

## **City Council Minutes**

Meeting Date: Monday, August 11, 2014 5:30 PM

### **Pledge of Allegiance**

Councilman Nevitt led the Pledge of Allegiance.

### **Roll Call**

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

Absent: Susman

### **Approval of the Minutes**

The minutes of meeting date, Monday, August 4, 2014, were distributed to Council. Council President Herndon ordered the minutes approved.

### **Council Announcements**

Councilmembers Kniech, Brooks, Herndon, and Robb offered announcements.

### **Presentations**

### **Communications**

### **Proclamations**

**CP14-0648 A proclamation recognizing Saturday, August 16, 2014 as Chef's Appreciation Day.**

**Sponsored by Councilmembers López, Ortega, Montero, Brooks, and Shepherd.**

A motion offered by Councilman López, duly seconded by Councilwoman Shepherd, that CP14-0648 be adopted, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: Brown, Susman (2)

Abstain: (None) (0)

**CP14-0649 A proclamation in recognition of Detective Richard Schneider, DPD Badge 85024, upon the occasion of his retirement. Sponsored by Councilmembers Montero, Brown, Ortega, Brooks, López, and Robb.**

A motion offered by Councilwoman Montero, duly seconded by Councilman López, that CP14-0649 be adopted, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: Susman (1)

Abstain: (None) (0)

## **Resolutions**

The Council Secretary read the following resolutions by titles.

### **Safety & Well-being**

**CR14-0628 A resolution appointing Feven Netsanet and Adriana Magaña and reappointing Genevieve Kline to the Human Services Citizen Review Panel for terms ending September 12, 2016. (SAFETY & WELL-BEING)**

A motion offered by Councilman Nevitt, duly seconded by Councilwoman Lehmann, that CR14-0628 and CR14-0521 be adopted en bloc, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: Susman (1)

Abstain: (None) (0)

### **Technology & Governance**

**CR14-0521 A resolution approving the Mayor's appointment to the Career Service Board. (TECHNOLOGY & GOVERNANCE)**

A motion offered by Councilman Nevitt, duly seconded by Councilwoman Lehmann, that CR14-0628 and CR14-0521 be adopted en bloc, carried by the following vote:

Passed

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

Against: (None) (0)  
Absent: Susman (1)  
Abstain: (None) (0)

## **Bills for Introduction**

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

### **Business Development**

**CB14-0612 A bill for an ordinance creating and establishing the Fax-Mayfair Business Improvement District, appointing the initial members of the Board of Directors of the District, and approving the Initial Operating Plan and preliminary 2014-15 budget therefor. (BUSINESS DEVELOPMENT)**

A motion offered by Council President Herndon, duly seconded by Councilman Nevitt, that CB14-0612, CB14-0613, CB14-0614, CB14-0615, CB14-0611, CB14-0617, CB14-0597, CB14-0463, CB14-0593, and CB14-0594 be ordered published en bloc, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: Susman (1)

Abstain: (None) (0)

**CB14-0613 A bill for an ordinance creating and establishing the Santa Fe Business Improvement District, appointing the initial members of the Board of Directors of the District, and approving the Initial Operating Plan and 2015 budget therefor. (BUSINESS DEVELOPMENT)**

A motion offered by Council President Herndon, duly seconded by Councilman Nevitt, that CB14-0612, CB14-0613, CB14-0614, CB14-0615, CB14-0611, CB14-0617, CB14-0597, CB14-0463, CB14-0593, and CB14-0594 be ordered published en bloc, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: Susman (1)

Abstain: (None) (0)

**CB14-0614 A bill for an ordinance dissolving the Santa Fe Drive Pedestrian**

**Mall A Local Maintenance District and directing that the remaining funds thereof, after payment of expenses, be paid to and used by the Santa Fe Business Improvement District within the property formerly within said local maintenance district. (BUSINESS DEVELOPMENT)**

A motion offered by Council President Herndon, duly seconded by Councilman Nevitt, that CB14-0612, CB14-0613, CB14-0614, CB14-0615, CB14-0611, CB14-0617, CB14-0597, CB14-0463, CB14-0593, and CB14-0594 be ordered published en bloc, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: Susman (1)

Abstain: (None) (0)

