

## City Council Minutes

Meeting Date: Monday, September 16, 2013 5:30 PM

### Pledge of Allegiance

Councilman López 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, September 9, 2013, were distributed to Council. Council President Susman ordered the minutes approved.

### Council Announcements

Councilmembers Brown and Brooks offered announcements.

### Presentations

Scott Field, Director of the Office of Emergency Management and Homeland Security, updated Council on the impacts of last week's flooding in Denver.

### Communications

### Proclamations

**CP13-0587 A proclamation in recognition of Brad Buchanan.  
Sponsored by Councilmembers Brown, Montero, López, Ortega, Kniech, Brooks, Robb, Susman, Lehmann, Faatz, Shepherd, and Herndon.**

A motion offered by Councilman Brown, duly seconded by Councilman Herndon, that CP13-0587 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)

**CP13-0641 A proclamation recognizing September as World Alzheimer's Disease Awareness Month.  
Sponsored by Councilmembers Susman, Montero, López, Ortega, Brooks, Kniech, Lehmann, Faatz, Shepherd, and Herndon.**

A motion offered by Councilwoman Kniech, duly seconded by Councilwoman Shepherd, that CP13-0641 be adopted, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: Brooks (1)

Abstain: (None) (0)

## Resolutions

The Council Secretary read the following resolutions by titles.

### Health, Safety, Education & Services

**CR13-0644 A resolution authorizing and approving the expenditure and payment from the appropriation account designated "liability claims," the sum of Fifteen Thousand and 00/100 Dollars (\$15,000.00), payable to Roy D. Evans, III; the sum of Four Thousand and 00/100 Dollars (\$4,000.00), payable to Killmer, Lane & Newman, LLP; and the sum of Six Thousand and 00/100 Dollars (\$6,000.00), payable to the Law Office of Gary D. Fielder, in full payment and satisfaction of all claims by the City and County of Denver in Civil Action No. 11-cv-00406-RPM, in the United States District Court for the District of Colorado.**

A motion offered by Councilman López, duly seconded by Councilman Herndon, that CR13-0644 and CR13-0600 be adopted en bloc, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: Shepherd (1)

Abstain: (None) (0)

### Land Use, Transportation & Infrastructure

**CR13-0600 A resolution granting a revocable permit to Denver Public Schools to encroach into the right-of-way at 911 South Hazel Court for Kepner Middle School. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

A motion offered by Councilman López, duly seconded by Councilman Herndon, that CR13-0644 and CR13-0600 be adopted en bloc, carried by the following vote:

Passed

For: Brooks, Brown, Faatz, Herndon, Kniech, Lehmann, López, 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**

#### **CB13-0592 A bill for an ordinance approving a proposed Airport Use and Lease Agreement between the City and County of Denver and British Airways Plc, related to leased space at Denver International Airport. (BUSINESS, WORKFORCE & SUSTAINABILITY)**

A motion offered by Council President Susman, duly seconded by Councilman López, that CB13-0592, CB13-0593, CB13-0573, CB13-0576, CB13-0577, CB13-0598, CB13-0590, CB13-0601, and CB13-0605 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)

#### **CB13-0593 A bill for an ordinance approving a proposed Office Space Lease between the City and County of Denver and Prospect International Airport Services, Inc. concerning leasing space for an office at Denver International Airport. (BUSINESS, WORKFORCE & SUSTAINABILITY)**

A motion offered by Council President Susman, duly seconded by Councilman López, that CB13-0592, CB13-0593, CB13-0573, CB13-0576, CB13-0577, CB13-0598, CB13-0590, CB13-0601, and CB13-0605 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

**CB13-0573 A bill for an ordinance authorizing the exercise of a purchase option under an existing lease purchase agreement, the approval and execution of an annually renewable Lease Purchase Agreement No. 2013A (Buell Theatre Property) between the Denver Public Facilities Leasing Trust 2013A, as lessor, and the City and County of Denver, as lessee, the execution of other documents related thereto; authorizing officials of the City and County of Denver to take all action necessary to carry out the transactions contemplated hereby; ratifying action previously taken and providing other matters relating thereto. (GOVERNMENT & FINANCE)**

A motion offered by Council President Susman, duly seconded by Councilman López, that CB13-0592, CB13-0593, CB13-0573, CB13-0576, CB13-0577, CB13-0598, CB13-0590, CB13-0601, and CB13-0605 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)

