

City Council Minutes

Meeting Date: Monday, March 13, 2017 5:30 PM

PLEDGE OF ALLEGIANCE

Note

Council member Kashmann led the Pledge of Allegiance.

ROLL CALL

Present: Black, Brooks, Clark, Espinoza, Flynn, Herndon, Kashmann,
Kniech, López, Ortega (10)

Absent: Gilmore, New, Susman (3)

APPROVAL OF THE MINUTES

The minutes of meeting date, Monday, March 6, 2017, were distributed to Council. Council President Brooks ordered the minutes approved.

[17-0323](#) Minutes of Monday, March 6, 2017

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

Approved

COUNCIL ANNOUNCEMENTS

Council member Kashmann offered an announcement.

PRESENTATIONS

COMMUNICATIONS

PROCLAMATIONS

RESOLUTIONS

Business, Arts, Workforce & Aeronautical Services Committee

Block Vote

Block Vote

A motion offered by Councilman Kashmann, 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, Brooks, Clark, Espinoza, Flynn, Herndon, Kashmann,
Kniech, López, Ortega (10)

Nay: (None) (0)

Absent: Gilmore, New, Susman (3)

[17-0230](#) A resolution approving a proposed First Amendment between the City and County of Denver and British Airways, Plc. concerning an agreement to operate and provide service at Denver International Airport.

Amends an Airport Use and Lease Agreement with British Airways, Plc. by adding two years for a new end date of 12-31-18, and at a rate of \$3,324,000 in annual revenue to operate and provide passenger flight service at Denver International Airport (201310739-01). The last regularly scheduled Council meeting within the 30-day review period is on 4-3-17. The Committee approved filing this resolution by consent on 3-1-17.

A motion offered by Councilman Kashmann, duly seconded by Councilwoman Kniech, that Resolution 17-0230 be adopted en bloc, carried by the following vote:

Adopted

Aye: Black, Brooks, Clark, Espinoza, Flynn, Herndon, Kashmann, Kniech, López, Ortega (10)

Nay: (None) (0)

Absent: Gilmore, New, Susman (3)

[17-0284](#) A resolution approving a proposed Second Amendment and Modification Agreement between the City and County of Denver, Colorado Health & Science Ecosystem LLC, Henry Jason Winkler and Ellen P. Winkler to amend the existing collateral for the loan.

Amends an existing loan to Colorado Health & Science Ecosystem, LLC, Henry Jason Winkler and Ellen P. Winkler to change the loan collateral property to 2950 Arkins Court to facilitate project completion and timely opening for the creation of a new innovation business center focused on Denver's growing technology, applied science, and entrepreneurial businesses in Council District 9. There is no change to the contract amount or term (OEDEV-201417263-02). The last regularly scheduled Council meeting within the 30-day review period is on 4-3-17. The Committee approved filing this resolution by consent on 3-8-17.

A motion offered by Councilman Kashmann, duly seconded by Councilwoman Kniech, that Resolution 17-0284 be adopted en bloc, carried by the following vote:

Adopted

Aye: Black, Brooks, Clark, Espinoza, Flynn, Herndon, Kashmann, Kniech, López, Ortega (10)

Nay: (None) (0)

Absent: Gilmore, New, Susman (3)

Land Use, Transportation & Infrastructure Committee

[17-0226](#) A resolution approving a proposed Construction Change Order between the City and County of Denver and Interlock Construction, Corp., to add additional funds and new end date to provide renovations to the Red Rocks First Aid Room.

Amends a contract with Interlock Construction, Corp. by adding \$118,645 for a new total amount of \$548,990.15 and 27 days for a new end date of 05-16-17, for renovations to the Red Rocks First Aid Room for the purpose of better treating and responding to the emergency and safety needs of Red Rocks patrons (201629233). The last regularly scheduled Council meeting within the 30-day review period is on 4-3-17. The Committee approved filing this resolution by consent on 2-28-17.

