

City Council Minutes

Meeting Date: Monday, April 15, 2013 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, April 8, 2013, were distributed to Council. Council President Susman ordered the minutes approved.

Council Announcements

Councilmembers Robb, Montero, Herndon, Brooks, and Brown offered announcements.

Presentations

Communications

Proclamations

CP13-0246 A proclamation designating the Week of April 14-20, 2013 in Denver as NATIONAL PUBLIC SAFETY TELECOMMUNICATIONS WEEK.

Sponsored by Councilmembers Brooks, Lehmann, Brown, Herndon, López, and Faatz.

A motion offered by Councilman Brooks, duly seconded by Councilman Herndon, that CP13-0246 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.

Health, Safety, Education & Services

CR13-0204 A resolution approving the Mayor's appointment to the Denver Asian Pacific-American Commission. (HEALTH, SAFETY, EDUCATION & SERVICES)

A motion offered by Councilman Nevitt, duly seconded by Councilman Herndon, that CR13-0204, CR13-0205, and CR13-0260 be adopted 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)

CR13-0205 A resolution approving the Mayor's reappointments and appointments to the Denver Office of Strategic Partnerships Commission. (HEALTH, SAFETY, EDUCATION & SERVICES)

A motion offered by Councilman Nevitt, duly seconded by Councilman Herndon, that CR13-0204, CR13-0205, and CR13-0260 be adopted 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)

Land Use, Transportation & Infrastructure

CR13-0260 A resolution accepting and approving the plat of Runyan's Subdivision Filing No. 2. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

A motion offered by Councilman Nevitt, duly seconded by Councilman Herndon, that CR13-0204, CR13-0205, and CR13-0260 be adopted 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)

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

CB13-0207 A bill for an ordinance approving a proposed Second Amendatory Agreement between the City and County of Denver and SMG, for stagehand staffing and payroll services. (BUSINESS, WORKFORCE & SUSTAINABILITY)

A motion offered by Council President Susman, duly seconded by Councilman Nevitt that CB13-0207, CB13-0209, CB13-0210, CB13-0211, CB13-0214, CB13-0185, CB13-0208, CB13-0223, CB13-0226, and CB13-0229 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)

CB13-0209 A bill for an ordinance approving a proposed First Amendment to Agreement OCIP Insurance Brokerage Services between the City and County of Denver and Arthur J. Gallagher Risk Management Services, Inc. to serve as Owner Controlled Insurance Program Broker and Administration Services for the South Terminal Redevelopment Project at Denver International Airport. (BUSINESS, WORKFORCE & SUSTAINABILITY)

A motion offered by Council President Susman, duly seconded by Councilman Nevitt that CB13-0207, CB13-0209, CB13-0210, CB13-0211, CB13-0214, CB13-0185, CB13-0208, CB13-0223, CB13-0226, and CB13-0229 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)

CB13-0210 A bill for an ordinance approving a proposed First Amendment to Agreement between the City and County of Denver and xMatters, Inc related to the Emergency Notification System at Denver International Airport. (BUSINESS, WORKFORCE & SUSTAINABILITY)

A motion offered by Council President Susman, duly seconded by Councilman Nevitt that CB13-0207, CB13-0209, CB13-0210, CB13-0211, CB13-0214, CB13-0185, CB13-0208, CB13-0223, CB13-0226, and CB13-0229 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)

CB13-0211 A bill for an ordinance approving a proposed Purchase Order between the City and Cyber Country Systems, LLC related to the Security Access Control System at Denver International Airport. (BUSINESS, WORKFORCE & SUSTAINABILITY)

A motion offered by Council President Susman, duly seconded by Councilman Nevitt that CB13-0207, CB13-0209, CB13-0210, CB13-0211, CB13-0214, CB13-0185, CB13-0208, CB13-0223, CB13-0226, and CB13-0229 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)

Government & Finance

CB13-0214 A bill for an ordinance approving a proposed Sublease Agreement between the City and County of Denver and Liquid Enterprises Corp., to sublease property located at 3821 Steele Street for warehouse and office use. (GOVERNMENT & FINANCE)

A motion offered by Council President Susman, duly seconded by Councilman Nevitt that CB13-0207, CB13-0209, CB13-0210, CB13-0211, CB13-0214, CB13-0185, CB13-0208, CB13-0223, CB13-0226, and CB13-0229 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)

Land Use, Transportation & Infrastructure

CB13-0185 A bill for an ordinance approving a proposed Agreement between the City and County of Denver and Ash & White Construction Company d/b/a White Construction, Co. for tenant improvements. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

A motion offered by Council President Susman, duly seconded by Councilman Nevitt that CB13-0207, CB13-0209, CB13-0210, CB13-0211, CB13-0214, CB13-0185, CB13-0208, CB13-0223, CB13-0226, and CB13-0229 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)

