

## **City Council Minutes**

Meeting Date: Monday, July 11, 2011 5:30 PM

### **Pledge of Allegiance**

Councilmember Johnson led the Pledge of Allegiance.

### **Roll Call**

Present: Faatz, Lehmann, Lopez, Montero, Nevitt, Robb  
Absent: Brown

### **Approval of Minutes of Monday, June 27, 2011**

The minutes of meeting date, Monday, June 27, 2011 were distributed to Council. Council President Nevitt ordered the minutes approved.

### **Council Announcements**

#### **Presentations**

#### **Communications**

#### **Proclamations**

**CP11-0518 A proclamation in recognition of Clerk and Recorder Stephanie Y. O'Malley, for her leadership and service to the City and County of Denver.  
Sponsored by the Entire Council.**

A motion offered by Councilmember Boigon, duly seconded by Councilmember Montero, that CP11-0518 be adopted, carried by the following vote:

Passed

For: Boigon, Hancock, Johnson, Linkhart, Faatz, Lehmann, Lopez, Montero, Nevitt, Robb (10)

Against: (None) (0)

Absent: Brown (1)

Abstain: (None) (0)

**CP11-0519 A proclamation in recognition of the outstanding commitment and service by Guillermo (Bill) Vidal to the City and citizens of Denver as our 44th Mayor.  
Sponsored by the Entire Council.**

A motion offered by Councilmember Nevitt, duly seconded by Councilmember Montero, that CP11-0519 be adopted, carried by the following vote:

Passed

For: Boigon, Hancock, Johnson, Linkhart, Faatz, Lehmann, Lopez, Montero, Nevitt, Robb (10)

Against: (None) (0)

Absent: Brown (1)

Abstain: (None) (0)

**CP11-0520 A proclamation recognizing out-going Council Members. Sponsored by the Entire Council.**

A motion offered by Councilmember Lehmann, duly seconded by Councilmember Robb, that CP11-0520 be adopted, carried by the following vote:

Passed

For: Boigon, Hancock, Johnson, Linkhart, Faatz, Lehmann, Lopez, Montero, Nevitt, Robb (10)

Against: (None) (0)

Absent: Brown (1)

Abstain: (None) (0)

**Resolutions**

The Council Secretary read the following resolutions by titles.

**General Government & Finance**

**CR11-0467 A resolution approving the Mayor’s appointment to the Career Service Authority Board. (GENERAL GOVERNMENT & FINANCE)**

A motion offered by Councilmember Johnson, duly seconded by Councilmember Boigon, that CR11-0467, CR11-0463, CR11-0464, CR11-0465, CR11-0466, CR11-0461, and CR11-0480 be adopted en bloc, carried by the following vote:

Passed

For: Boigon, Hancock, Johnson, Linkhart, Faatz, Lehmann, Lopez, Montero, Nevitt, Robb (10)

Against: (None) (0)

Absent: Brown (1)

Abstain: (None) (0)

**Health, Safety, Education & Services**

**CR11-0463 A resolution approving the Mayor’s reappointments and appointment to the Denver Latino Commission. (HEALTH, SAFETY, EDUCATION & SERVICES)**

A motion offered by Councilmember Johnson, duly seconded by Councilmember Boigon, that CR11-0467, CR11-0463, CR11-0464, CR11-0465, CR11-0466, CR11-0461, and CR11-0480 be adopted en bloc, carried by the following vote:

Passed

For: Boigon, Hancock, Johnson, Linkhart, Faatz, Lehmann, Lopez, Montero, Nevitt, Robb (10)

Against: (None) (0)

Absent: Brown (1)

Abstain: (None) (0)

**CR11-0464 A resolution approving the Mayor’s reappointment and appointment to the Human Rights and Community Relations Board of Directors. (HEALTH, SAFETY, EDUCATION & SERVICES)**

A motion offered by Councilmember Johnson, duly seconded by Councilmember Boigon, that CR11-0467, CR11-0463, CR11-0464, CR11-0465, CR11-0466, CR11-0461, and CR11-0480 be adopted en bloc, carried by the following vote:

Passed

For: Boigon, Hancock, Johnson, Linkhart, Faatz, Lehmann, Lopez, Montero, Nevitt, Robb (10)

Against: (None) (0)

Absent: Brown (1)

Abstain: (None) (0)

**CR11-0465 A resolution approving the Mayor’s reappointment and appointments to the Denver Asian Pacific-American Commission. (HEALTH, SAFETY, EDUCATION & SERVICES)**

A motion offered by Councilmember Johnson, duly seconded by Councilmember Boigon, that CR11-0467, CR11-0463, CR11-0464, CR11-0465, CR11-0466, CR11-0461, and CR11-0480 be adopted en bloc, carried by the following vote:

Passed

For: Boigon, Hancock, Johnson, Linkhart, Faatz, Lehmann, Lopez, Montero, Nevitt, Robb (10)

Against: (None) (0)

Absent: Brown (1)

Abstain: (None) (0)

**CR11-0466 A resolution approving the Mayor’s reappointments to the Community Corrections Board of Directors. (HEALTH, SAFETY, EDUCATION & SERVICES)**

A motion offered by Councilmember Johnson, duly seconded by Councilmember Boigon, that CR11-0467, CR11-0463, CR11-0464, CR11-0465, CR11-0466, CR11-0461, and CR11-0480 be adopted en bloc, carried by the following vote:

Passed

For: Boigon, Hancock, Johnson, Linkhart, Faatz, Lehmann, Lopez, Montero, Nevitt,

Robb (10)  
Against: (None) (0)  
Absent: Brown (1)  
Abstain: (None) (0)

