

City Council Minutes

Meeting Date: Tuesday, January 16, 2018 5:30 PM

PLEDGE OF ALLEGIANCE

Council member López led the Pledge of Allegiance.

ROLL CALL

Councilman Espinoza arrived late.

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

APPROVAL OF THE MINUTES

[18-0056](#) Minutes of Monday, January 8, 2018

The minutes of Monday, January 8, 2018, were approved.

Approved

The minutes of meeting date, Monday, January 8, 2018, were distributed to Council. Council President Brooks ordered the minutes approved.

COUNCIL ANNOUNCEMENTS

Council President Brooks offered announcements.

PRESENTATIONS

COMMUNICATIONS

PROCLAMATIONS

RESOLUTIONS

Business, Arts, Workforce & Aeronautical Services Committee

Block Vote

A motion offered by Councilman López, 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)

[17-1102](#) **A resolution approving a proposed Sponsorship Agreement between the City and County of Denver and Swire Pacific Holdings, Inc. for beverage services and marketing rights at various events.**

Approves a five-year contract with Swire Pacific Holdings, Inc., doing business as Coca Cola, for \$1,720,000 in revenue for beverage services and rights to select advertising and promotion at the Colorado Convention Center, Denver Coliseum, Denver Performing Arts Complex, and Red Rocks Amphitheatre (THTRS-201735492). The last regularly scheduled Council meeting within the 30-day review period is on 2-5-18. The Committee approved filing this resolution by consent on 10-18-17.

A motion offered by Councilman López, duly seconded by Councilman Flynn, that Council Resolution 17-1102 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)

17-1409 A resolution approving a proposed Agreement between the City and County of Denver and Aramark Management Services Limited Partnership for facility and janitorial services at various city venues.

Approves a three-year contract with Aramark Management Services Limited Partnership in the amount of \$20 million for facility and janitorial services in various City venues including the Denver Performing Arts Complex, the Denver Coliseum, and Red Rocks Amphitheatre (THTRS-201736911). The last regularly scheduled Council meeting within the 30-day review period is on 2-5-18. The Committee approved filing this resolution by consent on 12-13-17.

A motion offered by Councilman López, duly seconded by Councilman Flynn, that Council Resolution 17-1409 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)

18-0005 A resolution approving the Mayor's reappointment and appointments to the Colfax Business Improvement District Board of Directors.

Approves the Mayoral reappointment of Vicky Hales; and, the Mayoral appointments of Yvette Freeman, Katherine Bettis, and James Callahan to the Colfax Business Improvement District Board of Directors for terms effective immediately and expiring 12-31-20, or until a successor is duly appointed. The Committee approved filing this resolution by consent on 1-3-18.

A motion offered by Councilman López, duly seconded by Councilman Flynn, that Council Resolution 18-0005 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

18-0008 A resolution approving a proposed amended Master Purchase Order between the City and County of Denver and Fastenal Company to increase the amount for the Maintenance Repair and Operation (MRO) supplies.

Adds \$305,000 to the master purchase order with Fastenal Company for a new total of \$800,000 to supply, maintain, and stock vending machines that contain maintenance, repair and operations parts and supplies to streamline citywide and airport vehicle fleet maintenance (SC - 00000676). The last regularly scheduled Council meeting within the 30-day review period is on 2-5-18. The Committee approved filing this resolution by consent on 1-2-18.

A motion offered by Councilman López, duly seconded by Councilman Flynn, that Council Resolution 18-0008 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

17-1334 A resolution approving a proposed Contract between the City and County of Denver and United Materials; L.L.C., to replace the existing roof system for the Denver Sheriff Department’s Roslyn Campus Building C.

Approves a contract with United Materials, L.L.C. for \$511,708.29 and for three months for a replacement modified bitumen roof system for the Denver Sheriff Department’s Roslyn Campus, Building C including additional insulation, replacement of damaged insulation, replacement of expansion joints, and all flashings located at 5440 Roslyn Street in Council District 8 (201736054). The last regularly scheduled Council meeting within the 30-day review period is on 2-5-18.

The Committee approved filing this resolution by consent on 11-28-17.

A motion offered by Councilman López, duly seconded by Councilman Flynn, that Council Resolution 17-1334 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)

17-1394 A resolution approving a proposed Amendatory Agreement between the City and County of Denver and URS Corporation for the 56th and Peña Boulevard interchange project.

Amends a contract with URS Corporation to add a completion date of 09-30-19 and to narrow the scope of work to focus on the environmental and design engineering of the 56th Avenue and Peña Boulevard Interchange operational and safety improvements in Council District 11. No change to contract amount (PWADM-20120538). The last regularly scheduled Council meeting within the 30-day review period is on 2-5-18. The Committee approved filing this resolution by consent on 12-12-17.

A motion offered by Councilman López, duly seconded by Councilman Flynn, that Council Resolution 17-1394 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)

18-0007 A resolution laying out, opening and establishing as part of the City street system parcels of land as South Bryant Street at South Bryant Street from West Yale Avenue to West Dartmouth Avenue.

