

City Council Agenda and Explanatory Notes

Meeting Date: Monday, June 21, 2010 1:00 PM

Pledge of Allegiance

Councilmember López led the pledge of allegiance.

Roll Call

Approval of Minutes of Monday, June 14, 2010

The minutes of meeting date, Monday, June 14, 2010 were distributed to Council. Council President Robb ordered the minutes approved.

Council Announcements

Presentations

Communications

Proclamations

Resolutions

The Council Secretary read the following resolutions by titles. The Council President referred the resolutions to the committees shown in parentheses after the resolution titles.

Economic Development

CR10-0477 A resolution approving the Mayor's Appointments to the Stapleton Development Corporation Board of Directors.

A motion offered by Councilmember Lopez, duly seconded by Councilmember Hancock, that CR10-0477, CR10-0480, CR10-0479, CR10-0478, CR10-0474, CR10-0494, CB10-0497, CB10-0498, CR10-0499, CR10-0500, CR10-0501, CR10-0504, and CR10-0505 be adopted en bloc carried by the following vote:
Failed For: 13; Against: 0; Abstain: 0; Absent: 0

CR10-0480 A resolution correcting Resolution Number 88, Series of 2010, approving the Mayor’s Appointment to the Denver Convention Center Hotel Authority.

A motion offered by Councilmember Lopez, duly seconded by Councilmember Hancock, that CR10-0477, CR10-0480, CR10-0479, CR10-0478, CR10-0474, CR10-0494, CR10-0497, CR10-0498, CR10-0499, CR10-0500, CR10-0501, CR10-0504, and CR10-0505 be adopted en bloc carried by the following vote:
Passed For: 13; Against: 0; Abstain: 0; Absent: 0

Finance

CR10-0479 A resolution approving the Mayor’s Reappointments to the Denver Health and Hospital Authority Board of Directors.

A motion offered by Councilmember Lopez, duly seconded by Councilmember Hancock, that CR10-0477, CR10-0480, CR10-0479, CR10-0478, CR10-0474, CR10-0494, CR10-0497, CR10-0498, CR10-0499, CR10-0500, CR10-0501, CR10-0504, and CR10-0505 be adopted en bloc carried by the following vote:
Passed For: 13; Against: 0; Abstain: 0; Absent: 0

Neighborhood, Community & Business Revitalization

CR10-0478 A resolution approving the Mayor’s Reappointments to the Mayor’s Early Childhood Education Commission.

A motion offered by Councilmember Lopez, duly seconded by Councilmember Hancock, that cR10-0477, CR10-0480, CR10-0479, CR10-0478, CR10-0474, CR10-0494, CR10-0497, CR10-0498, CR10-0499, CR10-0500, CR10-0501, CR10-0504, and CR10-0505 be adopted en bloc carried by the following vote:
Passed For: 13; Against: 0; Abstain: 0; Absent: 0

Public Works

CR10-0474 A resolution authorizing and approving the expenditure and payment from the appropriation account designated "liability claims," the sum of One Hundred Twenty-Five Thousand Dollars (\$125,000.00) payable to Annette Herrera and the Kaudy Law Firm, L.L.C., in full payment and satisfaction of all claims in Case No. 08-CV-8549 in the District Court for the City and County of Denver.

A motion offered by Councilmember Lopez, duly seconded by Councilmember Hancock, that CR10-0477, CR10-0480, CR10-0479, CR10-0478, CR10-0474, CR10-0494, CR10-0497, CR10-0498, CR10-0499, CR10-0500, CR10-0501, CR10-0504, and CR10-0505 be adopted en bloc carried by the following vote:
Passed For: 13; Against: 0; Abstain: 0; Absent: 0

CR10-0494 A resolution accepting and approving the plat of Sunset Village Filing No. 1.

A motion offered by Councilmember Lopez, duly seconded by Councilmember Hancock, that CR10-0477, CR10-0480, CR10-0479, CR10-0478, CR10-0474, CR10-0494, CR10-0497, CR10-0498, CR10-0499, CR10-0500, CR10-0501, CR10-0504, and CR10-0505 be adopted en bloc carried by the following vote:
Failed For: 13; Against: 0; Abstain: 0; Absent: 0

CR10-0497 A resolution granting a revocable permit to CB Richard Ellis, Inc. to encroach into the right-of-way with a parking garage sign at 951 16th Street.