CB13-0208 A bill for an ordinance changing the zoning classification at 2121 Children’s Museum Drive. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

A motion offered by Council President Susman, duly seconded by Councilman Nevitt that CB13-0207, CB13-0209, CB13-0210, CB13-0211, CB13-0214, CB13-0185, CB13-0208, CB13-0223, CB13-0226, and CB13-0229 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)

CB13-0223 A bill for an ordinance approving the Decatur-Federal Station Area Plan, which plan shall become a part of the Comprehensive Plan for the City and County of Denver pursuant to the provisions of Section 12-61 of the Denver Revised Municipal Code. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

A motion offered by Council President Susman, duly seconded by Councilman Nevitt that CB13-0207, CB13-0209, CB13-0210, CB13-0211, CB13-0214, CB13-0185, CB13-0208, CB13-0223, CB13-0226, and CB13-0229 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)

CB13-0226 A bill for an ordinance changing the zoning classification 5042-44 North Federal Boulevard. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

A motion offered by Council President Susman, duly seconded by Councilman Nevitt that CB13-0207, CB13-0209, CB13-0210, CB13-0211, CB13-0214, CB13-0185, CB13-0208, CB13-0223, CB13-0226, and CB13-0229 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)

CB13-0229 A bill for an ordinance changing the zoning classification for 1683, 1685, 1687, 1691, 1693 and 1695 East Cedar Avenue. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

A motion offered by Council President Susman, duly seconded by Councilman Nevitt that CB13-0207, CB13-0209, CB13-0210, CB13-0211, CB13-0214, CB13-0185, CB13-0208, CB13-0223, CB13-0226, and CB13-0229 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 Susman announced that tonight there will be a required public hearing on CB13-0105 changing the zoning classification for 100, 102, 114 and 128 Steele Street.

Recess

Council took a recess.

Council Reconvenes and Resumes its Regular Session

Public Hearings - Bills for Final Consideration

Land Use, Transportation & Infrastructure

CB13-0105 A bill for an ordinance changing the zoning classification for 100, 102, 114 and 128 Steele Street. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

A motion offered by Councilman Nevitt, duly seconded by Councilman Herndon, that CB13-0105 be placed upon final consideration and do pass, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: Faatz (1)

Abstain: (None) (0)

Council sat as a Committee of the Whole commencing at 6:20 PM, Council President Susman presiding, to hear speakers either for or against CB13-0105. Bob Gollick, David Zucker, Brad Buchanan, Peter Wall, Sean Malley, Charles Buck, Brian Hamilton, Jeffrey Washington, Ben Kelly, Marie Friedstein, Julie Underdahl, and Warren Lange signed up to speak in favor of the bill. Kathryn "Kay" Pride, Caroline Schomp, Christine O'Connor, David Leahy, Gene Hohensee, Robert Vogel, Jack Reutzel, Leslie New, Wayne New, Richard Baumbusch, Richard Landon, Glenn Kinney, Richard Buzz Geller, Sharyn Vogel, and Ingrid Glancy signed up to speak in opposition to 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

CB13-0192 A bill for an ordinance approving a proposed GMP Amendment to Agreement - Hotel, Public Transit Center and Jeppesen Terminal Interface South Terminal Redevelopment Program Construction Manager/General Contractor (CM/GC), between the City and County of Denver, Mortenson/Hunt/Saunders, a Joint Venture, related to the South Terminal Redevelopment Project at Denver International Airport. (BUSINESS, WORKFORCE & SUSTAINABILITY)

A motion offered by Councilman Nevitt, duly seconded by Councilman Herndon, that CB13-0192 be placed upon final consideration and do pass, carried by the following vote:

Passed

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

Against: Faatz (1)

Absent: (None) (0)

Abstain: (None) (0)

CB13-0198 A bill for an ordinance approving a proposed Power Purchase Agreement between the City and County of Denver and DENVER SOLAR IV LLC, related to an energy procurement agreement at Denver International Airport. (BUSINESS, WORKFORCE & SUSTAINABILITY)

A motion offered by Councilman Nevitt, duly seconded by Councilman Herndon, that CB13-0198, CB13-0199, CB13-0191, CB13-0221, CB13-0193, CB13-0197, CB13-0145, CB13-0184, CB13-0201, and CB13-0202 be placed upon final consideration and do pass 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)

CB13-0199 A bill for an ordinance approving a proposed Ground Lease Agreement between the City and County of Denver and DENVER SOLAR IV LLC, for a photovoltaic power system at Denver International Airport. (BUSINESS, WORKFORCE & SUSTAINABILITY)

A motion offered by Councilman Nevitt, duly seconded by Councilman Herndon, that CB13-0198, CB13-0199, CB13-0191, CB13-0221, CB13-0193, CB13-0197, CB13-0145, CB13-0184, CB13-0201, and CB13-0202 be placed upon final consideration and do pass 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)

