

City Council Minutes

Meeting Date: Monday, November 05, 2012 5:30 PM

Pledge of Allegiance

Councilwoman Shepherd led the Pledge of Allegiance.

Roll Call

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

Absent: None

Approval of the Minutes

The minutes of meeting date, Monday, October 29, 2012, were distributed to Council. Council President Susman ordered the minutes approved.

Council Announcements

Councilmembers Kniech, López, and Lehmann offered announcements.

Presentations

Communications

Proclamations

CP12-0832 A proclamation recognizing one of Denver's premier athletes wrestling champion, Adeline Gray.

Sponsored by Councilmembers López, Faatz, Montero, Brooks, and Herndon.

A motion offered by Councilman López, duly seconded by Councilman Herndon, that CP12-0832 be adopted, 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)

Mayor's Proposed 2013 Budget - Budget Amendments

Council President Susman announced that this is the last night that Councilmembers may offer motions to amend the Mayor's Proposed 2013 Budget. On Tuesday, November 13, Council will vote to either adopt or reject the Mayor's Proposed 2013 Budget. No amendments were offered.

Resolutions

The Council Secretary read the following resolutions by titles.

Business, Workforce & Sustainability

CR12-0788 A resolution declaring the intent of the City and County of Denver, Colorado to use its best efforts to issue housing revenue bonds or mortgage credit certificates to provide financing of residential facilities for low- and middle-income families or persons; prescribing certain terms and conditions of such bonds; and containing other provisions relating to the proposed issuance of such bonds. (BUSINESS, WORKFORCE & SUSTAINABILITY)

A motion offered by Councilwoman Shepherd, duly seconded by Councilman Herndon, that CR12-0788 and CR12-0789 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)

Land Use, Transportation & Infrastructure

CR12-0789 A resolution setting a public hearing on the approval of the Service Plan for Central Platte Valley Coordination Metropolitan District. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

A motion offered by Councilwoman Shepherd, duly seconded by Councilman Herndon, that CR12-0788 and CR12-0789 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

CB12-0777 A bill for an ordinance approving a proposed Agreement between the City and County of Denver and Del Norte Neighborhood Development Corporation, to provide funds to be utilized for implementing program activities related to the Neighborhood Stabilization Program 2 ("NSP2"). (BUSINESS, WORKFORCE & SUSTAINABILITY)

A motion offered by Councilwoman Shepherd, duly seconded by Councilman Herndon, that CB12-0777 be ordered published, carried by the following vote:

Passed

For: Brooks, Brown, Herndon, Kniech, Lehmann, Lopez, Montero, Nevitt, Robb, Shepherd, Susman (11)

Against: Faatz (1)

Absent: (None) (0)

Abstain: Ortega (1)

CB12-0787 A bill for an ordinance approving a proposed Contract between the City and County of Denver and Bombardier Transportation (Holdings) USA Inc. related to the Central Control System Upgrade of the Automated Train at Denver International Airport. (BUSINESS, WORKFORCE & SUSTAINABILITY)

A motion offered by Council President Susman, duly seconded by Councilwoman Shepherd, that CB12-0787, CB12-0757, CB12-0758, CB12-0770, CB12-0792, and CB12-0795 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

CB12-0757 A bill for an ordinance approving a proposed Agreement between the City and County of Denver and Signal Behavior Health

Network to deliver substance abuse treatment services to child welfare clients. (HEALTH, SAFETY, EDUCATION & SERVICES)

A motion offered by Council President Susman, duly seconded by Councilwoman Shepherd, that CB12-0787, CB12-0757, CB12-0758, CB12-0770, CB12-0792, and CB12-0795 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)

CB12-0758 A bill for an ordinance approving a proposed Agreement between the City and County of Denver and Savio House to provide mental health and other services through the Core Services Program with funding from the City and County of Denver. (HEALTH, SAFETY, EDUCATION & SERVICES)

A motion offered by Council President Susman, duly seconded by Councilwoman Shepherd, that CB12-0787, CB12-0757, CB12-0758, CB12-0770, CB12-0792, and CB12-0795 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)

CB12-0770 A bill for an ordinance approving a proposed Fiscal Year 2013 Amendment to the Amended and Restated Operating Agreement between the City and County of Denver and the Denver Health and Hospital Authority providing for the amounts to be paid for services by the City and County of Denver and by the Denver Health and Hospital Authority during 2013 and amending other provisions of the Operating Agreement. (HEALTH, SAFETY, EDUCATION & SERVICES)

