

## **City Council Minutes**

Meeting Date: Monday, February 13, 2012 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

Councilmember Robb arrived late.

### **Approval of Minutes of Monday, February 6, 2012**

The minutes of meeting date, Monday, February 6, 2012, were distributed to Council. Council President Nevitt ordered the minutes approved.

### **Council Announcements**

Councilmembers Montero, López, and Herndon offered announcements.

### **Presentations**

### **Communications**

### **Proclamations**

**CP12-0119 A proclamation in support of Senate Bill 12-002, Concerning Authorization of Civil Unions. López, Kniech, Brooks, Montero, Ortega, Shepherd, Nevitt, Susman, Lehmann, Robb, and Herndon.**

A motion offered by Councilmember López, duly seconded by Councilmember Shepherd, that CP12-0119 be adopted, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: (None) (0)

Abstain: Faatz (1)

## **Resolutions**

The Council Secretary read the following resolutions by titles.

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

#### **CR12-0095 A resolution appointing Don Eberle and Zachery Rupp to the Denver County Cultural Council. (BUSINESS, WORKFORCE & SUSTAINABILITY)**

A motion offered by Councilmember Faatz, duly seconded by Councilmember Susman, that CR12-0095, CR12-0091, CR1-0092, and CR12-0121 be adopted 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**

#### **CR12-0091 A resolution approving the Mayor's appointment to the Denver Housing Authority. (HEALTH, SAFETY, EDUCATION & SERVICES)**

A motion offered by Councilmember Faatz, duly seconded by Councilmember Susman, that CR12-0095, CR12-0091, CR1-0092, and CR12-0121 be adopted 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)

#### **CR12-0092 A resolution approving the Mayor's appointments to the Denver African-American Commission. (HEALTH, SAFETY, EDUCATION & SERVICES)**

A motion offered by Councilmember Faatz, duly seconded by Councilmember Susman, that CR12-0095, CR12-0091, CR1-0092, and CR12-0121 be adopted 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)

**CR12-0121 A resolution authorizing and approving the expenditure and payment from the appropriation account designated "liability claims," the sum of Eight Thousand Dollars (\$8,000.00), payable to the Law Office of Douglas L. Romero, LLC, in full payment and satisfaction of all claims by John Paul Crespin, III, in Civil Action No. 09-cv-00427-MSK-MJW, in the United States District Court for the District of Colorado. (HEALTH, SAFETY, EDUCATION & SERVICES)**

A motion offered by Councilmember Faatz, duly seconded by Councilmember Susman, that CR12-0095, CR12-0091, CR1-0092, and CR12-0121 be adopted 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**

**CR12-0065 A resolution accepting and approving the plat of Stapleton Filing No. 16. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

A motion offered by Councilmember Faatz, duly seconded by Councilmember Herndon, that CR12-0065 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**

### **CB11-0529 A bill for an ordinance approving a proposed Loan Agreement between the City and County of Denver and Habitat For Humanity Of Metro Denver, Inc., to provide home ownership assistance under the Neighborhood Stabilization Program 3 ("NSP3 Program"). (BUSINESS, WORKFORCE & SUSTAINABILITY)**

A motion offered by Councilmember Faatz, duly seconded by Councilmember Shepherd, that CB11-0529 be ordered published, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: (None) (0)

Abstain: Ortega (1)

### **CB11-0808 A bill for an ordinance approving a proposed Amendment and Modification Agreement between the City and County of Denver and Habitat For Humanity Of Metro Denver, Inc., to modify the terms and conditions of the Loan Agreement. (BUSINESS, WORKFORCE & SUSTAINABILITY)**

A motion offered by Councilmember Nevitt, duly seconded by Councilmember Faatz, that CB11-0808, CB12-0082, CB12-0088, CB11-0976, CB12-0074, CB12-0077, CB12-0093, CB12-0078, CB12-0020, CB12-0037, CB12-0052, CB12-0075, CB12-0076, CB12-0083, CB12-0086, CB12-0094, and CB12-0109, be ordered published en bloc, carried by the following vote:

None

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

Against: (None) (0)

Absent: (None) (0)

Abstain: (None) (0)

### **CB12-0082 A bill for an ordinance approving a proposed Hydronic System Optimization Contract between the City and County of Denver and Trautman & Shreve, Inc. related to HVAC systems upgrade at Denver International Airport. (BUSINESS, WORKFORCE & SUSTAINABILITY )**

