

City Council Minutes

Meeting Date: Monday, January 25, 2016 5:30 PM

Pledge of Allegiance

Councilman Kashmann led the Pledge of Allegiance.

Roll Call

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

Absent: Susman

Councilman Espinoza arrived late.

Approval of the Minutes

The minutes of meeting date, Tuesday, January 19, 2016, were distributed to Council. Council President Herndon ordered the minutes approved.

Council Announcements

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

Presentations

Communications

Proclamations

CP16-0054 A proclamation dedicating and celebrating the Vietnam War Memorial.

Council members Clark, Brooks, López, Gilmore, Susman, Kashmann, Flynn, New, Black, and Espinoza.

A motion offered by Councilman Clark, duly seconded by Councilman Flynn, that CP16-0054 be adopted, carried by the following vote:

Passed

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

Against: (None) (0)

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

Councilwoman Ortega asked to be added as a sponsor of CP16-0054.

**CP16-0055 A proclamation in support of the United States Department of Transportation Smart City Grant.
Council members Clark, Brooks, López, Gilmore, Susman, Kashmann, Flynn, New, Black, and Espinoza.**

A motion offered by Councilman Clark, duly seconded by Councilman Flynn, that CP16-0055 be adopted, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: Susman (1)

Abstain: (None) (0)

Councilwoman Ortega asked to be added as a sponsor of CP16-0055.

Resolutions

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

The Council Secretary read the following resolutions by titles.

Business Development

CR15-0932 A resolution approving a proposed Agreement between the City and County of Denver and United Airlines, Inc. for renovating and expanding its existing flight training facility at 7500 East 35th Avenue in Stapleton. (BUSINESS DEVELOPMENT)

A motion offered by Councilman Kashmann, duly seconded by Councilwoman Kniech, that CR15-0932, CR16-0008, CR15-0965, CR15-0966, CR15-0967, CR15-0968, CR15-0969, CR15-0970, CR15-0971, CR15-0972, CR15-0973, CR16-0003, CR16-0010, CR16-0037, CR16-0038, CR15-0898, CR15-0927, and CR15-0988 be adopted en bloc, carried by the following vote:

Passed

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

Against: (None) (0)

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

CR16-0008 A resolution approving a proposed First Amendment between the City and County of Denver and Public Service Employees Credit Union concerning a banking concession at Denver International Airport. (BUSINESS DEVELOPMENT)

A motion offered by Councilman Kashmann, duly seconded by Councilwoman Kniech, that CR15-0932, CR16-0008, CR15-0965, CR15-0966, CR15-0967, CR15-0968, CR15-0969, CR15-0970, CR15-0971, CR15-0972, CR15-0973, CR16-0003, CR16-0010, CR16-0037, CR16-0038, CR15-0898, CR15-0927, and CR15-0988 be adopted en bloc, carried by the following vote:

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

Finance & Services

CR16-0015 A resolution approving a proposed contract between the City and County of Denver and Denver PFS, LLC for outcome payments for a social impact bond project. (FINANCE & SERVICES)

A motion offered by Councilman Kashmann, duly seconded by Councilwoman Kniech that CR16-0015 and CR16-0016 be adopted en bloc, carried by the following vote:

Passed
For: Black, Brooks, Clark, Gilmore, Herndon, Kashmann, Kniech, Lopez, New, Ortega (10)
Against: Espinoza, Flynn (2)
Absent: Susman (1)
Abstain: (None) (0)

CR16-0016 A resolution approving a proposed contract between the City and County of Denver and Urban Institute for evaluation of a social impact bond project. (FINANCE & SERVICES)

A motion offered by Councilman Kashmann, duly seconded by Councilwoman Kniech that CR16-0015 and CR16-0016 be adopted en bloc, carried by the following vote:

Passed

For: Black, Brooks, Clark, Gilmore, Herndon, Kashmann, Kniech, Lopez, New, Ortega (10)
Against: Espinoza, Flynn (2)
Absent: Susman (1)
Abstain: (None) (0)

Infrastructure & Culture

CR15-0965 A resolution approving a proposed Amendatory Agreement between the City and County of Denver and AECOM Technical Services, Inc. for on-call professional engineering services. (INFRASTRUCTURE & CULTURE)

A motion offered by Councilman Kashmann, duly seconded by Councilwoman Kniech, that CR15-0932, CR16-0008, CR15-0965, CR15-0966, CR15-0967, CR15-0968, CR15-0969, CR15-0970, CR15-0971, CR15-0972, CR15-0973, CR16-0003, CR16-0010, CR16-0037, CR16-0038, CR15-0898, CR15-0927, and CR15-0988 be adopted en bloc, carried by the following vote:

