

# City Council Minutes

Meeting Date: Monday, March 6, 2017 5:30 PM

## PLEDGE OF ALLEGIANCE

Council member Black led the Pledge of Allegiance.

## ROLL CALL

Present: Black, Clark, Espinoza, Flynn, Gilmore, Herndon, Kashmann, Kniech, New, Susman (10)

Absent: Brooks, López, Ortega (3)

## APPROVAL OF THE MINUTES

The minutes of meeting date, Monday, February 27, 2017, were distributed to Council. Council President Pro-Tem Clark ordered the minutes approved.

[17-0297](#) Minutes of Monday, February 27, 2017.

The minutes of Monday, March 6, 2017 were approved.

## Approved

## COUNCIL ANNOUNCEMENTS

Council members Gilmore and Clark offered announcements.

## PRESENTATIONS

## COMMUNICATIONS

## PROCLAMATIONS

[17-0298](#) A proclamation honoring Reverend Dr. William T. Golson, Jr.

A motion offered by Councilwoman Gilmore, duly seconded by Councilwoman Kniech, that Proclamation 17-0298 be adopted. The motion carried by the following vote:

### Adopted

Aye: Black, Clark, Espinoza, Flynn, Gilmore, Herndon, Kashmann, Kniech, New, Susman (10)

Nay: (None) (0)

Absent: Brooks, López, Ortega (3)

[17-0299](#) A proclamation congratulating the Denver St. Patrick's Day Parade Committee on the occasion of the 55th annual parade on March 11, 2017.

A motion offered by Councilman Clark, duly seconded by Councilwoman Black, that Proclamation 17-0299 be adopted. The motion carried by the following vote:

### Adopted

Aye: Black, Clark, Espinoza, Flynn, Kashmann, Kniech, New, Susman (8)

Nay: (None) (0)

Absent: Brooks, Gilmore, Herndon, López, Ortega (5)

[17-0304](#) A proclamation in support of National Native HIV/AIDS Awareness Day & National Women and Girls HIV/AIDS Awareness Day.

A motion offered by Councilman Espinoza, duly seconded by Councilwoman Black, that Proclamation 17-0304 be adopted. The motion carried by the following vote:

**Adopted**

Aye: Black, Clark, Espinoza, Flynn, Herndon, Kashmann, Kniech, New, Susman (9)

Nay: (None) (0)

Absent: Brooks, Gilmore, López, Ortega (4)

**RESOLUTIONS**

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

Block Vote

A motion offered by Councilwoman Black, duly seconded by Councilwoman Kniech, to approve the following items en bloc. The motion carried by the following vote:

**Approved the consent agenda**

Aye: Black, Clark, Espinoza, Flynn, Gilmore, Herndon, Kashmann, Kniech, New, Susman (10)

Nay: (None) (0)

Absent: Brooks, López, Ortega (3)

[17-0151](#) A resolution approving a proposed Master Purchase Order between the City and County of Denver and TMA Construction Supply, LLC for concrete repair products for taxiways and runways at Denver International Airport.

Approves a master purchase order with TMA Construction Supply, LLC in the amount of \$850,000 for concrete repair materials for rapid taxiway and runway repair at Denver International Airport (0653A0117). The last regularly scheduled Council meeting within the 30-day review period is on 3-28-17. The Committee approved filing this resolution by consent on 2-22-17.

A motion offered by Councilwoman Black, duly seconded by Councilwoman Kniech, that Resolution 17-0151 be adopted en bloc, carried by the following vote:

**Adopted**

Aye: Black, Clark, Espinoza, Flynn, Gilmore, Herndon, Kashmann, Kniech, New, Susman (10)

Nay: (None) (0)

Absent: Brooks, López, Ortega (3)

[17-0225](#) A resolution approving a proposed First Amendment to Agreement between the City and County of Denver and Denver Services, LLC concerning office space providing delivery and remote check-in of baggage at Denver International Airport. Amends a lease agreement with Denver Services, LLC, a company contracting with several airlines to provide luggage-delivery and remote check-in services to passengers, by adding five years for a new end date of 12-31-21 for the leasing of office space at Denver International Airport. There is no change to the lease amount (201631918). The last regularly scheduled Council meeting within the 30-day review period is on 3-28-17. The Committee approved filing this resolution by consent on 2-22-17.