A motion offered by Councilmember Nevitt, duly seconded by Councilmember Faatz, that CB11-0808, CB12-0082, CB12-0088, CB11-0976, CB12-0074, CB12-0077, CB12-0093, CB12-0078, CB12-0020, CB12-0037, CB12-0052, CB12-0075, CB12-0076, CB12-0083, CB12-0086, CB12-0094, and CB12-0109, 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)

**CB12-0088 A bill for an ordinance approving a proposed Free Wi-Fi Service Provider License Agreement between the City and County of Denver and Concourse Communications, LLC a Boingo Wireless Company related to free Wi-Fi service at Denver International Airport. (BUSINESS, WORKFORCE & SUSTAINABILITY)**

A motion offered by Councilmember Nevitt, duly seconded by Councilmember Faatz, that CB11-0808, CB12-0082, CB12-0088, CB11-0976, CB12-0074, CB12-0077, CB12-0093, CB12-0078, CB12-0020, CB12-0037, CB12-0052, CB12-0075, CB12-0076, CB12-0083, CB12-0086, CB12-0094, and CB12-0109, 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**

**CB11-0976 A bill for an ordinance approving a proposed Revival and Third Amendatory Agreement between the City and County of Denver and H.C. Peck & Associates, Inc., to revive and amend the Agreement to extend the term. (GOVERNMENT & FINANCE)**

A motion offered by Councilmember Nevitt, duly seconded by Councilmember Faatz, that CB11-0808, CB12-0082, CB12-0088, CB11-0976, CB12-0074, CB12-0077, CB12-0093, CB12-0078, CB12-0020, CB12-0037, CB12-0052, CB12-0075, CB12-0076, CB12-0083, CB12-0086, CB12-0094, and CB12-0109, 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)

**CB12-0074 A bill for an ordinance approving a proposed Master Purchase Order between the City and County of Denver and Prodocument Solutions, Inc. dba Pro Vote Solutions. (GOVERNMENT & FINANCE)**

A motion offered by Councilmember Nevitt, duly seconded by Councilmember Faatz, that CB11-0808, CB12-0082, CB12-0088, CB11-0976, CB12-0074, CB12-0077, CB12-0093, CB12-0078, CB12-0020, CB12-0037, CB12-0052, CB12-0075, CB12-0076, CB12-0083, CB12-0086, CB12-0094, and CB12-0109, 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)

**CB12-0077 A bill for an ordinance approving a proposed Second Amendatory Agreement by and between the City and County of Denver and Versaterm, Inc., to correct total contract amount. (GOVERNMENT & FINANCE)**

A motion offered by Councilmember Nevitt, duly seconded by Councilmember Faatz, that CB11-0808, CB12-0082, CB12-0088, CB11-0976, CB12-0074, CB12-0077, CB12-0093, CB12-0078, CB12-0020, CB12-0037, CB12-0052, CB12-0075, CB12-0076, CB12-0083, CB12-0086, CB12-0094, and CB12-0109, 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)

**CB12-0093 A bill for an ordinance approving a proposed Revival and Fourth Amendatory Agreement between the City and County of Denver and Patton Boggs, LLP, for federal lobbying services for the City and County of Denver. (GOVERNMENT & FINANCE)**

A motion offered by Councilmember Nevitt, duly seconded by Councilmember Faatz, that CB11-0808, CB12-0082, CB12-0088, CB11-0976, CB12-0074, CB12-0077, CB12-0093, CB12-0078, CB12-0020, CB12-0037, CB12-0052, CB12-0075, CB12-0076, CB12-0083, CB12-0086, CB12-0094, and CB12-0109, 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**

**CB12-0078 A bill for an ordinance approving a proposed Loan Program Agreement between the City and County of Denver, the County of Boulder, and the Colorado Housing and Finance Authority, for receipt and management of U.S. Department of Energy funds for energy efficiency loan loss reserve accounts. (HEALTH, SAFETY, EDUCATION & SERVICES)**

A motion offered by Councilmember Nevitt, duly seconded by Councilmember Faatz, that CB11-0808, CB12-0082, CB12-0088, CB11-0976, CB12-0074, CB12-0077, CB12-0093, CB12-0078, CB12-0020, CB12-0037, CB12-0052, CB12-0075, CB12-0076, CB12-0083, CB12-0086, CB12-0094, and CB12-0109, 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**

**CB12-0020 A bill for an ordinance approving a License and Agreement with the State of Colorado Department of Public Health and Environment, Air Pollution Control Division for installation of an Air Quality Monitoring Station at City Park Golf Course. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

