

City Council Minutes

Meeting Date: Monday, August 01, 2016 5:30 PM

Pledge of Allegiance

Councilwoman Kniech led the Pledge of Allegiance.

Roll Call

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

Absent: Brooks

Council members Espinoza and López arrived late.

A motion offered by Council President Pro-Tem Clark, duly seconded by Councilman Herndon, that the absence of Council President Brooks be excused, carried by the following vote:

Passed

For: Black, Clark, Espinoza, Flynn, Gilmore, Herndon, Kashmann, Kniech, Lopez,
New, Ortega, Susman (12)

Against: (None) (0)

Absent: Brooks (1)

Abstain: (None) (0)

Approval of the Minutes

The minutes of meeting date, Monday, July 25, 2016 were distributed to Council. Council President Pro-Tem Clark ordered the minutes approved.

Council Announcements

Council members Flynn, Black, Herndon, Kashmann, and Clark offered announcements.

Presentations

Communications

Proclamations

CP16-0545 A proclamation celebrating Jesse Quintana's championship at

**the National Old Time Fiddlers Competition.
Council members Kashmann, Susman, Flynn, Clark, New, López, Espinoza,
Black, and Gilmore.**

Councilwoman Ortega asked to be added as a sponsor of CP16-0545.

A motion offered by Councilman Kashmann, duly seconded by Councilwoman Ortega, that CP16-0545 be adopted, carried by the following vote:

Passed

For: Black, Clark, Espinoza, Flynn, Gilmore, Herndon, Kashmann, Kniech, Lopez, New, Ortega, Susman (12)

Against: (None) (0)

Absent: Brooks (1)

Abstain: (None) (0)

**CP16-0565 A proclamation recognizing Eloy Chavez in his retirement.
Sponsored by Council members Ortega, Clark, New, López, Espinoza, Black,
and Gilmore.**

A motion offered by Councilwoman Ortega, duly seconded by Councilman Flynn, that CP16-0565 be adopted, carried by the following vote:

Passed

For: Black, Clark, Espinoza, Flynn, Gilmore, Herndon, Kashmann, Kniech, Lopez, New, Ortega, Susman (12)

Against: (None) (0)

Absent: Brooks (1)

Abstain: (None) (0)

Resolutions

The Council Secretary read the following resolutions by titles.

Governance & Charter Review

**CR16-0514 A resolution approving the Mayor's appointment to the
Metropolitan Football Stadium District Board. (GOVERNANCE & CHARTER
REVIEW)**

A motion offered by Councilwoman Kniech, duly seconded by Councilwoman Black, that CR16-0514, CR16-0502, CR16-0506, CR16-0510, and CR16-0512 be adopted en bloc, carried by the following vote:

Passed

For: Black, Clark, Espinoza, Flynn, Gilmore, Herndon, Kashmann, Kniech, Lopez,

New, Ortega, Susman (12)
Against: (None) (0)
Absent: Brooks (1)
Abstain: (None) (0)

Infrastructure & Culture

CR16-0502 A resolution approving a First Amendment To Contract Services Agreement "On-Call Services" with Bear Creek Landscaping & Tree Service LLC, for tree maintenance services, on an "on-call" or "as needed" basis. (INFRASTRUCTURE & CULTURE)

A motion offered by Councilwoman Kniech, duly seconded by Councilwoman Black, that CR16-0514, CR16-0502, CR16-0506, CR16-0510, and CR16-0512 be adopted en bloc, carried by the following vote:

Passed

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

CR16-0506 A resolution laying out, opening and establishing as part of the City street system parcels of land as a public alley located near the intersection of East 2nd Avenue and Steele Street. (INFRASTRUCTURE & CULTURE)

A motion offered by Councilwoman Kniech, duly seconded by Councilwoman Black, that CR16-0514, CR16-0502, CR16-0506, CR16-0510, and CR16-0512 be adopted en bloc, carried by the following vote:

Passed

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

CR16-0510 A resolution accepting and approving the plat of Stapleton Business Center North Filing No. 2. (INFRASTRUCTURE & CULTURE)

A motion offered by Councilwoman Kniech, duly seconded by Councilwoman Black, that CR16-0514, CR16-0502, CR16-0506, CR16-0510, and CR16-0512 be adopted en bloc, carried by the following vote:

Passed

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

CR16-0512 A resolution accepting and approving the plat of Stapleton Filing No. 48. (INFRASTRUCTURE & CULTURE)

