

## **City Council Minutes**

Meeting Date: Monday, October 17, 2011 5:30 PM

### **Pledge of Allegiance**

Councilmember Ortega led the Pledge of Allegiance.

### **Roll Call**

### **Mayor's Proposed 2012 Budget and Public Hearing Notice**

A motion offered by Councilmember Susman, duly seconded by Councilmember Brooks, that the Clerk and Recorder be instructed to publish a notice that: (1) the Mayor's Proposed Budget for 2012 is open for inspection from 8:30 a.m. to 5:00 p.m. on Mondays through Fridays in the City Council Office, Room 451 of the City and County Building located at 1437 Bannock Street during the week of October 17, 2011; (2) at its regular meeting on Monday, October 24, 2011, which will begin at 5:30 p.m., the City Council will conduct a public hearing on the Mayor's Proposed Budget for 2012; and (3) any citizen may inspect the budget prior to or at the public hearing and register any objection to the budget prior to or at the public hearing on the budget, and the Council shall take any objections into consideration, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: Kniech (1)

Abstain: (None) (0)

### **Approval of Minutes of Monday, October 10, 2011**

The minutes of meeting date, Monday, October 10, 2011, were distributed to Council. Council President Nevitt ordered the minutes approved.

### **Council Announcements**

Councilmembers Brown and Montero offered announcements.

### **Presentations**

### **Communications**

### **Proclamations**

**CP11-0764 A proclamation celebrating Denver’s afterschool programs as part of the National Lights on Afterschool Day. Sponsored by Councilmembers López, Brown, Susman, Ortega, and Lehmann.**

A motion offered by Councilmember López, duly seconded by Councilmember Herndon, that CR11-0764 be adopted, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: Kniech (1)

Abstain: (None) (0)

## **Resolutions**

The Council Secretary read the following resolutions by titles.

### **Government & Finance**

**CR11-0722 A resolution declaring the intent of the City and County of Denver, Colorado to use its best efforts to issue housing revenue bonds or mortgage credit certificates to provide financing of residential facilities for low- and middle-income families or persons; prescribing certain terms and conditions of such bonds; and containing other provisions relating to the proposed issuance of such bonds. (GOVERNMENT & FINANCE)**

A motion offered by Councilmember Ortega, duly seconded by Councilmember Shepherd, that CR11-0722, CR11-0762, CR11-0763, CR11-0702, and CR11-0708, be adopted en bloc, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: Kniech (1)

Abstain: (None) (0)

### **Health, Safety, Education & Services**

**CR11-0761 A resolution authorizing and approving the expenditure and payment from the appropriation account designated “liability claims,” the sum of Thirty Eight Thousand Five Hundred and 00/100 Dollars (\$38,500.00), payable to Law Office of Kevin C. Flesch, LLC, in full payment and satisfaction of all claims by Daniel Hernandez in Civil Action No. 09-cv-02783-RPM-CBS. (HEALTH, SAFETY, EDUCATION & SERVICES)**

A motion offered by Councilmember Ortega, duly seconded by Councilmember Robb, that CR11-0761 be adopted, carried by the following vote:

Passed

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

Against: Faatz (1)

Absent: Kniech (1)

Abstain: (None) (0)

**CR11-0762 A resolution authorizing and approving the expenditure and payment from the appropriation account designated "liability claims," the sum of Two Thousand Three Hundred Eighty-Seven and 98/100 Dollars (\$2,387.98) payable to Zachary David Malkinson and Julie M. Malkinson, and the sum of Three Thousand Nine Hundred Eighty-Two and 89/00 Dollars (\$3,982.89) payable to Geico Direct as Subrogee of Zachary David Malkinson and Julie M. Malkinson, in full payment and satisfaction of all claims in Claim No. 1103-001291. (HEALTH, SAFETY, EDUCATION & SERVICES)**

A motion offered by Councilmember Ortega, duly seconded by Councilmember Shepherd, that CR11-0722, CR11-0762, CR11-0763, CR11-0702, and CR11-0708, be adopted en bloc, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: Kniech (1)

Abstain: (None) (0)

