

City Council Minutes

Meeting Date: Monday, June 25, 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, Ortega, Shepherd, Susman

Absent: Robb

Approval of the Minutes

The minutes of meeting date, Monday, June 18, 2012, were distributed to Council. Council President Nevitt ordered the minutes approved.

Council Announcements

Councilmembers Brooks, López, Shepherd, and Nevitt offered announcements.

Presentations

Communications

Proclamations

CP12-0493 A proclamation in honor of Thomas O. Markham on the occasion of his retirement from the Lowry Redevelopment Authority.

Sponsored by Councilmembers Susman, Brooks, Brown, López, and Herndon.

A motion offered by Councilmember Susman, duly seconded by Councilmember Herndon, that CP12-0493 be adopted, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: Robb (1)

Abstain: (None) (0)

CP12-0499 A proclamation designating June "Bike Month," the week of June 25th through June 29th "Bike Week" and June 27th "Bike to Work Day" in Denver.

Sponsored by Councilmembers Shepherd, Susman, Montero, Brooks, Brown, Lehmann, López, and Herndon.

A motion offered by Councilmember Shepherd, duly seconded by Councilmember Lehmann, that CP12-0499 be adopted, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: Robb (1)

Abstain: (None) (0)

Resolutions

The Council Secretary read the following resolutions by titles.

Business, Workforce & Sustainability

CR12-0457 A resolution approving the Mayor's appointment to the Stapleton Development Corporation Board of Directors. (BUSINESS, WORKFORCE & SUSTAINABILITY)

A motion offered by Councilmember Kniech, duly seconded by Councilmember Herndon, that CR12-0457 and CR12-0456 be adopted en bloc, carried by the following vote:

Passed

For: Brooks, Faatz, Herndon, Kniech, Lehmann, Lopez, Montero, Nevitt, Ortega, Shepherd, Susman (11)

Against: (None) (0)

Absent: Robb (1)

Abstain: (None) (0)

Health, Safety, Education & Services

CR12-0456 A resolution approving the Mayor's appointments to the Denver Preschool Program Board of Advisors. (HEALTH, SAFETY, EDUCATION & SERVICES)

A motion offered by Councilmember Kniech, duly seconded by Councilmember Herndon, that CR12-0457 and CR12-0456 be adopted en bloc, carried by the following vote:

Passed

For: Brooks, Faatz, Herndon, Kniech, Lehmann, Lopez, Montero, Nevitt, Ortega, Shepherd, Susman (11)

Against: (None) (0)

Absent: Robb (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.

Business, Workforce & Sustainability

CB12-0458 A bill for an ordinance concerning the Airport Facilities of the City and County of Denver; providing for the investment and application of certain defeasance deposits and other details in connection therewith; authorizing the execution of certain related agreements; ratifying action previously taken; providing for other related matters; and providing the effective date of this ordinance. (BUSINESS, WORKFORCE & SUSTAINABILITY)

A motion offered by Councilmember Nevitt, duly seconded by Councilmember Kniech, that CB12-0458, CB12-0460, CB12-0442, CB12-0443, CB12-0444, CB12-0435, CB12-0459, CB12-0461, CB12-0462, and CB12-0463 be ordered published en bloc, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: Robb (1)

Abstain: (None) (0)

CB12-0460 A bill for an ordinance authorizing expenditures in the Economic Opportunity Special Revenue Fund for the "Temporary Assistance for Needy Families (TANF) Case Management, Employment, and Training FY12-13" program. (BUSINESS, WORKFORCE & SUSTAINABILITY)

A motion offered by Councilmember Nevitt, duly seconded by Councilmember Kniech, that CB12-0458, CB12-0460, CB12-0442, CB12-0443, CB12-0444, CB12-0435, CB12-0459, CB12-0461, CB12-0462, and CB12-0463 be ordered published en bloc, carried by the following vote:

Passed

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

Health, Safety, Education & Services

CB12-0442 A bill for an ordinance amending section 14-34, D.R.M.C. to increase bond fees in the Denver County Court. (HEALTH, SAFETY, EDUCATION & SERVICES)