A motion offered by Councilman Kashmann, duly seconded by Councilwoman Kniech, that Resolution 17-0226 be adopted en bloc, carried by the following vote:

Adopted

Aye: Black, Brooks, Clark, Espinoza, Flynn, Herndon, Kashmann, Kniech, López, Ortega (10)

Nay: (None) (0)

Absent: Gilmore, New, Susman (3)

[17-0264](#) A resolution approving a proposed Purchase Order between the City and County of Denver and Toter, LLC to produce and ship 45,178 Carts.

Approves a purchase order with Toter, LLC for \$2,157,623.58 for a total of 34,790 black trash barrels, 7,280 purple recycling carts and 3,108 green composting carts to complete the citywide trash cart conversion and add subscribers for recycling and composting (PWOPS 0000012757). The last regularly scheduled Council meeting within the 30-day review period is on 4-3-17. The Committee approved filing this resolution by consent on 2-28-17.

A motion offered by Councilman Kashmann, duly seconded by Councilwoman Kniech, that Resolution 17-0264 be adopted en bloc, carried by the following vote:

Adopted

Aye: Black, Brooks, Clark, Espinoza, Flynn, Herndon, Kashmann, Kniech, López, Ortega (10)

Nay: (None) (0)

Absent: Gilmore, New, Susman (3)

[17-0265](#) A resolution approving a proposed Purchase Order between the City and County of Denver and Stone Motor, Inc., DBA Korf Continental to procure eight (8) 2017 Ford F-350 pickup trucks.

Approves a purchase order with Stone Motors, doing business as Korf Continental, for \$569,032 for eight 2017 Ford F-350 pickup trucks equipped with plows, light bars, and other selected options and accessories to replace aging vehicles that are beyond their useful lives with newer models for citywide plowing and paving operations (PWOPS 0000012742). The last regularly scheduled Council meeting within the 30-day review period is on 4-3-17. The Committee approved filing this resolution by consent on 2-28-17.

A motion offered by Councilman Kashmann, duly seconded by Councilwoman Kniech, that Resolution 17-0265 be adopted en bloc, carried by the following vote:

Adopted

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

[17-0268](#) A resolution approving a proposed Purchase Order between the City and County of Denver and Rush Truck Centers of Colorado, Inc., to procure three (3) 2017 Peterbilt 220 cab and chassis trash trucks.

Approves a purchase order with Rush Truck Centers of Colorado, Inc. for \$594,261 for three-barrel loading refuse body trash trucks for the City's Solid Waste Management Division (PWOPS 0000012704). The last regularly scheduled Council meeting within the 30-day review period is on 4-3-17. The Committee approved filing this resolution by consent on 2-28-17.

A motion offered by Councilman Kashmann, duly seconded by Councilwoman Kniech, that Resolution 17-0268 be adopted en bloc, carried by the following vote:

Adopted

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

[17-0269](#) A resolution approving a proposed Purchase Order between the City and County of Denver and Rush Truck Centers of Colorado, Inc., to procure nine (9) 2017 Peterbilt 320 cab and chassis trash trucks.

Approves a purchase order with Rush Truck Centers of Colorado, Inc. for \$2,226,634.65 for nine cab and chassis barrel loading refuse body trash trucks for the City's Solid Waste Management Division (PWOPS 0000012703). The last regularly scheduled Council meeting within the 30-day review period is on 4-3-17. The Committee approved filing this resolution by consent on 2-28-17.

A motion offered by Councilman Kashmann, duly seconded by Councilwoman Kniech, that Resolution 17-0269 be adopted en bloc, carried by the following vote:

Adopted

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

[17-0271](#) A resolution accepting and approving the plat of C.P. Bedrock Filing No. 5. Approves a subdivision plat for C.P. Bedrock Filing No. 5 located at 46th Avenue and Tower Road in Council District 11. The Committee approved filing this resolution by consent on 2-28-17.

A motion offered by Councilman Kashmann, duly seconded by Councilwoman Kniech, that Resolution 17-0271 be adopted en bloc, carried by the following vote:

Adopted

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

Safety, Housing, Education & Homelessness Committee

[17-0152](#) A resolution approving a proposed Amendatory Agreement between the City and County of Denver and Colorado Nonprofit Development Center for services with the Community Reentry Project (CRP).

