councilwoman Black, that Resolution 16-1209 be adopted en bloc, carried by the following vote:

Adopted

Aye: Black, Brooks, Clark, Espinoza, Flynn, Gilmore, Kashmann, Kniech, López, New, Ortega, Susman (12)
Nay: (None) (0)
Absent: Herndon (1)

[16-1310](#) A resolution approving a proposed Agreement between the City and County of Denver and The Salvation Army for emergency shelter services.

Approves a contract with The Salvation Army in the amount of \$826,000 and a contract term through 12-31-17 to provide emergency shelter for homeless men at the Crossroads Shelter in Council District 9 (SOCSV-20163-31673). The last regularly scheduled Council meeting within the 30-day review period is on 2-6-17. The Committee approved filing this resolution by consent on 12-21-16.

A motion offered by Councilwoman Ortega, duly seconded by Councilwoman Black, that Resolution 16-1310 be adopted en bloc, carried by the following vote:

Adopted

Aye: Black, Brooks, Clark, Espinoza, Flynn, Gilmore, Kashmann, Kniech, López, New, Ortega, Susman (12)
Nay: (None) (0)
Absent: Herndon (1)

BILLS FOR INTRODUCTION

Finance & Governance Committee

[16-1341](#) A bill for an ordinance making a supplemental appropriation from the General Contingency Fund and an appropriation from the Human Services Service Delivery and Administration Fund and the Homeless Services Fund.

Approves a supplemental appropriation of \$4.6 million in various City funds for the acquisition of the property at 4330 East 48th Avenue for use as an emergency shelter and general City storage in Council District 8. The Committee approved filing this bill at its meeting on 1-3-17.

This Bill 16-1341 was ordered published on first reading.

Ordered published on first reading

BILLS FOR FINAL CONSIDERATION

Finance & Governance Committee

[16-1342](#) A bill for an ordinance concerning the Denver Union Station Project and in connection therewith authorizing a loan agreement among the City, Compass Bank, Compass Mortgage Corporation and U.S. Bank National Association to be repaid from a portion of the property and sales tax incremental revenues received by the City pursuant to the Denver Downtown Development Authority Plan of Development for Denver Union Station and other revenues received from certain metropolitan districts for the purpose of refinancing a portion of the outstanding debt of Denver Union Station Project Authority; authorizing the execution of certain agreements and providing other details in connection therewith; ratifying action previously taken relating thereto; providing other matters relating thereto; and providing the effective date thereof.

Approves a loan agreement with Compass Bank, Compass Mortgage Corporation, and U.S. Bank National Association for the refinancing of a portion of the outstanding debt of the Denver Union Station Project in Council District 9. The Committee approved filing this bill at its meeting on 1-3-17.

A motion offered by Councilwoman Ortega, duly seconded by Councilwoman Black, that Bill 16-1342 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, Kashmann, Kniech, López, New, Ortega, Susman (12)

Nay: (None) (0)

Absent: Herndon (1)

Land Use, Transportation & Infrastructure Committee

[16-1274](#) A bill for an ordinance vacating a portion of right-of-way near 1750 15th Street, with reservations.

Vacates a portion of the public right-of-way on the southeasterly corner of Wewatta Street at 15th Street, with reservations, at 1750 15th Street in Council District 9. The Committee approved filing this bill by consent on 12-13-16.

A motion offered by Councilwoman Ortega, duly seconded by Councilwoman Black, that Bill 16-1274 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, Kashmann, Kniech, López, New, Ortega, Susman (12)

Nay: (None) (0)
Absent: Herndon (1)

[16-1330](#) A bill for an ordinance relinquishing an easement reserved by Ordinance No. 35, Series of 1933, located near the intersection of Marion Street and Park Avenue. Relinquishes certain easements established in the Vacating Ordinance No. 35, Series of 1933, located at Marion Street and Park Avenue in Council District 9. The last regularly scheduled Council meeting within the 30-day review period is on 1-30-17. The Committee approved filing this bill by consent on 12-27-16.

A motion offered by Councilwoman Ortega, duly seconded by Councilwoman Black, that Bill 16-1330 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, Kashmann, Kniech, López, New, Ortega, Susman (12)
Nay: (None) (0)
Absent: Herndon (1)

[16-1331](#) A bill for an ordinance relinquishing an easement established by the New Avondale Subdivision Plat located near West Colfax Avenue and Federal Boulevard. Relinquishes certain easements established on the New Avondale Subdivision Plat recorded in 1963 located at West Colfax Avenue and Federal Boulevard in Council District 3. The last regularly scheduled Council meeting within the 30-day review period is on 1-30-17. The Committee approved filing this bill by consent on 12-27-16.

A motion offered by Councilwoman Ortega, duly seconded by Councilwoman Black, that Bill 16-1331 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, Kashmann, Kniech, López, New, Ortega, Susman (12)
Nay: (None) (0)
Absent: Herndon (1)

RECAP OF BILLS TO BE CALLED OUT

PRE-RECESS ANNOUNCEMENT

Council President Brooks announced that tonight there will be a required public hearing on 16-1193, changing the zoning classification for 2099 and 2101 31st Street; and, a required public hearing on 16-1199, changing the zoning classification for 4211 Inca Street. Anyone wishing to speak on either 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

Land Use, Transportation & Infrastructure Committee

[16-1193](#) A bill for an ordinance changing the zoning classification for 2099 and 2101 31st Street.

Rezones property located at 2099 and 2101 31st Street from I-B, UO-2 to I-MX-8 (from industrial to industrial mixed-use) in Council District 9. The Committee approved filing this bill at its meeting on 12-6-16.

A motion offered by Councilwoman Ortega, duly seconded by Councilman Herndon, that Bill 16-1193 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 6:03 p.m., Council President Brooks presiding, to hear speakers on Council Bill 1193. Kyle Zepplin 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.

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

Nay: (None) (0)

[16-1199](#) A bill for an ordinance changing the zoning classification for 4211 Inca Street.

Rezones property located at 4211 Inca Street from I-A, UO-2 to C-RX-8 (from industrial to residential mixed-use) in Council District 1. The Committee approved filing this bill at its meeting on 12-6-16.

A motion offered by Councilwoman Ortega, duly seconded by Councilwoman Susman, that Bill 16-1199 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 6:21 p.m., Council President Brooks presiding, to hear speakers on Council Bill 1199. Billy Wang, Mark Stroh, Niles Emerick, and Anchen Wang signed up to speak in favor of the bill. No speakers signed up to speak in opposition of the bill. Courtland Hyser of Community Planning and Development delivered the Staff Report.

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

Nay: (None) (0)

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