

City Council Minutes

Meeting Date: Monday, February 25, 2013 5:30 PM

Pledge of Allegiance

Councilwoman Montero led the Pledge of Allegiance.

Roll Call

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

Approval of the Minutes

The minutes of meeting date, Tuesday, February 19, 2013, were distributed to Council. Council President Susman ordered the minutes approved.

Council Announcements

Councilman Nevitt offered an announcement.

Presentations

Communications

Proclamations

Resolutions

The Council Secretary read the following resolutions by titles.

Business, Workforce & Sustainability

CR13-0086 A resolution approving the Mayor's reappointments to the Denver Commission on Cultural Affairs. (BUSINESS, WORKFORCE & SUSTAINABILITY)

A motion offered by Councilwoman Montero, duly seconded by Councilwoman Shepherd, that CR13-0086, CR13-0093, CR13-0087, CR13-0088, and CR13-0089 be adopted en bloc, carried by the following vote:

Passed

For: Brooks, Brown, Kniech, Lehmann, Montero, Nevitt, Shepherd, Susman (8)
Against: (None) (0)
Absent: Faatz, Herndon, Lopez, Ortega, Robb (5)
Abstain: (None) (0)

CR13-0093 A resolution approving and evidencing the intention of the City and County of Denver, Colorado to issue an amount not to exceed \$23,000,000 of Multifamily Housing Revenue Bonds for the 2300 Welton Street Project. (BUSINESS, WORKFORCE & SUSTAINABILITY)

A motion offered by Councilwoman Montero, duly seconded by Councilwoman Shepherd, that CR13-0086, CR13-0093, CR13-0087, CR13-0088, and CR13-0089 be adopted en bloc, carried by the following vote:

Passed

For: Brooks, Brown, Kniech, Lehmann, Montero, Nevitt, Shepherd, Susman (8)
Against: (None) (0)
Absent: Faatz, Herndon, Lopez, Ortega, Robb (5)
Abstain: (None) (0)

Health, Safety, Education & Services

CR13-0087 A resolution approving the Mayor's reappointments and appointments to the Denver American Indian Commission. (HEALTH, SAFETY, EDUCATION & SERVICES)

A motion offered by Councilwoman Montero, duly seconded by Councilwoman Shepherd, that CR13-0086, CR13-0093, CR13-0087, CR13-0088, and CR13-0089 be adopted en bloc, carried by the following vote:

Passed

For: Brooks, Brown, Kniech, Lehmann, Montero, Nevitt, Shepherd, Susman (8)
Against: (None) (0)
Absent: Faatz, Herndon, Lopez, Ortega, Robb (5)
Abstain: (None) (0)

CR13-0088 A resolution approving the Mayor's appointments to the Denver Latino Commission. (HEALTH, SAFETY, EDUCATION & SERVICES)

A motion offered by Councilwoman Montero, duly seconded by Councilwoman Shepherd, that CR13-0086, CR13-0093, CR13-0087, CR13-0088, and CR13-0089 be adopted en bloc, carried by the following vote:

Passed

For: Brooks, Brown, Kniech, Lehmann, Montero, Nevitt, Shepherd, Susman (8)
Against: (None) (0)
Absent: Faatz, Lopez, Ortega, Robb (4)

Abstain: (None) (0)

CR13-0089 A resolution approving the Mayor's reappointment and appointments to the Denver Commission for People with Disabilities. (HEALTH, SAFETY, EDUCATION & SERVICES)

A motion offered by Councilwoman Montero, duly seconded by Councilwoman Shepherd, that CR13-0086, CR13-0093, CR13-0087, CR13-0088, and CR13-0089 be adopted en bloc, carried by the following vote:

Passed

For: Brooks, Brown, Kniech, Lehmann, Montero, Nevitt, Shepherd, Susman (8)

Against: (None) (0)

Absent: Faatz, Herndon, Lopez, Ortega, Robb (5)

