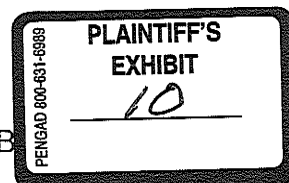


Friends Denver Parks v Denver
2013-0401 Council Transcript

Condensed Transcript



Wednesday, May 29, 2013

1 CB13-171 Courtesy Comment Period: 4/1/2013
 2 "Property Exchange between city and DPS Swapping Hentzell Park
 3 for Building at 1330 Fox Street."
 4 <http://www.denvergov.org/sirepub/mtgviewer.aspx?meetid=1476&docty>
 5 [pe=AGENDA](#)
 6 The Denver City Council Meeting of Monday, April 1, 19, 2013, I
 7 almost said 19, 2013. Please rise and join Councilwoman Faatz in
 8 the Pledge of Allegiance.
 9 All (Standing)
 10 I pledge allegiance to the flag of the United States of America.
 11 And to the Republic for which it stands, one nation, under God,
 12 indivisible, with liberty and justice for all.
 13 President
 14 Thank you Councilwoman Faatz. Madam Secretary, roll call.
 15 Brooks: here
 16 Brown: here
 17 Faatz: here
 18 Herndon: here
 19 Knietch: here
 20 Lehman: here
 21 Lopez: here
 22 Montero: here
 23 Nevitt: here
 24 Ortega: here
 25 Robb: here

1 Shepherd: here
 2 Madam President: here
 3 President
 4 Thirteen present. We have a quorum. Approval of the minutes.
 5 Are there any corrections to the minutes of March 26, 2013? And,
 6 seeing none, the minutes of March 26, 2013 are approved. Council
 7 announcements: Councilman Brown.
 8 Brown
 9 Thank you Madam President. As a follow-up to the announcement
 10 last week, I would just like to remind my colleagues that the
 11 marijuana meeting will be held at three o'clock next Monday,
 12 rather than 2:30, and more importantly, there will be no straw
 13 poll taken until the State acts. There has been some changes, as
 14 we know, in terms of a State audit, ah, which was, frankly, not
 15 very encouraging, and, I hope the State can get back on track.
 16 Uh, they are now somewhat behind schedule. They, also, have a
 17 tight deadline. And, finally, I would like to remind my
 18 colleagues to, before our next meeting in May, to visit a
 19 dispensary and a grow facility so that we know what we are
 20 talking about. Now, many of us did that several years ago when
 21 we dealt with the issue of medical marijuana. I did it last
 22 week—I didn't want to go—I've got a lot to do, but I went and I
 23 was glad I did because you can sit quietly with the owner and
 24 talk about what has worked and, more importantly, what has not
 25 worked. And, it was an eye opener to me. So, next Monday, I

1 will provide, quietly, a list of facilities you can visit. I'm
 2 not talking about a tour. I'm talking about quietly with one
 3 other person, one other colleague, visiting a dispensary and a
 4 growth facility. And so, I would urge you to do that before our
 5 next meeting in May. I think you will find it very helpful.
 6 Thank you Madam President.
 7 President
 8 Thank you Councilman Brooks, excuse me, Councilman Brown. And
 9 now I'm going to call on Councilman Brooks.
 10 Brooks
 11 He kind of looks like me over there.
 12 President
 13 You know, I mix the two of you up.
 14 Brooks
 15 Thank you Madam President. I wanna let the public know about
 16 something that I am so proud of, and probably, since I've been on
 17 Council, this is one of the coolest things I've been a part of.
 18 As you, as many of you know, a couple, actually last summer, uh,
 19 we had a tragic death with Celina Hollis, involved a young man
 20 who shot an officer. We also had two young men who were
 21 murdered, senselessly, over gang violence at Bruce Randolph and
 22 York. Since that time, the Community wanted to come together and
 23 say, "What's some things that we can begin doing?" And, a lot
 24 that came out of those meetings was, nothing stops a bullet
 25 faster than a job. We have to make sure that these young people

1 have opportunities, especially for employment. So, we've been
 2 working with OED, um, and we put together in District 8, a "Work
 3 for Success" day. And, this isn't just a job fair. Work for
 4 Success allows you to go through a program for 35 hours; get
 5 trained on how to wear a suit and tie, how to look at your
 6 employer in the eye, how to go out and ask tough questions and
 7 answer those questions; all those type of things in job
 8 development, and we had—this is a small group—35 kids complete
 9 that program. And then, we had about fifteen employers, ah,
 10 there on Friday. And let me tell you, it takes a lot to make be
 11 tear up, but to see these young people get jobs on the spot. I
 12 mean, it wasn't like they were getting interviews; there were
 13 real jobs here, too. Ah, and I'm so grateful for the Hilton and
 14 other folks who came out, but they were getting jobs on the spot,
 15 and many of the young people, for the first time in their life
 16 were seeing jobs, from 18 to 23 years old, and they said, "This
 17 is my first job." And so, I wanna say, "kudos" to all those
 18 folks that, OED that helped us and worked on this project; 100%
 19 of the people got jobs, and we're gonna continue to do this
 20 quarterly. Not a large jobs fair; but begin transforming and
 21 effecting a few young people at a time. So, just wanted to
 22 report that, Madam President. Thank you.
 23 President
 24 Thank you, Councilman Brooks. Councilman Herndon.
 25 Herndon

1 Thank you Madam Chair. I just wanted to ...down. I don't know if
 2 anyone is as avid a sports fan as I am, and I played sports for
 3 most of my adult life, and as a child, and I've separated my
 4 shoulder; I've torn my ACL, but I don't know if anyone was
 5 watching the final four game on Sunday, and Kevin Aware (?) who's
 6 a sophomore from Louisville had what can only be described as one
 7 of the most gruesome injuries that have ever happened. So, I
 8 just wanna publicly say, Kevin, we wish you the very best, and if
 9 you weren't aware, this kid's bone is sticking out of his leg.
 10 He's yelling at his teammates, "Don't worry about me; just win
 11 the game." And, they came back and dominated Duke in that second
 12 half, and I just thought that was truly remarkable for that team
 13 to come back together, so I wanted to say, "Kevin, I know you're
 14 recovering and had a successful two hour surgery last night.
 15 Best of luck; speedy recovery." Thank you Madam President.
 16 President
 17 Thank you Councilman Herndon for that great story. Councilwoman
 18 Shepherd.
 19 Shepherd
 20 Thank you Madam President. District 1 is very pleased to host
 21 the twelfth annual Caesar Chavez March this Saturday, April 6,
 22 and there will be several events that day to commemorate the day.
 23 Starting at 9:00 a.m. there be a Mass at Regis University Chapel
 24 at 52nd and Lowell; following the Mass there will be a march to
 25 Caesar Chavez Park at 4131 North Tennyson Street. Anyone who's

1 familiar with the Park may know that it underwent extensive
 2 renovations last year um concurrently with the bond remodel
 3 project on Tennyson Street. The Park is beautiful um and much
 4 more open to the public than it was in the past. So,
 5 simultaneously that day, we will also be doing a ribbon-cutting
 6 ceremony to celebrate the opening of the Park. And then, at
 7 11:30 a.m., there will also be a jazz concert afterwards. So, a
 8 fabulous day to honor Caesar Chavez. We hope you can join us.
 9 And, once again, starting at nine o'clock at Regis University
 10 Chapel for the Mass. Thank you.
 11 President
 12 Thank you Councilwoman Shepherd. Councilwoman Kniech.
 13 Kniech
 14 Thank you Madam President. I just had to say thank er Happy
 15 Birthday to my little boy, who's turning four today. And, when
 16 your mom has to work which is really important, he knows that
 17 City Council helps people but you've gotta do a little shout-out
 18 . So Happy Birthday, Nathaniel.
 19 President
 20 That's very nice Councilwoman. And Happy Birthday from me, too,
 21 Nathaniel. All right, are there any other announcements? Let me
 22 look up and down here. I don't see any. All right. We'll move
 23 on then. Presentations. Madam Secretary, do we have any
 24 presentations?
 25 Secretary

1 None, Madam President.
 2 President
 3 How about communications?
 4 Secretary
 5 None, Madam President.
 6 President
 7 All right. Proclamations. We do have one proclamation this
 8 evening, and I would like to call on Councilman Brooks to read
 9 that proclamation.
 10 Brooks
 11 Thank you Madam President. Proclamation No. 02202013 declaring
 12 April as "Child Abuse Prevention Month."
 13 WHEREAS, children are key to the City of Denver's future,
 14 success, prosperity, quality of life, and, while children are the
 15 most valuable resource, they are also our most vulnerable. And
 16 WHEREAS, Denver strives to be a community that supports a healthy
 17 environment to raise happy, healthy, vibrant, and thriving
 18 children. And
 19 WHEREAS, the work and the joy of raising our wonderful children
 20 should not and cannot rest with parents alone. And
 21 WHEREAS, we need to help every single person in our community to
 22 make our children a top priority, and to be a network of support
 23 for children and parents. And
 24 WHEREAS, we encourage every family to, and every church, and
 25 every school in every community-based organization, every

1 restaurant and every business to join us in efforts to keep
 2 children safe, families stable, and communities strong. And
 3 WHEREAS, we know that each of you can be the one who makes the
 4 difference in a child's life, shaping their future, and the
 5 future of this great city. And,
 6 WHEREAS, we have identified five protective factors that help
 7 prevent child abuse and neglect from this horrible thing ever
 8 happening again in this place:
 9 1. To be a bounce-back family. Challenging times impact every
 10 family. Recognizing stressful situations and keeping a sense of
 11 hope helps us take constructive action to turn things around.
 12 2. Make a parent growth a priority. Take the time to learn what
 13 is age-appropriate, how to set realistic expectations that gives
 14 us tools to cope positively with various situations.
 15 3. Learn more about child growth. Helping children develop
 16 emotionally helps them identify their feelings, clearly
 17 communicate and problem solve, and prepares them for positive and
 18 social interaction.
 19 4. Have a network of friends and family. Having a strong support
 20 system of neighbors and community members helps us get needed
 21 breaks to cope with difficult times and prevents us from becoming
 22 isolated.
 23 5. Call a pro. Getting to know day care professionals, case
 24 workers, teachers, a doctor can give an expert to turn to in
 25 times of need, and

1 WHEREAS, we need the help of everyone in our community to share
 2 these five protective factors. And
 3 WHEREAS, pinwheels for prevention planted in gardens around
 4 Denver serve as a reminder that every child has a bright and
 5 positive future, free from abuse and neglect.
 6 NOW THEREFORE, be it proclaimed by the Council of the City and
 7 County of Denver:
 8 Section 1: the Denver City Council declares April, 2013, as Child
 9 Abuse Protection Month and the City and County of Denver
 10 Section 2: That the Clerk of the City and County of Denver shall
 11 attest and affix a seal of the City and County of Denver to this
 12 proclamation and that a copy be transmitted to the Denver Human
 13 Services Division of Child Welfare.
 14 President
 15 Thank you Councilman Brooks. Your motion to adopt
 16 Brooks
 17 Yes, thank you Madam President. I move that Proclamation 220 be
 18 adopted.
 19 President
 20 It has been moved and seconded. Comments. Councilman Brooks.
 21 Brooks
 22 Well, I ah it's a great privilege and honor that I get a chance
 23 to bring this proclamation forward. My background is in youth
 24 development, and I have three amazing, beautiful little kids, 5,
 25 3, and 1. Soon that will be changing to 6, 4, and 2. But, um,

