

## **City Council Minutes**

Meeting Date: Monday, September 23, 2013 5:30 PM

### **Pledge of Allegiance**

Councilman Nevitt led the Pledge of Allegiance.

### **Roll Call**

Present: Brown, Faatz, Herndon, Kniech, Lehmann, López, Montero, Nevitt, Robb, Shepherd, Susman (11)

Absent: Brooks, Ortega (2)

### **Approval of the Minutes**

The minutes of meeting date, Monday, September 16, 2013, were distributed to Council. Council President Susman ordered the minutes approved.

### **Council Announcements**

Councilwoman Montero offered an announcement.

### **Presentations**

### **Communications**

### **Proclamations**

### **Resolutions**

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

#### **CR13-0606 A resolution approving the Mayor's reappointments to the Denver Commission on Cultural Affairs. (BUSINESS, WORKFORCE & SUSTAINABILITY)**

A motion offered by Councilman Nevitt, duly seconded by Councilman Herndon, that CR13-0606, CR13-0607, CR13-0608, CR13-0657, and CR13-0609 be adopted en bloc, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: Brooks, Ortega (2)

Abstain: (None) (0)

## Health, Safety, Education & Services

### **CR13-0607 A resolution approving the Mayor's appointments to the Advisory Commission on Youth. (HEALTH, SAFETY, EDUCATION & SERVICES)**

A motion offered by Councilman Nevitt, duly seconded by Councilman Herndon, that CR13-0606, CR13-0607, CR13-0608, CR13-0657, and CR13-0609 be adopted en bloc, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: Brooks, Ortega (2)

Abstain: (None) (0)

### **CR13-0608 A resolution approving the Mayor's appointments to the Denver Community Corrections Board. (HEALTH, SAFETY, EDUCATION & SERVICES)**

A motion offered by Councilman Nevitt, duly seconded by Councilman Herndon, that CR13-0606, CR13-0607, CR13-0608, CR13-0657, and CR13-0609 be adopted en bloc, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: Brooks, Ortega (2)

Abstain: (None) (0)

### **CR13-0657 A resolution authorizing and approving the expenditure and payment from the appropriation account designated "liability claims," the sum of Forty-Four Thousand Four Hundred Fifty-Three and 33/100 Dollars (\$44,453.33), payable to Ana Alicia Ortega; the sum of Forty-Four Thousand Four Hundred Fifty-Three and 33/100 Dollars (\$44,453.33), payable to Kelly Boren; the sum of Forty-Three Thousand Five Hundred Seventy-Three and 29/100 Dollars (\$43,573.29), payable to Kristal Carrillo; the sum of Thirty-Four Thousand Four Hundred Fifty-Three and 33/100 Dollars (\$34,453.33), payable to Sharelle C. Thomas; and the sum of One Hundred Ninety-Three Thousand Sixty-Six and 72/100 Dollars (\$193,066.72), payable to Rathod Mohamedbhai LLC, in full payment and satisfaction of all claims in Civil Action No. 11-cv-02394-WJM-CBS, in the United States District Court for the District of Colorado. (HEALTH, SAFETY, EDUCATION & SERVICES)**

A motion offered by Councilman Nevitt, duly seconded by Councilman Herndon, that CR13-0606, CR13-0607, CR13-0608, CR13-0657, and CR13-0609 be adopted en bloc, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: Brooks, Ortega (2)

Abstain: (None) (0)

## Land Use, Transportation & Infrastructure

### **CR13-0609 A resolution approving the Mayor's appointment to the Lowry Redevelopment Authority Board of Directors. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

A motion offered by Councilman Nevitt, duly seconded by Councilman Herndon, that CR13-0606, CR13-0607, CR13-0608, CR13-0657, and CR13-0609 be adopted en bloc, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: Brooks, Ortega (2)

Abstain: (None) (0)

## Bills for Introduction

### Government & Finance

#### **CB13-0596 A bill for an ordinance approving a proposed Master Purchase Order between the City and County of Denver and Wagner Equipment Company, for Caterpillar parts and components for maintenance of City owned equipment. (GOVERNMENT & FINANCE)**

A motion offered by Council President Susman, duly seconded by Councilman Nevitt, that CB13-0596, CB13-0597, CB13-0612, CB13-0595, CB13-0599, CB13-0588, and CB13-0613 be ordered published en bloc, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: Brooks, Ortega (2)

Abstain: (None) (0)

#### **CB13-0597 A bill for an ordinance approving a proposed Master Purchase Order between the City and County of Denver and O'Meara Ford Center, Inc., for Ford components to maintain City owned vehicles. (GOVERNMENT & FINANCE)**

A motion offered by Council President Susman, duly seconded by Councilman Nevitt, that CB13-0596, CB13-0597, CB13-0612, CB13-0595, CB13-0599, CB13-0588, and CB13-0613 be ordered published en bloc, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: Brooks, Ortega (2)

Abstain: (None) (0)

**CB13-0612 A bill for an ordinance amending Section 18-164 of the Revised Municipal Code, eliminating the sunset provision for the military pay differential provided to eligible career service employees and members of the classified service. (GOVERNMENT & FINANCE)**

A motion offered by Council President Susman, duly seconded by Councilman Nevitt, that CB13-0596, CB13-0597, CB13-0612, CB13-0595, CB13-0599, CB13-0588, and CB13-0613 be ordered published en bloc, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: Brooks, Ortega (2)

Abstain: (None) (0)

**Health, Safety, Education & Services**

**CB13-0595 A bill for an ordinance authorizing assignment to the Housing Authority of the City and County of Denver of a portion of the 2013 Private Activity Bond Volume Cap Allocation of the City and County of Denver, Colorado pursuant to the Colorado Private Activity Bond Ceiling Allocation Act. (HEALTH, SAFETY, EDUCATION & SERVICES)**