**CB13-0576 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.; Rocky Mountain Hospital & Medical Services, Inc. dba Anthem Blue Cross & Blue Shield. (GOVERNMENT & FINANCE)**

A motion offered by Council President Susman, duly seconded by Councilman López, that CB13-0592, CB13-0593, CB13-0573, CB13-0576, CB13-0577, CB13-0598, CB13-0590, CB13-0601, and CB13-0605 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)

**CB13-0577 A bill for an ordinance replacing Section 18-173 to Chapter 18, of the Revised Municipal Code, reducing the City's contribution and subsidy for HMO medical insurance. (GOVERNMENT & FINANCE)**

A motion offered by Council President Susman, duly seconded by Councilman López, that CB13-0592, CB13-0593, CB13-0573, CB13-0576, CB13-0577, CB13-0598, CB13-0590, CB13-0601, and CB13-0605 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)

**CB13-0598 A bill for an ordinance approving a proposed Master Purchase Order between the City and County of Denver and Municipal Emergency Services, Inc., for self contained breathing apparatus for Denver Fire Department. (GOVERNMENT & FINANCE)**

A motion offered by Council President Susman, duly seconded by Councilman López, that CB13-0592, CB13-0593, CB13-0573, CB13-0576, CB13-0577, CB13-0598, CB13-0590, CB13-0601, and CB13-0605 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**

**CB13-0501 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. (HEALTH, SAFETY, EDUCATION & SERVICES)**

A motion offered by Councilman López, duly seconded by Councilwoman Shepherd, that CB13-0501 be ordered published, carried by the following vote:

Passed

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

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

Absent: (None) (0)

Abstain: (None) (0)

A motion offered by Councilwoman Ortega, duly seconded by Councilwoman Montero, to call the question, carried by the following vote:

Passed

For: Brooks, Brown, Faatz, Herndon, Kniech, Lehmann, López, Montero, Ortega, Robb, Shepherd (11)

Against: Nevitt, Susman (2)

Absent: (None) (0)

Abstain: (None) (0)

A motion offered by Councilwoman Ortega, duly seconded by Councilwoman Montero, that final consideration of CB13-0501 with an one-hour courtesy public hearing be postponed to Monday, September 30, 2013, carried by the following vote:

Passed

For: Brooks, Brown, Kniech, Lehmann, López, Montero, Nevitt, Ortega, Shepherd (9)

Against: (None) (0)

Absent: (None) (0)

Abstain: Faatz, Herndon, Robb, Susman (4)

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

### **CB13-0590 A bill for an ordinance approving an amendment to the Bluffs at Pinehurst R-X site plan pursuant to Section 59-107 of the Former Chapter 59. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

A motion offered by Council President Susman, duly seconded by Councilman López, that CB13-0592, CB13-0593, CB13-0573, CB13-0576, CB13-0577, CB13-0598, CB13-0590, CB13-0601, and CB13-0605 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)

### **CB13-0601 A bill for an ordinance vacating a portion of West Florida Avenue at South Lipan Street, with reservations. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

A motion offered by Council President Susman, duly seconded by Councilman López, that CB13-0592, CB13-0593, CB13-0573, CB13-0576, CB13-0577, CB13-0598, CB13-0590, CB13-0601, and CB13-0605 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)

### **CB13-0605 A bill for an ordinance approving a proposed Purchase Order by and between the City and County of Denver and Trans-West Truck, Inc., amending Section 1 of Ordinance No. 376, Series 2013, to read PWOPS0000008600. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

A motion offered by Council President Susman, duly seconded by Councilman López, that CB13-0592, CB13-0593, CB13-0573, CB13-0576, CB13-0577, CB13-0598, CB13-0590, CB13-0601, and CB13-0605 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 there will be a required public hearing on CB13-0527, changing the zoning classification for 4735 Florence Street, and a required public hearing on CB13-0540, changing the zoning classification for 3057 West Kentucky Avenue.

## **Recess**

Council took a recess.

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

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

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

##### **CB13-0527 A bill for an ordinance changing the zoning classification for 4735 Florence Street. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

A motion offered by Councilman López, duly seconded by Councilman Herndon, that CB13-0527 be placed upon final consideration and do pass, carried by the following vote:

Passed

For: Faatz, Herndon, Kniech, Lehmann, López, Montero, Nevitt, Ortega, Robb, Shepherd, Susman (11)

Against: (None) (0)

Absent: Brooks, Brown (2)

Abstain: (None) (0)

Council sat as a Committee of the Whole commencing at 8:42 PM, Council President Susman presiding, to hear speakers either for or against CB13-0527. Mark Smyth signed up to speak in favor of the bill. No speakers signed up to speak in opposition to the bill. Theresa Lucero of Community Planning and Development delivered the Staff Report with an overview and recommendation for approval.