**CR11-0763 A resolution authorizing and approving the expenditure and payment from the appropriation account designated "liability claims," the sum of Twenty-Three Thousand Dollars (\$23,000.00), payable to the Trust Account of Springer and Steinberg, P.C., and the sum of Fifteen Thousand Dollars (\$15,000.00), payable to the Trust Account of Springer and Steinberg, P.C., in full payment and satisfaction of all claims by Shauna Klemme and Diane Erickson in Case No. 11-CV-5619. (HEALTH, SAFETY, EDUCATION & SERVICES)**

A motion offered by Councilmember Ortega, duly seconded by Councilmember Shepherd, that CR11-0722, CR11-0762, CR11-0763, CR11-0702, and CR11-0708, be adopted en bloc, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: Kniech (1)

Abstain: (None) (0)

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

### **CR11-0702 A resolution granting a revocable permit to Williams and Graham to encroach into the right-of-way with various items at 3160 Tejon Street. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

A motion offered by Councilmember Ortega, duly seconded by Councilmember Shepherd, that CR11-0722, CR11-0762, CR11-0763, CR11-0702, and CR11-0708, be adopted en bloc, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: Kniech (1)

Abstain: (None) (0)

### **CR11-0708 A resolution granting a revocable permit to Michael Korenblat to encroach into the right-of-way for a private waterline located at E. 54th Avenue and Garfield Street. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

A motion offered by Councilmember Ortega, duly seconded by Councilmember Shepherd, that CR11-0722, CR11-0762, CR11-0763, CR11-0702, and CR11-0708, be adopted en bloc, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: Kniech (1)

Abstain: (None) (0)

## **Resolution - Denver 14th Street General Improvement District Board of Directors**

The Council Secretary read the following resolution by title.

### **A resolution by the Council of the City and County of Denver, sitting ex officio as the Board of Directors of the Denver 14th Street General Improvement District, approving a Work Plan, adopting a Budget, imposing Capital Charges and Maintenance Charges, and making appropriations for the 2012 Fiscal Year. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

A motion offered by Councilmember Ortega, duly seconded by Councilmember Lehmann, that CR11-0715 be adopted, carried by the following vote:

Passed

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

Against: (None) (0)  
Absent: Kniech (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**

#### **CB11-0666 A bill for an ordinance approving 58 proposed PVC Participation and Amendments to Agreements between the City and County of Denver and certain concessionaires, concerning participation in the Premium Value Concession Program at Denver International Airport. (BUSINESS, WORKFORCE & SUSTAINABILITY)**

A motion offered by Councilmember Nevitt, duly seconded by Councilmember Ortega, that CB11-0666, CB11-0667, CB11-0701, CB11-0717, CB11-0718, CB11-0572, CB11-0685, CB11-0704, CB11-0716, CB11-0709, CB11-0713, CB11-0705, CB11-0724, CB11-0725, CB11-0686, and CB11-0687, be ordered published en bloc, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: Kniech (1)

Abstain: (None) (0)

#### **CB11-0667 A bill for an ordinance approving 7 proposed PVC Participation and Amendments to Non-Disturbance and Attornment Agreements between the City and County of Denver and certain concessionaires, concerning participation in the Premium Value Concession Program at Denver International Airport. (BUSINESS, WORKFORCE & SUSTAINABILITY)**

A motion offered by Councilmember Nevitt, duly seconded by Councilmember Ortega, that CB11-0666, CB11-0667, CB11-0701, CB11-0717, CB11-0718, CB11-0572, CB11-0685, CB11-0704, CB11-0716, CB11-0709, CB11-0713, CB11-0705, CB11-0724, CB11-0725, CB11-0686, and CB11-0687, be ordered published en bloc, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: Kniech (1)

Abstain: (None) (0)

**CB11-0701 A bill for an ordinance approving a proposed Purchase Order between Bruel and Kjaer Environment Management and the City and County of Denver, related to the purchase of twenty- eight noise monitoring terminals at Denver International Airport. (BUSINESS, WORKFORCE & SUSTAINABILITY)**