A motion offered by Council President Susman, duly seconded by Councilman Nevitt, that CB13-0596, CB13-0597, CB13-0612, CB13-0595, CB13-0599, CB13-0588, and CB13-0613 be ordered published en bloc, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: Brooks, Ortega (2)

Abstain: (None) (0)

**CB13-0599 A bill for an ordinance approving and providing for the execution of proposed grant agreement between the City and County of Denver and the United States of America concerning the "HOME FY13" program funding therefor. (HEALTH, SAFETY, EDUCATION & SERVICES)**

A motion offered by Council President Susman, duly seconded by Councilman Nevitt, that CB13-0596, CB13-0597, CB13-0612, CB13-0595, CB13-0599, CB13-0588, and CB13-0613 be ordered published en bloc, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: Brooks, Ortega (2)

Abstain: (None) (0)

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

### **CB13-0588 A bill for an ordinance approving a proposed Amendatory Agreement between the City and County of Denver and Design Workshop, Inc., to extend the term of the Agreement. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

A motion offered by Council President Susman, duly seconded by Councilman Nevitt, that CB13-0596, CB13-0597, CB13-0612, CB13-0595, CB13-0599, CB13-0588, and CB13-0613 be ordered published en bloc, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: Brooks, Ortega (2)

Abstain: (None) (0)

### **CB13-0613 A bill for an ordinance approving a proposed Agreement between the City and County of Denver and the Department of the Army, for a feasibility study. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

A motion offered by Council President Susman, duly seconded by Councilman Nevitt, that CB13-0596, CB13-0597, CB13-0612, CB13-0595, CB13-0599, CB13-0588, and CB13-0613 be ordered published en bloc, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: Brooks, Ortega (2)

Abstain: (None) (0)

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

### **Recess**

Council did not take a recess.

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

## **Bills for Final Consideration**

### **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 Councilman Nevitt, duly seconded by Councilman Herndon, that CB13-0592, CB13-0593, CB13-0573, CB13-0576, CB13-0577, CB13-0598, CB13-0590, CB13-0601, and CB13-0605 be placed upon final consideration and do pass en bloc, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: Brooks, Ortega (2)

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 Councilman Nevitt, duly seconded by Councilman Herndon, that CB13-0592, CB13-0593, CB13-0573, CB13-0576, CB13-0577, CB13-0598, CB13-0590, CB13-0601, and CB13-0605 be placed upon final consideration and do pass en bloc, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: Brooks, Ortega (2)

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 Councilman Nevitt, duly seconded by Councilman Herndon, that CB13-0592, CB13-0593, CB13-0573, CB13-0576, CB13-0577, CB13-0598, CB13-0590, CB13-0601, and CB13-0605 be placed upon final consideration and do pass en bloc, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: Brooks, Ortega (2)

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 Councilman Nevitt, duly seconded by Councilman Herndon, that CB13-0592, CB13-0593, CB13-0573, CB13-0576, CB13-0577, CB13-0598, CB13-0590, CB13-0601, and CB13-0605 be placed upon final consideration and do pass en bloc, carried by the following vote:

Passed  
For: Brown, Faatz, Herndon, Kniech, Lehmann, López, Montero, Nevitt, Robb, Shepherd, Susman (11)  
Against: (None) (0)  
Absent: Brooks, Ortega (2)  
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 Councilman Nevitt, duly seconded by Councilman Herndon, that CB13-0592, CB13-0593, CB13-0573, CB13-0576, CB13-0577, CB13-0598, CB13-0590, CB13-0601, and CB13-0605 be placed upon final consideration and do pass en bloc, carried by the following vote:

Passed  
For: Brown, Faatz, Herndon, Kniech, Lehmann, López, Montero, Nevitt, Robb, Shepherd, Susman (11)  
Against: (None) (0)  
Absent: Brooks, Ortega (2)  
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 Councilman Nevitt, duly seconded by Councilman Herndon, that CB13-0592, CB13-0593, CB13-0573, CB13-0576, CB13-0577, CB13-0598, CB13-0590, CB13-0601, and CB13-0605 be placed upon final consideration and do pass en bloc, carried by the following vote:

Passed  
For: Brown, Faatz, Herndon, Kniech, Lehmann, López, Montero, Nevitt, Robb, Shepherd, Susman (11)  
Against: (None) (0)  
Absent: Brooks, Ortega (2)  
Abstain: (None) (0)

## **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 Councilman Nevitt, duly seconded by Councilman Herndon, that CB13-0592, CB13-0593, CB13-0573, CB13-0576, CB13-0577, CB13-0598, CB13-0590, CB13-0601, and CB13-0605 be placed upon final consideration and do pass en bloc, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: Brooks, Ortega (2)

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 Councilman Nevitt, duly seconded by Councilman Herndon, that CB13-0592, CB13-0593, CB13-0573, CB13-0576, CB13-0577, CB13-0598, CB13-0590, CB13-0601, and CB13-0605 be placed upon final consideration and do pass en bloc, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: Brooks, Ortega (2)

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 Councilman Nevitt, duly seconded by Councilman Herndon, that CB13-0592, CB13-0593, CB13-0573, CB13-0576, CB13-0577, CB13-0598, CB13-0590, CB13-0601, and CB13-0605 be placed upon final consideration and do pass en bloc, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: Brooks, Ortega (2)

Abstain: (None) (0)

## **Adjourn**

There being no further business before the City Council, Council President Susman adjourned the meeting at 5:38 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