Amends a contract with Colorado Nonprofit Development Center by adding six months for a new end date of 6-31-17, and to add \$260,162 for a new total contract in the amount of \$803,358 for the Community Reentry Project, a jail to community collaborative project, connecting participants transitioning from jail with supportive skills, resources, and relationships with goals to reduce recidivism and improve the quality of life and safety in the Denver community (2015-25566-01). The last regularly scheduled Council meeting within the 30-day review period is on 4-3-17. The Committee approved filing this resolution by consent on 2-15-17.

A motion offered by Councilman Kashmann, duly seconded by Councilwoman Kniech, that Resolution 17-0152 be adopted en bloc, carried by the following vote:

Adopted

Aye: Black, Brooks, Clark, Espinoza, Flynn, Herndon, Kashmann, Kniech, López, Ortega (10)

Nay: (None) (0)

Absent: Gilmore, New, Susman (3)

[17-0266](#) A resolution approving a proposed Purchase Order between the City and County of Denver and Daniels Long Automotive, LLC DBA Daniels Long Chevrolet to procure fifty-two (52) Police and Sheriff Chevrolet Equinoxes.

Approves a purchase order with Daniels Long Chevrolet in the amount of \$1,130,688 for fifty-two Chevrolet Equinoxes to replace aging vehicles that are beyond their useful lives with newer models for citywide police and sheriff department operations (PWOPS 0000012733). The last regularly scheduled Council meeting within the 30-day review period is on 4-3-17. The Committee approved filing this resolution by consent on 3-1-17.

A motion offered by Councilman Kashmann, duly seconded by Councilwoman Kniech, that Resolution 17-0266 be adopted en bloc, carried by the following vote:

Adopted

Aye: Black, Brooks, Clark, Espinoza, Flynn, Herndon, Kashmann, Kniech, López, Ortega (10)

Nay: (None) (0)

Absent: Gilmore, New, Susman (3)

[17-0267](#) A resolution approving a proposed Purchase Order between the City and County of Denver and Spradley, Barr, Ford, Lincoln Mercury of Greeley, Inc., to procure forty-six (46) Police and Sheriff Ford Interceptor SUVs.

Approves a purchase order with Spradley, Barr, Ford, Lincoln Mercury of Greeley, Inc. in the amount of \$1,500,464 for forty-six Ford Interceptor Sport Utility vehicles to replace aging vehicles that are beyond their useful lives with newer models for citywide police and sheriff department operations (PWOPS 0000012735). The last regularly scheduled Council meeting within the 30-day review period is on 4-3-17. The Committee approved filing this resolution by consent on 3-1-17.

A motion offered by Councilman Kashmann, duly seconded by Councilwoman Kniech, that Resolution 17-0267 be adopted en bloc, carried by the following vote:

Adopted

Aye: Black, Brooks, Clark, Espinoza, Flynn, Herndon, Kashmann, Kniech, López, Ortega (10)

Nay: (None) (0)

Absent: Gilmore, New, Susman (3)

[17-0272](#) A resolution approving a proposed Agreement between the City and County of Denver and The Colorado Coalition for the Homeless to provide rental assistance and security deposit payments for eligible individuals and families.

Approves an agreement with The Colorado Coalition for the Homeless in the amount of \$650,000 and a term through 3-31-18 to provide rental assistance to 67 individuals and families who are homeless or at risk of becoming homeless and combined with mandatory individualized case management services (OEDEV-201732706-00). The last regularly scheduled Council meeting within the 30-day review period is on 4-3-17. The Committee approved filing this resolution by consent on 3-1-17.

A motion offered by Councilman Kashmann, duly seconded by Councilwoman Kniech, that Resolution 17-0272 be adopted en bloc, carried by the following vote:

Adopted

Aye: Black, Brooks, Clark, Espinoza, Flynn, Herndon, Kashmann, Kniech, López, Ortega (10)

Nay: (None) (0)

Absent: Gilmore, New, Susman (3)

BILLS FOR INTRODUCTION

Finance & Governance Committee

[17-0270](#) A bill for an ordinance amending the classification and pay plan for employees in the Career Service and for certain employees not in the Career Service.