A motion offered by Councilwoman Kniech, duly seconded by Councilwoman Black, that CR16-0514, CR16-0502, CR16-0506, CR16-0510, and CR16-0512 be adopted en bloc, carried by the following vote:

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

Bills for Introduction

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

Governance & Charter Review

CB16-0511 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. (GOVERNANCE & CHARTER REVIEW)

A motion offered by Council President Pro-Tem Clark, duly seconded by Councilwoman Kniech, that CB16-0511, CB16-0482, CB16-0507, CB16-0508, and CB16-0488 be ordered published en bloc, carried by the following vote:

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

Neighborhoods & Planning

CB16-0482 A bill for an ordinance changing the zoning classification for 45 N. Harrison St., with a waiver. (NEIGHBORHOODS AND PLANNING)

A motion offered by Council President Pro-Tem Clark, duly seconded by Councilwoman Kniech, that CB16-0511, CB16-0482, CB16-0507, CB16-0508, and CB16-0488 be ordered published en bloc, carried by the following vote:

Passed

For: Black, Clark, Espinoza, Flynn, Gilmore, Herndon, Kashmann, Kniech, Lopez, New, Ortega, Susman (12)

Against: (None) (0)

Absent: Brooks (1)

Abstain: (None) (0)

CB16-0507 A bill for an ordinance changing the zoning classification for 1145 and 1165 S. Broadway. (NEIGHBORHOODS AND PLANNING)

A motion offered by Council President Pro-Tem Clark, duly seconded by Councilwoman Kniech, that CB16-0511, CB16-0482, CB16-0507, CB16-0508, and CB16-0488 be ordered published en bloc, carried by the following vote:

Passed

For: Black, Clark, Espinoza, Flynn, Gilmore, Herndon, Kashmann, Kniech, Lopez, New, Ortega, Susman (12)

Against: (None) (0)

Absent: Brooks (1)

Abstain: (None) (0)

CB16-0508 A bill for an ordinance changing the zoning classification for 3801 Himalaya Road. (NEIGHBORHOODS & PLANNING)

A motion offered by Council President Pro-Tem Clark, duly seconded by Councilwoman Kniech, that CB16-0511, CB16-0482, CB16-0507, CB16-0508, and CB16-0488 be ordered published en bloc, carried by the following vote:

Passed

For: Black, Clark, Espinoza, Flynn, Gilmore, Herndon, Kashmann, Kniech, Lopez, New, Ortega, Susman (12)

Against: (None) (0)

Absent: Brooks (1)

Abstain: (None) (0)

Safety & Well-being

CB16-0488 A bill for an ordinance approving and providing for the execution of proposed contracts between the City and County of Denver and the State of Colorado concerning the "Community Corrections FY16-17" program and the funding therefor. (SAFETY & WELL-BEING)

A motion offered by Council President Pro-Tem Clark, duly seconded by Councilwoman Kniech, that CB16-0511, CB16-0482, CB16-0507, CB16-0508, and CB16-0488 be ordered published en bloc, carried by the following vote:

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

Bills for Final Consideration

Business Development

CB16-0493 A bill for an ordinance approving a proposed Agreement between the City and County of Denver and United States Department of Agriculture, Animal and Plant Inspection Services, to implement the Federal Aviation Administration (FAA) approved Wildlife Hazard Management Plan (WHMP), addressing wildlife hazards observed during data collection at and in the vicinity of Denver International Airport. (BUSINESS DEVELOPMENT)

A motion offered by Councilwoman Kniech, duly seconded by Councilman Herndon, that CB16-0493, CB16-0485, CB16-0423, and CB16-0494 be placed upon final consideration and do pass en bloc, carried by the following vote:

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

Finance & Services

CB16-0485 A bill for an ordinance authorizing the City and County of Denver to convey to 9th Avenue (Denver) Land, LLC, its interest in a parcel of real estate located at approximately East 11th Avenue and Colorado Boulevard. (FINANCE & SERVICES)

A motion offered by Councilwoman Kniech, duly seconded by Councilman Herndon, that CB16-0493, CB16-0485, CB16-0423, and CB16-0494 be placed upon final consideration and do pass en bloc, carried by the following vote:

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

New, Ortega, Susman (12)
Against: (None) (0)
Absent: Brooks (1)
Abstain: (None) (0)