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

CB13-0060 A bill for an ordinance approving a proposed Agreement between the City and County of Denver and Live Nation Worldwide, Inc., to promote and book concerts and live events at various City venues and facilities. (BUSINESS, WORKFORCE & SUSTAINABILITY)

A motion offered by Council President Susman, duly seconded by Councilwoman Montero, that CB13-0060, CB13-0039, CB13-0070, CB13-0092, CB13-0036, CB13-0096, CB13-0121, CB13-0014, CB13-0015, CB13-0018, CB13-0078, and CB13-0098 be ordered published en bloc, carried by the following vote:

Passed

For: Brooks, Brown, Kniech, Lehmann, Montero, Nevitt, Shepherd, Susman (8)

Against: (None) (0)

Absent: Faatz, Herndon, Lopez, Ortega, Robb (5)

Abstain: (None) (0)

Government & Finance

CB13-0039 A bill for an ordinance approving a proposed Master Purchase Order between the City and County of Denver and World Wide Technology, Inc., for products and services related to network infrastructure support for Denver International Airport. (BUSINESS, WORKFORCE & SUSTAINABILITY)

A motion offered by Council President Susman, duly seconded by Councilwoman Montero, that CB13-0060, CB13-0039, CB13-0070, CB13-0092, CB13-0036, CB13-0096, CB13-0121, CB13-0014, CB13-0015, CB13-0018, CB13-0078, and CB13-0098 be ordered published en bloc, carried by the following vote:

Passed

For: Brooks, Brown, Kniech, Lehmann, Montero, Nevitt, Shepherd, Susman (8)

Against: (None) (0)

Absent: Faatz, Herndon, Lopez, Ortega, Robb (5)

Abstain: (None) (0)

CB13-0070 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 Councilwoman Montero, that CB13-0060, CB13-0039, CB13-0070, CB13-0092, CB13-0036, CB13-0096, CB13-0121, CB13-0014, CB13-0015, CB13-0018, CB13-0078, and CB13-0098 be ordered published en bloc, carried by the following vote:

Passed

For: Brooks, Brown, Kniech, Lehmann, Montero, Nevitt, Shepherd, Susman (8)

Against: (None) (0)

Absent: Faatz, Herndon, Lopez, Ortega, Robb (5)

Abstain: (None) (0)

CB13-0092 A bill for an ordinance establishing a "Denver Education Compact" fund in the General Government Special Revenue Fund and the means for authorizing expenditures from such fund. (GOVERNMENT & FINANCE)

A motion offered by Council President Susman, duly seconded by Councilwoman Montero, that CB13-0060, CB13-0039, CB13-0070, CB13-0092, CB13-0036, CB13-0096, CB13-0121, CB13-0014, CB13-0015, CB13-0018, CB13-0078, and CB13-0098 be ordered published en bloc, carried by the following vote:

Passed

For: Brooks, Brown, Kniech, Lehmann, Montero, Nevitt, Shepherd, Susman (8)

Against: (None) (0)

Absent: Faatz, Herndon, Lopez, Ortega, Robb (5)

Abstain: (None) (0)

Health, Safety, Education & Services

CB13-0036 A bill for an ordinance approving the Second Amendatory Agreement between the City and County of Denver and the Mental Health

Center of Denver. (HEALTH, SAFETY, EDUCATION & SERVICES)

A motion offered by Council President Susman, duly seconded by Councilwoman Montero, that CB13-0060, CB13-0039, CB13-0070, CB13-0092, CB13-0036, CB13-0096, CB13-0121, CB13-0014, CB13-0015, CB13-0018, CB13-0078, and CB13-0098 be ordered published en bloc, carried by the following vote:

Passed

For: Brooks, Brown, Kniech, Lehmann, Montero, Nevitt, Shepherd, Susman (8)

Against: (None) (0)

Absent: Faatz, Herndon, Lopez, Ortega, Robb (5)

Abstain: (None) (0)

CB13-0096 A bill for an ordinance amending D.R.M.C. Section 37-50 (c) by the addition of predicate offenses of illegal dumping or unlawful disposal of trash. (HEALTH, SAFETY, EDUCATION & SERVICES)

