

## **City Council Minutes**

Meeting Date: Monday, August 01, 2011 5:30 PM

### **Pledge of Allegiance**

Councilmember Faatz 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 Minutes of Monday, July 25, 2011**

The minutes of meeting date, Monday, July 25, 2011, were distributed to Council. Council President Nevitt ordered the minutes approved.

### **Council Announcements**

Councilmembers Herndon, Lehmann, Brooks, Ortega, and Montero offered announcements.

### **Presentations**

The Broward County firefighters came before Council to thank and present a reward to the Denver County firefighters.

**Thank you to the City of Denver and Denver firefighters from Broward County firefighters.**

### **Communications**

### **Proclamations**

**CP11-0567 A proclamation to honor the Denver Health and Hospital Authority's LEAN achievements as a model safety net hospital for the City and County of Denver, the Rocky Mountain Region, and the entire nation. Sponsored by Councilmembers Montero, Lehmann, López, Herndon, Faatz, Brown, and Shepherd.**

A motion offered by Councilmember Montero, duly seconded by Councilmember Brooks, that CP11-0567 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 resolution by title.

### **Land Use, Transportation & Infrastructure**

**CR11-0569 A resolution authorizing and approving the expenditure and payment from the appropriation account designated "liability claims," the sum of Eight Thousand Four Hundred Eighty Six Dollars (\$8,486.00) payable to Kristen Irwin and Buchheit and Associates, LLC, and the sum of Six Thousand Forty Four Dollars (\$6,044.00) payable to Liberty Mutual Fire Insurance Company as Subrogee of Greg and Kristen Irwin, in full payment and satisfaction of all claims in Claim No. 0911-007367. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

A motion offered by Councilmember Faatz, duly seconded by Councilmember Brooks, that CR11-0569 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)

## **Bills for Introduction-Held or Postponed**

### **Land Use, Transportation & Infrastructure**

**CB11-0283 A bill for an ordinance vacating a portion of Forest St., at approximately 43rd Ave., with reservations. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

A motion offered by Councilmember Robb, duly seconded by Councilmember Susman, that CB11-0283 be re-referred or held in committee to Monday, October 3, 2011, 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 Nevitt announced that all other bills on introduction are ordered published.

### **Business, Workforce & Sustainability**

**CB11-0484 A bill for an ordinance approving a proposed Agreement between the City and County of Denver and Catholic Charities and Community Services of the Archdiocese of Denver, for program year 2011-2012 to provide family counseling and case management services for TANF recipients. (BUSINESS, WORKFORCE & SUSTAINABILITY)**

A motion offered by Councilmember Nevitt, duly seconded by Councilmember Faatz, that CB11-0484, CB11-0522, CB11-0532, CB11-0513, CB11-0533, CB11-0536, CB11-0317, CB11-0479, CB11-0493, CB11-0495, CB11-0525, and CB11-0565, 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)

**CB11-0522 A bill for an ordinance approving a proposed Master Purchase Order between the City and County of Denver and NASI, Inc. concerning deicing at Denver International Airport. (BUSINESS, WORKFORCE & SUSTAINABILITY)**

A motion offered by Councilmember Nevitt, duly seconded by Councilmember Faatz, that CB11-0484, CB11-0522, CB11-0532, CB11-0513, CB11-0533, CB11-0536, CB11-0317, CB11-0479, CB11-0493, CB11-0495, CB11-0525, and CB11-0565, 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**

**CB11-0532 A bill for an ordinance approving a proposed First Amendment**

**to Lease between the City and County of Denver and Parkway Center, LLC for the lease renewal of the Economic Development Workforce Development Office located at 1391 Speer Boulevard. (GENERAL GOVERNMENT & FINANCE)**

A motion offered by Councilmember Nevitt, duly seconded by Councilmember Faatz, that CB11-0484, CB11-0522, CB11-0532, CB11-0513, CB11-0533, CB11-0536, CB11-0317, CB11-0479, CB11-0493, CB11-0495, CB11-0525, and CB11-0565, 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**

**CB11-0513 A bill for an ordinance amending Article III of Chapter 8 of the Revised Municipal Code of the City and County of Denver regarding dog and cat licensing. (Health, Safety, Education & Services)**

A motion offered by Councilmember Nevitt, duly seconded by Councilmember Faatz, that CB11-0484, CB11-0522, CB11-0532, CB11-0513, CB11-0533, CB11-0536, CB11-0317, CB11-0479, CB11-0493, CB11-0495, CB11-0525, and CB11-0565, 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)

