

# City Council Minutes

Meeting Date: Monday, October 3, 2016 5:30 PM

## PLEDGE OF ALLEGIANCE

Councilman Clark led the Pledge of Allegiance.

## ROLL CALL

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

Absent: Susman (1)

## APPROVAL OF THE MINUTES

[16-0899](#) Minutes of Monday, September 26, 2016

The Minutes were approved.

## Approved

The minutes of meeting date, Monday, September 26, 2016, were distributed to Council. Council President Brooks ordered the minutes approved.

## COUNCIL ANNOUNCEMENTS

Council members Kashmann, Espinoza, Kniech, López, Herndon, and Brooks offered announcements.

## PRESENTATIONS

[16-0908](#) Colorado Lottery presents Denver Parks and Recreation the 2016 Starburst Award for Vanderbilt and Johnson-Habitat Parks.

The Colorado Lottery presented Denver Parks and Recreation the 2016 Starburst Award for Vanderbilt and Johnson-Habitat Parks.

## COMMUNICATIONS

## PROCLAMATIONS

[16-0909](#) A proclamation observing September 15 through October 15 as National Hispanic Heritage Month in the City and County of Denver.

Sponsors: Ortega, López, Flynn, New, Kashmann, Brooks, Black, Clark, Kniech and Gilmore

A motion offered by Councilwoman Ortega, duly seconded by Councilman Herndon, that Proclamation 16-0909 be adopted. The motion carried by the following vote:

## Adopted

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

Nay: (None) (0)

Absent: Susman (1)

## RESOLUTIONS

Block Vote

A motion offered by Councilman Clark, duly seconded by Councilman Flynn, 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 (12)  
Nay: (None) (0)  
Absent: Susman (1)

**Business Development**

[16-0539](#) **A resolution approving and providing for the execution of a proposed grant agreement between the City and County of Denver and the State of Colorado concerning the Workforce Innovation and Opportunity Act (WIOA) FY16 programs and the funding therefor.**

Authorizes an expenditure with the State of Colorado in the amount of \$5,487,635 in grant funds through 6-30-17 for the federal program allocations for Fiscal Year 2016-2017 Workforce Development Program Agreement. The funds will support the delivery of Workforce Innovation & Opportunity Act (WIOA) for Adult, Dislocated Worker, and Youth programs, Wagner-Peyser Employment Services, and the Employment Support Fund. The last regularly scheduled Council meeting within the 30-day review period is on 10-24-16. The Committee approved filing this resolution by consent on 7-28-16.

A motion offered by Councilman Clark, duly seconded by Councilman Flynn, that Resolution 16-0539 be adopted en bloc, carried by the following vote:

**Adopted**

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

**Business, Arts, Workforce, & Aeronautical Services Committee**

[16-0811](#)

**A resolution approving a proposed First Amendment to Agreement between the City and County of Denver and Bombardier Transportation (Holdings) USA, Inc. concerning the Central Control System for the train at Denver International Airport.**

Amends a contract with Bombardier Transportation Holdings by extending the term for one year through 9-30-17, to update and replace outdated computer equipment and software related to the controls of the Automated Guideway Transit System at Denver International Airport. There is no change in cost to the contract (201207703). The last regularly scheduled Council meeting within the 30-day review period is on 10-24-16. The Committee approved filing this resolution by consent on 9-21-16.

A motion offered by Councilman Clark, duly seconded by Councilman Flynn, that Resolution 16-0811 be adopted en bloc, carried by the following vote:

**Adopted**

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

**Finance & Governance Committee**

[16-0816](#)

**A resolution approving a proposed Amendatory Agreement between the City and County of Denver and Kronos Inc. for maintenance, support, and professional services for the Denver Sheriff Department’s scheduling system.**

Extends the contract for two years through 7-31-18 and adds \$330,000 to the contract with Kronos Inc. for a total contract in the amount of \$750,000 for maintenance, support, and professional services for the Denver Sheriff Department’s scheduling system (TECHS-201523625). The last regularly scheduled Council meeting within the 30-day review period is on 10-24-16. The Committee approved filing this resolution by consent on 9-20-16.

A motion offered by Councilman Clark, duly seconded by Councilman Flynn, that Resolution 16-0816 be adopted en bloc, carried by the following vote:

**Adopted**

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

**Land Use, Transportation & Infrastructure Committee**

[16-0812](#)

**A resolution laying out, opening and establishing as part of the City street system a parcel of land as a public alley bounded by Cherokee Street, Bannock Street, West Ellsworth Avenue and West Irvington Place.**

Dedicates City-owned land as public alley, located in the alley bounded by Cherokee Street, Bannock Street, West Ellsworth and West Irvington Place in Council District 7. The Committee approved filing this resolution by consent on 9-22-16.

