

City Council Minutes

Meeting Date: Monday, June 30, 2014 5:30 PM

Pledge of Allegiance

Councilwoman Montero led the Pledge of Allegiance.

Roll Call

Present: Brooks, Brown, Faatz, Herndon, Lehmann, Lopez, Montero, Nevitt,
Ortega, Robb, Shepherd

Absent: Kniech, Susman

Councilman Nevitt arrived late.

Approval of the Minutes

The minutes of meeting date, Monday, June 23, 2014, were distributed to Council. Council President Pro-Tem Herndon ordered the minutes approved.

Council Announcements

Councilmembers Faatz, Montero, Brooks, and López offered announcements.

Presentations

Communications

Proclamations

Resolutions

The Council Secretary read the following resolutions by titles.

Business, Workforce & Sustainability

CR14-0501 A resolution approving the Mayor's appointment to the West Colfax Business Improvement District. (BUSINESS, WORKFORCE & SUSTAINABILITY)

A motion offered by Councilwoman Montero, duly seconded by Councilwoman Shepherd, that CR14-0499, CR14-0501, CR14-0507, and CR14-0508 be adopted en bloc, carried by the

following vote:

Passed

For: Brooks, Brown, Faatz, Herndon, Lehmann, Lopez, Montero, Nevitt, Ortega, Robb, Shepherd (11)

Against: (None) (0)

Absent: Kniech, Susman (2)

Abstain: (None) (0)

Land Use, Transportation & Infrastructure

CR14-0499 A resolution laying out, opening and establishing as part of the City street system a parcel of land as South University Boulevard at its intersection with Alameda Avenue. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

A motion offered by Councilwoman Montero, duly seconded by Councilwoman Shepherd, that CR14-0499, CR14-0501, CR14-0507, and CR14-0508 be adopted en bloc, carried by the following vote:

Passed

For: Brooks, Brown, Faatz, Herndon, Lehmann, Lopez, Montero, Nevitt, Ortega, Robb, Shepherd (11)

Against: (None) (0)

Absent: Kniech, Susman (2)

Abstain: (None) (0)

CR14-0507 A resolution laying out, opening and establishing as part of the City street system a parcel of land as Walnut Street near its intersection with 5th Street. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

A motion offered by Councilwoman Montero, duly seconded by Councilwoman Shepherd, that CR14-0499, CR14-0501, CR14-0507, and CR14-0508 be adopted en bloc, carried by the following vote:

Passed

For: Brooks, Brown, Faatz, Herndon, Lehmann, Lopez, Montero, Nevitt, Ortega, Robb, Shepherd (11)

Against: (None) (0)

Absent: Kniech, Susman (2)

Abstain: (None) (0)

CR14-0508 A resolution laying out, opening and establishing as part of the City street system a parcel of land as South Steele Street at its intersection with Alameda Avenue. (LAND USE, TRANSPORTATION &

INFRASTRUCTURE)

A motion offered by Councilwoman Montero, duly seconded by Councilwoman Shepherd, that CR14-0499, CR14-0501, CR14-0507, and CR14-0508 be adopted en bloc, carried by the following vote:

Passed

For: Brooks, Brown, Faatz, Herndon, Lehmann, Lopez, Montero, Nevitt, Ortega, Robb, Shepherd (11)

Against: (None) (0)

Absent: Kniech, Susman (2)

Abstain: (None) (0)

Bills for Introduction

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

Business, Workforce & Sustainability

CB14-0514 A bill for an ordinance approving a proposed Fourth Amendment and Modification Agreement between the City and County of Denver and NEWSED Community Development Corporation, Inc., to change the parcel serving as collateral. (GOVERNMENT & FINANCE)

A motion offered by Council President Pro-Tem Herndon, duly seconded by Councilwoman Montero, that CB14-0514, CB14-0036, CB14-0456, CB14-0470, CB14-0471, CB14-0502, CB14-506, CB14-0509, CB14-0510, and CB14-0516 be ordered published en bloc, carried by the following vote:

Passed

For: Brooks, Brown, Faatz, Herndon, Lehmann, Lopez, Montero, Nevitt, Ortega, Robb, Shepherd (11)

Against: (None) (0)

Absent: Kniech, Susman (2)

Abstain: (None) (0)

Government & Finance

CB14-0036 A bill for an ordinance approving a proposed Second Amendatory Agreement between the City and County of Denver and The Active Network, Inc., to update the Scope of Work. (GOVERNMENT & FINANCE)

A motion offered by Council President Pro-Tem Herndon, duly seconded by Councilwoman

Montero, that CB14-0514, CB14-0036, CB14-0456, CB14-0470, CB14-0471, CB14-0502, CB14-506, CB14-0509, CB14-0510, and CB14-0516 be ordered published en bloc, carried by the following vote:

Passed

For: Brooks, Brown, Faatz, Herndon, Lehmann, Lopez, Montero, Nevitt, Ortega, Robb, Shepherd (11)

Against: (None) (0)

Absent: Kniech, Susman (2)

Abstain: (None) (0)

CB14-0456 A bill for an ordinance approving a proposed Amendatory Agreement between the City and County of Denver and Skillsoft Corporation to extend the contract for two years and add additional funds. (GOVERNMENT & FINANCE)

A motion offered by Council President Pro-Tem Herndon, duly seconded by Councilwoman Montero, that CB14-0514, CB14-0036, CB14-0456, CB14-0470, CB14-0471, CB14-0502, CB14-506, CB14-0509, CB14-0510, and CB14-0516 be ordered published en bloc, carried by the following vote:

Passed

For: Brooks, Brown, Faatz, Herndon, Lehmann, Lopez, Montero, Nevitt, Ortega, Robb, Shepherd (11)

Against: (None) (0)

Absent: Kniech, Susman (2)

Abstain: (None) (0)

Health, Safety, Education & Services

CB14-0470 A bill for an ordinance approving a proposed Cooperation Agreement between the City and County of Denver and Denver Urban Renewal Authority, for the 2300 Welton Street Property Tax Increment Area. (HEALTH SAFETY EDUCATION & SERVICES)

A motion offered by Council President Pro-Tem Herndon, duly seconded by Councilwoman Montero, that CB14-0514, CB14-0036, CB14-0456, CB14-0470, CB14-0471, CB14-0502, CB14-506, CB14-0509, CB14-0510, and CB14-0516 be ordered published en bloc, carried by the following vote:

Passed

For: Brooks, Brown, Faatz, Herndon, Lehmann, Lopez, Montero, Nevitt, Ortega, Robb, Shepherd (11)

Against: (None) (0)

Absent: Kniech, Susman (2)

Abstain: (None) (0)

CB14-0471 Approves an amendment to the Welton Corridor Urban Redevelopment Plan for the 2300 Welton Project to establish a Property Tax Increment Area to support the Project in Council District 8. (HEALTH SAFETY EDUCATION & SERVICES)

A motion offered by Council President Pro-Tem Herndon, duly seconded by Councilwoman Montero, that CB14-0514, CB14-0036, CB14-0456, CB14-0470, CB14-0471, CB14-0502, CB14-506, CB14-0509, CB14-0510, and CB14-0516 be ordered published en bloc, carried by the following vote:

Passed

For: Brooks, Brown, Faatz, Herndon, Lehmann, Lopez, Montero, Nevitt, Ortega, Robb, Shepherd (11)

Against: (None) (0)

Absent: Kniech, Susman (2)

Abstain: (None) (0)

Land Use, Transportation & Infrastructure

CB14-0502 A bill for an ordinance approving the Service Plans for the creation of the GCC Metropolitan District Nos. 1 and 2 relating to the redevelopment of a portion of the former ASARCO site. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

A motion offered by Council President Pro-Tem Herndon, duly seconded by Councilwoman Montero, that CB14-0514, CB14-0036, CB14-0456, CB14-0470, CB14-0471, CB14-0502, CB14-506, CB14-0509, CB14-0510, and CB14-0516 be ordered published en bloc, carried by the following vote:

Passed

For: Brooks, Brown, Faatz, Herndon, Lehmann, Lopez, Montero, Nevitt, Ortega, Robb, Shepherd (11)

Against: (None) (0)

Absent: Kniech, Susman (2)

Abstain: (None) (0)

CB14-0506 A bill for an ordinance relinquishing the easement reserved in Ordinance No. 375, Series of 1971 at 360 South Monroe Street. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

A motion offered by Council President Pro-Tem Herndon, duly seconded by Councilwoman Montero, that CB14-0514, CB14-0036, CB14-0456, CB14-0470, CB14-0471, CB14-0502, CB14-506, CB14-0509, CB14-0510, and CB14-0516 be ordered published en bloc, carried by

the following vote:

Passed

For: Brooks, Brown, Faatz, Herndon, Lehmann, Lopez, Montero, Nevitt, Ortega, Robb, Shepherd (11)

Against: (None) (0)

Absent: Kniech, Susman (2)

Abstain: (None) (0)

CB14-0509 A bill for an ordinance vacating a portion of the alley bounded by West 11th Avenue, Navajo Street, West 10th Avenue and Osage Street, without reservations. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

A motion offered by Council President Pro-Tem Herndon, duly seconded by Councilwoman Montero, that CB14-0514, CB14-0036, CB14-0456, CB14-0470, CB14-0471, CB14-0502, CB14-506, CB14-0509, CB14-0510, and CB14-0516 be ordered published en bloc, carried by the following vote:

Passed

For: Brooks, Brown, Faatz, Herndon, Lehmann, Lopez, Montero, Nevitt, Ortega, Robb, Shepherd (11)

Against: (None) (0)

Absent: Kniech, Susman (2)

Abstain: (None) (0)

CB14-0510 A bill for an ordinance approving a proposed Purchase Order between the City and County of Denver and Trans-West Truck, Inc., for the purchase of four Freightliner Sewer Jet trucks and four Freightliner Catch Basin Cleaner trucks. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

A motion offered by Council President Pro-Tem Herndon, duly seconded by Councilwoman Montero, that CB14-0514, CB14-0036, CB14-0456, CB14-0470, CB14-0471, CB14-0502, CB14-506, CB14-0509, CB14-0510, and CB14-0516 be ordered published en bloc, carried by the following vote:

Passed

For: Brooks, Brown, Faatz, Herndon, Lehmann, Lopez, Montero, Nevitt, Ortega, Robb, Shepherd (11)

Against: (None) (0)

Absent: Kniech, Susman (2)

Abstain: (None) (0)

CB14-0516 A bill for an Ordinance approving a License Agreement and

Covenant with John Dunlop III Revocable Trust and Mary S. Dunlop Revocable Trust to allow access across O’Fallon Park from an inholding residential property to Myers Gulch Road. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

A motion offered by Council President Pro-tem Herndon, duly seconded by Councilwoman Shepherd, that CB14-0514, CB14-0036, CB14-0456, CB14-0470, CB14-0471, CB14-0502, CB14-506, CB14-0509, CB14-0510, and CB14-0516 be ordered published en bloc, carried by the following vote:

Passed

For: Brooks, Brown, Faatz, Herndon, Lehmann, Lopez, Montero, Nevitt, Ortega, Robb, Shepherd (11)

Against: (None) (0)

Absent: Kniech, Susman (2)

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, Workforce & Sustainability

CB14-0488 A bill for an ordinance approving a proposed Assumption and Modification Agreement between the City and County of Denver and 2201 Arapahoe, LLC, to modify the terms of the agreement. (BUSINESS WORKFORCE AND SUSTAINABILITY)

A motion offered by Councilwoman Montero, duly seconded by Councilman López, that CB14-0488 be placed upon final consideration and do pass, carried by the following vote:

Passed

For: Brooks, Brown, Herndon, Lehmann, Lopez, Nevitt, Ortega, Robb, Shepherd (9)