A motion offered by Councilwoman Black, duly seconded by Councilwoman Kniech, that Resolution 17-0225 be adopted en bloc, carried by the following vote:

**Adopted**

Aye: Black, Clark, Espinoza, Flynn, Gilmore, Herndon, Kashmann, Kniech, New, Susman (10)  
Nay: (None) (0)  
Absent: Brooks, López, Ortega (3)

[17-0227](#) A resolution approving a proposed Contract between the City and County of Denver and Interstate Highway Construction, Inc. concerning the repair and replacement of pavement and mitigation of drainage and ponding issues at Denver International Airport.

Approves a contract with Interstate Highway Construction, Inc. in the amount of \$27,207,550.96 for sixteen months from the notice to proceed date for the repair and replacement of deteriorating pavement, and the mitigation of drainage and ponding issues in the southeast quadrant of B Concourse at Denver International Airport (201631515). The last regularly scheduled Council meeting within the 30-day review period is on 3-28-17. The Committee approved filing this resolution by consent on 2-22-17.

A motion offered by Councilwoman Black, duly seconded by Councilwoman Kniech, that Resolution 17-0227 be adopted en bloc, carried by the following vote:

**Adopted**

Aye: Black, Clark, Espinoza, Flynn, Gilmore, Herndon, Kashmann, Kniech, New, Susman (10)  
Nay: (None) (0)  
Absent: Brooks, López, Ortega (3)

[17-0228](#) A resolution approving a proposed First Amendment between the City and County of Denver and American Airlines, Inc. concerning an agreement to operate and provide service at Denver International Airport.

Amends a use and lease agreement with American Airlines by adding two additional one-year periods with a new end date of 12-31-18, and for a rate of \$20,710,000 in annual revenue to operate and provide service at Denver International Airport (201205587). The last regularly scheduled Council meeting within the 30-day review period is on 3-28-17. The Committee approved filing this resolution by consent on 2-22-17.

A motion offered by Councilwoman Black, duly seconded by Councilwoman Kniech, that Resolution 17-0228 be adopted en bloc, carried by the following vote:

**Adopted**

Aye: Black, Clark, Espinoza, Flynn, Gilmore, Herndon, Kashmann, Kniech, New, Susman (10)

Nay: (None) (0)

Absent: Brooks, López, Ortega (3)

[17-0229](#) A resolution approving a proposed First Amendment between the City and County of Denver and Frontier Airlines, Inc. concerning an agreement to operate and provide service at Denver International Airport.

Amends a use and lease agreement with Frontier Airlines by adding two additional one-year periods with a new end date of 12-31-18, and at a rate of \$33,319,000 in annual revenue to operate and provide service at Denver International Airport (201206414). The last regularly scheduled Council meeting within the 30-day review period is on 3-28-17. The Committee approved filing this resolution by consent on 2-22-17.

A motion offered by Councilwoman Black, duly seconded by Councilwoman Kniech, that Resolution 17-0229 be adopted en bloc, carried by the following vote:

**Adopted**

Aye: Black, Clark, Espinoza, Flynn, Gilmore, Herndon, Kashmann, Kniech, New, Susman (10)

Nay: (None) (0)

Absent: Brooks, López, Ortega (3)

**Finance & Governance Committee**

[17-0223](#) A resolution approving a proposed Purchase Order between the City and County of Denver and Ramtech Building Systems, Inc. for commuter expansion modules at Denver International Airport.

Approves a \$6,128,896 master purchase order with Ramtech Building Systems, Inc. for commuter expansion modules to create 38,920 square feet of working space to house project managers and teams working on forthcoming expansion projects at Denver International Airport (19573). The last regularly scheduled Council meeting within the 30-day review period is on 3-28-17. The Committee approved filing this resolution by consent on 2-21-17.