A motion offered by Councilman Clark, duly seconded by Councilman Flynn, that Resolution 16-0812 be adopted en bloc, carried by the following vote:

**Adopted**

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

[16-0813](#)

**A resolution granting a revocable permit to 19Grant, LLC, to encroach into the right-of-way at 1901 Grant Street.**

Grants a revocable permit to 19Grant, LLC to encroach into the right-of-way with raised patios, raised planters, steps, handrails, 6 entry canopies with metal fascia, and a tube steel column along Grant Street, as well as a building brow 131 feet above grade along 19th Avenue at 1901 Grant Street in Council District 10. The Committee approved filing this resolution by consent on 9-22-16.

A motion offered by Councilman Clark, duly seconded by Councilman Flynn, that Resolution 16-0813 be adopted en bloc, carried by the following vote:

**Adopted**

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

[16-0814](#)

**A resolution laying out, opening and establishing as part of the City street system a parcel of land as a public alley bounded by Bannock Street, Acoma Street, West 2nd Avenue and West 3rd Avenue.**

Dedicates City-owned land as public alley, located in the alley bounded by Bannock Street, Acoma Street, West 2nd Avenue and West 3rd Avenue in Council District 7. The Committee approved filing this resolution by consent on 9-22-16.

A motion offered by Councilman Clark, duly seconded by Councilman Flynn, that Resolution 16-0814 be adopted en bloc, carried by the following vote:

**Adopted**

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

[16-0820](#)

**A resolution laying out, opening and establishing as part of the City street system a parcel of land as a public alley bounded by Galapago Street, Fox Street, West Ellsworth Avenue and West 1st Avenue.**

Dedicates City-owned land as public alley, located in the alley bounded by Galapago Street, Fox Street, West Ellsworth and West 1st Avenue in Council District 7. The Committee approved filing this resolution by consent on 9-22-16.

A motion offered by Councilman Clark, duly seconded by Councilman Flynn, that Resolution 16-0820 be adopted en bloc, carried by the following vote:

**Adopted**

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

[16-0821](#)

**A resolution laying out, opening and establishing as part of the City street system a parcel of land as a public alley bounded by Cherokee Street, Bannock Street, West 3rd Avenue and West 4th Avenue.**

Dedicates City-owned land as public alley, located in the alley bounded by Cherokee Street, Bannock Street, West 3rd Avenue and West 4th Avenue in Council District 7. The Committee approved filing this resolution by consent on 9-22-16.

A motion offered by Councilman Clark, duly seconded by Councilman Flynn, that Resolution 16-0821 be adopted en bloc, carried by the following vote:

**Adopted**

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

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

[16-0822](#) **A resolution laying out, opening and establishing as part of the City street system a parcel of land as a public alley bounded by Bannock Street, Cherokee Street, West 2nd Avenue and West 3rd Avenue.**

Dedicates City-owned land as public alley, located in the alley bounded by Bannock Street, Cherokee Street, West 2nd Avenue and West 3rd Avenue in Council District 7. The Committee approved filing this resolution by consent on 9-22-16.

A motion offered by Councilman Clark, duly seconded by Councilman Flynn, that Resolution 16-0822 be adopted en bloc, carried by the following vote:

**Adopted**

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

**Safety, Housing, Education, & Homelessness Committee**

[16-0800](#) **A resolution approving a proposed Loan Agreement between the City and County of Denver and CD-INCA LLC to finance for the acquisition of land for future mixed income housing located at 4001 Inca Street.**

Approves an agreement with CD-INCA, LLC in the amount of \$2 million from Community Development Block Grant funds and \$1 million from the OED Affordable Housing Fund (General Fund) for five years with the loan being structured as a repayable loan to assist in the financing for the land purchase for future mixed income housing located at 4001 Inca Street in the Sunnyside neighborhood in Council District 1 (OEDEV-201630376-00). The last regularly scheduled Council meeting within the 30-day review period is on 10-24-16. The Committee approved filing this resolution at its meeting on 9-14-16.

A motion offered by Councilman Clark, duly seconded by Councilman Flynn, that Resolution 16-0800 be adopted en bloc, carried by the following vote:

**Adopted**

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

[16-0815](#)

**A resolution approving the Mayor’s reappointments and appointments to the Denver Office of Strategic Partnerships Commission.**

Approves the Mayoral reappointments of Deborah Brackney and Kelly Causey; and, the appointments of Councilwoman Stacie Gilmore, Adrienne Mansanares, and Tracey Stewart to the Denver Office of Strategic Partnerships Commission for terms effective immediately and expiring 4-20-18, or until successors are duly appointed. The Committee approved filing this resolution by consent on 9-21-16.

A motion offered by Councilman Clark, duly seconded by Councilman Flynn, that Resolution 16-0815 be adopted en bloc, carried by the following vote:

**Adopted**

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

[16-0817](#)

**A resolution approving the Mayor’s appointments to the Denver Latino Commission.**

Approves the Mayoral appointments of Arrah Gallaher, Olivia Gallegos, Benjamin Roldan, Esmeralda Santillano, and Nicole Taylor to the Denver Latino Commission for terms effective immediately and expiring on 1-1-18, or until successors are duly appointed. The Committee approved filing this resolution by consent on 9-21-16.

