

City Council Minutes

Meeting Date: Monday, August 25, 2014 5:30 PM

Pledge of Allegiance

Councilwoman Lehmann 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)

Approval of the Minutes

The minutes of meeting date, Monday, August 18, 2014, were distributed to Council. Council President Herndon ordered the minutes approved.

Council Announcements

Councilmembers Susman, Shepherd, Brooks, and Herndon offered announcements.

Presentations

Communications

Proclamations

CP14-0682 A proclamation recognizing and celebrating Denver Sister Cities International's Worldwide Festival on September 7, 2014.

Sponsored by Councilmembers Brooks, Montero, Brown, Lehmann, Robb, and Susman.

A motion offered by Councilman Brooks, duly seconded by Councilwoman Shepherd, that CP14-0682 be adopted, 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)

Resolutions

The Council Secretary read the following resolutions by titles.

Infrastructure & Culture

CR14-0631 A resolution accepting and approving the plat of Boulevard One Filing No. 1. (INFRASTRUCTURE & CULTURE)

A motion offered by Councilwoman Lehmann, duly seconded by Councilwoman Shepherd, that CR14-0631, CR14-0637, and CR14-0640 be adopted en bloc, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: Kniech (1)

Abstain: (None) (0)

CR14-0637 A resolution granting a revocable permit to Denver Housing Authority, to encroach into the right-of-way at West 10th Avenue between Mariposa Street and Navajo Street. (INFRASTRUCTURE & CULTURE)

A motion offered by Councilwoman Lehmann, duly seconded by Councilwoman Shepherd, that CR14-0631, CR14-0637, and CR14-0640 be adopted en bloc, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: Kniech (1)

Abstain: (None) (0)

CR14-0640 A resolution granting a revocable permit to Denver Bike Sharing to encroach into the right-of-way at 3200 Pecos Street. (INFRASTRUCTURE & CULTURE)

A motion offered by Councilwoman Lehmann, duly seconded by Councilwoman Shepherd, that CR14-0631, CR14-0637, and CR14-0640 be adopted en bloc, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: Kniech (1)

Abstain: (None) (0)

Bills for Introduction-Held or Postponed

Business Development

CB14-0596 A bill for an ordinance approving an Agreement between Revision International and the City and County of Denver to utilize funds for acquisition of the property at 3738 Morrison Road with the intention of developing a neighborhood food hub. (BUSINESS DEVELOPMENT)

A motion offered by Council President Herndon, duly seconded by Councilwoman Lehmann, that CB14-0596, CB14-0629, CB14-0638, CB14-0639, CB14-0650, CB14-0606, CB14-0633, CB14-0636, CB14-0645, CB14-0646, CB14-0513, and CB14-0550 be ordered published en bloc, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: Kniech (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.

Finance & Services

CB14-0620 A bill for an ordinance establishing a "Revolving Affordable Housing Loan" fund in the Community Development Special Revenue Fund and the means for authorizing expenditures from such fund. (FINANCE & SERVICES)

A motion offered by Councilwoman Lehmann, duly seconded by Councilman López, that CB14-0620 be ordered published, carried by the following vote:

Passed

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

Against: Faatz (1)

Absent: (None) (0)

Abstain: (None) (0)

CB14-0629 A bill for an ordinance approving an agreement with DP Assets, LLC for the sale of 695 Water Street for \$1.53 million dollars. (FINANCE & SERVICES)

A motion offered by Council President Herndon, duly seconded by Councilwoman Lehmann, that CB14-0596, CB14-0629, CB14-0638, CB14-0639, CB14-0650, CB14-0606, CB14-0633, CB14-0636, CB14-0645, CB14-0646, CB14-0513, and CB14-0550 be ordered published en bloc, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: Kniech (1)

Abstain: (None) (0)

Infrastructure & Culture

CB14-0638 A bill for an ordinance vacating the eastern portion of an alley located between Corona Street, Downing Street, 14th Avenue and Colfax Avenue, with reservations. (INFRASTRUCTURE & CULTURE)

A motion offered by Council President Herndon, duly seconded by Councilwoman Lehmann, that CB14-0596, CB14-0629, CB14-0638, CB14-0639, CB14-0650, CB14-0606, CB14-0633, CB14-0636, CB14-0645, CB14-0646, CB14-0513, and CB14-0550 be ordered published en bloc, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: Kniech (1)

Abstain: (None) (0)