1 this is ah, you know I can't stress the importance of a city to
 2 rally around their most valuable ah pieces in this city, and
 3 those are these kids. Before I came on, I got elected to City
 4 Council, I was the head of a youth organization for the City of
 5 Denver. And we would have these, we would bring kids to this
 6 multi-million dollar camp. As a matter of fact, Councilman
 7 Herndon, Councilman Lopez, we went a couple of years ago to go to
 8 this camp, and we, I would sit down with these kids, and have
 9 conversations with them, and I would say, out of all of our
 10 groups, probably one out of five kids would report to us, as
 11 counselors, about the physical and sexual abuse that they
 12 experiencing at home. Um, and it's one of those things that ah
 13 you cannot describe what's it like to hear that from a young,
 14 vulnerable person um but it's one of those things that presses
 15 you. And so, you know, for me, as a leader in this City, to take
 16 the offensive and begin educating people, and letting folks know;
 17 folks who have kids, and who have grown frustrated and have um
 18 abused their kids and individuals and parents who are out of
 19 control and you aren't abusing your kids right now. There's an
 20 opportunity to change and to stop. You will forever damage the
 21 life of this young person. Um, and that's what this
 22 proclamation, and that's what this week and month is all about is
 23 getting the word out, beginning to communicate and articulating
 24 what is going on in our homes and making sure that our kids can
 25 grow up in amazing environments. So, um, you know I know we have

1 on Council here a lot of parents um and who have taken care of
 2 their kids and I think that's important that we have these kind
 3 of leaders stepping in the gap for today. So, thank you.
 4 President
 5 Thank you Councilman Brooks. Councilwoman Kniech.
 6 Kniech
 7 Thank you Madam President. Um Councilman Brooks, I wanted to
 8 thank you for bringing this forward, and I'll be, belated, would
 9 love to be added as a sponsor, Madam Secretary, um, since I
 10 missed the circulation of this. And, um, just to echo, I think a
 11 lot of us were um very drawn in by the Post's series that
 12 occurred talking about the child welfare system, and they were
 13 appropriately very focused on the professionals who are uh put in
 14 place by the local and state government to intervene and help to
 15 protect children, and give families support. I think that, one
 16 of the things that I am really pleased about in your proclamation
 17 Councilman is just how clearly it speaks to us individuals and
 18 community members as sharing that responsibility um you know,
 19 that asking a kid how they're doing, asking them, you know, if
 20 they seem like they haven't eaten or if they seem like they
 21 haven't been bathed; and finding out if that's a one-time thing
 22 or a regular thing, and inquiring and caring, and getting to know
 23 uh the people in our neighborhoods and being able to share
 24 concerns with school officials or others, I think, is really our
 25 front line, and I, we have appropriately high expectations for

1 our professional interventions, and our staff and our police
 2 departments uh, but I think that we, in our communities, see
 3 things that make us feel uncomfortable every day, and speaking
 4 out about that, and you know, I wished my son a happy birthday,
 5 he's four, we know that a disproportionate amount of abuse
 6 happens to kids that are under five because they are going
 7 through a lot of developmental things that are, frankly, really,
 8 really hard for parents. They're hard for parents under the best
 9 of circumstances, and when you add bad circumstances to those,
 10 uh, very age appropriate, normal behaviors, they become
 11 overwhelming for some families, and so, I hope that we continue
 12 to focus on prevention, and I'm very appreciative of the
 13 attention the Mayor has tried to bring to this, and I wanna thank
 14 you for asking our community to be a part of the solution. I
 15 think it's important. Thanks.
 16 President
 17 Thank you Councilwoman Kniech. I would like to add my comment,
 18 as well, and congratulate Penny Mae and Human Services on the
 19 ceremony that you had today, and congratulate the awardees who
 20 have gone the extra mile, and have been the ones to step out and
 21 be part of a village that looks after our children, and
 22 congratulations to Public Works and the Mayor for turning the
 23 name of the street in front of us Bannock Street to "Be the One"
 24 Street for April, so that our new address is 1437 Be The One. I
 25 think that's a very fitting thing. All right, let's have that

1 vote then. Oh wait, we have Councilman Lopez who's showed up.
 2 No?
 3 Lopez
 4 Well, if you just wanna go for the vote. I just also wanna sing
 5 the praises of Denver Human Services and the case workers that,
 6 on a daily basis, um see these cases and have to do the right
 7 thing, and you know it's hard not to get emotionally attached;
 8 it's hard to show that human emotion. As a case worker, as
 9 people who are working on behalf of our children making sure
 10 they're protected and safe, and basically making sure they have
 11 parents and they're in households where they're healthy and
 12 they're loved. And, uh, I know a lot of our human case workers
 13 work very hard, and far too often, they don't get the kind of
 14 acknowledgement and the honor that they are due. And I do
 15 respect, and I just want to make sure that they, you know we also
 16 recognize them for their hard work, making sure that Denver's a
 17 great place for kids, and our neighborhoods are great places for
 18 kids, as well, too. So, they help the family, they need it as
 19 much as the parents do. Thank you.
 20 President
 21 Thank you Councilman. All right. Now I think we will have the
 22 vote, Madam Secretary.
 23 Secretary
 24 Brooks Aye
 25 Brown Aye

1 Faatz Aye
 2 Herndon Aye
 3 Kniech Aye
 4 Lehmann Aye
 5 Lopez Aye
 6 Montero Aye
 7 Nevitt Aye
 8 Ortega Aye
 9 Robb Aye
 10 Shepherd Aye
 11 Madam President Aye
 12 President
 13 Madam Secretary, please close the vote. What? Oh, I have not
 14 voted.
 15 Secretary
 16 13 Ayes.
 17 President
 18 13 Ayes . Proclamation 220 has been adopted. Councilman Brooks.
 19 Is there someone you would like to invite up to the podium?
 20 Brooks
 21 Yes, I would like to bring up Howard Haines and also Penny Mae,
 22 our Manager of um Denver Human Services. Our excellent Manager
 23 of Denver Human Services.
 24 Penny Mae (?)
 25 Thank you Madam President, Members of Council. Thank you so much

1 for this proclamation, and for your support of the work we do
 2 each and every day. I'd like to echo Councilman Lopez's comments
 3 about the staff at Denver Human Services who work so hard and
 4 diligent to make sure that kids are safe and families are
 5 healthy. And this year we partnered with a lot of State
 6 organizations in a campaign called "Be the One Colorado." Be the
 7 one who makes a difference in the life of a child, and that
 8 speaks to the renaming of the street out front. We have several
 9 activities planned for the entire month um not only to bring
 10 awareness but to encourage the community to come alongside us;
 11 and one of the activities we have this month is our partnership
 12 with the Denver Court-appointed special advocates. They're CASA,
 13 and the shops at Northfield, um to offer pinwheels for
 14 prevention, dine out and do good discount cards for \$20 so I
 15 encourage, if you're interested in that, to take advantage of
 16 that. I'd like to send a special thank you to Julie Wilson and
 17 Lisa O'dell Davis from Denver CASA who've been terrific partners
 18 um not only in our campaign for this month, but also year round,
 19 and making sure that we keep kids safe. And I'd like to
 20 introduce a volunteer with Denver CASA, Howard Haynal. Thank
 21 you.
 22 President
 23 Thank you
 24 Howard Haynal
 25 Good Evening, Council. My name is Howard Haynal. I'm a

1 volunteer with CASA, Denver CASA. Denver CASA is proud of its
 2 partnership with the Department of Human Services. Denver CASA
 3 trains all of its volunteers; we go through about 40 hours of
 4 training, and not only does Denver CASA train its volunteers, but
 5 it supervises them, so that they can be effective advocates for
 6 children who are in need of protection and assistance through the
 7 system. So, I've represented, as an advocate for children and I
 8 can say that I am just one of hundreds of volunteers that Denver
 9 CASA has. We still need more volunteers. The system,
 10 unfortunately, still has more children in it than can be served
 11 by Denver CASA. But, I think this proclamation is a great way to
 12 announce to the community that Denver CASA is one of the
 13 partners, one of the network of the community that's trying to
 14 help protect the children. Thank you
 15 President
 16 Thank you very much, Mr. Haygel. All right. Thank you very
 17 much. And, we appreciate all the work that you do. Now, Council
 18 Members, please call out items using your touch screens. And,
 19 let's have the reading of the resolutions. Madam Secretary.
 20 Secretary
 21 Reads... Resolution 172 ...sustainability convention center hotel
 22 authority
 23 Resolution 186 reappointment of Matthew Spingler
 24 President
 25 Thank you Madam Secretary. Now, the bills for introduction. Will

1 you please read the bills for introduction?
 2 Secretary
 3 Bill 175 ...sustainability
 4 Bill 176... Public Union Employees concerning ATM's at DIA
 5 Bill 177...Approves contract C&C Denver and Millstone Contractors
 6 ?
 7 Bill 178...C&C Denver Colorado AIDS project...low income housing
 8 Bill 174... C&C Denver ... Arts Foundation
 9 Zoning classification NE corner East 1st Ave and Fillmore Place
 10 Bill 173 ...
 11 Bill 180...
 12 Bill 181...
 13 Bill 182...
 14 Bill 183...
 15 Bill 187...
 16 Bill 188...
 17 President
 18 Thank you Madam Secretary. Now, Council Members please call out
 19 the bills that you would like to call out, and I will go through
 20 and recap the bills that have been called out. Under
 21 resolutions, I see no bills called out. Did you? I'll look up
 22 and down and see if we've missed anybody. Did you have one,
 23 Councilman Brown? Which one would you like called out? Which
 24 one is that 172? I'll put that on the list. Resolution 172.
 25 Under bills for introduction, I have Councilwoman Montero, which

1 one were you calling out?
 2 Montero
 3 Um, I was calling out 173; yeah on page 5, for comment.
 4 President
 5 All right. Thank you. Now let's go to bills for final
 6 consideration. And, I see no bills under final consideration
 7 called out. Ah, but let me look under "pending." And I see
 8 Council Bill 156 called out by Councilman Brooks. Is that
 9 correct?
 10 Brooks
 11 Yes.
 12 President.
 13 All right. Let's go back to the resolutions. Councilman Brown.
 14 What would you like us to do with Resolution 172? Just want to
 15 make a personal comment, if I may, Madam President.
 16 President
 17 Go right ahead, Councilman
 18 Brown
 19 You know, when the mayor appoints people to various boards and
 20 commissions, sometimes he has to remove people. And, I know that
 21 this decision to remove Cathy Reynolds from the Denver Convention
 22 Center Hotel Authority was a tough one. I talked to him last
 23 Tuesday morning about it. And Cathy served on this Body for 28
 24 years. She was President for four terms, and she has her
 25 fingerprints all over many of the developments in downtown

