

City Council Minutes

Meeting Date: Monday, September 12, 2011 5:30 PM

Pledge of Allegiance

Councilmember Brooks led the Pledge of Allegiance.

Roll Call

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

Absent: None

Approval of Minutes of Monday, August 29, 2011

The minutes of meeting date, Monday, August 29, 2011, were distributed to Council. Council President Nevitt ordered the minutes approved.

Council Announcements

Councilmembers Brooks, López and Herndon offered announcements.

Presentations

Communications

Proclamations

CP11-0619 A proclamation supporting the Denver Region's application to the U.S. Department of Housing and Urban Development's Sustainable Communities Regional Planning Grant Program. Nevitt, Montero, Ortega, Kniech, Brown, Herndon, Robb, Brooks, Lehmann, López, Susman, and Shepherd.

A motion offered by Councilmember Kniech, duly seconded by Councilmember Brooks, that CP11-0619 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)

Resolutions

The Council Secretary read the following resolutions by titles.

Business, Workforce & Sustainability

CR11-0614 A resolution declaring the intent of the City and County of Denver, Colorado 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. (BUSINESS, WORKFORCE, AND SUSTAINABILTY)

A motion offered by Councilmember Brooks, duly seconded by Councilmember Lehmann, that CR11-0614, CR11-0615, CR11-0636, CR11-0616, and CR11-0635 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

CR11-0615 A resolution approving the Mayor's reappointments and appointments to the Denver Gay, Lesbian, Bisexual & Transgender (GLBT) Commission. (HEALTH, SAFETY, EDUCATION & SERVICES)

A motion offered by Councilmember Brooks, duly seconded by Councilmember Lehmann, that CR11-0614, CR11-0615, CR11-0636, CR11-0616, and CR11-0635 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)

CR11-0636 A resolution approving the Mayor's appointment to the Denver Health and Hospital Board of Directors. (HEALTH, SAFETY, EDUCATION & SERVICES)

A motion offered by Councilmember Brooks, duly seconded by Councilmember Lehmann, that CR11-0614, CR11-0615, CR11-0636, CR11-0616, and CR11-0635 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

CR11-0616 A resolution granting a revocable permit to DaVita, Inc., to encroach into the right-of-way with a roof structure overhang at 2000 16th Street. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

A motion offered by Councilmember Brooks, duly seconded by Councilmember Lehmann, that CR11-0614, CR11-0615, CR11-0636, CR11-0616, and CR11-0635 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)

CR11-0635 A resolution approving the Mayor's appointment to the Metropolitan Wastewater Reclamation District Board of Directors. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

A motion offered by Councilmember Brooks, duly seconded by Councilmember Lehmann, that CR11-0614, CR11-0615, CR11-0636, CR11-0616, and CR11-0635 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)

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

CB11-0582 A bill for an ordinance approving a proposed Agreement between the City and County of Denver and School District No. 1 in the City and County of Denver and the State of Colorado, acting by and through,

Emily Griffith Opportunity School, to provide vocational training and job placement assistance to TANF participants. (BUSINESS, WORKFORCE & SUSTAINABILITY)

A motion offered by Councilmember Nevitt, duly seconded by Councilmember Brooks, that CB11-0582, CB11-0607, CB11-0609, CB11-0623, CB11-0626, CB11-0662, CB11-0663, CB11-0608, CB11-0624, CB11-0602, CB11-0632, CB11-0587, CB11-0588, CB11-0589, CB11-0590, CB11-0591, CB11-0592, CB11-0593, CB11-0594, CB11-0595, CB11-0597, CB11-0598, CB11-0605, CB11-0606, CB11-0620, CB11-0622, and CB11-0625 be ordered published en bloc, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: (None) (0)

Abstain: (None) (0)