CB14-0639 A bill for an ordinance approving a Revival and Fourth Amendatory Contract between the City and County of Denver and Jacobs Investments, LLC, d/b/a Colorado Boring Co., to extend the term of the Contract for an additional year and increase the maximum contract amount. (INFRASTRUCTURE & CULTURE)

A motion offered by Council President Herndon, duly seconded by Councilwoman Lehmann, that CB14-0596, CB14-0629, CB14-0638, CB14-0639, CB14-0650, CB14-0606, CB14-0633, CB14-0636, CB14-0645, CB14-0646, CB14-0513, and CB14-0550 be ordered published en bloc, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: Kniech (1)

Abstain: (None) (0)

CB14-0650 A bill for an ordinance approving a proposed Amendment to Agreement between the City and County of Denver and Urban Drainage and Flood Control District regarding final design, right-of-way acquisition and construction of drainage and flood control improvements along Lakewood Gulch, Wolff Street to Sheridan Boulevard. (INFRASTRUCTURE & CULTURE)

A motion offered by Council President Herndon, duly seconded by Councilwoman Lehmann, that CB14-0596, CB14-0629, CB14-0638, CB14-0639, CB14-0650, CB14-0606, CB14-0633, CB14-0636, CB14-0645, CB14-0646, CB14-0513, and CB14-0550 be ordered published en bloc, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: Kniech (1)

Abstain: (None) (0)

Technology & Governance

CB14-0606 A bill for an ordinance approving a proposed Purchase Order between the City and County of Denver and Insight Public Sector, Inc., for Oracle database maintenance and support. (TECHNOLOGY & GOVERNANCE)

A motion offered by Council President Herndon, duly seconded by Councilwoman Lehmann, that CB14-0596, CB14-0629, CB14-0638, CB14-0639, CB14-0650, CB14-0606, CB14-0633, CB14-0636, CB14-0645, CB14-0646, CB14-0513, and CB14-0550 be ordered published en bloc, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: Kniech (1)

Abstain: (None) (0)

CB14-0633 A bill for an ordinance approving a proposed Third Amendatory Agreement between the City and County of Denver and Versaterm, Inc., to extend the contract and add additional funds to provide maintenance and support to the Records Management System. (TECHNOLOGY & GOVERNANCE)

A motion offered by Council President Herndon, duly seconded by Councilwoman Lehmann, that CB14-0596, CB14-0629, CB14-0638, CB14-0639, CB14-0650, CB14-0606, CB14-0633, CB14-0636, CB14-0645, CB14-0646, CB14-0513, and CB14-0550 be ordered published en bloc, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: Kniech (1)

Abstain: (None) (0)

CB14-0636 A bill for an ordinance authorizing the purchase of capital equipment from the Technology Services Capital Projects Fund. (TECHNOLOGY & GOVERNANCE)

A motion offered by Council President Herndon, duly seconded by Councilwoman Lehmann, that CB14-0596, CB14-0629, CB14-0638, CB14-0639, CB14-0650, CB14-0606, CB14-0633, CB14-0636, CB14-0645, CB14-0646, CB14-0513, and CB14-0550 be ordered published en bloc, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: Kniech (1)

Abstain: (None) (0)

CB14-0645 A bill for an Ordinance approving a proposed purchase by the City and County of Denver ("City") of insurance coverage from: Kaiser Foundation Health Plan of Colorado; UnitedHealthCare Insurance Company; Denver Health Medical Plan, Inc.; Delta Dental of Colorado; Standard Insurance Company of Colorado, Inc.; Vision Service Plan Insurance Company. (TECHNOLOGY & GOVERNANCE)

A motion offered by Council President Herndon, duly seconded by Councilwoman Lehmann, that CB14-0596, CB14-0629, CB14-0638, CB14-0639, CB14-0650, CB14-0606, CB14-0633, CB14-0636, CB14-0645, CB14-0646, CB14-0513, and CB14-0550 be ordered published en bloc, carried by the following vote:

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

CB14-0646 A bill for an ordinance amending Sections 18-171, 18-172, 18-173, 18-174, 18-175, and 18-176 of Chapter 18, of the Revised Municipal Code, changing the City's participation in medical insurance plans and contributions to implement the Patient Protection and Affordable Care Act. (TECHNOLOGY & GOVERNANCE)

A motion offered by Council President Herndon, duly seconded by Councilwoman Lehmann, that CB14-0596, CB14-0629, CB14-0638, CB14-0639, CB14-0650, CB14-0606, CB14-0633, CB14-0636, CB14-0645, CB14-0646, CB14-0513, and CB14-0550 be ordered published en bloc, carried by the following vote:

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

Government & Finance

CB14-0513 A bill for an ordinance approving a proposed Third Amendatory Agreement between the City and County of Denver and Qwest Communications Company, LLC d/b/a CenturyLink QCC, to extend the term and increase the maximum contract amount. (GOVERNMENT & FINANCE)

A motion offered by Council President Herndon, duly seconded by Councilwoman Lehmann, that CB14-0596, CB14-0629, CB14-0638, CB14-0639, CB14-0650, CB14-0606, CB14-0633, CB14-0636, CB14-0645, CB14-0646, CB14-0513, and CB14-0550 be ordered published en bloc, carried by the following vote:

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

Health, Safety, Education & Services

CB14-0550 A bill for an ordinance approving an agreement between the City and County of Denver and Community Education Centers, Inc. for residential and non-residential community corrections services. (HEALTH, SAFETY, EDUCATION & SERVICES)

A motion offered by Council President Herndon, duly seconded by Councilwoman Lehmann, that CB14-0596, CB14-0629, CB14-0638, CB14-0639, CB14-0650, CB14-0606, CB14-0633, CB14-0636, CB14-0645, CB14-0646, CB14-0513, and CB14-0550 be ordered published en bloc, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: Kniech (1)

Abstain: (None) (0)

Recap of Bills to be Called Out

Pre-Recess Announcement

Council President Herndon announced that tonight there will be a combined required public hearing on CB14-0522, changing the zoning classification for land located at the southeast corner of Monaco Parkway and East First Avenue at approximately 90 Monaco Parkway; on CB14-0523, changing the zoning classification for land located near the southwest corner of South Quebec Street and Archer Place at approximately 7000-7300 Archer Place; and on CB14-0524, changing the zoning classification for land located at approximately 6700-7398 and 6701-7399 Lowry Boulevard and 6701-7399 Archer Place.

Recess

Council took a recess.

Council Reconvenes and Resumes its Regular Session

Public Hearings - Bills for Final Consideration

Land Use, Transportation & Infrastructure

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. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

A motion offered by Councilwoman Lehmann, duly seconded by Councilwoman Montero, that CB14-0522 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, Shepherd, Susman (12)

Against: (None) (0)

Absent: López (1)

Abstain: (None) (0)

Council sat as a Committee of the Whole commencing at 7:14 PM, Council President Herndon presiding, to hear speakers on CB14-0522, CB14-0523, or CB14-0524. Bob Gollick, Monty Force, Kevin Yoshida, Brian Wert, and David Smith signed up to speak in favor of the bill. Greg Kerwin signed up to speak in opposition of the bill. Tina Axelrad of Community Planning and Development offered the Staff Reports.

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. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

A motion offered by Councilwoman Lehmann, duly seconded by Councilwoman Kniech, that CB14-0523 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, Shepherd, Susman (12)

Against: (None) (0)

Absent: López (1)

Abstain: (None) (0)

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. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

A motion offered by Councilwoman Lehmann, duly seconded by Councilwoman Shepherd, that CB14-0524 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, Shepherd, Susman (12)

Against: (None) (0)

Absent: López (1)

Abstain: (None) (0)

Bills for Final Consideration

Business Development

CB14-0598 A bill for an ordinance approving an Agreement between the City and County of Denver and Menalto L.L.C. for the acquisition of the property at 3727 Delgany to accommodate business relocation within the Brighton corridor. (BUSINESS DEVELOPMENT)

A motion offered by Councilwoman Lehmann, duly seconded by Councilwoman Kniech, that CB14-0598 be placed upon final consideration and do pass, carried by the following vote:

Passed

For: Brooks, Herndon, Lehmann, López, Nevitt, Ortega, Robb, Shepherd, Susman (9)

Against: Brown, Faatz (2)

Absent: (None) (0)

Abstain: Montero (1)

CB14-0608 A bill for an ordinance approving a proposed First Amendment to Agreement between the City and County of Denver and Concessions Colorado, LLC concerning a concession at Denver International Airport. (BUSINESS DEVELOPMENT)

A motion offered by Councilwoman Lehmann, duly seconded by Councilwoman Shepherd, that CB14-0608, CB14-0609, CB14-0618, CB14-0643, CB14-0644, and CB14-0600 be placed upon final consideration and do pass en bloc, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: Kniech (1)

Abstain: (None) (0)

CB14-0609 A bill for an ordinance approving a proposed Concession Space Agreement between the City and County of Denver and Paradies-Taste 5280, LLC concerning a concession at Denver International Airport. (BUSINESS DEVELOPMENT)

