City Council Minutes

Meeting Date: Tuesday, January 22, 2013 5:30 PM

Pledge of Allegiance

Councilman López led the Pledge of Allegiance.

Roll Call

Present: Brooks, Brown, Faatz, Herndon, Kniech, Lehmann, Lopez, Montero,

Nevitt, Ortega, Robb, Shepherd, Susman

Absent: None

Councilmembers Nevitt, Robb, and Kniech arrived late.

Approval of the Minutes

The minutes of meeting date, Monday, January 14, 2013, were distributed to Council. Council President Susman ordered the minutes approved.

Council Announcements

Councilmembers Shepherd and López offered announcements.

Presentations

Communications

Proclamations

Resolutions

The Council Secretary read the following resolutions by titles.

Land Use, Transportation & Infrastructure

CR13-0003 A resolution granting a revocable permit to DAM Office, LLC to encroach into the right-of-way various items at 1226 N. Bannock Street. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

A motion offered by Councilman López, duly seconded by Councilman Brooks, that CR13-0003 and CR13-0005 be adopted en bloc, carried by the following vote:

Passed

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

Ortega, Robb, Shepherd, Susman (13)

Against: (None) (0) Absent: (None) (0) Abstain: (None) (0)

CR13-0054 A resolution reappointing Councilmembers Peggy Lehmann and Paul López to the Board of Directors of the Urban Drainage and Flood Control District for terms of Feb. 1, 2013 to Jan. 31, 2015. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

A motion offered by Councilman López, duly seconded by Councilman Brooks, that CR13-0003 and CR13-0005 be adopted en bloc, carried by the following vote:

Passed

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

Ortega, Robb, Shepherd, Susman (13)

Against: (None) (0) Absent: (None) (0) Abstain: (None) (0)

Bills for Introduction

The Council Secretary read the following bills by titles. Council President Susman announced that all other bills on introduction are ordered published.

Business, Workforce & Sustainability

CB12-0942 A bill for an ordinance approving a proposed First Amendatory Agreement between the City and County of Denver and The Estate of Clyfford E. Still, to amend language related to copyright and other matters. (BUSINESS, WORKFORCE & SUSTAINABILITY)

A motion offered by Council President Susman, duly seconded by Councilman López, that CB12-0942, CB12-0959, CB12-0960, CB12-0961, CB12-0962, CB12-0963, CB12-0964, CB13-0007, CB13-0001, CB13-0002, CB13-0005, CB12-0983, CB12-0807, CB12-0969, and CB13-0004 be ordered published en bloc, carried by the following vote:

Passed

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

Ortega, Robb, Shepherd, Susman (13)

Against: (None) (0) Absent: (None) (0) Abstain: (None) (0) CB12-0945 A bill for an ordinance approving a proposed Agreement between the City and County of Denver and HSS, Inc. for queue and line management services of the three security screening checkpoints at Denver International Airport. (BUSINESS, WORKFORCE & SUSTAINABILITY)

A motion offered by Councilman López, duly seconded by Councilwoman Lehmann, that CB12-0945 be ordered published, carried by the following vote:

Passed

For: Brooks, Brown, Faatz, Herndon, Lehmann, Nevitt, Ortega, Robb, Susman (9)

Against: Kniech, Shepherd (2)

Absent: (None) (0)

Abstain: Lopez, Montero (2)

CB12-0959 A bill for an ordinance approving a proposed Agreement between the City and County of Denver and AECOM Technical Services, Inc. related to construction support services at Denver International Airport. (BUSINESS, WORKFORCE & SUSTAINABILITY)

A motion offered by Council President Susman, duly seconded by Councilman López, that CB12-0942, CB12-0959, CB12-0960, CB12-0961, CB12-0962, CB12-0963, CB12-0964, CB13-0007, CB13-0001, CB13-0002, CB13-0005, CB12-0983, CB12-0807, CB12-0969, and CB13-0004 be ordered published en bloc, carried by the following vote:

Passed

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

Ortega, Robb, Shepherd, Susman (13)

Against: (None) (0) Absent: (None) (0) Abstain: (None) (0)

CB12-0960 A bill for an ordinance approving a proposed Agreement between the City and County of Denver and CMTS LLC related to construction support services at Denver International Airport. (BUSINESS, WORKFORCE & SUSTAINABILITY)

