

City Council Minutes
Meeting Date: Monday, May 13, 2013 5:30 PM

Pledge of Allegiance

Councilman Herndon led the Pledge of Allegiance.

Roll Call

Present: Brooks, Brown, Faatz, Herndon, Kniech, Lehmann, Lopez, Montero,
Ortega, Robb, Shepherd, Susman
Absent: Nevitt

Councilmembers Montero, Robb, and Shepherd arrived late.

Approval of the Minutes

The minutes of meeting date, Monday, May 6, 2013, were distributed to Council. Council President Susman ordered the minutes approved.

Council Announcements

Councilmembers Susman, López, Brown, Brooks, and Robb offered announcements.

Presentations

Communications

Proclamations

**CP13-0317 A proclamation declaring Friday, May 17, 2013 as Hepatitis Testing Day in Denver.
Sponsored by Councilmembers López, Brooks, and Lehmann.**

A motion offered by Councilman López, duly seconded by Councilman Herndon, that CP13-0317 be adopted, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: Nevitt (1)

Abstain: (None) (0)

Councilwoman Ortega asked to be added as a sponsor of CP13-0317.

CP13-0318 A proclamation acknowledging the Week of May 13, 2013 as National Police Week in Denver.

Sponsored by Councilmembers Brooks, López, Robb, Kniech, Ortega, Herndon, Lehmann, Faatz, and Brown.

A motion offered by Councilman Brooks, duly seconded by Councilman Herndon, that CP13-0318 be adopted, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: Nevitt (1)

Abstain: (None) (0)

Councilmembers Montero and Susman asked to be added as sponsors of CP13-0318.

Resolutions

The Council Secretary read the following resolutions by titles.

Health, Safety, Education & Services

CR13-0284 A resolution approving the Mayor's reappointments and appointments to the Denver GLBT Commission. (HEALTH, SAFETY, EDUCATION & SERVICES)

A motion offered by Councilman Herndon, duly seconded by Councilman Brooks that CR13-0284, CR13-0283, CR13-0291, and CR13-0292 be adopted en bloc, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: Nevitt (1)

Abstain: (None) (0)

Land Use, Transportation & Infrastructure

CR13-0283 A resolution approving the Mayor's reappointment and

appointments to the Denver Urban Renewal Authority Board of Directors. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

A motion offered by Councilman Herndon, duly seconded by Councilman Brooks that CR13-0284, CR13-0283, CR13-0291, and CR13-0292 be adopted en bloc, carried by the following vote:

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

CR13-0291 A resolution granting a revocable permit to 1550 East 17th Avenue, LLC, to encroach into the right-of-way at 17th Avenue and Franklin Street. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

A motion offered by Councilman Herndon, duly seconded by Councilman Brooks that CR13-0284, CR13-0283, CR13-0291, and CR13-0292 be adopted en bloc, carried by the following vote:

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

CR13-0292 A resolution granting a revocable permit to Observatory Park, LLC to encroach into the right-of-way at 2360 East Evans Avenue. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

A motion offered by Councilman Herndon, duly seconded by Councilman Brooks that CR13-0284, CR13-0283, CR13-0291, and CR13-0292 be adopted en bloc, carried by the following vote:

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

Bills for Introduction

The Council Secretary read the following bills by titles. Council President Susman

announced that all other bills on introduction are ordered published.

Business, Workforce & Sustainability

CB13-0285 A bill for an ordinance approving a proposed Agreement between the City and County of Denver and Dell Marketing, L.P. related to software maintenance and support services at Denver International Airport. (BUSINESS, WORKFORCE & SUSTAINABILITY)

A motion offered by Council President Susman, duly seconded by Councilman Herndon, that CB13-0285, CB13-0286, CB13-0287, CB13-0290, CB13-0217, CB13-0218, CB13-0280, and CB13-0295 be ordered published en bloc, carried by the following vote:

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

CB13-0286 A bill for an ordinance approving a proposed First Amendment to Agreement between the City and County of Denver and Sogeti USA, LLC concerning technology support at Denver International Airport. (BUSINESS, WORKFORCE & SUSTAINABILITY)

A motion offered by Council President Susman, duly seconded by Councilman Herndon, that CB13-0285, CB13-0286, CB13-0287, CB13-0290, CB13-0217, CB13-0218, CB13-0280, and CB13-0295 be ordered published en bloc, carried by the following vote:

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

Government & Finance

CB13-0287 A bill for an Ordinance approving a proposed First Amendment to Lease Agreement and Termination of Sublease Agreement between the City and County of Denver and the Denver Center for the Performing Arts, relating to the lease and sublease of City-owned property known as the "Arts and Humanities Building", located at 1245 Champa Street. (GOVERNMENT & FINANCE)

A motion offered by Council President Susman, duly seconded by Councilman Herndon, that CB13-0285, CB13-0286, CB13-0287, CB13-0290, CB13-0217, CB13-0218, CB13-0280, and CB13-0295 be ordered published en bloc, carried by the following vote:

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

CB13-0290 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 Council President Susman, duly seconded by Councilman Herndon, that CB13-0285, CB13-0286, CB13-0287, CB13-0290, CB13-0217, CB13-0218, CB13-0280, and CB13-0295 be ordered published en bloc, carried by the following vote:

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

Health, Safety, Education & Services

CB13-0217 A bill for an ordinance approving a proposed Second Amendatory Agreement between the City and County of Denver and Brodart Company for Denver Public Library projects. (HEALTH, SAFETY, EDUCATION & SERVICES)

A motion offered by Council President Susman, duly seconded by Councilman Herndon, that CB13-0285, CB13-0286, CB13-0287, CB13-0290, CB13-0217, CB13-0218, CB13-0280, and CB13-0295 be ordered published en bloc, carried by the following vote:

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

CB13-0218 A bill for an ordinance approving a proposed Second Amending Agreement between the City and County of Denver and Midwest Tape, LLC for Denver Public Library projects. (HEALTH, SAFETY, EDUCATION & SERVICES)

A motion offered by Council President Susman, duly seconded by Councilman Herndon, that CB13-0285, CB13-0286, CB13-0287, CB13-0290, CB13-0217, CB13-0218, CB13-0280, and CB13-0295 be ordered published en bloc, carried by the following vote:

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

Land Use, Transportation & Infrastructure

CB13-0280 A bill for an ordinance relinquishing the 7 foot easements in Blocks 10 and 11 of the Evans Park Estates Subdivision Plat. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

A motion offered by Council President Susman, duly seconded by Councilman Herndon, that CB13-0285, CB13-0286, CB13-0287, CB13-0290, CB13-0217, CB13-0218, CB13-0280, and CB13-0295 be ordered published en bloc, carried by the following vote:

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

CB13-0295 A bill for an ordinance approving an agreement between Interlock Construction Corporation and the City & County of Denver for the Neighborhood House Project. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

A motion offered by Council President Susman, duly seconded by Councilman Herndon, that CB13-0285, CB13-0286, CB13-0287, CB13-0290, CB13-0217, CB13-0218, CB13-0280, and CB13-0295 be ordered published en bloc, carried by the following vote:

Passed
For: Brooks, Brown, Faatz, Herndon, Kniech, Lehmann, Lopez, Montero, Ortega,

Robb, Shepherd, Susman (12)
Against: (None) (0)
Absent: Nevitt (1)
Abstain: (None) (0)

Recap of Bills to be Called Out

Pre-Recess Announcement

Council President Susman announced that there will be a required public hearing on CB13-0208, changing the zoning classification at 2121 Children's Museum Drive; a required public hearing on CB13-0226, changing the zoning classification of 5042-44 North Federal Boulevard; and a required public hearing on CB13-0229, changing the zoning classification for 1683, 1685, 1687, 1691, 1693 and 1695 East Cedar Avenue.

