

## **City Council Minutes**

Meeting Date: Monday, May 21, 2012 5:30 PM

### **Pledge of Allegiance**

Councilmember Herndon led the Pledge of Allegiance.

### **Roll Call**

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

Absent: Brown, Lehmann

### **Approval of Minutes of Monday, May 14, 2012**

The minutes of meeting date, Monday, May 14, 2012, were distributed to Council. Council President Nevitt ordered the minutes approved.

### **Council Announcements**

Councilmembers Robb, Brooks, Montero, and Susman offered announcements.

### **Presentations**

### **Communications**

### **Proclamations**

**CP12-0388 A proclamation in honor of the 50th anniversary of the Denver Folklore Center and its founder, Harry Tuft.**

**Sponsored by Councilmembers Robb, Brown, and Lehmann.**

A motion offered by Councilmember Robb, duly seconded by Councilmember Susman, that CP12-0388 be adopted, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: Brown, Lehmann (2)

Abstain: (None) (0)

**CP12-0419 A proclamation designating May 20th through May 26th as**

**“Public Works Week in Denver” and congratulating the Public Works Department’s Ten Employees of the Year. Sponsored by Councilmembers Robb, Brown, Lehmann, Susman, López, Montero, Faatz, and Brooks.**

A motion offered by Councilmember Robb, duly seconded by Councilmember Shepherd, that CP12-0419 be adopted, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: Brown, Lehmann (2)

Abstain: (None) (0)

## **Resolutions**

The Council Secretary read the following resolutions by titles.

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

**CR12-0423 A resolution authorizing and approving the expenditure and payment from the appropriation account designated “liability claims,” the sum of Forty Thousand and 00/100 Dollars (\$40,000.00), payable to Scott H. Robinson, P.C. and Diamond S. Demmer, in full payment and satisfaction of all claims by Diamond S. Demmer, in Civil Action No. 11-cv-01802-CMA-KMT, in the United States District Court for the District of Colorado. (HEALTH, SAFETY, EDUCATION & SERVICES)**

A motion offered by Councilmember Herndon, duly seconded by Councilmember Robb, that CR12-0423, CR12-0355, CR12-0357, CR12-0358, CR12-0359, CR12-0360, CR12-0361, and CR12-0362 be adopted en bloc, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: Brown, Lehmann (2)

Abstain: (None) (0)

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

**CR12-0355 A resolution laying out, opening and establishing as part of the city street system a parcel of land at approximately W. Colfax Avenue and Vrain Street. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

A motion offered by Councilmember Herndon, duly seconded by Councilmember Robb, that CR12-0423, CR12-0355, CR12-0357, CR12-0358, CR12-0359, CR12-0360, CR12-0361, and CR12-0362 be adopted en bloc, carried by the following vote:

Passed  
For: Brooks, Faatz, Herndon, Kniech, Lopez, Montero, Nevitt, Ortega, Robb, Shepherd, Susman (11)  
Against: (None) (0)  
Absent: Brown, Lehmann (2)  
Abstain: (None) (0)

**CR12-0356 A resolution laying out, opening and establishing parcels of land for right-of-way purposes on the block bounded by W. 14th Avenue, W. Colfax Avenue, Zenobia Street and Yates Street. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

A motion offered by Councilmember Herndon, duly seconded by Councilmember Montero, that CP12-0356 be adopted, failed to carry by the following vote:

Failed  
For: Montero (1)  
Against: Brooks, Faatz, Herndon, Kniech, Lopez, Nevitt, Ortega, Robb, Shepherd, Susman (10)  
Absent: Brown, Lehmann (2)  
Abstain: (None) (0)

**CR12-0357 A resolution laying out, opening and establishing as part of the city street system parcels of land as Quentin Street at its intersection with 44th Avenue. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

A motion offered by Councilmember Herndon, duly seconded by Councilmember Robb, that CR12-0423, CR12-0355, CR12-0357, CR12-0358, CR12-0359, CR12-0360, CR12-0361, and CR12-0362 be adopted en bloc, carried by the following vote:

Passed  
For: Brooks, Faatz, Herndon, Kniech, Lopez, Montero, Nevitt, Ortega, Robb, Shepherd, Susman (11)  
Against: (None) (0)  
Absent: Brown, Lehmann (2)  
Abstain: (None) (0)

**CR12-0358 A resolution laying out, opening and establishing as part of the city street system parcels of land as Peoria Street at its intersection with 45th Avenue. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

A motion offered by Councilmember Herndon, duly seconded by Councilmember Robb, that CR12-0423, CR12-0355, CR12-0357, CR12-0358, CR12-0359, CR12-0360, CR12-0361, and CR12-0362 be adopted en bloc, carried by the following vote:

Passed  
For: Brooks, Faatz, Herndon, Kniech, Lopez, Montero, Nevitt, Ortega, Robb, Shepherd, Susman (11)  
Against: (None) (0)  
Absent: Brown, Lehmann (2)  
Abstain: (None) (0)

**CR12-0359 A resolution laying out, opening and establishing as part of the city street system a parcel of land as Larimer Street between Park Avenue and 24th Street. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

A motion offered by Councilmember Herndon, duly seconded by Councilmember Robb, that CR12-0423, CR12-0355, CR12-0357, CR12-0358, CR12-0359, CR12-0360, CR12-0361, and CR12-0362 be adopted en bloc, carried by the following vote:

Passed  
For: Brooks, Faatz, Herndon, Kniech, Lopez, Montero, Nevitt, Ortega, Robb, Shepherd, Susman (11)  
Against: (None) (0)  
Absent: Brown, Lehmann (2)  
Abstain: (None) (0)

**CR12-0360 A resolution granting a revocable permit to Clifford Beem, to encroach into the right-of-way with various items behind 661 Williams Street. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

A motion offered by Councilmember Herndon, duly seconded by Councilmember Robb, that CR12-0423, CR12-0355, CR12-0357, CR12-0358, CR12-0359, CR12-0360, CR12-0361, and CR12-0362 be adopted en bloc, carried by the following vote:

Passed  
For: Brooks, Faatz, Herndon, Kniech, Lopez, Montero, Nevitt, Ortega, Robb, Shepherd, Susman (11)  
Against: (None) (0)  
Absent: Brown, Lehmann (2)  
Abstain: (None) (0)

**CR12-0361 A resolution granting a revocable permit to 6th & Logan Street Associates, LLC to encroach into the right-of-way at 619 Logan Street. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

A motion offered by Councilmember Herndon, duly seconded by Councilmember Robb, that CR12-0423, CR12-0355, CR12-0357, CR12-0358, CR12-0359, CR12-0360, CR12-0361, and CR12-0362 be adopted en bloc, carried by the following vote:

Passed  
For: Brooks, Faatz, Herndon, Kniech, Lopez, Montero, Nevitt, Ortega, Robb, Shepherd, Susman (11)  
Against: (None) (0)  
Absent: Brown, Lehmann (2)  
Abstain: (None) (0)

**CR12-0362 A resolution granting a revocable permit to University of Colorado Denver, to encroach into the right-of-way with various items at Lawrence Street and 14th Street. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

A motion offered by Councilmember Herndon, duly seconded by Councilmember Robb, that CR12-0423, CR12-0355, CR12-0357, CR12-0358, CR12-0359, CR12-0360, CR12-0361, and CR12-0362 be adopted en bloc, carried by the following vote:

Passed  
For: Brooks, Faatz, Herndon, Kniech, Lopez, Montero, Nevitt, Ortega, Robb, Shepherd, Susman (11)  
Against: (None) (0)  
Absent: Brown, Lehmann (2)  
Abstain: (None) (0)

**Bills for Introduction**

The Council Secretary read the following bills by titles. Council President Nevitt announced that all other bills on introduction are ordered published.

**Business, Workforce & Sustainability**

**CB12-0189 A bill for an ordinance approving a proposed Agreement between the City and County of Denver and Sogeti USA LLC related to on-call technology systems support services at Denver International Airport. (BUSINESS, WORKFORCE & SUSTAINABILITY)**

A motion offered by Councilmember Nevitt, duly seconded by Councilmember Herndon, that CB12-0189, CB12-0329, CB12-0330, CB12-0346, CB12-0363, CB12-0313, CB12-0354, CB12-0290, and CB12-0327 be ordered published en bloc, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: Brown, Lehmann (2)

Abstain: (None) (0)

**CB12-0329 A bill for an ordinance approving a proposed First Amendment to Agreement between the City and County of Denver and Long View Systems Corporation (USA) related to on-call technology systems support services at Denver International Airport. (BUSINESS, WORKFORCE, & SUSTAINABILITY)**

A motion offered by Councilmember Nevitt, duly seconded by Councilmember Herndon, that CB12-0189, CB12-0329, CB12-0330, CB12-0346, CB12-0363, CB12-0313, CB12-0354, CB12-0290, and CB12-0327 be ordered published en bloc, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: Brown, Lehmann (2)

Abstain: (None) (0)

**CB12-0330 A bill for an ordinance approving a proposed First Amendment to Agreement between the City and County of Denver and TEKsystems, Inc. related to on-call technology systems support services at Denver International Airport. (BUSINESS, WORKFORCE & SUSTAINABILITY)**

A motion offered by Councilmember Nevitt, duly seconded by Councilmember Herndon, that CB12-0189, CB12-0329, CB12-0330, CB12-0346, CB12-0363, CB12-0313, CB12-0354, CB12-0290, and CB12-0327 be ordered published en bloc, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: Brown, Lehmann (2)

