

## **City Council Minutes**

Meeting Date: Monday, August 08, 2011 5:30 PM

### **Pledge of Allegiance**

Councilmember López led the Pledge of Allegiance.

### **Roll Call**

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

Absent: None

Councilmember Ortega arrived late.

### **Approval of Minutes of Monday, August 1, 2011**

The minutes of meeting date, Monday, August 1, 2011, were distributed to Council. Council President Nevitt ordered the minutes approved.

### **Council Announcements**

Councilmembers Herndon and López offered announcements.

### **Presentations**

### **Communications**

### **Proclamations**

### **Resolutions**

The Council Secretary read the following resolution by title.

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

**CR11-0551 A resolution laying out, opening and establishing as part of the city street system, as part of 8th Place, certain real property in Lowry Filing No. 15. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

A motion offered by Councilmember López, duly seconded by Councilmember Lehmann, that CR11-0551 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**

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**

#### **CB11-0442 A bill for an ordinance approving a proposed First Amendment to Agreement between the City and County of Denver and Milender White Construction Co. concerning on-call construction services at Denver International Airport. (BUSINESS, WORKFORCE & SUSTAINABILITY)**

A motion offered by Councilmember Nevitt, duly seconded by Councilmember López, that CB11-0442, CB11-0485, CB11-0510, CB11-0511, CB11-0512, CB11-0545, CB11-0531, CB11-0537, CB11-0544, and CB11-0550 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)

#### **CB11-0485 A bill for an ordinance approving a proposed Amendatory Agreement between the City and County of Denver and Denver Urban Renewal Authority to enable certain improvements in the St. Luke's Redevelopment Area. (BUSINESS WORKFORCE AND SUSTAINABILITY)**

A motion offered by Councilmember Nevitt, duly seconded by Councilmember López, that CB11-0442, CB11-0485, CB11-0510, CB11-0511, CB11-0512, CB11-0545, CB11-0531, CB11-0537, CB11-0544, and CB11-0550 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)

#### **CB11-0510 A bill for an Ordinance approving a proposed Amendatory**

**Agreement between the City and County of Denver and Aramark Sports and Entertainment Services, LLC. (BUSINESS, WORKFORCE & SUSTAINABILITY)**

A motion offered by Councilmember Nevitt, duly seconded by Councilmember López, that CB11-0442, CB11-0485, CB11-0510, CB11-0511, CB11-0512, CB11-0545, CB11-0531, CB11-0537, CB11-0544, and CB11-0550 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)

**CB11-0511 A bill for an Ordinance approving a proposed Second Amendatory Agreement between the City and County of Denver and Aramark Sports and Entertainment Services, LLC. (BUSINESS, WORKFORCE & SUSTAINABILITY)**

A motion offered by Councilmember Nevitt, duly seconded by Councilmember López, that CB11-0442, CB11-0485, CB11-0510, CB11-0511, CB11-0512, CB11-0545, CB11-0531, CB11-0537, CB11-0544, and CB11-0550 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)

**CB11-0512 A bill for an ordinance approving a proposed Second Amendatory Agreement between the City and County of Denver and Aramark Sports and Entertainment Services, LLC. (BUSINESS, WORKFORCE & SUSTAINABILITY)**

A motion offered by Councilmember Nevitt, duly seconded by Councilmember López, that CB11-0442, CB11-0485, CB11-0510, CB11-0511, CB11-0512, CB11-0545, CB11-0531, CB11-0537, CB11-0544, and CB11-0550 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)

**CB11-0545 A bill for an ordinance to amend Division 3.5 of Article VIII of Chapter 2 of the Revised Municipal Code regarding the Denver Cultural Council powers. (BUSINESS, WORKFORCE & SUSTAINABILITY)**

A motion offered by Councilmember Nevitt, duly seconded by Councilmember López, that CB11-0442, CB11-0485, CB11-0510, CB11-0511, CB11-0512, CB11-0545, CB11-0531, CB11-0537, CB11-0544, and CB11-0550 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**

**CB11-0531 A bill for an ordinance approving a proposed Agreement between the City and County of Denver and Mile High Montessori Early Learning Centers, formerly known as Mile High Child Care Association, for the lease of a building on the property formerly known as Lowry Air Force Base for Head Start and child care services. (GOVERNMENT & FINANCE)**

A motion offered by Councilmember Nevitt, duly seconded by Councilmember López, that CB11-0442, CB11-0485, CB11-0510, CB11-0511, CB11-0512, CB11-0545, CB11-0531, CB11-0537, CB11-0544, and CB11-0550 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**

**CB11-0537 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 "Denver Approach to Recovery Through Treatment (DARTT)" Program and the funding therefor. (HEALTH, SAFETY, EDUCATION & SERVICES)**

A motion offered by Councilmember Nevitt, duly seconded by Councilmember López, that CB11-0442, CB11-0485, CB11-0510, CB11-0511, CB11-0512, CB11-0545, CB11-0531, CB11-0537, CB11-0544, and CB11-0550 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)

**CB11-0544 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 Department of Health and Human Services concerning the "Head Start FY11-12" program and the funding therefor. (HEALTH, SAFETY, EDUCATION & SERVICES)**

A motion offered by Councilmember Nevitt, duly seconded by Councilmember López, that CB11-0442, CB11-0485, CB11-0510, CB11-0511, CB11-0512, CB11-0545, CB11-0531, CB11-0537, CB11-0544, and CB11-0550 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**

**CB11-0550 A bill for an ordinance approving an amendatory agreement between J.F. Sato and Associates, Inc. and the City and County of Denver. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

**Late Filings**

**Land Use, Transportation & Infrastructure**

**CB11-0548 A bill for an ordinance renaming Northeast Denver Community Park at E. Martin Luther King Blvd and N. Colorado Boulevard as "J. Langston Boyd Park". (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

The Rules of Council be suspended to allow for the introduction of this items as a late filing.