Tonight there will be a required public hearing on CB13-0208, changing the zoning classification at 2121 Children's Museum Drive; a required public hearing on CB13-0226, changing the zoning classification of 5042-44 North Federal Boulevard; and a required public hearing on CB13-0229, changing the zoning classification for 1683, 1685, 1687, 1691, 1693 and 1695 East Cedar Avenue. Anyone wishing to speak on any of these matters must see the Council Secretary to receive a speaker card to fill out and return to her during the recess of Council.

Recess

Council took a recess.

Council Reconvenes and Resumes its Regular Session

Public Hearings - Bills for Final Consideration

Land Use, Transportation & Infrastructure

CB13-0208 A bill for an ordinance changing the zoning classification at 2121 Children's Museum Drive. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

A motion offered by Councilman Herndon, duly seconded by Councilwoman Lehmann, that CB13-0208 be placed upon final consideration and do pass, carried by the following vote:

Passed

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

Robb, Shepherd, Susman (12)
Against: (None) (0)
Absent: Nevitt (1)
Abstain: (None) (0)

Council sat as a Committee of the Whole commencing at 6:37 PM, Council President Susman presiding, to hear speakers either for or against CB13-0208. Mike Yankovich, Kerri Atter, Jeffrey Washington, and Seku signed up to speak in favor of the bill. No speakers signed up to speak in opposition to the bill. David Gaspers of Community Planning and Development delivered the Staff Report with an overview and recommendation for approval.

CB13-0226 A bill for an ordinance changing the zoning classification 5042-44 North Federal Boulevard. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

A motion offered by Councilman Herndon, duly seconded by Councilwoman Lehmann, that CB13-0226 be placed upon final consideration and do pass, carried by the following vote:

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

Council sat as a Committee of the Whole commencing at 6:59 PM, Council President Susman presiding, to hear speakers either for or against CB13-0226. Eric Johanson and Seku signed up to speak in favor of the bill. No speakers signed up to speak in opposition to the bill. Theresa Lucero of Community Planning and Development delivered the Staff Report with an overview and recommendation for approval.

CB13-0229 A bill for an ordinance changing the zoning classification for 1683, 1685, 1687, 1691, 1693 and 1695 East Cedar Avenue. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

A motion offered by Councilman Herndon, duly seconded by Councilman Brooks, that CB13-0229 be placed upon final consideration and do pass, carried by the following vote:

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

Abstain: (None) (0)

Council sat as a Committee of the Whole commencing at 7:15 PM, Council President Susman presiding, to hear speakers either for or against CB13-0229. Frank Kugeler signed up to speak in favor of the bill. Seku signed up to speak in opposition to the bill. Deirdre Oss of Community Planning and Development delivered the Staff Report with an overview and recommendation for approval.

Bills for Final Consideration

Business, Workforce & Sustainability

CB13-0235 A bill for an ordinance approving a proposed Amendment No. 1 to Installment Purchase Agreement between the City and Sovereign Leasing LLC for a vehicle and equipment replacement program at Denver International Airport. (BUSINESS, WORKFORCE & SUSTAINABILITY)

A motion offered by Councilman Herndon, duly seconded by Councilman Brooks, that CB13-0235, CB13-0257, CB13-0250, CB13-0271, CB13-0272, CB13-0274, and CB13-0278 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, Ortega, Robb, Shepherd, Susman (12)
Against: (None) (0)
Absent: Nevitt (1)
Abstain: (None) (0)

CB13-0257 A bill for an ordinance authorizing expenditures in the Economic Opportunity Special Revenue Fund for the "Temporary Assistance for Needy Families (TANF) Case Management, Employment, and Training FY13-14" program. (BUSINESS, WORKFORCE & SUSTAINABILITY)

A motion offered by Councilman Herndon, duly seconded by Councilman Brooks, that CB13-0235, CB13-0257, CB13-0250, CB13-0271, CB13-0272, CB13-0274, and CB13-0278 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, Ortega, Robb, Shepherd, Susman (12)
Against: (None) (0)
Absent: Nevitt (1)
Abstain: (None) (0)

