

City Council Minutes

Meeting Date: Monday, February 5, 2018 5:30 PM

PLEDGE OF ALLEGIANCE

Council member Gilmore led the Pledge of Allegiance.

ROLL CALL

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

APPROVAL OF THE MINUTES

[18-0124](#) Minutes of Monday, January 29, 2018

The minutes of Monday, January 29, 2018, were approved.

Approved

The minutes of meeting date, Monday, January 29, 2018, were distributed to Council. Council President Brooks ordered the minutes approved.

COUNCIL ANNOUNCEMENTS

Council members Gilmore, Flynn, and Brooks offered announcements.

PRESENTATIONS

COMMUNICATIONS

PROCLAMATIONS

RESOLUTIONS

Business, Arts, Workforce & Aeronautical Services Committee

Block Vote

A motion offered by Councilwoman Gilmore, 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, Susman (13)

Nay: (None) (0)

18-0006 A resolution approving a proposed First Amendment between the City and County of Denver and ASKReply, Inc. d/b/a B2Gnow concerning design, implementation, hosting and prevailing wage compliance systems at Denver International Airport.

Amends a contract with ASKReply, Inc., doing business as B2Gnow, to add \$10,950 for a new contract total in the amount of \$841,900 for automated uploading and entering of revenue totals for concessions to track, monitor, and process certifications and compliance information for disadvantaged business opportunity programs at Denver International Airport. There is no change to the contract duration (201631814-01). The last regularly scheduled Council meeting within the 30-day review period is on 2-26-18. The Committee approved filing this resolution by consent on 1-24-18.

A motion offered by Councilwoman Gilmore, duly seconded by Councilman Flynn, that Council Resolution 18-0006 be adopted en bloc, carried by the following vote:

Adopted

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

Nay: (None) (0)

18-0075 A resolution approving a proposed Agreement between the City and County of Denver and Compañía Panameña de Aviación, S.A. d/b/a Copa Airlines concerning a marketing incentive at Denver International Airport.

Approves a two-year marketing incentive agreement with Compañía Panameña de Aviación, S.A., doing business as Copa Airlines, for an incentive amount of \$571,400 to promote a new international destination service by Copa Airlines from Panama City to Denver International Airport (201735913). The last regularly scheduled Council meeting within the 30-day review period is on 2-26-18. The Committee approved filing this resolution by consent on 1-24-18.

A motion offered by Councilwoman Gilmore, duly seconded by Councilman Flynn, that Council Resolution 18-0075 be adopted en bloc, carried by the following vote:

Adopted

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

Nay: (None) (0)

18-0076 A resolution approving a proposed Agreement between the City and County of Denver and Compañía Panameña de Aviación, S.A. d/b/a Copa Airlines concerning operational incentives at Denver International Airport.

Approves an operational incentive agreement with Compañía Panameña de Aviación S.A., doing business as Copa Airlines, in the amount of \$1 million and for two years of credit against operational expenses to promote a new international destination service by Air Copa Airlines from Panama City to Denver International Airport (201735911). The last regularly scheduled Council meeting within the 30-day review period is on 2-26-18. The Committee approved filing this resolution by consent on 1-24-18.

A motion offered by Councilwoman Gilmore, duly seconded by Councilman Flynn, that Council Resolution 18-0076 be adopted en bloc, carried by the following vote:

Adopted

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

Nay: (None) (0)

Finance & Governance Committee

18-0003 A resolution approving a proposed Third Amendatory Agreement by and between the City and County of Denver and Q-Matic Corporation to extend the term, increase funding for support and maintenance services and add new functionality.

Adds \$525,000 and 10 months to the contract with Q-Matic Corporation for a new total of \$1 million through 10-31-20 and expands the services for the enterprise customer queuing application, equipment, and professional services agreement (201310119-03). The last regularly scheduled Council meeting within the 30-day review period is on 2-26-18. The Committee approved filing this resolution by consent on 1-2-18.

A motion offered by Councilwoman Gilmore, duly seconded by Councilman Flynn, that Council Resolution 18-0003 be adopted en bloc, carried by the following vote:

Adopted

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

Nay: (None) (0)

18-0071 A resolution approving a proposed Amendatory Agreement between the City and County of Denver and Waste Management of Colorado, Inc., to extend the term to continue provide trash collection services.

Approves a no-cost extension of a contract with Waste Management of Colorado, Inc. for six months through 07-31-18 for trash collection services for City agencies and facilities (GENRL-201418646). The last regularly scheduled Council meeting within the 30-day review period is on 2-26-18. The Committee approved filing this resolution by consent on 1-23-18.

A motion offered by Councilwoman Gilmore, duly seconded by Councilman Flynn, that Council Resolution 18-0071 be adopted en bloc, carried by the following vote:

Adopted

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

Nay: (None) (0)

18-0074 A resolution approving a proposed amended Master Purchase Order between the City and County of Denver and The Goodyear Tire & Rubber Company to increase the amount to replace tires for City vehicles.