**CB11-0533 A bill for an ordinance approving a proposed Agreement between the City and County of Denver and Correctional Management, Inc., for residential and non-residential community corrections services. (HEALTH, SAFETY, EDUCATION & SERVICES)**

A motion offered by Councilmember Nevitt, duly seconded by Councilmember Faatz, that CB11-0484, CB11-0522, CB11-0532, CB11-0513, CB11-0533, CB11-0536, CB11-0317, CB11-0479, CB11-0493, CB11-0495, CB11-0525, and CB11-0565, 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)

**CB11-0536 A bill for an ordinance approving a proposed Agreement between the City and County of Denver and RRK Enterprises, Inc. d/b/a Independence House, Inc., for residential and non-residential community corrections services. (HEALTH, SAFETY, EDUCATION & SERVICES)**

A motion offered by Councilmember Nevitt, duly seconded by Councilmember Faatz, that CB11-0484, CB11-0522, CB11-0532, CB11-0513, CB11-0533, CB11-0536, CB11-0317, CB11-0479, CB11-0493, CB11-0495, CB11-0525, and CB11-0565, 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**

**CB11-0317 A bill for an ordinance approving an agreement between K.E.C.I. Colorado, Inc. and the City & County of Denver for the Colfax Enhanced Transit Corridor Project. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

A motion offered by Councilmember Nevitt, duly seconded by Councilmember Faatz, that CB11-0484, CB11-0522, CB11-0532, CB11-0513, CB11-0533, CB11-0536, CB11-0317, CB11-0479, CB11-0493, CB11-0495, CB11-0525, and CB11-0565, 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)

**CB11-0479 A bill for an ordinance approving a proposed Fourth Amendatory Agreement between the City and County of Denver and ACS State & Local Solutions, Inc., to procure additional software functionalities and allow for vendor reimbursements. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

A motion offered by Councilmember Nevitt, duly seconded by Councilmember Faatz, that CB11-0484, CB11-0522, CB11-0532, CB11-0513, CB11-0533, CB11-0536, CB11-0317, CB11-0479, CB11-0493, CB11-0495, CB11-0525, and CB11-0565, 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)

**CB11-0493 A bill for an ordinance approving a Fourth Amendatory Agreement by and between the City and County of Denver and Republic Parking Systems. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

A motion offered by Councilmember Nevitt, duly seconded by Councilmember Faatz, that CB11-0484, CB11-0522, CB11-0532, CB11-0513, CB11-0533, CB11-0536, CB11-0317, CB11-0479, CB11-0493, CB11-0495, CB11-0525, and CB11-0565, 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)

**CB11-0495 A bill for an ordinance approving the third amendatory on-call agreement between Hartwig & Associates, Inc. and the City & County of Denver to provide services for traffic and transportation engineering services. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

A motion offered by Councilmember Nevitt, duly seconded by Councilmember Faatz, that CB11-0484, CB11-0522, CB11-0532, CB11-0513, CB11-0533, CB11-0536, CB11-0317, CB11-0479, CB11-0493, CB11-0495, CB11-0525, and CB11-0565, 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)

**CB11-0525 A bill for an ordinance approving an agreement between Brannan Construction Co. and the City & County of Denver for the 2011 Critical Sanitation Sewer Replacement Project. (Land Use, Transportation & Infrastructure)**

A motion offered by Councilmember Nevitt, duly seconded by Councilmember Faatz, that CB11-0484, CB11-0522, CB11-0532, CB11-0513, CB11-0533, CB11-0536, CB11-0317, CB11-0479, CB11-0493, CB11-0495, CB11-0525, and CB11-0565, 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)

**CB11-0565 A bill for an ordinance relating to the Denver Zoning Code correcting an error in the plant husbandry use in the I-MX and I-A zone districts. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

A motion offered by Councilmember Nevitt, duly seconded by Councilmember Faatz, that CB11-0484, CB11-0522, CB11-0532, CB11-0513, CB11-0533, CB11-0536, CB11-0317, CB11-0479, CB11-0493, CB11-0495, CB11-0525, and CB11-0565, 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**

**CB11-0502 A bill for an ordinance approving a proposed First Amendment to Agreement between the City and County of Denver and Denver Health and Hospital Authority concerning a Medical Clinic at Denver International Airport. (BUSINESS, WORKFORCE & SUSTAINABILITY)**

A motion offered by Councilmember Faatz, duly seconded by Councilmember Kniech, that CB11-0502, CB11-0514, CB11-0458, CB11-0483, CB11-0506, CB11-0488, CB11-0497, CB11-0498, and CB11-0507 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)