**Land Use, Transportation & Infrastructure**

**CR11-0461 A resolution granting a revocable permit to Adar Sheni to encroach into the right-of-way with various items at 1400 Glenarm Place. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

A motion offered by Councilmember Johnson, duly seconded by Councilmember Boigon, that CR11-0467, CR11-0463, CR11-0464, CR11-0465, CR11-0466, CR11-0461, and CR11-0480 be adopted en bloc, carried by the following vote:  
Passed  
For: Boigon, Hancock, Johnson, Linkhart, Faatz, Lehmann, Lopez, Montero, Nevitt, Robb (10)  
Against: (None) (0)  
Absent: Brown (1)  
Abstain: (None) (0)

**CR11-0480 A resolution granting a revocable permit to West Colfax Business Improvement District to encroach into the right-of-way with various items along Colfax Ave. between approximately Sheridan Blvd. and Federal Blvd. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

A motion offered by Councilmember Johnson, duly seconded by Councilmember Boigon, that CR11-0467, CR11-0463, CR11-0464, CR11-0465, CR11-0466, CR11-0461, and CR11-0480 be adopted en bloc, carried by the following vote:  
Passed  
For: Boigon, Hancock, Johnson, Linkhart, Faatz, Lehmann, Lopez, Montero, Nevitt, Robb (10)  
Against: (None) (0)  
Absent: Brown (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**

**CB11-0325 A bill for an ordinance amending Sections 28-83 and 28-234 of the Revised Municipal Code to extend the enactment of, respectively, Division 3 of Article III of Chapter 28 (the Minority and Women Business Enterprise (MBE/WBE) Ordinance) and Article VII of Chapter 28 (the Small**

**Business Enterprise (SBE) Ordinance) for an additional eighteen (18) months. (BUSINESS WORKFORCE AND SUSTAINABILITY)**

A motion offered by Councilmember Johnson, duly seconded by Councilmember Boigon, that CB11-0325 be ordered published, carried by the following vote:

Passed

For: Boigon, Hancock, Johnson, Linkhart, Lehmann, Lopez, Montero, Nevitt, Robb (9)

Against: Faatz (1)

Absent: Brown (1)

Abstain: (None) (0)

**CB11-0424 A bill for an ordinance approving a proposed Agreement between the City and County of Denver and Denver Housing Authority for the purpose of constructing a community facility for senior public housing at the 10th & Osage Light-Rail Station. (BUSINESS, WORKFORCE & SUSTAINABILITY)**

A motion offered by Councilmember Nevitt, duly seconded by Councilmember Johnson, that CB11-0424, CB11-0425, CB11-0473, CB11-0474, CB11-0476, CB11-0477, CB11-0486, CB11-0438, CB11-0457, CB11-0459, CB11-0460, CB11-0410, CB11-0386, CB11-0420, CB11-0470, CB11-0471, CB11-0472, and CB11-0490 be ordered published en bloc, carried by the following vote:

Passed

For: Boigon, Hancock, Johnson, Linkhart, Faatz, Lehmann, Lopez, Montero, Nevitt, Robb (10)

Against: (None) (0)

Absent: Brown (1)

Abstain: (None) (0)

**CB11-0425 A bill for an ordinance approving a proposed Agreement between the City and County of Denver and Denver Housing Authority for the purpose of constructing 89 units of rental housing as part of Phase 9 of the HOPE VI development along Park Avenue. (BUSINESS, WORKFORCE & SUSTAINABILITY)**

A motion offered by Councilmember Nevitt, duly seconded by Councilmember Johnson, that CB11-0424, CB11-0425, CB11-0473, CB11-0474, CB11-0476, CB11-0477, CB11-0486, CB11-0438, CB11-0457, CB11-0459, CB11-0460, CB11-0410, CB11-0386, CB11-0420, CB11-0470, CB11-0471, CB11-0472, and CB11-0490 be ordered published en bloc, carried by the following vote:

Passed

For: Boigon, Hancock, Johnson, Linkhart, Faatz, Lehmann, Lopez, Montero, Nevitt, Robb (10)

Against: (None) (0)

Absent: Brown (1)

Abstain: (None) (0)

**CB11-0473 A bill for an ordinance approving a proposed Second Amendment to Agreement between the City and County of Denver and Jung J. Kim, concerning a concession at Denver International Airport. (BUSINESS, WORKFORCE & SUSTAINABILITY)**

These items be ordered published en bloc.

Passed

For: Boigon, Hancock, Johnson, Linkhart, Faatz, Lehmann, Lopez, Montero, Nevitt, Robb (10)

Against: (None) (0)

Absent: Brown (1)

Abstain: (None) (0)

**CB11-0474 A bill for an ordinance approving a proposed Sixth Amendment to Agreement between the City and County of Denver and Ayala's, Inc., concerning a concession at Denver International Airport. (BUSINESS, WORKFORCE & SUSTAINABILITY)**

A motion offered by Councilmember Nevitt, duly seconded by Councilmember Johnson, that CB11-0424, CB11-0425, CB11-0473, CB11-0474, CB11-0476, CB11-0477, CB11-0486, CB11-0438, CB11-0457, CB11-0459, CB11-0460, CB11-0410, CB11-0386, CB11-0420, CB11-0470, CB11-0471, CB11-0472, and CB11-0490 be ordered published en bloc, carried by the following vote:

Passed

For: Boigon, Hancock, Johnson, Linkhart, Faatz, Lehmann, Lopez, Montero, Nevitt, Robb (10)

Against: (None) (0)

Absent: Brown (1)

Abstain: (None) (0)