Dedicates City-owned land as South Bryant Street located at intersections on South Bryant Street from West Yale Avenue to West Dartmouth Avenue in Council District 7. The Committee approved filing this resolution by consent on 1-2-18.

A motion offered by Councilman López, duly seconded by Councilman Flynn, that Council Resolution 18-0007 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)

18-0010 A resolution approving and providing for the execution of a proposed grant agreement between the City and County of Denver and the Federal Highway Administration (FHWA), concerning the “Advanced Transportation and Congestion Management Technologies Deployment” program and the funding therefor.

Approves a grant agreement with the Federal Highway Administration (FHWA) to receive \$6,000,007 and with matching city funds of \$6,000,007 for a total amount of \$12,000,014, and for four years to fund the Connected Freight, Connected Fleet, and Connected Citizens programs to provide transportation technologies to reduce congestion and improve transportation system safety citywide (201738687). The last regularly scheduled Council meeting within the 30-day review period is on 2-5-18. The Committee approved filing this resolution by consent on 1-2-18.

A motion offered by Councilman López, duly seconded by Councilman Flynn, that Council Resolution 18-0010 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)

Safety, Housing, Education & Homelessness Committee

18-0018 A resolution approving the Mayor’s appointments to the Denver Commission for People with Disabilities.

Approves the Mayoral appointments of Michael Pearl, Shannon Callahan, Kate Quillin, Brandon Selinsky, Carol Reagan, and Elizabeth Snow to the Denver Commission for People with Disabilities for terms effective immediately and expiring on 09-20-19, or until a successor is duly appointed. The Committee approved filing this resolution by consent on 1-3-18.

A motion offered by Councilman López, duly seconded by Councilman Flynn, that Council Resolution 18-0018 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

Land Use, Transportation & Infrastructure Committee

17-1456 A bill for an ordinance authorizing the purchase of capital equipment from the General Government Special Revenue Fund.

Approves the one-time capital equipment expenditure for \$445,966.05 to procure two Peterbilt garbage trucks to replace two damaged units to support citywide waste management operations. The Committee approved filing this bill by consent on 12-26-17.

Council Bill 17-1456 was ordered published on first reading.

Ordered published on first reading

[17-1461](#) A bill for an ordinance changing the zoning classification for 2600 High Street and 1919 East 26th Avenue in Whittier.

Approves an official map amendment to rezone property located at 2600 High Street and 1919 E 26th Avenue, from U-SU-B1 to U-MX-2x (urban, single-unit to urban, mixed-use) in Council District 9. If ordered published, a public hearing will be held on Monday, 2-12-18. The Committee approved filing this bill at its meeting on 1-2-18.

Final Consideration

Required Public Hearing

Council Bill 17-1461 was ordered published with future required public hearing on 2-12-18.

Ordered published with future required public hearing

[18-0012](#) A bill for an ordinance approving the execution of a Sewer Use and Drainage Permit by the City and County of Denver to provide sanitary sewer and/or wastewater services to property located outside City limits at 915 South Sheridan Boulevard, Lakewood, Colorado 80226.

Approves a request to connect the property located at 915 South Sheridan Boulevard in Lakewood to wastewater facilities within the City boundary. The Committee approved filing this bill by consent on 1-2-18.

Council Bill 18-0012 was ordered published on first reading.

Ordered published on first reading

[18-0013](#) A bill for an ordinance vacating a portion of right-of-way near the intersection of Champa Street and Park Avenue West, without reservations.

Vacates a portion of the right-of-way at 2255 Champa Street, without reservations, in Council District 9. The Committee approved filing this bill by consent on 1-2-18.

Council Bill 18-0013 was ordered published on first reading.

Ordered published on first reading

18-0015 A bill for an ordinance changing the zoning classification for numerous properties located generally within the 38th and Blake Station Area.

Approves an official legislative map amendment to rezone properties generally located within $\frac{3}{4}$ of a mile of the 38th and Blake RTD Station and within the boundary of the Future Maximum Building Heights Map in the 38th and Blake Station Area Plan Height Amendment from various zone districts to I-MX- and C-MX- zone districts with varying maximum building heights, and to establish the River North Design Overlay (DO-7) and 38th and Blake Incentive Height Overlay (IO-1) on those properties in Council District 9. If ordered published, a public hearing will be held on Monday, 2-12-18. The Committee approved filing this bill at its meeting on 1-2-18.

Final Consideration

Required Public Hearing

Council Bill 18-0015 was ordered published with future required public hearing on 2-12-18.

Ordered published with future required public hearing

18-0016 A bill for an ordinance relating to the Denver Zoning Code, creating certain overlay districts in the 38th & Blake Station Area.

Approves a text amendment to the Denver Zoning Code to create a new River North Design Overlay (DO-7), establish Incentive Overlay District as a new category of overlay zone district, and create a new 38th and Blake Incentive Overlay (IO-1) in Council District 9. If ordered published, a public hearing will be held on Monday, 2-12-18. The Committee approved filing this bill at its meeting on 1-2-18.

Final Consideration

Required Public Hearing

Council Bill 18-0016 was ordered published with future required public hearing on 2-12-18.

