

City Council Minutes

Meeting Date: Monday, August 17, 2015 5:30 PM

Pledge of Allegiance

Councilman Flynn led the Pledge of Allegiance.

Roll Call

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

Absent: None

Councilwoman Ortega arrived late.

Approval of the Minutes

The minutes of meeting date, Monday, August 10, 2015, were distributed to Council. Council President Herndon ordered the minutes approved.

Council Announcements

Council members Kniech and Brooks offered announcements.

Presentations

Communications

Proclamations

Resolutions

The Council Secretary read the following resolutions by titles.

Infrastructure & Culture

CR15-0588 A resolution authorizing and approving the expenditure and payment from the appropriation account designated "liability claims," the sum of Twenty-One Thousand Two Hundred and Fifty Dollars (\$21,250.00), payable to Mildred Nielson and The Law Office of Patricia M.

Jarzobski, P.C., in full payment and satisfaction of all claims in Claim No. 2014.0010. (INFRASTRUCTURE & CULTURE)

A motion offered by Councilman Flynn, duly seconded by Councilman Clark, that CR15-0588, CR15-0547, and CR15-0587 be adopted en bloc, carried by the following vote:

Passed
For: Black, Brooks, Clark, Espinoza, Flynn, Gilmore, Herndon, Kashmann, Kniech, Lopez, New, Ortega, Susman (13)
Against: (None) (0)
Absent: (None) (0)
Abstain: (None) (0)

Safety & Well-being

CR15-0547 A resolution approving the Mayor’s reappointments to the Head Start Policy Council. (SAFETY & WELL-BEING)

A motion offered by Councilman Flynn, duly seconded by Councilman Clark, that CR15-0588, CR15-0547, and CR15-0587 be adopted en bloc, carried by the following vote:

Passed
For: Black, Brooks, Clark, Espinoza, Flynn, Gilmore, Herndon, Kashmann, Kniech, Lopez, New, Ortega, Susman (13)
Against: (None) (0)
Absent: (None) (0)
Abstain: (None) (0)

CR15-0587 A resolution authorizing and approving the expenditure and payment from the appropriation account designated “liability claims,” the sum of Forty-Seven Thousand Five Hundred Dollars (\$47,500.00), payable to Natasha Williams and The Law Office of Cornell Johnson, P.C., in full payment and satisfaction of all claims in Case No. 2014CV33049, in the District Court for the City and County of Denver, Colorado. (SAFETY & WELL-BEING)

A motion offered by Councilman Flynn, duly seconded by Councilman Clark, that CR15-0588, CR15-0547, and CR15-0587 be adopted en bloc, carried by the following vote:

Passed
For: Black, Brooks, Clark, Espinoza, Flynn, Gilmore, Herndon, Kashmann, Kniech, Lopez, New, Ortega, Susman (13)
Against: (None) (0)
Absent: (None) (0)

Abstain: (None) (0)

Bills for Introduction

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

Business Development

CB15-0550 A bill for an ordinance approving a proposed System Purchase Agreement between the City and County of Denver and Harris Corporation concerning radio communications system and services at Denver International Airport. (BUSINESS DEVELOPMENT)

A motion offered by Council President Herndon, duly seconded by Councilman Flynn, that CB15-0550, CB15-0551, CB15-0531, CB15-0539, CB15-0543, CB15-0535, CB15-0536, CB15-0544, and CB15-0546 be ordered published en bloc, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: (None) (0)

Abstain: (None) (0)

CB15-0551 A bill for an ordinance approving a proposed Equipment, Installation, Hardware Software Agreement between the City and County of Denver and HUB Parking Technologies concerning AVI Public Express Parking services at Denver International Airport. (BUSINESS DEVELOPMENT)

A motion offered by Council President Herndon, duly seconded by Councilman Flynn, that CB15-0550, CB15-0551, CB15-0531, CB15-0539, CB15-0543, CB15-0535, CB15-0536, CB15-0544, and CB15-0546 be ordered published en bloc, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: (None) (0)

Abstain: (None) (0)

Finance & Services

CB15-0553 A bill for an ordinance increasing the sales and use tax by a

rate of .08 percent and dedicating the revenue derived from the tax rate increase to fund the Denver College Affordability Fund, and setting forth requirements for use of the Fund, subject to the approval of the voters at a special municipal election to be coordinated with the state odd-year general election on November 3, 2015. (FINANCE & SERVICES)