##### **CB13-0540 A bill for an ordinance changing the zoning classification for 3057 West Kentucky Avenue. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

A motion offered by Councilman López, duly seconded by Councilman Herndon, that CB13-0540 be placed upon final consideration and do pass, carried by the following vote:

Passed

For: Faatz, Herndon, Kniech, Lehmann, López, Montero, Nevitt, Ortega, Robb, Shepherd, Susman (11)

Against: (None) (0)

Absent: Brooks, Brown (2)

Abstain: (None) (0)

Council sat as a Committee of the Whole commencing at 8:50 PM, Council President Susman presiding, to hear speakers either for or against CB13-0540. Daniele Gaston signed up to speak in favor of the bill. No speakers signed up to speak in opposition to the bill. Michelle Pyle of Community Planning and Development delivered the Staff Report with an overview and recommendation for approval.

## **Bills for Final Consideration**

### **Business, Workforce & Sustainability**

**CB13-0505 A bill for an ordinance approving a proposed Grant Agreement between the City and County of Denver and the State of Colorado related to Transportation, Community, and System Preservation Program at Denver International Airport. (BUSINESS, WORKFORCE & SUSTAINABILITY)**

A motion offered by Councilman López, duly seconded by Councilman Herndon, that CB13-0505, CB13-0560, CB13-0562, CB13-0569, CB13-0507, CB13-0509, CB13-0510, CB13-0564, CB13-0578, CB13-0579, CB13-0580, CB13-0581, CB13-0558, CB13-0559, CB13-0566, CB13-0567, CB13-0514, CB13-0582, CB13-0583, and CB13-0584 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)

**CB13-0560 A bill for an ordinance approving a proposed Contract between the City and County of Denver and Interstate Highway Construction, Inc. for apron expansion services at Concourse C at Denver International Airport. (BUSINESS, WORKFORCE & SUSTAINABILITY)**

A motion offered by Councilman López, duly seconded by Councilman Herndon, that CB13-0505, CB13-0560, CB13-0562, CB13-0569, CB13-0507, CB13-0509, CB13-0510, CB13-0564, CB13-0578, CB13-0579, CB13-0580, CB13-0581, CB13-0558, CB13-0559, CB13-0566, CB13-0567, CB13-0514, CB13-0582, CB13-0583, and CB13-0584 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)

**CB13-0562 A bill for an ordinance approving a proposed 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, WORKFORCE & SUSTAINABILITY)**

A motion offered by Councilman López, duly seconded by Councilman Herndon, that CB13-0505, CB13-0560, CB13-0562, CB13-0569, CB13-0507, CB13-0509, CB13-0510, CB13-0564, CB13-0578, CB13-0579, CB13-0580, CB13-0581, CB13-0558, CB13-0559, CB13-0566, CB13-0567, CB13-0514, CB13-0582, CB13-0583, and CB13-0584 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)

**CB13-0569 A bill for an ordinance approving a proposed Agreement between the City and County of Denver and the Denver Metro Convention and Visitors Bureau (“Visit Denver”), to direct a portion of the City’s lodger’s tax to Visit Denver to pay for convention and tourism marketing services. (BUSINESS, WORKFORCE & SUSTAINABILITY)**

A motion offered by Councilman López, duly seconded by Councilman Herndon, that CB13-0505, CB13-0560, CB13-0562, CB13-0569, CB13-0507, CB13-0509, CB13-0510, CB13-0564, CB13-0578, CB13-0579, CB13-0580, CB13-0581, CB13-0558, CB13-0559, CB13-0566, CB13-0567, CB13-0514, CB13-0582, CB13-0583, and CB13-0584 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)

**CB13-0574 A bill for an ordinance approving a proposed Loan Agreement between the City and County of Denver and Industry Office Denver, LLC, for office development. (BUSINESS, WORKFORCE & SUSTAINABILITY)**

A motion offered by Councilman López, duly seconded by Councilwoman Kniech, that CB13-0574 and CB13-0575 be placed upon final consideration and do pass en bloc, carried by the following vote:

Passed  
For: Brooks, Brown, Herndon, Kniech, Lehmann, López, Montero, Nevitt, Robb, Susman (10)  
Against: Faatz (1)  
Absent: (None) (0)  
Abstain: (None) (0)