A motion offered by Council President Susman, duly seconded by Councilwoman Shepherd, that CB12-0787, CB12-0757, CB12-0758, CB12-0770, CB12-0792, and CB12-0795 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

CB12-0792 A bill for an ordinance approving a proposed Agreement between the City and County of Denver and H.C. Peck and Associates Inc., for negotiation, land acquisition and relocation services for the Peoria Crossing project. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

A motion offered by Council President Susman, duly seconded by Councilwoman Shepherd, that CB12-0787, CB12-0757, CB12-0758, CB12-0770, CB12-0792, and CB12-0795 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)

CB12-0795 A bill for an ordinance changing the zoning classification for properties located at 3740, 3750, 3754 and 3758 York Street. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

A motion offered by Council President Susman, duly seconded by Councilwoman Shepherd, that CB12-0787, CB12-0757, CB12-0758, CB12-0770, CB12-0792, and CB12-0795 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

CB12-0710 A bill for an ordinance approving a proposed Agreement between the City and County of Denver and Logistical Planners, LLC for on-call technical services at Denver International Airport. (BUSINESS WORKFORCE & SUSTAINABILITY)

A motion offered by Councilwoman Shepherd, duly seconded by Councilman Brooks, that CB12-0710, CB12-0268, CB12-0753, CB12-0768, CB12-0745, CB12-0747, CB12-0748, CB12-0782, CB12-0731, and CB12-0784 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

CB12-0268 A bill for an ordinance approving a proposed Amendatory Agreement between the City and County of Denver and Lakeview Renovations, Inc., d/b/a North American Property Services, Inc., to extend the term and revise the scope of work. (GOVERNMENT & FINANCE)

A motion offered by Councilwoman Shepherd, duly seconded by Councilman Brooks, that CB12-0710, CB12-0268, CB12-0753, CB12-0768, CB12-0745, CB12-0747, CB12-0748, CB12-0782, CB12-0731, and CB12-0784 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)

CB12-0753 A bill for an ordinance approving a proposed Eighth Amendment to Agreement between Kaplan Kirsch & Rockwell, LLP and the City and County of Denver for Special Counsel in connection with Denver International Airport. (GOVERNMENT & FINANCE)

A motion offered by Councilwoman Shepherd, duly seconded by Councilman Brooks, that CB12-0710, CB12-0268, CB12-0753, CB12-0768, CB12-0745, CB12-0747, CB12-0748, CB12-0782, CB12-0731, and CB12-0784 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

CB12-0768 A bill for an ordinance authorizing expenditures in the Public Safety Special Revenue Fund based on a letter of intent from the Office of National Drug Control Policy to award funding for the "High Intensity Drug Trafficking Area (H.I.D.T.A) FY13" program. (HEALTH, SAFETY, EDUCATION & SERVICES)

A motion offered by Councilwoman Shepherd, duly seconded by Councilman Brooks, that CB12-0710, CB12-0268, CB12-0753, CB12-0768, CB12-0745, CB12-0747, CB12-0748, CB12-0782, CB12-0731, and CB12-0784 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

CB12-0745 A bill for an ordinance approving a proposed Amendatory Agreement between the City and County of Denver and Goodland Construction, Inc. for landscape improvement and irrigation construction. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

A motion offered by Councilwoman Shepherd, duly seconded by Councilman Brooks, that CB12-0710, CB12-0268, CB12-0753, CB12-0768, CB12-0745, CB12-0747, CB12-0748, CB12-0782, CB12-0731, and CB12-0784 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)

CB12-0747 A bill for an ordinance approving a proposed Amendatory Agreement between the City and County of Denver and Richdell Construction for landscape improvement and irrigation construction. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

A motion offered by Councilwoman Shepherd, duly seconded by Councilman Brooks, that CB12-0710, CB12-0268, CB12-0753, CB12-0768, CB12-0745, CB12-0747, CB12-0748, CB12-0782, CB12-0731, and CB12-0784 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)

CB12-0748 A bill for an ordinance approving a proposed Amendatory Agreement between the City and County of Denver and AECOM Technical Services, Inc., for engineering design and construction services. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

A motion offered by Councilwoman Shepherd, duly seconded by Councilman Brooks, that CB12-0710, CB12-0268, CB12-0753, CB12-0768, CB12-0745, CB12-0747, CB12-0748, CB12-0782, CB12-0731, and CB12-0784 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)