Abstain: (None) (0)

**CB12-0346 A bill for an ordinance approving a proposed Fourth Amendment to Lease Agreement between the City and County of Denver and Convenience Retailers LLC concerning a gas station, convenience store and food court at Denver International Airport. (BUSINESS, WORKFORCE & SUSTAINABILITY)**

A motion offered by Councilmember Nevitt, duly seconded by Councilmember Herndon, that CB12-0189, CB12-0329, CB12-0330, CB12-0346, CB12-0363, CB12-0313, CB12-0354, CB12-0290, and CB12-0327 be ordered published en bloc, carried by the following vote:

Passed  
For: Brooks, Faatz, Herndon, Kniech, Lopez, Montero, Nevitt, Ortega, Robb, Shepherd, Susman (11)  
Against: (None) (0)  
Absent: Brown, Lehmann (2)  
Abstain: (None) (0)

**CB12-0363 A bill for an ordinance approving a proposed Concession Agreement between the City and County of Denver and HG Denver JV, a joint venture d/b/a "Tattered Cover Book Store" or "Hudson News," related to concession services at Denver International Airport. (BUSINESS, WORKFORCE & SUSTAINABILITY)**

A motion offered by Councilmember Nevitt, duly seconded by Councilmember Herndon, that CB12-0189, CB12-0329, CB12-0330, CB12-0346, CB12-0363, CB12-0313, CB12-0354, CB12-0290, and CB12-0327 be ordered published en bloc, carried by the following vote:

Passed  
For: Brooks, Faatz, Herndon, Kniech, Lopez, Montero, Nevitt, Ortega, Robb, Shepherd, Susman (11)  
Against: (None) (0)  
Absent: Brown, Lehmann (2)  
Abstain: (None) (0)

**Government & Finance**

**CB12-0313 A bill for an ordinance establishing a new fund number in the Grant/Other Capital Projects Fund and making a cash transfer from the Culture and Recreation Special Revenue Fund to the Grant/Other Capital Projects Fund. (GOVERNMENT & FINANCE)**

A motion offered by Councilmember Nevitt, duly seconded by Councilmember Herndon, that CB12-0189, CB12-0329, CB12-0330, CB12-0346, CB12-0363, CB12-0313, CB12-0354, CB12-0290, and CB12-0327 be ordered published en bloc, carried by the following vote:

Passed  
For: Brooks, Faatz, Herndon, Kniech, Lopez, Montero, Nevitt, Ortega, Robb, Shepherd, Susman (11)  
Against: (None) (0)

Absent: Brown, Lehmann (2)  
Abstain: (None) (0)

**CB12-0354 A bill for an ordinance approving a proposed Purchase Order between the City and County of Denver and EMC Corporation for hardware to upgrade and replace the City-wide storage system. (GOVERNMENT & FINANCE)**

A motion offered by Councilmember Nevitt, duly seconded by Councilmember Herndon, that CB12-0189, CB12-0329, CB12-0330, CB12-0346, CB12-0363, CB12-0313, CB12-0354, CB12-0290, and CB12-0327 be ordered published en bloc, carried by the following vote:

Passed

For: Brooks, Faatz, Herndon, Kniech, Lopez, Montero, Nevitt, Ortega, Robb, Shepherd, Susman (11)  
Against: (None) (0)  
Absent: Brown, Lehmann (2)  
Abstain: (None) (0)

**Health, Safety, Education & Services**

**CB12-0290 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 "High Intensity Drug Trafficking Area (H.I.D.T.A.) FY12" program and the funding therefor. (HEALTH, SAFETY, EDUCATION & SERVICES)**

A motion offered by Councilmember Nevitt, duly seconded by Councilmember Herndon, that CB12-0189, CB12-0329, CB12-0330, CB12-0346, CB12-0363, CB12-0313, CB12-0354, CB12-0290, and CB12-0327 be ordered published en bloc, carried by the following vote:

Passed

For: Brooks, Faatz, Herndon, Kniech, Lopez, Montero, Nevitt, Ortega, Robb, Shepherd, Susman (11)  
Against: (None) (0)  
Absent: Brown, Lehmann (2)  
Abstain: (None) (0)

**Land Use, Transportation & Infrastructure**

**CB12-0327 A bill for an ordinance changing the zoning classification for 3200 - 3262 Blake Street. (LAND USE TRANSPORTATION AND INFRASTRUCTURE)**

A motion offered by Councilmember Nevitt, duly seconded by Councilmember



Herndon, that CB12-0189, CB12-0329, CB12-0330, CB12-0346, CB12-0363, CB12-0313, CB12-0354, CB12-0290, and CB12-0327 be ordered published en bloc, carried by the following vote:

Passed  
For: Brooks, Faatz, Herndon, Kniech, Lopez, Montero, Nevitt, Ortega, Robb, Shepherd, Susman (11)  
Against: (None) (0)  
Absent: Brown, Lehmann (2)  
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 CB12-0265 changing the zoning classification of 8th Avenue and Colorado Boulevard.