**CB11-0514 A bill for an ordinance approving a proposed Agreement between the City and County of Denver and Kone Inc. related to elevator maintenance at Denver International Airport. (BUSINESS, WORKFORCE & SUSTAINABILITY)**

A motion offered by Councilmember Faatz, duly seconded by Councilmember Kniech, that CB11-0502, CB11-0514, CB11-0458, CB11-0483, CB11-0506, CB11-0488, CB11-0497, CB11-0498, and CB11-0507 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**

**CB11-0458 A bill for an ordinance establishing a temporary tax amnesty program for certain taxes imposed by Chapter 53 of the Revised Municipal Code. (GOVERNMENT & FINANCE)**

A motion offered by Councilmember Faatz, duly seconded by Councilmember Kniech, that CB11-0502, CB11-0514, CB11-0458, CB11-0483, CB11-0506, CB11-0488, CB11-0497, CB11-0498, and CB11-0507 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)

**CB11-0483 A bill for an ordinance approving a proposed Amendatory Agreement between the City and County of Denver and Qwest Communications Company, to provide leased line, data and telephony services. (GOVERNMENT & FINANCE)**

A motion offered by Councilmember Faatz, duly seconded by Councilmember Kniech, that CB11-0502, CB11-0514, CB11-0458, CB11-0483, CB11-0506, CB11-0488, CB11-0497, CB11-0498, and CB11-0507 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)

**CB11-0506 A bill for an ordinance approving a proposed Purchase Order between the City and County of Denver and Insight Public Sector, Inc., as Oracle’s reseller, for database software maintenance services. (GOVERNMENT & FINANCE)**

A motion offered by Councilmember Faatz, duly seconded by Councilmember Kniech, that CB11-0502, CB11-0514, CB11-0458, CB11-0483, CB11-0506, CB11-0488, CB11-0497, CB11-0498, and CB11-0507 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**

**CB11-0488 A bill for an ordinance approving a proposed Amendatory Agreement between the City and County of Denver and Correctional Management, Inc. for residential and non-residential community corrections services. (HEALTH, SAFETY, EDUCATION & SERVICES)**

A motion offered by Councilmember Faatz, duly seconded by Councilmember Kniech, that CB11-0502, CB11-0514, CB11-0458, CB11-0483, CB11-0506, CB11-0488, CB11-0497, CB11-0498, and CB11-0507 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**

**CB11-0497 A bill for an ordinance approving the third amendatory on call agreement between Felsburg Holt & Ullevig, Inc. and the City & County of Denver to provide professional engineering services. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

A motion offered by Councilmember Faatz, duly seconded by Councilmember Kniech, that CB11-0502, CB11-0514, CB11-0458, CB11-0483, CB11-0506, CB11-0488, CB11-0497, CB11-0498, and CB11-0507 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)

**CB11-0498 A bill for an ordinance approving the third amendatory on call agreement between Jacobs Engineering Group, Inc. and the City & County of Denver to provide traffic and transportation engineering services. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

A motion offered by Councilmember Faatz, duly seconded by Councilmember Kniech, that CB11-0502, CB11-0514, CB11-0458, CB11-0483, CB11-0506, CB11-0488, CB11-0497, CB11-0498, and CB11-0507 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)

**CB11-0507 A bill for an ordinance vacating a portion of 43rd Ave., west of the Broadway 6 intersection with reservations. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

A motion offered by Councilmember Faatz, duly seconded by Councilmember Kniech, that CB11-0502, CB11-0514, CB11-0458, CB11-0483, CB11-0506, CB11-0488, CB11-0497, CB11-0498, and CB11-0507 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)

**Announcement**

Council President Nevitt announced that there will be a public hearing on CB11-0565, relating to the Denver Zoning Code correcting an error in the plant husbandry use in the I-MX and I-A zone districts on Monday, August 29, 2011.

**There will be a public hearing on Council Bill 565, relating to the Denver Zoning Code correcting an error in the plant husbandry use in the I-MX and I-A zone districts on Monday, August 29, 2011.**

## **Adjourn**

There being no further business before the City Council, Council President Nevitt adjourned the meeting at 6:13 PM.

## **Pending**

**CB11-0470 A bill for an ordinance changing the zoning classification of 2715, 2717, 2725 and 2727 S. Colorado Blvd. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

**CB11-0471 A bill for an ordinance changing the zoning classification of 9100 East Lowry Boulevard. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

**CB11-0472 A bill for an ordinance changing the zoning classification of 377 and 389 South Lipan Street. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

**CB11-0504 A bill for an ordinance changing the zoning classification of 3011 West 49th Avenue. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**