

City Council Minutes

Meeting Date: Monday, December 17, 2012 5:30 PM

Pledge of Allegiance

Councilwoman Kniech led the Pledge of Allegiance.

Roll Call

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

Absent: Lehmann

Approval of the Minutes

The minutes of meeting date, Monday, December 17, 2012, were distributed to Council. Council President Susman ordered the minutes approved.

Council Announcements

Councilmembers Montero, Brooks, and López offered announcements.

Presentations

Communications

Proclamations

CP12-0927 A proclamation in recognition of Ellen Ittelson and her contributions during 20 years with the Denver Department of Community Planning & Development.

Robb, Faatz, Brown, Shepherd, Herndon, Susman, Montero, Lehmann, Brooks, Kniech, and López.

A motion offered by Councilwoman Robb, duly seconded by Councilman Herndon, that CP12-0927 be adopted, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: Lehmann (1)

Abstain: (None) (0)

CP12-0955 A proclamation in support of the current approach proposed by the U.S. Bureau of Land Management for the regulation of oil-shale development.

Sponsored by Councilmembers Ortega, Nevitt, Montero, López, Shepherd, and Kniech.

A motion offered by Councilwoman Ortega, duly seconded by Councilman López that CP12-0955 be adopted, carried by the following vote:

Passed

For: Brooks, Kniech, Lopez, Montero, Nevitt, Ortega, Shepherd, Susman (8)

Against: Brown, Faatz (2)

Absent: Lehmann (1)

Abstain: Herndon, Robb (2)

Resolutions

Government & Finance

CR12-0911 A resolution levying upon all taxable property within the City and County of Denver taxes for the year 2012, to be collected in 2013, for purposes authorized by law. (GOVERNMENT & FINANCE)

A motion offered by Councilwoman Kniech, duly seconded by Councilman Brooks, that CR12-0911, CR12-0912, CR12-0913, and CR12-0930 be adopted en bloc, carried by the following vote:

Passed

For: Brooks, Brown, Faatz, Herndon, Kniech, Lopez, Nevitt, Ortega, Robb, Shepherd, Susman (11)

Against: (None) (0)

Absent: Lehmann, Montero (2)

Abstain: (None) (0)

CR12-0912 A resolution levying taxes for the year 2012 upon all taxable property within special districts within the City and County of Denver for purposes authorized by law for special districts. (GOVERNMENT & FINANCE)

A motion offered by Councilwoman Kniech, duly seconded by Councilman Brooks, that CR12-0911, CR12-0912, CR12-0913, and CR12-0930 be adopted en bloc, carried by the following vote:

Passed

For: Brooks, Brown, Faatz, Herndon, Kniech, Lopez, Nevitt, Ortega, Robb, Shepherd, Susman (11)

Against: (None) (0)
Absent: Lehmann, Montero (2)
Abstain: (None) (0)

CR12-0913 A resolution levying upon all taxable property within the City and County of Denver taxes for the year 2012 for purposes authorized by law for School District No. 1 in the City and County of Denver, State of Colorado. (GOVERNMENT & FINANCE)

A motion offered by Councilwoman Kniech, duly seconded by Councilman Brooks, that CR12-0911, CR12-0912, CR12-0913, and CR12-0930 be adopted en bloc, carried by the following vote:

Passed

For: Brooks, Brown, Faatz, Herndon, Kniech, Lopez, Nevitt, Ortega, Robb, Shepherd, Susman (11)

Against: (None) (0)

Absent: Lehmann, Montero (2)

Abstain: (None) (0)

Health, Safety, Education & Services

CR12-0930 A resolution nominating Fernando Pineda-Reyes and Kalisha Frazier to the Head Start Policy Council. (HEALTH, SAFETY, EDUCATION & SERVICES)

A motion offered by Councilwoman Kniech, duly seconded by Councilman Brooks, that CR12-0911, CR12-0912, CR12-0913, and CR12-0930 be adopted en bloc, carried by the following vote:

Passed

For: Brooks, Brown, Faatz, Herndon, Kniech, Lopez, Nevitt, Ortega, Robb, Shepherd, Susman (11)

Against: (None) (0)

Absent: Lehmann, Montero (2)

Abstain: (None) (0)

Bills for Introduction

Government & Finance

CB12-0857 A bill for an ordinance approving a proposed Third Amendatory Agreement between the City and County of Denver and CS Stars, LLC to extend the term to December 31, 2013, and increase the total amount of compensation for the City's Risk Management Information System. (GOVERNMENT & FINANCE)

