

City Council Minutes

Meeting Date: Monday, June 16, 2014 5:30 PM

Pledge of Allegiance

Councilman Brooks led the Pledge of Allegiance.

Roll Call

Present: Brooks, Brown, Faatz, Herndon, Kniech, Lehmann, López, Montero, Nevitt, Ortega, Robb, Shepherd, Susman (13)

Absent: None (0)

Councilwoman Ortega arrived late.

Approval of the Minutes

The minutes of meeting date, Monday, June 9, 2014, were distributed to Council. Council President Susman ordered the minutes approved.

Council Announcements

Councilmembers Herndon, Lehmann, Montero, López, Kniech, Shepherd, and Brooks offered announcements.

Presentations

Communications

Proclamations

Resolutions

The Council Secretary read the following resolutions by titles.

Land Use, Transportation & Infrastructure

CR14-0465 A resolution laying out, opening and establishing as part of the City street system a parcel of land as a public alley bounded by Corona Street, 14th Avenue, Downing Street and Colfax Avenue. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

A motion offered by Councilman Brooks, duly seconded by Councilman Herndon, that CR14-0465, CR14-0466, and CR14-0467 be adopted en bloc, carried by the following vote:

Passed

For: Brooks, Brown, Faatz, Herndon, Kniech, Lehmann, López, Montero, Nevitt, Ortega, Robb, Shepherd, Susman (13)

Against: (None) (0)

Absent: (None) (0)

Abstain: (None) (0)

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. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

A motion offered by Councilman Brooks, duly seconded by Councilman Herndon,

that CR14-0465, CR14-0466, and CR14-0467 be adopted en bloc, carried by the following vote:

Passed

For: Brooks, Brown, Faatz, Herndon, Kniech, Lehmann, López, Montero, Nevitt, Ortega, Robb, Shepherd, Susman (13)

Against: (None) (0)

Absent: (None) (0)

Abstain: (None) (0)

CR14-0467 A resolution granting a revocable permit to the Sisters of Charity of Leavenworth Health System, Inc. to encroach into the right-of-way at various locations around the Exempla Saint Joseph Heritage Campus from Emerson Street to Franklin Street and 18th Avenue to 21st Avenue. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

A motion offered by Councilman Brooks, duly seconded by Councilman Herndon, that CR14-0465, CR14-0466, and CR14-0467 be adopted en bloc, carried by the following vote:

Passed

For: Brooks, Brown, Faatz, Herndon, Kniech, Lehmann, López, Montero, Nevitt, Ortega, Robb, Shepherd, Susman (13)

Against: (None) (0)

Absent: (None) (0)

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

CB14-0464 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 Council President Susman, duly seconded by Councilman Brooks, that CB14-0464, CB14-0476, CB14-0396, CB14-0440, CB14-0461, CB14-0448, and CB14-0468 be ordered published en bloc, carried by the following vote:

Passed

For: Brooks, Brown, Faatz, Herndon, Kniech, Lehmann, López, Montero, Nevitt, Ortega, Robb, Shepherd, Susman (13)

Against: (None) (0)

Absent: (None) (0)

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 Council President Susman, duly seconded by Councilman Brooks, that CB14-0464, CB14-0476, CB14-0396, CB14-0440, CB14-0461, CB14-0448, and CB14-0468 be ordered published en bloc, carried by the following vote:

Passed

For: Brooks, Brown, Faatz, Herndon, Kniech, Lehmann, López, Montero, Nevitt,

Ortega, Robb, Shepherd, Susman (13)
Against: (None) (0)
Absent: (None) (0)
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 Council President Susman, duly seconded by Councilman Brooks, that CB14-0464, CB14-0476, CB14-0396, CB14-0440, CB14-0461, CB14-0448, and CB14-0468 be ordered published en bloc, carried by the following vote:

Passed

For: Brooks, Brown, Faatz, Herndon, Kniech, Lehmann, López, Montero, Nevitt, Ortega, Robb, Shepherd, Susman (13)
Against: (None) (0)
Absent: (None) (0)
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 Council President Susman, duly seconded by Councilman Brooks, that CB14-0464, CB14-0476, CB14-0396, CB14-0440, CB14-0461, CB14-0448, and CB14-0468 be ordered published en bloc, carried by the following vote:

Passed

For: Brooks, Brown, Faatz, Herndon, Kniech, Lehmann, López, Montero, Nevitt, Ortega, Robb, Shepherd, Susman (13)
Against: (None) (0)
Absent: (None) (0)
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 Council President Susman, duly seconded by Councilman Brooks, that CB14-0464, CB14-0476, CB14-0396, CB14-0440, CB14-0461, CB14-0448, and CB14-0468 be ordered published en bloc, carried by the following vote:

Passed

For: Brooks, Brown, Faatz, Herndon, Kniech, Lehmann, López, Montero, Nevitt, Ortega, Robb, Shepherd, Susman (13)
Against: (None) (0)
Absent: (None) (0)
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 Council President Susman, duly seconded by Councilman Brooks, that CB14-0464, CB14-0476, CB14-0396, CB14-0440, CB14-0461, CB14-

0448, and CB14-0468 be ordered published en bloc, carried by the following vote:

Passed

For: Brooks, Brown, Faatz, Herndon, Kniech, Lehmann, López, Montero, Nevitt, Ortega, Robb, Shepherd, Susman (13)

Against: (None) (0)

Absent: (None) (0)

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 Council President Susman, duly seconded by Councilman Brooks, that CB14-0464, CB14-0476, CB14-0396, CB14-0440, CB14-0461, CB14-0448, and CB14-0468 be ordered published en bloc, carried by the following vote:

Passed

For: Brooks, Brown, Faatz, Herndon, Kniech, Lehmann, López, Montero, Nevitt, Ortega, Robb, Shepherd, Susman (13)

Against: (None) (0)

Absent: (None) (0)

Abstain: (None) (0)

Recap of Bills to be Called Out

Pre-Recess Announcement

Council President Susman announced that tonight there will be a required public hearing on CB14-0370, changing the zoning classification for 8175 Lowry Boulevard; a required public hearing on CB14-0371, changing the zoning classification for 5141 Chambers Road; and a required public hearing on CB14-0398, amending the Denver Zoning Code to allow fresh produce and cottage food sales as a home occupation.

Council President Susman also announced that it is Council's intent to open the public hearing on CB14-0398, regarding fresh produce and cottage food sales, and to hear all speakers who sign up this evening. However, due to late notice to the Registered Neighborhood Organizations of this public hearing, Council will continue the public hearing and postpone final consideration to Monday, July 14, 2014. Please note that speakers are allowed only one opportunity to speak during a public hearing. So, if you testify tonight, you will not have an opportunity to testify a second time on July 14, 2014. After the required notice of the July 14, 2014 hearing to the Registered Neighborhood Organizations, any additional individuals will have the opportunity to testify at the continued public hearing. After that testimony on July 14, 2014, Council will close the public hearing and vote on the bill.

Recess

Council took a recess.

Council Reconvenes and Resumes its Regular Session

Public Hearings - Bills for Final Consideration

Land Use, Transportation & Infrastructure

CB14-0370 A bill for an ordinance changing the zoning classification for 8175 Lowry Boulevard. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

A motion offered by Councilman Brooks, duly seconded by Councilman Herndon, that CB14-0370 be placed upon final consideration and do pass, carried by the following vote:

Passed

For: Brooks, Brown, Faatz, Herndon, Kniech, Lehmann, López, Montero, Nevitt, Ortega, Robb, Shepherd, Susman (13)

Against: (None) (0)

Absent: (None) (0)

Abstain: (None) (0)

Council sat as a Committee of the Whole commencing at 6:30 PM, Council President Susman presiding, to hear speakers on CB14-0370. Bob Gollick and Jonathan Griffis signed up to speak in favor of the bill. No speakers signed up to speak in opposition of the bill. Steve Nalley of Community, Planning and Development offered the Staff Report.

