

City Council Minutes

Meeting Date: Monday, October 10, 2016 5:30 PM

PLEDGE OF ALLEGIANCE

Council member Black led the Pledge of Allegiance.

ROLL CALL

Present: Black, Brooks, Clark, Espinoza, Flynn, Gilmore, Kashmann, Kniech, López, New, Ortega, Susman (12)

Absent: Herndon (1)

APPROVAL OF THE MINUTES

Monday, October 3, 2016

[16-0922](#) Minutes of Monday, October 3, 2016.

This Approved Minutes 16-0922 was approved.

Approved

The minutes of meeting date, Monday, October 3, 2016, were distributed to Council. Council President Brooks ordered the minutes approved.

COUNCIL ANNOUNCEMENTS

Council members Brooks and Espinoza offered announcements.

PRESENTATIONS

COMMUNICATIONS

PROCLAMATIONS

[16-0925](#) A proclamation recognizing Carol Ann and Paul Rothman for their leadership, advocacy, and support of the Downtown Children's Playground. Sponsors: Clark, López, Black, New, Kashmann, Gilmore and Brooks

A motion offered by Councilman Clark, duly seconded by Councilman Flynn, that Proclamation 16-0925 be adopted. The motion carried by the following vote:

Adopted

Aye: Black, Brooks, Clark, Espinoza, Flynn, Gilmore, Kashmann, Kniech, López, New, Ortega, Susman (12)

Nay: (None) (0)

Absent: Herndon (1)

[16-0939](#) A proclamation in observance of the first official *Indigenous Peoples' Day* in the City and County of Denver.

Sponsors: López, Gilmore, Flynn, New, Kniech, Brooks, Black and Kashmann

A motion offered by Councilman López, duly seconded by Councilman Flynn, that Proclamation 16-0939 be adopted. The motion carried by the following vote:

Adopted

Council member Ortega asked to be added as a sponsor of Proclamation 16-0939.

Aye: Black, Brooks, Clark, Espinoza, Flynn, Gilmore, Kashmann, Kniech, López, New, Ortega, Susman (12)
Nay: (None) (0)
Absent: Herndon (1)

RESOLUTIONS

Business, Arts, Workforce, & Aeronautical Services Committee

16-0832 A resolution approving a proposed Agreement between the City and County of Denver and Colorado Center for Infrastructure Investment to serve as a strategic advisor to provide independent expertise and guidance on the Public-Private Partnership transactions, DEN Real Estate planning and development, and other major project initiatives at Denver International Airport.

Approves a contract with the Colorado Center for Infrastructure Investment in the amount of \$540,000 for three years beginning the date of execution of the contract to serve as a strategic advisor to provide independent expertise and guidance on the Public-Private Partnership (P3) transactions, DEN Real Estate planning and development, and other major project initiatives as directed by the manager of the airport (201628679). The last regularly scheduled Council meeting within the 30-day review period is on 10-31-16. The Committee approved filing this resolution by consent on 9-28-16.

A motion offered by Councilwoman Black, duly seconded by Councilman Flynn, that Resolution 16-0832 be adopted. The motion carried by the following vote:

Adopted

Aye: Black, Brooks, Clark, Espinoza, Flynn, Kashmann, Kniech, New, Ortega, Susman (10)
Nay: (None) (0)
Absent: Herndon, López (2)
Abstain: Gilmore (1)
Block Vote

A motion offered by Councilwoman Black, 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, Kashmann, Kniech, New, Ortega, Susman (11)
Nay: (None) (0)
Absent: Herndon, López (2)

16-0838 A resolution approving the Mayor’s reappointments and appointments to the Denver Commission on Cultural Affairs.

Approves the Mayoral reappointments to the Denver Commission on Cultural Affairs of Katherine Greeley, Sarah Kurz, Bobby Lefebre, Maren Stewart, and Derick Velasquez for terms effective immediately and expiring on 8-31-18; and, approves the Mayoral reappointment of Evi Makovsky and the appointments of Sean O’Connell, Alvina Vasquez, and Evan Weissman for terms effective immediately and expiring on 8-31-17, or until successors are duly appointed. The Committee approved filing this resolution by consent on 9-28-16.

A motion offered by Councilwoman Black, duly seconded by Councilman Flynn, that Resolution 16-0838 be adopted en bloc, carried by the following vote:

Adopted

Aye: Black, Brooks, Clark, Espinoza, Flynn, Gilmore, Kashmann, Kniech, New, Ortega, Susman (11)
Nay: (None) (0)
Absent: Herndon, López (2)

Finance & Governance Committee

16-0793 A resolution approving a proposed Lease Agreement between the City and County of Denver and GreatWest BioFuels, LLC and Rock River Ranches LLC, for property located at 5300 Franklin Street.