1 Denver, especially the expansion of the convention center.
 2 Cathy, we will miss you on this Board. You have served our City
 3 well. Nick LeMasters is replacing you, if that's possible. Nick
 4 is a good man. I know him well, but I just wanted to let Cathy
 5 know that we're thinking about her and we want to thank her for
 6 her service to this Board, this very important Board. Thank you
 7 to Cathy Reynolds.
 8 President
 9 Hear hear Councilman Brown. Um Councilwoman Montero, you had
 10 called out 173 for comment, right?
 11 Montero
 12 Yes, Madam President
 13 President
 14 Sure, of course
 15 Montero
 16 Ok, Council Bill 173 is a bill or an ordinance changing the
 17 zoning from the address 1172 to 1178 Mariposa Street, and I just
 18 wanted to call it out because it was at Land Use Committee, and
 19 at that Committee, I asked for the applicant to do additional
 20 outreach to the surrounding neighbors that may not be aware of
 21 the zoning change and they may not be members of the Lama Lincoln
 22 Park neighborhood. I know that my office has helped to get them
 23 information translated in Spanish ah, so that the applicant can
 24 go door-to-door, at least a one or two block radius around um the
 25 neighborhood but before a public hearing. I am pushing for this

1 because I think it's a great opportunity for this particular
 2 applicant to get out and meet new people in the neighborhood and
 3 to build a relationship with them, so I'm not keeping this from
 4 going forward, I just wanted to mention again that I think that
 5 it's an important thing to do in the neighborhood. Thank you
 6 Madam President.
 7 President
 8 Thank you Councilwoman Montero. Ah, we have one bill pending
 9 that's been called out 156 by Councilman Brooks. What would you
 10 like us to do with this bill?
 11 Brooks
 12 Um, you know, Madam President I wanna at least talk about it for
 13 just a second. This is a zoning change in the south City Park
 14 neighborhood on 16th Street; ah 16th Avenue and Fillmore Street,
 15 right between there and Milwaukee, and I would love to postpone
 16 this to Monday, May 20th for public hearing. This is simply due
 17 to people's schedules ah um, I'll be out of town, the developer
 18 will be out of town, and so we just wanted to coordinate in the
 19 correct area. Thank you.
 20 President
 21 All right, Councilman Brooks. Councilwoman Faatz, would you be
 22 willing to call out the bills this evening?
 23 Faatz
 24 Certainly, Madam President.
 25 President

1 All right, would you like to start us off with moving that this
 2 bill be postponed 'til Monday, May 20th? It's bill, it's Council
 3 Bill 156.
 4 Faatz
 5 Madam President, I would move that Council Bill 156 be postponed
 6 until May 20th.
 7 President
 8 Thank you Councilwoman Faatz. We have it moved, and we have it
 9 seconded. Are there any other comments? And, seeing none, Madam
 10 Secretary, roll call, please.
 11 Secretary
 12 Brooks Aye
 13 Brown Aye
 14 Faatz Aye
 15 Herndon Aye
 16 Kniech Aye
 17 Lehman Aye
 18 Lopez Aye
 19 Montero Aye
 20 Nevitt Aye
 21 Ortega Aye
 22 Robb Aye
 23 Shepherd Aye
 24 Madam President Aye
 25 President

1 And, we're waiting for Councilwoman Faatz. And, there it is.
 2 Thank you very much. Madam Secretary, close the voting and
 3 announce the results.
 4 Secretary
 5 13 ayes
 6 President
 7 13 ayes. Council Bill 156 has been postponed to May 20th. Um,
 8 moving right along, I think we are probably ready for the block
 9 votes. Councilwoman Faatz, would you please put the resolutions
 10 on the floor for adoption?
 11 Faatz
 12 Yes, Madam President. I move that the following resolutions be
 13 adopted in a block:
 14 All series of 2013: 172, 186.
 15 President
 16 Thank you Councilwoman Faatz. Are there any comments; it's been
 17 moved and seconded. Seeing no comments, Madam Secretary roll
 18 call.
 19 Secretary
 20 Nevitt Aye
 21 Ortega Aye
 22 Robb Aye
 23 Shepherd Aye
 24 Brooks Aye
 25 Brown Aye

1 Faatz Aye
 2 Herndon Aye
 3 Kniech Aye
 4 Lehman Aye
 5 Lopez Aye
 6 Montero Aye
 7 Madam President Aye
 8 President
 9 And Councilman Brown... there you go. Thank you. Madam Secretary,
 10 please close the voting and announce the results.
 11 Secretary
 12 13 ayes
 13 President
 14 13 ayes. The resolutions are adopted. Now we need the block,
 15 let's see, all bills for introduction are passed; and we need are
 16 published, and we the bills for final consideration read.
 17 Councilwoman Faatz?
 18 Faatz
 19 Thank you Madam President. I move that the following Council
 20 bills be placed upon final consideration and do pass in a block.
 21 All of these are series 2013: 133, 154, 157, 149, 159, 125, 158.
 22 Let's see, and 129, 161, 162, 163, 164, 165, 166, 167, 168, 169
 23 and 170.
 24 President
 25 Thank you Councilwoman Faatz. They have been moved and seconded.

1 Any comments? And seeing none, Madam Secretary, roll call?
 2 Secretary
 3 Shepherd Aye
 4 Brooks Aye
 5 Brown Aye
 6 Faatz Aye
 7 Herndon Aye
 8 Kniech Aye
 9 Lehman Aye
 10 Lopez Aye
 11 Montero Aye
 12 Nevitt Aye
 13 Ortega Aye
 14 Robb Aye
 15 Madam President Aye
 16 President
 17 Councilman Lopez. Councilman Lopez. Got it? All right. Thank
 18 you very much. Madam Secretary, please close the voting and
 19 announce the results.
 20 Secretary
 21 13 ayes
 22 President
 23 13 ayes. The bills for final consideration do pass.
 24 Tonight there will be a one hour courtesy public hearing on
 25 Council Bill 171 approving a proposed contract to exchange

1 property between the City and County of Denver and School
 2 District #1 in the City and County of Denver and the State of
 3 Colorado, DPS, to exchange property which DPS owns located at
 4 1330 Fox Street and land which the City owns approximately
 5 located at the intersection of East Girard Street and South
 6 Havana Street. Anyone wishing to speak on this matter must see
 7 the Council Secretary to receive a speaker card to fill out and
 8 return to her during the recess of Council. As you can see, the
 9 Secretary will have some help in taking your cards. We will
 10 probably take a longish recess, 25 or 30 minutes, because we want
 11 to be sure to be able to organize all of the speakers' cards
 12 because we will be having ah the pros, cons, pros, cons, uh
 13 speaking before us. So, it will be a little bit longer recess
 14 than we're used to; but, at this time, if there are no objections
 15 from members of Council, we'll start the recess.

16 Stopped: 35.00d

17 RECESS

18 Started: 55:08

19 President

20 Our Council is reconvened. If I could have everyone take your
 21 seats please, then get ready for the public hearing. We have
 22 one public hearing this evening; I think you all knew that. Um,
 23 this is a one hour courtesy public hearing. Speakers should
 24 begin their remarks by telling the Council their names and cities
 25 of residence, and, if you feel comfortable doing so, your home

1 address. If you are here to answer questions only, when your
 2 name is called, come to the podium, state your name and note that
 3 you are available for questions of Council. Each speaker will
 4 have three minutes. There will be no yielding of time. On the
 5 presentation monitor on the wall, when the yellow light comes on,
 6 that tells you you have 30 seconds to conclude your remarks, and,
 7 when the red light appears, your time is up. I know that, when
 8 you get to talking, I've done this myself, you don't quite notice
 9 the monitor and the 30 seconds, but I will be sure to let you
 10 know when your time is up. We don't want to go over time because
 11 we're gonna try to get as many different speakers speaking in the
 12 hour that we have allotted. So, when you go over time, you use
 13 up the time of the whole hearing. Just want to let you know
 14 that. But, I will be sure to let you...I won't tell you at the 30
 15 seconds, but I will tell you at the three minute time. Since the
 16 hearing is confined to one hour, Council will only be able to
 17 hear ten speakers in favor of the bill, and ten speakers opposed
 18 to the bill. We usually do this; we have people speaking in
 19 favor and people speaking opposed. However, please note that we
 20 have, that we would have the opportunity to hear more testimony
 21 if each speaker does not use the full three minutes allotted. I
 22 do want to announce, since we won't be able to have time for all
 23 of the speakers, that we have 42 people who have signed up to
 24 speak, and of those, 15 are in favor, and 27 are opposed, just to
 25 make sure that people realize that your time, if you don't get to

1 speak, at least we know what the uh difference was between those
 2 approved and those opposed. Speakers must stay on the topic of
 3 the hearing, and must direct their comments to the Council.
 4 Speakers are prohibited from using profanity or making personal
 5 attacks during their comments. This is strictly adhered to.
 6 This is a deliberative body who expects civility from themselves
 7 (pointing to herself) and their visitors and our constituents.
 8 Audience members please understand that Council Members use
 9 electronic devices of various kinds to access the materials
 10 relevant to the public hearings for us. Be assured, however,
 11 that, by mutual agreement and common practice of this City
 12 Council, these devices are not being used for texting, emailing
 13 or other communications during public meetings. We will put the
 14 bill up. We will open it for comments, and then we will ask for
 15 the staff report first, and then we will begin the public
 16 hearing. Councilwoman Faatz, will you put Council Bill 171 on
 17 the floor for final passage?

18 Faatz:

19 Thank you Madam President. I move that Council Bill 171 be
 20 placed upon final consideration and due pass.

21 President

22 It has been moved and seconded. We move to the comment period.

23 The public hearing for Council Bill 171 is open. May we please
 24 have the staff report? Mr. Steinberg?

25 Jeff Steinberg

1 Good evening Council Members. Bill 171 is seeking approval of a
 2 purchase and sale agreement between Denver Public Schools and the
 3 City and County of Denver. Denver Public Schools will be
 4 contributing a 46,000 square foot building located at 1330 Fox in
 5 exchange for 11 ½ acres of land that the city owns at Hampden and
 6 or Girard and Havana, excuse me. Uh there, of the 11 acres, 2 ½
 7 of it is a parking lot and nine acres of it is ah land that has
 8 been de-designated; ah and it is now part of the City's real
 9 estate portfolio. Um the terms of the agreement will have a
 10 restrictive covenant uh as part of the transaction where DPS
 11 agrees that the property will be used for a minimum of 40 years
 12 for uh a educational facility uh and if in after that period of
 13 40 years there's a transaction to sell, the City and County of
 14 Denver has a right of first refusal for uh any offers that come
 15 in. The appraised prices of the two respective properties has a
 16 \$705,000 difference in favor of DPS, and the City and County of
 17 Denver will be paying that uh in two fashions. One is by the
 18 domestic violence center private funding which will pay \$355,000
 19 of that; and the balance of \$350,000 will be paid by the City and
 20 County of Denver at the point in time that we take a certificate
 21 of occupancy. Uh renovations again for the building will be
 22 funded uh through private fundraising uh and DPS will oversee the
 23 improvements that are gonna be done to the building.
 24 Additionally, at the end of the presentations for any questions
 25 that Council members have, we have representatives here from DPS,

