

City Council Minutes

Meeting Date: Monday, April 02, 2012 5:30 PM

Pledge of Allegiance

Councilmember Kniech led the Pledge of Allegiance.

Roll Call

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

Absent: Ortega

Approval of Minutes of Tuesday, March 27, 2012

The minutes of Tuesday, March 27, 2012, were distributed to Council. Council President Nevitt ordered the minutes approved.

Council Announcements

Councilmembers Montero, López, Brooks, and Robb offered announcements.

Presentations

Communications

Proclamations

CP12-0242 A proclamation declaring April as Child Abuse Prevention Month.

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

A motion offered by Councilmember López, duly seconded by Councilmember Shepherd, that CP12-0242 be adopted, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: Ortega (1)

Abstain: (None) (0)

CP12-0262 A proclamation congratulating the Denver Christian High School Boys Basketball Team for its Class 2A State Championship Season and the Retirement of Coach Dick Katte, the Winning-est Coach in Colorado High School Basketball History.

Sponsored by Councilmembers Brown, Lehmann, Brooks, Faatz, Susman, Montero, Brooks, and Robb.

A motion offered by Councilmember Brown, duly seconded by Councilmember Lehmann, that CP12-0262 be adopted, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: Ortega (1)

Abstain: (None) (0)

CP12-0263 A proclamation in recognition of Colorado Architecture Month: April 2012.

Sponsored by Councilmembers Robb, Susman, Lehmann, Montero, Brown, Faatz, and Herndon.

A motion offered by Councilmember Robb, duly seconded by Councilmember Shepherd, that CP12-0263 be adopted, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: Ortega (1)

Abstain: (None) (0)

Resolutions

The Council Secretary read the following resolutions by titles.

Health, Safety, Education & Services

CR12-0197 A resolution approving the Mayor's appointment to the Denver Housing Authority Board of Directors. (HEALTH, SAFETY, EDUCATION & SERVICES)

A motion offered by Councilmember Kniech, duly seconded by Councilmember Lehmann, that CR12-0197, CR12-0198, and CR12-0204 be adopted en bloc, carried by the following vote:

Passed

For: Brooks, Brown, Faatz, Herndon, Kniech, Lehmann, Lopez, Montero, Nevitt, Robb, Shepherd, Susman (12)
Against: (None) (0)
Absent: Ortega (1)
Abstain: (None) (0)

Land Use, Transportation & Infrastructure

CR12-0198 A resolution approving the Mayor’s reappointments and appointment to the Denver Urban Renewal Authority Board of Directors. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

A motion offered by Councilmember Kniech, duly seconded by Councilmember Lehmann, that CR12-0197, CR12-0198, and CR12-0204 be adopted en bloc, carried by the following vote:

Passed
For: Brooks, Brown, Faatz, Herndon, Kniech, Lehmann, Lopez, Montero, Nevitt, Robb, Shepherd, Susman (12)
Against: (None) (0)
Absent: Ortega (1)
Abstain: (None) (0)

CR12-0204 A resolution granting a revocable permit to Larimer Associates, LLC, to encroach with a barrel vault awning into the right-of-way at 2828 E. 6th Avenue. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

A motion offered by Councilmember Kniech, duly seconded by Councilmember Lehmann, that CR12-0197, CR12-0198, and CR12-0204 be adopted en bloc, carried by the following vote:

Passed
For: Brooks, Brown, Faatz, Herndon, Kniech, Lehmann, Lopez, Montero, Nevitt, Robb, Shepherd, Susman (12)
Against: (None) (0)
Absent: Ortega (1)
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.

Government & Finance

CB12-0195 A bill for an ordinance approving a proposed Master Purchase Order between the City and County of Denver and Morning Pride

**Manufacturing LLC dba Honeywell First Responder Products.
(GOVERNMENT & FINANCE)**

A motion offered by Councilmember Nevitt, duly seconded by Councilmember Kniech, that CB12-0195, CB12-0021, CB12-0166, CB12-0200, CB12-0149, CB12-0201 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

CB12-0021 A bill for an ordinance approving the grants access to C.G.R.S., Inc., a contractor for the Colorado Division of Oil and Public Safety, to conduct remediation operations at the City-owned leaking underground storage tank site located at 4306 S. Wolff Street utilizing money available from the OPS reimbursement fund program. (HEALTH, SAFETY, EDUCATION & SERVICES)