A motion offered by Council President Susman, duly seconded by Councilman López, that CB12-0942, CB12-0959, CB12-0960, CB12-0961, CB12-0962, CB12-0963, CB12-0964, CB13-0007, CB13-0001, CB13-0002, CB13-0005, CB12-0983, CB12-0807, CB12-0969, and CB13-0004 be ordered published en bloc, carried by the following vote:

Passed

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

Ortega, Robb, Shepherd, Susman (13)

Against: (None) (0) Absent: (None) (0) Abstain: (None) (0)

CB12-0961 A bill for an ordinance approving a proposed Agreement between the City and County of Denver and Kumar and Associates, Inc. related to technical support services at Denver International Airport. (BUSINESS, WORKFORCE & SUSTAINABILITY)

A motion offered by Council President Susman, duly seconded by Councilman López, that CB12-0942, CB12-0959, CB12-0960, CB12-0961, CB12-0962, CB12-0963, CB12-0964, CB13-0007, CB13-0001, CB13-0002, CB13-0005, CB12-0983, CB12-0807, CB12-0969, and CB13-0004 be ordered published en bloc, carried by the following vote:

Passed

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

Ortega, Robb, Shepherd, Susman (13)

Against: (None) (0) Absent: (None) (0) Abstain: (None) (0)

CB12-0962 A bill for an ordinance approving a proposed Contract between the City and County of Denver and Ash & White Construction Co., d/b/a White Construction Group, Ltd. related to on-call construction services at Denver International Airport. (BUSINESS, WORKFORCE & SUSTAINABILITY)

A motion offered by Council President Susman, duly seconded by Councilman López, that CB12-0942, CB12-0959, CB12-0960, CB12-0961, CB12-0962, CB12-0963, CB12-0964, CB13-0007, CB13-0001, CB13-0002, CB13-0005, CB12-0983, CB12-0807, CB12-0969, and CB13-0004 be ordered published en bloc, carried by the following vote:

Passed

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

Ortega, Robb, Shepherd, Susman (13)

Against: (None) (0) Absent: (None) (0) Abstain: (None) (0)

CB12-0963 A bill for an ordinance approving a proposed Contract between the City and County of Denver and Haselden Construction, LLC related to on-call construction services at Denver International Airport. (BUSINESS, WORKFORCE & SUSTAINABILITY) A motion offered by Council President Susman, duly seconded by Councilman López, that CB12-0942, CB12-0959, CB12-0960, CB12-0961, CB12-0962, CB12-0963, CB12-0964, CB13-0007, CB13-0001, CB13-0002, CB13-0005, CB12-0983, CB12-0807, CB12-0969, and CB13-0004 be ordered published en bloc, carried by the following vote:

Passed

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

Against: (None) (0) Absent: (None) (0) Abstain: (None) (0)

CB12-0964 A bill for an ordinance approving a proposed Contract between the City and County of Denver and Roche Constructors, Inc. related to oncall construction services at Denver International Airport. (BUSINESS, WORKFORCE & SUSTAINABILITY)

A motion offered by Council President Susman, duly seconded by Councilman López, that CB12-0942, CB12-0959, CB12-0960, CB12-0961, CB12-0962, CB12-0963, CB12-0964, CB13-0007, CB13-0001, CB13-0002, CB13-0005, CB12-0983, CB12-0807, CB12-0969, and CB13-0004 be ordered published en bloc, carried by the following vote:

Passed

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

Ortega, Robb, Shepherd, Susman (13)

Against: (None) (0) Absent: (None) (0) Abstain: (None) (0)

CB13-0007 A bill for an ordinance approving a proposed Agreement between the City and County of Denver and Parsons Brinckerhoff, Inc. related to construction support services at Denver International Airport. (BUSINESS, WORKFORCE & SUSTAINABILTIY)

A motion offered by Council President Susman, duly seconded by Councilman López, that CB12-0942, CB12-0959, CB12-0960, CB12-0961, CB12-0962, CB12-0963, CB12-0964, CB13-0007, CB13-0001, CB13-0002, CB13-0005, CB12-0983, CB12-0807, CB12-0969, and CB13-0004 be ordered published en bloc, carried by the following vote:

Passed

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

Against: (None) (0) Absent: (None) (0) Abstain: (None) (0)

Government & Finance

CB13-0001 A bill for an ordinance approving a proposed Purchase and Sale Agreement between the City and County of Denver and William W. Smith, III, to sell the real property located at 335 Milwaukee Street. (GOVERNMENT & FINANCE)