A motion offered by Councilmember Nevitt, duly seconded by Councilmember Faatz, that CB11-0808, CB12-0082, CB12-0088, CB11-0976, CB12-0074, CB12-0077, CB12-0093, CB12-0078, CB12-0020, CB12-0037, CB12-0052, CB12-0075, CB12-0076, CB12-0083, CB12-0086, CB12-0094, and CB12-0109, 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)

**CB12-0037 A bill for an ordinance approving an amendatory on-call agreement between Goodland Construction, Inc. and the City & County of Denver for landscape improvements and irrigation construction services. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

A motion offered by Councilmember Nevitt, duly seconded by Councilmember Faatz, that CB11-0808, CB12-0082, CB12-0088, CB11-0976, CB12-0074, CB12-0077, CB12-0093, CB12-0078, CB12-0020, CB12-0037, CB12-0052, CB12-0075, CB12-0076, CB12-0083, CB12-0086, CB12-0094, and CB12-0109, 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)

**CB12-0052 A bill for an ordinance approving a Development and Vesting Agreement between the City and County of Denver and IRG Redevelopment I, LLC relating to the Lowry Vista Development. (LAND USE TRANSPORTATION AND INFRASTRUCTURE)**

A motion offered by Councilmember Nevitt, duly seconded by Councilmember Faatz, that CB11-0808, CB12-0082, CB12-0088, CB11-0976, CB12-0074, CB12-0077, CB12-0093, CB12-0078, CB12-0020, CB12-0037, CB12-0052, CB12-0075, CB12-0076, CB12-0083, CB12-0086, CB12-0094, and CB12-0109, 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)

**CB12-0075 A bill for an ordinance approving a proposed Revival and Amendatory Agreement between the City and County of Denver and Navjoy Consulting Services, Inc., to extend the term of the agreement. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

A motion offered by Councilmember Nevitt, duly seconded by Councilmember Faatz, that CB11-0808, CB12-0082, CB12-0088, CB11-0976, CB12-0074, CB12-0077, CB12-0093, CB12-0078, CB12-0020, CB12-0037, CB12-0052, CB12-0075, CB12-0076, CB12-0083, CB12-0086, CB12-0094, and CB12-0109, 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)

**CB12-0076 A bill for an ordinance vacating the alley bounded by W. Colfax Avenue, W. 14th Avenue, Quitman Street and Perry Street, with reservations. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

A motion offered by Councilmember Nevitt, duly seconded by Councilmember Faatz, that CB11-0808, CB12-0082, CB12-0088, CB11-0976, CB12-0074, CB12-0077, CB12-0093, CB12-0078, CB12-0020, CB12-0037, CB12-0052, CB12-0075, CB12-0076, CB12-0083, CB12-0086, CB12-0094, and CB12-0109, 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)

**CB12-0083 A bill for an ordinance making rescissions from completed Gateway projects, making transfers of cash from the GRMD Projects Trust Fund, and making appropriations from the Capital Improvements and Capital Maintenance Fund for the 1st Creek Restoration Project and the Green Valley Ranch Boulevard Project. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

A motion offered by Councilmember Nevitt, duly seconded by Councilmember Faatz, that CB11-0808, CB12-0082, CB12-0088, CB11-0976, CB12-0074, CB12-0077, CB12-0093, CB12-0078, CB12-0020, CB12-0037, CB12-0052, CB12-0075, CB12-0076, CB12-0083, CB12-0086, CB12-0094, and CB12-0109, 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)

**CB12-0086 A bill for an ordinance changing the zoning classification for 3350 Brighton Boulevard. (LAND USE, TRANSPORTATION &**

**INFRASTRUCTURE)**

A motion offered by Councilmember Nevitt, duly seconded by Councilmember Faatz, that CB11-0808, CB12-0082, CB12-0088, CB11-0976, CB12-0074, CB12-0077, CB12-0093, CB12-0078, CB12-0020, CB12-0037, CB12-0052, CB12-0075, CB12-0076, CB12-0083, CB12-0086, CB12-0094, and CB12-0109, 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)

**CB12-0094 A bill for an ordinance approving a proposed Purchase Order between the City and County of Denver and Pear Commercial Interiors. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

A motion offered by Councilmember Nevitt, duly seconded by Councilmember Faatz, that CB11-0808, CB12-0082, CB12-0088, CB11-0976, CB12-0074, CB12-0077, CB12-0093, CB12-0078, CB12-0020, CB12-0037, CB12-0052, CB12-0075, CB12-0076, CB12-0083, CB12-0086, CB12-0094, and CB12-0109, 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)