A motion offered by Council President Susman, duly seconded by Councilwoman Kniech, that CB12-0857, CB12-0920, CB12-0925, CB12-0917, CB12-0919, CB12-0690, CB12-0905, CB12-0936, and CB12-0937 be ordered published en bloc, carried by the following vote:

Passed

For: Brooks, Brown, Faatz, Herndon, Kniech, Lopez, Nevitt, Ortega, Robb, Shepherd, Susman (11)

Against: (None) (0)

Absent: Lehmann, Montero (2)

Abstain: (None) (0)

CB12-0891 A bill for an Ordinance Changing the Name of the Career Service Authority to the Office of Human Resources and the Title of the Career Service Personnel Director to the Office of Human Resources Executive Director. (GOVERNMENT & FINANCE)

A motion offered by Councilwoman Kniech, duly seconded by Councilman Herndon, that CB12-0891 be ordered published, carried by the following vote:

Passed

For: Brooks, Brown, Herndon, Kniech, Lopez, Nevitt, Ortega, Robb, Shepherd, Susman (10)

Against: Faatz (1)

Absent: Lehmann, Montero (2)

Abstain: (None) (0)

CB12-0916 A bill for an ordinance making a supplemental appropriation from the General Contingency Fund to the Transfer to Business Incentive Special Revenue Fund. (GOVERNMENT & FINANCE)

A motion offered by Councilwoman Kniech, duly seconded by Councilman Herndon, that CB12-0916 be ordered published, carried by the following vote:

Passed

For: Brooks, Brown, Herndon, Kniech, Lopez, Nevitt, Ortega, Robb, Shepherd, Susman (10)

Against: Faatz (1)

Absent: Lehmann, Montero (2)

Abstain: (None) (0)

CB12-0920 A bill for an ordinance approving a proposed Master Purchase Order between the City and County of Denver and O'Meara Ford Center, Inc., to add \$200,000.00 additional funds to the Master Purchase Order for OEM parts. (GOVERNMENT & FINANCE)

A motion offered by Council President Susman, duly seconded by Councilwoman

Kniech, that CB12-0857, CB12-0920, CB12-0925, CB12-0917, CB12-0919, CB12-0690, CB12-0905, CB12-0936, and CB12-0937 be ordered published en bloc, carried by the following vote:

Passed

For: Brooks, Brown, Faatz, Herndon, Kniech, Lopez, Nevitt, Ortega, Robb, Shepherd, Susman (11)

Against: (None) (0)

Absent: Lehmann, Montero (2)

Abstain: (None) (0)

CB12-0923 A bill for an ordinance amending the salary of the District Attorney. (GOVERNMENT & FINANCE)

A motion offered by Councilwoman Kniech, duly seconded by Councilman Brooks, that CB12-0923 be ordered published, carried by the following vote:

Passed

For: Brooks, Brown, Herndon, Kniech, Lopez, Nevitt, Ortega, Shepherd, Susman (9)

Against: Faatz, Robb (2)

Absent: Lehmann, Montero (2)

Abstain: (None) (0)

CB12-0925 A bill for an ordinance making a supplemental appropriation from the General Contingency Fund to the Transfer to CIF-IT projects and making an appropriation in the Capital Improvements and Capital Maintenance Fund for Technology Services Capital Projects. (GOVERNMENT & FINANCE)

A motion offered by Council President Susman, duly seconded by Councilwoman Kniech, that CB12-0857, CB12-0920, CB12-0925, CB12-0917, CB12-0919, CB12-0690, CB12-0905, CB12-0936, and CB12-0937 be ordered published en bloc, carried by the following vote:

Passed

For: Brooks, Brown, Faatz, Herndon, Kniech, Lopez, Nevitt, Ortega, Robb, Shepherd, Susman (11)

Against: (None) (0)

Absent: Lehmann, Montero (2)

Abstain: (None) (0)

Health, Safety, Education & Services

CB12-0809 A bill for an ordinance approving a proposed fourth amendatory agreement by and between the City and County of Denver and Xerox State & Local Solutions, Inc. f/k/a ACS State & Local Solutions, Inc.,

**to add additional funds and to extend the term of the agreement.
(HEALTH, SAFETY, EDUCATION & SERVICES)**

A motion offered by Councilwoman Kniech, duly seconded by Councilman Herndon, that CB12-0809 be ordered published, carried by the following vote:

Passed

For: Brooks, Brown, Herndon, Kniech, Lopez, Nevitt, Ortega, Robb, Shepherd, Susman (10)

Against: Faatz (1)

Absent: Lehmann, Montero (2)

Abstain: (None) (0)