A motion offered by Councilmember Lopez, duly seconded by Councilmember Hancock, that CR10-0477, CR10-0480, CR10-0479, CR10-0478, CR10-0474, CR10-0494, CR10-0497, CR10-0498, CR10-0499, CR10-0500, CR10-0501, CR10-0504, and CR10-0505 be adopted en bloc carried by the following vote:
Passed For: 13; Against: 0; Abstain: 0; Absent: 0

CR10-0498 A resolution granting a revocable permit to Breckenridge Brewery to encroach into the right-of-way with stairs and accessible ramp at 2501 16th Street.

A motion offered by Councilmember Lopez, duly seconded by Councilmember Hancock, that CR10-0477, CR10-0480, CR10-0479, CR10-0478, CR10-0474, CR10-0494, CR10-0497, CR10-0498, CR10-0499, CR10-0500, CR10-0501, CR10-0504, and CR10-0505 be adopted en bloc carried by the following vote:
Passed For: 13; Against: 0; Abstain: 0; Absent: 0

CR10-0499 A resolution laying out, opening and establishing a certain parcel of land for right-of-way purposes as Dahlia St., located at the intersection of Dahlia St. and Stapleton North Dr.

A motion offered by Councilmember Lopez, duly seconded by Councilmember Hancock, that CR10-0477, CR10-0480, CR10-0479, CR10-0478, CR10-0474, CR10-0494, CR10-0497, CR10-0498, CR10-0499, CR10-0500, CR10-0501, CR10-0504, and CR10-0505 be adopted en bloc carried by the following vote:
Passed For: 13; Against: 0; Abstain: 0; Absent: 0

CR10-0500 A resolution laying out, opening and establishing certain parcels of land for right-of-way purposes as W. Florida Ave., located at the intersection of W. Florida Ave. and S. Federal Blvd.

A motion offered by Councilmember Lopez, duly seconded by Councilmember Hancock, that CR10-0477, CR10-0480, CR10-0479, CR10-0478, CR10-0474, CR10-0494, CR10-0497, CR10-0498, CR10-0499, CR10-0500, CR10-0501, CR10-0504, and CR10-0505 be adopted en bloc carried by the following vote:
Passed For: 13; Against: 0; Abstain: 0; Absent: 0

CR10-0501 A resolution laying out, opening and establishing a certain parcel of land for right-of-way purposes as S. Colorado Blvd., located at the intersection of E. Louisiana Ave. and S. Colorado Blvd.

A motion offered by Councilmember Lopez, duly seconded by Councilmember Hancock, that CR10-0477, CR10-0480, CR10-0479, CR10-0478, CR10-0474, CR10-0494, CR10-0497, CR10-0498, CR10-0499, CR10-0500, CR10-0501, CR10-0504, and CR10-0505 be adopted carried by the following vote:
Passed For: 13; Against: 0; Abstain: 0; Absent: 0

CR10-0504 A resolution laying out, opening and establishing a certain parcel of land for right-of-way purposes as W. 11th Ave., located at the intersection of W. 11th Ave. and Kalamath St.

A motion offered by Councilmember Lopez, duly seconded by Councilmember Hancock, that CR10-0477, CR10-0480, CR10-0479, CR10-0478, CR10-0474, CR10-0494, CR10-0497, CR10-0498, CR10-0499, CR10-0500, CR10-0501, CR10-0504, and CR10-0505 be adopted en bloc carried by the following vote:
Passed For: 13; Against: 0; Abstain: 0; Absent: 0

CR10-0505 A resolution laying out, opening and establishing as part of the city street system a parcel of land as a public alley located at W. 11th Ave. between N. Lipan St. and N. Kalamath St.

A motion offered by Councilmember Lopez, duly seconded by Councilmember Hancock, that CR10-0477, CR10-0480, CR10-0479, CR10-0478, CR10-0474, CR10-0494, CR10-0497, CR10-0498, CR10-0499, CR10-0500, CR10-0501, CR10-0504, and CR10-0505 be adopted en bloc carried by the following vote:
Passed For: 13; Against: 0; Abstain: 0; Absent: 0

Bills for Introduction

The Council Secretary read the following bills by titles. The Council President referred the bills to the committee shown in parentheses after the bill titles.

Economic Development

CB10-0486 A bill for an ordinance approving a proposed Second Amendment to an Agreement between the City and County of Denver and Ricondo & Associates, Inc. concerning professional planning services at Denver International Airport.

CB10-0491 A bill for an ordinance approving a proposed Contract between the City and County of Denver and FCI Constructors, Inc. related to on-call construction services at Denver International Airport.

CB10-0492 A bill for an ordinance approving a proposed Contract between the City and County of Denver and Milender White Construction Company related to on-call construction services at Denver International Airport.

CB10-0493 A bill for an ordinance approving a proposed Contract between the City and County of Denver and Pinkard Construction Company related to on-call construction services at Denver International Airport.