Adds \$250,000 to a master purchase order with The Goodyear Tire & Rubber Company for a new total of \$700,000 for tires for City vehicles (5652S0317). The last regularly scheduled Council meeting within the 30-day review period is on 2-26-18. The Committee approved filing this resolution by consent on 1-23-18.

A motion offered by Councilwoman Gilmore, duly seconded by Councilman Flynn, that Council Resolution 18-0074 be adopted en bloc, carried by the following vote:

Adopted

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

Nay: (None) (0)

Land Use, Transportation & Infrastructure Committee

17-1268 A resolution approving a proposed Contract between the City and County of Denver and HDR Engineering, Inc. for professional design services.

Approves a contract with HDR Engineering, Inc., for \$746,669 and for two years for professional design services related to the Iowa underpass project including sidewalk upgrades, installation of ADA-compliant ramps, alterations or new installation of retaining walls, lighting improvements and other services as necessary located near the intersection of Iowa Avenue and Santa Fe Drive in Council District 7 (201737759). The last regularly scheduled Council meeting within the 30-day review period is on 2-26-18. The Committee approved filing this resolution by consent on 11-14-17.

A motion offered by Councilwoman Gilmore, duly seconded by Councilman Flynn, that Council Resolution 17-1268 be adopted en bloc, carried by the following vote:

Adopted

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

Nay: (None) (0)

18-0069 A resolution laying out, opening and establishing as part of the City street system a parcel of land as South Sheridan Boulevard near the intersection of South Sheridan Boulevard and West Colgate Drive.

Dedicates a parcel of land as public right-of-way as South Sheridan Boulevard located at the intersection of South Sheridan Boulevard and West Colgate Drive in Council District 2. The Committee approved filing this resolution by consent on 1-23-18.

A motion offered by Councilwoman Gilmore, duly seconded by Councilman Flynn, that Council Resolution 18-0069 be adopted en bloc, carried by the following vote:

Adopted

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

Nay: (None) (0)

BILLS FOR INTRODUCTION

Finance & Governance Committee

[18-0014](#) **A bill for an ordinance establishing a new fund in the Community Development Special Revenue Fund for the "Affordable Housing Incentive Fee Fund".**

Establishes the Affordable Housing Incentive Fee Special Revenue Fund to receive and account for revenues derived from incentive height fees targeted for production or preservation of rental housing, rental assistance programs, for-sale housing, homebuyer assistance programs, permanent supportive housing for homeless persons and for supportive services associated with such housing, programs supporting low-income at-risk individuals in danger of losing their existing homes, and for mitigation of the effects of gentrification and involuntary displacement of lower income households. The last regularly scheduled Council meeting within the 30-day review period is on 2-26-18. The Committee approved filing this bill by consent on 1-2-18.

Council Bill 18-0014 was ordered published on first reading.

Ordered published on first reading

Land Use, Transportation & Infrastructure Committee

[18-0019](#) **A bill for an ordinance adopting a new Article VI in Chapter 27 of the Denver Revised Municipal Code, concerning incentives for the provision of increased levels of affordable housing or the payment of increased fees.**

Amends Chapter 27 of the Denver Revised Municipal Code to create Article VI enabling incentive-based affordable housing requirements and setting forth specific affordable housing requirements for projects using the proposed Denver Zoning Code 38th and Blake Station Area Incentive Overlay. The Committee approved filing this bill at its meeting on 1-2-18.

Council Bill 18-0019 was ordered published on first reading.

Ordered published on first reading

[18-0043](#) **A bill for an ordinance changing the zoning classification for 1630 South Acoma Street in Overland.**

Approves an official map amendment to rezone property located at 1630 South Acoma Street from I-A, UO-2 to I-MX-5 in Council District 7. If ordered published, a public hearing will be held on Monday, March 5, 2018. The Committee approved filing this bill at its meeting on 1-23-18.

Council Bill 18-0043 was ordered published with future required public hearing on 3-5-18.

Ordered published with future required public hearing

BILLS FOR FINAL CONSIDERATION

Finance & Governance Committee

17-1417 A bill for an ordinance approving a proposed Amendment to Intergovernmental Agreement Regarding Alley Design, Including Acquisition of Right-of-Way for Federal and Mississippi Retail Center Alley Project Relating to the Westwood Urban Redevelopment Area between the City and County of Denver and the Denver Urban Renewal Authority.

Adds one year to and increases Denver Urban Renewal Authority’s (DURA) contribution to a previously approved intergovernmental agreement with the City by \$334,000 for a new total of \$732,000 through 12-31-18 outlining responsibilities for the planning, engineering, design, property acquisition, and construction of an alley from Tennessee Avenue to Mississippi Avenue behind the Federal and Mississippi Retail Center in Council District 3 (FINAN 201419856-01). The last regularly scheduled Council meeting within the 30-day review period is on 2-20-18. The Committee approved filing this bill by consent on 12-12-17.

