

City Council Minutes

Meeting Date: Tuesday, January 17, 2012 5:30 PM

Pledge of Allegiance

Councilmember Robb led the Pledge of Allegiance.

Roll Call

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

Absent: Herndon

Councilmember Ortega arrived late.

Approval of Minutes of Monday, January 9, 2012

The minutes of meeting date, Monday, January 9, 2012, were distributed to Council. Council President Nevitt ordered the minutes approved.

Council Announcements

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

Presentations

Communications

Proclamations

Resolutions

The Council Secretary read the following resolutions by titles.

Business, Workforce & Sustainability

CR12-0015 A resolution approving the Mayor's appointment to the Colfax Business Improvement District. (BUSINESS, WORKFORCE & SUSTAINABILITY)

A motion offered by Councilmember Robb, duly seconded by Councilmember Shepherd, that CR12-0015, CR12-0034, and CR12-0017 be adopted en bloc,

carried by the following vote:

Passed

For: Brooks, Faatz, Kniech, Lehmann, Lopez, Montero, Nevitt, Ortega, Robb, Shepherd, Susman (11)

Against: (None) (0)

Absent: Brown, Herndon (2)

Abstain: (None) (0)

Brown left

Health, Safety, Education & Services

CR12-0034 A resolution approving the Mayor's reappointments and appointments to the Denver Latino Commission. (HEALTH, SAFETY, EDUCATION & SERVICES)

A motion offered by Councilmember Robb, duly seconded by Councilmember Shepherd, that CR12-0015, CR12-0034, and CR12-0017 be adopted en bloc, carried by the following vote:

Passed

For: Brooks, Faatz, Kniech, Lehmann, Lopez, Montero, Nevitt, Ortega, Robb, Shepherd, Susman (11)

Against: (None) (0)

Absent: Brown, Herndon (2)

Abstain: (None) (0)

Land Use, Transportation & Infrastructure

CR12-0017 A resolution laying out, opening and establishing as part of the city street system a certain parcel of land as Front View Crescent and a certain parcel of land as a North/South alley in Block 2, River Front in the Town of Highlands. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

A motion offered by Councilmember Robb, duly seconded by Councilmember Shepherd, that CR12-0015, CR12-0034, and CR12-0017 be adopted en bloc, carried by the following vote:

Passed

For: Brooks, Faatz, Kniech, Lehmann, Lopez, Montero, Nevitt, Ortega, Robb, Shepherd, Susman (11)

Against: (None) (0)

Absent: Brown, Herndon (2)

Abstain: (None) (0)

Bills for Introduction

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

Business, Workforce & Sustainability

CB11-0933 A bill for an ordinance approving a proposed Third Amendment to Permit Agreement for Multi - purpose Permit, Ref. No. 400 between the City and County of Denver and Park Creek Metropolitan District for general construction, traffic access, ingress, and egress at the former Stapleton site. (BUSINESS, WORKFORCE & SUSTAINABILITY)

A motion offered by Councilmember Nevitt, duly seconded by Councilmember Robb, that CB11-0933, CB11-0963, CB12-0011, CB11-0862, CB11-0829, CB12-0031, CB12-0033, CB11-0630, CB11-0947, CB11-0967, CB11-0968, CB12-0007, and CB12-0016 be ordered published en bloc, carried by the following vote:

Passed

For: Brooks, Faatz, Kniech, Lehmann, Lopez, Montero, Nevitt, Ortega, Robb, Shepherd, Susman (11)

Against: (None) (0)

Absent: Brown, Herndon (2)

Abstain: (None) (0)

Brown left

CB11-0963 A bill for an ordinance approving a proposed Agreement between the City and County of Denver and JOHN ROHRER CONTRACTING COMPANY, INC. to provide concrete repairs and moisture protection for the DIA Terminal Roadways and the Terminal Parking Structure. (BUSINESS, WORKFORCE & SUSTAINABILITY)

