

City Council Minutes

Meeting Date: Monday, August 26, 2013 5:30 PM

Pledge of Allegiance

Councilwoman Robb led the Pledge of Allegiance.

Roll Call

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

Absent: Shepherd

Approval of the Minutes

The minutes of meeting date, August 19, 2013, were distributed to Council. Council President Susman ordered the minutes approved.

Council Announcements

Councilmembers Nevitt, Brooks, and López offered announcements.

Presentations

Communications

A letter dated August 26, 2013, from Cary Kennedy, Chief Financial Officer, Manager of Finance, in keeping with the provisions of Section 20-93 of the Denver Revised Municipal Code notifying you of the Department of Finance's intent to issue City and County of Denver, Colorado, General Obligation Better Denver Bonds, Series 2013, in an amount not to exceed \$278 million was read in its entirety to Council.

A letter dated August 26, 2013, from Cary Kennedy, Chief Financial Officer, Manager of Finance, in keeping with the provisions of Section 20-93 of the Denver Revised Municipal Code notifying you of the Department of Finance's intent to issue City and County of Denver, Colorado, General Obligation Better Denver Bonds, Series 2013, in an amount not to exceed \$278 million.

Proclamations

CP13-0571 A proclamation honoring the work of Regis University Dual

Language Campus in advancing higher education opportunities for adults. Sponsored by Councilmembers Shepherd, López, Ortega, Montero, Lehmann, Brooks, Robb, and Herndon.

A motion offered by Councilman López, duly seconded by Councilwoman Lehmann, that CP13-0571 be adopted, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: Shepherd (1)

Abstain: (None) (0)

Resolutions

The Council Secretary read the following resolutions by titles.

Health, Safety, Education & Services

CR13-0542 A resolution approving the Mayor's appointment to the Denver Housing Authority Board of Directors. (HEALTH, SAFETY, EDUCATION & SERVICES)

A motion offered by Councilwoman Robb, duly seconded by Councilman Herndon, that CR13-0542, CR13-0586, CR13-0543, CR13-0549, and CR13-0550 be adopted en bloc, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: Shepherd (1)

Abstain: (None) (0)

CR13-0586 A resolution authorizing and approving the expenditure and payment from the appropriation account designated "liability claims," the sum of Forty Two Thousand Dollars (\$42,000.00), payable to Tanisha Thomas and The Law Office of Cornell Johnson, P.C., in full payment and satisfaction of all claims in Case No. 2012CV5377, in the Denver District Court. (HEALTH, SAFETY, EDUCATION & SERVICES)

A motion offered by Councilwoman Robb, duly seconded by Councilman Herndon, that CR13-0542, CR13-0586, CR13-0543, CR13-0549, and CR13-0550 be adopted en bloc, carried by the following vote:

Passed

For: Brooks, Brown, Faatz, Herndon, Kniech, Lehmann, Lopez, Montero, Nevitt, Ortega, Robb, Susman (12)
Against: (None) (0)
Absent: Shepherd (1)
Abstain: (None) (0)

Land Use, Transportation & Infrastructure

CR13-0543 A resolution approving the Mayor’s appointment to the Denver Urban Renewal Authority Board of Directors. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

A motion offered by Councilwoman Robb, duly seconded by Councilman Herndon, that CR13-0542, CR13-0586, CR13-0543, CR13-0549, and CR13-0550 be adopted en bloc, carried by the following vote:

Passed
For: Brooks, Brown, Faatz, Herndon, Kniech, Lehmann, Lopez, Montero, Nevitt, Ortega, Robb, Susman (12)
Against: (None) (0)
Absent: Shepherd (1)
Abstain: (None) (0)

CR13-0549 A resolution accepting and approving the plat of Stapleton Filing No. 43. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

A motion offered by Councilwoman Robb, duly seconded by Councilman Herndon, that CR13-0542, CR13-0586, CR13-0543, CR13-0549, and CR13-0550 be adopted en bloc, carried by the following vote:

Passed
For: Brooks, Brown, Faatz, Herndon, Kniech, Lehmann, Lopez, Montero, Nevitt, Ortega, Robb, Susman (12)
Against: (None) (0)
Absent: Shepherd (1)
Abstain: (None) (0)

CR13-0550 A resolution granting a revocable permit to Auraria Higher Education Center, to encroach into the right-of-way on 7th Street near vacated Larimer Street. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