**CB14-0615 A bill for an ordinance dissolving the Santa Fe Drive Pedestrian Mall B Local Maintenance District and directing that the remaining funds thereof, after payment of expenses, be paid to and used by the Santa Fe Business Improvement District within the property formerly within said local maintenance district. (BUSINESS DEVELOPMENT)**

A motion offered by Council President Herndon, duly seconded by Councilman Nevitt, that CB14-0612, CB14-0613, CB14-0614, CB14-0615, CB14-0611, CB14-0617, CB14-0597, CB14-0463, CB14-0593, and CB14-0594 be ordered published en bloc, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: Susman (1)

Abstain: (None) (0)

## **Finance & Services**

**CB14-0611 A bill for an ordinance approving a proposed Purchase Order between the City and County of Denver and ARCONAS Corporation for seating at Denver International Airport as part of the Concourse C Expansion. (FINANCE & SERVICES)**

A motion offered by Council President Herndon, duly seconded by Councilman Nevitt, that CB14-0612, CB14-0613, CB14-0614, CB14-0615, CB14-0611, CB14-0617, CB14-0597, CB14-0463, CB14-0593, and CB14-0594 be ordered published en bloc, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: Susman (1)

Abstain: (None) (0)

## **Infrastructure & Culture**

### **CB14-0617 A bill for an Ordinance approving an Amendment to Trail Easement Agreement with Town Center Metropolitan District and HC Land Investment, LLC regarding the High Line Trail in Green Valley Ranch. (INFRASTRUCTURE & CULTURE)**

A motion offered by Council President Herndon, duly seconded by Councilman Nevitt, that CB14-0612, CB14-0613, CB14-0614, CB14-0615, CB14-0611, CB14-0617, CB14-0597, CB14-0463, CB14-0593, and CB14-0594 be ordered published en bloc, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: Susman (1)

Abstain: (None) (0)

## **Safety & Well-being**

### **CB14-0597 A bill for an ordinance approving an Agreement with St. Charles Holding Company for the acquisition of the real properties known as 4325-4331 & 4404 Morrison Road. (SAFETY & WELL-BEING)**

A motion offered by Council President Herndon, duly seconded by Councilman Nevitt, that CB14-0612, CB14-0613, CB14-0614, CB14-0615, CB14-0611, CB14-0617, CB14-0597, CB14-0463, CB14-0593, and CB14-0594 be ordered published en bloc, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: Susman (1)

Abstain: (None) (0)

## **Government & Finance**

### **CB14-0463 A bill for an ordinance approving a proposed Amendatory**

**Agreement between the City and County of Denver and Securus Technologies, Inc., to reduce the current commission rate amount paid by Securus Technologies, Inc., to the City and County of Denver.  
(GOVERNMENT & FINANCE)**

A motion offered by Council President Herndon, duly seconded by Councilman Nevitt, that CB14-0612, CB14-0613, CB14-0614, CB14-0615, CB14-0611, CB14-0617, CB14-0597, CB14-0463, CB14-0593, and CB14-0594 be ordered published en bloc, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: Susman (1)

Abstain: (None) (0)

**Land Use, Transportation & Infrastructure**

**CB14-0593 A bill for an ordinance approving an Agreement with the Denver Zoo for \$2.2 million to fund the zoo's new large Carnivore Holding Building and public viewing areas. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

A motion offered by Council President Herndon, duly seconded by Councilman Nevitt, that CB14-0612, CB14-0613, CB14-0614, CB14-0615, CB14-0611, CB14-0617, CB14-0597, CB14-0463, CB14-0593, and CB14-0594 be ordered published en bloc, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: Susman (1)

Abstain: (None) (0)

**CB14-0594 A bill for an ordinance approving an Agreement with the Denver Museum of Nature & Science for \$2.2 million Better Denver Bond funds for the Discovery Zone build-out and installation of the Rocky Mountains Collections Facilities. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

A motion offered by Council President Herndon, duly seconded by Councilman Nevitt, that CB14-0612, CB14-0613, CB14-0614, CB14-0615, CB14-0611, CB14-0617, CB14-0597, CB14-0463, CB14-0593, and CB14-0594 be ordered published en bloc, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: Susman (1)

Abstain: (None) (0)

## **Recap of Bills to be Called Out**

### **Pre-Recess Announcement**

Council President Herndon announced that there will be a one-hour courtesy public hearing on CB14-0574, regarding the Denver Preschool Tax.