CB11-0607 A bill for an ordinance concerning the Airport Facilities of the City and County of Denver; authorizing the issuance of the "City and County of Denver, Colorado, for and on behalf of its Department of Aviation, Airport System Revenue Bonds, Series 2011D" in the maximum aggregate principal amount of \$610,000,000 for the purposes of paying the costs of the 2011D Refunding Project, and providing other details in connection therewith; providing the amount, terms and other details of such bonds; 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 Brooks, that CB11-0582, CB11-0607, CB11-0609, CB11-0623, CB11-0626, CB11-0662, CB11-0663, CB11-0608, CB11-0624, CB11-0602, CB11-0632, CB11-0587, CB11-0588, CB11-0589, CB11-0590, CB11-0591, CB11-0592, CB11-0593, CB11-0594, CB11-0595, CB11-0597, CB11-0598, CB11-0605, CB11-0606, CB11-0620, CB11-0622, and CB11-0625 be ordered published en bloc, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: (None) (0)

Abstain: (None) (0)

CB11-0609 A bill for an ordinance approving a proposed First Amendatory to Agreement between Airport and Aviation Professionals, Inc. and the City and County of Denver related to services as an Airline Liaison Office at Denver International Airport. (BUSINESS, WORKFORCE, AND

SUSTAINABILITY)

A motion offered by Councilmember Nevitt, duly seconded by Councilmember Brooks, that CB11-0582, CB11-0607, CB11-0609, CB11-0623, CB11-0626, CB11-0662, CB11-0663, CB11-0608, CB11-0624, CB11-0602, CB11-0632, CB11-0587, CB11-0588, CB11-0589, CB11-0590, CB11-0591, CB11-0592, CB11-0593, CB11-0594, CB11-0595, CB11-0597, CB11-0598, CB11-0605, CB11-0606, CB11-0620, CB11-0622, and CB11-0625 be ordered published en bloc, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: (None) (0)

Abstain: (None) (0)

CB11-0623 A bill for an ordinance to correct a transcription error contained in the City Clerk Filing Number for Ordinance No. 274, Series of 2011, approving a proposed Seventh Amendment to Agreement between the City and County of Denver and Mission Yogurt, Inc. (BUSINESS, WORKFORCE & SUSTAINABILITY)

A motion offered by Councilmember Nevitt, duly seconded by Councilmember Brooks, that CB11-0582, CB11-0607, CB11-0609, CB11-0623, CB11-0626, CB11-0662, CB11-0663, CB11-0608, CB11-0624, CB11-0602, CB11-0632, CB11-0587, CB11-0588, CB11-0589, CB11-0590, CB11-0591, CB11-0592, CB11-0593, CB11-0594, CB11-0595, CB11-0597, CB11-0598, CB11-0605, CB11-0606, CB11-0620, CB11-0622, and CB11-0625 be ordered published en bloc, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: (None) (0)

Abstain: (None) (0)

CB11-0626 A bill for an Ordinance authorizing the execution of a First Amendment to Tax Regulatory Agreement relating to Highlands Garden Village Apartments. (BUSINESS, WORKFORCE & SUSTAINABILITY)

A motion offered by Councilmember Nevitt, duly seconded by Councilmember Brooks, that CB11-0582, CB11-0607, CB11-0609, CB11-0623, CB11-0626, CB11-0662, CB11-0663, CB11-0608, CB11-0624, CB11-0602, CB11-0632, CB11-0587, CB11-0588, CB11-0589, CB11-0590, CB11-0591, CB11-0592, CB11-0593, CB11-0594, CB11-0595, CB11-0597, CB11-0598, CB11-0605, CB11-0606, CB11-0620, CB11-0622, and CB11-0625 be ordered published en bloc, carried by the following vote:

Passed

For: Brooks, Brown, Faatz, Herndon, Kniech, Lehmann, Lopez, Montero, Nevitt, Ortega, Robb, Shepherd, Susman (13)
Against: (None) (0)
Absent: (None) (0)
Abstain: (None) (0)