A motion offered by Councilwoman Robb, duly seconded by Councilman Herndon, that CR13-0542, CR13-0586, CR13-0543, CR13-0549, and CR13-0550 be adopted en bloc, carried by the following vote:

Passed

For: Brooks, Brown, Faatz, Herndon, Kniech, Lehmann, Lopez, Montero, Nevitt, Ortega, Robb, Susman (12)
Against: (None) (0)
Absent: Shepherd (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

CB13-0448 A bill for an ordinance approving a proposed Airline Support Facilities Lease Agreement between the City and County of Denver and Republic Airline, Inc. related to leased space at Denver International Airport. (BUSINESS, WORKFORCE & SUSTAINABILITY)

A motion offered by Council President Susman, duly seconded by Councilwoman Robb, that CB13-0448, CB13-0544, CB13-0545, CB13-0546, CB13-0547, CB13-0548, CB13-0462, CB13-0465, CB13-0496, CB13-0533, CB13-0535, CB13-0536, CB13-0537, CB13-0551, CB13-0552, CB13-0553, and CB13-0556 be ordered published en bloc, carried by the following vote:

Passed
For: Brooks, Brown, Faatz, Herndon, Kniech, Lehmann, Lopez, Montero, Nevitt, Ortega, Robb, Susman (12)
Against: (None) (0)
Absent: Shepherd (1)
Abstain: (None) (0)

CB13-0544 A bill for an ordinance approving a proposed Design-Build Contract DIA Data Center between the City and County of Denver and PCL Construction Services, Inc. related to a new Data Center at Denver International Airport. (BUSINESS, WORKFORCE & SUSTAINABILITY)

A motion offered by Council President Susman, duly seconded by Councilwoman Robb, that CB13-0448, CB13-0544, CB13-0545, CB13-0546, CB13-0547, CB13-0548, CB13-0462, CB13-0465, CB13-0496, CB13-0533, CB13-0535, CB13-0536, CB13-0537, CB13-0551, CB13-0552, CB13-0553, and CB13-0556 be ordered published en bloc, carried by the following vote:

Passed
For: Brooks, Brown, Faatz, Herndon, Kniech, Lehmann, Lopez, Montero, Nevitt, Ortega, Robb, Susman (12)
Against: (None) (0)
Absent: Shepherd (1)

Abstain: (None) (0)

CB13-0545 A bill for an ordinance approving a proposed Agreement between the City and County of Denver and Parsons Brinckerhoff, Inc. related to consultant services at Denver International Airport. (BUSINESS, WORKFORCE & SUSTAINABILITY)

A motion offered by Council President Susman, duly seconded by Councilwoman Robb, that CB13-0448, CB13-0544, CB13-0545, CB13-0546, CB13-0547, CB13-0548, CB13-0462, CB13-0465, CB13-0496, CB13-0533, CB13-0535, CB13-0536, CB13-0537, CB13-0551, CB13-0552, CB13-0553, and CB13-0556 be ordered published en bloc, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: Shepherd (1)

Abstain: (None) (0)

CB13-0546 A bill for an ordinance approving a Second Amendment to Cooperative Service Agreement Reimbursable between the City and County of Denver and USDA-APHIS Wildlife Services to extend the contract for performing certain wildlife control measures at Denver International Airport. (BUSINESS, WORKFORCE & SUSTAINABILITY)

A motion offered by Council President Susman, duly seconded by Councilwoman Robb, that CB13-0448, CB13-0544, CB13-0545, CB13-0546, CB13-0547, CB13-0548, CB13-0462, CB13-0465, CB13-0496, CB13-0533, CB13-0535, CB13-0536, CB13-0537, CB13-0551, CB13-0552, CB13-0553, and CB13-0556 be ordered published en bloc, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: Shepherd (1)

Abstain: (None) (0)

Government & Finance

CB13-0547 A bill for an Ordinance amending Section 18-436 of Article XIII of Chapter 18, Employees' Voluntary Deferred Compensation Plan. (GOVERNMENT & FINANCE)

A motion offered by Council President Susman, duly seconded by Councilwoman Robb, that CB13-0448, CB13-0544, CB13-0545, CB13-0546, CB13-0547, CB13-

0548, CB13-0462, CB13-0465, CB13-0496, CB13-0533, CB13-0535, CB13-0536, CB13-0537, CB13-0551, CB13-0552, CB13-0553, and CB13-0556 be ordered published en bloc, carried by the following vote:

Passed
For: Brooks, Brown, Faatz, Herndon, Kniech, Lehmann, Lopez, Montero, Nevitt, Ortega, Robb, Susman (12)
Against: (None) (0)
Absent: Shepherd (1)
Abstain: (None) (0)

CB13-0548 A bill for an ordinance approving an Agreement between the City and County of Denver and 75 S. Federal. (GOVERNMENT & FINANCE)

A motion offered by Council President Susman, duly seconded by Councilwoman Robb, that CB13-0448, CB13-0544, CB13-0545, CB13-0546, CB13-0547, CB13-0548, CB13-0462, CB13-0465, CB13-0496, CB13-0533, CB13-0535, CB13-0536, CB13-0537, CB13-0551, CB13-0552, CB13-0553, and CB13-0556 be ordered published en bloc, carried by the following vote:

Passed
For: Brooks, Brown, Faatz, Herndon, Kniech, Lehmann, Lopez, Montero, Nevitt, Ortega, Robb, Susman (12)
Against: (None) (0)
Absent: Shepherd (1)
Abstain: (None) (0)

Health, Safety, Education & Services

CB13-0462 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 residential and non-residential community corrections services. (HEALTH, SAFETY, EDUCATION & SERVICES)

A motion offered by Council President Susman, duly seconded by Councilwoman Robb, that CB13-0448, CB13-0544, CB13-0545, CB13-0546, CB13-0547, CB13-0548, CB13-0462, CB13-0465, CB13-0496, CB13-0533, CB13-0535, CB13-0536, CB13-0537, CB13-0551, CB13-0552, CB13-0553, and CB13-0556 be ordered published en bloc, carried by the following vote:

Passed
For: Brooks, Brown, Faatz, Herndon, Kniech, Lehmann, Lopez, Montero, Nevitt, Ortega, Robb, Susman (12)
Against: (None) (0)
Absent: Shepherd (1)
Abstain: (None) (0)

CB13-0465 A bill for an ordinance approving an agreement between the City and County of Denver and Community Education Centers, Inc. (HEALTH, SAFETY, EDUCATION & SERVICES)

A motion offered by Council President Susman, duly seconded by Councilwoman Robb, that CB13-0448, CB13-0544, CB13-0545, CB13-0546, CB13-0547, CB13-0548, CB13-0462, CB13-0465, CB13-0496, CB13-0533, CB13-0535, CB13-0536, CB13-0537, CB13-0551, CB13-0552, CB13-0553, and CB13-0556 be ordered published en bloc, carried by the following vote:

Passed
For: Brooks, Brown, Faatz, Herndon, Kniech, Lehmann, Lopez, Montero, Nevitt, Ortega, Robb, Susman (12)
Against: (None) (0)
Absent: Shepherd (1)
Abstain: (None) (0)

Land Use, Transportation & Infrastructure

CB13-0496 A bill for an ordinance vacating the southerly portion of the north/south alley bounded by 8th Avenue, 9th Avenue, Broadway and Lincoln Street, with reservations. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

A motion offered by Council President Susman, duly seconded by Councilwoman Robb, that CB13-0448, CB13-0544, CB13-0545, CB13-0546, CB13-0547, CB13-0548, CB13-0462, CB13-0465, CB13-0496, CB13-0533, CB13-0535, CB13-0536, CB13-0537, CB13-0551, CB13-0552, CB13-0553, and CB13-0556 be ordered published en bloc, carried by the following vote:

Passed
For: Brooks, Brown, Faatz, Herndon, Kniech, Lehmann, Lopez, Montero, Nevitt, Ortega, Robb, Susman (12)
Against: (None) (0)
Absent: Shepherd (1)
Abstain: (None) (0)

CB13-0533 A bill for an ordinance vacating portions of the alleys in the three blocks between South Lincoln Street, South Sherman Street, south of East Mississippi Avenue and north of East Arizona Avenue, with reservations. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

A motion offered by Council President Susman, duly seconded by Councilwoman Robb, that CB13-0448, CB13-0544, CB13-0545, CB13-0546, CB13-0547, CB13-0548, CB13-0462, CB13-0465, CB13-0496, CB13-0533, CB13-0535, CB13-0536, CB13-0537, CB13-0551, CB13-0552, CB13-0553, and CB13-0556 be ordered

published en bloc, carried by the following vote:

Passed
For: Brooks, Brown, Faatz, Herndon, Kniech, Lehmann, Lopez, Montero, Nevitt, Ortega, Robb, Susman (12)
Against: (None) (0)
Absent: Shepherd (1)
Abstain: (None) (0)

CB13-0535 A bill for an ordinance approving a proposed Funding and Assignment Agreement between the City and County of Denver and Denver Art Museum, to construct new public space for exhibitions, programs and events in the North Building. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

A motion offered by Council President Susman, duly seconded by Councilwoman Robb, that CB13-0448, CB13-0544, CB13-0545, CB13-0546, CB13-0547, CB13-0548, CB13-0462, CB13-0465, CB13-0496, CB13-0533, CB13-0535, CB13-0536, CB13-0537, CB13-0551, CB13-0552, CB13-0553, and CB13-0556 be ordered published en bloc, carried by the following vote:

Passed
For: Brooks, Brown, Faatz, Herndon, Kniech, Lehmann, Lopez, Montero, Nevitt, Ortega, Robb, Susman (12)
Against: (None) (0)
Absent: Shepherd (1)
Abstain: (None) (0)

CB13-0536 A bill for an ordinance approving a proposed Funding and Assignment Agreement between the City and County of Denver and The Denver Center for Performing Arts (DCPA), to renovate the Space and Stage theatres and the Seawell ballroom at the Helen Bonfils Theatre Complex. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

A motion offered by Council President Susman, duly seconded by Councilwoman Robb, that CB13-0448, CB13-0544, CB13-0545, CB13-0546, CB13-0547, CB13-0548, CB13-0462, CB13-0465, CB13-0496, CB13-0533, CB13-0535, CB13-0536, CB13-0537, CB13-0551, CB13-0552, CB13-0553, and CB13-0556 be ordered published en bloc, carried by the following vote:

Passed
For: Brooks, Brown, Faatz, Herndon, Kniech, Lehmann, Lopez, Montero, Nevitt, Ortega, Robb, Susman (12)
Against: (None) (0)
Absent: Shepherd (1)
Abstain: (None) (0)

CB13-0537 A bill for an ordinance approving a proposed Funding and Assignment Agreement between the City and County of Denver and Denver Botanic Garden, to construct new improvements including, new restrooms, café, and science pyramid. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

A motion offered by Council President Susman, duly seconded by Councilwoman Robb, that CB13-0448, CB13-0544, CB13-0545, CB13-0546, CB13-0547, CB13-0548, CB13-0462, CB13-0465, CB13-0496, CB13-0533, CB13-0535, CB13-0536, CB13-0537, CB13-0551, CB13-0552, CB13-0553, and CB13-0556 be ordered published en bloc, carried by the following vote:

Passed
For: Brooks, Brown, Faatz, Herndon, Kniech, Lehmann, Lopez, Montero, Nevitt, Ortega, Robb, Susman (12)
Against: (None) (0)
Absent: Shepherd (1)
Abstain: (None) (0)

CB13-0551 A bill for an ordinance relinquishing portions of certain easements reserved in Ordinance No. 580, Series of 1976, Ordinance No. 407, Series of 1990 and Ordinance No. 745, Series of 1990. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

A motion offered by Council President Susman, duly seconded by Councilwoman Robb, that CB13-0448, CB13-0544, CB13-0545, CB13-0546, CB13-0547, CB13-0548, CB13-0462, CB13-0465, CB13-0496, CB13-0533, CB13-0535, CB13-0536, CB13-0537, CB13-0551, CB13-0552, CB13-0553, and CB13-0556 be ordered published en bloc, carried by the following vote:

Passed
For: Brooks, Brown, Faatz, Herndon, Kniech, Lehmann, Lopez, Montero, Nevitt, Ortega, Robb, Susman (12)
Against: (None) (0)
Absent: Shepherd (1)
Abstain: (None) (0)

CB13-0552 A bill for an ordinance approving a proposed Third Amendatory Agreement between the City and County of Denver and Deighton Associates LTD., to increase funds and extend the term of the Agreement. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

A motion offered by Council President Susman, duly seconded by Councilwoman Robb, that CB13-0448, CB13-0544, CB13-0545, CB13-0546, CB13-0547, CB13-0548, CB13-0462, CB13-0465, CB13-0496, CB13-0533, CB13-0535, CB13-0536, CB13-0537, CB13-0551, CB13-0552, CB13-0553, and CB13-0556 be ordered published en bloc, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: Shepherd (1)

