

City Council Minutes

Meeting Date: Monday, January 31, 2011 5:30 PM

Pledge of Allegiance

Councilmember Johnson led the pledge of allegiance.

Roll Call

Present: Boigon, Brown, Faatz, Hancock, Johnson, Lehmann, Linkhart,
Lopez, Madison, Montero, Nevitt, Robb, Sandoval
Absent: None

Approval of Minutes of Monday, January 24, 2011

The minutes of meeting date, Monday, January 24, 2011 were distributed to Council. Council President Nevitt ordered the minutes approved.

Council Announcements

Council President Nevitt offered an announcement.

Presentations

Communications

Proclamations

Resolutions

The Council Secretary read the following resolutions by titles.

Land Use, Transportation & Infrastructure

CR11-0046 A resolution granting a revocable permit to Blackbird, LLC to encroach into the right-of-way with a patio area including railing and awning, and to make certain improvements to the tree lawn at 700 Colorado Blvd. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

A motion offered by Councilmember Johnson, duly seconded by Councilmember

Lehmann, that CR11-0046, CR11-0058, and CR11-0059 be adopted en bloc carried by the following vote:

Passed

For: Boigon, Faatz, Hancock, Johnson, Lehmann, Linkhart, Lopez, Madison, Montero, Nevitt, Robb, Sandoval (12)

Against: (None) (0)

Absent: (None) (0)

Abstain: (None) (0)

CR11-0058 A resolution authorizing and approving the expenditure and payment from the appropriation account designated "liability claims," the sum of Fifteen Thousand Dollars (\$15,000.00) to Tamara Barela payable to Law Offices of Michael P. Fossenier, LLC, in full payment and satisfaction of all claims in Case No. 2010-CV-7622. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

A motion offered by Councilmember Johnson, duly seconded by Councilmember Lehmann, that CR11-0046, CR11-0058, and CR11-0059 be adopted en bloc carried by the following vote:

Passed

For: Boigon, Faatz, Hancock, Johnson, Lehmann, Linkhart, Lopez, Madison, Montero, Nevitt, Robb, Sandoval (12)

Against: (None) (0)

Absent: (None) (0)

Abstain: (None) (0)

CR11-0059 A resolution authorizing and approving the expenditure and payment from the appropriation account designated "liability claims," the sum of Five Thousand, Four Hundred Four Dollars (\$5,404.00) payable to Tucker Ellis & West LLP and Shannon C. Gore, and the sum of Three Thousand, Five Hundred Ninety-Six Dollars (\$3,596.00) payable to USSA as Subrogee of Shannon C. Gore, in full payment and satisfaction of all claims in Claim No. 0903-001717. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

A motion offered by Councilmember Johnson, duly seconded by Councilmember Lehmann, that CR11-0046, CR11-0058, and CR11-0059 be adopted en bloc carried by the following vote:

Passed

For: Boigon, Faatz, Hancock, Johnson, Lehmann, Linkhart, Lopez, Madison, Montero, Nevitt, Robb, Sandoval (12)

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.

General Government & Finance

CB11-0017 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 AFFAIRS & FINANCE)

A motion offered by Councilmember Nevitt, duly seconded by Councilmember Johnson, that CB11-0017, CB10-1152, CB10-1013, CB10-1111, CB10-1112, CB10-1113, CB11-0011, and CB11-0012 be ordered published en bloc carried by the following vote:

Passed

For: Boigon, Brown, Faatz, Hancock, Johnson, Lehmann, Linkhart, Lopez, Madison, Montero, Nevitt, Robb, Sandoval (13)

Against: (None) (0)

Absent: (None) (0)

Abstain: (None) (0)

CB10-1152 A bill for an ordinance approving a proposed Agreement between the City and County of Denver and HSS, Inc., to provide professional security services at various City facilities. (GOVERNMENT AFFAIRS & FINANCE)

A motion offered by Councilmember Nevitt, duly seconded by Councilmember Johnson, that CB11-0017, CB10-1152, CB10-1013, CB10-1111, CB10-1112, CB10-1113, CB11-0011, and CB11-0012 be ordered published en bloc carried by the following vote:

Passed

For: Boigon, Brown, Faatz, Hancock, Johnson, Lehmann, Linkhart, Lopez, Madison, Montero, Nevitt, Robb, Sandoval (13)

Against: (None) (0)

Absent: (None) (0)

Abstain: (None) (0)

Health, Safety, Education & Services

CB10-1013 A bill for an ordinance approving a Second Amendatory Agreement between the City and County of Denver and ACS State & Local Solutions, Inc., to provide the Child Support Enforcement Division with an in-house call center and provide customer service and support. (HEALTH, SAFETY, EDUCATION & SERVICES)