CB11-0662 A bill for an ordinance concerning the Airport Facilities of the City and County of Denver; authorizing the issuance of the "City and County of Denver, Colorado, for and on behalf of its Department of Aviation, Airport System Revenue Bonds, Series 2011B" in the maximum aggregate principal amount of \$500,000,000 for the purposes of paying the costs of the 2011B Refunding Project, and providing other details in connection therewith; providing the amount, terms and other details of such bonds; 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 Brooks, that CB11-0582, CB11-0607, CB11-0609, CB11-0623, CB11-0626, CB11-0662, CB11-0663, CB11-0608, CB11-0624, CB11-0602, CB11-0632, CB11-0587, CB11-0588, CB11-0589, CB11-0590, CB11-0591, CB11-0592, CB11-0593, CB11-0594, CB11-0595, CB11-0597, CB11-0598, CB11-0605, CB11-0606, CB11-0620, CB11-0622, and CB11-0625 be ordered published en bloc, carried by the following vote:

Passed
For: Brooks, Brown, Faatz, Herndon, Kniech, Lehmann, Lopez, Montero, Nevitt, Ortega, Robb, Shepherd, Susman (13)
Against: (None) (0)
Absent: (None) (0)
Abstain: (None) (0)

CB11-0663 A bill for an ordinance concerning the Airport Facilities of the City and County of Denver; authorizing the issuance of the "City and County of Denver, Colorado, for and on behalf of its Department of Aviation, Airport System Revenue Bonds, Series 2011C" in the maximum aggregate principal amount of \$380,000,000 for the purposes of paying the costs of the 2011C Refunding Project, and providing other details in connection therewith; providing the amount, terms and other details of such bonds; 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 Brooks, that CB11-0582, CB11-0607, CB11-0609, CB11-0623, CB11-0626, CB11-0662, CB11-0663, CB11-0608, CB11-0624, CB11-0602, CB11-0632, CB11-0587, CB11-0588, CB11-0589, CB11-0590, CB11-0591, CB11-0592, CB11-0593, CB11-

0594, CB11-0595, CB11-0597, CB11-0598, CB11-0605, CB11-0606, CB11-0620, CB11-0622, and CB11-0625 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

CB11-0608 A bill for an ordinance approving a proposed Fourth Amendatory Agreement between the City and County of Denver and Community Mediation Concepts, to provide mediation services for City agencies. (GOVERNMENT & FINANCE)

A motion offered by Councilmember Nevitt, duly seconded by Councilmember Brooks, that CB11-0582, CB11-0607, CB11-0609, CB11-0623, CB11-0626, CB11-0662, CB11-0663, CB11-0608, CB11-0624, CB11-0602, CB11-0632, CB11-0587, CB11-0588, CB11-0589, CB11-0590, CB11-0591, CB11-0592, CB11-0593, CB11-0594, CB11-0595, CB11-0597, CB11-0598, CB11-0605, CB11-0606, CB11-0620, CB11-0622, and CB11-0625 be ordered published en bloc, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: (None) (0)

Abstain: (None) (0)

CB11-0624 A bill for an ordinance amending the classification and pay plan for employees in the Career Service and for certain employees not in the Career Service. (GOVERNMENT & FINANCE)

A motion offered by Councilmember Nevitt, duly seconded by Councilmember Brooks, that CB11-0582, CB11-0607, CB11-0609, CB11-0623, CB11-0626, CB11-0662, CB11-0663, CB11-0608, CB11-0624, CB11-0602, CB11-0632, CB11-0587, CB11-0588, CB11-0589, CB11-0590, CB11-0591, CB11-0592, CB11-0593, CB11-0594, CB11-0595, CB11-0597, CB11-0598, CB11-0605, CB11-0606, CB11-0620, CB11-0622, and CB11-0625 be ordered published en bloc, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: (None) (0)

Abstain: (None) (0)

Health, Safety, Education & Services

CB11-0602 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, Federal Emergency Management Agency, concerning the "Incident Management Team Pilot FY11-12" program and the funding therefor. (HEALTH, SAFETY, EDUCATION & SERVICES)

