

City Council Minutes

Meeting Date: Monday, February 02, 2015 5:30 PM

Pledge of Allegiance

Councilman Nevitt led the Pledge of Allegiance.

Roll Call

Present: Brooks, Brown, Faatz, Herndon, Kniech, Lehmann, López, Montero, Nevitt, Ortega, Robb, Shepherd, Susman (13)

Absent: None (0)

Approval of the Minutes

The minutes of meeting date, Monday, January 26, 2015, were distributed to Council. Council President Herndon ordered the minutes approved.

Council Announcements

Councilman Brooks offered an announcement.

Presentations

Communications

Proclamations

CP15-0016 A proclamation in support of the City and County of Denver's Regional Tourism Act application for the National Western Center Campus Project.

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

A motion offered by Councilwoman Montero, duly seconded by Councilwoman Susman, that CP15-0016 be adopted, carried by the following vote:

Passed

For: Brooks, Brown, Faatz, Herndon, Kniech, Lehmann, López, 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.

Technology & Governance

CR15-0028 A resolution approving the Mayor's reappointment to the Career Service Board. (TECHNOLOGY & GOVERNANCE)

A motion offered by Councilman Nevitt, duly seconded by Councilwoman Lehmann, that CR15-0028 be adopted, carried by the following vote:

Passed

For: Brooks, Brown, Faatz, Herndon, Kniech, Lehmann, López, 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 bill by titles. Council President Herndon announced that all other bills on introduction are ordered published.

Finance & Services

CB14-1031 A bill for an ordinance approving a proposed Third Amendatory Agreement between the City and County of Denver and Denver Preschool Program, Inc. ("DPP"), to extend its term, in accordance with the extension of and increase to the Denver preschool tax approved by the City's electors, and implement changes approved by the City relating to DPP's corporate structure and its use of Denver preschool tax receipts. (FINANCE & SERVICES)

A motion offered by Council President Herndon, duly seconded by Councilman Nevitt, that CB14-1031, CB14-1092, CB15-0005, CB15-0018, CB14-0967, and CB15-0027 be ordered published en bloc, carried by the following vote:

Passed

For: Brooks, Brown, Faatz, Herndon, Kniech, Lehmann, López, Montero, Nevitt, Ortega, Robb, Shepherd, Susman (13)

Against: (None) (0)

Absent: (None) (0)

Abstain: (None) (0)

CB14-1092 A bill for an ordinance approving a Contract between the City and County of Denver and Roth Property Maintenance, L.L.C. for janitorial services at City facilities. (FINANCE & SERVICES)

A motion offered by Council President Herndon, duly seconded by Councilman Nevitt, that CB14-1031, CB14-1092, CB15-0005, CB15-0018, CB14-0967, and CB15-0027 be ordered published en bloc, carried by the following vote:

Passed

For: Brooks, Brown, Faatz, Herndon, Kniech, Lehmann, López, Montero, Nevitt, Ortega, Robb, Shepherd, Susman (13)

Against: (None) (0)

Absent: (None) (0)

Abstain: (None) (0)

Infrastructure & Culture

CB15-0005 A bill for an ordinance approving a Fifth Amendatory Agreement with University of Colorado at Denver for on-call student intern services for general civil, structural, transportation, traffic and other miscellaneous engineering tasks. (INFRASTRUCTURE & CULTURE)

A motion offered by Council President Herndon, duly seconded by Councilman Nevitt, that CB14-1031, CB14-1092, CB15-0005, CB15-0018, CB14-0967, and CB15-0027 be ordered published en bloc, carried by the following vote:

Passed

For: Brooks, Brown, Faatz, Herndon, Kniech, Lehmann, López, Montero, Nevitt, Ortega, Robb, Shepherd, Susman (13)

Against: (None) (0)

Absent: (None) (0)

Abstain: (None) (0)

CB15-0018 A bill for an ordinance approving a Contract between the City and County of Denver and ECI Site Construction Management Inc. for construction services at Confluence Park/South Platte Greenway. (Infrastructure & Culture)

A motion offered by Council President Herndon, duly seconded by Councilman Nevitt, that CB14-1031, CB14-1092, CB15-0005, CB15-0018, CB14-0967, and CB15-0027 be ordered published en bloc, carried by the following vote:

Passed

For: Brooks, Brown, Faatz, Herndon, Kniech, Lehmann, López, Montero, Nevitt, Ortega, Robb, Shepherd, Susman (13)