Finance

CB10-0476 A bill for an ordinance making rescissions of budget balances to close out grants, and transferring grant cash balances to the General Fund.

Greenprint

CB10-0522 A bill for an ordinance approving a proposed Lease Agreement between the City and County of Denver and Main Street Power Company, Inc., for the Hiawatha Davis Recreation Center at 3334 Holly Street.

CB10-0523 A bill for an ordinance approving a proposed Lease Agreement between the City and County of Denver and Main Street Power Company, Inc., for Denver Office of Information at 10 Galapago Street.

CB10-0524 A bill for an ordinance approving a proposed Lease Agreement between the City and County of Denver and Main Street Power Company, Inc., for Parks and Recreation Maintenance – Jason Street at 4495 Jason Street.

CB10-0525 A bill for an ordinance approving a proposed Lease Agreement between the City and County of Denver and Main Street Power Company, Inc., for Denver Police Department District 1 at 1311 West 46th Avenue.

CB10-0526 A bill for an ordinance approving a proposed Lease Agreement between the City and County of Denver and Main Street Power Company, Inc., for Stapleton Recreation Center at 5090 Broadway.

CB10-0527 A bill for an ordinance approving a proposed Lease Agreement between the City and County of Denver and Main Street Power Company, Inc., for Park Avenue Warehouse at 3375 Park Avenue.

CB10-0528 A bill for an ordinance approving a proposed Lease Agreement between the City and County of Denver and Main Street Power Company, Inc., for Rude Recreation Center at 2855 West Holden Place.

CB10-0529 A bill for an ordinance approving a proposed Lease Agreement between the City and County of Denver and Main Street Power Company, Inc., for Roslyn Building C at 5440 Roslyn Street.

CB10-0530 A bill for an ordinance approving a proposed Lease Agreement between the City and County of Denver and Main Street Power Company, Inc., for Wastewater Management Building at 2000 West 3rd Avenue.

CB10-0531 A bill for an ordinance approving a proposed Lease Agreement between the City and County of Denver and Main Street Power Company, Inc., for Arie P. Taylor Municipal Center at 4685 Peoria Street.

CB10-0532 A bill for an ordinance approving a proposed Lease Agreement between the City and County of Denver and Main Street Power Company,

Inc., for City Surplus Warehouse at 671 South Jason Street.

CB10-0533 A bill for an ordinance approving a proposed Lease Agreement between the City and County of Denver and Main Street Power Company, Inc., for Parks and Recreation Maintenance – Huron Street at 945 South Huron Street.

Neighborhood, Community & Business Revitalization

CB10-0465 A bill for an ordinance approving a proposed Second Amendatory Agreement between the City and County of Denver and School District No. 1 in the City and County of Denver and State of Colorado, to provide additional funding for FY2009 Cost of Living Adjustment for Head Start services.

CB10-0482 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 Head Start services.

Public Works

CB10-0483 A bill for an ordinance approving an amendatory on-call agreement between Wilderness Construction Co. and the City & County of Denver that will provide general construction services.

CB10-0485 A bill for an ordinance approving an amendatory Intergovernmental Agreement between the City and County of Denver and the Colorado Department of Transportation for construction of a bicycle and pedestrian crossing at the Union Pacific Railroad Tracks at 47th Avenue and York Street.

CB10-0502 A bill for an ordinance relinquishing a portion of the easement reserved in Ordinance No. 379, Series of 2009.

Safety

CB10-0489 A bill for an ordinance adding Sections 1 through 4 to Chapter 17, of the Revised Municipal Code, creating a Fire Department Emergency Services Fee for At Fault Non-Resident Drivers who receive Denver Fire Department Emergency Response Services on State Highways within the City and County of Denver.

CB10-0489 was held in committee to Monday, June 28, 2010.

Recess

Council recessed at 4:21 PM.

Council Reconvenes and Resumes its Regular Session

Council reconvened at 6:30 PM.