1 from Parks and Rec, from the Domestic Violence Center, and from
 2 the District Attorney's office.
 3 President
 4 Thank you Mr. Steinberg. One of the ways we can do this to speed
 5 up the process or at least get as many people in as much as we
 6 can, if to ask five people at a time to come up to this front
 7 pew, and I'll call those five, and then as you in the order in
 8 which you appear on my list here. So, I'm gonna call the first
 9 five people up who have signed up, and they are: Bill McMullen,
 10 Mary Ewing, Jim Grazier, Brad Cameron, and Linda Johnston.
 11 Please make your way up to this front pew so you can be "on deck"
 12 for your presentation. And our first speaker will be Bill
 13 McMullen. So you can make your way to the podium, Mr. McMullen.
 14 President
 15 Go ahead
 16 Bill McMullen
 17 Thank you Madam President, Council. My name is Bill McMullen.
 18 I've been in Denver since 1966; I grew up in North Denver. I
 19 went to Alcott Skinner North High School. For the last 20 years
 20 I've lived down in Southeast Denver at 9105 East Lehigh, Unit
 21 #53, Denver, CO 80237. I've done a couple of things in my
 22 life; one I've run a business downtown for 32 years; I've been on
 23 the Board of Adjustment for Zoning for five years; and then I've
 24 been on the RTD Board for 8 years. But what brings me here
 25 tonight is to speak out in favor of this elementary school in my

1 neighborhood. It desperately needs one. That the elementary
 2 schools in southeast Denver are at capacity and my neighbors and
 3 my tenants would like to have a place for their kids to go to
 4 school. And as an investor, I listen to my tenants, and they're
 5 telling me they're gonna move. They're telling me that their
 6 kids are going to first grade in a classroom with 30 other
 7 students. Now that's not fair. And out in southeast Denver,
 8 this is a perfect location. I have gone and walked the property.
 9 I've been all around it, and you have to realize that southeast
 10 Denver, Denver goes all the way to Peoria. That's another mile
 11 to the east of Havana. Another mile to the west is the first
 12 neighborhood school. So in my neighborhood, the kids don't have
 13 a walkable school, and I think that's so important. And this is
 14 a perfect piece of property that can be developed, and I remember
 15 as a kid I went to Balarat in the Denver Public Schools up in the
 16 hills. This could be a Balarat in the City. Down along that ah
 17 the Cherry Creek the educational opportunities will be extensive,
 18 so I would urge you to vote for this for many reasons. Oh I've
 19 got one more reason: the mass transit. This site has two bus
 20 routes: the 35 and the 105. They're already established, and I
 21 can tell you from my eight years on RTD how many schools were
 22 fightin' over getting access to public transit. So I hope I got
 23 my points out and how much time I got? (you have 30 seconds).
 24 I'll give it up.
 25 President

1 Thank you Mr. McMullen. Mary Ewing.
 2 Mary Ewing
 3 Council members, Mary Ewing, 720 Gilpin Street, Denver, Colorado
 4 80218. I am the representative from District 10 to the Parks and
 5 Recreation Advisory Board, and I am also the longest-serving
 6 member of the Advisory Board. In September of 2007, the Advisory
 7 Board unanimously voted to support the designation of the
 8 Hentzell Park Natural Area because, and I quote Susan Baird, the
 9 author of the game plan which was adopted in April of 2003 as a
 10 supplement to the Denver Comprehensive Plan of 2000. "Denver
 11 residents want more bits of wilderness close to home like people
 12 in other cities. Denverites are beginning to define public
 13 parks differently no longer regarding remnant natural areas as
 14 left behind castoff lands, but as important, enriching places for
 15 people and wildlife." Susan Baird had the vision almost a decade
 16 ago to set our city on a right path to achieving the distinction
 17 of being a city in a park. Denver city government has a long
 18 history of stewardship of dedicated park land and designated open
 19 space. From years of polling, we all know the importance of
 20 parkland ranks at the top of Denver residents. The 2007 Parks
 21 and Rec Advisory Board made the decision to support preservation
 22 of this remnant piece of land that was slated to be restored as a
 23 living legacy of what our environment looked like when Denver was
 24 settled. All Board members, the Parks Manager, the Mayor and
 25 assuredly City Council members at that time knew that we were

1 voting of what Susan Baird called the long view. We voted for
 2 the future of this land and our city and I stand before you
 3 tonight to tell you that those achievements, those agreements
 4 should continue to be honored. This piece of unique land should
 5 be restored and the excuses of financial constraints be tossed
 6 aside. Since 2007, it has sat in abandonment until our elected
 7 and appointed officials of today decided to steal it from the
 8 citizens of Denver. They will gas the creatures on and under the
 9 ground; they will starve out the dependent wildlife; they will
 10 bulldoze the contours of the land that so clearly reflect the
 11 natural flow of Cherry Creek, and they will build over bones of
 12 artifacts of the Native Americans and the bison that they hunted
 13 for food. At the December 13th 2012 Advisory meeting, I put
 14 forth the motion to uphold the Advisory Board's original
 15 designation of Hentzell Park Natural Area. The vote was 11-6.
 16 Strangely, the recorded transcript of that meeting is missing,
 17 and I assure you that your representative's voices were clear and
 18 courageous. As elected and appointed officials, you have an
 19 obligation to protect the public trust, and the public assets.
 20 You have an obligation to conduct public business in a
 21 transparent manner. I encourage you to do the right thing
 22 tonight and turn this proposal down. Thank you.
 23 President.
 24 Thank you, Ms. Ewing. Jim Grazier.
 25 Jim Grazier

1 Hello, my name is Jim Grazier. I live at 3124 South Elmira
 2 Street, approximately 1.2 miles away, actually about ¾ of a mile
 3 away from the site. Um I'm actually here to speak on behalf of
 4 my daughter, Hora Grazier, who is nine weeks old and, obviously
 5 unable to speak, but we hope that she will be one of the first
 6 students at this location. So, I'll read a statement on her
 7 behalf. As residents of the Hampden Height neighborhood, we want
 8 to inform the City Council that our family firmly supports the
 9 proposed land exchange to Denver Public Schools. The proposed
 10 land exchange is a near perfect solution to the abandoned
 11 property near our home. Today the proposed site for the public
 12 school is an unused parking lot, a drainage ditch, and a scrap,
 13 barren land. This is not a recreation area. This is not a natural
 14 area. In fact, this is a site that is a classic example of urban
 15 neglect and a potential brown field redevelopment. The graffiti
 16 on the broken fence must no longer be the de facto welcome sign
 17 to Denver. Our neighborhood deserves this site to be
 18 rehabilitated. The proposed Denver Public School would be a
 19 welcome change. We presently have no schools within walking
 20 distance. As a result, our aging neighborhood is slowly
 21 declining because new families are not attracted to the area.
 22 Without new families, our local businesses are closing, and the
 23 crime rate appears to be rising. The easy solution for families
 24 in the Hampden Heights neighborhood is a for sale sign in the
 25 front yard. But the families in the apartment buildings have

1 fewer options. They struggle to succeed without nearby services
 2 for their children. Our neighborhood would strongly support a
 3 new elementary school. At a personal level, my family's future
 4 in Denver is dependent on this proposal. We are supporters of
 5 early childhood education in neighborhood public schools. It's
 6 difficult to see why we would raise our daughter in this
 7 community without a proper school. Finally, we understand this
 8 land swap has generated some controversy. ... like the Council to
 9 please know that we have seen no evidence of controversy within
 10 our neighborhood. The common belief is that the long-overdue
 11 school can finally be built sometime in the near future. So,
 12 frankly, it's disappointing to find this project has actually
 13 been delayed. Please remember this issue is not as complicated
 14 as it seems. It's simply an abandoned property vs. a potential
 15 elementary school. The Council's lucky to have such an easy
 16 decision. Approving the land exchange is a rare point of common
 17 sense in City politics. Please don't miss this opportunity. I
 18 urge you to vote for approval. Thank you.
 19 President
 20 Thank you Mr. Grazier. Brad Cameron.
 21 Brad Cameron
 22 My name is Brad Cameron. I live at 1200 Humboldt Street here in
 23 Denver. Not terribly close to the property, but for over about
 24 25 years, I've been riding on that Cherry Creek bike path.
 25 During that time, I've often stopped at this area to watch the

1 prairie dog town, and I do think I need to stress, this isn't a
 2 blighted area. It's a prairie dog town. It's a significant
 3 natural habitat in Denver. Uh, bottom line is I think that this
 4 is a very bad idea and I would urge Council not to approve it.
 5 Our parks should not be cannibalized and certainly not in this
 6 fashion. I think it's almost shameful that we have both
 7 advocates for the parks, advocates for schools, and advocates
 8 against domestic violence that are here more or less in
 9 contention. We all, I think, agree that these are great things
 10 and a smart city should be able to figure out how to accommodate
 11 all of them. But, enough in generalities, I specifically want to
 12 talk about some of the mitigation properties that were cited in
 13 Lauri Dannemiller's January 2nd approval letter. Those are
 14 inherent upon Montbello and Lowry Stapleton. Now, legitimate
 15 mitigation should involve projects that are initiated in response
 16 to a loss, not going back and clinging in the past for good
 17 deeds. And also involve some comparable quality property. None
 18 of these so-called mitigation properties meet those criteria. Uh
 19 we did an open records request to get a better understanding of
 20 them, and um of the three I want to talk first about Montbello.
 21 That involves a deal with the Environmental Learning for Kids
 22 Program. It's been in the works since at least 2010, way before
 23 this proposal surfaced. It's currently a vacant lot, not
 24 anything comparable to the natural habitat at Hentzell. And,
 25 when it's finally done, it'll be the site of ELK's office and

1 primarily it's gonna be used by that facility. It's not a good,
 2 comparable mitigation. Heron Pond is, is equally the same. It
 3 is quite literally an industrial waste land at this point in
 4 time. And, uh it's already owned by the City, and adjacent to
 5 North Side Park, but the plans of the City is that it is
 6 primarily going to be used as a regional storm water detention
 7 facility, not much mitigation there. And then finally the
 8 additional parkland at Lowry and Stapleton uh it seems rather
 9 obvious. We're putting tens of thousands of new residents in
 10 there and we need more parks for those residents. These are
 11 parks that were included in the development plans for both Lowry
 12 and Stapleton, and in no way should they be mitigation property
 13 for the taking of park land at Hentzell. The bottom line is
 14 there really is no mitigation that's being offered for this
 15 property that's being taken, and I would very much urge Council
 16 to vote no. Thank you.
 17 President
 18 Thank you Mr. Cameron. I'll call Linda Johnston, and while she
 19 is making her way to the podium, I'd like to call up Jim Haney,
 20 Marvin Phlom, Ann Rowe, Zelda Hawkins, and Jeff Schumacher to
 21 please make your way up to the uh pew here. John Case...did I miss
 22 John Case?
 23 John Case
 24 You did.
 25 President

1 Oh, I'm sorry. I looked for that last person; do you mind
 2 waiting until we hear from... Mr. Case, it's my mistake. Mr. Case,
 3 come on up. Let's... Linda Johnston now? What did I do wrong?
 4 Secretary
 5 After Linda Johnston, you said Jim Haney.
 6 President
 7 Oh. I'm sorry. John, I'm so sorry. I meant to call you up for
 8 the five, and have Linda Johnston is next, and you're up in the
 9 next five.
 10 John Case
 11 Oh
 12 President
 13 Is that correct? So sorry. Now, Linda.
 14 Linda Johnston
 15 Thank you Madam President.
 16 President
 17 I hope I won't be as awkward as we go forward.
 18 Linda Johnston
 19 My name is Linda Johnston and I live in City Council District 6.
 20 I'm here to encourage your support of the land exchange involving
 21 DPS and the creation of the Rose Andem Center. It was great to
 22 hear you talking about child abuse, prevention tonight because
 23 the link between child abuse and domestic violence is quite
 24 clear. I'm a parent of two DPS students. We spend a lot of time
 25 in Denver parks. We enjoy being outdoors together. We play a