**CB11-0476 A bill for an ordinance approving a proposed Seventh Amendment to Agreement between the City and County of Denver and Mission Yogurt, Inc., concerning a concession at Denver International Airport. (BUSINESS, WORKFORCE & SUSTAINABILITY)**

A motion offered by Councilmember Nevitt, duly seconded by Councilmember Johnson, that CB11-0424, CB11-0425, CB11-0473, CB11-0474, CB11-0476, CB11-0477, CB11-0486, CB11-0438, CB11-0457, CB11-0459, CB11-0460, CB11-0410, CB11-0386, CB11-0420, CB11-0470, CB11-0471, CB11-0472, and CB11-0490 be ordered published en bloc, carried by the following vote:

Passed

For: Boigon, Hancock, Johnson, Linkhart, Faatz, Lehmann, Lopez, Montero, Nevitt, Robb (10)

Against: (None) (0)

Absent: Brown (1)

Abstain: (None) (0)

**CB11-0477 A bill for an ordinance approving a proposed DIA Sustainability Management Plan Agreement between the City and County of Denver and Ricondo & Associates Inc., concerning professional services at Denver International Airport. (BUSINESS, WORKFORCE & SUSTAINABILITY)**

A motion offered by Councilmember Nevitt, duly seconded by Councilmember Johnson, that CB11-0424, CB11-0425, CB11-0473, CB11-0474, CB11-0476, CB11-0477, CB11-0486, CB11-0438, CB11-0457, CB11-0459, CB11-0460, CB11-0410, CB11-0386, CB11-0420, CB11-0470, CB11-0471, CB11-0472, and CB11-0490 be ordered published en bloc, carried by the following vote:

Passed  
For: Boigon, Hancock, Johnson, Linkhart, Faatz, Lehmann, Lopez, Montero, Nevitt, Robb (10)  
Against: (None) (0)  
Absent: Brown (1)  
Abstain: (None) (0)

**CB11-0486 A bill for an ordinance approving a proposed Agreement between the City and County of Denver and Jewish Family Service of Colorado Inc., dba Shalom Denver, to provide TANF employment services in the amount of \$638,394, for program year 2011-2012. (BUSINESS, WORKFORCE & SUSTAINABILITY)**

A motion offered by Councilmember Nevitt, duly seconded by Councilmember Johnson, that CB11-0424, CB11-0425, CB11-0473, CB11-0474, CB11-0476, CB11-0477, CB11-0486, CB11-0438, CB11-0457, CB11-0459, CB11-0460, CB11-0410, CB11-0386, CB11-0420, CB11-0470, CB11-0471, CB11-0472, and CB11-0490 be ordered published en bloc, carried by the following vote:

Passed  
For: Boigon, Hancock, Johnson, Linkhart, Faatz, Lehmann, Lopez, Montero, Nevitt, Robb (10)  
Against: (None) (0)  
Absent: Brown (1)  
Abstain: (None) (0)

**General Government & Finance**

**CB11-0438 A bill for an ordinance approving a proposed Agreement between the City and County of Denver and JVA Consulting, LLC, to assist City agencies and non-profits with grant research, management and writing services. (GENERAL GOVERNMENT & FINANCE)**

A motion offered by Councilmember Nevitt, duly seconded by Councilmember Johnson, that CB11-0424, CB11-0425, CB11-0473, CB11-0474, CB11-0476, CB11-0477, CB11-0486, CB11-0438, CB11-0457, CB11-0459, CB11-0460, CB11-0410, CB11-0386, CB11-0420, CB11-0470, CB11-0471, CB11-0472, and CB11-0490 be

ordered published en bloc, carried by the following vote:

Passed

For: Boigon, Hancock, Johnson, Linkhart, Faatz, Lehmann, Lopez, Montero, Nevitt, Robb (10)

Against: (None) (0)

Absent: Brown (1)

Abstain: (None) (0)

**CB11-0457 A bill for an ordinance approving a proposed Second Amendatory Agreement between the City and County of Denver and Chandler Asset Management, to procure investment consulting and investment management services. (GENERAL GOVERNMENT & FINANCE)**

A motion offered by Councilmember Nevitt, duly seconded by Councilmember Johnson, that CB11-0424, CB11-0425, CB11-0473, CB11-0474, CB11-0476, CB11-0477, CB11-0486, CB11-0438, CB11-0457, CB11-0459, CB11-0460, CB11-0410, CB11-0386, CB11-0420, CB11-0470, CB11-0471, CB11-0472, and CB11-0490 be ordered published en bloc, carried by the following vote:

Passed

For: Boigon, Hancock, Johnson, Linkhart, Faatz, Lehmann, Lopez, Montero, Nevitt, Robb (10)

Against: (None) (0)

Absent: Brown (1)

Abstain: (None) (0)

**CB11-0459 A bill for an ordinance amending Article II of Chapter 10.5, D.R.M.C., eliminating the Office of Telecommunications and transferring authority for administration of cable television franchises to the Technology Services agency of the city. (GENERAL GOVERNMENT & FINANCE)**

A motion offered by Councilmember Nevitt, duly seconded by Councilmember Johnson, that CB11-0424, CB11-0425, CB11-0473, CB11-0474, CB11-0476, CB11-0477, CB11-0486, CB11-0438, CB11-0457, CB11-0459, CB11-0460, CB11-0410, CB11-0386, CB11-0420, CB11-0470, CB11-0471, CB11-0472, and CB11-0490 be ordered published en bloc, carried by the following vote:

Passed

For: Boigon, Hancock, Johnson, Linkhart, Faatz, Lehmann, Lopez, Montero, Nevitt, Robb (10)

Against: (None) (0)

Absent: Brown (1)