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)

Council President Nevitt announced that there will be a one-hour courtesy public

hearing on CB11-0548 on Monday, August 15, 2011.  
A motion offered by Councilmember Nevitt, duly seconded by Councilmember López, that CB11-0442, CB11-0485, CB11-0510, CB11-0511, CB11-0512, CB11-0545, CB11-0531, CB11-0537, CB11-0544, and CB11-0550 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**

### **Pre-Recess Announcement**

Council President Nevitt announced that there will be public hearings on CB11-0470, changing the zoning classification of 2715, 2717, 2725 and 2727 S. Colorado Blvd.; CB11-0471, changing the zoning classification of 9100 East Lowry Boulevard; and CB11-0472, changing the zoning classification of 377 and 389 South Lipan Street. Anyone wishing to speak on any of these matters must see the Council Secretary to receive a speaker card to fill out and return to her during the recess of Council.

**Tonight there will be public hearings on CB11-0470, changing the zoning classification of 2715, 2717, 2725 and 2727 S. Colorado Blvd.; CB11-0471, changing the zoning classification of 9100 East Lowry Boulevard; and CB11-0472, changing the zoning classification of 377 and 389 South Lipan Street. Anyone wishing to speak on any of these matters must see the Council Secretary to receive a speaker card to fill out and return to her during the recess of Council.**

### **Recess**

Council took a brief recess.

## **Council Reconvenes and Resumes its Regular Session**

### **Bills for Final Consideration - Public Hearings**

**CB11-0470 A bill for an ordinance changing the zoning classification of 2715, 2717, 2725 and 2727 S. Colorado Blvd. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)  
Changes the zoning classification from B-3 with waivers to S-CC-3x for the property at 2715, 2717, 2725, and 2727 S. Colorado in Council District**

**4.PUBLIC HEARING AT LEAST FOUR WEEKS FOLLOWING PUBLICATION.The Committee approved filing this bill at its meeting on 6-28-11. LAND USE, TRANSPORTATION & INFRASTRUCTURE**

Council sat as a Committee of the Whole commencing at 6:06 PM, Council President Nevitt presiding, to hear speakers either for or against CB11-0470. Andy Peters signed up to address the bill. Deirdre Oss of Community Planning and Development delivered the Staff Report with an overview and recommendation for approval.

A motion offered by Councilmember López, duly seconded by Councilmember Ortega, that CB11-0470 be placed upon final consideration and do pass, 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)

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

**Changes the zoning classification from B-2 with waivers to S-MX-3 for property located at 9100 E Lowry Blvd. in Council District 5.PUBLIC HEARING AT LEAST FOUR WEEKS FOLLOWING PUBLICATION.The Committee approved filing this bill at its meeting on 6-28-11. LAND USE, TRANSPORTATION & INFRASTRUCTURE**

Council sat as a Committee of the Whole commencing at 6:20 PM, Council President Nevitt presiding, to hear speakers either for or against CB11-0471. Bob Gollick signed up to address the bill. Chris Gleissner of Community Planning and Development delivered the Staff Report with an overview and recommendation for approval.

A motion offered by Councilmember López, duly seconded by Councilmember Ortega, that CB11-0471, be placed upon final consideration and do pass, 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)

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

**Changes the zoning classification from I-A UO-2 to I-MX-3 UO-2 for property located at 377 and 389 S. Lipan in Council District 7.PUBLIC**

**HEARING AT LEAST FOUR WEEKS FOLLOWING PUBLICATION. The Committee approved filing this bill at its meeting on 6-28-11. LAND USE, TRANSPORTATION & INFRASTRUCTURE**

Council sat as a Committee of the Whole commencing at 6:37 PM, Council President Nevitt presiding, to hear speakers either for or against CB11-0472. Barry Gilbert signed up to address the bill. Chris Gleissner of Community Planning and Development delivered the Staff Report with an overview and recommendation for approval.

A motion offered by Councilmember López, duly seconded by Councilmember Lehmann, that CB11-0472 be placed upon final consideration and do pass, 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 Final Consideration**

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

## **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)**

**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)**

## **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. (GOVERNMENT & FINANCE)**

**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)**

**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)**

**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)**

**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)**

**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)**

**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)**

**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)**

**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)**

## **Adjourn**

There being no further business before the City Council, Council President Nevitt adjourned the meeting at 6:43 PM.

## **Pending**

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

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

**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)**