A motion offered by Council President Susman, duly seconded by Councilman López, that CB12-0942, CB12-0959, CB12-0960, CB12-0961, CB12-0962, CB12-0963, CB12-0964, CB13-0007, CB13-0001, CB13-0002, CB13-0005, CB12-0983, CB12-0807, CB12-0969, and CB13-0004 be ordered published en bloc, carried by the following vote:

Passed

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

Ortega, Robb, Shepherd, Susman (13)

Against: (None) (0) Absent: (None) (0) Abstain: (None) (0)

CB13-0002 A bill for an ordinance (I) authorizing and approving the City's sponsorship of the 2013 Metro Mortgage Assistance Plus Program; (II) authorizing the execution of all Program Documents; (III) authorizing the appointment of a Master Servicer, Escrow Agent, Custodian, Administrator, Program Monitor and Program Advisor for the Program; (IV) allocating funds for the DPA Grant; and (V) delegating to the power to take all such actions as are necessary or appropriate to accomplish the foregoing. (GOVERNMENT & FINANCE)

A motion offered by Council President Susman, duly seconded by Councilman López, that CB12-0942, CB12-0959, CB12-0960, CB12-0961, CB12-0962, CB12-0963, CB12-0964, CB13-0007, CB13-0001, CB13-0002, CB13-0005, CB12-0983, CB12-0807, CB12-0969, and CB13-0004 be ordered published en bloc, carried by the following vote:

Passed

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

Against: (None) (0) Absent: (None) (0) Abstain: (None) (0)

CB13-0005 A bill for an ordinance approving a proposed License Agreement between the City and County of Denver and Sprint Solutions, Inc., to add installation of DAS equipment inside of the Denver Police

Crime Lab. (GOVERNMENT & FINANCE)

A motion offered by Council President Susman, duly seconded by Councilman López, that CB12-0942, CB12-0959, CB12-0960, CB12-0961, CB12-0962, CB12-0963, CB12-0964, CB13-0007, CB13-0001, CB13-0002, CB13-0005, CB12-0983, CB12-0807, CB12-0969, and CB13-0004 be ordered published en bloc, carried by the following vote:

Passed

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

Ortega, Robb, Shepherd, Susman (13)

Against: (None) (0) Absent: (None) (0) Abstain: (None) (0)

Health, Safety, Education & Services

CB12-0983 A bill for an ordinance approving an Intergovernmental Agreement between the City and County of Denver and Denver Public School District No. 1 for the provision of School Resource Officers during the 2012-2013 school year. (HEALTH, SAFETY, EDUCATION & SERVICES)

A motion offered by Council President Susman, duly seconded by Councilman López, that CB12-0942, CB12-0959, CB12-0960, CB12-0961, CB12-0962, CB12-0963, CB12-0964, CB13-0007, CB13-0001, CB13-0002, CB13-0005, CB12-0983, CB12-0807, CB12-0969, and CB13-0004 be ordered published en bloc, carried by the following vote:

Passed

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

Against: (None) (0) Absent: (None) (0) Abstain: (None) (0)

Land Use, Transportation & Infrastructure

CB12-0807 A bill for an ordinance changing the zoning classification for 245 Columbine Street, with a reasonable condition. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

A motion offered by Council President Susman, duly seconded by Councilman López, that CB12-0942, CB12-0959, CB12-0960, CB12-0961, CB12-0962, CB12-0963, CB12-0964, CB13-0007, CB13-0001, CB13-0002, CB13-0005, CB12-0983, CB12-0807, CB12-0969, and CB13-0004 be ordered published en bloc, carried by the following vote:

Passed

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

Ortega, Robb, Shepherd, Susman (13)

Against: (None) (0) Absent: (None) (0) Abstain: (None) (0)

CB12-0969 A bill for an ordinance approving a Second Amendatory Agreement between the City and County of Denver and Jacobs Project Management Co. to provide continuing project management for the Denver Justice Center. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

A motion offered by Council President Susman, duly seconded by Councilman López, that CB12-0942, CB12-0959, CB12-0960, CB12-0961, CB12-0962, CB12-0963, CB12-0964, CB13-0007, CB13-0001, CB13-0002, CB13-0005, CB12-0983, CB12-0807, CB12-0969, and CB13-0004 be ordered published en bloc, carried by the following vote:

Passed

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

Ortega, Robb, Shepherd, Susman (13)

Against: (None) (0) Absent: (None) (0) Abstain: (None) (0)

CB13-0004 A bill for an Ordinance approving a Quitclaim Deed whereby the City quitclaims all of its rights in a Cul-de-Sac easement at Quebec Street to Madre Investment Company, LLC. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

A motion offered by Council President Susman, duly seconded by Councilman López, that CB12-0942, CB12-0959, CB12-0960, CB12-0961, CB12-0962, CB12-0963, CB12-0964, CB13-0007, CB13-0001, CB13-0002, CB13-0005, CB12-0983, CB12-0807, CB12-0969, and CB13-0004 be ordered published en bloc, carried by the following vote:

Passed

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

Ortega, Robb, Shepherd, Susman (13)

Against: (None) (0) Absent: (None) (0) Abstain: (None) (0)

Recap of Bills to be Called Out

Recess

Council did not take a recess.

Council Reconvenes and Resumes its Regular Session

Bills for Final Consideration

Business, Workforce & Sustainability

CB12-0947 A bill for an ordinance approving a proposed Second Amendment and Modification Agreement between the City and County of Denver and Northeast Denver Housing Center, Inc. and Austin Redevelopment, Ltd., to modify the terms and conditions of the Loan Agreement. (BUSINESS, WORKFORCE & SUSTAINABILITY)

A motion offered by Councilman López, duly seconded by Councilman Herndon, that CB12-0947, CB12-0948, and CB12-0949 be placed upon final consideration and do pass en bloc, carried by the following vote:

Passed

For: Brooks, Herndon, Kniech, Lehmann, Lopez, Montero, Nevitt, Ortega, Robb,

Shepherd, Susman (11)

Against: Brown (1) Absent: (None) (0) Abstain: Faatz (1)

CB12-0948 A bill for an ordinance approving a proposed Second Amendment and Modification Agreement between the City and County of Denver and Northeast Denver Housing Center, Inc., to modify the terms and conditions of the Loan Agreement. (BUSINESS WORKFORCE & SUSTAINABILITY)

A motion offered by Councilman López, duly seconded by Councilman Herndon, that CB12-0947, CB12-0948, and CB12-0949 be placed upon final consideration and do pass en bloc, carried by the following vote:

Passed

For: Brooks, Herndon, Kniech, Lehmann, Lopez, Montero, Nevitt, Ortega, Robb,

Shepherd, Susman (11)

Against: Brown (1) Absent: (None) (0) Abstain: Faatz (1)

CB12-0949 A bill for an ordinance approving a proposed Amendment and Modification Agreement between the City and County of Denver and Northeast Denver Housing Center, Inc., to modify the terms and conditions

of the Loan Agreement. (BSUINESS, WORKFORCE & SUSTAINABILITY)

A motion offered by Councilman López, duly seconded by Councilman Herndon, that CB12-0947, CB12-0948, and CB12-0949 be placed upon final consideration and do pass en bloc, carried by the following vote:

Passed

For: Brooks, Herndon, Kniech, Lehmann, Lopez, Montero, Nevitt, Ortega, Robb,

Shepherd, Susman (11)

Against: Brown (1) Absent: (None) (0) Abstain: Faatz (1)

Government & Finance

CB12-0981 A bill for an ordinance amending the classification and pay plan for employees in the Career Service and for certain employees not in the Career Service. (GOVERNMENT & FINANCE)

A motion offered by Councilman López, duly seconded by Councilman Herndon, that CB12-0981, CB12-0982, CB12-0987, CB12-0900, CB12-0984, CB12-0970, and CB12-0986 be placed upon final consideration and do pass en bloc, carried by the following vote:

Passed

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

Ortega, Robb, Shepherd, Susman (13)

Against: (None) (0) Absent: (None) (0) Abstain: (None) (0)

CB12-0982 A bill for an ordinance approving a proposed Purchase and Sale Agreement between the City and County of Denver and Washington Street Community Center, Inc., to purchase the property located at 809 South Washington Street. (GOVERNMENT & FINANCE)

A motion offered by Councilman López, duly seconded by Councilman Herndon, that CB12-0981, CB12-0982, CB12-0987, CB12-0900, CB12-0984, CB12-0970, and CB12-0986 be placed upon final consideration and do pass en bloc, carried by the following vote:

Passed

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

Ortega, Robb, Shepherd, Susman (13)

Against: (None) (0) Absent: (None) (0) Abstain: (None) (0) CB12-0987 A bill for an ordinance approving a proposed Master Purchase Order between the City and County of Denver and ISC, Inc., to cover equipment, software and professional purchases to support the City's data and voice network. (GOVERNMENT & FINANCE)

A motion offered by Councilman López, duly seconded by Councilman Herndon, that CB12-0981, CB12-0982, CB12-0987, CB12-0900, CB12-0984, CB12-0970, and CB12-0986 be placed upon final consideration and do pass en bloc, carried by the following vote:

Passed

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

Against: (None) (0) Absent: (None) (0) Abstain: (None) (0)

Health, Safety, Education & Services

CB12-0900 A bill for an ordinance approving a proposed Second Amendatory Agreement between the City and County of Denver and Warren Village, Inc., to provide transitional housing and support services to homeless people in the City and County of Denver. (HEALTH, SAFETY, EDUCATION & SERVICES)

A motion offered by Councilman López, duly seconded by Councilman Herndon, that CB12-0981, CB12-0982, CB12-0987, CB12-0900, CB12-0984, CB12-0970, and CB12-0986 be placed upon final consideration and do pass en bloc, carried by the following vote:

Passed

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

Against: (None) (0) Absent: (None) (0) Abstain: (None) (0)

CB12-0984 A bill for an ordinance authorizing the purchase of capital equipment items from the Justice Center Bond Project Fund and the Public Safety Special Revenue Fund. (HEALTH, SAFETY, EDUCATION & SERVICES)

A motion offered by Councilman López, duly seconded by Councilman Herndon, that CB12-0981, CB12-0982, CB12-0987, CB12-0900, CB12-0984, CB12-0970, and CB12-0986 be placed upon final consideration and do pass en bloc, carried by the following vote:

Passed

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

Ortega, Robb, Shepherd, Susman (13)

Against: (None) (0) Absent: (None) (0) Abstain: (None) (0)

Land Use, Transportation & Infrastructure

CB12-0970 A bill for an ordinance approving a proposed Agreement between the City and County of Denver and Denver Bike Sharing for work associated with the Denver B-Cycle Downtown Core and Neighborhood Expansion Project. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

A motion offered by Councilman López, duly seconded by Councilman Herndon, that CB12-0981, CB12-0982, CB12-0987, CB12-0900, CB12-0984, CB12-0970, and CB12-0986 be placed upon final consideration and do pass en bloc, carried by the following vote:

Passed

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

Ortega, Robb, Shepherd, Susman (13)

Against: (None) (0) Absent: (None) (0) Abstain: (None) (0)

CB12-0986 A bill for an ordinance approving a proposed Purchase Order between the City and County of Denver and Avalanche Harley Davidson to procure 61 police motorcycles. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

A motion offered by Councilman López, duly seconded by Councilman Herndon, that CB12-0981, CB12-0982, CB12-0987, CB12-0900, CB12-0984, CB12-0970, and CB12-0986 be placed upon final consideration and do pass en bloc, carried by the following vote:

Passed

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

Ortega, Robb, Shepherd, Susman (13)

Against: (None) (0) Absent: (None) (0) Abstain: (None) (0)

Announcement

Council President Susman announced that on February 19, 2013, Council will hold a required public hearing on CB12-0807, changing the zoning classification for 245

Columbine Street, with a reasonable condition. Any protests against CB12-0807 must be filed with the Council Offices no later than Monday, February 11, 2013.

On Tuesday, February 19, 2013, Council will hold a required public hearing on CB12-0807 changing the zoning classification for 245 Columbine Street, with a reasonable condition. Any protests against CB12-0807 must be filed with the Council Offices no later than Monday, February 11, 2013.

Adjourn

There being no further business before the City Council, Council President Susman adjourned the meeting at 6:35 PM.

Pending

For 2-4-13

CB12-0953 A bill for an ordinance changing the zoning classification for 1239 Bruce Randolph Avenue.

Required Public Hearing Final Consideration (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

A motion offered by Councilman López, duly seconded by Councilman Herndon, that final consideration of CB12-0953 with its public hearing be postponed to Monday, February 11, 2013, carried by the following vote:

Passed

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

Against: (None) (0) Absent: (None) (0) Abstain: (None) (0)