1 lot of soccer and baseball on the park fields. We appreciate
 2 that Denver offers so many places to be outdoors in the City.
 3 I'm also an attorney that has worked on domestic violence in
 4 Denver for the past 20 years. I have worked with many victims as
 5 they try to sort through the numerous agencies that have entered
 6 their lives due to abuse and try to make sense of the resources
 7 that are available but scattered throughout the City. I
 8 currently provide training throughout Colorado and am developing
 9 a coordinated community response to domestic violence, and I talk
 10 often about the model that Denver provides in terms of a
 11 coordinated response to domestic violence, and the Rose Andem
 12 Center is an example of best practices in this field. The land
 13 exchange is clearly in the best interest of students and the
 14 community. A new school in a good location and a domestic
 15 violence center that is conveniently located is the type of
 16 progress that we need to serve families, and make Denver safer
 17 for all residents. Many of the people that will be seeking
 18 services at the center are not in a position to enjoy Denver
 19 parks or take advantage of Denver schools. They are simply
 20 focused on safety and survival. The Rose Andem Center will
 21 provide one place where victims and their children can get the
 22 information and support that they need to rebuild their lives.
 23 The Center is a great example of how collaboration can work to
 24 make victims safer and intervention more effective. Denver is in
 25 the position to implement best practices for education and

1 domestic violence response. I hope you will support this
 2 important land exchange. Thank you.
 3 President
 4 Thank you, Ms. Johnston. Now, Mr. Case.
 5 John Case
 6 My name's John Case. I live at 10081 East Cornell Avenue in
 7 Denver; that's in Hampden Heights. I've lived in that home since
 8 1978, and this is my first City Council meeting, so it's nice to
 9 be here with you. I want to show you a picture of this land
 10 that's involved here. I took this picture last, a week ago
 11 yesterday when I was out cross country skiing uh on this piece of
 12 ground, and uh you can see a few prairie dog mounds here. This
 13 is the foot bridge that crosses Cherry Creek. Cherry Creek runs
 14 along here (pointing right to left) along this tree line and,
 15 and, if you look straight north, up to this clock tower building
 16 you can uh that is about where the City property ends. Paul
 17 Hentzell Park runs up to there and then Babi Yar Park is beyond
 18 that. My wife and I raised four children in this area. They all
 19 played in this field. My middle son found a bison jaw bone and
 20 arrow heads Cherry Creek bed. All of my kids saw fox, deer,
 21 coyotes, raccoons, skunks, bull snakes, deer, hawks, owls,
 22 herons, all kinds of bird life, and they collected all kinds of
 23 bugs. This area is unique, and I'm here because I don't see why
 24 this has to be a win-lose situation. There's three basic
 25 interest groups that are involved in this decision. One are the

1 proponents of a domestic violence center. None of us here
 2 opposing this land transfer object to a domestic violence center.
 3 We're in favor of it. The other is Denver Public Schools. They
 4 want to build another school in southeast Denver, and none of us
 5 oppose that. We just oppose it at this location because of the
 6 unique nature of the land, and there are other good building
 7 sites for DPS in Southeast Denver. One is at Holm where my kids
 8 walked to school from our house, and Hamilton is on the same
 9 campus. There's probably more land available on that campus than
 10 there is in this wildlife area that you're about to vote on. So,
 11 I think that a deal could be worked out where everybody wins and
 12 one of the parties that's interested does not lose. But, just to
 13 protect ourselves, this afternoon, we gave notice to the City
 14 Attorney's office that if this land is transferred, we intend to
 15 file a citizen's petition initiative, and, if the vote goes
 16 against us tonight, possibly a referendum to reverse the vote of
 17 the City Council. Thank you.
 18 President
 19 Mr. Case. Thank you very much for your comments. And your
 20 picture. Mr. Jim Haney.
 21 Jim Haney
 22 Good evening. My name's Jim Haney, and I'm a lieutenant in the
 23 Denver Police Department. I'm currently assigned to the Major
 24 Crimes Division, and the reason I want to speak tonight is on
 25 behalf of one of the units under my command, the Domestic

1 Violence Unit. The Denver Police Department and the Domestic
 2 Violence Unit strive to deliver the best services possible to the
 3 victims of domestic violence. In January of 2006, the Domestic
 4 Violence Unit became a partner of the Triage Review Team. This
 5 team represents a collaboration of various law enforcement
 6 agencies and community partners, working to insure that domestic
 7 violence victims receive the services they require as quickly as
 8 possible. This team has a strong working relationship and I
 9 believe that the next step in our evolution is the opening of the
 10 Rose Andern Center. Having a single place where a victim can come
 11 for most, if not all of their needs reassures them that people
 12 really do care. The 1330 Fox Street building is the perfect
 13 location for this. It's proximity to the jail, to Denver Police
 14 Department Headquarters, and the courts make it ideal. In
 15 conclusion, the Denver Police Department is very excited to be a
 16 partner in this project and I believe the first step was the
 17 triage review team, and I believe the next step is the opening of
 18 the Rose Andern Center. Thank you very much for your time and
 19 consideration.
 20 President
 21 Thank you Mr. Haney. Marvin Phlom?
 22 Marvin Phlom
 23 Madam President, Council Members, My name is Marvin Phlom. I
 24 live at 2770 South Elmira Street, in Denver. That's in a complex
 25 called "The Park" at Woodstream Village, and I recently purchased

1 a property there that's adjacent to Cherry Creek and Hentzell
 2 Park. Uh our primary reasons for locating there were quiet
 3 neighborhoods, natural settings, abundant open space, and easy
 4 access to nature and bicycle trails. When we first started
 5 looking for property in that area, we felt that that neighborhood
 6 was unique to all of Denver. To allow any kind of development,
 7 even a school, would detract from that setting. In fact, we feel
 8 that if the Council should allow any development of that
 9 property, it would be no different than Mayor Bloomberg selling
 10 off City Park to the Donald Trump's of the world so that they
 11 could build more skyscrapers. The citizens of New York City
 12 would never allow that to happen, and I don't think it should be
 13 allowed to happen in Denver either. I urge you all to vote no on
 14 this proposal. Thank you.
 15 President
 16 Thank you Mr. Phlom. Ann Rowe?
 17 Anne Rowe
 18 Thank you Madam President, City Council Members. I appreciate
 19 the opportunity to be here tonight. I'm Anne Rowe, and I am
 20 actually a native of Denver, Colorado, and have had the privilege
 21 of living in Southeast Denver for the last 25 years. Currently
 22 at 3220 South Monroe Street, 80210. Um I am also a member of the
 23 DPS Board of Education, representing Southeast Denver. At our
 24 Board of Education meeting on March 21 we approved this
 25 transaction to move forward. Um and this was the result of a

1 culmination of a process that began almost a year ago. And it
 2 began as we were looking toward issuing a bond in the mill to the
 3 citizens of Denver with regard to moving forward with Denver
 4 public schools, and with regard to that, we were looking at areas
 5 of growth, and what we discovered in Southeast Denver is we are
 6 in desperate need of elementary seats to serve our students. Um,
 7 I have the honor and the privilege of spending time in these
 8 schools and I've spent time at Holm, Bradley, Samuels, and
 9 Southmoor, all of which are either at or over capacity. Holm is
 10 in a situation right now where they have to send their fifth
 11 grade students up to Hamilton. Both Southmoor and Samuels have
 12 mobile units. All of these schools are making an incredible
 13 effort to do the best they can; but is very difficult and what we
 14 need to do is give these schools the opportunity to create their
 15 environment and also serve the kids in Southeast Denver. Um the
 16 citizens committee that was created around the bond and the mill
 17 looked at the situation and when the opportunity came up with the
 18 possible swap with the City, with regard to the Fox Street
 19 location for the domestic violence center, and the opportunity to
 20 build a school at Hentzell Park, school board members actually
 21 went out last July and were able to see this property and since
 22 then I have actually walked the Hampden Heights neighborhood
 23 prior to the bond to let 'em know that this was a possibility.
 24 We've also had numerous, a number of public meetings, both within
 25 the neighborhood and Parks and Rec where folks were given an

1 opportunity to share their thoughts with regard to this. The
 2 reason the Board of Education moved this forward was because of
 3 opportunity, an opportunity for our city to serve our kids to
 4 serve citizens who are suffering from domestic violence, and to
 5 actually enhance open space. We looked at the half, you know,
 6 the glass is half full, the opportunity here, and we hope you
 7 consider this because I think there's great potential for our
 8 youngest citizens and the citizens of Denver. Thank you very
 9 much.
 10 President
 11 Thank you, Ms. Rowe. Ms. Zelda Hawkins.
 12 Zelda Hawkins
 13 Thank you. My name is Zelda Hawkins. I live in Hampden Heights,
 14 3319 South Galena Court. I'm speaking tonight for myself and on
 15 behalf of many of my neighbors. We're very much opposed to the
 16 proposed land swap and building of an elementary school on the
 17 Hentzell Park Open Space. We're not only against the land swap,
 18 but are very angry at the way the City has handled it. We've
 19 contacted our City County members, and our letters have either
 20 been ignored, or answered with a form letter that is full of
 21 government doublespeak and doesn't address our concerns. The
 22 Hentzell Park Open Space is an oasis of natural beauty within the
 23 City; one of the few places where we can see what the land was
 24 like before civilization encroached on it. The open space
 25 provides sanctuary and solace to both humans and animals,

1 something that is in increasingly short supply these days. Part
 2 of the park land that would be lost in the land swap includes
 3 remnants of native prairie vegetation—some of the best to survive
 4 within the City. The Denver Department of Parks and Rec is well
 5 aware of this, but chooses to discount its value. The land swap
 6 would set an unacceptable precedent that could ultimately erode
 7 both the size and quality of Denver park land and open space.
 8 The Parks and Rec Advisory Board voted overwhelmingly against
 9 de-designating the land, a decision that was disregarded and
 10 unilaterally overturned by the Manager, a mayoral appointee, in
 11 an act that smacks of cronyism. In fact, the stench you might
 12 smell in this room tonight came from the smoke-filled room where
 13 this deal was made and apparently finalized before it was ever
 14 brought before the general public. The lack of communication
 15 between the City, the School Board, and the residents has been
 16 quite simply appalling. Public meetings were not advertised; the
 17 original amount of land involved was 5.7 acres, not the 11.7
 18 being discussed tonight. The proposed family violence center had
 19 already obtained a lease from DPS for the use of the Fox Street
 20 building before the plan was announced or any public comments
 21 solicited. I know that the City Council has responsibility to
 22 plan for the future of the City and County of Denver, but it has
 23 an even greater responsibility to the current residents not to
 24 take away open space to build an elementary school. Educating
 25 children and helping victims of domestic violence are important,