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

CR15-0966 A resolution approving a proposed Amendatory Agreement between the City and County of Denver and Atkins North America, Inc. for on-call professional engineering services. (INFRASTRUCTURE & CULTURE)

A motion offered by Councilman Kashmann, duly seconded by Councilwoman Kniech, that CR15-0932, CR16-0008, CR15-0965, CR15-0966, CR15-0967, CR15-0968, CR15-0969, CR15-0970, CR15-0971, CR15-0972, CR15-0973, CR16-0003, CR16-0010, CR16-0037, CR16-0038, CR15-0898, CR15-0927, and CR15-0988 be adopted en bloc, carried by the following vote:

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

CR15-0967 A resolution approving a proposed Amendatory Agreement between the City and County of Denver and CH2M Hill Engineers, Inc. for on-call professional engineering services. (INFRASTRUCTURE & CULTURE)

A motion offered by Councilman Kashmann, duly seconded by Councilwoman Kniech, that CR15-0932, CR16-0008, CR15-0965, CR15-0966, CR15-0967, CR15-0968, CR15-0969, CR15-0970, CR15-0971, CR15-0972, CR15-0973, CR16-0003, CR16-0010, CR16-0037, CR16-0038, CR15-0898, CR15-0927, and CR15-0988 be adopted en bloc, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: Susman (1)

Abstain: (None) (0)

CR15-0968 A resolution approving a proposed Amendatory Agreement between the City and County of Denver and David Evans & Associates for on-call professional engineering services. (INFRASTRUCTURE & CULTURE)

A motion offered by Councilman Kashmann, duly seconded by Councilwoman Kniech, that CR15-0932, CR16-0008, CR15-0965, CR15-0966, CR15-0967, CR15-0968, CR15-0969, CR15-0970, CR15-0971, CR15-0972, CR15-0973, CR16-0003, CR16-0010, CR16-0037, CR16-0038, CR15-0898, CR15-0927, and CR15-0988 be adopted en bloc, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: Susman (1)

Abstain: (None) (0)

CR15-0969 A resolution approving a proposed Amendatory Agreement between the City and County of Denver and Felsburg Holt & Ullevig, Inc. for on-call professional engineering services. (INFRASTRUCTURE & CULTURE)

A motion offered by Councilman Kashmann, duly seconded by Councilwoman Kniech, that CR15-0932, CR16-0008, CR15-0965, CR15-0966, CR15-0967, CR15-0968, CR15-0969, CR15-0970, CR15-0971, CR15-0972, CR15-0973, CR16-0003, CR16-0010, CR16-0037, CR16-0038, CR15-0898, CR15-0927, and CR15-0988 be adopted en bloc, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: Susman (1)

Abstain: (None) (0)

CR15-0970 A resolution approving a proposed Amendatory Agreement between the City and County of Denver and Jacobs Engineering Group, Inc. for on-call professional engineering services. (INFRASTRUCTURE & CULTURE)

A motion offered by Councilman Kashmann, duly seconded by Councilwoman Kniech, that CR15-0932, CR16-0008, CR15-0965, CR15-0966, CR15-0967, CR15-0968, CR15-0969, CR15-0970, CR15-0971, CR15-0972, CR15-0973, CR16-0003, CR16-0010, CR16-0037, CR16-0038, CR15-0898, CR15-0927, and CR15-0988 be adopted en bloc, carried by the following vote:

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

CR15-0971 A resolution approving a proposed Amendatory Agreement between the City and County of Denver and Short Elliot Hendrickson, Inc. for on-call professional engineering services. (INFRASTRUCTURE & CULTURE)

A motion offered by Councilman Kashmann, duly seconded by Councilwoman Kniech, that CR15-0932, CR16-0008, CR15-0965, CR15-0966, CR15-0967, CR15-0968, CR15-0969, CR15-0970, CR15-0971, CR15-0972, CR15-0973, CR16-0003, CR16-0010, CR16-0037, CR16-0038, CR15-0898, CR15-0927, and CR15-0988 be adopted en bloc, carried by the following vote:

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

CR15-0972 A resolution approving a proposed Amendatory Agreement between the City and County of Denver and Tsiouvaras Simmons Holderness, Inc. for on-call professional engineering services. (INFRASTRUCTURE & CULTURE)

A motion offered by Councilman Kashmann, duly seconded by Councilwoman Kniech, that CR15-0932, CR16-0008, CR15-0965, CR15-0966, CR15-0967, CR15-0968, CR15-0969, CR15-0970, CR15-0971, CR15-0972, CR15-0973, CR16-0003, CR16-0010, CR16-0037, CR16-0038, CR15-0898, CR15-0927, and CR15-0988 be adopted en bloc, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: Susman (1)