Against: (None) (0)

Absent: (None) (0)

Abstain: (None) (0)

CB14-0967 A bill for an ordinance approving a proposed License between the City and County of Denver and Park Creek Metropolitan District regarding construction of drainage and landscape improvements within the former Stapleton Airport Site. (Infrastructure & Culture)

A motion offered by Council President Herndon, duly seconded by Councilman Nevitt, that CB14-1031, CB14-1092, CB15-0005, CB15-0018, CB14-0967, and CB15-0027 be ordered published en bloc, carried by the following vote:

Passed

For: Brooks, Brown, Faatz, Herndon, Kniech, Lehmann, López, Montero, Nevitt, Ortega, Robb, Shepherd, Susman (13)

Against: (None) (0)

Absent: (None) (0)

Abstain: (None) (0)

Safety & Well-being

CB15-0027 A bill for an ordinance approving an Amendatory Agreement between the City and County of Denver and Faegre Baker Daniels, LLP to provide professional legal services. (SAFETY AND WELL-BEING)

A motion offered by Council President Herndon, duly seconded by Councilman Nevitt, that CB14-1031, CB14-1092, CB15-0005, CB15-0018, CB14-0967, and CB15-0027 be ordered published en bloc, carried by the following vote:

Passed

For: Brooks, Brown, Faatz, Herndon, Kniech, Lehmann, López, Montero, Nevitt, Ortega, Robb, Shepherd, Susman (13)

Against: (None) (0)

Absent: (None) (0)

Abstain: (None) (0)

Recap of Bills to be Called Out

Pre-Recess Announcement

Council President Herndon announced that tonight there will be a required public hearing on CB14-0963, changing the zoning classification between 17th Avenue, Conejos Place, Stuart Street and Perry Street - South Sloan's Lake General Development Plan boundaries.

Recess

Council took a recess.

Council Reconvenes and Resumes its Regular Session

Public Hearings - Bills for Final Consideration

Neighborhoods & Planning

CB14-0963 A bill for an ordinance changing the zoning classification between 17th Avenue, Conejos Place, Stuart Street and Perry Street - South Sloan's Lake General Development Plan boundaries. (NEIGHBORHOODS & PLANNING)

A motion offered by Councilman Nevitt, duly seconded by Councilwoman Lehmann, that CB14-0963 be placed upon final consideration and do pass, carried by the following vote:

Passed

For: Faatz, Herndon, Kniech, Lehmann, Montero, Nevitt, Ortega, Robb, Shepherd, Susman (10)

Against: (None) (0)

Absent: Brooks, Brown, López (3)

Abstain: (None) (0)

Council sat as a Committee of the Whole commencing at 6:56 PM, Council President Herndon presiding, to hear speakers on CB14-0963. Cameron Bertron, Dan Shah, Trevor Hines, Brian Levitt, Rabbi Aaron Wasserman, and Ben Stetler signed up to speak in favor of the bill. No speakers signed up to speak in opposition of the bill. Deirdre Oss of Community Planning and Development delivered the Staff Report.

Bills for Final Consideration

Finance & Services

CB15-0017 A bill for an ordinance approving an Agreement between the City and County of Denver and H. C. Peck & Associates Inc. for negotiation, acquisition and relocation services related to the expansion of Federal Boulevard (West 7th Avenue to Holden Place). (FINANCE & SERVICES)

A motion offered by Councilman Nevitt, duly seconded by Councilwoman Kniech, that CB15-0017 and CB14-1130 be placed upon final consideration and do pass, carried by the following vote:

Passed

For: Brooks, Brown, Faatz, Herndon, Kniech, Lehmann, López, Montero, Nevitt, Ortega, Robb, Shepherd, Susman (13)

Against: (None) (0)

Absent: (None) (0)

Abstain: (None) (0)

CB15-0023 AS AMENDED, a bill for an ordinance amending Section 18-81, D.R.M.C. setting the salaries of elected officers for terms beginning July 20, 2015 (FINANCE & SERVICES)