Bills for Final Consideration - Public Hearings

Required	CB10-0431A bill for an ordinance relating to Chapter 59 (Zoning), Denver Revised Municipal Code, enacting a new zoning code and official zoning map and preserving the former zoning code for use where land is not being re-zoned., (BLUEPRINT DENVER) Adopts a new zoning code, preserving the former code for parcels retaining zoning classifications regulated under its provisions.PUBLIC HEARING AT LEAST FOUR WEEKS FOLLOWING PASSAGE ON FIRST READING. The Committee approved filing this bill at its meeting on 4-28-10.
----------	---

A motion offered by Councilmember Lopez, duly seconded by Councilmember Lehmann, that CB10-0431 be placed upon final consideration and do pass carried by the following vote:

Passed For: 13; Against: 0; Abstain: 0; Absent: 0

Council sat as a Committee of the Whole commencing at 1:16 PM, Council President Robb presiding, to hear speakers regarding CB10-0431. The following speakers signed up to address the bill in the afternoon session: Rebekah Brock, Michael Kephart, David Engelken, Tania Salgado, Skye Stuart, Virginia Foster, Juanita Gable, John M. Zapien, Tom Fender, Sean Nesbitt, Nancy Kall, Steve Nissen, Marlin Dorhout, Roger Armstrong, Tom Anthony, Trish Beck Palamera, Greg Wolff, Brian Cook, Drew Dutcher, Dr. Maureen Lancaster, Ray Ehrenstein, Beth E. Scherer, Penelope Zeller, Keith Pryor, Sam Halliburton, Barbara Mueller, Marcia Mueller, Jeff Walker, Phil Workman, Ken Keesee, Tami Door, Brian Wick, and Judith Martinez. The following speakers signed up to address the bill in the evening session: Susan Barnes-Gelt, Judy Schneider, Joel Noble, Kathy Sandoval, Laura Plas, Deborah R. Tennyson, Jacqueline Short, Mark Trenka, Jeff J. Feb-Got, Peter D. Bowes, Rachel Averch, Nancy Chouteau, Louis Pappageorge, Richard Waldorf, Charlie Busch, Sherri Way, John Ross, John Lucero, Sharon Withers, Dennis Cox, Ana Maria Amaro, Gertie Grant, Charlotte Winzenburg, Paul Karius, Tim Boers, Mickey Zeppelin, Alan Brown, Kent Olson, Michael Henry, Bob Coates, and Jude Aiello. The Staff Report with an overview and recommendation for approval was delivered by: Peter Park, Community Planning and Development; Tina Axelrad, Community Planning and Development; Michelle Pryor, Community Planning and Development; Caryn Wenzara, Community Planning and Development; Steve Kaplan, Zoning Task Force; and Brad Buchanan, Planning Board.

Bills for Final Consideration

CB10-0454 A bill for an ordinance amending section 20-52, Denver Revised Municipal Code, to provide consistent procedures for approval and receipt of public and private grants-in-aid. (FINANCE)

A motion offered by Councilmember Lopez, duly seconded by Councilmember Hancock, that CB10-0454, CB10-0468, CB10-470, CB10-0514, CB10-0449, CB10-0466, CB10-0396, CB10-0515, CB10-0516, CB10-0392, and CB10-0472 be placed upon final consideration and do pass en bloc carried by the following vote:
Passed For: 12; Against: 1; Abstain: 0; Absent: 0

CB10-0468 A bill for an ordinance approving a proposed Third Amendatory Agreement between the City and County of Denver and Mile High Montessori Early Learning Centers, to provide additional carry over funding to complete a playground at the Edna Oliver Head Start site. (NEIGHBORHOOD COMMUNITY & BUSINESS REVITALIZATION)

A motion offered by Councilmember Lopez, duly seconded by Councilmember Hancock, that CB10-0454, CB10-0468, CB10-0470, CB10-0514, CB10-0449, CB10-0466, CB10-0396, CB10-0515, CB10-0516, CB10-0392, and CB10-0472 be placed upon final consideration and do pass en bloc carried by the following vote:
Passed For: 12; Against: 1; Abstain: 0; Absent: 0

CB10-0470 A bill for an ordinance approving a proposed Third Amendatory Agreement between the City and County of Denver and Clayton Family Futures, to provide additional funding to support fall and spring college coursework for staff. (NEIGHBORHOOD COMMUNITY & BUSINESS REVITALIZATION)

A motion offered by Councilmember Lopez, duly seconded by Councilmember Hancock, that CB10-0454, CB10-0468, CB10-0470, CB10-0514, CB10-0449, CB10-0466, CB10-0396, CB10-0515, CB10-0516, CB10-0392, and CB10-0472 be placed upon final consideration and do pass en bloc carried by the following vote:
Passed For: 12; Against: 1; Abstain: 0; Absent: 0

CB10-0514 A bill for an ordinance approving an Amendatory Agreement between the City and County of Denver and Work Options for Women, to provide concessions for the Human Services cafeteria. (NEIGHBORHOOD COMMUNITY & BUSINESS REVITALIZATION)

A motion offered by Councilmember Lopez, duly seconded by Councilmember Hancock, that CB10-0454, CB10-0468, CB10-0470, CB10-0514, CB10-0449, CB10-0466, CB10-0396, CB10-0515, CB10-0516, CB10-0392, and CB10-0472 be placed upon final consideration and do pass en bloc carried by the following vote:
Passed For: 12; Against: 1; Abstain: 0; Absent: 0