**CB13-0575 A bill for an ordinance approving a proposed Loan Agreement between the City and County of Denver and 2201 Arapahoe LLC, for the company’s business expansion. (BUSINESS, WORKFORCE & SUSTAINABILITY)**

A motion offered by Councilman López, duly seconded by Councilwoman Kniech, that CB13-0574 and CB13-0575 be placed upon final consideration and do pass en bloc, carried by the following vote:

Passed  
For: Brooks, Brown, Herndon, Kniech, Lehmann, López, Montero, Nevitt, Robb, Susman (10)  
Against: Faatz (1)  
Absent: (None) (0)  
Abstain: (None) (0)

## Government & Finance

**CB13-0507 A bill for an ordinance authorizing the issuance of the "City and County of Denver, Colorado, General Obligation Better Denver and Refunding Bonds, Series 2013A" and the "City and County of Denver, Colorado, General Obligation Refunding Bonds, Series 2013B1 & B2", for the purpose of financing and/or refinancing and defraying the cost of acquiring, constructing, installing and improving various civic facilities, together with all necessary, incidental or appurtenant properties, facilities, equipment and costs; and refunding, paying and discharging certain general obligation bonds of the City; providing for the levy of general ad valorem taxes to pay the principal of and interest on the bonds; authorizing the execution of certain agreements and providing other details in connection therewith; ratifying action previously taken relating thereto; providing other matters relating thereto; and making other provisions relating thereto. (GOVERNMENT & FINANCE)**

A motion offered by Councilman López, duly seconded by Councilman Herndon, that CB13-0505, CB13-0560, CB13-0562, CB13-0569, CB13-0507, CB13-0509, CB13-0510, CB13-0564, CB13-0578, CB13-0579, CB13-0580, CB13-0581, CB13-0558, CB13-0559, CB13-0566, CB13-0567, CB13-0514, CB13-0582, CB13-0583, and CB13-0584 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)

**CB13-0509 A bill for an ordinance approving a proposed Purchase and Sale Agreement between the City and County of Denver and Silwan Petroleum Corporation to purchase real property located at 2405 East Colfax Avenue for locating the Central Denver Recreation Center. (GOVERNMENT & FINANCE)**

A motion offered by Councilman López, duly seconded by Councilman Herndon, that CB13-0505, CB13-0560, CB13-0562, CB13-0569, CB13-0507, CB13-0509, CB13-0510, CB13-0564, CB13-0578, CB13-0579, CB13-0580, CB13-0581, CB13-0558, CB13-0559, CB13-0566, CB13-0567, CB13-0514, CB13-0582, CB13-0583, and CB13-0584 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)

**CB13-0510 A bill for an ordinance approving a proposed Lease Agreement between the City and County of Denver and Superb Sandies, Inc. d/b/a Which Wich? Superior Sandwiches, to lease land for use as a restaurant. (GOVERNMENT & FINANCE)**

A motion offered by Councilman López, duly seconded by Councilman Herndon, that CB13-0505, CB13-0560, CB13-0562, CB13-0569, CB13-0507, CB13-0509, CB13-0510, CB13-0564, CB13-0578, CB13-0579, CB13-0580, CB13-0581, CB13-0558, CB13-0559, CB13-0566, CB13-0567, CB13-0514, CB13-0582, CB13-0583, and CB13-0584 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)

**CB13-0564 A bill for an ordinance approving a proposed Lease Agreement between the City and County of Denver and Colorado Symphony Association for the lease of the 3rd and 4th floors of the 1245 Champa Building for use as offices for a two year period. (GOVERNMENT & FINANCE)**

A motion offered by Councilman López, duly seconded by Councilman Herndon, that CB13-0505, CB13-0560, CB13-0562, CB13-0569, CB13-0507, CB13-0509, CB13-0510, CB13-0564, CB13-0578, CB13-0579, CB13-0580, CB13-0581, CB13-0558, CB13-0559, CB13-0566, CB13-0567, CB13-0514, CB13-0582, CB13-0583, and CB13-0584 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)

**CB13-0578 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 López, duly seconded by Councilman Herndon, that CB13-0505, CB13-0560, CB13-0562, CB13-0569, CB13-0507, CB13-0509, CB13-0510, CB13-0564, CB13-0578, CB13-0579, CB13-0580, CB13-0581, CB13-0558, CB13-0559, CB13-0566, CB13-0567, CB13-0514, CB13-0582, CB13-0583, and CB13-0584 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)

