

## **City Council Minutes**

Meeting Date: Monday, June 23, 2014 5:30 PM

### **Pledge of Allegiance**

Councilman Herndon led the Pledge of Allegiance.

### **Roll Call**

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

Absent: Brooks

Councilman Nevitt arrived late.

### **Approval of the Minutes**

The minutes of meeting date, Monday, June 16, 2014, were distributed to Council. Council President Susman ordered the minutes approved.

### **Council Announcements**

Councilmembers López, Montero, and Shepherd offered announcements.

### **Presentations**

### **Communications**

### **Proclamations**

**CP14-0498 A proclamation in recognition of Dale Coski upon the occasion of her retirement.**

**Sponsored by Councilmembers Faatz, Ortega, Lehmann, Kniech, Brown, Brooks, Montero, López, and Robb.**

A motion offered by Councilwoman Faatz, duly seconded by Councilman Herndon, that CP14-0498 be adopted, carried by the following vote:

Passed

For: Brown, Faatz, Herndon, Kniech, Lehmann, Lopez, Montero, Nevitt, Ortega, Robb, Shepherd, Susman (12)

Against: (None) (0)

Absent: Brooks (1)

Abstain: (None) (0)

**CP14-0527 A proclamation designating the week of June 23 through June 27 as "Bike Week" and Wednesday, June 25, as "Bike to Work Day" in Denver.**

**Councilmembers Shepherd, Brooks, Susman, Robb, Lehmann, Montero, Ortega, Herndon, López, and Kniech.**

A motion offered by Councilwoman Shepherd, duly seconded by Councilman Herndon, that CP14-0527, be adopted carried by the following vote:

Passed

For: Brown, Faatz, Herndon, Kniech, Lehmann, Lopez, Montero, Nevitt, Ortega, Robb, Shepherd, Susman (12)

Against: (None) (0)

Absent: Brooks (1)

Abstain: (None) (0)

## **Resolutions**

The Council Secretary read the following resolutions by titles.

### **Land Use, Transportation & Infrastructure**

**CR14-0481 A resolution laying out, opening and establishing as part of the City street system a parcel of land as West 11th Avenue near its intersection with Sheridan Boulevard and West 10th Avenue. (LAND USE, TRANSPORTATION & INFRASTRUCTURE )**

A motion offered by Councilman Herndon, duly seconded by Councilwoman Lehmann, that CR14-0481, CR14-0487, and CR14-0492 be adopted en bloc, carried by the following vote:

Passed

For: Brown, Faatz, Herndon, Kniech, Lehmann, Lopez, Montero, Nevitt, Ortega, Robb, Shepherd, Susman (12)

Against: (None) (0)

Absent: Brooks (1)

Abstain: (None) (0)

**CR14-0487 A resolution granting a revocable permit to Auraria Higher Education Center to encroach into the right-of-way at Shosone Street and West 14th Avenue. (LAND USE, TRANSPORTATION & INFRASTRUCTURE )**

A motion offered by Councilman Herndon, duly seconded by Councilwoman Lehmann, that CR14-0481, CR14-0487, and CR14-0492 be adopted en bloc, carried by the following vote:

Passed

For: Brown, Faatz, Herndon, Kniech, Lehmann, Lopez, Montero, Nevitt, Ortega, Robb, Shepherd, Susman (12)

Against: (None) (0)

Absent: Brooks (1)

Abstain: (None) (0)

**CR14-0492 A resolution laying out, opening and establishing as part of the City street system a parcel of land as East Alameda Avenue at its intersection with South Steele Street. (LAND USE, TRANSPORTATION & INFRASTRUCTURE )**

A motion offered by Councilman Herndon, duly seconded by Councilwoman Lehmann, that CR14-0481, CR14-0487, and CR14-0492 be adopted en bloc, carried by the following vote:

Passed

For: Brown, Faatz, Herndon, Kniech, Lehmann, Lopez, Montero, Nevitt, Ortega, Robb, Shepherd, 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 Susman announced that all other bills on introduction are ordered published.