A motion offered by Councilmember Nevitt, duly seconded by Councilmember Brooks, that CB11-0582, CB11-0607, CB11-0609, CB11-0623, CB11-0626, CB11-0662, CB11-0663, CB11-0608, CB11-0624, CB11-0602, CB11-0632, CB11-0587, CB11-0588, CB11-0589, CB11-0590, CB11-0591, CB11-0592, CB11-0593, CB11-0594, CB11-0595, CB11-0597, CB11-0598, CB11-0605, CB11-0606, CB11-0620, CB11-0622, and CB11-0625 be ordered published en bloc, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: (None) (0)

Abstain: (None) (0)

CB11-0632 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 "Shelter Plus Care Rental Assistance-Scattered Sites FY11-12" program and the funding therefor. (HEALTH, SAFETY, EDUCATION & SERVICES)

A motion offered by Councilmember Nevitt, duly seconded by Councilmember Brooks, that CB11-0582, CB11-0607, CB11-0609, CB11-0623, CB11-0626, CB11-0662, CB11-0663, CB11-0608, CB11-0624, CB11-0602, CB11-0632, CB11-0587, CB11-0588, CB11-0589, CB11-0590, CB11-0591, CB11-0592, CB11-0593, CB11-0594, CB11-0595, CB11-0597, CB11-0598, CB11-0605, CB11-0606, CB11-0620, CB11-0622, and CB11-0625 be ordered published en bloc, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: (None) (0)

Abstain: (None) (0)

Land Use, Transportation & Infrastructure

CB11-0587 A bill for an ordinance assessing the annual costs of the

continuing care, operation, repair, maintenance and replacement of the 15th Street Pedestrian Mall 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 Brooks, that CB11-0582, CB11-0607, CB11-0609, CB11-0623, CB11-0626, CB11-0662, CB11-0663, CB11-0608, CB11-0624, CB11-0602, CB11-0632, CB11-0587, CB11-0588, CB11-0589, CB11-0590, CB11-0591, CB11-0592, CB11-0593, CB11-0594, CB11-0595, CB11-0597, CB11-0598, CB11-0605, CB11-0606, CB11-0620, CB11-0622, and CB11-0625 be ordered published en bloc, carried by the following vote:

Passed
For: Brooks, Brown, Faatz, Herndon, Kniech, Lehmann, Lopez, Montero, Nevitt, Ortega, Robb, Shepherd, Susman (13)
Against: (None) (0)
Absent: (None) (0)
Abstain: (None) (0)

CB11-0588 A bill for an ordinance assessing the annual costs of the continuing care, operation, repair, maintenance and replacement of the 20th Street Pedestrian Mall 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 Brooks, that CB11-0582, CB11-0607, CB11-0609, CB11-0623, CB11-0626, CB11-0662, CB11-0663, CB11-0608, CB11-0624, CB11-0602, CB11-0632, CB11-0587, CB11-0588, CB11-0589, CB11-0590, CB11-0591, CB11-0592, CB11-0593, CB11-0594, CB11-0595, CB11-0597, CB11-0598, CB11-0605, CB11-0606, CB11-0620, CB11-0622, and CB11-0625 be ordered published en bloc, carried by the following vote:

Passed
For: Brooks, Brown, Faatz, Herndon, Kniech, Lehmann, Lopez, Montero, Nevitt, Ortega, Robb, Shepherd, Susman (13)
Against: (None) (0)
Absent: (None) (0)
Abstain: (None) (0)

CB11-0589 A bill for an ordinance assessing the annual costs of the continuing care, operation, repair, maintenance and replacement of the Consolidated Larimer Street Pedestrian Mall 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 Brooks, that CB11-0582, CB11-0607, CB11-0609, CB11-0623, CB11-0626, CB11-0662, CB11-0663, CB11-0608, CB11-0624, CB11-0602, CB11-0632, CB11-0587,