Abstain: (None) (0)

**CB11-0460 A bill for an ordinance authorizing a transfer of cash from the Safety Special Revenue Fund to the General Fund to close out the "Community Corrections FY09-10" grant. (GENERAL GOVERNMENT & FINANCE)**



A motion offered by Councilmember Nevitt, duly seconded by Councilmember Johnson, that CB11-0424, CB11-0425, CB11-0473, CB11-0474, CB11-0476, CB11-0477, CB11-0486, CB11-0438, CB11-0457, CB11-0459, CB11-0460, CB11-0410, CB11-0386, CB11-0420, CB11-0470, CB11-0471, CB11-0472, and CB11-0490 be ordered published en bloc, carried by the following vote:

Passed

For: Boigon, Hancock, Johnson, Linkhart, Faatz, Lehmann, Lopez, Montero, Nevitt, Robb (10)

Against: (None) (0)

Absent: Brown (1)

Abstain: (None) (0)

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

**CB11-0410 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, to allocate \$733,007.36 for Head Start services through December 31, 2011. (HEALTH, SAFETY, EDUCATION & SERVICES)**

A motion offered by Councilmember Nevitt, duly seconded by Councilmember Johnson, that CB11-0424, CB11-0425, CB11-0473, CB11-0474, CB11-0476, CB11-0477, CB11-0486, CB11-0438, CB11-0457, CB11-0459, CB11-0460, CB11-0410, CB11-0386, CB11-0420, CB11-0470, CB11-0471, CB11-0472, and CB11-0490 be ordered published en bloc, carried by the following vote:

Passed

For: Boigon, Hancock, Johnson, Linkhart, Faatz, Lehmann, Lopez, Montero, Nevitt, Robb (10)

Against: (None) (0)

Absent: Brown (1)

Abstain: (None) (0)

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

**CB11-0386 A bill for an ordinance approving an agreement with EZA, P.C. d/b/a Oz Architecture of Boulder, Inc. and the City & County of Denver for professional design services for the Lowry Fire Station. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

A motion offered by Councilmember Nevitt, duly seconded by Councilmember Johnson, that CB11-0424, CB11-0425, CB11-0473, CB11-0474, CB11-0476, CB11-0477, CB11-0486, CB11-0438, CB11-0457, CB11-0459, CB11-0460, CB11-0410, CB11-0386, CB11-0420, CB11-0470, CB11-0471, CB11-0472, and CB11-0490 be ordered published en bloc, carried by the following vote:

Passed

For: Boigon, Hancock, Johnson, Linkhart, Faatz, Lehmann, Lopez, Montero, Nevitt,

Robb (10)  
Against: (None) (0)  
Absent: Brown (1)  
Abstain: (None) (0)

**CB11-0420 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. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

A motion offered by Councilmember Nevitt, duly seconded by Councilmember Johnson, that CB11-0424, CB11-0425, CB11-0473, CB11-0474, CB11-0476, CB11-0477, CB11-0486, CB11-0438, CB11-0457, CB11-0459, CB11-0460, CB11-0410, CB11-0386, CB11-0420, CB11-0470, CB11-0471, CB11-0472, and CB11-0490 be ordered published en bloc, carried by the following vote:

Passed

For: Boigon, Hancock, Johnson, Linkhart, Faatz, Lehmann, Lopez, Montero, Nevitt, Robb (10)

Against: (None) (0)

Absent: Brown (1)

Abstain: (None) (0)

**CB11-0470 A bill for an ordinance changing the zoning classification of 2715, 2717, 2725 and 2727 S. Colorado Blvd. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

A motion offered by Councilmember Nevitt, duly seconded by Councilmember Johnson, that CB11-0424, CB11-0425, CB11-0473, CB11-0474, CB11-0476, CB11-0477, CB11-0486, CB11-0438, CB11-0457, CB11-0459, CB11-0460, CB11-0410, CB11-0386, CB11-0420, CB11-0470, CB11-0471, CB11-0472, and CB11-0490 be ordered published en bloc, carried by the following vote:

Passed

For: Boigon, Hancock, Johnson, Linkhart, Faatz, Lehmann, Lopez, Montero, Nevitt, Robb (10)

Against: (None) (0)

Absent: Brown (1)

Abstain: (None) (0)

**CB11-0471 A bill for an ordinance changing the zoning classification of 9100 East Lowry Boulevard. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

A motion offered by Councilmember Nevitt, duly seconded by Councilmember Johnson, that CB11-0424, CB11-0425, CB11-0473, CB11-0474, CB11-0476, CB11-0477, CB11-0486, CB11-0438, CB11-0457, CB11-0459, CB11-0460, CB11-0410,

CB11-0386, CB11-0420, CB11-0470, CB11-0471, CB11-0472, and CB11-0490 be ordered published en bloc, carried by the following vote:

Passed

For: Boigon, Hancock, Johnson, Linkhart, Faatz, Lehmann, Lopez, Montero, Nevitt, Robb (10)

Against: (None) (0)

Absent: Brown (1)

Abstain: (None) (0)

**CB11-0472 A bill for an ordinance changing the zoning classification of 377 and 389 South Lipan Street. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

A motion offered by Councilmember Nevitt, duly seconded by Councilmember Johnson, that CB11-0424, CB11-0425, CB11-0473, CB11-0474, CB11-0476, CB11-0477, CB11-0486, CB11-0438, CB11-0457, CB11-0459, CB11-0460, CB11-0410, CB11-0386, CB11-0420, CB11-0470, CB11-0471, CB11-0472, and CB11-0490 be ordered published en bloc, carried by the following vote:

Passed

For: Boigon, Hancock, Johnson, Linkhart, Faatz, Lehmann, Lopez, Montero, Nevitt, Robb (10)

Against: (None) (0)

Absent: Brown (1)

Abstain: (None) (0)

**CB11-0490 A bill for an ordinance approving an Amendment to Compatible Usage Agreement with The Park People for the rehabilitation, renovation and use of the James A. Fleming House in Platt Park. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

A motion offered by Councilmember Nevitt, duly seconded by Councilmember Johnson, that CB11-0424, CB11-0425, CB11-0473, CB11-0474, CB11-0476, CB11-0477, CB11-0486, CB11-0438, CB11-0457, CB11-0459, CB11-0460, CB11-0410, CB11-0386, CB11-0420, CB11-0470, CB11-0471, CB11-0472, and CB11-0490 be ordered published en bloc, carried by the following vote:

Passed

For: Boigon, Hancock, Johnson, Linkhart, Faatz, Lehmann, Lopez, Montero, Nevitt, Robb (10)

Against: (None) (0)

Absent: Brown (1)

Abstain: (None) (0)

**Recap of Bills to be Called Out**

**Pre-Recess Announcement**

**Tonight there will be public hearings on Council Bill 360, changing the zoning classification of 1601 Arapahoe Street; Council Bill 375, relating to the Denver Zoning Code, to modify, clarify and consolidate the General Development Plan amendment process; Council Bill 376, changing the zoning classification of 65 acres of land located at approximately 53rd Ave. and Memphis Street; Council Bill 429, A bill for an ordinance changing the zoning classification of 1835 Franklin Street; and Council Bill 454, A bill for an ordinance repealing portions of Sections 54-811 and 54-813, D.R.M.C. concerning the impoundment of motor vehicles. Anyone wishing to speak on any of these matters must see the Council Secretary to receive a speaker card to fill out and return to her during the recess of Council.**

## **Recess**

Council took a brief recess.

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

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

**CB11-0360 A bill for an ordinance changing the zoning classification of 1601 Arapahoe Street. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

**Makes a technical amendment to correct the official zoning map for property located at 1601 Arapahoe Street, the Daniels & Fisher Tower, changing the zoning classification from OS-A UO-1 to D-TD UO-1 in Council District 8. PUBLIC HEARING AT LEAST FOUR WEEKS FOLLOWING PUBLICATION. The Committee approved filing this bill by consent on 5-19-11. LAND USE, TRANSPORTATION & INFRASTRUCTURE**

A motion offered by Councilmember Johnson, duly seconded by Councilmember Montero, that CB11-0360 be placed upon final consideration and do pass, carried by the following vote:

Passed

For: Boigon, Johnson, Linkhart, Faatz, Lehmann, Lopez, Montero, Nevitt, Robb (9)

Against: (None) (0)

Absent: Hancock, Brown (2)

Abstain: (None) (0)

Council sat as a Committee of the Whole commencing at 9:36 PM, Council President Nevitt presiding, to hear speakers either for or against CB11-0360. No speakers signed up to address the bill. Ellen Ittleson of Community, Planning and Development delivered the Staff Report with an overview and recommendation for approval.

**CB11-0375 A bill for an ordinance relating to the Denver Zoning Code, to modify, clarify and consolidate the General Development Plan amendment**

**process. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)  
Amends the Denver Zoning Code to revise the process of amending a portion of an approved General Development Plan (GDP).PUBLIC HEARING AT LEAST FOUR WEEKS FOLLOWING PUBLICATION.The Committee approved filing this bill at its meeting on 5-31-11. LAND USE, TRANSPORTATION & INFRASTRUCTURE**

A motion offered by Councilmember Hancock, duly seconded by Councilmember Lehmann, that CB11-0375 be taken out of order, carried by the following vote:  
Passed

For: Boigon, Hancock, Johnson, Linkhart, Lehmann, Lopez, Montero, Nevitt, Robb (9)

Against: (None) (0)

Absent: Brown (1)

Abstain: Faatz (1)

A motion offered by Councilmember Johnson, duly seconded by Councilmember Boigon, that CB11-0375 be placed upon final consideration and do pass, carried by the following vote:

Passed

For: Boigon, Hancock, Johnson, Linkhart, Faatz, Lehmann, Lopez, Montero, Nevitt, Robb (10)

Against: (None) (0)

Absent: Brown (1)

Abstain: (None) (0)

Council sat as a Committee of the Whole commencing at 9:19 PM, Council President Nevitt presiding, to hear speakers either for or against CB11-0375. Ken Schmidt and Bob Fisher signed up to address the bill. Tina Axelrad of Community, Planning and Development delivered the Staff Report with an overview and recommendation for approval.

**CB11-0376 A bill for an ordinance changing the zoning classification of 65 acres of land located at approximately 53rd Ave. and Memphis Street. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)  
Changes the zoning of 65 acres of land located at approximately 53rd Ave. and Memphis, a portion of the Parkfield Planned Unit Development, from PUD #515 to M-RX-5A in Council District 11.PUBLIC HEARING AT LEAST FOUR WEEKS FOLLOWING PUBLICATION.The Committee approved filing this bill at its meeting on 5-31-11. LAND USE, TRANSPORTATION & INFRASTRUCTURE**

A motion offered by Councilmember Linkhart, duly seconded by Councilmember Lehmann, that CB11-0376 be taken out of order, carried by the following vote:  
Passed

For: Boigon, Johnson, Linkhart, Faatz, Lehmann, Lopez, Montero, Nevitt, Robb (9)

Against: (None) (0)

Absent: Brown (1)

Abstain: (None) (0)

A motion offered by Councilmember Johnson, duly seconded by Councilmember

Hancock, that CB11-0376 be placed upon final consideration and do pass, carried by the following vote:

Passed

For: Boigon, Hancock, Johnson, Linkhart, Faatz, Lehmann, Lopez, Montero, Nevitt, Robb (10)

Against: (None) (0)

Absent: Brown (1)

Abstain: (None) (0)

Council sat as a Committee of the Whole commencing at 9:30 PM, Council President Nevitt presiding, to hear speakers either for or against CB11-0375. Bob Fisher and Ken Schmidt signed up to address the bill. Kyle Dalton of Community, Planning and Development delivered the Staff Report with an overview and recommendation for approval.