**Tonight there will be a one-hour courtesy public hearing on CB14-0574, regarding the Denver Preschool Tax. Anyone wishing to speak on this matter must see the Council Secretary to sign up during the recess of Council.**

### **Recess**

Council took a recess.

## **Council Reconvenes and Resumes its Regular Session**

### **Public Hearings - Bills for Final Consideration**

#### **Government & Finance**

**CB14-0574 A bill for an ordinance extending the existing .12 percent sales and use tax (the "Denver Preschool Tax") through December 31, 2026 and increasing the rate to .15 percent, dedicating the revenue derived from the tax to fund the Denver Preschool Program, subject to the approval of the voters at a special municipal election to be conducted in coordination with the state general election on November 4, 2014; and making certain changes to the Denver Preschool Program. (GOVERNMENT & FINANCE)**

A motion offered by Councilman Nevitt, duly seconded by Councilwoman Lehmann, that CB14-0574 be placed upon final consideration and do pass, carried by the following vote:

Passed

For: Brooks, Herndon, Kniech, Lehmann, Lopez, Montero, Nevitt, Ortega, Robb, Shepherd (10)

Against: Faatz (1)

Absent: Brown, Susman (2)  
Abstain: (None) (0)

Council sat as a Committee of the Whole commencing at 6:22 PM, Council President Herndon presiding, to hear speakers on CB14-0574. Thad Tecza, Gloria Higgins, Jo Marie Garcia, Amber Munck, Cheryl Caldwell, Paul Asper, Pamela Harris, Stephanie Romero, Mike Yankovich, and Jennifer Landrum signed up to speak in favor of the bill. No speakers signed up to speak in opposition to the bill. Councilman Brooks offered an overview.

## **Bills for Final Consideration**

### **Government & Finance**

#### **CB14-0586 A bill for an ordinance approving a proposed Master Purchase Order between the City and County of Denver and Henry Schein, Inc., for the procurement of safety and first aid supplies. (GOVERNMENT & FINANCE)**

A motion offered by Councilman Nevitt, duly seconded by Councilwoman Kniech, that CB14-0586, CB14-0587, CB14-0592, CB14-0505, CB14-0552, CB14-0590, CB14-0595, CB14-0599, and CB14-0571 be placed upon final consideration and do pass en bloc, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: Susman (1)

Abstain: (None) (0)

#### **CB14-0587 A bill for an ordinance approving an Amendatory Contract between the City and County of Denver and Ferkam, Inc., d/b/a Extreme Towing and Recovery, for citywide towing services. (GOVERNMENT & FINANCE)**

A motion offered by Councilman Nevitt, duly seconded by Councilwoman Kniech, that CB14-0586, CB14-0587, CB14-0592, CB14-0505, CB14-0552, CB14-0590, CB14-0595, CB14-0599, and CB14-0571 be placed upon final consideration and do pass en bloc, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: Susman (1)

Abstain: (None) (0)



**CB14-0592 A bill for an ordinance approving a proposed Master Purchase Order between the City and County of Denver and MorningPride Manufacturing LLC dba Honeywell First Responder Products, for Bunker Gear for the Denver Fire Department. (GOVERNMENT & FINANCE)**

A motion offered by Councilman Nevitt, duly seconded by Councilwoman Kniech, that CB14-0586, CB14-0587, CB14-0592, CB14-0505, CB14-0552, CB14-0590, CB14-0595, CB14-0599, and CB14-0571 be placed upon final consideration and do pass en bloc, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: Susman (1)

Abstain: (None) (0)

**Health, Safety, Education & Services**

**CB14-0505 A bill for an ordinance approving a proposed Agreement between the City and County of Denver and Colorado Coalition for the Homeless to provide rental assistance to chronically homeless individuals. (HEALTH, SAFETY, EDUCATION & SERVICES)**

A motion offered by Councilman Nevitt, duly seconded by Councilwoman Kniech, that CB14-0586, CB14-0587, CB14-0592, CB14-0505, CB14-0552, CB14-0590, CB14-0595, CB14-0599, and CB14-0571 be placed upon final consideration and do pass en bloc, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: Susman (1)

Abstain: (None) (0)

**CB14-0552 A bill for an ordinance approving an Agreement between the City and County of Denver and the Regents of the University of Colorado – Addiction Research and Treatment Services for community corrections services. (HEALTH, SAFETY, EDUCATION & SERVICES)**