A motion offered by Councilmember Nevitt, duly seconded by Councilmember Robb, that CB11-0933, CB11-0963, CB12-0011, CB11-0862, CB11-0829, CB12-0031, CB12-0033, CB11-0630, CB11-0947, CB11-0967, CB11-0968, CB12-0007, and CB12-0016 be ordered published en bloc, carried by the following vote:

Passed

For: Brooks, Faatz, Kniech, Lehmann, Lopez, Montero, Nevitt, Ortega, Robb, Shepherd, Susman (11)

Against: (None) (0)

Absent: Brown, Herndon (2)

Abstain: (None) (0)

CB12-0011 A bill for an ordinance approving a proposed Second Amendment and Modification Agreement between the City and County of Denver, Taxi Building III, LLC and Morton Zeppelin, relating to the "Taxi III" development. (BUSINESS, WORKFORCE & SUSTAINABILITY)

A motion offered by Councilmember Nevitt, duly seconded by Councilmember Robb, that CB11-0933, CB11-0963, CB12-0011, CB11-0862, CB11-0829, CB12-0031, CB12-0033, CB11-0630, CB11-0947, CB11-0967, CB11-0968, CB12-0007, and CB12-0016 be ordered published en bloc, carried by the following vote:

Passed

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

Government & Finance

CB11-0862 A bill for an ordinance approving a proposed First Amendment to Concession Agreement and Revival (Civic Center Office Building) between the City and County of Denver and HJB Convenience Corporation, d/b/a Russell's Convenience for a five-year, income-generating extension, to the concession agreement. (GOVERNMENT & FINANCE)

A motion offered by Councilmember Nevitt, duly seconded by Councilmember Robb, that CB11-0933, CB11-0963, CB12-0011, CB11-0862, CB11-0829, CB12-0031, CB12-0033, CB11-0630, CB11-0947, CB11-0967, CB11-0968, CB12-0007, and CB12-0016 be ordered published en bloc, carried by the following vote:
Passed

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

Health, Safety, Education & Services

CB11-0829 A bill for an ordinance approving a proposed Amendatory Agreement between the City and County of Denver and Mile High Business Alliance to procure energy efficiency services. (HEALTH, SAFETY, EDUCATION & SERVICES)

A motion offered by Councilmember Nevitt, duly seconded by Councilmember Robb, that CB11-0933, CB11-0963, CB12-0011, CB11-0862, CB11-0829, CB12-0031, CB12-0033, CB11-0630, CB11-0947, CB11-0967, CB11-0968, CB12-0007, and CB12-0016 be ordered published en bloc, carried by the following vote:
Passed

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

CB12-0031 A bill for an ordinance amending Section 18-164(e) of the Revised Municipal Code, extending the military pay differential for eligible career service employees and members of the classified service through the end of calendar year 2012. (HEALTH, SAFETY, EDUCATION &

SERVICES)

A motion offered by Councilmember Nevitt, duly seconded by Councilmember Robb, that CB11-0933, CB11-0963, CB12-0011, CB11-0862, CB11-0829, CB12-0031, CB12-0033, CB11-0630, CB11-0947, CB11-0967, CB11-0968, CB12-0007, and CB12-0016 be ordered published en bloc, carried by the following vote:

Passed

For: Brooks, Faatz, Kniech, Lehmann, Lopez, Montero, Nevitt, Ortega, Robb, Shepherd, Susman (11)

Against: (None) (0)

Absent: Brown, Herndon (2)

Abstain: (None) (0)

CB12-0033 A bill for an ordinance approving a proposed Third Amendatory Agreement by and between the City and County of Denver and SomaLogic, Inc. (HEALTH, SAFETY, EDUCATION & SERVICES)

A motion offered by Councilmember Nevitt, duly seconded by Councilmember Robb, that CB11-0933, CB11-0963, CB12-0011, CB11-0862, CB11-0829, CB12-0031, CB12-0033, CB11-0630, CB11-0947, CB11-0967, CB11-0968, CB12-0007, and CB12-0016 be ordered published en bloc, carried by the following vote:

Passed

For: Brooks, Faatz, Kniech, Lehmann, Lopez, Montero, Nevitt, Ortega, Robb, Shepherd, Susman (11)

Against: (None) (0)

Absent: Brown, Herndon (2)

Abstain: (None) (0)

Land Use, Transportation & Infrastructure

CB11-0630 A bill for an ordinance approving an amendatory agreement between the City and County of Denver and Pahl Architecture, PC to extend term and increase funding. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

A motion offered by Councilmember Nevitt, duly seconded by Councilmember Robb, that CB11-0933, CB11-0963, CB12-0011, CB11-0862, CB11-0829, CB12-0031, CB12-0033, CB11-0630, CB11-0947, CB11-0967, CB11-0968, CB12-0007, and CB12-0016 be ordered published en bloc, carried by the following vote:

Passed

For: Brooks, Faatz, Kniech, Lehmann, Lopez, Montero, Nevitt, Ortega, Robb, Shepherd, Susman (11)

Against: (None) (0)

Absent: Brown, Herndon (2)

Abstain: (None) (0)

CB11-0947 A bill for an ordinance changing the zoning classification for

4787 S. Wadsworth Way. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

A motion offered by Councilmember Nevitt, duly seconded by Councilmember Robb, that CB11-0933, CB11-0963, CB12-0011, CB11-0862, CB11-0829, CB12-0031, CB12-0033, CB11-0630, CB11-0947, CB11-0967, CB11-0968, CB12-0007, and CB12-0016 be ordered published en bloc, carried by the following vote:

Passed

For: Brooks, Faatz, Kniech, Lehmann, Lopez, Montero, Nevitt, Ortega, Robb, Shepherd, Susman (11)

Against: (None) (0)

Absent: Brown, Herndon (2)

Abstain: (None) (0)

CB11-0967 A bill for an ordinance approving a proposed Second Amendatory Agreement between the City and County of Denver and Wilderness Construction Co. to increase the maximum contract amount. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

A motion offered by Councilmember Nevitt, duly seconded by Councilmember Robb, that CB11-0933, CB11-0963, CB12-0011, CB11-0862, CB11-0829, CB12-0031, CB12-0033, CB11-0630, CB11-0947, CB11-0967, CB11-0968, CB12-0007, and CB12-0016 be ordered published en bloc, carried by the following vote:

Passed

For: Brooks, Faatz, Kniech, Lehmann, Lopez, Montero, Nevitt, Ortega, Robb, Shepherd, Susman (11)

Against: (None) (0)

Absent: Brown, Herndon (2)

Abstain: (None) (0)

CB11-0968 A bill for an ordinance approving a proposed Second Amendatory Agreement between the City and County of Denver and Norkoli Construction, Inc. to increase the maximum contract amount. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

A motion offered by Councilmember Nevitt, duly seconded by Councilmember Robb, that CB11-0933, CB11-0963, CB12-0011, CB11-0862, CB11-0829, CB12-0031, CB12-0033, CB11-0630, CB11-0947, CB11-0967, CB11-0968, CB12-0007, and CB12-0016 be ordered published en bloc, carried by the following vote:

Passed

For: Brooks, Faatz, Kniech, Lehmann, Lopez, Montero, Nevitt, Ortega, Robb, Shepherd, Susman (11)

Against: (None) (0)

Absent: Brown, Herndon (2)

Abstain: (None) (0)

CB12-0007 A bill for an ordinance approving a proposed Master Purchase

Order between the City and County of Denver and Hill Petroleum. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

A motion offered by Councilmember Nevitt, duly seconded by Councilmember Robb, that CB11-0933, CB11-0963, CB12-0011, CB11-0862, CB11-0829, CB12-0031, CB12-0033, CB11-0630, CB11-0947, CB11-0967, CB11-0968, CB12-0007, and CB12-0016 be ordered published en bloc, carried by the following vote:

Passed

For: Brooks, Faatz, Kniech, Lehmann, Lopez, Montero, Nevitt, Ortega, Robb, Shepherd, Susman (11)

Against: (None) (0)

Absent: Brown, Herndon (2)

Abstain: (None) (0)

CB12-0016 A bill for an ordinance approving an on-call agreement between Orion Specialty Contractors, LLC and the City & County of Denver for surface restoration and repairs at Denver Parks & Recreation facilities. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

A motion offered by Councilmember Nevitt, duly seconded by Councilmember Robb, that CB11-0933, CB11-0963, CB12-0011, CB11-0862, CB11-0829, CB12-0031, CB12-0033, CB11-0630, CB11-0947, CB11-0967, CB11-0968, CB12-0007, and CB12-0016 be ordered published en bloc, carried by the following vote:

Passed

For: Brooks, Faatz, Kniech, Lehmann, Lopez, Montero, Nevitt, Ortega, Robb, Shepherd, Susman (11)

Against: (None) (0)

Absent: Brown, Herndon (2)

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

Government & Finance

CB12-0001 A bill for an ordinance approving a proposed on call technology services Agreement by and between the City and County of Denver and Sogeti USA, LLC. (GOVERNMENT & FINANCE)

A motion offered by Councilmember Robb, duly seconded by Councilmember Lehmann, that CB12-0001, CB12-0006, CB11-0886, CB12-0044, CB11-0927, CB12-0002, CB12-0003, and CB12-0009 be placed upon final consideration and do pass en bloc, carried by the following vote:

Passed

For: Brooks, Faatz, Kniech, Lehmann, Lopez, Montero, Nevitt, Ortega, Robb, Shepherd, Susman (11)

Against: (None) (0)

Absent: Brown, Herndon (2)

Abstain: (None) (0)

CB12-0006 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 Councilmember Robb, duly seconded by Councilmember Lehmann, that CB12-0001, CB12-0006, CB11-0886, CB12-0044, CB11-0927, CB12-0002, CB12-0003, and CB12-0009 be placed upon final consideration and do pass en bloc, carried by the following vote:

Passed

For: Brooks, Faatz, Kniech, Lehmann, Lopez, Montero, Nevitt, Ortega, Robb, Shepherd, Susman (11)

Against: (None) (0)

Absent: Brown, Herndon (2)

Abstain: (None) (0)

Health, Safety, Education & Services

CB11-0886 A bill for an ordinance approving a proposed Seventh Amendatory Agreement between the City and County of Denver and the State of Colorado, Judicial Department. (HEALTH, SAFETY, EDUCATION & SERVICES)

A motion offered by Councilmember Robb, duly seconded by Councilmember Lehmann, that CB12-0001, CB12-0006, CB11-0886, CB12-0044, CB11-0927, CB12-0002, CB12-0003, and CB12-0009 be placed upon final consideration and do pass en bloc, carried by the following vote:

Passed

For: Brooks, Faatz, Kniech, Lehmann, Lopez, Montero, Nevitt, Ortega, Robb, Shepherd, Susman (11)

Against: (None) (0)

Absent: Brown, Herndon (2)

Abstain: (None) (0)

CB12-0044 A bill for an ordinance amending Subsection 54-822 of the Denver Revised Municipal Code, to provide for a forty dollar penalty for

certain violations of Section 54-101 of the Denver Revised Municipal Code, detected by the use of an automated vehicle identification system. (HEALTH, SAFETY, EDUCATION & SERVICES)

A motion offered by Councilmember Robb, duly seconded by Councilmember Lehmann, that CB12-0001, CB12-0006, CB11-0886, CB12-0044, CB11-0927, CB12-0002, CB12-0003, and CB12-0009 be placed upon final consideration and do pass en bloc, carried by the following vote:

Passed

For: Brooks, Faatz, Kniech, Lehmann, Lopez, Montero, Nevitt, Ortega, Robb, Shepherd, Susman (11)