A motion offered by Councilmember Nevitt, duly seconded by Councilmember Kniech, that CB12-0458, CB12-0460, CB12-0442, CB12-0443, CB12-0444, CB12-0435, CB12-0459, CB12-0461, CB12-0462, and CB12-0463 be ordered published en bloc, carried by the following vote:

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

CB12-0443 A bill for an ordinance amending subsection 14-40 (a), D.R.M.C. to increase the fee for certain court costs in the Denver County Court. (HEALTH, SAFETY, EDUCATION & SERVICES)

A motion offered by Councilmember Nevitt, duly seconded by Councilmember Kniech, that CB12-0458, CB12-0460, CB12-0442, CB12-0443, CB12-0444, CB12-0435, CB12-0459, CB12-0461, CB12-0462, and CB12-0463 be ordered published en bloc, carried by the following vote:

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

CB12-0444 A bill for an ordinance amending section 14-32, D.R.M.C. to establish a warrant cancellation fee in the Denver County Court. (HEALTH, SAFETY, EDUCATION & SERVICES)

A motion offered by Councilmember Nevitt, duly seconded by Councilmember Kniech, that CB12-0458, CB12-0460, CB12-0442, CB12-0443, CB12-0444, CB12-0435, CB12-0459, CB12-0461, CB12-0462, and CB12-0463 be ordered published

en bloc, carried by the following vote:

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

Land Use, Transportation & Infrastructure

CB12-0435 A bill for an ordinance approving an Intergovernmental Agreement between the City and County of Denver and the State of Colorado, Department of Transportation for the State Highway Maintenance Agreement. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

A motion offered by Councilmember Nevitt, duly seconded by Councilmember Kniech, that CB12-0458, CB12-0460, CB12-0442, CB12-0443, CB12-0444, CB12-0435, CB12-0459, CB12-0461, CB12-0462, and CB12-0463 be ordered published en bloc, carried by the following vote:

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

CB12-0459 A bill for an ordinance making appropriations from the Capital Improvements and Capital Maintenance projects. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

A motion offered by Councilmember Nevitt, duly seconded by Councilmember Kniech, that CB12-0458, CB12-0460, CB12-0442, CB12-0443, CB12-0444, CB12-0435, CB12-0459, CB12-0461, CB12-0462, and CB12-0463 be ordered published en bloc, carried by the following vote:

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

CB12-0461 A bill for an ordinance approving a proposed Purchase Order between the City and County of Denver and Lakewood Fordland, Inc., to

purchase 33 Police Vehicles. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

A motion offered by Councilmember Nevitt, duly seconded by Councilmember Kniech, that CB12-0458, CB12-0460, CB12-0442, CB12-0443, CB12-0444, CB12-0435, CB12-0459, CB12-0461, CB12-0462, and CB12-0463 be ordered published en bloc, carried by the following vote:

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

CB12-0462 A bill for an ordinance changing the zoning classification for property located at approximately 4800 Verbena Street and 4801 Willow Street. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

A motion offered by Councilmember Nevitt, duly seconded by Councilmember Kniech, that CB12-0458, CB12-0460, CB12-0442, CB12-0443, CB12-0444, CB12-0435, CB12-0459, CB12-0461, CB12-0462, and CB12-0463 be ordered published en bloc, carried by the following vote:

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

CB12-0463 A bill for an ordinance changing the zoning classification for property located at approximately 5001 Willow Street. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

A motion offered by Councilmember Nevitt, duly seconded by Councilmember Kniech, that CB12-0458, CB12-0460, CB12-0442, CB12-0443, CB12-0444, CB12-0435, CB12-0459, CB12-0461, CB12-0462, and CB12-0463 be ordered published en bloc, carried by the following vote:

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

CB12-0390 A bill for an ordinance approving a proposed Third Amendment and Modification Agreement between the City and County of Denver and Spector Development, LLC, to modify the terms and conditions. (BUSINESS, WORKFORCE & SUSTAINABILITY)

A motion offered by Councilmember Kniech, duly seconded by Councilmember Herndon, that CB12-0390, CB12-0412, CB12-0445, CB12-0446, CB12-0256, CB12-0331, CB12-0370, CB12-0448, CB12-0449, CB12-0453, and CB12-0454 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, Shepherd, Susman (12)