Against: Faatz, Montero (2)

Absent: Kniech, Susman (2)

Abstain: (None) (0)

CB14-0490 A bill for an ordinance approving a proposed Donation and Waiver Agreement between the City and County of Denver and Christopher M. Lavery, providing for the donation of a work of art consisting of a steel and plastic sculpture and related components. (BUSINESS, WORKFORCE & SUSTAINABILITY)

A motion offered by Councilwoman Montero, duly seconded by Councilwoman Shepherd, that CB14-0490, CB14-0497, CB14-0491, CB14-0483, CB14-0416, CB14-0432, CB14-0433, CB14-0434, CB14-0472, CB14-0479, CB14-0480, and CB14-0489 be placed upon final consideration and do pass en bloc, carried by the following vote:

Passed

For: Brooks, Brown, Faatz, Herndon, Lehmann, Lopez, Montero, Nevitt, Ortega, Robb, Shepherd (11)

Against: (None) (0)

Absent: Kniech, Susman (2)

Abstain: (None) (0)

CB14-0497 A bill for an ordinance approving a proposed Agreement between the City and County of Denver and ThyssenKrupp Elevator Inc. concerning the maintenance of conveyance equipment at Denver International Airport. (BUSINESS, WORKFORCE & SUSTAINABILITY)

A motion offered by Councilwoman Montero, duly seconded by Councilwoman Shepherd, that CB14-0490, CB14-0497, CB14-0491, CB14-0483, CB14-0416, CB14-0432, CB14-0433, CB14-0434, CB14-0472, CB14-0479, CB14-0480, and CB14-0489 be placed upon final consideration and do pass en bloc, carried by the following vote:

Passed

For: Brooks, Brown, Faatz, Herndon, Lehmann, Lopez, Montero, Nevitt, Ortega, Robb, Shepherd (11)

Against: (None) (0)

Absent: Kniech, Susman (2)

Abstain: (None) (0)

Government & Finance

CB14-0491 A bill for an ordinance making an appropriation from the General Fund to the General Contingency and making supplemental appropriations from the General Contingency Fund to various departments. (GOVERNMENT & FINANCE)

A motion offered by Councilwoman Montero, duly seconded by Councilwoman Shepherd, that CB14-0490, CB14-0497, CB14-0491, CB14-0483, CB14-0416, CB14-0432, CB14-0433, CB14-0434, CB14-0472, CB14-0479, CB14-0480, and CB14-0489 be placed upon final consideration

and do pass en bloc, carried by the following vote:

Passed

For: Brooks, Brown, Faatz, Herndon, Lehmann, Lopez, Montero, Nevitt, Ortega, Robb, Shepherd (11)

Against: (None) (0)

Absent: Kniech, Susman (2)

Abstain: (None) (0)

Health, Safety, Education & Services

CB14-0483 A bill for an ordinance approving an Amendatory Agreement between the City and County of Denver and Correctional Management, Inc. for residential community corrections services. (HEALTH, SAFETY, EDUCATION & SERVICES)

A motion offered by Councilwoman Montero, duly seconded by Councilwoman Shepherd, that CB14-0490, CB14-0497, CB14-0491, CB14-0483, CB14-0416, CB14-0432, CB14-0433, CB14-0434, CB14-0472, CB14-0479, CB14-0480, and CB14-0489 be placed upon final consideration and do pass en bloc, carried by the following vote:

Passed

For: Brooks, Brown, Faatz, Herndon, Lehmann, Lopez, Montero, Nevitt, Ortega, Robb, Shepherd (11)

Against: (None) (0)

Absent: Kniech, Susman (2)

Abstain: (None) (0)

Land Use, Transportation & Infrastructure

CB14-0416 A bill for an ordinance approving a proposed Amendatory Agreement between the City and County of Denver and Huitt-Zollars, Inc. for the University & Josephine Street and Drainage Improvement Projects. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