A motion offered by Councilmember Nevitt, duly seconded by Councilmember Ortega, that CB11-0666, CB11-0667, CB11-0701, CB11-0717, CB11-0718, CB11-0572, CB11-0685, CB11-0704, CB11-0716, CB11-0709, CB11-0713, CB11-0705, CB11-0724, CB11-0725, CB11-0686, and CB11-0687, be ordered published en bloc, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: Kniech (1)

Abstain: (None) (0)

**CB11-0717 A bill for an ordinance approving a proposed Airline Ground Lease between the City and County of Denver and Southwest Airlines Co., concerning the leasing of ground space at Denver International Airport. (BUSINESS, WORKFORCE & SUSTAINABILITY)**

A motion offered by Councilmember Nevitt, duly seconded by Councilmember Ortega, that CB11-0666, CB11-0667, CB11-0701, CB11-0717, CB11-0718, CB11-0572, CB11-0685, CB11-0704, CB11-0716, CB11-0709, CB11-0713, CB11-0705, CB11-0724, CB11-0725, CB11-0686, and CB11-0687, be ordered published en bloc, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: Kniech (1)

Abstain: (None) (0)

**CB11-0718 A bill for an ordinance approving a proposed Second Amendment to TSA National Explosives Detection Canine Team Program (NEDCTP) Agreement between the Transportation Security Administration and the City and County of Denver related to the Canine Program for enhanced airport security at Denver International Airport (BUSINESS, WORKFORCE & SUSTAINABILITY)**

A motion offered by Councilmember Nevitt, duly seconded by Councilmember Ortega, that CB11-0666, CB11-0667, CB11-0701, CB11-0717, CB11-0718, CB11-0572, CB11-0685, CB11-0704, CB11-0716, CB11-0709, CB11-0713, CB11-0705, CB11-0724, CB11-0725, CB11-0686, and CB11-0687, be ordered published en

bloc, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: Kniech (1)

Abstain: (None) (0)

## **Government & Finance**

**CB11-0572 A bill for an Ordinance designating certain properties as being required for public use and authorizing use and acquisition thereof by negotiation or through condemnation proceedings including all improvements, fixtures, licenses, permits, access points and any other rights and interests related or appurtenant to properties so designated. (GOVERNMENT & FINANCE)**

A motion offered by Councilmember Nevitt, duly seconded by Councilmember Ortega, that CB11-0666, CB11-0667, CB11-0701, CB11-0717, CB11-0718, CB11-0572, CB11-0685, CB11-0704, CB11-0716, CB11-0709, CB11-0713, CB11-0705, CB11-0724, CB11-0725, CB11-0686, and CB11-0687, be ordered published en bloc, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: Kniech (1)

Abstain: (None) (0)

**CB11-0685 A bill for an ordinance amending the 1963 Retirement Plan with regard to the use of trustees, custodians and investment managers. (GOVERNMENT & FINANCE)**

A motion offered by Councilmember Nevitt, duly seconded by Councilmember Ortega, that CB11-0666, CB11-0667, CB11-0701, CB11-0717, CB11-0718, CB11-0572, CB11-0685, CB11-0704, CB11-0716, CB11-0709, CB11-0713, CB11-0705, CB11-0724, CB11-0725, CB11-0686, and CB11-0687, be ordered published en bloc, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: Kniech (1)

Abstain: (None) (0)

**CB11-0704 A bill for an ordinance amending Ordinance No. 82, Series of 2004, concerning cash transfers from Special Revenue Funds to the**

**General Fund. (GOVERNMENT & FINANCE)**

A motion offered by Councilmember Nevitt, duly seconded by Councilmember Ortega, that CB11-0666, CB11-0667, CB11-0701, CB11-0717, CB11-0718, CB11-0572, CB11-0685, CB11-0704, CB11-0716, CB11-0709, CB11-0713, CB11-0705, CB11-0724, CB11-0725, CB11-0686, and CB11-0687, be ordered published en bloc, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: Kniech (1)

Abstain: (None) (0)

**CB11-0716 A bill for an ordinance authorizing the transfer of funds from the General Government Special Revenue Fund to the General Fund and the Culture and Recreation Special Revenue Fund effective for calendar year 2011. (GOVERNMENT & FINANCE)**