Against: (None) (0)

Absent: Brown, Herndon (2)

Abstain: (None) (0)

Land Use, Transportation & Infrastructure

CB11-0927 A bill for an ordinance approving an agreement between Interlock Construction Corporation and the City & County of Denver for the McNichols Building Renovation Project. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

A motion offered by Councilmember Robb, duly seconded by Councilmember Lehmann, that CB12-0001, CB12-0006, CB11-0886, CB12-0044, CB11-0927, CB12-0002, CB12-0003, and CB12-0009 be placed upon final consideration and do pass en bloc, carried by the following vote:

Passed

For: Brooks, Faatz, Kniech, Lehmann, Lopez, Montero, Nevitt, Ortega, Robb, Shepherd, Susman (11)

Against: (None) (0)

Absent: Brown, Herndon (2)

Abstain: (None) (0)

CB12-0002 A bill for an Ordinance approving an Amendment to Intergovernmental Agreement regarding the construction of Town Center Park in Green Valley Ranch. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

A motion offered by Councilmember Robb, duly seconded by Councilmember Lehmann, that CB12-0001, CB12-0006, CB11-0886, CB12-0044, CB11-0927, CB12-0002, CB12-0003, and CB12-0009 be placed upon final consideration and do pass en bloc, carried by the following vote:

Passed

For: Brooks, Faatz, Kniech, Lehmann, Lopez, Montero, Nevitt, Ortega, Robb, Shepherd, Susman (11)

Against: (None) (0)

Absent: Brown, Herndon (2)

Abstain: (None) (0)

CB12-0003 A bill for an ordinance approving a proposed Amendatory Agreement between the City and County of Denver and Nebraska National Bank, to change the bank's name to Exchange Bank. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

A motion offered by Councilmember Robb, duly seconded by Councilmember Lehmann, that CB12-0001, CB12-0006, CB11-0886, CB12-0044, CB11-0927, CB12-0002, CB12-0003, and CB12-0009 be placed upon final consideration and do pass en bloc, carried by the following vote:

Passed

For: Brooks, Faatz, Kniech, Lehmann, Lopez, Montero, Nevitt, Ortega, Robb, Shepherd, Susman (11)

Against: (None) (0)

Absent: Brown, Herndon (2)

Abstain: (None) (0)

CB12-0009 A bill for an ordinance rescinding unspent budget from completed Capital Improvements and Capital Maintenance Projects and making appropriations for Capital Improvements and Capital Maintenance Projects. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

A motion offered by Councilmember Robb, duly seconded by Councilmember Lehmann, that CB12-0001, CB12-0006, CB11-0886, CB12-0044, CB11-0927, CB12-0002, CB12-0003, and CB12-0009 be placed upon final consideration and do pass en bloc, carried by the following vote:

Passed

For: Brooks, Faatz, Kniech, Lehmann, Lopez, Montero, Nevitt, Ortega, Robb, Shepherd, Susman (11)

Against: (None) (0)

Absent: Brown, Herndon (2)

Abstain: (None) (0)

Announcement

Council President Nevitt announced that there will be a public hearing on CB11-0947 changing the zoning classification for 4787 S. Wadsworth Way on Monday, February 13, 2012. Any protests against CB11-0947 must be filed with the Council Offices no later than Monday, February 6, 2012.

Dependent upon publication there will be a public hearing on CB11-0947 changing the zoning classification for 4787 S. Wadsworth Way on Monday, February 13, 2012. Any protests against CB11-0947 must be filed with the Council Offices no later than Monday, February 6, 2012.

Adjourn

There being no further business before the City Council, Council President Nevitt adjourned the meeting 5:51 PM.

Pending

CR11-0909 A resolution to set a public hearing relating to the approval of the Marycrest Urban Redevelopment Plan. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

CB11-0975 A bill for an ordinance changing the zoning classification of 1532 and 1540 Monroe Street and 1551 Garfield Street. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)