1 but raping and defiling the land are not the ways to do it. I'd
 2 like to close by paraphrasing the singer Joni Mitchell, "Don't it
 3 always seem to go. You don't know what you've got till it's
 4 gone. Pave Paradise and put up an elementary school." Thank you
 5 all for listening tonight.
 6 President
 7 Thank you, Ms. Hawkins. Uh, Mr. Jeff Schumacher. And, as he's
 8 coming up, let me call the next five, but let me make sure that
 9 Dan Rifkin is at the top. Is that the first one? I'd like to
 10 call Dan Rifkin, Stacy Clark, Renee Lewis, Suzy Street and Dave
 11 Felice to please come up to the "on deck" pew. And you may
 12 begin, Mr. Schumacher.
 13 Jeff Schumacher
 14 Thank you Madam President and the Members of the Council. Thank
 15 you for letting me address you tonight. And I also want to thank
 16 you again for the honor that you bestowed upon my father several
 17 weeks ago. My name is Jeff Schumacher. I live at 3456 East
 18 Cornell 80210 in the Wellshire neighborhood. I'm also the
 19 director of the Greenway Foundation and we're proud that over the
 20 last 39 years we've been a partner in providing over \$100 million
 21 of recreational and environmental water quality improvements to
 22 our urban waterways, the South Platte River and its tributaries
 23 and that in turn has spawned over \$10 billion of economic impact
 24 to our city. I am here today speaking in support of this
 25 measure. I realize the significance of this measure, and I

1 applaud all those regardless of their side on this or their
 2 opinion on this matter for standing up tonight and speaking their
 3 hearts because that is what makes Denver the great city that it
 4 is. Denver is growing. Isn't that exciting? In fact, the
 5 problem that we have versus 20 years ago is people are moving
 6 into Denver to go to Denver Public Schools. I was in the
 7 Legislature from 1986 to 1992. Our problem was how do we keep
 8 kids from moving out of Denver. And, in fact, along with Anne
 9 Rowe and Kendra Black and others I am very proud of having been a
 10 part of re-opening Slavens School, which had been closed for
 11 fifteen years. For the realities of that time and today, it's
 12 one of the finest schools in Denver. I grew up in the Wellshire
 13 neighborhood. I lived along the golf course. I understand the
 14 value of schools; I'm a former public school teacher. I'm a
 15 graduate of DPS. I went to TJ High School a thousand years ago,
 16 and I represented the City in Southeast Denver 500 years ago. I
 17 understand what we're talking about here, as well as, any one
 18 individual can. This is a balanced approach. It addresses the
 19 need to have additional desk space and kid space for kids that
 20 want to come in and stay in this town. It addresses the need for
 21 addressing the need for supporting the victims of domestic
 22 violence. It allows for a school to focus on environmental
 23 education, and, by the way, our program SPREE, South Platte River
 24 Environmental Education, has received, and I say this with great
 25 pride, more environmental education awards than any other program

1 in the State of Colorado. And we take thousands and thousands of
 2 kids down on Cherry Creek, down on the South Platte River, down
 3 its tributaries every year, and we would be proud to be part of
 4 creating the environmental education program that this school can
 5 focus on. I also understand that Councilwoman Lehman is going to
 6 carry an ordinance that will make sure that the remaining acres
 7 of Hentzell Park are designated park space. This must happen;
 8 this should happen; this needs to happen. And, finally, let us
 9 not question for a minute that this administration's support and
 10 belief in an advocacy for open space in this city. I take
 11 personal exception to any comments that speak to that. And, let
 12 me tell you why it's close to my heart. In the next two years
 13 and two months, over \$15 million of additional park open space
 14 trail, water quality and natural areas will be along the river
 15 and its tributaries, and then we're gonna talk about Sun Valley
 16 after that, and then we're gonna talk about River North and
 17 National Western Stock Show after that. So this is a difficult
 18 decision; it's a challenge as a citizen. And, with that, I'm at
 19 3 minutes and 6 seconds, and so I'll stop and tell you all thank
 20 you for the opportunity to speak to you and I applaud your
 21 service to our city and its citizens. Thank you.
 22 President
 23 Thank you Mr. Schumacher. Dan Rifkin.
 24 Dan Rifkin
 25 Dan Rifkin, Plant Park. Long-time Denver resident, retired

1 government manager. I've heard from a couple of City Council
 2 representatives that there's a certain amount of Council
 3 privilege given to the Council person in the district a project
 4 is located. Instead of deferring to supporting an action or a
 5 park due to this questionable project I would ask you to consider
 6 the following points; also prior made somewhat. There's a large
 7 public sentiment against this swap and none of the people I know
 8 are against the need for a school or a women's center. It just
 9 doesn't have to be at the cost of destroying a last great natural
 10 area in Denver with important flora and fauna. I would say, in
 11 this crowd, there, if you would like to stand, there is an
 12 overwhelming number of people that are in agreement with me. It
 13 should not be skewed to look like we have equal representation
 14 for comments here. Thank you. Uh we recognize that destroying
 15 this designated unique natural area is not the right solution.
 16 This was also confirmed at the recent Denver Parks and Rec's
 17 Advisory Board meeting where a majority of the vote affirmed the
 18 original unanimous vote that designated this area based on
 19 long-term environmental study. At the recent Democratic District
 20 meeting in Peggy Lehman's own district, there was overwhelming
 21 opposition to this swap. Walk through this natural area and
 22 enjoy it, as I hope you will, before it may be gone,
 23 unfortunately, and you will be aware that you are surely see
 24 prairie dogs that about to be inhumanely poisoned, and other
 25 flora and fauna destroyed. Ask the hard questions about this

1 deal, such as, is this an appropriate site for a school, given
 2 its location right off of busy Havana and in a floodplain? Or in
 3 terms of a lack of current concerted efforts to identify better
 4 sites for this which could resolve it for all three
 5 constituencies. I respectfully submit to you that this swap is
 6 in the opposite of some's contention of being a long-term
 7 interest to the City. It is, in fact, short-sighted and lacks
 8 any bigger vision for our future residents to enjoy a
 9 disappearing part of our natural heritage. Forever cannot be
 10 replaced, but a school can be built elsewhere. Finally, at a
 11 minimum, please defer your vote until an exploratory committee of
 12 some kind can see really if there are other alternatives to
 13 destroying this natural area, filled with wildlife. Surely,
 14 there are other solutions that can meet everyone's concerns.
 15 Thank you.
 16 President
 17 Thank you, Mr. Rifkin. Stacy Clark
 18 Stacy Clark
 19 Thank you Madam President and members of the Council. My name is
 20 Stacy Clark, and I live in Littleton. I'm here in support of the
 21 land exchange for the Rose Andem Center. In 2008, my oldest
 22 daughter, Toni (sp?), was a homicide victim of domestic violence.
 23 She was killed on St. Paul Street here in Denver, Colorado. Her
 24 case was called one of the most horrible, violent crimes by Judge
 25 Mullins who presided over her case in the 19 years he sat on the

1 bench. I have tried, after that horrible experience, to offer
 2 help and support to many victims of domestic violence, and last
 3 year, I was the sole support to a young woman who was trying to
 4 leave her abusive husband. She's disabled, cannot drive, and has
 5 been isolated from her family. I became everything to her, as I
 6 tried to help her start a new life away from her husband. I
 7 provided transportation, food and money. I tried to get her
 8 into counseling and to apply for services through several
 9 agencies, but was unable to drive her to all of these places.
 10 Because of my inability to provide transportation, she could not
 11 get the adequate help she needed to recover from her abusive
 12 husband. This center will give victims a chance to receive the
 13 help they desperately need in so many areas. I am here in tribute
 14 to my daughter to help prevent my greatest nightmare from ever
 15 becoming anyone else's. I ask that you please support the land
 16 exchange for the Rose Andem Center. Thank you.
 17 President
 18 Thank you Ms. Clark; Renee Lewis
 19 Renee Lewis
 20 Honorable City Council Men and Council Women. My name is Renee
 21 Lewis, and I am a resident of the Park at Windstream Village,
 22 2770 South Elmira. Hentzell Park is my front yard. Saturday was
 23 a beautiful sun-shiny day and I couldn't resist going for a walk.
 24 I spent time watching a couple of mallards swimming peacefully in
 25 Cherry Creek. I walked along further and was delighted by the

1 chirping sounds of the prairie dog colony, as if they were
 2 greeting me, and spent time watching them with fascination as
 3 they went about their prairie dog lives. I marveled to discover
 4 that the beaver are back. Fresh signs of their presence are
 5 everywhere along the creek. Can you imagine, a living beaver
 6 colony, right here in the City? How wondrous. I saw large nests
 7 in the trees, and I thought about the owls that I heard this
 8 winter, and the magical sound of their calls in the night. I
 9 thought about how I was blessed to see a huge hawk last week,
 10 sitting on a tree in the park directly across from my yard. I
 11 stopped my hurried day, and just watched and wondered what kind
 12 of hawk that could be, and vowed to look for a picture of that
 13 hawk so I learn his name. Have you ever heard a baby coyote
 14 making his first yips and howls? It's the cutest thing you ever
 15 heard. Yes, I know there are those that would say these animals
 16 are just a nuisance, and they stand in the way of progress, but I
 17 say to you there's no greater classroom for a child to experience
 18 the wonders of nature than this magical park alongside Cherry
 19 Creek. I am asking you, as a member of the Hentzell Park
 20 community, to represent me by doing the right thing. This
 21 attempt to take natural spaces and repurpose it for construction
 22 projects without public input is completely counter to the spirit
 23 of the Denver City Charter 245 which asks for a vote of the
 24 people. If this project is truly the right thing to do, I'm sure
 25 the people of Denver will vote in the affirmative. If we vote in

1 the affirmative, then the project can move forward in a positive
 2 manner. But, I think it's highly possible that the Denver public
 3 will not vote in the affirmative for this land transfer; thus,
 4 the need for skullduggery. Silence is power, but not the right
 5 kind of power. Yes, you can use the power of office in negative
 6 ways and it's perfectly possible to win the day, but I think that
 7 in the end all things will be revealed. I am asking you to do
 8 the right thing, and vote no on Mayor Hancock's proposal. Please
 9 do not leave this in the hands of back-room politics. Take the
 10 politicians' hands out of the treasure chest now before this
 11 precedence gets established. Schools can be built in plenty of
 12 places, but a park in the highly-coveted Cherry Creek corridor
 13 can never be replaced. Please don't allow the pirates to take
 14 our treasure.
 15 President
 16 Thank you Ms. Lewis. Susie Street.
 17 Susie Street
 18 Madam President and City Council Members, I thank you for the
 19 opportunity to speak to you. My name is Susie Street. I live in
 20 Southeast Denver at 3962 South Syracuse Way. My two sons have
 21 gone to Samuels Elementary, Hamilton, and TJ, and I can tell you
 22 that my youngest son was in one of those mobile classrooms at
 23 Samuels because of the overcrowding and has had classrooms with
 24 28 to 30 kids. Fortunately, I think he's doing well, but I also
 25 know that many of his friends live in the Artisan Apartments in

1 those complexes off of Girard and in Kennedy Ridge, and they have
 2 to travel by bus to get to Samuels, and it's very difficult, and
 3 I think having a neighborhood school is really important. The
 4 other part that I'd like to speak to is that in my work as a
 5 social worker, working at the Colorado Coalition for the Homeless
 6 with families that 85% of the families that we see every day
 7 walking through our door are victims of domestic violence. The
 8 largest growing population of homeless people is young children
 9 under the age of five. The families that we see experiencing
 10 domestic violence think that, once they have come to us, then
 11 they have fled the situation, that they don't have to deal with
 12 it anymore, but, in fact, they get on to our properties, into our
 13 transitional housing and they find that they enter into further
 14 domestic violence relationships and their children are further
 15 traumatized. We try to talk to them about seeking out services
 16 in the domestic violence community because we do have a grant
 17 working with the other agencies like Safe House Denver and
 18 Project Safeguard, but they don't want to leave the property.
 19 They don't want to go out into the community; they want to
 20 settle. So, we're working really hard collaboratively for them
 21 to be able to seek those services on property, but if we were
 22 able to have a center where we could co-locate and meet with
 23 homeless families in the Andem Center which is what we're
 24 seeking, then they would be able to see us and the people from
 25 Safe House and the people at the Andem Center and they wouldn't