A motion offered by Council President Susman, duly seconded by Councilwoman Montero, that CB13-0060, CB13-0039, CB13-0070, CB13-0092, CB13-0036, CB13-0096, CB13-0121, CB13-0014, CB13-0015, CB13-0018, CB13-0078, and CB13-0098 be ordered published en bloc, carried by the following vote:

Passed

For: Brooks, Brown, Kniech, Lehmann, Montero, Nevitt, Shepherd, Susman (8)

Against: (None) (0)

Absent: Faatz, Herndon, Lopez, Ortega, Robb (5)

Abstain: (None) (0)

CB13-0121 A bill for an ordinance amending D.R.M.C. Section 37-50 (c) by the addition of the predicate offense of impersonating a peace officer. (HEALTH, SAFETY, EDUCATION & SERVICES)

A motion offered by Council President Susman, duly seconded by Councilwoman Montero, that CB13-0060, CB13-0039, CB13-0070, CB13-0092, CB13-0036, CB13-0096, CB13-0121, CB13-0014, CB13-0015, CB13-0018, CB13-0078, and CB13-0098 be ordered published en bloc, carried by the following vote:

Passed

For: Brooks, Brown, Kniech, Lehmann, Montero, Nevitt, Shepherd, Susman (8)

Against: (None) (0)

Absent: Faatz, Herndon, Lopez, Ortega, Robb (5)

Abstain: (None) (0)

Land Use, Transportation & Infrastructure

CB13-0014 A bill for an Ordinance approving a Third Amendment of Concession License with the Echo Lake Lodge Concessions LLC, by H.W.

Stewart, Inc., for Echo Lake Lodge. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

A motion offered by Council President Susman, duly seconded by Councilwoman Montero, that CB13-0060, CB13-0039, CB13-0070, CB13-0092, CB13-0036, CB13-0096, CB13-0121, CB13-0014, CB13-0015, CB13-0018, CB13-0078, and CB13-0098 be ordered published en bloc, carried by the following vote:

Passed

For: Brooks, Brown, Kniech, Lehmann, Montero, Nevitt, Shepherd, Susman (8)

Against: (None) (0)

Absent: Faatz, Herndon, Lopez, Ortega, Robb (5)

Abstain: (None) (0)

CB13-0015 A bill for an Ordinance approving a Third Amendment of Concession License with Pahaska Tepee Concessions LLC, by H.W. Stewart, Inc., for Pahaska Tepee. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

A motion offered by Council President Susman, duly seconded by Councilwoman Montero, that CB13-0060, CB13-0039, CB13-0070, CB13-0092, CB13-0036, CB13-0096, CB13-0121, CB13-0014, CB13-0015, CB13-0018, CB13-0078, and CB13-0098 be ordered published en bloc, carried by the following vote:

Passed

For: Brooks, Brown, Kniech, Lehmann, Montero, Nevitt, Shepherd, Susman (8)

Against: (None) (0)

Absent: Faatz, Herndon, Lopez, Ortega, Robb (5)

Abstain: (None) (0)

CB13-0018 A bill for an ordinance approving a contract with Sturgeon Electric Company, Inc., to reconstruct and upgrade six (6) existing traffic signals. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

A motion offered by Council President Susman, duly seconded by Councilwoman Montero, that CB13-0060, CB13-0039, CB13-0070, CB13-0092, CB13-0036, CB13-0096, CB13-0121, CB13-0014, CB13-0015, CB13-0018, CB13-0078, and CB13-0098 be ordered published en bloc, carried by the following vote:

Passed

For: Brooks, Brown, Kniech, Lehmann, Montero, Nevitt, Shepherd, Susman (8)

Against: (None) (0)

Absent: Faatz, Herndon, Lopez, Ortega, Robb (5)

Abstain: (None) (0)

CB13-0078 A bill for an ordinance approving a Contract between the City and County of Denver and SEMA Construction, Inc., for design build

services for the Peoria Crossing Project. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