CB11-0588, CB11-0589, CB11-0590, CB11-0591, CB11-0592, CB11-0593, CB11-0594, CB11-0595, CB11-0597, CB11-0598, CB11-0605, CB11-0606, CB11-0620, CB11-0622, and CB11-0625 be ordered published en bloc, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: (None) (0)

Abstain: (None) (0)

CB11-0590 A bill for an ordinance assessing the annual costs of the continuing care, operation, repair, maintenance and replacement of the Santa Fe Drive Pedestrian Mall A 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 Brooks, that CB11-0582, CB11-0607, CB11-0609, CB11-0623, CB11-0626, CB11-0662, CB11-0663, CB11-0608, CB11-0624, CB11-0602, CB11-0632, CB11-0587, CB11-0588, CB11-0589, CB11-0590, CB11-0591, CB11-0592, CB11-0593, CB11-0594, CB11-0595, CB11-0597, CB11-0598, CB11-0605, CB11-0606, CB11-0620, CB11-0622, and CB11-0625 be ordered published en bloc, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: (None) (0)

Abstain: (None) (0)

CB11-0591 A bill for an ordinance assessing the annual costs of the continuing care, operation, repair, maintenance and replacement of the Santa Fe Drive Pedestrian Mall B 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 Brooks, that CB11-0582, CB11-0607, CB11-0609, CB11-0623, CB11-0626, CB11-0662, CB11-0663, CB11-0608, CB11-0624, CB11-0602, CB11-0632, CB11-0587, CB11-0588, CB11-0589, CB11-0590, CB11-0591, CB11-0592, CB11-0593, CB11-0594, CB11-0595, CB11-0597, CB11-0598, CB11-0605, CB11-0606, CB11-0620, CB11-0622, and CB11-0625 be ordered published en bloc, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: (None) (0)
Abstain: (None) (0)

CB11-0592 A bill for an ordinance assessing the annual costs of the continuing care, operation, repair, maintenance and replacement of the Santa Fe Drive Pedestrian Mall C 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 Brooks, that CB11-0582, CB11-0607, CB11-0609, CB11-0623, CB11-0626, CB11-0662, CB11-0663, CB11-0608, CB11-0624, CB11-0602, CB11-0632, CB11-0587, CB11-0588, CB11-0589, CB11-0590, CB11-0591, CB11-0592, CB11-0593, CB11-0594, CB11-0595, CB11-0597, CB11-0598, CB11-0605, CB11-0606, CB11-0620, CB11-0622, and CB11-0625 be ordered published en bloc, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: (None) (0)

Abstain: (None) (0)

CB11-0593 A bill for an ordinance assessing the annual costs of the continuing care, operation, repair, maintenance and replacement of the Welton Street Pedestrian Mall 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 Brooks, that CB11-0582, CB11-0607, CB11-0609, CB11-0623, CB11-0626, CB11-0662, CB11-0663, CB11-0608, CB11-0624, CB11-0602, CB11-0632, CB11-0587, CB11-0588, CB11-0589, CB11-0590, CB11-0591, CB11-0592, CB11-0593, CB11-0594, CB11-0595, CB11-0597, CB11-0598, CB11-0605, CB11-0606, CB11-0620, CB11-0622, and CB11-0625 be ordered published en bloc, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: (None) (0)

Abstain: (None) (0)

CB11-0594 A bill for an ordinance assessing the annual costs of the continuing care, operation, repair, maintenance and replacement of the South Downing Street Pedestrian Mall 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 Brooks, that CB11-0582, CB11-0607, CB11-0609, CB11-0623, CB11-0626, CB11-0662, CB11-0663, CB11-0608, CB11-0624, CB11-0602, CB11-0632, CB11-0587, CB11-0588, CB11-0589, CB11-0590, CB11-0591, CB11-0592, CB11-0593, CB11-0594, CB11-0595, CB11-0597, CB11-0598, CB11-0605, CB11-0606, CB11-0620, CB11-0622, and CB11-0625 be ordered published en bloc, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: (None) (0)