**CB12-0109 A bill for an ordinance amending Ordinance No. 0069, Series of 2012, relating to the rezoning of 1532 Monroe Street, 1540 Monroe Street and 1551 Garfield Street to correct the legal description. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

A motion offered by Councilmember Nevitt, duly seconded by Councilmember Faatz, that CB11-0808, CB12-0082, CB12-0088, CB11-0976, CB12-0074, CB12-0077, CB12-0093, CB12-0078, CB12-0020, CB12-0037, CB12-0052, CB12-0075, CB12-0076, CB12-0083, CB12-0086, CB12-0094, and CB12-0109, 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 tonight there will be public hearings on CB11-0947 changing the zoning classification for 4787 S. Wadsworth Way, and on CB12-0041 designating 1475 Elizabeth Street, The Bonfils Memorial Theater/Lowenstein Theater, as a structure for preservation, and a one-hour courtesy public hearing on CB12-0043 amending Ordinance 333, Series of 2010 enacting the new Zoning Code regarding permits issued during the 6-month transition period.

**Tonight there will be public hearings on CB11-0947 changing the zoning classification for 4787 S. Wadsworth Way, and on CB12-0041 designating 1475 Elizabeth Street, The Bonfils Memorial Theater/Lowenstein Theater, as a structure for preservation, and a one-hour courtesy public hearing on CB12-0043 amending Ordinance 333, Series of 2010 enacting the new Zoning Code regarding permits issued during the 6-month transition period. 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 recess.

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

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

**CB11-0947 A bill for an ordinance changing the zoning classification for 4787 S. Wadsworth Way. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)  
Changes zoning from PUD #321 (Planned Unit Development) to S-CC-3x (Suburban Commercial Corridor 3 stories, x=tailored provisions) for property at 4787 S. Wadsworth Way in Council District 2.A PUBLIC HEARING WILL BE HELD AT LEAST FOUR WEEKS AFTER PUBLICATION.The Committee approved filing this bill at its meeting on 12-20-11. LAND USE, TRANSPORTATION & INFRASTRUCTURE**

A motion offered by Councilmember Faatz, duly seconded by Councilmember Herndon, that CB11-0947 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)

Council sat as a Committee of the Whole commencing at 7:19 PM, Council President Nevitt presiding, to hear speakers either for or against CB11-0947. Mike McKesson signed up to address the bill. Theresa Lucero of Community Planning and Development delivered the Staff Report with an overview and recommendation for approval.

**CB12-0041 A bill for an ordinance designating 1475 Elizabeth Street, The Bonfils Memorial Theater/Lowenstein Theater, as a structure for preservation. (LAND USE, TRANSPORTATION & INFRASTRUCTURE) Designates 1475 Elizabeth Street, the Bonfils Memorial Theatre/Lowenstein Theater, as an individual structure for historical preservation located in Council District 10.A PUBLIC HEARING WILL BE HELD AT LEAST ONE WEEK AFTER PUBLICATION.The Committee approved filing this bill at its meeting on 1-17-12. LAND USE, TRANSPORTATION & INFRASTRUCTURE**

A motion offered by Councilmember Faatz, duly seconded by Councilmember Herndon, that CB12-0041 be placed upon final consideration and do pass, carried by the following vote:

Passed

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

Against: Faatz (1)

Absent: (None) (0)

Abstain: (None) (0)

Council sat as a Committee of the Whole commencing at 7:31 PM, Council President Nevitt presiding, to hear speakers either for or against CB12-0041. John P. Olson, Brad Cameron, and Seku signed up to address the bill. Savannah Jameson of Community Planning and Development delivered the Staff Report with an overview and recommendation for approval.

**CB12-0043 A bill for an ordinance amending Ordinance 333, Series of 2010. (LAND USE, TRANSPORTATION & INFRASTRUCTURE) Amends Ordinance 333, Series of 2010, enacting the new Zoning Code, regarding permits issued during the 6-month transition period.The Committee approved filing this bill at its meeting on 1-24-12. LAND USE,**

**TRANSPORTATION & INFRASTRUCTURE**

Council sat as a Committee of the Whole commencing at 8:01 PM, Council President Nevitt presiding, to hear speakers either for or against CB12-0043. Jesse Lipshuetz, Nancy Chapin, Peter Forbes, Pamela Osborne, Liz O'Sullivan, Cedra Goldman, and Andrea Goggins signed up to address the bill. David Broadwell of the City Attorney's Office delivered the Staff Report with an overview and recommendation for approval.