A motion offered by Councilman Flynn, duly seconded by Councilman Brooks, that CB15-0553 be ordered published, carried by the following vote:

Passed
For: Black, Brooks, Clark, Gilmore, Herndon, Kashmann, Lopez, New, Ortega (9)
Against: Flynn, Susman (2)
Absent: (None) (0)
Abstain: Espinoza, Kniech (2)

Infrastructure & Culture

CB15-0531 A bill for an ordinance approving a proposed Contract between the City and County of Denver and Jacobs Investments, LLC dba Colorado Boring, LLC, for installation of electrical equipment for the traffic system. (INFRASTRUCTURE & CULTURE)

A motion offered by Council President Herndon, duly seconded by Councilman Flynn, that CB15-0550, CB15-0551, CB15-0531, CB15-0539, CB15-0543, CB15-0535, CB15-0536, CB15-0544, and CB15-0546 be ordered published en bloc, carried by the following vote:

Passed
For: Black, Brooks, Clark, Espinoza, Flynn, Gilmore, Herndon, Kashmann, Kniech, Lopez, New, Ortega, Susman (13)
Against: (None) (0)
Absent: (None) (0)
Abstain: (None) (0)

CB15-0539 A bill for an ordinance approving a proposed Intergovernmental Agreement between the City and County of Denver and School District No. 1 in the City and County of Denver, State of Colorado, for trash and recycling services by the City. (INFRASTRUCTURE & CULTURE)

A motion offered by Council President Herndon, duly seconded by Councilman Flynn, that CB15-0550, CB15-0551, CB15-0531, CB15-0539, CB15-0543, CB15-0535, CB15-0536, CB15-0544, and CB15-0546 be ordered published en bloc, carried by the following vote:

Passed
For: Black, Brooks, Clark, Espinoza, Flynn, Gilmore, Herndon, Kashmann, Kniech,

Lopez, New, Ortega, Susman (13)
Against: (None) (0)
Absent: (None) (0)
Abstain: (None) (0)

CB15-0543 A bill for an ordinance approving a proposed Amendatory Agreement between the City and County of Denver and West Metro Fire Protection District for emergency medical services. (INFRASTRUCTURE & CULTURE)

A motion offered by Council President Herndon, duly seconded by Councilman Flynn, that CB15-0550, CB15-0551, CB15-0531, CB15-0539, CB15-0543, CB15-0535, CB15-0536, CB15-0544, and CB15-0546 be ordered published en bloc, carried by the following vote:

Passed
For: Black, Brooks, Clark, Espinoza, Flynn, Gilmore, Herndon, Kashmann, Kniech, Lopez, New, Ortega, Susman (13)
Against: (None) (0)
Absent: (None) (0)
Abstain: (None) (0)

Neighborhoods & Planning

CB15-0535 A bill for an ordinance changing the zoning classification for 4400 Fox Street. (NEIGHBORHOODS AND PLANNING)

A motion offered by Council President Herndon, duly seconded by Councilman Flynn, that CB15-0550, CB15-0551, CB15-0531, CB15-0539, CB15-0543, CB15-0535, CB15-0536, CB15-0544, and CB15-0546 be ordered published en bloc, carried by the following vote:

Passed
For: Black, Brooks, Clark, Espinoza, Flynn, Gilmore, Herndon, Kashmann, Kniech, Lopez, New, Ortega, Susman (13)
Against: (None) (0)
Absent: (None) (0)
Abstain: (None) (0)

CB15-0536 A bill for an ordinance changing the zoning classification for 2500 and 2600 Lawrence Street, with a waiver. (NEIGHBORHOODS AND PLANNING)

A motion offered by Council President Herndon, duly seconded by Councilman Flynn, that CB15-0550, CB15-0551, CB15-0531, CB15-0539, CB15-0543, CB15-0535, CB15-0536, CB15-0544, and CB15-0546 be ordered published en bloc, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: (None) (0)

Abstain: (None) (0)

Safety & Well-being

CB15-0544 A bill for an ordinance approving a proposed Amendatory Agreement between the City and County of Denver and Energy Outreach Colorado to add additional funds to provide energy efficiency services for nonprofit organizations. (SAFETY & WELL-BEING)

A motion offered by Council President Herndon, duly seconded by Councilman Flynn, that CB15-0550, CB15-0551, CB15-0531, CB15-0539, CB15-0543, CB15-0535, CB15-0536, CB15-0544, and CB15-0546 be ordered published en bloc, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: (None) (0)