Approves a lease agreement with GreatWest BioFuels, LLC and Rock River Ranches LLC through December 2016 at \$1 per month in rent for the property located at 5300 Franklin Street in Council District 9. The last regularly scheduled Council meeting within the 30-day review period is on 10-31-16. The Committee approved filing this resolution on 9-22-16.

A motion offered by Councilwoman Black, duly seconded by Councilman Flynn, that Resolution 16-0793 be adopted en bloc, carried by the following vote:

Adopted

Aye: Black, Brooks, Clark, Espinoza, Flynn, Gilmore, Kashmann, Kniech, New, Ortega, Susman (11)
Nay: (None) (0)
Absent: Herndon, López (2)

16-0794 A resolution approving a proposed Lease Agreement between the City and County of Denver and Bolder Enterprises, LLC for property located at 5300 Franklin.

Approves a new shorter lease agreement with Boulder Enterprises, LLC through April 2017 for \$1 per month in rent for property at 5300 Franklin Street on the National Western Center campus that needs to be demolished due to structural issues at a cost of \$508,000 in early lease termination fees to the City in Council District 9. The last regularly scheduled Council meeting within the 30-day review period is on 10-31-16. The Committee approved filing this resolution on 9-13-16.

A motion offered by Councilwoman Black, duly seconded by Councilman Flynn, that Resolution 16-0794 be adopted en bloc, carried by the following vote:

Adopted

Aye: Black, Brooks, Clark, Espinoza, Flynn, Gilmore, Kashmann, Kniech, New, Ortega, Susman (11)
Nay: (None) (0)
Absent: Herndon, López (2)

16-0833 A resolution approving a proposed Fifth Amendatory Agreement by and between the City and County of Denver and Dynamic Imaging Systems, Inc., for maintenance, support and professional services of software.

Adds \$422,755.20 and five (5) years to the contract with Dynamic Imaging Systems, Inc. through 12-31-22 for a new total of \$1,106,357.64 for software and hardware upgrades, maintenance, support and professional services for the Denver Sheriff Department Mug Shot Application (CE64037). The last regularly scheduled Council meeting within the 30-day review period is on 10-31-16. The Committee approved filing this resolution on 9-29-16.

A motion offered by Councilwoman Black, duly seconded by Councilman Flynn, that Resolution 16-0833 be adopted en bloc, carried by the following vote:

Adopted

Aye: Black, Brooks, Clark, Espinoza, Flynn, Gilmore, Kashmann, Kniech, New, Ortega, Susman (11)
Nay: (None) (0)
Absent: Herndon, López (2)

Land Use, Transportation & Infrastructure Committee

16-0834 A resolution approving a proposed Second Amendatory Agreement between the City and County of Denver and Softball in Denver, Inc. to provide sports officials or umpires for adult softball programs.

Amends a contract with Softball in Denver, Inc. to add \$190,000 for a new total of \$640,000 to increase the maximum compensation for Softball in Denver, Inc. which provides the sports officials or umpires for Parks & Recreation hosted softball programs for adults in the spring, summer, and fall seasons (201414659). The last regularly scheduled Council meeting within the 30-day review period is on 10-31-16. The Committee approved filing this resolution by consent on 9-29-16.

A motion offered by Councilwoman Black, duly seconded by Councilman Flynn, that Resolution 16-0834 be adopted en bloc, carried by the following vote:

Adopted

Aye: Black, Brooks, Clark, Espinoza, Flynn, Gilmore, Kashmann, Kniech, New, Ortega, Susman (11)
Nay: (None) (0)
Absent: Herndon, López (2)

16-0837 A resolution laying out, opening and establishing as part of the City street system a parcel of land as a public alley bounded by Quivas Street, Shoshone Street, West 47th Avenue and West Elk Place.

Dedicates City-owned land as public alley, located in the alley bounded by Quivas Street, Shoshone Street, West 47th Avenue, and West Elk Place in Council District 1. The Committee approved filing this resolution by consent on 9-29-16.

A motion offered by Councilwoman Black, duly seconded by Councilman Flynn, that Resolution 16-0837 be adopted en bloc, carried by the following vote:

Adopted

Aye: Black, Brooks, Clark, Espinoza, Flynn, Gilmore, Kashmann, Kniech, New, Ortega, Susman (11)
Nay: (None) (0)
Absent: Herndon, López (2)

Safety, Housing, Education, & Homelessness Committee

Aye: Black, Brooks, Clark, Espinoza, Flynn, Gilmore, Kashmann, Kniech, New, Ortega, Susman (11)
Nay: (None) (0)
Absent: Herndon, López (2)

Aye: Black, Brooks, Clark, Espinoza, Flynn, Gilmore, Kashmann, Kniech, New, Ortega, Susman (11)
Nay: (None) (0)
Absent: Herndon, López (2)

Aye: Black, Brooks, Clark, Espinoza, Flynn, Gilmore, Kashmann, Kniech, New, Ortega, Susman (11)
Nay: (None) (0)
Absent: Herndon, López (2)

16-0839 A resolution approving the Mayor’s reappointment and appointment to the Denver Housing Authority Board.