A motion offered by Council President Susman, duly seconded by Councilwoman Montero, that CB13-0060, CB13-0039, CB13-0070, CB13-0092, CB13-0036, CB13-0096, CB13-0121, CB13-0014, CB13-0015, CB13-0018, CB13-0078, and CB13-0098 be ordered published en bloc, carried by the following vote:

Passed

For: Brooks, Brown, Kniech, Lehmann, Montero, Nevitt, Shepherd, Susman (8)

Against: (None) (0)

Absent: Faatz, Herndon, Lopez, Ortega, Robb (5)

Abstain: (None) (0)

CB13-0098 A bill for an ordinance vacating the alley bounded by S. Kalamath Street, S. Santa Fe Drive, W. Cedar Avenue and W. Byers Place, with reservations. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

A motion offered by Council President Susman, duly seconded by Councilwoman Montero, that CB13-0060, CB13-0039, CB13-0070, CB13-0092, CB13-0036, CB13-0096, CB13-0121, CB13-0014, CB13-0015, CB13-0018, CB13-0078, and CB13-0098 be ordered published en bloc, carried by the following vote:

Passed

For: Brooks, Brown, Kniech, Lehmann, Montero, Nevitt, Shepherd, Susman (8)

Against: (None) (0)

Absent: Faatz, Herndon, Lopez, Ortega, Robb (5)

Abstain: (None) (0)

Recap of Bills to be Called Out

Recess

Council took a brief recess.

Council Reconvenes and Resumes its Regular Session

Public Hearings - Bills for Final Consideration

Land Use, Transportation & Infrastructure

CB13-0074 A bill for an ordinance approving the Service Plans for the formation and establishment of the Aviation Station area metropolitan districts including Aviation Station North Metropolitan District No. 1, Aviation Station North Metropolitan District No. 2, Aviation Station North

Metropolitan District No. 3, Aviation Station North Metropolitan District No. 4, Aviation Station North Metropolitan District No. 5, Aviation Station North Metropolitan District No. 6, Smith Metropolitan District No. 1, Smith Metropolitan District No. 2, Smith Metropolitan District No. 3 and Smith Metropolitan District No. 4. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

A motion offered by Councilwoman Montero, duly seconded by Councilwoman Shepherd, that CB13-0074 be placed upon final consideration and do pass, carried by the following vote:

Passed

For: Brooks, Brown, Kniech, Lehmann, Montero, Nevitt, Shepherd, Susman (8)

Against: (None) (0)

Absent: Faatz, Herndon, Lopez, Ortega, Robb (5)

Abstain: (None) (0)

Council sat as a Committee of the Whole commencing at 6:05 PM, Council President Susman presiding, to hear speakers either for or against CB13-0074. Rick Wells, Ferd Belz III, Seku, Mary Ann McGeady, and Bruce O'Donnell signed up to speak in favor of the bill. No speakers signed up to speak in opposition to the bill. Andrew Johnston of the Finance Department delivered the Staff Report with an overview and recommendation for approval.

Bills for Final Consideration

Government & Finance

CB13-0038 A bill for an ordinance approving a proposed Master Purchase Order between the City and County of Denver and Harris Corporation for the maintenance and improvement of the City's emergency response communications equipment. (GOVERNMENT & FINANCE)

A motion offered by Councilwoman Montero, duly seconded by Councilwoman Lehmann, that CB13-0038, CB13-0080, CB13-0081, CB12-0791, CB13-0094, and CB13-0077 be placed upon final consideration and do pass en bloc, carried by the following vote:

Passed

For: Brooks, Brown, Kniech, Lehmann, Montero, Nevitt, Shepherd, Susman (8)

Against: (None) (0)

Absent: Faatz, Herndon, Lopez, Ortega, Robb (5)

Abstain: (None) (0)

CB13-0080 A bill for an ordinance approving a proposed Purchase Order between the City and County of Denver and Oracle America, Inc., for the annual maintenance and support for PeopleSoft Enterprise.