Abstain: (None) (0)

CR15-0973 A resolution approving a proposed Amendatory Agreement between the City and County of Denver and URS Corporation for on-call professional engineering services. (INFRASTRUCTURE & CULTURE)

A motion offered by Councilman Kashmann, duly seconded by Councilwoman Kniech, that CR15-0932, CR16-0008, CR15-0965, CR15-0966, CR15-0967, CR15-0968, CR15-0969, CR15-0970, CR15-0971, CR15-0972, CR15-0973, CR16-0003, CR16-0010, CR16-0037, CR16-0038, CR15-0898, CR15-0927, and CR15-0988 be adopted en bloc, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: Susman (1)

Abstain: (None) (0)

CR16-0003 A resolution approving a proposed Lease Termination Agreement between the City and County of Denver and GPAC, Inc., to terminate the master lease agreement at the Denver Performing Arts Complex. (INFRASTRUCTURE & CULTURE)

A motion offered by Councilman Kashmann, duly seconded by Councilwoman Kniech, that CR15-0932, CR16-0008, CR15-0965, CR15-0966, CR15-0967, CR15-0968, CR15-0969, CR15-0970, CR15-0971, CR15-0972, CR15-0973, CR16-0003, CR16-0010, CR16-0037, CR16-0038, CR15-0898, CR15-0927, and CR15-0988 be adopted en bloc, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: Susman (1)

Abstain: (None) (0)

CR16-0010 A resolution approving a proposed Second Amendatory Agreement between the City and County of Denver and Orion Specialty Contractors, L.L.C., for on-call floor coating, pool repair, and foundation repair. (INFRASTRUCTURE & CULTURE)

A motion offered by Councilman Kashmann, duly seconded by Councilwoman Kniech, that CR15-0932, CR16-0008, CR15-0965, CR15-0966, CR15-0967, CR15-0968, CR15-0969, CR15-0970, CR15-0971, CR15-0972, CR15-0973, CR16-0003, CR16-0010, CR16-0037, CR16-0038, CR15-0898, CR15-0927, and CR15-0988 be adopted en bloc, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: Susman (1)

Abstain: (None) (0)

CR16-0037 A resolution to appoint Leah P. Horn to the Denver County Cultural Council. (INFRASTRUCTURE & CULTURE)

A motion offered by Councilman Kashmann, duly seconded by Councilwoman Kniech, that CR15-0932, CR16-0008, CR15-0965, CR15-0966, CR15-0967, CR15-0968, CR15-0969, CR15-0970, CR15-0971, CR15-0972, CR15-0973, CR16-0003, CR16-0010, CR16-0037, CR16-0038, CR15-0898, CR15-0927, and CR15-0988 be adopted en bloc, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: Susman (1)

Abstain: (None) (0)

CR16-0038 A resolution to appoint Sarabeth Berk to the Denver County Cultural Council. (INFRASTRUCTURE & CULTURE)

A motion offered by Councilman Kashmann, duly seconded by Councilwoman Kniech, that CR15-0932, CR16-0008, CR15-0965, CR15-0966, CR15-0967, CR15-0968, CR15-0969, CR15-0970, CR15-0971, CR15-0972, CR15-0973, CR16-0003, CR16-0010, CR16-0037, CR16-0038, CR15-0898, CR15-0927, and CR15-0988 be adopted en bloc, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: Susman (1)

Abstain: (None) (0)

Safety & Well-being

CR15-0898 A resolution approving a proposed Second Amendatory Agreement between the City and County of Denver and Colorado Coalition for the Homeless to provide housing placement and treatment services to homeless adults in Denver. (SAFETY & WELL-BEING)

A motion offered by Councilman Kashmann, duly seconded by Councilwoman Kniech, that CR15-0932, CR16-0008, CR15-0965, CR15-0966, CR15-0967, CR15-0968, CR15-0969, CR15-0970, CR15-0971, CR15-0972, CR15-0973, CR16-0003, CR16-0010, CR16-0037, CR16-0038, CR15-0898, CR15-0927, and CR15-0988 be adopted en bloc, carried by the following vote:

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

CR15-0927 A resolution approving a proposed Fourth Amendatory Agreement between the City and County of Denver and Busco, Inc. to provide homeless persons with transportation services to and from the various locations to approved overflow shelters. (SAFETY AND WELL-BEING)