CB12-0782 A bill for an ordinance approving a proposed Second Amendatory Funding and Assignment Agreement between the City and County of Denver and The Colorado Museum of Natural History d/b/a Denver Museum Of Nature and Science, to construct and install a ground source heat pump that will heat and cool their new Education Collection Facility. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

A motion offered by Councilwoman Shepherd, duly seconded by Councilman Brooks, that CB12-0710, CB12-0268, CB12-0753, CB12-0768, CB12-0745, CB12-0747, CB12-0748, CB12-0782, CB12-0731, and CB12-0784 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)

Announcement

Council President Susman announced that on Monday, December 3, 2012, Council will hold a required public hearing on CB12-0795, changing the zoning classification for properties located at 3740, 3750, 3754 and 3758 York Street. Any protests against CB12-0795 must be filed with the Council Offices no later than Monday, November 26, 2012.

On Tuesday, November 13, Council will sit as the Board of Equalization to hear the protests filed with the Manager of Public Works regarding the South Broadway Streetscape (Wesley to Yale) Local Improvement District, and the South Broadway Streetscape (Wesley to Yale) Local Maintenance District.

No hearings are required for the following Local Maintenance Districts and the proposed assessments are confirmed: Welton Street Pedestrian Mall, St. Luke's Pedestrian Mall, Delgany Street Pedestrian Mall, Tennyson Street II Pedestrian Mall, Phase II West 38th Pedestrian Mall, Broadway Viaduct Pedestrian Mall, 22nd Street and Park Avenue West Pedestrian Mall, Consolidated Morrison Road Pedestrian Mall, and the South Broadway Streetscape (Iowa to Wesley) Local Maintenance District.

Also, due to the Veterans Day Holiday, the next time Council will meet as a whole is on Tuesday, November 13.

Dependent upon publication on Monday, December 3, 2012, Council will hold a required public hearing on CB12-0795, changing the zoning classification for properties located at 3740, 3750, 3754 and 3758 York Street. Any protests against CB12-0795 must be filed with the Council Offices no later than Monday, November 26, 2012.

On Tuesday, November 13, Council will sit as the Board of Equalization to hear the protests filed with the Manager of Public Works regarding the South Broadway Streetscape (Wesley to Yale) Local Improvement District, and the South Broadway Streetscape (Wesley to Yale) Local Maintenance District.

No hearings are required for the following Local Maintenance Districts and the proposed assessments are confirmed: Welton Street Pedestrian Mall, St. Luke's Pedestrian Mall, Delgany Street Pedestrian Mall, Tennyson Street

II Pedestrian Mall, Phase II West 38th Pedestrian Mall, Broadway Viaduct Pedestrian Mall, 22nd Street and Park Avenue West Pedestrian Mall, Consolidated Morrison Road Pedestrian Mall, and the South Broadway Streetscape (Iowa to Wesley) Local Maintenance District.

Also, due to the Veterans Day Holiday, the next time Council will meet as a whole is on Tuesday, November 13.

Adjourn

There being no further business before the City Council, Council President Susman adjourned the meeting at 6:26 PM.

Pending

For 11-19-12

CB12-0675 A bill for an ordinance changing the zoning classification, with a reasonable condition, for 200, 234 and 280 Columbine Street and 2600 E. 3rd Avenue.

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

For 11-26-12

CB12-0731 A bill for an ordinance changing the zoning classification for properties located at 360 S. Monroe Street.

**Required Public Hearing
Final Consideration (LAND USE TRANSPORTATION AND INFRASTRUCTURE)**

A motion offered by Councilwoman Shepherd, duly seconded by Councilman Brooks, that CB12-0710, CB12-0268, CB12-0753, CB12-0768, CB12-0745, CB12-0747, CB12-0748, CB12-0782, CB12-0731, and CB12-0784 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)

For 11-26-12

CB12-0784 A bill for an ordinance changing the zoning classification of 6801 East Mississippi Avenue to a Planned Unit Development District (PUD-G).

Required Public Hearing

Final Consideration (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

A motion offered by Councilwoman Shepherd, duly seconded by Councilman Brooks, that CB12-0710, CB12-0268, CB12-0753, CB12-0768, CB12-0745, CB12-0747, CB12-0748, CB12-0782, CB12-0731, and CB12-0784 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)