Abstain: (None) (0)

CB13-0553 A bill for an ordinance approving a proposed Purchase Order between the City and County of Denver and Rush Truck Centers of Colorado, Inc., to purchase four Peterbilt Refuse Trucks. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

A motion offered by Council President Susman, duly seconded by Councilwoman Robb, that CB13-0448, CB13-0544, CB13-0545, CB13-0546, CB13-0547, CB13-0548, CB13-0462, CB13-0465, CB13-0496, CB13-0533, CB13-0535, CB13-0536, CB13-0537, CB13-0551, CB13-0552, CB13-0553, and CB13-0556 be ordered published en bloc, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: Shepherd (1)

Abstain: (None) (0)

CB13-0556 A bill for an ordinance changing the zoning classification of 3345, 3403 and 3457 Brighton Boulevard. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

A motion offered by Council President Susman, duly seconded by Councilwoman Robb, that CB13-0448, CB13-0544, CB13-0545, CB13-0546, CB13-0547, CB13-0548, CB13-0462, CB13-0465, CB13-0496, CB13-0533, CB13-0535, CB13-0536, CB13-0537, CB13-0551, CB13-0552, CB13-0553, and CB13-0556 be ordered published en bloc, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: Shepherd (1)

Abstain: (None) (0)

Recap of Bills to be Called Out

Pre-Recess Announcement

Council President Susman announced that tonight there will be a combined one-hour public hearing on CB13-0521, CB13-0522, and CB13-0523, which propose amendments to the City Charter concerning the authority and functions of various departments to be referred to the voters in November. And, there will be a one-hour courtesy public hearing on CB13-0541, which proposes a special retail marijuana sales tax to be referred to the voters in November.

Tonight there will be a combined one-hour courtesy public hearing on CB13-0521, CB13-0522, and CB13-0523, which propose amendments to the City Charter concerning the authority and functions of various departments to be referred to the voters in November. And, there will be a one-hour courtesy public hearing on Council Bill 541 which proposes a special retail marijuana sales tax to be referred to the voters in November. Anyone wishing to speak on any of these matters must see the Council Secretary to receive a speaker card to fill out and return to her during the recess of Council.

Council has implemented a new procedure for deciding speaker order at courtesy public hearings to provide each person who signs up the same opportunity to be chosen to speak within the limited time period. After all of the speaker cards have been collected, speaker cards will be divided into two groups – those in favor and those opposed. Speaker cards will be randomly selected from each group and arranged in the order drawn. Speakers will be heard alternating back and forth between a speaker in favor and a speaker opposed until the one-hour time limit for the hearing has expired.

Recess

Council took a recess.

Council Reconvenes and Resumes its Regular Session

Public Hearings - Bills for Final Consideration

Government & Finance

CB13-0521 A bill for an ordinance submitting to a vote of the qualified and registered electors of the City and County of Denver at a special municipal election to be held in conjunction with the state odd-year election of November 5, 2013, a proposed amendment to the Charter of the City and County of Denver concerning the authority and functions of the various departments in the executive branch as set forth in Article II of the Charter. (GOVERNMENT & FINANCE)

A motion offered by Councilwoman Robb, duly seconded by Councilman Herndon, that CB13-0521 be placed upon final consideration and do pass, carried by the following vote:

Passed
For: Brooks, Brown, Herndon, Kniech, Lehmann, Lopez, Montero, Nevitt, Ortega, Robb, Susman (11)
Against: Faatz (1)
Absent: Shepherd (1)
Abstain: (None) (0)

Council sat as a Committee of the Whole commencing at 6:18 PM, Council President Susman presiding, to hear speakers either for or against CB13-0521, CB13-0522, or CB13-0523. Al La Cabe, Steven Hutt, and Seku signed up to speak in favor of the bills. No speakers signed up to speak in opposition to the bills. Skye Stuart of the Mayor's Office and Debra Johnson of the Clerk and Recorder's Office delivered the Staff Report with an overview.