A motion offered by Councilmember Nevitt, duly seconded by Councilmember Ortega, that CB11-0666, CB11-0667, CB11-0701, CB11-0717, CB11-0718, CB11-0572, CB11-0685, CB11-0704, CB11-0716, CB11-0709, CB11-0713, CB11-0705, CB11-0724, CB11-0725, CB11-0686, and CB11-0687, be ordered published en bloc, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: Kniech (1)

Abstain: (None) (0)

**Health, Safety, Education & Services**

**CB11-0709 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 "Diligent Recruitment/Denver's Village FY11-12" program and the funding therefor. (HEALTH, SAFETY, EDUCATION & SERVICES)**

A motion offered by Councilmember Nevitt, duly seconded by Councilmember Ortega, that CB11-0666, CB11-0667, CB11-0701, CB11-0717, CB11-0718, CB11-0572, CB11-0685, CB11-0704, CB11-0716, CB11-0709, CB11-0713, CB11-0705, CB11-0724, CB11-0725, CB11-0686, and CB11-0687, be ordered published en bloc, carried by the following vote:

Passed

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



Against: (None) (0)  
Absent: Kniech (1)  
Abstain: (None) (0)

**CB11-0713 A bill for an ordinance approving a proposed Agreement between the City and County of Denver and Asphalt Specialties Company, Incorporated to conduct asphalt recycling operations at the Denver Arapahoe Disposal Site (DADS). (HEALTH, SAFETY, EDUCATION & SERVICES)**

A motion offered by Councilmember Nevitt, duly seconded by Councilmember Ortega, that CB11-0666, CB11-0667, CB11-0701, CB11-0717, CB11-0718, CB11-0572, CB11-0685, CB11-0704, CB11-0716, CB11-0709, CB11-0713, CB11-0705, CB11-0724, CB11-0725, CB11-0686, and CB11-0687, be ordered published en bloc, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: Kniech (1)

Abstain: (None) (0)

**Land Use, Transportation & Infrastructure**

**CB11-0705 A bill for an ordinance changing the zoning classification of 4455 E. 12th Ave. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

A motion offered by Councilmember Nevitt, duly seconded by Councilmember Ortega, that CB11-0666, CB11-0667, CB11-0701, CB11-0717, CB11-0718, CB11-0572, CB11-0685, CB11-0704, CB11-0716, CB11-0709, CB11-0713, CB11-0705, CB11-0724, CB11-0725, CB11-0686, and CB11-0687, be ordered published en bloc, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: Kniech (1)

Abstain: (None) (0)

**CB11-0724 A bill for an ordinance changing the zoning classification of 4050 E. 14th Avenue and 1325 Colorado Boulevard. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

A motion offered by Councilmember Nevitt, duly seconded by Councilmember Ortega, that CB11-0666, CB11-0667, CB11-0701, CB11-0717, CB11-0718, CB11-0572, CB11-0685, CB11-0704, CB11-0716, CB11-0709, CB11-0713, CB11-0705, CB11-0724, CB11-0725, CB11-0686, and CB11-0687, be ordered published en

bloc, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: Kniech (1)

Abstain: (None) (0)

**CB11-0725 A bill for an ordinance designating The Waldman, located at 1515 East 9th Avenue, as a structure for preservation. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

A motion offered by Councilmember Nevitt, duly seconded by Councilmember Ortega, that CB11-0666, CB11-0667, CB11-0701, CB11-0717, CB11-0718, CB11-0572, CB11-0685, CB11-0704, CB11-0716, CB11-0709, CB11-0713, CB11-0705, CB11-0724, CB11-0725, CB11-0686, and CB11-0687, be ordered published en bloc, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: Kniech (1)

Abstain: (None) (0)

**CB11-0686 A bill for an ordinance assessing the cost of the construction and installation of the streetscape improvements in South Broadway Streetscape (Arizona Avenue to Iowa Avenue) Local Public Improvement District, including but not limited to sidewalks, brick pavers, trees, tree grates, irrigation, benches, trash receptacles and pedestrian lights (including amenities within the medians), providing for the assessment of the real estate included in the district, the payment of costs, and other matters incidental to the making of said improvements upon the real property, exclusive of improvements thereon, benefited. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