Approves the Mayoral reappointment of Jamie Torres to the Denver Housing Authority Board for a term effective immediately and expiring on 7-20-21; and, to approve the appointment of Bruce Alexander for a term effective immediately and expiring on 7-20-19, or until successors are duly appointed. The Committee approved filing this resolution on 8-28-16.

A motion offered by Councilwoman Black, duly seconded by Councilman Flynn, that Resolution 16-0839 be adopted en bloc, carried by the following vote:

Adopted

Aye: Black, Brooks, Clark, Espinoza, Flynn, Gilmore, Kashmann, Kniech, New, Ortega, Susman (11)

Nay: (None) (0)

Absent: Herndon, López (2)

16-0846 A resolution approving the Mayor’s appointments to the Denver Immigrant and Refugee Commission.

Approves the Mayoral appointments of Priscilla Fredrickson, Nadeen Ibrahim, Grazyna Lewkowicz, Nermina Muykanovic, and Temi Osifodurin to the Denver Immigrant & Refugee Commission for terms effective immediately and expiring on 12-31-17, or until successors are duly appointed. The Committee approved filing this resolution by consent on 9-28-16.

A motion offered by Councilwoman Black, duly seconded by Councilman Flynn, that Resolution 16-0846 be adopted en bloc, carried by the following vote:

Adopted

Aye: Black, Brooks, Clark, Espinoza, Flynn, Gilmore, Kashmann, Kniech, New, Ortega, Susman (11)

Nay: (None) (0)

Absent: Herndon, López (2)

BILLS FOR INTRODUCTION

Finance & Governance Committee

16-0842 A bill for an ordinance designating certain properties as being required for public use and authorizing use and acquisition thereof by negotiation, purchase and/or through condemnation proceedings of fee simple, easements and other interests, including any rights and interest related or appurtenant to such properties so designated, as needed for the pedestrian intersection improvement project at the intersection of Colfax Avenue and Lipan Street.

Designates certain properties for public use and authorizes negotiation, purchase, and/or condemnation of such properties for pedestrian and intersection improvements at Colfax and Lipan Street in Council District 3. The last regularly scheduled Council meeting within the 30-day review period is on 10-31-16. The Committee approved filing this resolution on 9-29-16.

This Bill 16-0842 was ordered published on first reading.

Ordered published on first reading

Land Use, Transportation & Infrastructure Committee

[16-0836](#) A bill for an ordinance to amend the title of Ordinance No. 20160423, Series of 2016, which vacated the cross alley bounded by Hooker Street, Irving Street, West 19th Avenue and West 20th Avenue, without reservations.

Amends the title of Ordinance No. 423, Series of 2016 to correct street names by which the alley was bounded and which vacated a portion of the alley bounded by Hooker Street, Irving Street, West 20th Avenue, and West 19th Avenue in Council District 1. The Committee approved filing this bill by consent on 9-29-16.

This Bill 16-0836 was ordered published on first reading.

Ordered published on first reading

[16-0847](#) A bill for an ordinance relinquishing the easement established by the Permanent Easement, recorded with the Denver Clerk & Recorder at Reception No. 2008163403 and relinquishing the easement established by the Correction Permanent Easement, recorded with the Denver Clerk & Recorder at Reception No. 2009048553, located at 16161 East 40th Avenue.

Relinquishes an easement located at 16161 East 40th Avenue in Council District 11. The Committee approved filing this bill by consent on 9-29-16.

This Bill 16-0847 was ordered published on first reading.

Ordered published on first reading

BILLS FOR FINAL CONSIDERATION

[16-0844](#) A bill for an ordinance relinquishing the easement reserved by Ordinance No. 251, Series of 2005, recorded with the Denver Clerk & Recorder at Reception No. 2005066629 and relinquishing the easement reserved Ordinance No. 313, Series of 1988, recorded with the Denver Clerk & Recorder at Reception No. R-88-0272242 located at Speer Boulevard and Bannock Street.

Relinquishes easements reserved in Ordinance No. 251, Series of 2005, Reception No. 2005066629 and Ordinance No. 313, Series of 1998, Reception No. R-88-0272242 located at the northern corner of Speer and Bannock in Council District 3. The Committee approved filing this bill by consent on 9-29-16.

This Bill 16-0844 was ordered published on first reading.