A motion offered by Councilwoman Black, duly seconded by Councilwoman Kniech, that Resolution 17-0223 be adopted en bloc, carried by the following vote:

**Adopted**

Aye: Black, Clark, Espinoza, Flynn, Gilmore, Herndon, Kashmann,  
Kniech, New, Susman (10)  
Nay: (None) (0)  
Absent: Brooks, López, Ortega (3)

**Land Use, Transportation & Infrastructure Committee**

[17-0131](#) A resolution approving a proposed Contract between the City and County of Denver and Richdell Construction, Inc. for site development, landscape and irrigation construction services.

Approves a contract with Richdell Construction for three years and for \$2.5 million for on-call site development, landscape and irrigation construction services including demolition, site grading, landscape planting, and other miscellaneous work citywide (PARKS-201732900-00). The last regularly scheduled Council meeting within the 30-day review period is on 3-28-17. The Committee approved filing this resolution by consent on 2-14-17.

A motion offered by Councilwoman Black, duly seconded by Councilwoman Kniech, that Resolution 17-0131 be adopted en bloc, carried by the following vote:

**Adopted**

Aye: Black, Clark, Espinoza, Flynn, Gilmore, Herndon, Kashmann,  
Kniech, New, Susman (10)  
Nay: (None) (0)  
Absent: Brooks, López, Ortega (3)

[17-0132](#) A resolution approving a proposed Contract between the City and County of Denver and T2 Construction, Inc. for site development, landscape and irrigation construction services.

Approves a contract with T2 Construction for three years and for \$2.5 million for on-call site development, landscape and irrigation construction services including demolition, site grading, landscape planting, and other miscellaneous work citywide (PARKS-201631182-00). The last regularly scheduled Council meeting within the 30-day review period is on 3-28-17. The Committee approved filing this resolution by consent on 2-14-17.

A motion offered by Councilwoman Black, duly seconded by Councilwoman Kniech, that Resolution 17-0132 be adopted en bloc, carried by the following vote:

**Adopted**

Aye: Black, Clark, Espinoza, Flynn, Gilmore, Herndon, Kashmann,  
Kniech, New, Susman (10)  
Nay: (None) (0)  
Absent: Brooks, López, Ortega (3)

[17-0167](#) A resolution approving a proposed Contract between the City and County of Denver and Goodland Construction, Inc. for site development, landscape and irrigation construction services.

Approves a contract with Goodland Construction, Inc. for three years and for \$2.5 million for on-call site development, landscape and irrigation construction services including demolition, site grading, landscape planting, and other miscellaneous work citywide (201732897). The last regularly scheduled Council meeting within the 30-day review period is on 3-28-17. The Committee approved filing this resolution by consent on 2-14-17.

A motion offered by Councilwoman Black, duly seconded by Councilwoman Kniech, that Resolution 17-0167 be adopted en bloc, carried by the following vote:

**Adopted**

Aye: Black, Clark, Espinoza, Flynn, Gilmore, Herndon, Kashmann, Kniech, New, Susman (10)

Nay: (None) (0)

Absent: Brooks, López, Ortega (3)

[17-0221](#) A resolution laying out, opening and establishing as part of the City street system a parcel of land as a public alley bounded by Vrain Street, Winona Court and West Wells Place.

Dedicates a parcel of land as public right-of-way as public alley at a location in Block 4, Pleasant Hill Subdivision, bounded by Vrain Street, Winona Street and West Wells Place in Council District 1. The Committee approved filing this resolution by consent on 2-21-17.

A motion offered by Councilwoman Black, duly seconded by Councilwoman Kniech, that Resolution 17-0221 be adopted en bloc, carried by the following vote:

**Adopted**

Aye: Black, Clark, Espinoza, Flynn, Gilmore, Herndon, Kashmann, Kniech, New, Susman (10)

Nay: (None) (0)

Absent: Brooks, López, Ortega (3)

[17-0232](#) A resolution amending Resolution No. 43, Series 2010 to expand the area of the revocable permit to Denver Bike Sharing, to encroach into the right-of-way at 1515 Delgany Street.