**CB11-0429 A bill for an ordinance changing the zoning classification of 1835 Franklin Street. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

**Changes the zoning classification for property at approximately 1835 Franklin, the Exempla Saint Joseph Hospital Campus, from CMP-H, CMP-H2 and H-1-A with waivers to CMP-H and C-MX-8 in Council District 8. PUBLIC HEARING AT LEAST FOUR WEEKS FOLLOWING PUBLICATION. The Committee approved filing this bill at its meeting on 6-7-11. LAND USE, TRANSPORTATION & INFRASTRUCTURE**

A motion offered by Councilmember Johnson, duly seconded by Councilmember Boigon, that CB11-0429 be placed upon final consideration and do pass, carried by the following vote:

Passed

For: Boigon, Johnson, Linkhart, Faatz, Lehmann, Lopez, Montero, Nevitt, Robb (9)

Against: (None) (0)

Absent: Hancock, Brown (2)

Abstain: (None) (0)

Council sat as a Committee of the Whole commencing at 9:40 PM, Council President Nevitt presiding, to hear speakers either for or against CB11-0375. Al Davis signed up to address the bill. Deirdre Oss of Community, Planning and Development delivered the Staff Report with an overview and recommendation for approval.

**CB11-0454 A bill for an ordinance repealing portions of Sections 54-811 and 54-813, D.R.M.C. concerning the impoundment of motor vehicles. (HEALTH, SAFETY, EDUCATION & SERVICES)**

**Repeals requirements to post a \$2,500 bond to retrieve certain vehicles from the City impound lot when the vehicle was impounded in conjunction with a charge of driving without a valid operator's license, and repeals other portions of Sections 54-811 and 54-813 of the Denver Code related to the impoundment of motor vehicles, all of which were previously adopted by the voters via Initiative 100 at the August 12, 2008 primary election. Nine affirmative votes are required to pass this bill. The**

**Committee approved filing this bill at its meeting on 6-14-11. HEALTH, SAFETY, EDUCATION & SERVICES**

A motion offered by Councilmember López, duly seconded by Councilmember Boigon, that CB11-0454 be taken out of order, carried by the following vote:

Passed

For: Boigon, Hancock, Johnson, Linkhart, Lehmann, Lopez, Montero, Nevitt, Robb (9)

Against: Faatz (1)

Absent: Brown (1)

Abstain: (None) (0)

A motion offered by Councilmember Johnson, duly seconded by Councilmember López, that CB11-0454 be placed upon final consideration and do pass, carried by the following vote:

Passed

For: Boigon, Hancock, Johnson, Linkhart, Lehmann, Lopez, Montero, Nevitt, Robb (9)

Against: Faatz (1)

Absent: Brown (1)

Abstain: (None) (0)

Council sat as a Committee of the Whole commencing at 8:01 PM, Council President Nevitt presiding, to hear speakers either for or against CB11-0454. Amber Tafoya, Tim Sullivan, Nathan Woodliff-Stanley, Dan Hayes, Scarlett Jones, Kayla Mahoney, Chris Getzan, and Edward S. Valdez signed up to address the bill. City Attorney David Broadwell delivered the Staff Report with an overview and recommendation for approval.

**Bills for Final Consideration**

**Business, Workforce & Sustainability**

**CB11-0204 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 State of Colorado concerning the "Denver Enterprise Zone Marketing Grant" program and the funding therefor. (BUSINESS, WORKFORCE & SUSTAINABILITY)**

A motion offered by Councilmember Johnson, duly seconded by Councilmember Boigon, that CB11-0204, CB11-0359, CB11-0423, CB11-0447, CB11-0394, CB11-0407, CB11-0408, CB11-0409, CB11-0439, CB11-0448, CB11-0449, CB11-0450, and CB11-0451 be placed upon final consideration and do pass en bloc, carried by the following vote:

Passed

For: Boigon, Hancock, Johnson, Linkhart, Faatz, Lehmann, Lopez, Montero, Nevitt, Robb (10)

Against: (None) (0)

Absent: Brown (1)

Abstain: (None) (0)

**CB11-0359 A bill for an ordinance approving a proposed Contract For Assignment And Assumption Of Leasehold Interest between the City and County of Denver and WFL-DS Corp., LLC to sell the City's leasehold interests in 3821-3851 Steele St., commonly referred to as 38th and York Redevelopment Area. (BUSINESS WORKFORCE AND SUSTAINABILITY)**

A motion offered by Councilmember Johnson, duly seconded by Councilmember Boigon, that CB11-0204, CB11-0359, CB11-0423, CB11-0447, CB11-0394, CB11-0407, CB11-0408, CB11-0409, CB11-0439, CB11-0448, CB11-0449, CB11-0450, and CB11-0451 be placed upon final consideration and do pass en bloc, carried by the following vote:

Passed

For: Boigon, Hancock, Johnson, Linkhart, Faatz, Lehmann, Lopez, Montero, Nevitt, Robb (10)

Against: (None) (0)