### **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 Councilman Herndon, duly seconded by Councilwoman Lehmann, that CB14-0488 be ordered published, carried by the following vote:

Passed

For: Brown, Herndon, Kniech, Lehmann, Lopez, Nevitt, Ortega, Robb, Shepherd, Susman (10)

Against: Faatz, Montero (2)

Absent: Brooks (1)

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 Council President Susman, duly seconded by Councilman Herndon, 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 ordered published en bloc, carried by the following vote:

Passed  
For: Brown, Faatz, Herndon, Kniech, Lehmann, Lopez, Montero, Nevitt, Ortega, Robb, Shepherd, Susman (12)  
Against: (None) (0)  
Absent: Brooks (1)  
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 Council President Susman, duly seconded by Councilman Herndon, 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 ordered published en bloc, carried by the following vote:

Passed  
For: Brown, Faatz, Herndon, Kniech, Lehmann, Lopez, Montero, Nevitt, Ortega, Robb, Shepherd, Susman (12)  
Against: (None) (0)  
Absent: Brooks (1)  
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 Council President Susman, duly seconded by Councilman Herndon, 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 ordered published en bloc, carried by the following vote:

Passed

For: Brown, Faatz, Herndon, Kniech, Lehmann, Lopez, Montero, Nevitt, Ortega, Robb, Shepherd, Susman (12)  
Against: (None) (0)  
Absent: Brooks (1)  
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 Council President Susman, duly seconded by Councilman Herndon, 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 ordered published en bloc, carried by the following vote:

Passed  
For: Brown, Faatz, Herndon, Kniech, Lehmann, Lopez, Montero, Nevitt, Ortega, Robb, Shepherd, Susman (12)  
Against: (None) (0)  
Absent: Brooks (1)  
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 Council President Susman, duly seconded by Councilman Herndon, 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 ordered published en bloc, carried by the following vote:

Passed  
For: Brown, Faatz, Herndon, Kniech, Lehmann, Lopez, Montero, Nevitt, Ortega, Robb, Shepherd, Susman (12)  
Against: (None) (0)  
Absent: Brooks (1)  
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 Council President Susman, duly seconded by Councilman Herndon, 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 ordered published en bloc, carried by the following vote:

Passed

For: Brown, Faatz, Herndon, Kniech, Lehmann, Lopez, Montero, Nevitt, Ortega, Robb, Shepherd, Susman (12)

Against: (None) (0)

Absent: Brooks (1)

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 Council President Susman, duly seconded by Councilman Herndon, 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 ordered published en bloc, carried by the following vote:

Passed

For: Brown, Faatz, Herndon, Kniech, Lehmann, Lopez, Montero, Nevitt, Ortega, Robb, Shepherd, Susman (12)

Against: (None) (0)

Absent: Brooks (1)

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 Council President Susman, duly seconded by Councilman Herndon, 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 ordered published en bloc, carried by the following vote:

Passed

For: Brown, Faatz, Herndon, Kniech, Lehmann, Lopez, Montero, Nevitt, Ortega, Robb, Shepherd, Susman (12)

Against: (None) (0)

Absent: Brooks (1)

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 Council President Susman, duly seconded by Councilman Herndon, 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 ordered published en bloc, carried by the following vote:

Passed

For: Brown, Faatz, Herndon, Kniech, Lehmann, Lopez, Montero, Nevitt, Ortega, Robb, Shepherd, Susman (12)

Against: (None) (0)

Absent: Brooks (1)

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 Council President Susman, duly seconded by Councilman Herndon, 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 ordered published en bloc, carried by the following vote:

Passed

For: Brown, Faatz, Herndon, Kniech, Lehmann, Lopez, Montero, Nevitt, Ortega, Robb, Shepherd, Susman (12)

Against: (None) (0)

Absent: Brooks (1)

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 Council President Susman, duly seconded by Councilman Herndon, 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 ordered published en bloc, carried by the following vote:

Passed

For: Brown, Faatz, Herndon, Kniech, Lehmann, Lopez, Montero, Nevitt, Ortega, Robb, Shepherd, Susman (12)

Against: (None) (0)

Absent: Brooks (1)

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 Council President Susman, duly seconded by Councilman Herndon, 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 ordered published en bloc, carried by the following vote:

Passed

For: Brown, Faatz, Herndon, Kniech, Lehmann, Lopez, Montero, Nevitt, Ortega, Robb, Shepherd, Susman (12)

Against: (None) (0)

Absent: Brooks (1)

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**

**CB14-0464 A bill for an ordinance authorizing expenditures in the Economic Opportunity Special Revenue Fund for the "Temporary Assistance for Needy Families (TANF) Case Management, Employment, and Training FY14-15" program. (BUSINESS, WORKFORCE & SUSTAINABILITY)**

A motion offered by Councilman Herndon, duly seconded by Councilwoman Kniech, that CB14-0464, CB14-0476, CB14-0396, CB14-0440, CB14-0461, CB14-0448, and CB14-0468 be placed upon final consideration and do pass, carried by the



following vote:

Passed

For: Brown, Faatz, Herndon, Kniech, Lehmann, Lopez, Montero, Nevitt, Ortega, Robb, Shepherd, Susman (12)

Against: (None) (0)

Absent: Brooks (1)

Abstain: (None) (0)