Infrastructure & Culture

CB16-0423 A bill for an ordinance to vacate the cross alley bounded by Hooker Street, Irving Street, West 17th Avenue and West 18th Avenue, without reservations. (INFRASTRUCTURE & CULTURE)

A motion offered by Councilwoman Kniech, duly seconded by Councilman Herndon, that CB16-0493, CB16-0485, CB16-0423, and CB16-0494 be placed upon final consideration and do pass en bloc, carried by the following vote:

Passed

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

CB16-0494 A bill for an Ordinance approving a proposed donation of books from the Denver Public Library of the City and County of Denver to the Denver Public Library Friends Foundation. (INFRASTRUCTURE & CULTURE)

A motion offered by Councilwoman Kniech, duly seconded by Councilman Herndon, that CB16-0493, CB16-0485, CB16-0423, and CB16-0494 be placed upon final consideration and do pass en bloc, carried by the following vote:

Passed

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

Recap of Bills to be Called Out

Pre-Recess Announcement

Tonight, there will be a required public hearing on CB16-0295, changing the zoning classification for city-owned properties in the Villa Park neighborhood at various addresses. 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

Neighborhoods & Planning

CB16-0295 A bill for an ordinance changing the zoning classification for City-owned properties in the Villa Park neighborhood at various addresses (1100 N. Meade St. – unit vacant, 1100 N. Meade St., 1001 N. Meade St. – unit vacant, 1000 N. Newton St. – unit vacant, 1048 N. Newton St. – unit vacant, 1049 N. Stuart St., 1101 N. Perry St. – unit vacant). (NEIGHBORHOODS & PLANNING)

Council sat as a Committee of the Whole commencing at 6:28 P.M., Council President Pro-Tem Clark presiding, to hear speakers on CB16-0295. No speakers signed up to speak in favor of the bill. Jennifer Qualteri, Jacob Actkinson, and John Gaspari signed up to speak in opposition of the bill. Ryan Winterberg-Lipp of Community Planning and Development delivered the staff report.

A motion offered by Councilwoman Kniech, duly seconded by Councilman Flynn, that CB16-0295 be placed upon final consideration and do pass, carried by the following vote:

Passed

For: Black, Clark, Flynn, Gilmore, Herndon, Kashmann, Kniech, Lopez, New, Ortega, Susman (11)

Against: (None) (0)

Absent: Brooks (1)

Abstain: Espinoza (1)

Announcement

Dependent upon publication, on Monday, August 29, 2016, there will be a required public hearing on CB16-0482, changing the zoning classification for 45 N. Harrison St.; a required public hearing on CB16-0507, changing the zoning classification for 1145 and 1165 S. Broadway; and, a required public hearing on CB16-0508, changing the zoning classification for 3801 Himalaya Rd. Any protests against CB16-0482, CB16-0507 or CB16-0508 must be filed with the Council Offices no later than noon on Monday, August 22, 2016.

Adjourn

There being no further business before the City Council, Council President Pro-Tem Clark adjourned the meeting at 7:59 p.m.

Pending

For 8-8-16

CB16-0415 A bill for an ordinance changing the zoning classification for 16161 East 40th Avenue.

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

For 8-8-16

CB16-0442 A bill for an ordinance changing the zoning classification for 3515 S. Tamarac Dr., 3525 S. Tamarac Dr., 3535 S. Tamarac Dr., and 3545 S. Tamarac Dr.

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

For 8-15-16

CR16-0471 A resolution to set a public hearing on the Service Plan for one C.R.S. Title 32 metropolitan district: First Creek Village Metropolitan District.

**Required Public Hearing
Final Consideration (FINANCE & SERVICES)**

For 8-15-16

CR16-0513 A resolution to set a public hearing on the Service Plan for one C.R.S. Title 32 metropolitan district: Midtown Metropolitan District.

**Required Public Hearing
Final Consideration (FINANCE & SERVICES)**

For 8-22-16

CB16-0498 A bill for an ordinance providing for a moratorium prohibiting the use of the Denver Zoning Code's pre-existing small zone lot parking

exemption for certain projects for a period of approximately seven months.

Required Public Hearing

Final Consideration (NEIGHBORHOODS & PLANNING)

For 8-22-16

CB16-0541 AS AMENED a bill for an ordinance providing for a moratorium prohibiting the approval of site development plans and the amendment of approved site development plans for construction of buildings using the Garden Court building form in the Denver Zoning Code for a period of approximately twelve months.

Required Public Hearing

Final Consideration