Absent: Brown (1)

Abstain: (None) (0)

**CB11-0423 A bill for an ordinance approving a proposed First Amendment to Agreement between the City and County of Denver and Qwest Communications Company LLC related to broadband network services at Denver International Airport. (BUSINESS, WORKFORCE & SUSTAINABILITY)**

A motion offered by Councilmember Johnson, duly seconded by Councilmember Boigon, that CB11-0204, CB11-0359, CB11-0423, CB11-0447, CB11-0394, CB11-0407, CB11-0408, CB11-0409, CB11-0439, CB11-0448, CB11-0449, CB11-0450, and CB11-0451 be placed upon final consideration and do pass en bloc, carried by the following vote:

Passed

For: Boigon, Hancock, Johnson, Linkhart, Faatz, Lehmann, Lopez, Montero, Nevitt, Robb (10)

Against: (None) (0)

Absent: Brown (1)

Abstain: (None) (0)

**CB11-0443 A bill for an ordinance approving a proposed Agreement between the City and County of Denver and MGT of America, Inc., to perform a Minority/Women Owned/Disadvantaged Business Enterprise Disparity Study and Registered Apprenticeship Study. (BUSINESS WORKFORCE AND SUSTAINABILITY)**

A motion offered by Councilmember Johnson, duly seconded by Councilmember Boigon, that CB11-0443 be placed upon final consideration and do pass, carried by the following vote:



Passed

For: Boigon, Hancock, Johnson, Linkhart, Lehmann, Lopez, Montero, Nevitt, Robb (9)

Against: Faatz (1)

Absent: Brown (1)

Abstain: (None) (0)

## **General Government & Finance**

### **CB11-0447 A bill for an ordinance creating a Fund Number in the Grant Projects Fund and making an appropriation for the "Quincy Ave – Pierce to Sheridan" project. (GENERAL GOVERNMENT & FINANCE)**

A motion offered by Councilmember Johnson, duly seconded by Councilmember Boigon, that CB11-0204, CB11-0359, CB11-0423, CB11-0447, CB11-0394, CB11-0407, CB11-0408, CB11-0409, CB11-0439, CB11-0448, CB11-0449, CB11-0450, and CB11-0451 be placed upon final consideration and do pass en bloc, carried by the following vote:.

Passed

For: Boigon, Hancock, Johnson, Linkhart, Faatz, Lehmann, Lopez, Montero, Nevitt, Robb (10)

Against: (None) (0)

Absent: Brown (1)

Abstain: (None) (0)

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

### **CB11-0394 A bill for an Ordinance approving a proposed Fourth Amendatory Agreement between the City and County of Denver and Alfred Benesch & Company to add funds to increase the contract value. (HEALTH, SAFETY, EDUCATION & SERVICES)**

A motion offered by Councilmember Johnson, duly seconded by Councilmember Boigon, that CB11-0204, CB11-0359, CB11-0423, CB11-0447, CB11-0394, CB11-0407, CB11-0408, CB11-0409, CB11-0439, CB11-0448, CB11-0449, CB11-0450, and CB11-0451 be placed upon final consideration and do pass en bloc, carried by the following vote:

Passed

For: Boigon, Hancock, Johnson, Linkhart, Faatz, Lehmann, Lopez, Montero, Nevitt, Robb (10)

Against: (None) (0)

Absent: Brown (1)

Abstain: (None) (0)

### **CB11-0407 A bill for an ordinance approving a proposed Agreement between the City and County of Denver and Mile High Montessori Early Learning Centers, to allocate \$811,170.85 for Head Start Services through**

**December 31, 2011. (HEALTH, SAFETY, EDUCATION & SERVICES)**

A motion offered by Councilmember Johnson, duly seconded by Councilmember Boigon, that CB11-0204, CB11-0359, CB11-0423, CB11-0447, CB11-0394, CB11-0407, CB11-0408, CB11-0409, CB11-0439, CB11-0448, CB11-0449, CB11-0450, and CB11-0451 be placed upon final consideration and do pass en bloc, carried by the following vote:

Passed

For: Boigon, Hancock, Johnson, Linkhart, Faatz, Lehmann, Lopez, Montero, Nevitt, Robb (10)

Against: (None) (0)

Absent: Brown (1)

Abstain: (None) (0)

**CB11-0408 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, to allocate \$695,509.00 for Head Start services through December 31, 2011. (HEALTH, SAFETY, EDUCATION & SERVICES)**

A motion offered by Councilmember Johnson, duly seconded by Councilmember Boigon, that CB11-0204, CB11-0359, CB11-0423, CB11-0447, CB11-0394, CB11-0407, CB11-0408, CB11-0409, CB11-0439, CB11-0448, CB11-0449, CB11-0450, and CB11-0451 be placed upon final consideration and do pass en bloc, carried by the following vote:

Passed

For: Boigon, Hancock, Johnson, Linkhart, Faatz, Lehmann, Lopez, Montero, Nevitt, Robb (10)

Against: (None) (0)

Absent: Brown (1)

Abstain: (None) (0)

**CB11-0409 A bill for an ordinance approving a proposed Agreement between the City and County of Denver and Clayton Family Futures, dba, Clayton Educare, to allocate \$564,832.00 for Head Start services through December 31, 2011. (HEALTH, SAFETY, EDUCATION & SERVICES)**

A motion offered by Councilmember Johnson, duly seconded by Councilmember Boigon, that CB11-0204, CB11-0359, CB11-0423, CB11-0447, CB11-0394, CB11-0407, CB11-0408, CB11-0409, CB11-0439, CB11-0448, CB11-0449, CB11-0450, and CB11-0451 be placed upon final consideration and do pass en bloc, carried by the following vote:

Passed

For: Boigon, Hancock, Johnson, Linkhart, Faatz, Lehmann, Lopez, Montero, Nevitt, Robb (10)

Against: (None) (0)

Absent: Brown (1)

Abstain: (None) (0)

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

### **CB11-0426 AS AMENDED, a bill for an ordinance amending sub-section 11 of section 39-121 of the Revised Municipal Code changing various fees and charges for recreation centers and adding sub-paragraph e. regarding consumer price index adjustments. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

A motion offered by Councilmember Johnson, duly seconded by Councilmember Lehmann, that CB11-0426 be placed upon final consideration and do pass, carried by the following vote:

Passed

For: Boigon, Hancock, Johnson, Linkhart, Lehmann, Montero, Nevitt, Robb (8)

Against: Faatz, Lopez (2)

Absent: Brown (1)

Abstain: (None) (0)

### **CB11-0439 A bill for an ordinance approving a Second Amendment to Professional Services Agreement with Softball in Denver, Inc., to perform the officiating services for adult sports teams. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

A motion offered by Councilmember Johnson, duly seconded by Councilmember Boigon, that CB11-0204, CB11-0359, CB11-0423, CB11-0447, CB11-0394, CB11-0407, CB11-0408, CB11-0409, CB11-0439, CB11-0448, CB11-0449, CB11-0450, and CB11-0451 be placed upon final consideration and do pass en bloc, carried by the following vote:

Passed

For: Boigon, Hancock, Johnson, Linkhart, Faatz, Lehmann, Lopez, Montero, Nevitt, Robb (10)

Against: (None) (0)

Absent: Brown (1)

Abstain: (None) (0)

### **CB11-0448 A bill for an ordinance approving an amendatory on-call agreement between Roadsafe Traffic Systems, Inc. and the City & County of Denver for the 2011 Pavement Marking Project. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

A motion offered by Councilmember Johnson, duly seconded by Councilmember Boigon, that CB11-0204, CB11-0359, CB11-0423, CB11-0447, CB11-0394, CB11-0407, CB11-0408, CB11-0409, CB11-0439, CB11-0448, CB11-0449, CB11-0450, and CB11-0451 be placed upon final consideration and do pass en bloc, carried by the following vote:

Passed

For: Boigon, Hancock, Johnson, Linkhart, Faatz, Lehmann, Lopez, Montero, Nevitt,

Robb (10)  
Against: (None) (0)  
Absent: Brown (1)  
Abstain: (None) (0)

**CB11-0449 AS AMENDED, a bill for an ordinance approving an agreement between ABCO Contracting, Inc. and the City and County of Denver for modifications of the 1st Avenue Bridge over Cherry Creek at Downing and the Cherry Creek Bike Trail. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

A motion offered by Councilmember Johnson, duly seconded by Councilmember Boigon, that CB11-0204, CB11-0359, CB11-0423, CB11-0447, CB11-0394, CB11-0407, CB11-0408, CB11-0409, CB11-0439, CB11-0448, CB11-0449, CB11-0450, and CB11-0451 be placed upon final consideration and do pass en bloc, carried by the following vote:

Passed

For: Boigon, Hancock, Johnson, Linkhart, Faatz, Lehmann, Lopez, Montero, Nevitt, Robb (10)

Against: (None) (0)

Absent: Brown (1)

Abstain: (None) (0)

**CB11-0450 A bill for an ordinance relinquishing a certain drainage easement established in Lowry Filing No. 30. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

A motion offered by Councilmember Johnson, duly seconded by Councilmember Boigon, that CB11-0204, CB11-0359, CB11-0423, CB11-0447, CB11-0394, CB11-0407, CB11-0408, CB11-0409, CB11-0439, CB11-0448, CB11-0449, CB11-0450, and CB11-0451 be placed upon final consideration and do pass en bloc, carried by the following vote:

Passed

For: Boigon, Hancock, Johnson, Linkhart, Faatz, Lehmann, Lopez, Montero, Nevitt, Robb (10)

Against: (None) (0)

Absent: Brown (1)

Abstain: (None) (0)

**CB11-0451 A bill for an ordinance relinquishing a utility easement established in the Subdivision Plat Bow-Mar Heights. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

A motion offered by Councilmember Johnson, duly seconded by Councilmember Boigon, that CB11-0204, CB11-0359, CB11-0423, CB11-0447, CB11-0394, CB11-0407, CB11-0408, CB11-0409, CB11-0439, CB11-0448, CB11-0449, CB11-0450, and CB11-0451 be placed upon final consideration and do pass en bloc, carried by

the following vote:

Passed

For: Boigon, Hancock, Johnson, Linkhart, Faatz, Lehmann, Lopez, Montero, Nevitt, Robb (10)

Against: (None) (0)

Absent: Brown (1)

Abstain: (None) (0)

## **Announcement**

**There will be public hearings on Council Bill 470, changing the zoning classification of 2715, 2717, 2725 and 2727 S. Colorado Blvd., Council Bill 471, changing the zoning classification of 9100 East Lowry Boulevard, and Council Bill 472, changing the zoning classification of 377 and 389 South Lipan Street on Monday, August 8, 2011. Any protests against CB11-0470, CB11-0471, or CB11-0472 must be filed with the Council Office no later than Monday, August 1, 2011.**

## **Adjourn**

There being no further business before the City Council, Council President Nevitt adjourned the meeting at 9:53 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)**

**CB11-0428 A bill for an ordinance changing the zoning classification of 4175 E. Warren Avenue. (LAND USE TRANSPORTATION & INFRASTRUCTURE)**