**CB14-0476 A bill for an ordinance approving a proposed Agreement between the City and County of Denver and Volunteers of America Colorado Branch, to acquire land for an early childhood education center. (BUSINESS, WORKFORCE & SUSTAINABILITY)**

A motion offered by Councilman Herndon, duly seconded by Councilwoman Kniech, that CB14-0464, CB14-0476, CB14-0396, CB14-0440, CB14-0461, CB14-0448, and CB14-0468 be placed upon final consideration and do pass, carried by the following vote:

Passed

For: Brown, Faatz, Herndon, Kniech, Lehmann, Lopez, Montero, Nevitt, Ortega, Robb, Shepherd, Susman (12)

Against: (None) (0)

Absent: Brooks (1)

Abstain: (None) (0)

**Government & Finance**

**CB14-0396 A bill for an ordinance repealing and reenacting Sections 15-16 and 15-17 of the Revised Municipal Code to update the precinct plans and remove obsolete precincts for city council districts. (GOVERNMENT & FINANCE)**

A motion offered by Councilman Herndon, duly seconded by Councilwoman Kniech, that CB14-0464, CB14-0476, CB14-0396, CB14-0440, CB14-0461, CB14-0448, and CB14-0468 be placed upon final consideration and do pass, carried by the following vote:

Passed

For: Brown, Faatz, Herndon, Kniech, Lehmann, Lopez, Montero, Nevitt, Ortega, Robb, Shepherd, Susman (12)

Against: (None) (0)

Absent: Brooks (1)

Abstain: (None) (0)

**CB14-0440 A bill for an ordinance making supplemental appropriations from the General Contingency Fund to Police and Sheriff departments.**

**(GOVERNMENT & FINANCE)**

A motion offered by Councilman Herndon, duly seconded by Councilwoman Kniech, that CB14-0464, CB14-0476, CB14-0396, CB14-0440, CB14-0461, CB14-0448, and CB14-0468 be placed upon final consideration and do pass, carried by the following vote:

Passed

For: Brown, Faatz, Herndon, Kniech, Lehmann, Lopez, Montero, Nevitt, Ortega, Robb, Shepherd, Susman (12)

Against: (None) (0)

Absent: Brooks (1)

Abstain: (None) (0)

**CB14-0461 A bill for an Ordinance approving a Lease Agreement with Denver Housing Authority, for Neighborhood House (within La Alma-Lincoln Park) at 1265 Mariposa Street. (GOVERNMENT & FINANCE)**

A motion offered by Councilman Herndon, duly seconded by Councilwoman Kniech, that CB14-0464, CB14-0476, CB14-0396, CB14-0440, CB14-0461, CB14-0448, and CB14-0468 be placed upon final consideration and do pass, carried by the following vote:

Passed

For: Brown, Faatz, Herndon, Kniech, Lehmann, Lopez, Montero, Nevitt, Ortega, Robb, Shepherd, Susman (12)

Against: (None) (0)

Absent: Brooks (1)

Abstain: (None) (0)

**Health, Safety, Education & Services**

**CB14-0448 A bill for an ordinance approving a proposed agreement between the City and County of Denver and School District No. 1 in the City and County of Denver and the State of Colorado, to provide direct Head Start services through June 30, 2015. (HEALTH, SAFETY, EDUCATION & SERVICES)**

A motion offered by Councilman Herndon, duly seconded by Councilwoman Kniech, that CB14-0464, CB14-0476, CB14-0396, CB14-0440, CB14-0461, CB14-0448, and CB14-0468 be placed upon final consideration and do pass, carried by the following vote:

Passed

For: Brown, Faatz, Herndon, Kniech, Lehmann, Lopez, Montero, Nevitt, Ortega, Robb, Shepherd, Susman (12)

Against: (None) (0)

Absent: Brooks (1)  
Abstain: (None) (0)

**CB14-0468 A bill for an ordinance approving and providing for the execution of a proposed grant agreement between the City and County of Denver and the United States concerning the "CoC-Housing First FY14-15" program and the funding therefor. (HEALTH, SAFETY, EDUCATION & SERVICES)**

A motion offered by Councilman Herndon, duly seconded by Councilwoman Kniech, that CB14-0464, CB14-0476, CB14-0396, CB14-0440, CB14-0461, CB14-0448, and CB14-0468 be placed upon final consideration and do pass, carried by the following vote:

Passed

For: Brown, Faatz, Herndon, Kniech, Lehmann, Lopez, Montero, Nevitt, Ortega, Robb, Shepherd, Susman (12)

Against: (None) (0)

Absent: Brooks (1)

Abstain: (None) (0)

## **Adjourn**

There being no further business before the City Council, Council President Susman adjourned the meeting at 7:23 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)**