CB10-0449 A bill for an ordinance modifying Section 121 of Chapter 39 of the Revised Municipal Code, relating to fees and charges for the City Park Zoo, Gates Tennis Center, Botanic Gardens, and the Pavilion at Central Park. (PUBLIC AMENITIES)

A motion offered by Councilmember Lopez, duly seconded by Councilmember Hancock, that CB10-0454, CB10-0468, CB10-0470, CB10-0514, CB10-0449, CB10-0466, CB10-0396, CB10-0515, CB10-0516, CB10-0392, and CB10-0472 be placed upon final consideration and do pass en bloc carried by the following vote:
Passed For: 12; Against: 1; Abstain: 0; Absent: 0

CB10-0466 A bill for an ordinance approving a third amendatory agreement between Urban Drainage and Flood Control District and the City & County of Denver for the final design and construction of Replacement and Maintenance of Recreation Trail Bridges and Retaining Walls along the South Platte River. (PUBLIC AMENITIES)

A motion offered by Councilmember Lopez, duly seconded by Councilmember Hancock, that CB10-0454, CB10-0468, CB10-0470, CB10-0514, CB10-0449, CB10-0466, CB10-0396, CB10-0515, CB10-0516, CB10-0392, and CB10-0472 be placed upon final consideration and do pass en bloc carried by the following vote:
Passed For: 12; Against: 1; Abstain: 0; Absent: 0

CB10-0396 A bill for an Ordinance approving an Intergovernmental Agreement between the City and County of Denver and the City of Commerce City regarding East 56th Avenue between Quebec and Havana. (PUBLIC WORKS)

A motion offered by Councilmember Lopez, duly seconded by Councilmember Hancock, that CB10-0454, CB10-0468, CB10-0470, CB10-0514, CB10-0449, CB10-0466, CB10-0396, CB10-0515, CB10-0516, CB10-0392, and CB10-0472 be placed upon final consideration and do pass en bloc carried by the following vote:
Passed For: 12; Against: 1; Abstain: 0; Absent: 0

CB10-0515 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 "Safety Hazard Elimination FY2010" project and the funding therefor. (PUBLIC WORKS)

A motion offered by Councilmember Lopez, duly seconded by Councilmember Hancock, that CB10-0454, CB10-0468, CB10-0470, CB10-0514, CB10-0449, CB10-0466, CB10-0396, CB10-0515, CB10-0516, CB10-0392, and CB10-0472 be placed upon final consideration and do pass en bloc carried by the following vote:
Passed For: 12; Against: 1; Abstain: 0; Absent: 0

CB10-0516 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 "Colorado Boulevard Transit Signal Priority" project and the funding therefor. (PUBLIC WORKS)

A motion offered by Councilmember Lopez, duly seconded by Councilmember Hancock, that CB10-0454, CB10-0468, CB10-0470, CB10-0514, CB10-0449, CB10-0466, CB10-0396, CB10-0515, CB10-0516, CB10-0392, and CB10-0472 be placed upon final consideration and do pass en bloc carried by the following vote:
Passed For: 12; Against: 1; Abstain: 0; Absent: 0

CB10-0392 A bill for an ordinance approving a second amendatory agreement between ACS State & Local Solutions, Inc. and the City & County of Denver for funding of the Photo Traffic Management Program. (SAFETY)

A motion offered by Councilmember Lopez, duly seconded by Councilmember Hancock, that CB10-0454, CB10-0468, CB10-0470, CB10-0514, CB10-0449, CB10-0466, CB10-0396, CB10-0515, CB10-0516, CB10-0392, and CB10-0472 be placed upon final consideration and do pass en bloc carried by the following vote:
Passed For: 12; Against: 1; Abstain: 0; Absent: 0

CB10-0472 A bill for an ordinance specifying July 1, 2010 as the last day for acceptance of applications for medical marijuana dispensary licenses under Article XI of Chapter 24, D.R.M.C. (SAFETY)

A motion offered by Councilmember Lopez, duly seconded by Councilmember Hancock, that CB10-0454, CB10-0468, CB10-0470, CB10-0514, CB10-0449, CB10-0466, CB10-0396, CB10-0515, CB10-0516, CB10-0392, CB10-0472 be placed upon final consideration and do pass en bloc carried by the following vote:
Passed For: 12; Against: 1; Abstain: 0; Absent: 0

Adjourn

There being no further business before the City Council, Council President Robb adjourned the meeting at 9:06 PM.