**CB13-0579 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 López, duly seconded by Councilman Herndon, that CB13-0505, CB13-0560, CB13-0562, CB13-0569, CB13-0507, CB13-0509, CB13-0510, CB13-0564, CB13-0578, CB13-0579, CB13-0580, CB13-0581, CB13-0558, CB13-0559, CB13-0566, CB13-0567, CB13-0514, CB13-0582, CB13-0583, and CB13-0584 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)

**CB13-0580 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 López, duly seconded by Councilman Herndon, that CB13-0505, CB13-0560, CB13-0562, CB13-0569, CB13-0507, CB13-0509, CB13-0510, CB13-0564, CB13-0578, CB13-0579, CB13-0580, CB13-0581, CB13-0558, CB13-0559, CB13-0566, CB13-0567, CB13-0514, CB13-0582, CB13-0583, and CB13-0584 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)

**CB13-0581 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 López, duly seconded by Councilman Herndon, that CB13-0505, CB13-0560, CB13-0562, CB13-0569, CB13-0507, CB13-0509, CB13-0510, CB13-0564, CB13-0578, CB13-0579, CB13-0580, CB13-0581, CB13-0558, CB13-0559, CB13-0566, CB13-0567, CB13-0514, CB13-0582, CB13-0583, and CB13-0584 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

### **CB13-0558 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 "2013-2014 AmeriCorps" program and the funding therefor. (HEALTH, SAFETY, EDUCATION & SERVICES)**

A motion offered by Councilman López, duly seconded by Councilman Herndon, that CB13-0505, CB13-0560, CB13-0562, CB13-0569, CB13-0507, CB13-0509, CB13-0510, CB13-0564, CB13-0578, CB13-0579, CB13-0580, CB13-0581, CB13-0558, CB13-0559, CB13-0566, CB13-0567, CB13-0514, CB13-0582, CB13-0583, and CB13-0584 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)

### **CB13-0559 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 "Promoting Safe and Stable Families (PSSF)" program and the funding therefor. (HEALTH, SAFETY, EDUCATION & SERVICES)**

A motion offered by Councilman López, duly seconded by Councilman Herndon, that CB13-0505, CB13-0560, CB13-0562, CB13-0569, CB13-0507, CB13-0509, CB13-0510, CB13-0564, CB13-0578, CB13-0579, CB13-0580, CB13-0581, CB13-0558, CB13-0559, CB13-0566, CB13-0567, CB13-0514, CB13-0582, CB13-0583, and CB13-0584 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)

### **CB13-0566 A bill for an ordinance approving the Third Amendatory Agreement between the City and County of Denver and the State of Colorado, Department of Corrections to provide outpatient dialysis to incarcerated patients. (HEALTH, SAFETY, EDUCATION & SERVICES)**

A motion offered by Councilman López, duly seconded by Councilman Herndon, that CB13-0505, CB13-0560, CB13-0562, CB13-0569, CB13-0507, CB13-0509, CB13-0510, CB13-0564, CB13-0578, CB13-0579, CB13-0580, CB13-0581, CB13-0558, CB13-0559, CB13-0566, CB13-0567, CB13-0514, CB13-0582, CB13-0583, and CB13-0584 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)

**CB13-0567 A bill for an ordinance approving a Second Amendatory Agreement between the City and County of Denver and Correctional Management, Inc., for residential and non-residential community corrections services. (HEALTH, SAFETY, EDUCATION & SERVICES)**

A motion offered by Councilman López, duly seconded by Councilman Herndon, that CB13-0505, CB13-0560, CB13-0562, CB13-0569, CB13-0507, CB13-0509, CB13-0510, CB13-0564, CB13-0578, CB13-0579, CB13-0580, CB13-0581, CB13-0558, CB13-0559, CB13-0566, CB13-0567, CB13-0514, CB13-0582, CB13-0583, and CB13-0584 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**

**CB13-0514 A bill for an Ordinance approving an agreement with Colorado Department of Transportation regarding certain land transfers for roadway improvements to the Federal Boulevard/U.S. 6 interchange and park improvements to Barnum North, Barnum South and Barnum East parks and the South Platte River Trail. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