A motion offered by Councilman Clark, duly seconded by Councilman Flynn, that Resolution 16-0817 be adopted en bloc, carried by the following vote:

**Adopted**

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

[16-0824](#)

**A resolution approving the Mayor’s reappointments and appointments to the Denver Commission on Aging.**

Approves the Mayoral reappointments of Leo Carosella, Joan Foster, Eliza Lanman, Paul Ramsey, Diane Young; and, the appointments of Adam Dempsey, Jessica Krough, Doug Krug, and Steve Rael to the Denver Commission on Aging 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 9-21-16.

A motion offered by Councilman Clark, duly seconded by Councilman Flynn, that Resolution 16-0824 be adopted en bloc, carried by the following vote:

**Adopted**

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

**BILLS FOR INTRODUCTION**

**BILLS FOR FINAL CONSIDERATION**

**Finance & Governance Committee**

[16-0761](#)

**A bill for an ordinance Concerning the Approval of a Participation Agreement between the Colorado New Energy Improvement District (the “District”) and the City and County of Denver (“Denver”) to authorize the District to Conduct its New Energy Improvement Program, called Colorado Commercial Property Assessed Clean Energy (C-PACE), within Denver.**

Approves an intergovernmental agreement with the Colorado New Energy Improvement District authorizing the District to operate the Colorado Commercial Property Assessed Clean Energy (C-PACE) program within Denver which facilitates financing for clean energy improvements to commercial, industrial, agricultural, non-profit and multifamily properties (FINAN-201630180). The last regularly scheduled Council meeting within the 30-day review period is on 10-17-16. The Committee approved filing this bill at its meeting on 9-13-16.

A motion offered by Councilman Clark, duly seconded by Councilman Flynn, that Bill 16-0761 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 (12)
- Nay: (None) (0)
- Absent: Susman (1)



[16-0797](#)

**A bill for an ordinance approving a proposed Contract between the City and County of Denver and State of Colorado, Department of Agriculture, to purchase 300 South Technology Court in Broomfield.**

Approves an agreement for the State of Colorado to purchase 300 South Technology Court in Broomfield for \$1,090,000 as a replacement location for State property acquired by the City on the National Western Center campus (FINAN 201629340). The last regularly scheduled Council meeting within the 30-day review period is on 10-17-16. The Committee approved filing this bill by consent on 9-13-16.

A motion offered by Councilman Clark, duly seconded by Councilman Flynn, that Bill 16-0797 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 (12)  
Nay: (None) (0)  
Absent: Susman (1)

**Safety, Housing, Education, & Homelessness Committee**

[16-0801](#)

**A bill for an ordinance designating the second Monday of October of each year as Indigenous Peoples’ Day.**

Approves an ordinance designating the second Monday of October of each year as Indigenous Peoples Day. The Committee approved filing this bill at its meeting on 9-14-16.

Sponsors: López

A motion offered by Councilman Clark, duly seconded by Councilman Herndon, that Bill 16-0801 be placed upon final consideration and do pass. The motion carried by the following vote:

**Placed upon final consideration and do pass**

Paul López was called to speak

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

**RECAP OF BILLS TO BE CALLED OUT**

**PRE-RECESS ANNOUNCEMENT**

**RECESS**

Council took a recess.

**COUNCIL RECONVENES AND RESUMES ITS REGULAR SESSION**

**PUBLIC HEARINGS - BILLS FOR FINAL CONSIDERATION**

[16-0430](#)

**A bill for an ordinance changing the zoning classification for Geneva Court and Martin Luther King Jr. Boulevard.**

Rezoned property at Geneva Court and Martin Luther King Boulevard from R-MU-20 (Former Code: residential, mixed use) with waivers to M-MX-5 (master planned, commercial mixed use, 5 stories) in Council District 8. The Committee approved filing this bill at its meeting on 8-3-16.

A motion offered by Councilman Clark, duly seconded by Councilman Espinoza, that Bill 16-0430 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 6:43 p.m., Council President Brooks presiding, to hear speakers on 16-0430. Tyler Carlson signed up to speak in favor of the bill. No speakers signed up to speak in opposition of the bill. Theresa Lucero of Community Planning and Development delivered the Staff Report.

Aye: Black, Brooks, Clark, Flynn, Gilmore, Herndon, Kashmann, Kniech, López, New, Ortega (11)

Nay: Espinoza (1)

Absent: Susman (1)

**PRE-ADJOURNMENT ANNOUNCEMENT**

**ADJOURN**

There being no further business before the City Council, Council President Brooks adjourned the meeting at 7:10 p.m.

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President

Attested by me with the Corporate Seal of the City and County of Denver

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Clerk and Recorder, Ex-Officio Clerk  
of the City and County of Denver