**Tonight there will be a public hearing on CB12-0265 changing the zoning classification of 8th Avenue and Colorado Boulevard. Anyone wishing to speak on this matter must see the Council Secretary to sign up during the recess of Council.**

**Recess**

Council took a recess.

**Council Reconvenes and Resumes its Regular Session**

**Bills for Final Consideration - Public Hearings**

**Land Use, Transportation & Infrastructure <Committee>**

**CB12-0265 A bill for an ordinance changing the zoning classification of 8th Avenue and Colorado Boulevard to a Planned Unit Development District. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

A motion offered by Councilmember Herndon, duly seconded by Councilmember Susman, that CB12-0265 be placed upon final consideration and do pass, carried by the following vote:

Passed  
For: Brooks, Faatz, Herndon, Kniech, Montero, Nevitt, Ortega, Robb, Shepherd,

Susman (10)  
Against: (None) (0)  
Absent: Brown, Lehmann (2)  
Abstain: (None) (0)

Council sat as a Committee of the Whole commencing at 6:55 PM, Council President Nevitt presiding, to hear speakers either for or against CB12-0265. Bob Gollick and Seku signed up to address the bill. Chris Gleissner of Community, Planning and Development delivered the Staff Report with an overview and recommendation for approval.

## **Bills for Final Consideration**

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

**CB12-0341 A bill for an ordinance approving a proposed 2012 Lease Amendment to the Airport Use and Facilities Lease Agreement between the City and County of Denver and United Airlines, Inc., related to leased space at Denver International Airport. (BUSINESS, WORKFORCE & SUSTAINABILITY)**

A motion offered by Councilmember Herndon, duly seconded by Councilmember Montero, that CB12-0341, CB12-0316, and CB12-0328 be placed upon final consideration and do pass en bloc, carried by the following vote:

Passed  
For: Brooks, Faatz, Herndon, Kniech, Lopez, Montero, Nevitt, Ortega, Robb, Shepherd, Susman (11)  
Against: (None) (0)  
Absent: Brown, Lehmann (2)  
Abstain: (None) (0)

### **Government & Finance**

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

**CB12-0316 A bill for an ordinance approving a proposed Amendatory Agreement between the City and County of Denver and Clayton Family Futures, to provide comprehensive Head Start services. (HEALTH, SAFETY, EDUCATION & SERVICES)**

A motion offered by Councilmember Herndon, duly seconded by Councilmember Montero, that CB12-0341, CB12-0316, and CB12-0328 be placed upon final consideration and do pass en bloc, carried by the following vote:

Passed  
For: Brooks, Faatz, Herndon, Kniech, Lopez, Montero, Nevitt, Ortega, Robb,

Shepherd, Susman (11)  
Against: (None) (0)  
Absent: Brown, Lehmann (2)  
Abstain: (None) (0)

**CB12-0328 A bill for an ordinance approving an agreement with Integral Recoveries, Inc. to assist Denver County Court with collection of delinquent court-ordered fines, costs, and fees. (HEALTH, SAFETY, EDUCATION & SERVICES)**

A motion offered by Councilmember Herndon, duly seconded by Councilmember Montero, that CB12-0341, CB12-0316, and CB12-0328 be placed upon final consideration and do pass en bloc, carried by the following vote:

Passed

For: Brooks, Faatz, Herndon, Kniech, Lopez, Montero, Nevitt, Ortega, Robb, Shepherd, Susman (11)  
Against: (None) (0)  
Absent: Brown, Lehmann (2)  
Abstain: (None) (0)

## **Announcement**

Council President Nevitt announced that there will be a public hearing on Monday June 18, 2012 on CB12-0327 changing the zoning classification for 3200-3262 Blake Street. Any protest against CB12-0327 must be filed with the Council Offices no later than Monday, June 11, 2012.

**Dependent upon publication there will be a public hearing on Monday June 18, 2012 on CB12-0327 changing the zoning classification for 3200-3262 Blake Street. Any protest against CB12-0327 must be filed with the Council Offices no later than Monday, June 11, 2012.**

## **Adjourn**

There being no further business before the City Council, Council President Nevitt adjourned the meeting at 7:21 PM.

## **Pending**

**For 6-4-12**

**CB12-0261 A bill for an ordinance changing the zoning classification for 3901 Fox Street and 3965 Fox Street.**

## **Final Consideration**

**Required Public Hearing (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

**For 6-4-12**

**CB12-0264 A bill for an ordinance changing the zoning classification for 1804 South Pearl Street.**

**Final Consideration**

**Required Public Hearing (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**