Abstain: (None) (0)

CB15-0546 A bill for an ordinance approving a proposed Revenue Agreement by and between the City and County of Denver and Colorado Interactive, LLC to provide an integrated payment engine and billing solution for civil e-filing. (SAFETY & WELL-BEING)

A motion offered by Council President Herndon, duly seconded by Councilman Flynn, that CB15-0550, CB15-0551, CB15-0531, CB15-0539, CB15-0543, CB15-0535, CB15-0536, CB15-0544, and CB15-0546 be ordered published en bloc, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: (None) (0)

Abstain: (None) (0)

Recap of Bills to be Called Out

Recess

Council did not take a recess.

Council Reconvenes and Resumes its Regular Session

Bills for Final Consideration

Business Development

CB15-0524 A bill for an ordinance approving a proposed First Amendment to Contract between the City and County of Denver and ABX Air, Inc. related to leased space at Denver International Airport. (BUSINESS DEVELOPMENT)

A motion offered by Councilman Flynn, duly seconded by Councilwoman Kniech, that CB15-0524, CB15-0537, CB15-0538, CB15-0528, CB15-0529, CB15-0530, CB15-0224, and CB15-0516 be placed upon final consideration and do pass en bloc, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: (None) (0)

Abstain: (None) (0)

CB15-0537 A bill for an ordinance approving a proposed Airport Cargo Facilities Non Signatory Lease Agreement between the City and County of Denver and Air General, Inc., concerning the use of certain cargo premises and facilities at Denver International Airport. (BUSINESS DEVELOPMENT)

A motion offered by Councilman Flynn, duly seconded by Councilwoman Kniech, that CB15-0524, CB15-0537, CB15-0538, CB15-0528, CB15-0529, CB15-0530, CB15-0224, and CB15-0516 be placed upon final consideration and do pass en bloc, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: (None) (0)

Abstain: (None) (0)

CB15-0538 A bill for an ordinance approving a proposed Reimbursable Services Agreement between the City and County of Denver and U.S.

Customs and Border Protection concerning the reimbursement of an alternative funding source at Denver International Airport. (BUSINESS DEVELOPMENT)

A motion offered by Councilman Flynn, duly seconded by Councilwoman Kniech, that CB15-0524, CB15-0537, CB15-0538, CB15-0528, CB15-0529, CB15-0530, CB15-0224, and CB15-0516 be placed upon final consideration and do pass en bloc, carried by the following vote:

Passed
For: Black, Brooks, Clark, Espinoza, Flynn, Gilmore, Herndon, Kashmann, Kniech, Lopez, New, Ortega, Susman (13)
Against: (None) (0)
Absent: (None) (0)
Abstain: (None) (0)

Finance & Services

CB15-0528 A bill for an ordinance approving a proposed Purchase Order between the City and County of Denver and Software House International Inc., for Oracle Database maintenance and support renewal for data collection and management. (FINANCE & SERVICES)

A motion offered by Councilman Flynn, duly seconded by Councilwoman Kniech, that CB15-0524, CB15-0537, CB15-0538, CB15-0528, CB15-0529, CB15-0530, CB15-0224, and CB15-0516 be placed upon final consideration and do pass en bloc, carried by the following vote:

Passed
For: Black, Brooks, Clark, Espinoza, Flynn, Gilmore, Herndon, Kashmann, Kniech, Lopez, New, Ortega, Susman (13)
Against: (None) (0)
Absent: (None) (0)
Abstain: (None) (0)

CB15-0529 A bill for an ordinance approving a proposed Master Purchase Order between the City and County of Denver and Prodocument Solutions, Inc., dba Pro Vote Solutions for ballot printing in support of the City’s elections processes. (FINANCE & SERVICES)

A motion offered by Councilman Flynn, duly seconded by Councilwoman Kniech, that CB15-0524, CB15-0537, CB15-0538, CB15-0528, CB15-0529, CB15-0530, CB15-0224, and CB15-0516 be placed upon final consideration and do pass en bloc, carried by the following vote:

Passed
For: Black, Brooks, Clark, Espinoza, Flynn, Gilmore, Herndon, Kashmann, Kniech,

Lopez, New, Ortega, Susman (13)
Against: (None) (0)
Absent: (None) (0)
Abstain: (None) (0)