A motion offered by Councilmember Nevitt, duly seconded by Councilmember Ortega, that CB11-0666, CB11-0667, CB11-0701, CB11-0717, CB11-0718, CB11-0572, CB11-0685, CB11-0704, CB11-0716, CB11-0709, CB11-0713, CB11-0705, CB11-0724, CB11-0725, CB11-0686, and CB11-0687, be ordered published en bloc, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: Kniech (1)

Abstain: (None) (0)

**CB11-0687 A bill for an ordinance assessing the annual costs of the**

**continuing care, operation, repair, maintenance and replacement of the South Broadway Streetscape (Arizona Avenue to Iowa Avenue) Local Maintenance District upon the real property, exclusive of improvements thereon, benefited. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

A motion offered by Councilmember Nevitt, duly seconded by Councilmember Ortega, that CB11-0666, CB11-0667, CB11-0701, CB11-0717, CB11-0718, CB11-0572, CB11-0685, CB11-0704, CB11-0716, CB11-0709, CB11-0713, CB11-0705, CB11-0724, CB11-0725, CB11-0686, and CB11-0687, be ordered published en bloc, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: Kniech (1)

Abstain: (None) (0)

**Recap of Bills to be Called Out**

**Pre-Recess Announcement**

Council President Nevitt announced that tonight Council will convene as the Ex-officio Board of Directors of the Gateway Village General Improvement District and there will be a public hearing to consider the district's proposed 2012 Work Plan and Budget and to make an appropriation and approve a mill levy for the Budget Year 2012.

**Tonight Council will convene as the Ex-officio Board of Directors of the Gateway Village General Improvement District and there will be a public hearing to consider the district's proposed 2012 Work Plan and Budget and to make an appropriation and approve a mill levy for the Budget Year 2012. Anyone wishing to speak on this matter must see the Council Secretary to receive a speaker card to fill out and return to her during the recess of Council.**

**Recess**

**Council Reconvenes and Resumes its Regular Session**

**Gateway Village General Improvement District Board of Directors - Public Hearing**

Council sat as the Board of Directors of the Gateway Village General Improvement District commencing at x:xx PM, Council President Nevitt presiding, to hear speakers either for or against CR11-0714. xxx signed up to address the issue.

Andrew Johnston of the Department of Finance delivered the Staff Report with an overview and recommendation for approval.

**A resolution by the Council of the City and County of Denver, sitting ex officio as the Board of Directors of the Gateway Village General Improvement District, approving a Work Plan, adopting a Budget and making appropriations for the Budget Year 2012 and approving a mill levy. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

A motion offered by Councilmember Ortega, duly seconded by Councilmember Robb, that CR11-0714 be adopted, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: Kniech (1)

Abstain: (None) (0)

**Bills for Final Consideration**

**Government & Finance**

A motion offered by Councilmember Ortega, duly seconded by Councilmember López, that CB11-0682, CB11-0673, CB11-0674, CB11-0684, CB11-0688, and CB11-0694 be placed upon final consideration and do pass, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: Kniech (1)

Abstain: (None) (0)

**Health, Safety, Education & Services**

**CB11-0682 A bill for an ordinance approving a Second Amendatory Agreement to Express Services Inc., increasing the total amount of compensation to be paid under the Agreement. (HEALTH, SAFETY, EDUCATION & SERVICES)**

A motion offered by Councilmember Ortega, duly seconded by Councilmember López, that CB11-0682, CB11-0673, CB11-0674, CB11-0684, CB11-0688, and CB11-0694 be placed upon final consideration and do pass, carried by the following vote:

Passed

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

Against: (None) (0)  
Absent: Kniech (1)  
Abstain: (None) (0)

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

### **CB11-0673 A bill for an ordinance approving an Amendatory Agreement with WM Recycle America, L.L.C. to provide processing and marketing services for the recyclable materials generated through the residential recycling program. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