Government & Finance

CB13-0191 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 Nevitt, duly seconded by Councilman Herndon, that CB13-0198, CB13-0199, CB13-0191, CB13-0221, CB13-0193, CB13-0197, CB13-0145, CB13-0184, CB13-0201, and CB13-0202 be placed upon final consideration and do pass 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)

CB13-0221 A bill for an ordinance appointing Brian Spano to serve as a member of the Board of Ethics. (GOVERNMENT & FINANCE)

A motion offered by Councilman Nevitt, duly seconded by Councilman Herndon, that CB13-0198, CB13-0199, CB13-0191, CB13-0221, CB13-0193, CB13-0197, CB13-0145, CB13-0184, CB13-0201, and CB13-0202 be placed upon final consideration and do pass 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)

Health, Safety, Education & Services

CB13-0193 A bill for an Ordinance approving an Amendatory Agreement with the Colorado Nonprofit Development Center, which acts as a fiscal agent for the Ryan White Care Act Part A funding. (HEALTH, SAFETY, EDUCATION & SERVICES)

A motion offered by Councilman Nevitt, duly seconded by Councilman Herndon, that CB13-0198, CB13-0199, CB13-0191, CB13-0221, CB13-0193, CB13-0197, CB13-0145, CB13-0184, CB13-0201, and CB13-0202 be placed upon final consideration and do pass 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)

CB13-0197 A bill for an ordinance approving a proposed Revival and Second Amendatory Agreement between the City and County of Denver and The Coffee Mug, LLC, to extend the agreement and increase the total revenue. (HEALTH, SAFETY, EDUCATION & SERVICES)

A motion offered by Councilman Nevitt, duly seconded by Councilman Herndon, that CB13-0198, CB13-0199, CB13-0191, CB13-0221, CB13-0193, CB13-0197, CB13-0145, CB13-0184, CB13-0201, and CB13-0202 be placed upon final consideration and do pass 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)

Land Use, Transportation & Infrastructure

CB13-0145 A bill for an ordinance vacating the alley at 250 S. Jackson Street, without reservations. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

A motion offered by Councilman Nevitt, duly seconded by Councilman Herndon, that CB13-0198, CB13-0199, CB13-0191, CB13-0221, CB13-0193, CB13-0197, CB13-0145, CB13-0184, CB13-0201, and CB13-0202 be placed upon final consideration and do pass 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)

CB13-0184 A bill for an ordinance approving a Temporary Construction License Agreement from the City and County of Denver to Denver Transit Constructors, LLC to accommodate Regional Transit District to construct improvements on the RTD Eagle P-3 Gold Line Project. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

A motion offered by Councilman Nevitt, duly seconded by Councilman Herndon, that CB13-0198, CB13-0199, CB13-0191, CB13-0221, CB13-0193, CB13-0197, CB13-0145, CB13-0184, CB13-0201, and CB13-0202 be placed upon final consideration and do pass 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)

CB13-0201 A bill for an ordinance approving an Easement Agreement from the City and County of Denver to the City and County of Denver acting by and through its Board of Water Commissioners for an existing water line at the Lowry Vista Fire Station site. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

A motion offered by Councilman Nevitt, duly seconded by Councilman Herndon, that CB13-0198, CB13-0199, CB13-0191, CB13-0221, CB13-0193, CB13-0197, CB13-0145, CB13-0184, CB13-0201, and CB13-0202 be placed upon final consideration and do pass 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)

CB13-0202 A bill for an ordinance approving a proposed Agreement between the City and County of Denver and Colorado Designsapes, Inc., for improvements to Benedict Fountain Park. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

A motion offered by Councilman Nevitt, duly seconded by Councilman Herndon, that CB13-0198, CB13-0199, CB13-0191, CB13-0221, CB13-0193, CB13-0197, CB13-0145, CB13-0184, CB13-0201, and CB13-0202 be placed upon final consideration and do pass 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)

Announcement

Council President Susman announced that on Monday, April 22, 2013, Council will hold a courtesy public hearing, limited to one hour, on CB13-0223 approving the Decatur-Federal Station Area Plan. And, on May 13, 2013, Council will hold a required public hearing on CB13-0208 changing the zoning classification at 2121 Children's Museum Drive, a required public hearing on CB13-0226 changing the zoning classification for 5042-44 North Federal Boulevard, and a required public hearing on CB13-0229 changing the zoning classification for 1683, 1685, 1687, 1691, 1693 and 1695 East Cedar Avenue. Any protests against CB13-0208, CB13-0226, or CB13-0229 must be filed with the Council Offices no later than Monday, May 6, 2013.

Adjourn

There being no further business before the City Council, Council President Susman adjourned the meeting at 8:30 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

City Council public documents are available upon request in alternate formats.
Prepared by Kelly Velez