CB15-0530 A bill for an ordinance approving a Second Amendatory Agreement between the City and County of Denver and Ferkam, Inc., d/b/a Extreme Towing and Recovery for citywide towing services. (FINANCE & SERVICES)

A motion offered by Councilman Flynn, duly seconded by Councilwoman Kniech, that CB15-0524, CB15-0537, CB15-0538, CB15-0528, CB15-0529, CB15-0530, CB15-0224, and CB15-0516 be placed upon final consideration and do pass en bloc, carried by the following vote:

Passed
For: Black, Brooks, Clark, Espinoza, Flynn, Gilmore, Herndon, Kashmann, Kniech, Lopez, New, Ortega, Susman (13)
Against: (None) (0)
Absent: (None) (0)
Abstain: (None) (0)

Infrastructure & Culture

CB15-0541 A bill for an ordinance approving a proposed Possession and Use Agreement and Improvement Agreement with the Regional Transportation District and the Western Stock Show Association. (INFRASTRUCTURE & CULTURE)

A motion offered by Councilman Flynn, duly seconded by Councilwoman Brooks, that CB15-0541 be placed upon final consideration and do pass, carried by the following vote:

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

Safety & Well-being

CB15-0224 A bill for an ordinance approving a proposed License and Recycling Agreement between the City and County of Denver, Asphalt Specialties Company, Inc. and Waste Management of Colorado, Inc., for shingle processing and recycling operations at the Denver Arapahoe Disposal Site. (SAFETY & WELL-BEING)

A motion offered by Councilman Flynn, duly seconded by Councilwoman Kniech, that CB15-0524, CB15-0537, CB15-0538, CB15-0528, CB15-0529, CB15-0530, CB15-0224, and CB15-0516 be placed upon final consideration and do pass en bloc, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: (None) (0)

Abstain: (None) (0)

CB15-0516 A bill for an ordinance amending various provisions of the Denver Revised Municipal Code to clarify the circumstances under which it is unlawful to violate a rule or regulation. (SAFETY & WELL-BEING)

A motion offered by Councilman Flynn, duly seconded by Councilwoman Kniech, that CB15-0524, CB15-0537, CB15-0538, CB15-0528, CB15-0529, CB15-0530, CB15-0224, and CB15-0516 be placed upon final consideration and do pass en bloc, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: (None) (0)

Abstain: (None) (0)

Announcement

Council President Herndon announced that on Monday, September 4, 2015, there will be a required public hearing on CB15-0535, changing the zoning classification for 4400 Fox Street, and a required public hearing on CB15-0536, changing the zoning classification for 2500 and 2600 Lawrence Street. Any protests against CB15-0535 or CB15-0536 must be filed with the Council Offices no later than Tuesday, September 8, 2015.

On Monday, September 14, 2015, there will be a required public hearing on CB15-0535, changing the zoning classification for 4400 Fox Street, and a required public hearing on CB15-0536, changing the zoning classification for 2500 and 2600 Lawrence Street. Any protests against CB15-0535 or CB15-0536 must be filed with the Council Offices no later than Tuesday, September 8, 2015.

Adjourn

There being no further business before the City Council, Council President Herndon adjourned the meeting at 7:04 PM.

Pending

For 8-24-15

CB15-0522 A bill for an ordinance approving a proposed Amendatory Lease Agreement between the City and County of Denver and the Colorado Symphony Association, for offices used by the Colorado Symphony Association.

**1st Reading
Held in Committee (FINANCE & SERVICES)**

A motion offered by Councilman Flynn, duly seconded by Councilman Clark, that CB15-0522 be taken out of order, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: (None) (0)

Abstain: (None) (0)

A motion offered by Councilman Flynn, duly seconded by Councilman Brooks, that CB15-0522 be ordered published, carried by the following vote:

Passed

For: Black, Brooks, Clark, Espinoza, Gilmore, Herndon, Kniech, Lopez, New, Ortega, Susman (11)

Against: Flynn, Kashmann (2)

Absent: (None) (0)

Abstain: (None) (0)

For 8-31-15

CB15-0498 A bill for an ordinance changing the zoning classification for 6502 East Union Avenue.

**Required Public Hearing
Final Consideration (NEIGHBORHOODS AND PLANNING)**

For 8-31-15

CB15-0503 A bill for an ordinance changing the zoning classification for 22

South Adams Street and 44 South Adams Street.

Required Public Hearing

Final Consideration (NEIGHBORHOODS AND PLANNING)