CB14-0371 A bill for an ordinance changing the zoning classification for 5141 Chambers Road. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

A motion offered by Councilman Brooks, duly seconded by Councilman Herndon, that CB14-0371 be placed upon final consideration and do pass, carried by the following vote:

Passed

For: Brooks, Brown, Faatz, Herndon, Kniech, Lehmann, López, Montero, Nevitt, Ortega, Robb, Shepherd, Susman (13)

Against: (None) (0)

Absent: (None) (0)

Abstain: (None) (0)

Council sat as a Committee of the Whole commencing at 6:40 PM, Council President Susman presiding, to hear speakers on CB14-0371. No speakers signed up to speak either in favor or nor in opposition of the bill. Steve Nalley of Community Planning and Development offered the Staff Report.

CB14-0398 A bill for an ordinance amending the Denver Zoning Code to allow fresh produce and cottage food sales as a home occupation. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

A motion offered by Councilman Brooks, duly seconded by Councilman López, that CB14-0398 be placed upon final consideration and do pass, was followed by a motion offered by Councilwoman Kniech, duly seconded by Councilwoman Montero, that CB14-0398 be amended in the following particulars: On Page 2, Line 1, strike Section 5 in its entirety and insert a new Section 5 to read as follows: Section 5. The above changes to the Denver Zoning Code are reflected more fully in a document filed with the Denver City Clerk on June 13, 2014, at City Clerk Filing No. 14-0502, which motion to amend, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: Herndon (1)

Abstain: (None) (0)

A motion offered by Councilwoman Kniech, duly seconded by Councilwoman Shepherd, that the public hearing on CB14-0398 as amended be continued and final consideration postponed to Monday, July 14, 2014, which motion carried by the following vote:

Passed

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

Against: (None) (0)

Absent: Herndon (1)

Abstain: (None) (0)

Council sat as a Committee of the Whole commencing at 6:47 PM, Council President Susman presiding, to hear speakers on CB14-0398. Shannon Spurlock, Dana Miller, Saffron Bennett-Spurlock, Molly Hanson, Candice Orlando, Debra Neelen, Blake Angelo, Mya Bea, Celine Derenoncourt, Noelle Melchizedek, Jaclyn Cheves, Sundari Elizabeth Kraft, and Jill Locantore signed up to speak in favor of the bill. No speakers signed up to speak in opposition to the bill. Councilwoman Kniech and Sarah Showalter of Community Planning and Development delivered the Staff Report.

Bills for Final Consideration

Business, Workforce & Sustainability

CB14-0451 A bill for an ordinance approving a proposed Agreement between the City and County of Denver, and the Colorado Air National Guard concerning usage of ground space while deployed at Denver International Airport during the Spring and Summer of 2014. (BUSINESS, WORKFORCE & SUSTAINABILITY)

A motion offered by Councilman Brooks, duly seconded by Councilman Herndon, that CB14-0451, CB14-0399, CB14-0453, CB14-0454, CB14-0455, CB14-0284, CB14-0445, CB14-0446, CB14-0447, CB14-0450, CB14-0457, and CB14-0458 be placed upon final consideration and do pass en bloc, carried by the following vote:

Passed

For: Brooks, Brown, Faatz, Herndon, Kniech, Lehmann, López, Montero, Nevitt, Ortega, Robb, Shepherd, Susman (13)

Against: (None) (0)

Absent: (None) (0)

Abstain: (None) (0)

Government & Finance

CB14-0399 A bill for an ordinance approving the sale of 750 square feet of vacant City-owned land at approximately 3923 Alcott Street to Depot Street Company II, LLC for \$5,000. (GOVERNMENT & FINANCE)

A motion offered by Councilman Brooks, duly seconded by Councilman Herndon, that CB14-0451, CB14-0399, CB14-0453, CB14-0454, CB14-0455, CB14-0284, CB14-0445, CB14-0446, CB14-0447, CB14-0450, CB14-0457, and CB14-0458 be placed upon final consideration and do pass en bloc, carried by the following vote:

Passed

For: Brooks, Brown, Faatz, Herndon, Kniech, Lehmann, López, Montero, Nevitt, Ortega, Robb, Shepherd, Susman (13)

Against: (None) (0)

Absent: (None) (0)

Abstain: (None) (0)

CB14-0453 A bill for an ordinance making an appropriation to the Denver Preschool Program Special Revenue Fund and the means for authorizing expenditures from such fund. (GOVERNMENT & FINANCE)