A motion offered by Councilmember Nevitt, duly seconded by Councilmember Johnson, that CB11-0017, CB10-1152, CB10-1013, CB10-1111, CB10-1112, CB10-1113, CB11-0011, and CB11-0012 be ordered published en bloc carried by the

following vote:

Passed

For: Boigon, Brown, Faatz, Hancock, Johnson, Lehmann, Linkhart, Lopez, Madison, Montero, Nevitt, Robb, Sandoval (13)

Against: (None) (0)

Absent: (None) (0)

Abstain: (None) (0)

Land Use, Transportation & Infrastructure

CB10-1111 A bill for an ordinance approving an amendatory on-call agreement between CTM, Inc. d/b/a Colorado Total Maintenance and the City & County of Denver for landscape improvements and irrigation construction services. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

A motion offered by Councilmember Nevitt, duly seconded by Councilmember Johnson, that CB11-0017, CB10-1152, CB10-1013, CB10-1111, CB10-1112, CB10-1113, CB11-0011, and CB11-0012 be ordered published en bloc carried by the following vote:

Passed

For: Boigon, Brown, Faatz, Hancock, Johnson, Lehmann, Linkhart, Lopez, Madison, Montero, Nevitt, Robb, Sandoval (13)

Against: (None) (0)

Absent: (None) (0)

Abstain: (None) (0)

CB10-1112 A bill for an ordinance approving an amendatory on-call agreement between Goodland Construction, Inc. and the City & County of Denver for landscape improvements and irrigation construction services. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

A motion offered by Councilmember Nevitt, duly seconded by Councilmember Johnson, that CB11-0017, CB10-1152, CB10-1013, CB10-1111, CB10-1112, CB10-1113, CB11-0011, and CB11-0012 be ordered published en bloc carried by the following vote:

Passed

For: Boigon, Brown, Faatz, Hancock, Johnson, Lehmann, Linkhart, Lopez, Madison, Montero, Nevitt, Robb, Sandoval (13)

Against: (None) (0)

Absent: (None) (0)

Abstain: (None) (0)

CB10-1113 A bill for an Ordinance approving a third amendatory agreement between the City and County of Denver and T2 Construction for on-call landscape and irrigation services. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

These items be ordered published en bloc.

Passed

For: Boigon, Brown, Faatz, Hancock, Johnson, Lehmann, Linkhart, Lopez, Madison, Montero, Nevitt, Robb, Sandoval (13)

Against: (None) (0)

Absent: (None) (0)

Abstain: (None) (0)

CB11-0011 A bill for an ordinance relinquishing certain easements reserved in Ordinance No. 24, Series of 1939. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

A motion offered by Councilmember Nevitt, duly seconded by Councilmember Johnson, that CB11-0017, CB10-1152, CB10-1013, CB10-1111, CB10-1112, CB10-1113, CB11-0011, and CB11-0012 be ordered published en bloc carried by the following vote:

Passed

For: Boigon, Brown, Faatz, Hancock, Johnson, Lehmann, Linkhart, Lopez, Madison, Montero, Nevitt, Robb, Sandoval (13)

Against: (None) (0)

Absent: (None) (0)

Abstain: (None) (0)

CB11-0012 A bill for an ordinance vacating a portion of Walnut Street, without reservations. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

These items be ordered published en bloc.

Passed

For: Boigon, Brown, Faatz, Hancock, Johnson, Lehmann, Linkhart, Lopez, Madison, Montero, Nevitt, Robb, Sandoval (13)

Against: (None) (0)

Absent: (None) (0)

Abstain: (None) (0)

Recap of Bills to be Called Out

Recess

Council Reconvenes and Resumes its Regular Session

Bills for Final Consideration

Business, Workforce & Sustainability

CB10-1153 A bill for an ordinance approving a proposed Agreement between the City and County of Denver and DaVita, Inc. for incentive payments for job creation and corporate headquarters relocation. (BUSINESS, WORKFORCE & SUSTAINABILITY)

A motion offered by Councilmember Johnson, duly seconded by Councilmember Hancock, that CB10-1153 be placed upon final consideration and do pass carried by the following vote:

Passed

For: Boigon, Hancock, Lehmann, Linkhart, Lopez, Madison, Montero, Nevitt, Robb, Sandoval (10)

Against: Faatz, Johnson (2)

Absent: (None) (0)

Abstain: (None) (0)

CB11-0004 A bill for an ordinance approving a proposed Supplemental Agreement between the City and County of Denver and Mission Yogurt, Inc. concerning renovation and upgrade for the shared commons area for the food courts at Denver International Airport. (BUSINESS, WORKFORCE & SUSTAINABILITY)