Ordered published on first reading

[16-0845](#) A bill for an ordinance vacating a portion of the east/west alley bounded by East Third Avenue, East Second Avenue, Saint Paul Street and Milwaukee Street, without reservations.

Vacates a portion of the East/West alley bounded by East 3rd Avenue, East 2nd Avenue, Saint Paul Street, and Milwaukee Street in Council District 10. The Committee approved filing this bill by consent on 9-29-16.

This Bill 16-0845 was ordered published on first reading.

Ordered published on first reading

RECAP OF BILLS TO BE CALLED OUT

16-0848 A bill for an ordinance relinquishing a portion of an easement established in the Green Valley Ranch Filing No. 57 subdivision plat, recorded with the Denver Clerk & Recorder at Reception No. 2005129573, and bounded by Maxwell Place, Halifax Street and Himalaya Road.

Relinquishes a portion of an easement established in Green Valley Ranch Filing No. 57 at Maxwell Place and Halifax Street in Council District 11. The Committee approved filing this bill by consent on 9-29-16.

This Bill 16-0848 was ordered published on first reading.

Ordered published on first reading

PRE-RECESS ANNOUNCEMENT

RECESS

Meeting went into Recess

COUNCIL RECONVENES AND RESUMES ITS REGULAR SESSION

Meeting Reconvened

PUBLIC HEARINGS - BILLS FOR FINAL CONSIDERATION

Council sat as a Committee of the Whole commencing at 6:53 p.m., Council President Brooks presiding, to hear speakers on Council Bill 599. Ryan McBreen signed up to speak in favor of the bill. No speakers signed up to speak in opposition of the bill. Courtland Hyser of Community Planning and Development delivered the Staff Report.

16-0599 A bill for an ordinance changing the zoning classification for 17670 E. 64th Avenue and 6203 Panasonic Way.

Rezones 17670 East 64th Avenue and 6203 Panasonic Way from C-MU-20 with waivers and conditions, AIO, DO-6 and C-MU-30 with waivers and conditions, UO-1, AIO, DO-6 to S-MX-12A, AIO, DO-6, (rezones two parcels of land from the former Chapter 59 zoning code to allow for Transit Oriented Development) in Council District 11. The Committee approved filing this bill at its meeting on 8-23-16.

A motion offered by Councilwoman Black, duly seconded by Councilman Flynn, that Bill 16-0599 be placed upon final consideration and do pass. The motion carried by the following vote:

Placed upon final consideration and do pass

Aye: Black, Brooks, Clark, Espinoza, Flynn, Gilmore, Kashmann, Kniech, New, Ortega, Susman (11)

Nay: (None) (0)

Absent: Herndon, López (2)

16-0624 A bill for an ordinance changing the zoning classification for 1601-1671 Pearl Street and 524-538 East 17th Avenue.

Rezones 1601-1671 Pearl Street & 524-538 East 17th Avenue from C-MX-5, DO-1/C-MX-8, DO-1/C-MS-8, DO-1 to PUD - G15, DO1, in Council District 10. The Committee approved filing this bill at its meeting on 8-23-16.

A motion offered by Councilwoman Black, duly seconded by Councilwoman Susman, that Bill 16-0624 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 7:10 p.m., Council President Brooks presiding, to hear speakers on Council Bill 624. Michael McNally, Josh Larimer, Sean Maley, Anne Levinsky, and Tom Ragonetti signed up to speak in favor of the bill. No speakers signed up to speak in opposition of the bill. Abe Barge of Community Planning and Development delivered the Staff Report.

Aye: Black, Brooks, Clark, Espinoza, Flynn, Gilmore, Kashmann, Kniech, New, Ortega, Susman (11)

Nay: (None) (0)

Absent: Herndon, López (2)

16-0752 A bill for an ordinance changing the zoning classification for 4150 N. Elati St.

Rezones property located at 4150 North Elati Street from I-A, UO-1 to C-RX-12 (rezones light industrial/residential to urban mixed-use residential with a twelve story height limit), in Council District 9. The Committee approved filing this bill at its meeting on 8-30-16.

A motion offered by Councilwoman Black, duly seconded by Councilwoman Susman, that Bill 16-0752 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 7:50 p.m., Council President Brooks presiding, to hear speakers on Council Bill 752. Keith Hurley signed up to speak in favor of the bill. No speakers signed up to speak in opposition of the bill. Sara White of Community Planning and Development delivered the Staff Report.

Aye: Black, Brooks, Clark, Espinoza, Flynn, Gilmore, Kashmann, Kniech, New, Ortega, Susman (11)

Nay: (None) (0)

Absent: Herndon, López (2)

PRE-ADJOURNMENT ANNOUNCEMENT

ADJOURN

There being no further business before the City Council, Council President Brooks adjourned the meeting at 8:04 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