A motion offered by Councilmember Faatz, duly seconded by Councilmember Shepherd, that CB12-0043 be placed upon final consideration and do pass was followed by a motion offered by Councilmember Ortega, duly seconded by Councilmember Susman, that final consideration of CB12-0043 be postponed to Monday, February 27, 2012, failed to carry by the following vote:

Failed  
For: Brooks, Ortega, Shepherd, Susman (4)  
Against: Brown, Faatz, Herndon, Kniech, Lehmann, Lopez, Montero, Nevitt, Robb (9)  
Absent: (None) (0)  
Abstain: (None) (0)

A motion offered by Councilmember Ortega to call the question was not voted upon due to a lack of a second. The motion offered by Councilmember Faatz, duly seconded by Councilmember Shepherd, that CB12-0043 be placed upon final consideration and do pass, failed to carry by the following vote:

Failed  
For: Brooks, Brown, Kniech, Nevitt, Ortega, Susman (6)  
Against: Faatz, Herndon, Lehmann, Lopez, Montero, Robb, Shepherd (7)  
Absent: (None) (0)  
Abstain: (None) (0)

**Bills for Final Consideration**

**Government & Finance**

**CB12-0059 A bill for an ordinance approving a proposed Master Purchase Order between the City and County of Denver and Mansfield Oil Company. (GOVERNMENT & FINANCE)**

A motion offered by Councilmember Faatz, duly seconded by Councilmember Lehmann, that CB12-0059, CB12-0060, CB12-0061, CB12-0066, and CB12-0072 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)

**CB12-0060 A bill for an ordinance approving a proposed Master Purchase Order between the City and County of Denver and Gray Oil Company. (GOVERNMENT & FINANCE)**

A motion offered by Councilmember Faatz, duly seconded by Councilmember Lehmann, that CB12-0059, CB12-0060, CB12-0061, CB12-0066, and CB12-0072 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)

**CB12-0061 A bill for an ordinance approving a proposed Master Purchase Order between the City and County of Denver and Chief Petroleum Company. (GOVERNMENT & FINANCE)**

A motion offered by Councilmember Faatz, duly seconded by Councilmember Lehmann, that CB12-0059, CB12-0060, CB12-0061, CB12-0066, and CB12-0072 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)

**CB12-0066 A bill for an ordinance approving a proposed Eighth Amendatory Agreement by and between the City and County of Denver and Tyler Technologies, Inc. (GOVERNMENT & FINANCE )**

A motion offered by Councilmember Faatz, duly seconded by Councilmember Lehmann, that CB12-0059, CB12-0060, CB12-0061, CB12-0066, and CB12-0072 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)

**CB12-0066 A bill for an ordinance approving a proposed Eighth Amendatory Agreement by and between the City and County of Denver and Tyler Technologies, Inc. (GOVERNMENT & FINANCE )**

**Health, Safety, Education & Services**

**CB11-0949 A bill for an ordinance approving a proposed amendatory Agreement between the City and County of Denver and Colorado Coalition for the Homeless, to provide placement and supportive housing services to Denver's Homeless population. (HEALTH, SAFETY, EDUCATION & SERVICES)**

A motion offered by Councilmember Faatz, duly seconded by Councilmember Susman, that CB11-0949 be placed upon final consideration and do pass, carried by the following vote:

Passed

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

Against: Brown, Faatz (2)

Absent: (None) (0)

Abstain: (None) (0)

**Land Use, Transportation & Infrastructure**

**CB12-0072 A bill for an ordinance amending Division 3 (Benches Bearing Advertising) of Article XIV, (Temporary Occupancy of the Right-of-Way), of Chapter 49 (Streets Sidewalks, Public Ways), of the Denver Revised Municipal Code. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

A motion offered by Councilmember Faatz, duly seconded by Councilmember Lehmann, that CB12-0059, CB12-0060, CB12-0061, CB12-0066, and CB12-0072 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 CB12-0086 changing the zoning classification for 3350 Brighton Boulevard on Monday, March 12, 2012. Any protests against CB12-0086 must be filed with the Council Offices no later than Monday, March 5, 2012.

**Dependent upon publication there will be a public hearing on CB12-0086 changing the zoning classification for 3350 Brighton Boulevard on Monday, March 12, 2012. Any protests against CB12-0086 must be filed with the Council Offices no later than Monday, March 5, 2012.**

## **Adjourn**

There being no further business before the City Council, Council President Nevitt adjourned the meeting at 9:29 PM.

## **Pending**

**CB12-0055 A bill for an ordinance amending the Denver Zoning Code to mitigate the effect of certain governmental actions on zone lots and uses. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**