A motion offered by Councilman Brooks, duly seconded by Councilman Herndon, that CB14-0451, CB14-0399, CB14-0453, CB14-0454, CB14-0455, CB14-0284, CB14-0445, CB14-0446, CB14-0447, CB14-0450, CB14-0457, and CB14-0458 be placed upon final consideration and do pass en bloc, carried by the following vote:

Passed

For: Brooks, Brown, Faatz, Herndon, Kniech, Lehmann, López, Montero, Nevitt, Ortega, Robb, Shepherd, Susman (13)

Against: (None) (0)

Absent: (None) (0)

Abstain: (None) (0)

CB14-0454 A bill for an ordinance amending the classification and pay plan for employees in the Career Service and for certain employees not in the Career Service. (GOVERNMENT & FINANCE)

A motion offered by Councilman Brooks, duly seconded by Councilman Herndon, that CB14-0451, CB14-0399, CB14-0453, CB14-0454, CB14-0455, CB14-0284, CB14-0445, CB14-0446, CB14-0447, CB14-0450, CB14-0457, and CB14-0458 be placed upon final consideration and do pass en bloc, carried by the following vote:

Passed

For: Brooks, Brown, Faatz, Herndon, Kniech, Lehmann, López, Montero, Nevitt, Ortega, Robb, Shepherd, Susman (13)

Against: (None) (0)

Absent: (None) (0)

Abstain: (None) (0)

CB14-0455 A bill for an ordinance amending the classification and pay plan for employees in the Career Service and for certain employees not in the Career Service. (GOVERNMENT & FINANCE)

A motion offered by Councilman Brooks, duly seconded by Councilman Herndon, that CB14-0451, CB14-0399, CB14-0453, CB14-0454, CB14-0455, CB14-0284, CB14-0445, CB14-0446, CB14-0447, CB14-0450, CB14-0457, and CB14-0458 be placed upon final consideration and do pass en bloc, carried by the following vote:

Passed

For: Brooks, Brown, Faatz, Herndon, Kniech, Lehmann, López, Montero, Nevitt, Ortega, Robb, Shepherd, Susman (13)

Against: (None) (0)

Absent: (None) (0)

Abstain: (None) (0)

Health, Safety, Education & Services

CB14-0284 A bill for an ordinance approving a proposed Agreement between the City and County of Denver and Parker Personal Care Homes, Inc., to provide child placement agency services. (HEALTH, SAFETY, EDUCATION & SERVICES)

A motion offered by Councilman Brooks, duly seconded by Councilman Herndon, that CB14-0451, CB14-0399, CB14-0453, CB14-0454, CB14-0455, CB14-0284, CB14-0445, CB14-0446, CB14-0447, CB14-0450, CB14-0457, and CB14-0458 be placed upon final consideration and do pass en bloc, carried by the following vote:

Passed

For: Brooks, Brown, Faatz, Herndon, Kniech, Lehmann, López, Montero, Nevitt, Ortega, Robb, Shepherd, Susman (13)

Against: (None) (0)

Absent: (None) (0)

Abstain: (None) (0)

CB14-0445 A bill for an ordinance approving a proposed Agreement between the City and County of Denver and Catholic Charities and Community Services of the Archdiocese of Denver, to provide direct Head Start services through June 30, 2015. (HEALTH, SAFETY, EDUCATION & SERVICES)

A motion offered by Councilman Brooks, duly seconded by Councilman Herndon, that CB14-0451, CB14-0399, CB14-0453, CB14-0454, CB14-0455, CB14-0284, CB14-0445, CB14-0446, CB14-0447, CB14-0450, CB14-0457, and CB14-0458 be placed upon final consideration and do pass en bloc, carried by the following vote:

Passed

For: Brooks, Brown, Faatz, Herndon, Kniech, Lehmann, López, Montero, Nevitt, Ortega, Robb, Shepherd, Susman (13)

Against: (None) (0)

Absent: (None) (0)

Abstain: (None) (0)

CB14-0446 A bill for an ordinance approving a proposed Agreement between the City and County of Denver and Clayton Early Learning, Trustee, George W. Clayton Trust, to provide direct Head Start services through June 30, 2015. (HEALTH, SAFETY, EDUCATION & SERVICES)