Ordered published with future required public hearing

18-0017 A bill for an ordinance changing the zoning classification for numerous properties located generally within the 38th and Blake Station Area.

Approves an official legislative map amendment to apply the River North Design Overlay (DO-7) and 38th and Blake Incentive Height Overlay (IO-1) to existing underlying C-MX- and I-MX- zone districts and overlays on properties generally located within the River North Business Improvement District or within the boundary of the Future Maximum Building Heights Map in the 38th and Blake Station Area Plan Amendments in Council District 9. If ordered published, a public hearing will be held on Monday, 2-12-18. The Committee approved filing this bill at its meeting on 1-2-18.

Final Consideration

Required Public Hearing

Council Bill 18-0017 was ordered published with future required public hearing on 2-12-18.

Ordered published with future required public hearing

Safety, Housing, Education & Homelessness Committee

17-1400 A bill for an ordinance amending Section 38-130, D.R.M.C. concerning the regulation of assault weapons, banning bump stock firing mechanisms, and conforming the maximum capacity of ammunition magazines to state law.

Amends Section 38-130, Denver Revised Municipal Code concerning the regulation of assault weapons, banning bump stock firing mechanisms, and conforming the maximum capacity of ammunition magazines to state law. The Committee approved filing this bill at its meeting on 1-3-18.

A motion offered by Councilman López, duly seconded by Councilman Clark, that Council Bill 17-1400 be ordered published on first reading. The motion carried by the following vote:

Ordered published on first reading

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

Nay: (None) (0)

BILLS FOR FINAL CONSIDERATION

Safety, Housing, Education & Homelessness Committee

17-1454 A bill for an ordinance approving a proposed Amendatory Agreement between the City and County of Denver and Denver Health and Hospital Authority to expand access and availability of treatment services to the homeless.

Approves a contract with Denver Health and Hospital Authority to add \$350,000 and to extend the term through 12-31-18 to provide services through the CHARTS III program for case management and group therapy treatment. The last regularly scheduled Council meeting within the 30-day review period is on 1-29-18. The Committee approved filing this bill by consent on 12-27-17.

A motion offered by Councilman López, duly seconded by Councilman Flynn, that Council Bill 17-1454 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)

17-1458 A bill for an ordinance amending Chapter 18 of the Revised Municipal Code to establish the 2018 and 2019 salary and fringe benefits of the Sheriff, Deputy Sheriff Division Chiefs and Deputy Sheriff Majors.

Amends Chapter 18 of the Denver Revised Municipal Code to establish the 2018 and 2019 salary and fringe benefits of the Sheriff, Deputy Sheriff Division Chiefs, and Deputy Sheriff Majors for the Denver Sheriff Department. The bill reflects a 3.5% pay increase in 2018 and a 3% increase in 2019. The Committee approved filing this bill by consent on 12-27-17.

A motion offered by Councilman López, duly seconded by Councilman Flynn, that Council Bill 17-1458 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

Council President Brooks announced that there will be a one-hour courtesy public hearing on Council Bill 17-1400, regarding bump stock legislation. 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

COURTESY PUBLIC HEARINGS - BILLS ON FIRST READING

17-1400 A bill for an ordinance amending Section 38-130, D.R.M.C. concerning the regulation of assault weapons, banning bump stock firing mechanisms, and conforming the maximum capacity of ammunition magazines to state law.

Amends Section 38-130, Denver Revised Municipal Code concerning the regulation of assault weapons, banning bump stock firing mechanisms, and conforming the maximum capacity of ammunition magazines to state law. The Committee approved filing this bill at its meeting on 1-3-18.

A motion offered by Councilman López, duly seconded by Councilman Clark, that Council Bill 17-1400 be ordered published on first reading. The motion carried by the following vote:

Ordered published on first reading

Council sat as a Committee of the Whole commencing at 6:04 p.m., Council President Brooks presiding, to hear speakers on Council Bill 17-1400. Alana Smart, Eileen McCarron, Jean Grattet, Donald Macalady, Harold Koch, Alan Kennedy-Shaffer, Chairman Seku, and Jessica Pettigrew signed up to speak in favor of the bill. Keith Emerson signed up to speak in opposition of the bill. Councilman Espinoza delivered the Staff Report.

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

Nay: (None) (0)

PRE-ADJOURNMENT ANNOUNCEMENT

Council President Brooks announced that on Monday, February 12, 2018, Council will hold a required public hearing on Council Bill 17-1461, changing the zoning classification for 2600 High Street and 1919 East 26th Avenue in Whittier; a required public hearing on Council Bill 18-0015, changing the zoning classification for numerous properties located generally within the 38th and Blake Station Area; a required public hearing on Council Bill 18-0016, relating to the Denver Zoning Code, creating certain overlay districts in the 38th and Blake Station Area; and a required public hearing on 18-0017, changing the zoning classification for numerous properties located generally within the 38th and Blake Station Area. Any protests against Council Bill 17-1461, 18-0015, or 18-0017 must be filed with the Council Offices no later than Monday, February 5, 2018.

ADJOURN

There being no further business before the City Council, Council President Brooks adjourned the meeting at 7:00 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