(GOVERNMENT & FINANCE)

A motion offered by Councilwoman Montero, duly seconded by Councilwoman Lehmann, that CB13-0038, CB13-0080, CB13-0081, CB12-0791, CB13-0094, and CB13-0077 be placed upon final consideration and do pass en bloc, carried by the following vote:

Passed

For: Brooks, Brown, Kniech, Lehmann, Montero, Nevitt, Shepherd, Susman (8)

Against: (None) (0)

Absent: Faatz, Herndon, Lopez, Ortega, Robb (5)

Abstain: (None) (0)

CB13-0081 A bill for an ordinance approving a proposed Amendatory Agreement between the City and County of Denver and FSH Communications, LLC, to extend the contract for pay phones located on City property. (GOVERNMENT & FINANCE)

A motion offered by Councilwoman Montero, duly seconded by Councilwoman Lehmann, that CB13-0038, CB13-0080, CB13-0081, CB12-0791, CB13-0094, and CB13-0077 be placed upon final consideration and do pass en bloc, carried by the following vote:

Passed

For: Brooks, Brown, Kniech, Lehmann, Montero, Nevitt, Shepherd, Susman (8)

Against: (None) (0)

Absent: Faatz, Herndon, Lopez, Ortega, Robb (5)

Abstain: (None) (0)

Health, Safety, Education & Services

CB12-0791 A bill for an ordinance approving a proposed Fourth Amendatory Agreement between the City and County of Denver and Urban Peak to establish services for the operation of the Rocky Mountain Youth Housing Program (RMYHP). (HEALTH, SAFETY, EDUCATION & SERVICES)

A motion offered by Councilwoman Montero, duly seconded by Councilwoman Lehmann, that CB13-0038, CB13-0080, CB13-0081, CB12-0791, CB13-0094, and CB13-0077 be placed upon final consideration and do pass en bloc, carried by the following vote:

Passed

For: Brooks, Brown, Kniech, Lehmann, Montero, Nevitt, Shepherd, Susman (8)

Against: (None) (0)

Absent: Faatz, Herndon, Lopez, Ortega, Robb (5)

Abstain: (None) (0)

CB13-0094 A bill for an ordinance to amend Ordinance No. 17 Series of 2013 and to approve a proposed Grant Agreement between the City and County of Denver and Living Cities/Bloomberg Philanthropies concerning the "Financial Empowerment Centers" program and the funding thereof. (HEALTH, SAFETY, EDUCATION & SERVICES)

A motion offered by Councilwoman Montero, duly seconded by Councilwoman Lehmann, that CB13-0038, CB13-0080, CB13-0081, CB12-0791, CB13-0094, and CB13-0077 be placed upon final consideration and do pass en bloc, carried by the following vote:

Passed

For: Brooks, Brown, Kniech, Lehmann, Montero, Nevitt, Shepherd, Susman (8)

Against: (None) (0)

Absent: Faatz, Herndon, Lopez, Ortega, Robb (5)

Abstain: (None) (0)

Land Use, Transportation & Infrastructure

CB13-0077 A bill for an ordinance approving a Revival and Second Amendatory Agreement between Deighton Associates LTD. and the City & County of Denver to revive the Agreement, increase funds and extend the term. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

A motion offered by Councilwoman Montero, duly seconded by Councilwoman Lehmann, that CB13-0038, CB13-0080, CB13-0081, CB12-0791, CB13-0094, and CB13-0077 be placed upon final consideration and do pass en bloc, carried by the following vote:

Passed

For: Brooks, Brown, Kniech, Lehmann, Montero, Nevitt, Shepherd, Susman (8)

Against: (None) (0)

Absent: Faatz, Herndon, Lopez, Ortega, Robb (5)

Abstain: (None) (0)

Special Issues: Amendment 64

Adjourn

There being no further business before the City Council, Council President Susman adjourned the meeting at 6:20 PM.

Pending

For 3-11-13

CB13-0071 A bill for an ordinance changing the zoning classification for 1454 South Milwaukee Street.

Required Public Hearing

Final Consideration (LAND USE, TRANSPORTATION & INFRASTRUCTURE)