Against: (None) (0)

Absent: Robb (1)

Abstain: (None) (0)

CB12-0412 A bill for an ordinance approving a proposed Agreement between the City and County of Denver and International Business Machines Corporation to provide adult incumbent workers with technical training using H-1B Technical Skills Training grant monies. (BUSINESS, WORKFORCE & SUSTAINABILITY)

A motion offered by Councilmember Kniech, duly seconded by Councilmember Herndon, that CB12-0390, CB12-0412, CB12-0445, CB12-0446, CB12-0256, CB12-0331, CB12-0370, CB12-0448, CB12-0449, CB12-0453, and CB12-0454 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, Shepherd, Susman (12)

Against: (None) (0)

Absent: Robb (1)

Abstain: (None) (0)

CB12-0445 A bill for an ordinance approving a proposed Contract between the City and County of Denver and Interstate Highway Construction, Inc. for the 2012 Annual Pavement Rehabilitation Program at Denver International Airport. (BUSINESS, WORKFORCE & SUSTAINABILITY)

A motion offered by Councilmember Kniech, duly seconded by Councilmember Herndon, that CB12-0390, CB12-0412, CB12-0445, CB12-0446, CB12-0256, CB12-0331, CB12-0370, CB12-0448, CB12-0449, CB12-0453, and CB12-0454 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, Shepherd, Susman (12)
Against: (None) (0)
Absent: Robb (1)
Abstain: (None) (0)

CB12-0446 A bill for an ordinance approving a proposed Purchase Order between the City and County of Denver and Super-Tech Filter, Inc. concerning the purchase of HVAC Filters for Denver International Airport. (BUSINESS, WORKFORCE & SUSTAINABILITY)

A motion offered by Councilmember Kniech, duly seconded by Councilmember Herndon, that CB12-0390, CB12-0412, CB12-0445, CB12-0446, CB12-0256, CB12-0331, CB12-0370, CB12-0448, CB12-0449, CB12-0453, and CB12-0454 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, Shepherd, Susman (12)
Against: (None) (0)
Absent: Robb (1)
Abstain: (None) (0)

Government & Finance

Health, Safety, Education & Services

CB12-0256 A bill for an ordinance approving a proposed Seventh Amendment to Addendum A to Master Walkaway Lease Agreement between the City and County of Denver and Enterprise Leasing Company of Denver, LLC dba Enterprise Fleet Services to extend the lease and to increase the total amount of compensation. (HEALTH, SAFETY, EDUCATION & SERVICES)

A motion offered by Councilmember Kniech, duly seconded by Councilmember Herndon, that CB12-0390, CB12-0412, CB12-0445, CB12-0446, CB12-0256, CB12-0331, CB12-0370, CB12-0448, CB12-0449, CB12-0453, and CB12-0454 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, Shepherd, Susman (12)
Against: (None) (0)
Absent: Robb (1)
Abstain: (None) (0)

CB12-0331 A bill for an ordinance approving the Sixth Amendatory Agreement between the City and County of Denver and the Mental Health Center of Denver to provide Assertive Community Treatment (ACT) as part of the Court to Community Intervention Program. (HEALTH SAFETY EDUCATION AND SERVICES)

A motion offered by Councilmember Kniech, duly seconded by Councilmember Herndon, that CB12-0390, CB12-0412, CB12-0445, CB12-0446, CB12-0256, CB12-0331, CB12-0370, CB12-0448, CB12-0449, CB12-0453, and CB12-0454 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, Shepherd, Susman (12)
Against: (None) (0)
Absent: Robb (1)
Abstain: (None) (0)

CB12-0370 A bill for an Ordinance approving an Amendatory Agreement with E.T. TECHNOLOGIES, INC. increasing the maximum contract amount. (HEALTH, SAFETY, EDUCATION & SERVICES)