A motion offered by Councilman Nevitt, duly seconded by Councilwoman Kniech, that CB14-0586, CB14-0587, CB14-0592, CB14-0505, CB14-0552, CB14-0590, CB14-0595, CB14-0599, and CB14-0571 be placed upon final consideration and do pass en bloc, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: Susman (1)

Abstain: (None) (0)

**CB14-0590 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 Department of Health and Human Services concerning the "Head Start FY14-15" program and the funding therefor. (HEALTH, SAFETY, EDUCATION & SERVICES)**

A motion offered by Councilman Nevitt, duly seconded by Councilwoman Kniech, that CB14-0586, CB14-0587, CB14-0592, CB14-0505, CB14-0552, CB14-0590, CB14-0595, CB14-0599, and CB14-0571 be placed upon final consideration and do pass en bloc, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: Susman (1)

Abstain: (None) (0)

**CB14-0595 A bill for an ordinance making supplemental appropriations from the General Contingency Fund to the Office of Municipal Public Defender. (HEALTH, SAFETY, EDUCATION & SERVICES)**

A motion offered by Councilman Nevitt, duly seconded by Councilwoman Kniech, that CB14-0586, CB14-0587, CB14-0592, CB14-0505, CB14-0552, CB14-0590, CB14-0595, CB14-0599, and CB14-0571 be placed upon final consideration and do pass en bloc, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: Susman (1)

Abstain: (None) (0)

**CB14-0599 A bill for an ordinance approving a contract with Colorado Coalition for the Homeless for \$1.2 million in HOME funds for the construction and permanent financing of Renaissance at North Colorado Station located at 3975 Colorado Boulevard. (HEALTH, SAFETY, EDUCATION & SERVICES)**

A motion offered by Councilman Nevitt, duly seconded by Councilwoman Kniech, that CB14-0586, CB14-0587, CB14-0592, CB14-0505, CB14-0552, CB14-0590, CB14-0595, CB14-0599, and CB14-0571 be placed upon final consideration and do pass en bloc, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: Susman (1)

Abstain: (None) (0)

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

**CB14-0571 A bill for an Ordinance approving an Amendment to Concession License with TR Park Central, LLC to reflect a change in ownership of the building from WSC 1515 Arapahoe Investors V, LLC, for a concession area next to the Park Central Building in Skyline Park. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

A motion offered by Councilman Nevitt, duly seconded by Councilwoman Kniech, that CB14-0586, CB14-0587, CB14-0592, CB14-0505, CB14-0552, CB14-0590, CB14-0595, CB14-0599, and CB14-0571 be placed upon final consideration and do pass en bloc, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: Susman (1)

Abstain: (None) (0)

## **Adjourn**

There being no further business before the City Council, Council President Herndon adjourned the meeting at 7:34 PM.

## **Pending**

**For 8-18-14**

**CR14-0602 A resolution setting a public hearing relating to the creation of the Fax-Mayfair Business Improvement District and approval of the District's 2015 Operating Plan and Budget.**

**Required Public Hearing**

**Final Consideration (BUSINESS DEVELOPMENT)**

**For 8-18-14**

**CR14-0603 A resolution to set a public hearing relating to the creation of the Santa Fe Business Improvement District and approval of the District's 2015 Operating Plan and Budget.**

**Required Public Hearing**

**Final Consideration (BUSINESS, WORKFORCE & SUSTAINABILITY)**

**For 8-18-14**

**CB14-0504 A bill for ordinance changing the zoning classification for 3300 East 1st Avenue.**

**Required Public Hearing**

**Final Consideration (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

**For 8-25-14**

**CB14-0522 A bill for an ordinance changing the zoning classification for land located at the southeast corner of Monaco Parkway and East First Avenue at approximately 90 Monaco Parkway.**

**Required Public Hearing**

**Final Consideration (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

**For 8-25-14**

**CB14-0523 A bill for an ordinance changing the zoning classification for land located near the southwest corner of South Quebec Street and Archer Place at approximately 7000-7300 Archer Place.**

**Required Public Hearing**

**Final Consideration (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

**For 8-25-14**

**CB14-0524 A bill for an ordinance changing the zoning classification for land located at approximately 6700-7398 and 6701-7399 Lowry Boulevard and 6701-7399 Archer Place.**

**Required Public Hearing**

**Final Consideration (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

**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)**