1 have to travel from agency to agency or to rely on people like
 2 the person who spoke before me who said she spent all of her time
 3 trying to transport this woman who was disabled. I ask you to
 4 vote affirmatively for this measure. It's important for the
 5 children in Denver, for the families, for the victims of domestic
 6 violence. I truly enjoy the outdoors; I'm outside a lot; I know
 7 there's a lot of parks in Denver; there's a lot of open space;
 8 and I don't think that this one parcel of land is going to be the
 9 be-all and end-all of having any nature in Denver. I think we
 10 have a lot, and I'm grateful for that. Thank you.
 11 President
 12 Thank you Ms. Street. Dave Felice. And, as he's coming up, I
 13 would like to call the next five people. And those are Gully
 14 Stanford, Steven Waldstein, Danielle Evans, Kathleen Wells, and
 15 Dora Lee Larson.
 16 Dave Felice
 17 Good Evening Council Members. This matter before you is
 18 fundamentally about the loss of irreplaceable natural area
 19 President
 20 I hate to interrupt you, and we won't count it against you, but
 21 would you introduce yourself and tell us where you're from?
 22 Dave Felice
 23 My name is Dave Felice. I live in Park Hill.
 24 President
 25 Thank you

1 Dave Felice
 2 As I was saying, this is about, fundamentally, the loss of
 3 irreplaceable natural area and the betrayal of public trust. You
 4 should reject this insidious scheme because there are too many
 5 misleading and deceptive questions about how the deal was made
 6 and how this so-called, how much this so-called trade is going to
 7 cost. As an example of the confusion, the Council bill now
 8 describes 11.7 acres when previous discussions have been about
 9 11.5. Why does anybody think it's a good idea to build a school
 10 in a floodplain? There are open spaces along South Monaco where
 11 even commercial building is prohibited because of potential
 12 flooding. Who is actually going to pay for proper drainage in
 13 Hentzell Park Natural Area? When Kelly Lied worked for the
 14 school district, why did he decide the Natural Area was the only
 15 site for a school building? Did Lied know he was going to work
 16 for Michael B. Hancock who wanted the land for a trade? Lied
 17 apparently didn't even know the land was designated as a Natural
 18 Area. The Parks Department initially had difficulty describing
 19 the land and how much land was to be involved. When did Michael
 20 Hancock promise the building for a domestic violence assistance
 21 center? According to its own web site, the Center declared it had
 22 secured a lease in October, even before Parks and Recreation
 23 Advisory Board had considered de-designation. How much is
 24 actually going to be spent to renovate a building which School
 25 Superintendent Tom Boasberg acknowledges has outlived its

1 usefulness. Who pays if asbestos abatement is required? Why did
 2 Boasberg buy 1860 Lincoln even before the deal at 1330 Fox was
 3 complete? Did he have some sort of secret assurance from the
 4 City administration? The School District's own reports show
 5 overcrowding throughout the city. Is there a plan to build more
 6 schools in other locations and does this plan involve taking more
 7 park land? Don't be part of a government whose legacy is the
 8 killing of the prairie dogs and the deaths of other animals, the
 9 destruction of natural vegetation and the loss of open space.
 10 History is full of stories about someone taking land away from
 11 someone else. I urge you to write a better story. Thank you.
 12 President
 13 Thank you Mr. Felice. Gully Stanford.
 14 Gully Stanford
 15 Madam President, members of Council, my name is Gully Stanford, a
 16 Park Hill resident and a member of the 2012 Denver Public Schools
 17 Bond and Mill Citizens Planning Advisory Committee or CPAC. I
 18 would like to add my voice to those who are urging you to support
 19 the proposed land transaction. First, let me assure you that the
 20 CPAC process was open, transparent and inclusive, oh, and, by the
 21 way, smoke free. To my knowledge, every single person with a
 22 point of view on the proposals was afforded ample opportunities
 23 to testify. Secondly, I would like to underscore the need for a
 24 new school in Southeast Denver. As was shared with the
 25 Committee, the public and the DPS Board, our Southeast elementary

1 schools are overcrowded and the forecast is for further growth.
 2 The other, perhaps, surprising trend is towards a broader
 3 diversity and greater dependence on free or reduced lunch. Holm,
 4 for instance, is now 70% minority and 83% free or reduced lunch,
 5 indicating the urgent need for a new and accessible facility.
 6 Add to that, the growing population in the Hampden Heights
 7 neighborhood and the inescapable conclusion is that this is the
 8 right time, the right school, and the right location. We can be
 9 divided on many things in our community, but we should not be
 10 divided on the vital need to invest in the education of the next
 11 generation. If we build this school, when we build this school,
 12 Southeast Denver will still be beautiful, will still enjoy
 13 delightful open spaces; indeed, the addition of 16 acres to
 14 Hentzell Park and will still be home to the wonderful flora and
 15 fauna so eloquently described by other speakers. But it will
 16 also be home to a new generation of Denver residents who will
 17 look back as fondly on their 2014 elementary school as others
 18 look back on Holm, Slavens, or Southmoor. You will hear from
 19 those, and you have heard from those who would protect open space
 20 even at the expense of providing an accessible education to
 21 Denver's expanding population of low-income, first generation
 22 families of whom 90%, yes 90%, must earn a college certificate or
 23 degree if only to keep up with the needs of our 21st Century
 24 economy. In an ideal world, yes we would have boundless open
 25 space and excellent schools, but, as in any great city, fair

1 compromise allows us, in this case, to meet the needs of our
 2 students while preserving the quality of life. Finally, given
 3 the obvious need for a domestic violence center, this proposal
 4 constitutes a win-win for the City, the schools, our students,
 5 and our residents. Please vote yes on Council Bill 171. Thank
 6 you.
 7 President
 8 Thank you Mr. Stanford. Steven Waldstein
 9 Steven Waldstein
 10 Hello, my name is Steve Waldstein. I live in Hampden Heights
 11 neighborhood, approximately zero feet from the proposed school.
 12 It would be literally out my back gate. Um, my family and I have
 13 lived there for 14 years in a house that we chose in order to
 14 live next to an open space park land. We chose a quiet
 15 neighborhood with open space that we could walk in. It is wrong
 16 for you to make a decision which would destroy our neighborhood
 17 and take away our lifestyle that we chose, and we chose it based
 18 upon City zoning maps showing that this was park land. I
 19 understand that you're trying to balance the needs of different
 20 groups. But what you're talking about is destroying the
 21 character of a neighborhood. DPS talks about the need for a
 22 school. But the vast majority of everyone who has testified at
 23 the many different meetings about this proposal have been in
 24 opposition. The Park Advisory Board was strongly in opposition.
 25 We don't want our neighborhood character drastically changed. We

1 don't want our City to sell park land, to take away this precious
 2 resource that we don't have enough of, and to set a precedent by
 3 doing so. I understand that our mayor wants this project to
 4 proceed, but the messages that you have been getting and ignoring
 5 from the citizens tell a very different story. If you really
 6 feel that this project is a good idea, then see if the citizens
 7 of Denver agree—have a ballot on the issue. There are many
 8 other reasons why this is a bad idea. The location is horrible
 9 for a school. I mean 1) right next to Cherry Creek is not a very
 10 safe place to put a school with young kids. 2) It's in a
 11 floodplain, which is quite dangerous. And where is the large
 12 cost of rerouting the drainage around the property going to come
 13 from? The site has horrible access as far as the traffic flow.
 14 It's gonna—already Girard and Havana at that point are very
 15 difficult—and it's right where Havana curves and becomes
 16 Hampden, and um it's in fact traffic there will be quite bad.
 17 And no serious attempt has ever been made to find a better
 18 location for the school. There are many locations that are
 19 available in that area, but, you know, I haven't seen any serious
 20 effort to do anything about that. You, as City Council people,
 21 are entrusted with making decisions that affect the future of our
 22 City. It's wrong for you to make a decision that goes against
 23 the needs of our City. A location for the domestic violence
 24 center can be found without having such a negative impact on a
 25 neighborhood, and without getting rid of an open space park.

1 And the second questions I was going to ask you, sir, was the
 2 footprint and the size you would need for an elementary school,
 3 including the field, I know the field's not that big enough,
 4 Madam President, so I appreciate your...
 5 David Supice
 6 Sure
 7 Lopez
 8 Thank you
 9 President
 10 Thank you Councilman Lopez; Councilwoman Ortega:
 11 Councilwoman Ortega
 12 Thank you Madam President. Um I'm gonna ask Kelly, if you would
 13 please just put up um the maps that I asked you to show us. So,
 14 I have a few questions. You know I raised some issues in
 15 Committee and the last meeting, so um, and I don't want to
 16 dominate this, but I still have some outstanding issues that I
 17 think are important to raise. So, um, one of the first ones is
 18 can someone either from the City or from Denver Public Schools
 19 help me understand um the zoning for the site? So, I understand
 20 from the appraisal that it will be recommended to City Council
 21 that the zoning be changed to a new category called SMU which
 22 stands for Suburban Multi Unit. Um, most of our schools are in
 23 different zone um categories, if you will, and since this has
 24 historically been open space, Number 1, as I understand it from
 25 talking to our City Attorney's Office, it doesn't require that we

1 have to change the zoning; and then Number 2, my question is why
 2 would we choose suburban multi unit vs. an open space category,
 3 which I would assume is currently designated right now or
 4 classified as. So, Jeff, I don't know if you're the right person
 5 to answer that question or somebody from DPS, but, if someone can
 6 help answer that, I'd appreciate it.
 7 Sky Stewart
 8 Sure, Sky Stewart, Mayor's Office. I'll turn it over to Jeff in
 9 just a second, but the document you looked at, the appraisal
 10 document, they make assumptions when they're appraising land, um
 11 and that was one of the assumptions that the highest and best use
 12 of that land is at a different zoning classification, the zoning
 13 is OSA, Open Space A, and does not need to be re-zoned, per State
 14 law to build a school on it. Jeff, I don't know if you want to
 15 jump in on the appraisal piece.
 16 Jeff
 17 No, I was going to say the same thing. The appraisal assumes the
 18 highest and best use which is BSMU.
 19 Ortega
 20 Ok. Um, so let me go back to another question that is spelled
 21 out in the appraisal. Um, it also speaks to the fact that the
 22 property is located outside of the hundred year floodplain and
 23 from my conversations with the people at urban drainage, even if
 24 the, whatever you want to call it, tributary drainage ditch, the
 25 channel that runs through the site is piped, that, in itself,