A motion offered by Councilman Kashmann, duly seconded by Councilwoman Kniech, that CR15-0932, CR16-0008, CR15-0965, CR15-0966, CR15-0967, CR15-0968, CR15-0969, CR15-0970, CR15-0971, CR15-0972, CR15-0973, CR16-0003, CR16-0010, CR16-0037, CR16-0038, CR15-0898, CR15-0927, and CR15-0988 be adopted en bloc, carried by the following vote:

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

CR15-0988 A resolution approving a proposed Third Amendatory Agreement between the City and County of Denver and the Salvation Army to coordinate mentoring services and financial support for homeless families and seniors. (SAFETY & WELL-BEING)

A motion offered by Councilman Kashmann, duly seconded by Councilwoman Kniech, that CR15-0932, CR16-0008, CR15-0965, CR15-0966, CR15-0967, CR15-0968, CR15-0969, CR15-0970, CR15-0971, CR15-0972, CR15-0973, CR16-0003, CR16-0010, CR16-0037, CR16-0038, CR15-0898, CR15-0927, and CR15-0988 be

adopted en bloc, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: Susman (1)

Abstain: (None) (0)

Bills for Introduction

The Council Secretary read the following bill by title. Council President Herndon announced that all other bills on introduction are ordered published.

Finance & Services

CB16-0017 A bill for an ordinance approving a proposed Purchase and Sale Agreement between the City and County of Denver and Rocking M Cattle Co for acquisition of 5300 North Franklin Street, 5340 North Franklin Street, and adjacent land. (FINANCE & SERVICES)

A motion offered by Council President Herndon, duly seconded by Councilman Kashmann, that CB16-0017 be ordered published, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: Susman (1)

Abstain: (None) (0)

Recap of Bills to be Called Out

Pre-Recess Announcement

Tonight there will be a required public hearing on CB15-0625, changing the zoning classification for 3268 West 32nd Avenue. 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

CB15-0625 A bill for an ordinance changing the zoning classification for 3268 West 32nd Avenue. (NEIGHBORHOODS AND PLANNING)

A motion offered by Councilman Kashmann, duly seconded by Councilman Flynn, that CB15-0625 be placed upon final consideration and do pass, failed to carry by the following vote:

Failed

For: Black, Brooks, Flynn, Gilmore, Herndon, Kniech, Lopez, Ortega (8)

Against: Clark, Espinoza, Kashmann, New (4)

Absent: Susman (1)

Abstain: (None) (0)

Council sat as a Committee of the Whole commencing at 7:33 PM, Council President Herndon presiding, to hear speakers on CB15-0625. Neil Nendorff, David Hagan, Bradley Zieg, Sundari Kraft, Keith Bushdiecker, Paul Haack, Kara FitzPatrick, David Griebenaw, Daniel Griebenaw, DoroLyn Griebenaw, Colleen McGowan, Ronald Leach, Judy Laabs, Don Mueller, Danny Wiese, Scott DeMers, Lianh Li, Virginia Rear, Dennis FitzPatrick, Greg Pratt, Ryan Wright, Ken Ranum, Larry Dyslin, Sharman Sather, Pamela Bechtold, Dwight Hellmers, Sue Popp, James Folmor, Jane Bustamante, Mary Williams, Amelia Myers, Elliot Sawyer, Charlie Johnson, Chad Johnson, Brian Kowalski, April Vermillion, Jennifer Salvatore, and Jennifer Wiona signed up to speak in favor of the bill. Eric Wilks, Sean O'Connell, Jenny Davies, Randy Mast, Conor Farley, Cindy Eley, Ray Defa, Jackie Youngblood, Marilyn Quinn, Pat Defa, Jerry Moline, Marie Benedix, Bertrum Sanchez, Brett Baldschun, Harry Brick, Trevor Greco, Maify Jensen, Karla Jones, and Jamie Chesser signed up to speak in opposition of the bill. Tim Watkins of Community Planning and Development delivered the Staff Report.

Bills for Final Consideration

Infrastructure & Culture

CB15-0906 A bill for an ordinance approving an Agreement between the City and County of Denver and Denver Public Schools School District 1 for the School Crossing Guard program. (INFRASTRUCTURE & CULTURE)

A motion offered by Councilman Kashmann, duly seconded by Councilman Flynn, that CB15-0906 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, New, Ortega (12)

Against: (None) (0)

Absent: Susman (1)

Abstain: (None) (0)

Adjourn

There being no further business before the City Council, Council President Herndon adjourned the meeting at 12:31 AM.

Pending

For 3-7-16

CB15-0937 A bill for an ordinance changing the zoning classification for 725 West 39th Avenue.

Required Public Hearing

Final Consideration (NEIGHBORHOODS AND PLANNING)