A motion offered by Councilmember Nevitt, duly seconded by Councilmember Kniech, that CB12-0195, CB12-0021, CB12-0166, CB12-0200, CB12-0149, CB12-0201 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)

CB12-0166 A bill for an ordinance authorizing expenditures in the General Government Special Revenue Fund based on a letter of intent from United States of America to award funding for the "Head Start Grant FY 2012-13" program. (HEALTH, SAFETY, EDUCATION & SERVICES)

A motion offered by Councilmember Nevitt, duly seconded by Councilmember Kniech, that CB12-0195, CB12-0021, CB12-0166, CB12-0200, CB12-0149, CB12-0201 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)

CB12-0200 A bill for an ordinance approving and providing for the execution of a proposed grant agreement between the City and County of Denver and the United States of America concerning the "Ryan White Part A FY12" program and the funding therefor. (HEALTH, SAFETY, EDUCATION & SERVICES)

A motion offered by Councilmember Nevitt, duly seconded by Councilmember Kniech, that CB12-0195, CB12-0021, CB12-0166, CB12-0200, CB12-0149, CB12-0201 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

CB12-0149 A bill for an ordinance approving a proposed Master Purchase Order between the City and County of Denver and Albert Frei & Sons, Inc. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

A motion offered by Councilmember Nevitt, duly seconded by Councilmember Kniech, that CB12-0195, CB12-0021, CB12-0166, CB12-0200, CB12-0149, CB12-0201 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)

CB12-0201 A bill for an ordinance changing the zoning classification of 2765 South Federal Boulevard to a Planned Unit Development District. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

A motion offered by Councilmember Nevitt, duly seconded by Councilmember Kniech, that CB12-0195, CB12-0021, CB12-0166, CB12-0200, CB12-0149, CB12-0201 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 President Nevitt announced that tonight there will be a public hearing on Council Bill 81 changing the zoning classification of the block bounded by 1st Avenue, 2nd Avenue, Fillmore Street and Detroit Street to a Planned Unit Development District General (PUD-G).

Council took a brief recess.

Council Reconvenes and Resumes its Regular Session

Bills for Final Consideration - Public Hearings

CB12-0081 A bill for an ordinance changing the zoning classification of the block bounded by 1st Avenue, 2nd Avenue, Fillmore Street and Detroit Street to a Planned Unit Development District General (PUD-G). (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

Approves rezoning the block bounded by 1st and 2nd avenues and Fillmore and Detroit from PUD #607 (Planned Unit Development) to PUD-G to allow for an additional story for residential uses along 2nd Ave. in Council District 10. A PUBLIC HEARING WILL BE HELD AT LEAST FOUR WEEKS AFTER PUBLICATION. The Committee approved filing this bill at its meeting on 2-7-12. LAND USE, TRANSPORTATION & INFRASTRUCTURE

A motion offered by Councilmember Kniech, duly seconded by Councilmember Lehmann, that CB12-0081 be placed upon final consideration and do pass, carried by the following vote:

Passed

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

Against: Montero (1)

Absent: Ortega (1)

Abstain: (None) (0)

Council sat as a Committee of the Whole commencing at 6:40 PM, Council President Nevitt presiding, to hear speakers either for or against CB12-0081. Bob Gollick and Seku signed up to address the bill. Chris Gleissner of Community

Planning and Development delivered the Staff Report with an overview and recommendation for approval.

Bills for Final Consideration

Business, Workforce & Sustainability

CB12-0167 A bill for an ordinance approving a proposed First Amendatory Loan Agreement between the City and County of Denver and Housing Authority of the City and County of Denver to revise and clarify the contract language. (BUSINESS, WORKFORCE & SUSTAINABILITY)

A motion offered by Councilmember Kniech, duly seconded by Councilmember Susman, that CB12-0167, CB12-0168, CB12-0190, and CB12-0191 be placed upon final consideration and do pass en bloc, carried by the following vote:

Passed
For: Brooks, Brown, Herndon, Kniech, Lehmann, Lopez, Montero, Nevitt, Robb, Shepherd, Susman (11)
Against: Faatz (1)
Absent: Ortega (1)
Abstain: (None) (0)

