

## **City Council Minutes**

Meeting Date: Monday, March 04, 2013 5:30 PM

### **Pledge of Allegiance**

Councilman Brown 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, February 25, 2013, were distributed to Council. Council President Susman ordered the minutes approved.

### **Council Announcements**

Councilman Herndon offered an announcement.

### **Presentations**

### **Communications**

### **Proclamations**

**CP13-0134 A proclamation in support of Indigenous Peoples HIV / AIDS Awareness Day.**

**Sponsored by Councilmembers López, Ortega, Montero, Brooks, Kniech, Lehmann, and Herndon.**

A motion offered by Councilman López, duly seconded by Councilman Herndon, that CP13-0134 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)

**CP13-0135 A proclamation commending Denver Media Services and Denver 8 for placing first in City Council meeting coverage at the National Government Programming Awards.**

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

A motion offered by Councilwoman Lehmann, duly seconded by Councilman Brooks, that CP13-0135 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)

## **Resolutions**

The Council Secretary read the following resolutions by titles.

### **Government & Finance**

**CR13-0103 A resolution approving the Mayor's appointment to the Career Service Board. (GOVERNMENT & FINANCE)**

A motion offered by Councilman Brown, duly seconded by Councilwoman Lehmann, that CR13-0103 and CR13-0110 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**

**CR13-0110 A resolution granting a revocable permit to Denver Country Club to encroach into the right-of-way on Bayaud Avenue between Downing Street and Franklin Street. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

A motion offered by Councilman Brown, duly seconded by Councilwoman Lehmann, that CR13-0103 and CR13-0110 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.

**Government & Finance**

**CB13-0090 A bill for an ordinance approving a proposed Amendatory Agreement between the City and County of Denver and Wells, Anderson & Race, LLC to provide outside legal counsel services. (GOVERNMENT & FINANCE)**

A motion offered by Council President Susman, duly seconded by Councilman Brown, that CB13-0090, CB13-0111, CB13-0009, CB13-0049, CB13-0079, CB13-0109, CB13-0116, and CB13-0120 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)

**CB13-0111 A bill for an ordinance approving a proposed Purchase Order between the City and County of Denver and Pierce Manufacturing Inc., for four velocity pumper trucks. (GOVERNMENT & FINANCE)**

A motion offered by Council President Susman, duly seconded by Councilman Brown, that CB13-0090, CB13-0111, CB13-0009, CB13-0049, CB13-0079, CB13-0109, CB13-0116, and CB13-0120 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**

**CB13-0009 A bill for an ordinance approving a proposed Third Amendatory Agreement between the City and County of Denver and Colorado Coalition for the Homeless to provide services for Denver’s homeless populations. (HEALTH, SAFETY, EDUCATION & SERVICES)**

A motion offered by Council President Susman, duly seconded by Councilman Brown, that CB13-0090, CB13-0111, CB13-0009, CB13-0049, CB13-0079, CB13-0109, CB13-0116, and CB13-0120 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**

**CB13-0049 A bill for an ordinance approving a proposed on-call agreement between the City and County of Denver and PCL Construction Services, Inc., to perform construction services on an “as needed” or “on-call” basis. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

A motion offered by Council President Susman, duly seconded by Councilman Brown, that CB13-0090, CB13-0111, CB13-0009, CB13-0049, CB13-0079, CB13-0109, CB13-0116, and CB13-0120 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)

**CB13-0067 A bill for an ordinance to approve annual programs of the Department of Public Works and waive the need for further City Council approval for specific contracts let pursuant to the annual program. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

A motion offered by Councilman Brown, duly seconded by Councilwoman Kniech, that CB13-0067 be ordered published, carried by the following vote:

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

Robb, Shepherd, Susman (12)

Against: Ortega (1)

Absent: (None) (0)

Abstain: (None) (0)

**CB13-0079 A bill for an ordinance approving a proposed Agreement between the City and County of Denver and Goodland Construction, Inc., for construction of a new road in City Park. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

A motion offered by Council President Susman, duly seconded by Councilman Brown, that CB13-0090, CB13-0111, CB13-0009, CB13-0049, CB13-0079, CB13-0109, CB13-0116, and CB13-0120 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)

**CB13-0109 A bill an ordinance approving and providing for the execution of a proposed Intergovernmental Agreement between the City and County of Denver and the State of Colorado, Department of Transportation, concerning the "Traffic Signal Upgrade-Safety Hazard Elimination 2013" project and the funding therefor. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

A motion offered by Council President Susman, duly seconded by Councilman Brown, that CB13-0090, CB13-0111, CB13-0009, CB13-0049, CB13-0079, CB13-0109, CB13-0116, and CB13-0120 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)

**CB13-0116 A bill for an ordinance approving an On-Call General Engineering Services Agreement between the City and County of Denver and Felsburg Holt & Ullevig, Inc. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

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

Brown, that CB13-0090, CB13-0111, CB13-0009, CB13-0049, CB13-0079, CB13-0109, CB13-0116, and CB13-0120 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)

**CB13-0120 A bill for an ordinance approving an On-Call General Engineering Services Agreement between the City and County of Denver and URS Corporation. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

A motion offered by Council President Susman, duly seconded by Councilman Brown, that CB13-0090, CB13-0111, CB13-0009, CB13-0049, CB13-0079, CB13-0109, CB13-0116, and CB13-0120 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**

**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 Councilman Brown, duly seconded by Councilman Herndon, 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 placed upon final consideration and do pass 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**

**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 Councilman Brown, duly seconded by Councilman Herndon, 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 placed upon final consideration and do pass 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)

**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 Councilman Brown, duly seconded by Councilman Herndon, 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 placed upon final consideration and do pass 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)

**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 Councilman Brown, duly seconded by Councilman Herndon, 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 placed upon final consideration and do pass 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**

**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 Councilman Brown, duly seconded by Councilman Herndon, 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 placed upon final consideration and do pass 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)

**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 Councilman Brown, duly seconded by Councilman Herndon, 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 placed upon final consideration and do pass 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)

**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 Councilman Brown, duly seconded by Councilman Herndon, 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 placed upon final consideration and do pass 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**

**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 Councilman Brown, duly seconded by Councilman Herndon, 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 placed upon final consideration and do pass 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)

**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 Councilman Brown, duly seconded by Councilman Herndon, 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 placed upon final consideration and do pass 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)

**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 Councilman Brown, duly seconded by Councilman Herndon, 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 placed upon final consideration and do pass 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)

**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 Councilman Brown, duly seconded by Councilman Herndon, 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 placed upon final consideration and do pass 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)

**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 Councilman Brown, duly seconded by Councilman Herndon, 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 placed upon final consideration and do pass 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)

## **Adjourn**

There being no further business before the City Council, Council President Susman adjourned the meeting at 6:28 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)**