Abstain: (None) (0)

CB11-0595 A bill for an ordinance assessing the annual costs of the continuing care, operation, repair, maintenance and replacement of the West 38th Avenue I Pedestrian Mall 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 Brooks, that CB11-0582, CB11-0607, CB11-0609, CB11-0623, CB11-0626, CB11-0662, CB11-0663, CB11-0608, CB11-0624, CB11-0602, CB11-0632, CB11-0587, CB11-0588, CB11-0589, CB11-0590, CB11-0591, CB11-0592, CB11-0593, CB11-0594, CB11-0595, CB11-0597, CB11-0598, CB11-0605, CB11-0606, CB11-0620, CB11-0622, and CB11-0625 be ordered published en bloc, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: (None) (0)

Abstain: (None) (0)

CB11-0597 A bill for an ordinance assessing the annual costs of the continuing care, operation, repair, maintenance and replacement of the West 44th Avenue and Eliot Street Pedestrian Mall 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 Brooks, that CB11-0582, CB11-0607, CB11-0609, CB11-0623, CB11-0626, CB11-0662, CB11-0663, CB11-0608, CB11-0624, CB11-0602, CB11-0632, CB11-0587, CB11-0588, CB11-0589, CB11-0590, CB11-0591, CB11-0592, CB11-0593, CB11-0594, CB11-0595, CB11-0597, CB11-0598, CB11-0605, CB11-0606, CB11-0620, CB11-0622, and CB11-0625 be ordered published en bloc, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: (None) (0)

Abstain: (None) (0)

CB11-0598 A bill for an ordinance assessing the annual costs of the continuing care, operation, repair, maintenance and replacement of the West 32nd Avenue Pedestrian Mall 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 Brooks, that CB11-0582, CB11-0607, CB11-0609, CB11-0623, CB11-0626, CB11-0662, CB11-0663, CB11-0608, CB11-0624, CB11-0602, CB11-0632, CB11-0587, CB11-0588, CB11-0589, CB11-0590, CB11-0591, CB11-0592, CB11-0593, CB11-0594, CB11-0595, CB11-0597, CB11-0598, CB11-0605, CB11-0606, CB11-0620, CB11-0622, and CB11-0625 be ordered published en bloc, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: (None) (0)

Abstain: (None) (0)

CB11-0605 A bill for an ordinance changing the zoning classification of 3155 East First Avenue from PUD No. 151 to C-CCN. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

A motion offered by Councilmember Nevitt, duly seconded by Councilmember Brooks, that CB11-0582, CB11-0607, CB11-0609, CB11-0623, CB11-0626, CB11-0662, CB11-0663, CB11-0608, CB11-0624, CB11-0602, CB11-0632, CB11-0587, CB11-0588, CB11-0589, CB11-0590, CB11-0591, CB11-0592, CB11-0593, CB11-0594, CB11-0595, CB11-0597, CB11-0598, CB11-0605, CB11-0606, CB11-0620, CB11-0622, and CB11-0625 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)

A motion offered by Councilmember Nevitt, duly seconded by Councilmember Brooks, that CB11-0582, CB11-0607, CB11-0609, CB11-0623, CB11-0626, CB11-0662, CB11-0663, CB11-0608, CB11-0624, CB11-0602, CB11-0632, CB11-0587, CB11-0588, CB11-0589, CB11-0590, CB11-0591, CB11-0592, CB11-0593, CB11-

0594, CB11-0595, CB11-0597, CB11-0598, CB11-0605, CB11-0606, CB11-0620, CB11-0622, and CB11-0625 be ordered published en bloc, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: (None) (0)

Abstain: (None) (0)

CB11-0606 A bill for an ordinance changing the zoning classification of 75 Adams Street from PUD No. 304 to C-MX-8. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