CB12-0168 A bill for an ordinance approving a proposed Amendatory Agreement between the City and County of Denver and Denver Urban Renewal Authority to revise and clarify the contract language. (BUSINESS, WORKFORCE & SUSTAINABILITY)

A motion offered by Councilmember Kniech, duly seconded by Councilmember Susman, that CB12-0167, CB12-0168, CB12-0190, and CB12-0191 be placed upon final consideration and do pass en bloc, carried by the following vote:

Passed
For: Brooks, Brown, Herndon, Kniech, Lehmann, Lopez, Montero, Nevitt, Robb, Shepherd, Susman (11)
Against: Faatz (1)
Absent: Ortega (1)
Abstain: (None) (0)

CB12-0187 A bill for an ordinance approving a proposed Revival and Second Amendment to Agreement between the City and County of Denver and Passur Aerospace Inc. (f/k/a Megadata Corporation) related to maintenance and support services software related to landing fees at Denver International Airport. (BUSINESS, WORKFORCE & SUSTAINABILITY)

A motion offered by Councilmember Kniech, duly seconded by Councilmember

Susman, that CB12-0187, CB12-0188, CB12-0192, CB12-0125, CB12-0179, CB12-0193, CB11-0877, and CB11-0729 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, Robb, Shepherd, Susman (12)
Against: (None) (0)
Absent: Ortega (1)
Abstain: (None) (0)

CB12-0188 A bill for an ordinance approving a proposed Other Transaction Agreement between the City and County of Denver and Transportation Security Administration for upgrades to the Checked Baggage Inspection System at Denver International Airport. (BUSINESS, WORKFORCE & SUSTAINABILITY)

A motion offered by Councilmember Kniech, duly seconded by Councilmember Susman, that CB12-0187, CB12-0188, CB12-0192, CB12-0125, CB12-0179, CB12-0193, CB11-0877, and CB11-0729 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, Robb, Shepherd, Susman (12)
Against: (None) (0)
Absent: Ortega (1)
Abstain: (None) (0)

CB12-0190 A bill for an ordinance approving a proposed Second Amendatory Agreement between the City and County of Denver and Denver Neighborhood Revitalization, Inc., to revise the scope of services of the Agreement to revise and clarify the contract language. (BUSINESS, WORKFORCE & SUSTAINABILITY)

A motion offered by Councilmember Kniech, duly seconded by Councilmember Susman, that CB12-0167, CB12-0168, CB12-0190, and CB12-0191 be placed upon final consideration and do pass en bloc, carried by the following vote:

Passed
For: Brooks, Brown, Herndon, Kniech, Lehmann, Lopez, Montero, Nevitt, Robb, Shepherd, Susman (11)
Against: Faatz (1)
Absent: Ortega (1)
Abstain: (None) (0)

CB12-0191 A bill for an ordinance approving a proposed Amendatory

Agreement between the City and County of Denver and Denver Neighborhood Revitalization, Inc., to revise the scope of services of the Agreement and to revise and clarify the contract language. (BUSINESS, WORKFORCE & SUSTAINABILITY)

A motion offered by Councilmember Kniech, duly seconded by Councilmember Susman, that CB12-0167, CB12-0168, CB12-0190, and CB12-0191 be placed upon final consideration and do pass en bloc, carried by the following vote:

Passed
For: Brooks, Brown, Herndon, Kniech, Lehmann, Lopez, Montero, Nevitt, Robb, Shepherd, Susman (11)
Against: Faatz (1)
Absent: Ortega (1)
Abstain: (None) (0)

CB12-0192 A bill for an ordinance approving a proposed Agreement between the City and County of Denver and Bayaud Payroll Services LLC, to provide comprehensive payroll services for youth with funds generated from various fund streams (BUSINESS, WORKFORCE & SUSTAINABILITY)

A motion offered by Councilmember Kniech, duly seconded by Councilmember Susman, that CB12-0187, CB12-0188, CB12-0192, CB12-0125, CB12-0179, CB12-0193, CB11-0877, and CB11-0729 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, Robb, Shepherd, Susman (12)
Against: (None) (0)
Absent: Ortega (1)
Abstain: (None) (0)