Abolishes unused, replaced, or unnecessary job titles of Quality Improvement Nurse, Senior Clinical Social Worker, Senior Quality Improvement Nurse, Psychologist Candidate for License, Nursing Aide, Behavioral Health Technician, Pharmacy Technician, Emergency Service Patrol Team Leader, Laboratory Technician, Medical Records Coder, Psychology Intern, and Museum Security Officer in the classification and pay plan for City employees. The Committee approved filing this bill by consent on 2-28-17.

This Bill 17-0270 was ordered published on first reading.

Ordered published on first reading

Safety, Housing, Education & Homelessness Committee

[17-0148](#) A bill for an ordinance amending Article XI, Chapter 53 of the Denver Revised Municipal Code relating to the administration of tax refund payments for elderly and disabled persons.

Amends Chapter 53 of the Denver Revised Municipal Code to clarify and update eligibility and payment requirements for the citywide Payments to the Elderly and Disabled Persons Program. The Committee approved filing this bill by consent on 2-15-17.

This Bill 17-0148 was ordered published on first reading.

Ordered published on first reading

BILLS FOR FINAL CONSIDERATION

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.

A motion offered by Councilman Kashmann, duly seconded by Councilwoman Kniech, that Bill 17-0260 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, Herndon, Kashmann, Kniech, López, Ortega (10)
- Nay: (None) (0)
- Absent: Gilmore, New, Susman (3)

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.

A motion offered by Councilman Kashmann, duly seconded by Councilwoman Kniech, that Bill 17-0122 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, Herndon, Kashmann, Kniech, López, Ortega (10)
Nay: (None) (0)
Absent: Gilmore, New, Susman (3)

[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.

A motion offered by Councilman Kashmann, duly seconded by Councilwoman Kniech, that Bill 17-0231 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, Herndon, Kashmann, Kniech, López, Ortega (10)
Nay: (None) (0)
Absent: Gilmore, New, Susman (3)

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.

A motion offered by Councilman Kashmann, duly seconded by Councilwoman Kniech, that Bill 16-1337 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, Herndon, Kashmann, Kniech, López, Ortega (10)
Nay: (None) (0)
Absent: Gilmore, New, Susman (3)

[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.

A motion offered by Councilman Kashmann, duly seconded by Councilwoman Kniech, that Bill 17-0224 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, Herndon, Kashmann, Kniech, López, Ortega (10)
Nay: (None) (0)
Absent: Gilmore, New, Susman (3)

RECAP OF BILLS TO BE CALLED OUT

PRE-RECESS ANNOUNCEMENT

Council President Brooks announced that tonight there will be a required public hearing on Council Bill 17-0045, changing the zoning classification for 10200 Smith Road, commonly referred to as Sand Creek Open Space and 9507 East 35th Avenue, commonly referred to as Prairie Uplands Park in Stapleton. 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

Land Use, Transportation & Infrastructure Committee

[17-0045](#) A bill for an ordinance changing the zoning classification for 10200 Smith Road, commonly referred to as Sand Creek Open Space and 9507 East 35th Avenue, commonly referred to as Prairie Uplands Park in Stapleton.

Rezones property located at 10200 Smith Road and 9507 East 35th Avenue from OS-B to OS-A, open space recreation to open space parks, in Council District 8. The Committee approved filing this bill at its meeting on 1-24-17.

A motion offered by Councilman Kashmann, duly seconded by Councilman Clark, that Bill 17-0045 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 6:01 p.m., Council President Brooks presiding, to hear speakers on Council Bill 17-0045. Mark Tabor signed up to speak in favor of the bill. No speakers signed up to speak in opposition of the bill. Jeff Hirt of Community Planning and Development delivered the Staff Report.

Aye: Black, Brooks, Clark, Espinoza, Flynn, Herndon, Kashmann, Kniech, López, Ortega (10)

Nay: (None) (0)

Absent: Gilmore, New, Susman (3)

PRE-ADJOURNMENT ANNOUNCEMENT

ADJOURN

There being no further business before the City Council, Council President Brooks adjourned the meeting at 6:16 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