A motion offered by Councilwoman Lehmann, duly seconded by Councilwoman Shepherd, that CB14-0608, CB14-0609, CB14-0618, CB14-0643, CB14-0644, and CB14-0600 be placed upon final consideration and do pass en bloc, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: Kniech (1)

Abstain: (None) (0)

CB14-0618 A bill for an ordinance approving a proposed Amendment to the Airport Cargo Facilities Lease Agreement between the City and County of Denver and Air General, Inc. related to leased space at Denver International Airport. (BUSINESS DEVELOPMENT)

A motion offered by Councilwoman Lehmann, duly seconded by Councilwoman Shepherd, that CB14-0608, CB14-0609, CB14-0618, CB14-0643, CB14-0644, and CB14-0600 be placed upon final consideration and do pass en bloc, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: Kniech (1)

Abstain: (None) (0)

CB14-0643 A bill for an ordinance approving a proposed Airport Joint Use Agreement between the City and County of Denver, and the United States of America concerning usage of ground space at Denver International Airport. (BUSINESS DEVELOPMENT)

A motion offered by Councilwoman Lehmann, duly seconded by Councilwoman Shepherd, that CB14-0608, CB14-0609, CB14-0618, CB14-0643, CB14-0644, and CB14-0600 be placed upon final consideration and do pass en bloc, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: Kniech (1)

Abstain: (None) (0)

Safety & Well-being

CB14-0625 A bill for an ordinance to amend Article IV of Chapter 27 (Housing) of the Revised Municipal Code relating to affordable housing. (SAFETY & WELL-BEING)

A motion offered by Councilwoman Lehmann, duly seconded by Councilman López, that CB14-0625 be placed upon final consideration and do pass, was followed by a motion offered by Councilman Brooks, duly seconded by Councilman López, that CB14-0625 be amended in the following particulars: On Page 7, Line 31, under Section 27-103 Definitions, subparagraph (z) Special revenue fund, insert the following language to that definition: Notwithstanding the foregoing, the director shall adopt as part of the rules and regulations a reservation for a portion of alternative contribution payments paid by applicants from high need downtown areas as defined in the rules and regulations. This reservation shall be held for payments for MPDUs created in the same or proximate neighborhoods. The reservation shall take priority over all other purposes of the special revenue fund for a reasonable time as defined by the rules and regulations, which motion to amend, carried by the following vote:

Passed

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

Against: Faatz (1)

Absent: (None) (0)

Abstain: (None) (0)

A motion offered by Councilwoman Lehmann, duly seconded by Councilman López, that CB14-0625 be placed upon final consideration and do pass as amended, carried by the following vote:

Passed

For: Brooks, Kniech, López, Montero, Nevitt, Ortega, Shepherd (7)

Against: Brown, Faatz, Herndon, Lehmann, Robb, Susman (6)

Absent: (None) (0)

Abstain: (None) (0)

CB14-0644 A bill for an ordinance authorizing the Mayor and other proper officials of the City and County of Denver to enter into a Collective Bargaining Agreement with the Denver Police Protective Association for the years 2015, 2016 and 2017. (SAFETY & WELL-BEING)

A motion offered by Councilwoman Lehmann, duly seconded by Councilwoman Shepherd, that CB14-0608, CB14-0609, CB14-0618, CB14-0643, CB14-0644, and CB14-0600 be placed upon final consideration and do pass en bloc, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: Kniech (1)

Abstain: (None) (0)

Government & Finance

CB14-0600 A bill for an ordinance approving a proposed Sixth Amendatory Agreement by and between the City and County of Denver and Trustwave Holdings, Inc., to update the scope of work and extend the agreement to July 31, 2015. (GOVERNMENT & FINANCE)

A motion offered by Councilwoman Lehmann, duly seconded by Councilwoman Shepherd, that CB14-0608, CB14-0609, CB14-0618, CB14-0643, CB14-0644, and CB14-0600 be placed upon final consideration and do pass en bloc, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: Kniech (1)

Abstain: (None) (0)

Announcement

Council President Herndon announced that there will be a required public hearing on Monday, September 18, 2014, on CB14-0610, which limits and controls growing marijuana for personal use in private homes. Due to the Labor Day Holiday, Council will next meet on Monday, September 8, 2014. Have a safe and happy holiday.

Adjourn

There being no further business before the City Council, Council President Herndon adjourned the meeting at 9:03 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