Amends an encroachment granted to Denver Bike Sharing to encroach into the right-of-way with bicycle docking stations at 1515 Delgany Street with an expansion of the current docking station and increasing the footprint by 68 square feet for a total of 200 square feet in Council District 9. The Committee approved filing this resolution by consent on 2-21-17.

A motion offered by Councilwoman Black, duly seconded by Councilwoman Kniech, that Resolution 17-0232 be adopted en bloc, carried by the following vote:

**Adopted**

Aye: Black, Clark, Espinoza, Flynn, Gilmore, Herndon, Kashmann, Kniech, New, Susman (10)

Nay: (None) (0)

Absent: Brooks, López, Ortega (3)

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

[17-0222](#) A resolution approving the Mayor's appointments to the Denver Lesbian, Gay, Bisexual, Transgender and Queer Commission.

Approves the Mayoral appointments of Robert D. Farol Jr., Megan Fowler, Lauren Cikara, Angela Maxwell, Andrea Putman, and Shawn Turk to the Denver Lesbian, Gay, Bisexual, Transgender, and Queer Commission for terms effective immediately and expiring on 2-1-19, or until successors are duly appointed. The Committee approved filing this resolution by consent on 2-22-17.

A motion offered by Councilwoman Black, duly seconded by Councilwoman Kniech, that Resolution 17-0222 be adopted en bloc, carried by the following vote:

### **Adopted**

Aye: Black, Clark, Espinoza, Flynn, Gilmore, Herndon, Kashmann, Kniech, New, Susman (10)

Nay: (None) (0)

Absent: Brooks, López, Ortega (3)

## **BILLS FOR INTRODUCTION**

### **Finance & Governance Committee**

[17-0260](#) A bill for an ordinance rescinding budget, transferring cash and making appropriations in the General Fund, General Government and Culture and Recreation Special Revenue Funds of moneys designated by City Council for various projects.

Approves the City Council 2016 year-end budget reconciliation by transferring \$149,593 of City Council budget savings to City Council Special Revenue Funds, transferring \$31,635 of City Council budget savings to other City funds for various projects, and giving back \$26,024 of budget savings to the City's General Fund. The Committee approved filing this resolution by consent on 2-21-17.

This Bill 17-0260 was ordered published on first reading.

### **Ordered published on first reading**

### **Land Use, Transportation & Infrastructure Committee**

[17-0122](#) A bill for an ordinance approving a proposed Third Amendatory Agreement between the City and County of Denver and Urban Drainage and Flood Control District for design and construction of drainage improvements for Westerly Creek from Kelly Road Dam to 13th Avenue.

Amends an intergovernmental agreement with the Urban Drainage Flood Control District by adding \$500,000 for a new total amount of \$2,010,000 for the design and construction of drainage improvements at Westerly Creek between 11th and 13th streets in Council District 5. No change to contract duration (201417051). The last regularly scheduled Council meeting within the 30-day review period is on 3-28-17. The Committee approved filing this bill by consent on 2-14-17.

This Bill 17-0122 was ordered published with future required public hearing. to the Land Use, Transportation & Infrastructure Committee due back on 4/3/2017

### **Ordered published on first reading**



[17-0150](#) A bill for an ordinance changing the zoning classification for 2827 & 2833 West 25th Avenue in Jefferson Park.

Rezoned property located at 2827 and 2833 W 25th Avenue from G-MU-3, UO-3 to G-MS-3, from general urban residential context to general urban main street context, in Council District 1. IF ORDERED PUBLISHED, A PUBLIC HEARING WILL BE HELD ON THIS ITEM. REFER TO THE "PENDING" SECTION OF THE FUTURE COUNCIL MEETING AGENDAS FOR THE DATE. The Committee approved filing this bill at its meeting on 2-21-17.

This Bill 17-0150 was ordered published with future required public hearing. to the Land Use, Transportation & Infrastructure Committee due back on 4/3/2017

**Ordered published with future required public hearing**

[17-0162](#) A bill for an ordinance changing the zoning classification of 3325 and 3327 Tejon Street in the Highland neighborhood.