A motion offered by Councilwoman Gilmore, duly seconded by Councilman Flynn, that Council Bill 17-1417 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, Susman (13)

Nay: (None) (0)

18-0009 A bill for an ordinance approving a proposed Purchase and Sale Agreement between the City and County of Denver and Raiatea, LLP for the sale of property located at approximately 8101 East 40th Avenue and Ulster Street.

Approves a purchase and sale agreement with Raiatea, LLP for \$10,000 for the sale of approximately 11,970 square feet of surplus City-owned vacant land located at approximately 8101 East 40th Avenue and Ulster Street in Council District 9 (FINAN-201737898-00). The last regularly scheduled Council meeting within the 30-day review period is on 2-20-18. The Committee approved filing this bill by consent on 1-16-18.

A motion offered by Councilwoman Gilmore, duly seconded by Councilman Flynn, that Council Bill 18-0009 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, Susman (13)

Nay: (None) (0)

18-0051 A bill for an ordinance repealing Section 15-16 of the Revised Municipal Code as obsolete and repealing and reenacting Section 15-17 of the Revised Municipal Code to update the precinct plan for city council districts.

Amends Sections 15-16 and 15-17 of the Denver Revised Municipal Code to remain in compliance with registered voter population limits in Colorado Revised Statutes by updating precinct boundaries citywide. The Committee approved filing this bill at its meeting on 1-16-18.

A motion offered by Councilwoman Gilmore, duly seconded by Councilman Flynn, that Council Bill 18-0051 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, Susman (13)

Nay: (None) (0)

Land Use, Transportation & Infrastructure Committee

18-0053 A bill for an ordinance amending Ordinance 235, Series of 2008 concerning the "Chief Hosa Lodge and Campground" Special Revenue Fund and transferring cash within the Culture and Recreation Special Revenue Fund.

Transfers the remaining cash balance for the Chief Hosa Campground from the Event Facility Fund 15823 into the Denver Mountain Park Fund 15825 and amends Ordinance 235, Series of 2008, to remove all language concerning the Chief Hosa Campground. The Committee approved filing this bill by consent on 1-16-18.

A motion offered by Councilwoman Gilmore, duly seconded by Councilman Flynn, that Council Bill 18-0053 be placed upon final consideration and do pass. The motion FAILED by the following vote:

Placed upon final consideration and do pass

Aye: (None) (0)

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

18-0054 A bill for an ordinance transferring cash and closing funds in the Culture and Recreation Special Revenue Fund and the Grant and Other Money Projects Fund.

Closes Lookout Mountain Development Fund 15812 and the Summit Lake Park Collections Fund 38246 and transfers the unspent cash balance into Denver Mountain Parks Special Revenue Fund 15825 for more effective accounting and budgeting. The Committee approved filing this bill by consent on 1-16-18.

A motion offered by Councilwoman Gilmore, duly seconded by Councilman Flynn, that Council Bill 18-0054 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, Susman (13)

Nay: (None) (0)

Safety, Housing, Education & Homelessness Committee

17-1144 A bill for an ordinance approving a proposed Revocable License Agreement between the City and County of Denver and East Cherry Creek Valley Water and Sanitation District Water Activity Enterprise, Inc., for a pole-mounted solar panel to be placed within the Denver Arapahoe Disposal Site property.

Approves a three-year contract with East Cherry Creek Valley Water and Sanitation District Water Activity Enterprise, Inc. (ECCV) in the amount of \$10 to allow ECCV to place a pole-mounted solar panel within the Arapahoe Disposal Site (DADS) property to protect the solar panel from vandalism (ENVHL-201737242-00). The last regularly scheduled Council meeting within the 30-day review period is on 2-20-18. The Committee approved filing this bill by consent on 10-18-17.

A motion offered by Councilwoman Gilmore, duly seconded by Councilman Flynn, that Council Bill 17-1144 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, Susman (13)

Nay: (None) (0)

RECAP OF BILLS TO BE CALLED OUT

PRE-RECESS ANNOUNCEMENT

RECESS

Council did not take a recess.

COUNCIL RECONVENES AND RESUMES ITS REGULAR SESSION

PUBLIC HEARINGS - BILLS FOR FINAL CONSIDERATION

PRE-ADJOURNMENT ANNOUNCEMENT

Council President Brooks announced that on Monday, March 5, 2018, Council will hold a required public hearing on Council Bill 18-0043, changing the zoning classification for 1630 South Acoma Street in Overland. Any protests against Council Bill 18-0043 must be filed with the Council Offices no later than Monday, February 26, 2018.

ADJOURN

There being no further business before the City Council, Council President Brooks adjourned the meeting at 5:40 p.m.

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