A motion offered by Councilmember Ortega, duly seconded by Councilmember López, that CB11-0682, CB11-0673, CB11-0674, CB11-0684, CB11-0688, and CB11-0694 be placed upon final consideration and do pass, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: Kniech (1)

Abstain: (None) (0)

### **CB11-0674 A bill for an ordinance approving an Agreement with Waste Management of Colorado, Inc. for use of transfer facilities and the D.A.D.S. landfill for disposition of waste material delivered by or on behalf of the City. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

A motion offered by Councilmember Ortega, duly seconded by Councilmember López, that CB11-0682, CB11-0673, CB11-0674, CB11-0684, CB11-0688, and CB11-0694 be placed upon final consideration and do pass, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: Kniech (1)

Abstain: (None) (0)

### **CB11-0684 A bill for an ordinance vacating Fundy Street between 54th Pl. and 54th Ave., without reservations. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

A motion offered by Councilmember Ortega, duly seconded by Councilmember López, that CB11-0682, CB11-0673, CB11-0674, CB11-0684, CB11-0688, and CB11-0694 be placed upon final consideration and do pass, carried by the following vote:

Passed

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

**CB11-0688 A bill for an ordinance approving an Agreement and Plan for Exclusion of Territory from the Lakehurst Water and Sanitation District and agreeing to continue providing sanitary sewer service to the excluded area. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

A motion offered by Councilmember Ortega, duly seconded by Councilmember López, that CB11-0682, CB11-0673, CB11-0674, CB11-0684, CB11-0688, and CB11-0694 be placed upon final consideration and do pass, carried by the following vote:

Passed

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

**CB11-0694 A bill for an ordinance approving a proposed Amendment to Cooperative Agreement between the City and County of Denver and Denver Board of Water Commissioners regarding relocation of Conduit Nos. 12 and 18, for the completion of the South Platte River Zuni/Sun Valley River Project. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

A motion offered by Councilmember Ortega, duly seconded by Councilmember López, that CB11-0682, CB11-0673, CB11-0674, CB11-0684, CB11-0688, and CB11-0694 be placed upon final consideration and do pass, carried by the following vote:

Passed

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

## **Announcement**

Council President Nevitt announced that there will be a public hearing on CB11-0725, designating The Waldman, located at 1515 East 9th Avenue, as a structure of preservation on Monday, October 24, 2011. Also, there will be a public hearing on CB11-0705, changing the zoning classification of 4455 E. 12th Ave., and on CB11-0724, changing the zoning classification of 4050 E. 14th Avenue and 1325 Colorado Boulevard, on Monday, November 14, 2011. Any protests against CB11-

0705 or CB11-0724 must be filed with the Council Office no later than Monday, November 7, 2011.

**There will be a public hearing on CB11-0725, designating The Waldman, located at 1515 East 9th Avenue, as a structure of preservation on Monday, October 24, 2011. Also, there will be a public hearing on CB11-0705, changing the zoning classification of 4455 E. 12th Ave., and on CB11-0724, changing the zoning classification of 4050 E. 14th Avenue and 1325 Colorado Boulevard, on Monday, November 14, 2011. Any protests against CB11-0705 or CB11-0724 must be filed with the Council Office no later than Monday, November 7, 2011.**

## **Adjourn**

There being no further business before the City Council, Council President Nevitt adjourned the meeting at x:xx 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)**

**CB11-0546 A bill for an ordinance changing the zoning classification of 7995 E. Hampden Ave. 7785 E. Hampden Ave. and a portion of 7777 E. Hampden Ave. (LAND USE TRANSPORTATION AND INFRASTRUCTURE)**

A motion offered by Councilmember Ortega, duly seconded by Councilmember Herndon, that CB11-0456 be taken out of order, carried by the following vote:  
Passed

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

Against: (None) (0)

Absent: Kniech (1)

Abstain: (None) (0)

A motion offered by Councilmember Ortega, duly seconded by Councilmember Herndon, that final consideration of CB11-0546 with its public hearing be postponed to Monday, November 7, 2011, carried by the following vote:  
Passed

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

Against: (None) (0)

Absent: Kniech (1)

Abstain: (None) (0)