A motion offered by Councilman Brooks, duly seconded by Councilman Herndon, that CB14-0451, CB14-0399, CB14-0453, CB14-0454, CB14-0455, CB14-0284, CB14-0445, CB14-0446, CB14-0447, CB14-0450, CB14-0457, and CB14-0458 be placed upon final consideration and do pass en bloc, carried by the following vote:

Passed
For: Brooks, Brown, Faatz, Herndon, Kniech, Lehmann, López, Montero, Nevitt, Ortega, Robb, Shepherd, Susman (13)
Against: (None) (0)
Absent: (None) (0)
Abstain: (None) (0)

CB14-0447 A bill for an ordinance approving a proposed Agreement between the City and County of Denver and Mile High Montessori Early Learning Centers to provide direct Head Start services through June 30, 2015. (HEALTH, SAFETY, EDUCATION & SERVICES)

A motion offered by Councilman Brooks, duly seconded by Councilman Herndon, that CB14-0451, CB14-0399, CB14-0453, CB14-0454, CB14-0455, CB14-0284, CB14-0445, CB14-0446, CB14-0447, CB14-0450, CB14-0457, and CB14-0458 be placed upon final consideration and do pass en bloc, carried by the following vote:

Passed
For: Brooks, Brown, Faatz, Herndon, Kniech, Lehmann, López, Montero, Nevitt, Ortega, Robb, Shepherd, Susman (13)
Against: (None) (0)
Absent: (None) (0)
Abstain: (None) (0)

CB14-0450 A bill for an ordinance authorizing expenditures in the General Government Special Revenue Fund based on a letter of intent from United States of America to award funding for the "Head Start Grant FY 2014-15" program. (HEALTH, SAFETY, EDUCATION & SERVICES)

A motion offered by Councilman Brooks, duly seconded by Councilman Herndon, that CB14-0451, CB14-0399, CB14-0453, CB14-0454, CB14-0455, CB14-0284, CB14-0445, CB14-0446, CB14-0447, CB14-0450, CB14-0457, and CB14-0458 be placed upon final consideration and do pass en bloc, carried by the following vote:

Passed
For: Brooks, Brown, Faatz, Herndon, Kniech, Lehmann, López, Montero, Nevitt, Ortega, Robb, Shepherd, Susman (13)
Against: (None) (0)
Absent: (None) (0)
Abstain: (None) (0)

CB14-0457 A bill for an ordinance approving a proposed Agreement between the City and County of Denver and Signal Behavioral Health Network to provide substance abuse treatment services. (HEALTH, SAFETY, EDUCATION & SERVICES)

A motion offered by Councilman Brooks, duly seconded by Councilman Herndon, that CB14-0451, CB14-0399, CB14-0453, CB14-0454, CB14-0455, CB14-0284, CB14-0445, CB14-0446, CB14-0447, CB14-0450, CB14-0457, and CB14-0458 be placed upon final consideration and do pass en bloc, carried by the following vote:

Passed
For: Brooks, Brown, Faatz, Herndon, Kniech, Lehmann, López, Montero, Nevitt, Ortega, Robb, Shepherd, Susman (13)
Against: (None) (0)
Absent: (None) (0)
Abstain: (None) (0)

Land Use, Transportation & Infrastructure

CB14-0458 A bill for an ordinance approving a proposed Purchase Order between the City and County of Denver and Trans-West Truck, Inc., for three Freightliners for Street Maintenance. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

A motion offered by Councilman Brooks, duly seconded by Councilman Herndon, that CB14-0451, CB14-0399, CB14-0453, CB14-0454, CB14-0455, CB14-0284, CB14-0445, CB14-0446, CB14-0447, CB14-0450, CB14-0457, and CB14-0458 be placed upon final consideration and do pass en bloc, carried by the following vote:

Passed
For: Brooks, Brown, Faatz, Herndon, Kniech, Lehmann, López, Montero, Nevitt, Ortega, Robb, Shepherd, Susman (13)
Against: (None) (0)
Absent: (None) (0)
Abstain: (None) (0)

Adjourn

There being no further business before the City Council, Council President Susman adjourned the meeting at 7:49 PM.

President

Attested by me with the Corporate Seal
of the City and County of Denver

Clerk and Recorder, Ex-Officio Clerk
of the City and County of Denver