CB13-0523 A bill for an ordinance submitting to a vote of the qualified and registered electors of the City and County of Denver at a special municipal election to be held in conjunction with the state odd-year election of November 5, 2013, a proposed amendment to the Charter of the City and County of Denver concerning election procedures. (GOVERNMENT & FINANCE)

A motion offered by Councilwoman Robb, duly seconded by Councilman Herndon, that CB13-0523 be placed upon final consideration and do pass, carried by the following vote:

Passed
For: Brooks, Brown, Faatz, Herndon, Kniech, Lehmann, Lopez, Montero, Nevitt, Ortega, Robb, Susman (12)
Against: (None) (0)
Absent: Shepherd (1)
Abstain: (None) (0)

Health, Safety, Education & Services

CB13-0522 A bill for an ordinance submitting to a vote of the qualified and registered electors of the City and County of Denver at a special municipal election to be held in conjunction with the state odd-year election of November 5, 2013, a proposed amendment to the Charter of the City and County of Denver concerning management of the safety departments of the City. (HEALTH, SAFETY, EDUCATION & SERVICES)

A motion offered by Councilwoman Robb, duly seconded by Councilman Herndon, that CB13-0522 be placed upon final consideration and do pass, carried by the

following vote:

Passed

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

Against: (None) (0)

Absent: Shepherd (1)

Abstain: (None) (0)

Special Issues: Amendment 64

CB13-0541 AS AMENDED a bill for an ordinance establishing a special retail marijuana sales tax, subject to the approval of the voters at a special municipal election to be held in conjunction with the state odd-year election on November 5, 2013. (SPECIAL ISSUES: AMENDMENT 64)

A motion offered by Councilwoman Robb, duly seconded by Councilman Herndon, that CB13-0541 be placed upon final consideration and do pass, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: Shepherd (1)

Abstain: (None) (0)

Council sat as a Committee of the Whole commencing at 6:36 PM, Council President Susman presiding, to hear speakers either for or against CB13-0541. No speakers signed up to speak in favor of the bill. Thad Tecza and Seku signed up to speak in opposition to the bill. Council President Susman delivered the Staff Report with an overview.

Bills for Final Consideration

Government & Finance

CB13-0488 A bill for an ordinance making an appropriation and cash transfer from the Environmental Services Enterprise Fund (ESEF); establishing a "Composting Fund" in the General Government Special Revenue Fund and the means for authorizing expenditures from such fund; and authorizing the purchase of capital equipment items from said fund. (GOVERNMENT & FINANCE)

A motion offered by Councilwoman Robb, duly seconded by Councilman Herndon, that CB13-0488 be placed upon final consideration and do pass, carried by the following vote:

Passed

For: Brooks, Brown, Faatz, Herndon, Kniech, Lehmann, Montero, Nevitt, Ortega, Robb, Susman (11)

Against: Lopez (1)

Absent: Shepherd (1)

Abstain: (None) (0)

CB13-0525 A bill for an ordinance codifying in the Denver Revised Municipal Code certain provisions of law related to election procedures, subject to approval of a referred charter amendment at the November 5, 2013 special municipal election removing these same provisions from the Charter. (GOVERNMENT & FINANCE)

A motion offered by Councilwoman Robb, duly seconded by Councilwoman Lehmann, that CB13-0525, CB13-0529, CB13-0440, CB13-0528, CB13-0530, CB13-0531, CB13-0534, and CB13-0538 be placed upon final consideration and do pass, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: Shepherd (1)

Abstain: (None) (0)

CB13-0529 A bill for an ordinance approving the purchase by the City and County of Denver and DIA of property and liability insurance policies through Marsh USA, Inc., AON Risk Insurance Services West, Inc. and Willis of Minnesota, Inc. in an amount not to exceed \$4,581,682 for the period of September 1, 2013 through September 1, 2014. (GOVERNMENT & FINANCE)

A motion offered by Councilwoman Robb, duly seconded by Councilwoman Lehmann, that CB13-0525, CB13-0529, CB13-0440, CB13-0528, CB13-0530, CB13-0531, CB13-0534, and CB13-0538 be placed upon final consideration and do pass, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: Shepherd (1)

Abstain: (None) (0)

Health, Safety, Education & Services

CB13-0440 A bill for an Ordinance approving an Amendatory Agreement with Terracon Consultants, Inc. to extend the term and increase the maximum contract amount. (HEALTH, SAFETY, EDUCATION & SERVICES)

A motion offered by Councilwoman Robb, duly seconded by Councilwoman Lehmann, that CB13-0525, CB13-0529, CB13-0440, CB13-0528, CB13-0530, CB13-0531, CB13-0534, and CB13-0538 be placed upon final consideration and do pass, carried by the following vote:

Passed
For: Brooks, Brown, Faatz, Herndon, Kniech, Lehmann, Lopez, Montero, Nevitt, Ortega, Robb, Susman (12)
Against: (None) (0)
Absent: Shepherd (1)
Abstain: (None) (0)

CB13-0528 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 State of Colorado concerning the "Community Services Block Grant (CSBG) FY13-14" program and the funding therefor. (HEALTH, SAFETY, EDUCATION & SERVICES)

A motion offered by Councilwoman Robb, duly seconded by Councilwoman Lehmann, that CB13-0525, CB13-0529, CB13-0440, CB13-0528, CB13-0530, CB13-0531, CB13-0534, and CB13-0538 be placed upon final consideration and do pass, carried by the following vote:

Passed
For: Brooks, Brown, Faatz, Herndon, Kniech, Lehmann, Lopez, Montero, Nevitt, Ortega, Robb, Susman (12)
Against: (None) (0)
Absent: Shepherd (1)
Abstain: (None) (0)

CB13-0530 A bill for an ordinance approving an Agreement between the City and County of Denver and the Community College of Aurora Foundation to donate a driving simulator. (HEALTH, SAFETY, EDUCATION & SERVICES)

A motion offered by Councilwoman Robb, duly seconded by Councilwoman Lehmann, that CB13-0525, CB13-0529, CB13-0440, CB13-0528, CB13-0530, CB13-0531, CB13-0534, and CB13-0538 be placed upon final consideration and do pass, carried by the following vote:

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

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

CB13-0531 A bill for an ordinance approving the Sixth Amendatory Agreement between the City and County of Denver and Keefe Commissary Network, L.L.C. (HEALTH, SAFETY, EDUCATION & SERVICES)

A motion offered by Councilwoman Robb, duly seconded by Councilwoman Lehmann, that CB13-0525, CB13-0529, CB13-0440, CB13-0528, CB13-0530, CB13-0531, CB13-0534, and CB13-0538 be placed upon final consideration and do pass, carried by the following vote:

Passed

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

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

Land Use, Transportation & Infrastructure

CB13-0534 A bill for an ordinance vacating a portion of the alley in the block bounded by West 19th Avenue, West 18th Avenue, North Grove Street and North Hooker Street, located in Block 11 of Kittredge's Resubdivision in Cheltenham Heights near 3120 West 19th Avenue, with reservations. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

A motion offered by Councilwoman Robb, duly seconded by Councilwoman Lehmann, that CB13-0525, CB13-0529, CB13-0440, CB13-0528, CB13-0530, CB13-0531, CB13-0534, and CB13-0538 be placed upon final consideration and do pass, carried by the following vote:

Passed

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

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

CB13-0538 A bill for an ordinance relinquishing the easement established in Ordinance No. 578, Series of 2012 at 1440 West 33rd Avenue. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

A motion offered by Councilwoman Robb, duly seconded by Councilwoman Lehmann, that CB13-0525, CB13-0529, CB13-0440, CB13-0528, CB13-0530, CB13-0531, CB13-0534, and CB13-0538 be placed upon final consideration and do

pass, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: Shepherd (1)

Abstain: (None) (0)

Announcement

Council President Susman announced that there will be a required public hearing on CB13-0556, changing the zoning classification of 3345, 3403 and 3457 Brighton Boulevard on Monday, September 23, 2013. Any protests against CB13-0556 must be filed with the Council Offices no later than Monday, September 16, 2013.

Dependent upon publication there will be a required public hearing on CB13-0556, changing the zoning classification of 3345, 3403 and 3457 Brighton Boulevard on Monday, September 23, 2013. Any protests against CB13-0556 must be filed with the Council Offices no later than Monday, September 16, 2013.

Adjourn

There being no further business before the City Council, Council President Susman adjourned the meeting at 6:54 PM.

Pending

For 09-16-13

CB13-0527 A bill for an ordinance changing the zoning classification for 4735 Florence Street.

Required Public Hearing

Final Consideration (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

For 09-16-13

CB13-0540 A bill for an ordinance changing the zoning classification for 3057 West Kentucky Avenue.

Required Public Hearing

Final Consideration (LAND USE, TRANSPORTATION & INFRASTRUCTURE)