Government & Finance

CB13-0250 A bill for an ordinance approving a proposed Revival and Third Amendatory Agreement between the City and County of Denver and Recreational Equipment, Inc., to revive and further amend and extend the existing lease. (GOVERNMENT & FINANCE)

A motion offered by Councilman Herndon, duly seconded by Councilman Brooks, that CB13-0235, CB13-0257, CB13-0250, CB13-0271, CB13-0272, CB13-0274, and CB13-0278 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, Ortega, Robb, Shepherd, Susman (12)

Against: (None) (0)

Absent: Nevitt (1)

Abstain: (None) (0)

CB13-0271 A bill for an ordinance approving a proposed Purchase and Sale Agreement between the City and County of Denver and The Globeville Community Center, to sell the property located at 4401 Sherman Street and 4400 Lincoln Street. (GOVERNMENT & FINANCE)

A motion offered by Councilman Herndon, duly seconded by Councilman Brooks, that CB13-0235, CB13-0257, CB13-0250, CB13-0271, CB13-0272, CB13-0274, and CB13-0278 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, Ortega, Robb, Shepherd, Susman (12)

Against: (None) (0)

Absent: Nevitt (1)

Abstain: (None) (0)

CB13-0272 A bill for an ordinance making appropriations from the Capital Improvements and Capital Maintenance Fund for the Tremont Place Renovation Project. (GOVERNMENT & FINANCE)

A motion offered by Councilman Herndon, duly seconded by Councilman Brooks, that CB13-0235, CB13-0257, CB13-0250, CB13-0271, CB13-0272, CB13-0274, and CB13-0278 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, Ortega,

Robb, Shepherd, Susman (12)
Against: (None) (0)
Absent: Nevitt (1)
Abstain: (None) (0)

CB13-0274 A bill for an ordinance approving a proposed Purchase and Sale Agreement between the City and County of Denver and Albion Group, LLC, to sell property located at 3498 Albion Street and 3499 Ash Street. (GOVERNMENT & FINANCE)

A motion offered by Councilman Herndon, duly seconded by Councilman Brooks, that CB13-0235, CB13-0257, CB13-0250, CB13-0271, CB13-0272, CB13-0274, and CB13-0278 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, Ortega, Robb, Shepherd, Susman (12)
Against: (None) (0)
Absent: Nevitt (1)
Abstain: (None) (0)

Land Use, Transportation & Infrastructure

CB13-0278 A bill for an ordinance approving a proposed Agreement between the City and County of Denver and B T Construction, Inc., for the High Street Outfall Phase 1 project. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

A motion offered by Councilman Herndon, duly seconded by Councilman Brooks, that CB13-0235, CB13-0257, CB13-0250, CB13-0271, CB13-0272, CB13-0274, and CB13-0278 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, Ortega, Robb, Shepherd, Susman (12)
Against: (None) (0)
Absent: Nevitt (1)
Abstain: (None) (0)

Adjourn

There being no further business before the City Council, Council President Susman adjourned the meeting at 7:29 PM.

Pending

For 5-20-13

CB13-0156 A bill for an ordinance changing the zoning classification at approximately 16th Avenue between Fillmore Street and Milwaukee Street.

Required Public Hearing

Final Consideration (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

For 6-3-13

CB13-0228 A bill for an ordinance changing the zoning classification of 11100 and 11150 East Dartmouth Avenue and 3101 South Parker Road.

Required Public Hearing

Final Consideration (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

For 6-3-13

CB13-0265 A bill for an ordinance changing the zoning classification at 1101 North Quebec Street.

Required Public Hearing

Final Consideration (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

For 6-3-13

CB13-0227 A bill for an ordinance changing the zoning classification of certain properties into the Curtis Park Conservation Overlay District.

Required Public Hearing

Final Consideration (LAND USE, TRANSPORTATION & INFRASTRUCTURE)