**CB12-0917 A bill for an ordinance approving an Intergovernmental Agreement to provide fire protection services to the City of Sheridan
(HEALTH, SAFETY, EDUCATION & SERVICES)**

A motion offered by Council President Susman, duly seconded by Councilwoman Kniech, that CB12-0857, CB12-0920, CB12-0925, CB12-0917, CB12-0919, CB12-0690, CB12-0905, CB12-0936, and CB12-0937 be ordered published en bloc, carried by the following vote:

Passed

For: Brooks, Brown, Faatz, Herndon, Kniech, Lopez, Nevitt, Ortega, Robb, Shepherd, Susman (11)

Against: (None) (0)

Absent: Lehmann, Montero (2)

Abstain: (None) (0)

CB12-0919 A bill for an ordinance approving an amendatory agreement with Excel Environmental Inc., for on-call abatement services of asbestos, lead-based paint, and mold that will extend the term of the agreement for one year. (HEALTH, SAFETY, EDUCATION & SERVICES)

A motion offered by Council President Susman, duly seconded by Councilwoman Kniech, that CB12-0857, CB12-0920, CB12-0925, CB12-0917, CB12-0919, CB12-0690, CB12-0905, CB12-0936, and CB12-0937 be ordered published en bloc, carried by the following vote:

Passed

For: Brooks, Brown, Faatz, Herndon, Kniech, Lopez, Nevitt, Ortega, Robb, Shepherd, Susman (11)

Against: (None) (0)

Absent: Lehmann, Montero (2)

Abstain: (None) (0)

Land Use, Transportation & Infrastructure

CB12-0690 A bill for an ordinance relating to Section 54-492 of the Denver Revised Municipal Code, to change language pertaining to on street parking permits. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

A motion offered by Council President Susman, duly seconded by Councilwoman Kniech, that CB12-0857, CB12-0920, CB12-0925, CB12-0917, CB12-0919, CB12-0690, CB12-0905, CB12-0936, and CB12-0937 be ordered published en bloc, carried by the following vote:

Passed

For: Brooks, Brown, Faatz, Herndon, Kniech, Lopez, Nevitt, Ortega, Robb, Shepherd, Susman (11)

Against: (None) (0)

Absent: Lehmann, Montero (2)

Abstain: (None) (0)

CB12-0905 A bill for an ordinance approving a Cooperative Agreement for Lease of a portion of Gates-Crescent Park and Sale of another portion of Gates-Crescent Park to The Children's Museum of Denver, Inc. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

A motion offered by Council President Susman, duly seconded by Councilwoman Kniech, that CB12-0857, CB12-0920, CB12-0925, CB12-0917, CB12-0919, CB12-0690, CB12-0905, CB12-0936, and CB12-0937 be ordered published en bloc, carried by the following vote:

Passed

For: Brooks, Brown, Faatz, Herndon, Kniech, Lopez, Nevitt, Ortega, Robb, Shepherd, Susman (11)

Against: (None) (0)

Absent: Lehmann, Montero (2)

Abstain: (None) (0)

Late Filings

Government & Finance

CB12-0936 A bill for an ordinance approving a proposed Purchase Order between the City and County of Denver and World Wide Technologies Inc., for purchase and implementation of the disk storage systems. (GOVERNMENT & FINANCE)

A motion offered by Councilwoman Kniech, duly seconded by Councilman Herndon, that the Rules of Council be suspended to allow for the introduction of CB12-0936 and CB12-0937, carried by the following vote:

Passed

For: Brooks, Brown, Faatz, Herndon, Kniech, Lopez, Nevitt, Ortega, Robb, Shepherd, Susman (11)

Against: (None) (0)

Absent: Lehmann, Montero (2)

Abstain: (None) (0)

A motion offered by Council President Susman, duly seconded by Councilwoman Kniech, that CB12-0857, CB12-0920, CB12-0925, CB12-0917, CB12-0919, CB12-0690, CB12-0905, CB12-0936, and CB12-0937 be ordered published en bloc, carried by the following vote:

Passed

For: Brooks, Brown, Faatz, Herndon, Kniech, Lopez, Nevitt, Ortega, Robb, Shepherd, Susman (11)

Against: (None) (0)

Absent: Lehmann, Montero (2)

Abstain: (None) (0)

CB12-0937 A bill for an ordinance approving a proposed Purchase Order between the City and County of Denver and Dell Marketing LP for data management software and professional services. (GOVERNMENT & FINANCE)

A motion offered by Councilwoman Kniech, duly seconded by Councilman Herndon, that the Rules of Council be suspended to allow for the introduction of CB12-0936 and CB12-0937, carried by the following vote:

Passed

For: Brooks, Brown, Faatz, Herndon, Kniech, Lopez, Nevitt, Ortega, Robb, Shepherd, Susman (11)

Against: (None) (0)

Absent: Lehmann, Montero (2)

Abstain: (None) (0)

A motion offered by Council President Susman, duly seconded by Councilwoman Kniech, that CB12-0857, CB12-0920, CB12-0925, CB12-0917, CB12-0919, CB12-0690, CB12-0905, CB12-0936, and CB12-0937 be ordered published en bloc, carried by the following vote:

Passed

For: Brooks, Brown, Faatz, Herndon, Kniech, Lopez, Nevitt, Ortega, Robb, Shepherd, Susman (11)

Against: (None) (0)

Absent: Lehmann, Montero (2)

Abstain: (None) (0)

Recap of Bills to be Called Out

Recess

Council Reconvenes and Resumes its Regular Session

Bills for Final Consideration

Government & Finance

CB12-0898 A bill or an ordinance modifying the Comcast cable franchise agreement to extend the term of the franchise for an additional six months to July 1, 2013 (GOVERNMENT & FINANCE)

A motion offered by Councilwoman Kniech, duly seconded by Councilman Herndon, that CB12-0898, CB12-0817, and CB12-0841 be placed upon final consideration and do pass en bloc, carried by the following vote:

Passed

For: Brooks, Brown, Faatz, Herndon, Kniech, Lopez, Nevitt, Ortega, Robb, Shepherd, Susman (11)

Against: (None) (0)

Absent: Lehmann, Montero (2)

Abstain: (None) (0)

CB12-0903 A bill for an ordinance amending Ordinance No. 588, Series of 2012, concerning the appropriations to pay the expenses of conducting the public business for the year 2013 and for the purposes required by the Charter and by other law. (GOVERNMENT & FINANCE)

A motion offered by Councilwoman Kniech, duly seconded by Councilman Herndon, that CB12-0903 be placed upon final consideration and do pass, was followed by a motion offered by Councilwoman Kniech, duly seconded by Councilwoman Faatz, that CB12-0903 be amended in the following particulars: on page 4, line 16, strike the amount **2,625,000** and replace with the amount 75,000. On page 5, line 41, strike the amount **\$109,341,000** and replace with the amount **\$106,791,000**. On page 6, line 26, strike the amount **\$980,474,000** and replace with the amount **\$977,924,000** ; on line 29, strike the amount **\$990,968,055** and replace it with the amount **\$988,418,055** ; and on line 34 strike the **\$992,776,355** and replace it with the amount **\$990,226,355**, which motion to amend, carried by the following vote:

Passed

For: Brooks, Brown, Faatz, Herndon, Kniech, Lopez, Nevitt, Ortega, Robb, Shepherd, Susman (11)

Against: (None) (0)

Absent: Lehmann, Montero (2)
Abstain: (None) (0)

A motion offered by Councilwoman Kniech, duly seconded by Councilman Herndon, that CB12-0903 be placed upon final consideration and do pass as amended, carried by the following vote:

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

Land Use, Transportation & Infrastructure

CB12-0817 A bill for an ordinance approving a proposed Amendment to Agreement between the City and County of Denver and Urban Drainage and Flood Control District regarding final design, right-of-way acquisition and construction of drainage and flood control improvements along First Creek at East 56th Avenue, City and County of Denver. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

A motion offered by Councilwoman Kniech, duly seconded by Councilman Herndon, that CB12-0898, CB12-0817, and CB12-0841 be placed upon final consideration and do pass en bloc, carried by the following vote:

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

CB12-0841 A bill for an ordinance approving a proposed Amendatory Agreement between the City and County of Denver and The Architerra Group, Inc. for on-call landscape architectural and technical services. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

A motion offered by Councilwoman Kniech, duly seconded by Councilman Herndon, that CB12-0898, CB12-0817, and CB12-0841 be placed upon final consideration and do pass en bloc, carried by the following vote:

Passed
For: Brooks, Brown, Faatz, Herndon, Kniech, Lopez, Nevitt, Ortega, Robb, Shepherd, Susman (11)
Against: (None) (0)

Absent: Lehmann, Montero (2)
Abstain: (None) (0)

Adjourn

There being no further business before the City Council, Council President Susman adjourned the meeting at 7:10 PM.

Pending

For 01-07-13

CB12-0879 A bill for an ordinance amending the Denver Zoning Code to amend the definition of Sign and amend the treatment and definition of noncommercial signs.

Required Public Hearing

Final Consideration (LAND USE, TRANSPORTATION & INFRASTRUCTURE)