Approves an official map amendment to rezone land at 3325 and 3327 Tejon Street from U-TU-B and DO-4 to PUD-G 16, from urban context, two-building lot to a planned unit development, in Council District 1. IF ORDERED PUBLISHED, A PUBLIC HEARING WILL BE HELD ON THIS ITEM. REFER TO THE "PENDING" SECTION OF THE FUTURE COUNCIL MEETING AGENDAS FOR THE DATE. The Committee approved filing this bill at its meeting on 2-21-17.

This Bill 17-0162 was ordered published with future required public hearing. to the Land Use, Transportation & Infrastructure Committee due back on 4/3/2017

**Ordered published with future required public hearing**

[17-0231](#) A bill for an ordinance relinquishing a portion of an easement established by Ordinance No. 635, Series of 2012, in the alley bounded by West 10th Avenue, West 11th Avenue, Navajo Street and Mariposa Street.

Relinquishes a portion of a single easement established in the vacating Ordinance No. 635, Series of 2012, located in the alley bounded by West 10th Avenue and West 11th Avenue, and Navajo Street and Mariposa Street in Council District 3. The last regularly scheduled Council meeting within the 30-day review period is on 3-28-17. The Committee approved filing this bill by consent on 2-21-17.

This Bill 17-0231 was ordered published on first reading.

**Ordered published on first reading**



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

[16-1337](#) A bill for an ordinance approving a proposed Fourth Amendatory Agreement between the City and County of Denver and State of Colorado Judicial Department to pay for a prevention coordinator to provide a school based gang prevention program.

Amends a contract with the State of Colorado Judicial Department by extending the end date by one year to 12-3-17 and adding \$53,951.36 to the contract for a total contract in the amount of \$660,472.20 to continue the work of the Gang Reduction Initiative of Denver (GRID) program citywide (SCITY-201100301-03). The last regularly scheduled Council meeting within the 30-day review period is on 3-28-17. The Committee approved filing this bill by consent on 12-28-16.

This Bill 16-1337 was ordered published on first reading.

### **Ordered published on first reading**

[17-0224](#) A bill for an ordinance authorizing expenditures in the General Government Special Revenue Fund based on a letter of intent from the Colorado Division of Homeland Security & Emergency Management to award funding for the "2017 Emergency Management Performance Grant (EMPG)" program.

Approves an appropriation of \$150,000 for the annual Emergency Management Performance Grant from the Colorado Division of Homeland Security & Emergency Management. The Committee approved filing this bill by consent on 2-22-17.

This Bill 17-0224 was ordered published on first reading.

### **Ordered published on first reading**

## **BILLS FOR FINAL CONSIDERATION**

### **Finance & Governance Committee**

[16-1202](#) A bill for an ordinance amending the Denver Code of Ethics, and making conforming amendments to the Article V of Chapter 2, D.R.M.C. concerning financial disclosure requirements.

Approves amending the Denver Code of Ethics. The Committee approved filing this bill at its meeting on 2-21-17. This bill was approved for filing by title only by Council President Brooks.

A motion offered by Councilwoman Black, duly seconded by Councilwoman Kniech, that Bill 16-1202 be placed upon final consideration and do pass en bloc, carried by the following vote:

### **Placed upon final consideration and do pass**

Aye: Black, Clark, Espinoza, Flynn, Gilmore, Herndon, Kashmann, Kniech, New, Susman (10)  
Nay: (None) (0)  
Absent: Brooks, López, Ortega (3)

[17-0156](#) A bill for an ordinance making supplemental appropriations from the General Contingency Fund to the General Government Special Revenue Fund. Approves a \$4 million supplemental appropriation from the City's General Fund Contingency to the Office of Economic Development to support the Business Incentive Fund's support of a general merchandise mass retail store on the 16th Street Mall at 1601 California Street in Council District 9. The Committee approved filing this bill at its meeting on 2-21-17. This bill was approved for late filing by Council President Brooks.