Government & Finance

CB12-0125 A bill for an ordinance approving a proposed Purchase and Sale Agreement between the City and County of Denver and Year One Inc. dba Mile High Youth Corps, for its acquisition of a Community Center located at 6740 East Colfax Avenue. (GOVERNMENT & FINANCE)

A motion offered by Councilmember Kniech, duly seconded by Councilmember Susman, that CB12-0187, CB12-0188, CB12-0192, CB12-0125, CB12-0179, CB12-0193, CB11-0877, and CB11-0729 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,

Robb, Shepherd, Susman (12)
Against: (None) (0)
Absent: Ortega (1)
Abstain: (None) (0)

CB12-0179 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 Kniech, duly seconded by Councilmember Susman, that CB12-0187, CB12-0188, CB12-0192, CB12-0125, CB12-0179, CB12-0193, CB11-0877, and CB11-0729 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, Robb, Shepherd, Susman (12)
Against: (None) (0)
Absent: Ortega (1)
Abstain: (None) (0)

CB12-0193 A bill for an ordinance making a supplemental appropriation from the General Contingency Fund to the Unemployment Compensation Insurance budget. (GOVERNMENT & FINANCE)

A motion offered by Councilmember Kniech, duly seconded by Councilmember Susman, that CB12-0187, CB12-0188, CB12-0192, CB12-0125, CB12-0179, CB12-0193, CB11-0877, and CB11-0729 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, Robb, Shepherd, Susman (12)
Against: (None) (0)
Absent: Ortega (1)
Abstain: (None) (0)

Health, Safety, Education & Services

CB11-0877 A bill for an ordinance approving a proposed Amendatory Agreement between the City and County of Denver and School District No. 1 in the City and County of Denver and the State of Colorado, to extend the contract term, and increase the total amount of compensation to be paid. (HEALTH, SAFETY, EDUCATION & SERVICES)

A motion offered by Councilmember Kniech, duly seconded by Councilmember Susman, that CB12-0187, CB12-0188, CB12-0192, CB12-0125, CB12-0179, CB12-

0193, CB11-0877, and CB11-0729 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, Robb, Shepherd, Susman (12)

Against: (None) (0)

Absent: Ortega (1)

Abstain: (None) (0)

Land Use, Transportation & Infrastructure

CB11-0729 A bill for an ordinance approving a proposed Fourth Amendatory Agreement between the City and County of Denver and Regional Transportation District, to accept reimbursement for the FasTracks liaison position and extend the term. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

A motion offered by Councilmember Kniech, duly seconded by Councilmember Susman, that CB12-0187, CB12-0188, CB12-0192, CB12-0125, CB12-0179, CB12-0193, CB11-0877, and CB11-0729 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, Robb, Shepherd, Susman (12)

Against: (None) (0)

Absent: Ortega (1)

Abstain: (None) (0)

Announcement

Council President Nevitt announced the following correction, there will be a public hearing on CB12-0194 changing the zoning classification for 3198 Blake Street on Monday, April 30, 2012. Any protests against CB12-0194 must be filed with the Council Offices no later than Monday, April 23, 2012. Also, Council President Nevitt announced that there will be a public hearing on CB12-0201 changing the zoning classification of 2765 South Federal Boulevard to a Planned Unit Development District on Monday, April 30, 2012. Any protests against CB12-0201 must be filed with the Council Offices no later than Monday, April 23, 2012.

Please note the following correction, there will be a public hearing on CB12-0194 changing the zoning classification for 3198 Blake Street on Monday, April 30, 2012. Any protests against CB12-0194 must be filed with the Council Offices no later than Monday, April 23, 2012. Also, dependent upon publication there will be a public hearing on CB12-0201 changing the zoning classification of 2765 South Federal Boulevard to a

Planned Unit Development District on Monday, April 30, 2012. Any protests against CB12-0201 must be filed with the Council Offices no later than Monday, April 23, 2012.

Adjourn

There being no further business before the City Council, Council President Nevitt adjourned the meeting at 7:01 PM.

Pending

CB12-0165 A bill for an ordinance amending the Denver Zoning Code to modify the standards for attached garages. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

CB12-0194 A bill for an ordinance changing the zoning classification for 3198 Blake Street. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)