A motion offered by Councilmember Kniech, duly seconded by Councilmember Herndon, that CB12-0390, CB12-0412, CB12-0445, CB12-0446, CB12-0256, CB12-0331, CB12-0370, CB12-0448, CB12-0449, CB12-0453, and CB12-0454 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, Shepherd, Susman (12)
Against: (None) (0)
Absent: Robb (1)
Abstain: (None) (0)

Land Use, Transportation & Infrastructure

CB12-0448 A bill for an ordinance approving a proposed Amendment to Agreement between the City and County of Denver and Urban Drainage and Flood Control District regarding final design, right-of-way acquisition and construction of drainage and flood control improvements along Weir Gulch at the South Platte River. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

A motion offered by Councilmember Kniech, duly seconded by Councilmember Herndon, that CB12-0390, CB12-0412, CB12-0445, CB12-0446, CB12-0256, CB12-0331, CB12-0370, CB12-0448, CB12-0449, CB12-0453, and CB12-0454 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, Shepherd, Susman (12)

Against: (None) (0)

Absent: Robb (1)

Abstain: (None) (0)

CB12-0449 A bill for an ordinance approving and providing for the execution of a proposed Intergovernmental Agreement between the City and County of Denver and the Colorado Department of Transportation concerning the "Confluence Bike/Ped Ramps Upgrade" project and the funding therefor. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

A motion offered by Councilmember Kniech, duly seconded by Councilmember Herndon, that CB12-0390, CB12-0412, CB12-0445, CB12-0446, CB12-0256, CB12-0331, CB12-0370, CB12-0448, CB12-0449, CB12-0453, and CB12-0454 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, Shepherd, Susman (12)

Against: (None) (0)

Absent: Robb (1)

Abstain: (None) (0)

CB12-0453 A bill for an ordinance relinquishing easements where they lie within Green Valley Ranch Filing No. 57, Reception Number 2005129573. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

A motion offered by Councilmember Kniech, duly seconded by Councilmember Herndon, that CB12-0390, CB12-0412, CB12-0445, CB12-0446, CB12-0256, CB12-0331, CB12-0370, CB12-0448, CB12-0449, CB12-0453, and CB12-0454 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, Shepherd, Susman (12)

Against: (None) (0)

Absent: Robb (1)

Abstain: (None) (0)

CB12-0454 A bill for an ordinance vacating a portion the East/West alley and a portion of the North/South alley near the intersection of 29th Avenue and Fox Street, without reservations. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

A motion offered by Councilmember Kniech, duly seconded by Councilmember Herndon, that CB12-0390, CB12-0412, CB12-0445, CB12-0446, CB12-0256, CB12-0331, CB12-0370, CB12-0448, CB12-0449, CB12-0453, and CB12-0454 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 on Monday, July 23, 2012 Council will hold a public hearing on CB12-0462 changing the zoning classification for property located at approximately 4800 Verbena Street and 4801 Willow Street and on CB12-0463 changing the zoning classification for property located at approximately 5001 Willow Street.

On Monday, July 23, 2012 Council will hold a public hearing on CB12-0462 changing the zoning classification for property located at approximately 4800 Verbena Street and 4801 Willow Street and on CB12-0463 changing the zoning classification for property located at approximately 5001 Willow Street. Any protests against CB12-0462 or CB12-0463 must be filed with the Council Offices no later than Monday, July 16, 2012.

Adjourn

There being no further business before the City Council, Council President Nevitt adjourned the meeting at 6:20 PM.

Pending

For 7-16-12

CB12-0425 A bill for an ordinance amending the Denver Zoning Code to modify the standards for termination of nonconforming signs.

Required Public Hearing

Final Consideration (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

For 7-16-12

CB12-0440 A bill for an ordinance changing the zoning classification for 1550 E. 17th Avenue and 1661 Franklin Street.

Required Public Hearing

Final Consideration (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

For 7-16-12

CB12-0441 A bill for an ordinance changing the zoning classification for 4155 Picadilly Road.

Required Public Hearing

Final Consideration (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

For 8-20-12

CB12-0365 A bill for an ordinance prohibiting the advertising of medical marijuana in proximity to schools, child care centers, and parks.

No Public Hearing

Final Consideration (BUSINESS, WORKFORCE & SUSTAINABILITY)