A motion offered by Councilmember Nevitt, duly seconded by Councilmember Brooks, that CB11-0582, CB11-0607, CB11-0609, CB11-0623, CB11-0626, CB11-0662, CB11-0663, CB11-0608, CB11-0624, CB11-0602, CB11-0632, CB11-0587, CB11-0588, CB11-0589, CB11-0590, CB11-0591, CB11-0592, CB11-0593, CB11-0594, CB11-0595, CB11-0597, CB11-0598, CB11-0605, CB11-0606, CB11-0620, CB11-0622, and CB11-0625 be ordered published en bloc, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: (None) (0)

Abstain: (None) (0)

CB11-0620 A bill for an ordinance approving an amendatory agreement between Durrant Group, Inc. and the City & County of Denver to provide professional engineering design services. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

A motion offered by Councilmember Nevitt, duly seconded by Councilmember Brooks, that CB11-0582, CB11-0607, CB11-0609, CB11-0623, CB11-0626, CB11-0662, CB11-0663, CB11-0608, CB11-0624, CB11-0602, CB11-0632, CB11-0587, CB11-0588, CB11-0589, CB11-0590, CB11-0591, CB11-0592, CB11-0593, CB11-0594, CB11-0595, CB11-0597, CB11-0598, CB11-0605, CB11-0606, CB11-0620, CB11-0622, and CB11-0625 be ordered published en bloc, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: (None) (0)

Abstain: (None) (0)

CB11-0622 A bill for an Ordinance approving a Lease Agreement with

Outward Bound, Inc. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

A motion offered by Councilmember Nevitt, duly seconded by Councilmember Brooks, that CB11-0582, CB11-0607, CB11-0609, CB11-0623, CB11-0626, CB11-0662, CB11-0663, CB11-0608, CB11-0624, CB11-0602, CB11-0632, CB11-0587, CB11-0588, CB11-0589, CB11-0590, CB11-0591, CB11-0592, CB11-0593, CB11-0594, CB11-0595, CB11-0597, CB11-0598, CB11-0605, CB11-0606, CB11-0620, CB11-0622, and CB11-0625 be ordered published en bloc, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: (None) (0)

Abstain: (None) (0)

CB11-0625 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 "38th Avenue Underpass—Inca St. Bike/Pedestrian Bridge" project and the funding therefor. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

A motion offered by Councilmember Nevitt, duly seconded by Councilmember Brooks, that CB11-0582, CB11-0607, CB11-0609, CB11-0623, CB11-0626, CB11-0662, CB11-0663, CB11-0608, CB11-0624, CB11-0602, CB11-0632, CB11-0587, CB11-0588, CB11-0589, CB11-0590, CB11-0591, CB11-0592, CB11-0593, CB11-0594, CB11-0595, CB11-0597, CB11-0598, CB11-0605, CB11-0606, CB11-0620, CB11-0622, and CB11-0625 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 a public hearing on CB11-0558, amending Ordinance No. 433, Series of 2008 relating to the rezoning of 2851 West 52nd Avenue.

Tonight there will be a public hearing on CB11-0558, amending Ordinance

No. 433, Series of 2008 relating to the rezoning of 2851 West 52nd Avenue. 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 took a brief recess.

Council Reconvenes and Resumes its Regular Session

Bills for Final Consideration - Public Hearings

CB11-0558 A bill for an ordinance amending Ordinance No. 433, Series of 2008 relating to the rezoning of 2851 West 52nd Avenue. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

Corrects the height waiver language in the ordinance adopting the zoning for property at Federal and W. 52nd Ave., the former Marycrest School, in Council District 1. PUBLIC HEARING AT LEAST FOUR WEEKS FOLLOWING PUBLICATION. The Committee approved filing this bill by consent on 8-4-11. LAND USE, TRANSPORTATION & INFRASTRUCTURE

A motion offered by Councilmember Brooks, duly seconded by Councilmember Lehmann, that CB11-0558 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 6:13 PM, Council President Nevitt presiding, to hear speakers either for or against CB11-0558. Mary Anderies, Greg Alcaro, and Susan Powers signed up to address the bill. Theresa Lucero of Community Planning and Development delivered the Staff Report with an overview and recommendation for approval.