A motion offered by Councilwoman Black, duly seconded by Councilman Kashmann, that Bill 17-0156 be placed upon final consideration and do pass. The motion carried by the following vote:

**Placed upon final consideration and do pass**

Aye: Black, Clark, Flynn, Gilmore, Herndon, Kashmann, New, Susman (8)  
Nay: Espinoza, Kniech (2)  
Absent: Brooks, López, Ortega (3)

**Land Use, Transportation & Infrastructure Committee**

[17-0143](#) A bill for an ordinance amending golf course fees under sub-section 39-121(2) and amending event facilities fees under sub-subsections 39-121(10) (b) and (c) of the Revised Municipal Code. Amends Sections 39-121(2), 39-121(10)(b), and (c) of the Denver Revised Municipal Code to change golf fees, event permitting, and event facilities fees at various locations citywide. The Committee approved filing this bill by consent on 2-14-17.

A motion offered by Councilwoman Black, duly seconded by Councilwoman Kniech, that Bill 17-0143 be placed upon final consideration and do pass en bloc, carried by the following vote:

**Placed upon final consideration and do pass**

Aye: Black, Clark, Espinoza, Flynn, Gilmore, Herndon, Kashmann, Kniech, New, Susman (10)  
Nay: (None) (0)  
Absent: Brooks, López, Ortega (3)

[17-0153](#) A bill for an ordinance vacating a portion of an alley bounded by 15th Street, Wynkoop Street, Wazee Street and the Cherry Creek, with reservations. Vacates a portion of the public alley bounded by 15th Street and the Cherry Creek and Wynkoop Street and Wazee Street, with reservations, in Council District 9. The Committee approved filing this bill by consent on 2-14-17.

A motion offered by Councilwoman Black, duly seconded by Councilwoman Kniech, that Bill 17-0153 be placed upon final consideration and do pass en bloc, carried by the following vote:

**Placed upon final consideration and do pass**

Aye: Black, Clark, Espinoza, Flynn, Gilmore, Herndon, Kashmann, Kniech, New, Susman (10)  
Nay: (None) (0)  
Absent: Brooks, López, Ortega (3)

[17-0155](#) A bill for an ordinance agreeing to the State of Colorado's abandonment of that portion of State Highway 265, known as Brighton Boulevard, from the north right of way line of 47th Avenue northerly along Brighton Boulevard to the City and County of Denver boundary to be owned and maintained by the City and County of Denver.

Accepts the State of Colorado's abandonment of a portion of State Highway 265, known as Brighton Boulevard, to be owned and maintained by the City located near 47th Avenue and Brighton Boulevard in Council District 9. The Committee approved filing this bill by consent on 2-14-17.

A motion offered by Councilwoman Black, duly seconded by Councilwoman Kniech, that Bill 17-0155 be placed upon final consideration and do pass en bloc, carried by the following vote:

**Placed upon final consideration and do pass**

Aye: Black, Clark, Espinoza, Flynn, Gilmore, Herndon, Kashmann, Kniech, New, Susman (10)

Nay: (None) (0)

Absent: Brooks, López, Ortega (3)

**RECAP OF BILLS TO BE CALLED OUT**

**PRE-RECESS ANNOUNCEMENT**

**RECESS**

**COUNCIL RECONVENES AND RESUMES ITS REGULAR SESSION**

**PUBLIC HEARINGS - BILLS FOR FINAL CONSIDERATION**

**PRE-ADJOURNMENT ANNOUNCEMENT**

Council President Pro-Tem Clark announced that on Monday, April 3, 2017, Council will hold a required public hearing on Council Bill 17-0162, changing the zoning classification of 3325 and 3327 Tejon Street in the Highland neighborhood; and, a required public hearing on Council Bill 17-0150, changing the zoning classification for 2827 and 2833 West 25th Avenue in Jefferson Park. Any protests against Council Bill 17-0162 or Council Bill 17-0150 must be filed with the Council Offices no later than Tuesday, March 28, 2017.

**ADJOURN**

There being no further business before the City Council, Council President Pro-Tem Clark adjourned the meeting at 6:20 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