A motion offered by Councilmember Johnson, duly seconded by Councilmember Lehmann, that CB11-0004, CB11-0005, CB10-0945, CB10-1137, CB11-0002, and CB11-0003 be placed upon final consideration and do pass en bloc carried by the following vote:

Passed

For: Boigon, Faatz, Hancock, Johnson, Lehmann, Linkhart, Lopez, Madison, Montero, Nevitt, Robb, Sandoval (12)

Against: (None) (0)

Absent: (None) (0)

Abstain: (None) (0)

CB11-0005 A bill for an ordinance approving a proposed Supplemental Agreement between the City and County of Denver and Mission Yogurt, Inc. concerning renovation and upgrade for the shared commons area for the food courts at Denver International Airport. (BUSINESS, WORKFORCE & SUSTAINABILITY)

A motion offered by Councilmember Johnson, duly seconded by Councilmember Lehmann, that CB11-0004, CB11-0005, CB10-0945, CB10-1137, CB11-0002, and CB11-0003 be placed upon final consideration and do pass en bloc carried by the following vote:

Passed

For: Boigon, Faatz, Hancock, Johnson, Lehmann, Linkhart, Lopez, Madison, Montero, Nevitt, Robb, Sandoval (12)

Against: (None) (0)

Absent: (None) (0)

Abstain: (None) (0)

General Government & Finance

A motion offered by Councilmember Johnson, duly seconded by Councilmember Lehmann, that CB11-0004, CB11-0005, CB10-0945, CB10-1137, CB11-0002, and CB11-0003 be placed upon final consideration and do pass en bloc carried by the following vote:

Passed

For: Boigon, Faatz, Hancock, Johnson, Lehmann, Linkhart, Lopez, Madison, Montero, Nevitt, Robb, Sandoval (12)

Against: (None) (0)

Absent: (None) (0)

Abstain: (None) (0)

Health, Safety, Education & Services

CB10-0945 A bill for an ordinance approving a proposed second amendatory agreement by and between the City and County of Denver and SYSCON Justice Systems, Inc., for additional functionality in the jail management system. (HEALTH, SAFETY, EDUCATION & SERVICES)

A motion offered by Councilmember Johnson, duly seconded by Councilmember Lehmann, that CB11-0004, CB11-0005, CB10-0945, CB10-1137, CB11-0002, and CB11-0003 be placed upon final consideration and do pass en bloc carried by the following vote:

Passed

For: Boigon, Faatz, Hancock, Johnson, Lehmann, Linkhart, Lopez, Madison, Montero, Nevitt, Robb, Sandoval (12)

Against: (None) (0)

Absent: (None) (0)

Abstain: (None) (0)

CB10-1137 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 "Community-Based Violence Prevention" program and the funding therefor. (HEALTH, SAFETY, EDUCATION & SERVICES)

A motion offered by Councilmember Johnson, duly seconded by Councilmember Lehmann, that CB11-0004, CB11-0005, CB10-0945, CB10-1137, CB11-0002, and CB11-0003 be placed upon final consideration and do pass en bloc carried by the following vote:

Passed

For: Boigon, Faatz, Hancock, Johnson, Lehmann, Linkhart, Lopez, Madison, Montero, Nevitt, Robb, Sandoval (12)

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

Land Use, Transportation & Infrastructure

CB11-0002 A bill for an ordinance approving an on-call agreement between Matrix Design Group, Inc. and the City & County of Denver for engineering services. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

A motion offered by Councilmember Johnson, duly seconded by Councilmember Lehmann, that CB11-0004, CB11-0005, CB10-0945, CB10-1137, CB11-0002, and CB11-0003 be placed upon final consideration and do pass en bloc carried by the following vote:

Passed

For: Boigon, Faatz, Hancock, Johnson, Lehmann, Linkhart, Lopez, Madison, Montero, Nevitt, Robb, Sandoval (12)

Against: (None) (0)

Absent: (None) (0)

Abstain: (None) (0)

CB11-0003 A bill for an ordinance approving an Intergovernmental Agreement between the City and County of Denver and the State of Colorado, Department of Transportation for the Bear Creek Trail Project. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

A motion offered by Councilmember Johnson, duly seconded by Councilmember Lehmann, that CB11-0004, CB11-0005, CB10-0945, CB10-1137, CB11-0002, and CB11-0003 be placed upon final consideration and do pass en bloc carried by the following vote:

Passed

For: Boigon, Faatz, Hancock, Johnson, Lehmann, Linkhart, Lopez, Madison, Montero, Nevitt, Robb, Sandoval (12)

Against: (None) (0)

Absent: (None) (0)

Abstain: (None) (0)

Adjourn

There being no further business before the City Council, Council President Nevitt adjourned the meeting at 5:54 PM.