Bills for Final Consideration

Business, Workforce & Sustainability

CB11-0581 A bill for an ordinance approving a proposed Agreement between the City and County of Denver and Denver Options, Inc., to provide employment and training services for an estimated 945 TANF participants. (BUSINESS, WORKFORCE & SUSTAINABILITY)

A motion offered by Councilmember Brooks, duly seconded by Councilmember Shepherd, that CB11-0581, CB11-0596, CB11-0543, CB11-0377, CB11-0583, and CB11-0599 be placed upon final consideration and do pass en bloc, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: (None) (0)

Abstain: Montero (1)

CB11-0596 A bill for an ordinance amending Article I and Article II of Chapter 32, sections 32-5, 32-7 and 32-93, Denver Revised Municipal Code concerning licensing fees for medical marijuana businesses. (BUSINESS, WORKFORCE & SUSTAINABILITY)

A motion offered by Councilmember Brooks, duly seconded by Councilmember Shepherd, that CB11-0581, CB11-0596, CB11-0543, CB11-0377, CB11-0583, and CB11-0599 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)

Government & Finance

CB11-0543 A bill for an ordinance amending the classification and pay plan for employees in the Career Service and for certain employees not in the Career Service. (GOVERNMENT & FINANCE)

A motion offered by Councilmember Brooks, duly seconded by Councilmember Shepherd, that CB11-0581, CB11-0596, CB11-0543, CB11-0377, CB11-0583, and CB11-0599 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)

Health, Safety, Education & Services

CB11-0377 A bill for an ordinance approving a three (3) year lease of city-owned land to Running Creek Ranch for grazing livestock. (HEALTH, SAFETY, EDUCATION & SERVICES)

A motion offered by Councilmember Brooks, duly seconded by Councilmember Shepherd, that CB11-0581, CB11-0596, CB11-0543, CB11-0377, CB11-0583, and CB11-0599 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)

CB11-0583 A bill for an ordinance approving a proposed Lease Agreement between the City and County of Denver and ICLEI Local Governments for Sustainability, USA, Inc. for 80 square feet of office space in lieu of membership fees and benefits. (HEALTH, SAFETY, EDUCATION & SERVICES)

A motion offered by Councilmember Brooks, duly seconded by Councilmember Shepherd, that CB11-0581, CB11-0596, CB11-0543, CB11-0377, CB11-0583, and CB11-0599 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)

Land Use, Transportation & Infrastructure

CB11-0599 A bill for an ordinance approving a proposed agreement between the City and County of Denver and T2 Construction, Inc. for master plan and irrigation improvements at Swansea Park. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

A motion offered by Councilmember Brooks, duly seconded by Councilmember Shepherd, that CB11-0581, CB11-0596, CB11-0543, CB11-0377, CB11-0583, and CB11-0599 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 there will be a public hearing on CB11-0605, changing the zoning classification of 3155 East First Avenue from PUD No. 151 to C-CCN, and CB11-0606, changing the zoning classification of 75 Adams Street from PUD No. 304 to C-MX-8 on Monday, October 10, 2011. Any protests against CB11-0605 or CB11-0606 must be filed with the Council Office no later than Monday, October 3, 2011.

There will be public hearings on CB11-0605, changing the zoning classification of 3155 East First Avenue from PUD No. 151 to C-CCN, and CB11-0606, changing the zoning classification of 75 Adams Street from PUD No. 304 to C-MX-8 on Monday, October 10, 2011. Any protests against Council Bill 605 or 606 must be filed with the Council Office no later than Monday, October 3, 2011.

Adjourn

There being no further business before the City Council, Council President Nevitt adjourned the meeting at 6:26 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)