A motion offered by Councilman Nevitt, duly seconded by Councilwoman Lehmann, that CB15-0023 be placed upon final consideration and do pass as amended, was followed by a motion offered by Council President Herndon, duly seconded by Councilman López, that CB15-0023 be amended in the following particulars: on page 2, between line 12 and line 13 delete the existing chart and replace it with a new chart. The annual salary July 20, 2015 to July 18, 2016 will be for the Mayor \$163,204; for the Auditor \$141,148; for the President of the Denver City Council \$98,122; for Members of the Denver City Council \$87,623; and for the Clerk and Recorder \$141,148. The annual salary July 18, 2016 to July 15, 2019 will be for the Mayor \$171,197; for the Auditor \$148,061; for the President of the Denver City Council \$102,928; for the Members of the Denver City Council \$91,915; and for the Clerk and Recorder \$148,061, which motion to amend, carried by the following vote:

Passed

For: Brooks, Brown, Faatz, Herndon, Kniech, Lehmann, López, Montero, Nevitt, Ortega, Robb, Shepherd, Susman (13)

Against: (None) (0)

Absent: (None) (0)

Abstain: (None) (0)

A motion offered by Councilwoman Faatz, duly seconded by Councilwoman Shepherd, that CB15-0023 be amended in the following particulars: on page 1, line 8, amend the title of the bill as follows: Strike "2015" and substitute: "2015, subject to approval of the voters at the May 5, 2015 general city and county election". On page 2, line 11, strike the existing language and substitute the following:

Section 2. In accordance with § 3.3.6 of the Charter, this ordinance shall be submitted to a vote of the registered electors of the City and County of Denver at the general city and county election occurring on May 5, 2015. Each elector voting at said election and desirous of voting for or against the ordinance shall cast a vote as provided by law either "Yes" or "No" on the proposition:

Shall the voters of the City and County of Denver adopt Council Bill No. 15-0023, increasing the salaries of elected charter officers a total of ten and three-tenths percent (10.3%) for the term of office commencing July 20, 2015 and ending July 15, 2019, with one-half of the increase to be effective July 20, 2015, and the remainder of the

increase to be effective July 18, 2016?

The proper officials of the City and County of Denver as are charged with duties relating to the election shall, before the election, issue such calls, make such certifications, and publications, give such notices, make such appointments, and do all such other acts and things in connection with the submission of this question to the registered electors of the City and County of Denver at the election as are required by the constitution and laws of the state of Colorado and the Charter and ordinances of the City and County of Denver. The ballots cast at such election shall be canvassed and the results ascertained, determined, and certified in accordance with the requirements of the Constitution and laws of the State of Colorado and the Charter and ordinances of the City and County of Denver.

Section 3. Subject to the approval of the voters as provided in Section 2 of this ordinance, this ordinance shall be effective July 20, 2015. In the event of disapproval by the voters of the referred ballot question set forth in Section 2 of this Ordinance, the current salaries of elected charter officers as set forth in Section 18-81, D.R.M.C. shall remain in effect until July 15, 2019, which motion to amend, failed to carry by the following vote:

Failed

For: Faatz, Shepherd (2)

Against: Brooks, Brown, Herndon, Kniech, Lehmann, López, Montero, Nevitt, Ortega, Robb, Susman (11)

Absent: (None) (0)

Abstain: (None) (0)

A motion offered by Councilman Nevitt, duly seconded by Councilwoman Susman that CB15-0023 be placed upon final consideration and do pass as amended:

Passed

For: Brooks, Herndon, Kniech, Lehmann, López, Montero, Nevitt, Ortega, Susman (9)

Against: Brown, Faatz, Robb, Shepherd (4)

Absent: (None) (0)

Abstain: (None) (0)

Infrastructure & Culture

These items be placed upon final consideration and do pass en bloc.

Passed

For: Brooks, Brown, Faatz, Herndon, Kniech, Lehmann, López, Montero, Nevitt, Ortega, Robb, Shepherd, Susman (13)

Against: (None) (0)

Absent: (None) (0)

Abstain: (None) (0)

CB14-1130 A bill for an ordinance approving a proposed Intergovernmental Agreement between the City and County of Denver and the Regional Transportation District, relating to the First Creek Restoration Project and the funding therefor. (INFRASTRUCTURE & CULTURE)

A motion offered by Councilman Nevitt, duly seconded by Councilwoman Kniech, that CB15-0017 and CB14-1130 be placed upon final consideration and do pass, carried by the following vote:

Passed

For: Brooks, Brown, Faatz, Herndon, Kniech, Lehmann, López, 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 Herndon adjourned the meeting at 7:23 PM.

President

Attested by me with the Corporate Seal
of the City and County of Denver

Clerk and Recorder, Ex-Officio Clerk
of the City and County of Denver