A motion offered by Councilman López, duly seconded by Councilman Herndon, that CB13-0505, CB13-0560, CB13-0562, CB13-0569, CB13-0507, CB13-0509, CB13-0510, CB13-0564, CB13-0578, CB13-0579, CB13-0580, CB13-0581, CB13-0558, CB13-0559, CB13-0566, CB13-0567, CB13-0514, CB13-0582, CB13-0583, and CB13-0584 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)

**CB13-0582 A bill for an ordinance vacating a portion of 39th Street at its intersection with Wynkoop Street; vacating all of the alley near the intersection of Wynkoop and 38th Streets; and vacating all of the alley near the intersection of Wynkoop and 40th Streets, without reservations. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

A motion offered by Councilman López, duly seconded by Councilman Herndon, that CB13-0505, CB13-0560, CB13-0562, CB13-0569, CB13-0507, CB13-0509, CB13-0510, CB13-0564, CB13-0578, CB13-0579, CB13-0580, CB13-0581, CB13-0558, CB13-0559, CB13-0566, CB13-0567, CB13-0514, CB13-0582, CB13-0583, and CB13-0584 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)

**CB13-0583 A bill for an ordinance vacating an alley at East 42nd Avenue at its intersection with Monroe Street, with reservations. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

A motion offered by Councilman López, duly seconded by Councilman Herndon, that CB13-0505, CB13-0560, CB13-0562, CB13-0569, CB13-0507, CB13-0509, CB13-0510, CB13-0564, CB13-0578, CB13-0579, CB13-0580, CB13-0581, CB13-0558, CB13-0559, CB13-0566, CB13-0567, CB13-0514, CB13-0582, CB13-0583, and CB13-0584 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)

**CB13-0584 A bill for an ordinance vacating a portion of West 41st Avenue at its intersection with Fox Street, with reservations. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

A motion offered by Councilman López, duly seconded by Councilman Herndon, that CB13-0505, CB13-0560, CB13-0562, CB13-0569, CB13-0507, CB13-0509, CB13-0510, CB13-0564, CB13-0578, CB13-0579, CB13-0580, CB13-0581, CB13-0558, CB13-0559, CB13-0566, CB13-0567, CB13-0514, CB13-0582, CB13-0583, and CB13-0584 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)

## Special Issues: Amendment 64

### **CB13-0570 A bill for an ordinance concerning the regulation and licensing of retail marijuana establishments, adopting the Denver Retail Marijuana Code, and making conforming amendments to the Denver Medical Marijuana Code. (SPECIAL ISSUES: AMENDMENT 64)**

A motion offered by Councilman López, duly seconded by Councilman Herndon, that CB13-0570 be placed upon final consideration and do pass, was followed by a motion offered by Councilman Brown, duly seconded by Councilwoman Shepherd, that CB13-0570 be amended in the following particulars: on Page 18, Line 9, following the existing text, insert: "If the owner of any pre-existing medical marijuana business has not applied for a city license to lawfully continue in operation prior to October 1, 2013, the business shall cease operation immediately as of that date. On and after October 1, 2013, it shall be unlawful for any person to continue to operate any business involving the cultivation, manufacture or sale of medical marijuana or medical marijuana-infused products without having applied for a local license under this Article XII and the CMMC" which motion to amend 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)

A motion offered by Councilman López, duly seconded by Councilwoman Shepherd, that CB13-0570 be amended in the following particulars: on Page 8, Line 40, following the words "direct measurement, insert "in a straight line"; on Page 9, Line 1, strike ", using a route of direct pedestrian access"; on Page 9, Line 6, following the words "direct measurement, insert "in a straight line"; on Page 9, Line 8, strike ", using a route of direct pedestrian access"; on Page 9, Line 19, following the words "direct measurement, insert "in a straight line"; on Page 9, Line 21, strike ", using a route of direct pedestrian access"; on Page 18, Line 23, following the words "direct measurement, insert "in a straight line"; and on Page 18, Line 25, strike ", using a route of direct pedestrian access" which motion to amend, carried by the following vote:

Passed

For: Brooks, Faatz, Lehmann, López, Montero, Ortega, Robb, Shepherd (8)

Against: Brown, Herndon, Nevitt, Susman (4)

Absent: (None) (0)

Abstain: Kniech (1)

A motion offered by Councilman López, duly seconded by Councilwoman Shepherd, that CB13-0570 be placed upon final consideration and do pass as amended, 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)

## **Adjourn**

There being no further business before the City Council, Council President Susman adjourned the meeting at 9:01 PM.

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President

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

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

City Council public documents are available upon request in alternate formats.  
Prepared by Kelly Velez