1 does not take the site out of the hundred year floodplain, which
 2 really is from the Cherry Creek channel, not this drainage ditch
 3 or tributary that runs through the site. So, I've been trying to
 4 wrap my brain around why we would put a school in a floodplain—or
 5 any other development, for that matter. Um, so can someone help
 6 me understand um whether or not your interpretation is different
 7 from what I've been getting from the people at urban drainage?
 8 Whether the site is in a floodplain.
 9 President
 10 Do we have somebody from Public Works here? Sky? Ok, thank you.
 11 Kimberly Watson
 12 Hi, I'm Kimberly Watson, from Public Works, Assistant Director
 13 for Capital Projects. Um, ya, the site is in a floodplain, so
 14 you're correct.
 15 Ortega
 16 Ok. And, um, can you, Kimberly, I'm not sure you're the right
 17 person, but can you speak to what the proposed cost is to deal
 18 with the drainage that would take that little tributary and pipe
 19 it to where it would dump it into the Cherry Creek Channel?
 20 Watson
 21 For the site itself or for the neighborhood?
 22 Ortega
 23 For the site itself. It's my understanding it includes, as it
 24 runs along the eastern, western edge of the property, basically
 25 where the um parking lot is and then it cuts across the site and

1 currently, you know, dumps into the creek. And, I don't know
 2 what the exact angle would be of how it would be re-done; I don't
 3 think any of us have seen what those proposed drawings may look
 4 like, but I would like to know what is the anticipated cost, and
 5 um, as I understand it, the City has the money for that, so help
 6 me understand that.
 7 Watson
 8 Yes, we have currently a storm sewer project that's going to pipe
 9 uh drainage from that neighborhood at Havana and Girard over to
 10 the Cherry Creek where the current ditch is. I want to say that
 11 project is about \$2.5 million and it's already funded actually
 12 through our wastewater revenue bond currently. And, this was a
 13 project we had prior to DPS's wanting to build on this site.
 14 Additional cost for re-aligning that storm sewer, I mean that
 15 storm sewer uh is pretty minimal. I don't have an exact figure
 16 for you right now.
 17 Ortega
 18 So, this is all storm sewer project and that's taking that little
 19 channel and piping it, undergrounding it to where it will go into
 20 the Cherry Creek Channel, correct?
 21 Watson
 22 Yes, that's correct.
 23 Ortega
 24 So, that will involve direct input and approval of urban drainage
 25 and flood control, correct? Because we are taking the waters

1 from that channel and putting them into Cherry Creek Channel.
 2 Nancy Keen
 3 Hi, I'm Nancy Keen, Denver Public Works. Just want to make sure
 4 we're talking apples and oranges here. This project that we're
 5 talking here with waste water is a completely separate project um
 6 then this school site. It was previously planned and um I think
 7 we need to be asking DPS about the floodplain and their school
 8 because this is not, Denver will not be paying for that. DPS
 9 will pay for that.
 10 Ortega
 11 That's not what I've been told. So, that's why I'm asking these
 12 questions because
 13 Nancy Keen
 14 Right
 15 Ortega
 16 I've been told by people in the mayor's office that this is a
 17 project that was moving forward; that it was gonna be covered
 18 with wastewater dollars, which I just heard a minute ago. And so
 19 that's why I want to know what the real costs are and what
 20 Denver's paying for and what Denver Public Schools is paying for
 21 because Denver Public Schools got a big bond issue to take care
 22 of these school buildings that will be built and some of the
 23 renovations that are gonna take place. So
 24 Nancy Keen
 25 So, let's re-clarify. We had a storm sewer project already

1 planned for this neighborhood to take this neighborhood to
 2 basically fix some localized draining issues on this site un in
 3 the neighborhood. It's a very localized um flooding issue that's
 4 happening on Girard. That project is gonna go forward whether or
 5 not Denver Public Schools builds a school on this site. If the
 6 site is on a floodplain, DPS is gonna have to pay for that and
 7 deal with that. It's gonna be a completely separate project. We
 8 will work with them and coordinate because we're gonna be working
 9 on the same site in the same area. But, Denver, the City of
 10 Denver is not responsible for taking this school out of the
 11 floodplain and no City dollars are gonna be used to take this
 12 site out of the floodplain. It will be a DPS responsibility.
 13 Ortega
 14 So, Nancy, help me understand how we determine where we apply
 15 City policy because, since I've been back here on the Council,
 16 one of the projects that came through this body, was approving
 17 basically the extension of a TIFF-funded development at Alameda
 18 and Broadway where the City is basically requiring them to bear
 19 the cost of, I don't remember if it's storm or drainage;
 20 Councilman Nevitt, you can probably speak to this more
 21 articulately than I could, but it will go across that site that
 22 will be developed and requiring them to absorb that cost.
 23 Nancy
 24 So, in this case, it would be the same situation. They are going
 25 to absorb the cost for taking that out of the floodplain

1 Ortega
 2 Yeah, but, you're now mixing apples and oranges. 'Cause the
 3 floodplain issue is different as you're saying, which would be
 4 their cost, but in any other development project, we would say to
 5 the developer regardless of ,you know, whether we were working on
 6 it or not. If you want to develop it, you have to bear the cost
 7 of addressing this floodplain problem.
 8 Nancy
 9 We're not addressing the site problem; we're addressing the
 10 neighborhood, localized neighborhood drainage issues what we're
 11 dealing with, not...we're not dealing with this site issue; we're
 12 dealing with the neighborhood and getting water out of the
 13 neighborhood um to a place where it can properly drain. So, we
 14 see it as two separate projects and our storm drain is not, is
 15 gonna be in a place that it was planned to be whether or not the
 16 school is built on this site.
 17 Ortega.
 18 Madam President, I have other questions and the other Council
 19 people do, as well, and I'd like to allow other people to ask
 20 questions and maybe come back and proceed with others.
 21 President
 22 OK, thank you, Councilwoman Ortega. Councilwoman Shepherd.
 23 Shepherd
 24 Thank you Madam President. I have questions for Real Estate, for
 25 um the Domestic Violence Center, and then also DPS. So, my first

1 question would be from Real Estate. How many acres are in our
 2 real estate portfolio in total in Denver?
 3 Jeff Steinbert, Director Division or Real Estate
 4 Your question is the totality of real estate owned by the City
 5 and County of Denver?
 6 Shepherd
 7 That is either for sale or not at this time?
 8 Jeff Steinbert
 9 Right, so I can tell you this, the City and County of Denver has
 10 three parcels of real estate that comprise greater than one acre
 11 or more. We own hundreds of remnant parcels um that to give you
 12 the totality of how many square feet or how many acres that is, I
 13 can't do off the top of my head; but in terms of any that amass
 14 one acre or greater, we have three parcels.
 15 Shepherd
 16 Was it ever considered to aggregate some of these other parcels
 17 and sell them in order to fund the purchase of the Fox building
 18 for the domestic violence center?
 19 Jeff Steinbert
 20 The policy for the City in terms of sale of real estate has
 21 always been that the monies that the City gains from the sale of
 22 real estate goes into the City's CIP fund for funding CIP
 23 projects.
 24 Shepherd
 25 Ok, I, ok, so moving on to the domestic violence center folks; I

1 don't know who wants to take that question...I heard two speakers
 2 imply or they said that the lease was posted in October, even
 3 prior to the Parks and Rec Advisory Board Meeting.
 4 Steve Siegel
 5 Madam President, I'm Steve Siegel, I work at the Denver District
 6 Attorney's Office, and I am a part of this project and have been
 7 for the last eight years. There is no lease that any of us know
 8 about with DPS for this project. That is
 9 Shepherd
 10 I think I heard that the Domestic Violence Center, is that not
 11 what I heard? I see some people nodding...
 12 Steve Siegel
 13 I think that was stated by two opponents to the project. There
 14 are no members of the domestic violence program who can speak to
 15 any lease because one does not exist.
 16 Shepherd
 17 OK. And then one final question for Denver Public Schools. What
 18 other commercial sites were considered. I mean I really want
 19 cross streets and things like that because I have not received
 20 that information.
 21 Supice
 22 Yeah, I do not have a list of those sites. We looked south to
 23 the Tech Center and west to I-25 within a radius which we could,
 24 where the kids were, where the need was. I don't have a list of
 25 those sites.

1 Shepherd
 2 So, I just want to make a quick comment you know that my
 3 colleague, Council Member Ortega asked for a lot of very
 4 specific questions relating to this, and we received tons and
 5 tons and tons of data, maps, charts, you know, in order to
 6 address her questions, but I find it really, really troubling on
 7 this particular question, that there's no documentation about
 8 what else was considered, and I guess my final question would
 9 be, if the vote didn't go your way tonight, what would be your
 10 option? I never heard a "Plan B."
 11 Supice
 12 We would look at other options at that point. I don't have other
 13 options that I pursued. (Clapping from the gallery)
 14 President
 15 Thank you Councilwoman Shepherd. Councilwoman Kniech.
 16 Kniech
 17 Thank you Madam President. I have a question that follows up on
 18 my colleague., by pure coincidence. There was a speaker, Mr.
 19 Steve Waldstein, I believe; is he still here?
 20 Waldstein
 21 Yes I am
 22 Kniech
 23 You mentioned specifically that there were many other locations
 24 in the district or the area that could be candidates for the
 25 school. I'm curious if you can list specific locations that you

1 think...
 2 Waldstein
 3 Just, I'm just driving around the neighborhood and the one that
 4 came to mind was the empty K-Mart store on Monaco and uh Iiff.
 5 You know, very big property, obviously big enough, and it's been
 6 empty for quite a while
 7 Kniech
 8 Any others?
 9 Waldstein
 10 That's the only one that came to mind
 11 Kniech
 12 Great, Thank you. Mr. Supice, was that particular site
 13 considered?
 14 Supice
 15 Yea, I think that property is not for sale. I'll let Kelly Lied
 16 who was involved in this process speak a little bit; I will say,
 17 just from recent information received uh in a radius of I believe
 18 around five miles around the site, I believe there was one site
 19 of sufficient size that existed and it's under development I
 20 believe at I-25 and Hampden currently, so again, there may be
 21 individual places that people have seen uh but suitable sites of
 22 the size required for a school development in an urban for
 23 building for a school are very significant in those sites. We
 24 are unaware of other sites. Kelly, did you want to add anything
 25 about prior work?

1 Kelly Lied
 2 My name is Kelly Lied, I'm the Director of Development Services
 3 for the City & County of Denver. And previously to joining the
 4 City I was the Director of Operations for Denver Public Schools
 5 and conducted those site searches. I was part of the team that
 6 did that. So, we start with, in any site search or any exercise
 7 about where we need to have growth is, we start with or we
 8 started with sites that the District currently owns. So, in this
 9 part of the City, you would look at the existing school sites.
 10 You have an elementary school; you have a middle school; and you
 11 have a high school roughly in this region. And, I should back
 12 up. You actually start with, "What's the need?" The need is
 13 based on the demographic studies is that we have hundreds of
 14 elementary school kids that live in this region that can
 15 presently, that the area's gonna grow and that you cannot serve
 16 the needs of those students in existing schools you have. So,
 17 that's the need. The second is what grades or what ages are
 18 these children uh that you need to serve; in this case, it is
 19 elementary school children. So, there are very specific
 20 programmatic needs that you think about when you talk about
 21 elementary school kids uh in terms of starting to develop a site
 22 selection process. So, we start with the sites that the district
 23 uh has and we have a long the district has a long history of
 24 starting with the land it owns what we can add capacity, we can
 25 add portable facilities; we can add capacity to existing