A motion offered by Councilwoman Montero, duly seconded by Councilwoman Shepherd, that CB14-0490, CB14-0497, CB14-0491, CB14-0483, CB14-0416, CB14-0432, CB14-0433, CB14-0434, CB14-0472, CB14-0479, CB14-0480, and CB14-0489 be placed upon final consideration and do pass en bloc, carried by the following vote:

Passed

For: Brooks, Brown, Faatz, Herndon, Lehmann, Lopez, Montero, Nevitt, Ortega, Robb, Shepherd (11)

Against: (None) (0)

Absent: Kniech, Susman (2)

Abstain: (None) (0)

CB14-0432 A bill for an ordinance approving a two year contract between the City and County of Denver and Silva Construction, Inc. for on-call critical concrete repairs throughout the City not to exceed \$3 million. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

A motion offered by Councilwoman Montero, duly seconded by Councilwoman Shepherd, that CB14-0490, CB14-0497, CB14-0491, CB14-0483, CB14-0416, CB14-0432, CB14-0433, CB14-0434, CB14-0472, CB14-0479, CB14-0480, and CB14-0489 be placed upon final consideration and do pass en bloc, carried by the following vote:

Passed

For: Brooks, Brown, Faatz, Herndon, Lehmann, Lopez, Montero, Nevitt, Ortega, Robb, Shepherd (11)

Against: (None) (0)

Absent: Kniech, Susman (2)

Abstain: (None) (0)

CB14-0433 A bill for an ordinance approving a two-year contract between the City and County of Denver and Fasick Concrete, Inc. for on-call critical concrete repairs throughout the City not to exceed \$3 million. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

A motion offered by Councilwoman Montero, duly seconded by Councilwoman Shepherd, that CB14-0490, CB14-0497, CB14-0491, CB14-0483, CB14-0416, CB14-0432, CB14-0433, CB14-0434, CB14-0472, CB14-0479, CB14-0480, and CB14-0489 be placed upon final consideration and do pass en bloc, carried by the following vote:

Passed

For: Brooks, Brown, Faatz, Herndon, Lehmann, Lopez, Montero, Nevitt, Ortega, Robb, Shepherd (11)

Against: (None) (0)

Absent: Kniech, Susman (2)

Abstain: (None) (0)

CB14-0434 A bill for an ordinance approving a two year contract between the City and County of Denver and Keene Concrete, Inc. for on-call critical concrete repairs throughout the City not to exceed \$3 million. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

A motion offered by Councilwoman Montero, duly seconded by Councilwoman Shepherd, that CB14-0490, CB14-0497, CB14-0491, CB14-0483, CB14-0416, CB14-0432, CB14-0433, CB14-0434, CB14-0472, CB14-0479, CB14-0480, and CB14-0489 be placed upon final consideration

and do pass en bloc, carried by the following vote:

Passed

For: Brooks, Brown, Faatz, Herndon, Lehmann, Lopez, Montero, Nevitt, Ortega, Robb, Shepherd (11)

Against: (None) (0)

Absent: Kniech, Susman (2)

Abstain: (None) (0)

CB14-0472 A bill for an ordinance amending Ordinance Number 426, Series of 2007, as amended by Ordinance Number 335, Series of 2009, Ordinance Number 148, Series of 2010, Ordinance Number 11, Series of 2011, Ordinance Number 191, Series of 2011, Ordinance Number 258, Series of 2011, Ordinance Number 630, Series of 2011, Ordinance Number 63, Series of 2013, and Ordinance Number 73, Series of 2014 designating the project to be undertaken and funded with the proceeds of the Better Denver bonds. (LAND USE TRANSPORTATION & INFRASTRUCTURE)

A motion offered by Councilwoman Montero, duly seconded by Councilwoman Shepherd, that CB14-0490, CB14-0497, CB14-0491, CB14-0483, CB14-0416, CB14-0432, CB14-0433, CB14-0434, CB14-0472, CB14-0479, CB14-0480, and CB14-0489 be placed upon final consideration and do pass en bloc, carried by the following vote:

Passed

For: Brooks, Brown, Faatz, Herndon, Lehmann, Lopez, Montero, Nevitt, Ortega, Robb, Shepherd (11)

Against: (None) (0)

Absent: Kniech, Susman (2)

Abstain: (None) (0)

CB14-0479 A bill for an ordinance relinquishing the easement reserved in Ordinance No. 110, Series of 1997 at 2150 West Wesley Avenue. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

A motion offered by Councilwoman Montero, duly seconded by Councilwoman Shepherd, that CB14-0490, CB14-0497, CB14-0491, CB14-0483, CB14-0416, CB14-0432, CB14-0433, CB14-0434, CB14-0472, CB14-0479, CB14-0480, and CB14-0489 be placed upon final consideration and do pass en bloc, carried by the following vote:

Passed

For: Brooks, Brown, Faatz, Herndon, Lehmann, Lopez, Montero, Nevitt, Ortega, Robb, Shepherd (11)

Against: (None) (0)

Absent: Kniech, Susman (2)

Abstain: (None) (0)

CB14-0480 A bill for an ordinance amending Ordinance No. 455, Series of 2008, concerning the "Summit Lake Park Collections" Program in the Grant/Other Capital Projects Fund. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

A motion offered by Councilwoman Montero, duly seconded by Councilwoman Shepherd, that CB14-0490, CB14-0497, CB14-0491, CB14-0483, CB14-0416, CB14-0432, CB14-0433, CB14-0434, CB14-0472, CB14-0479, CB14-0480, and CB14-0489 be placed upon final consideration and do pass en bloc, carried by the following vote:

Passed

For: Brooks, Brown, Faatz, Herndon, Lehmann, Lopez, Montero, Nevitt, Ortega, Robb, Shepherd (11)

Against: (None) (0)

Absent: Kniech, Susman (2)

Abstain: (None) (0)

CB14-0489 A bill for an ordinance relinquishing the easement reserved in Ordinance No. 56, Series of 2014 at 2420 17th Street. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

A motion offered by Councilwoman Montero, duly seconded by Councilwoman Shepherd, that CB14-0490, CB14-0497, CB14-0491, CB14-0483, CB14-0416, CB14-0432, CB14-0433, CB14-0434, CB14-0472, CB14-0479, CB14-0480, and CB14-0489 be placed upon final consideration and do pass en bloc, carried by the following vote:

Passed

For: Brooks, Brown, Faatz, Herndon, Lehmann, Lopez, Montero, Nevitt, Ortega, Robb, Shepherd (11)

Against: (None) (0)

Absent: Kniech, Susman (2)

Abstain: (None) (0)

Adjourn

There being no further business before the City Council, Council President Pro-Tem Herndon adjourned the meeting at 5:57 PM.

Pending

For 7-14-14

CB14-0398 A bill for an ordinance amending the Denver Zoning Code to allow fresh produce and cottage food sales as a home occupation.

**Continuation of Required Public Hearing
Final Consideration (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

For 7-14-14

CR14-0443 A resolution approving the Mayor's reappointment to the Denver Office of Strategic Partnerships Commission.

Postponed Adoption (HEALTH, SAFETY, EDUCATION & SERVICES)

For 7-14-14

CR14-0466 A resolution to set a public hearing on the approval of Service Plans for the proposed GCC Metropolitan District No. 1 and GCC Metropolitan District No. 2.

**Required Public Hearing
Final Consideration (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

For 7-14-14

CR14-0469 A resolution to set a public hearing relating to approval of an amendment to the Welton Corridor Urban Redevelopment Plan Urban Renewal Plan.

**Required Public Hearing
(HEALTH SAFETY EDUCATION AND SERVICES)**

For 2-23-15

CB13-0501 AS AMENDED, a bill for an ordinance to amend Chapter 48 (Solid Waste) of the Revised Municipal Code to add an Article IX (Disposable Bag Fees) and to make a corresponding amendment to Chapter 24.

Final Consideration (HEALTH, SAFETY, EDUCATION & SERVICES)