

## **City Council Minutes**

Meeting Date: Monday, May 23, 2011 5:30 PM

### **Pledge of Allegiance**

Councilmember Sandoval led the Pledge of Allegiance.

### **Roll Call**

Present: Faatz, Hancock, Johnson, Lehmann, Linkhart, Lopez, Montero, Robb  
Absent: Boigon, Brown, Nevitt

Councilmember Robb arrived late.

### **Approval of Minutes of Monday, May 16, 2011**

The minutes of meeting date, May 16, 2011 were distributed to Council. Council President Pro-Tem Lehmann ordered the minutes approved.

### **Council Announcements**

Councilmembers Montero, Lehmann, and Johnson offered announcements.

### **Presentations**

### **Communications**

### **Proclamations**

**CP11-0365 A proclamation congratulating Capitol Hill United Neighborhoods, Inc. (CHUN) on the 40th Annual Capitol Hill People's Fair. Sponsored by Councilmembers Robb, Lehmann, Linkhart, Hancock, Brown, López, and Johnson.**

A motion offered by Councilmember Robb, duly seconded by Councilmember Hancock, that CP11-0365 be adopted, carried by the following vote:

Passed

For: Sandoval, Faatz, Hancock, Johnson, Lehmann, Linkhart, Lopez, Montero, Robb (9)

Against: (None) (0)

Absent: Boigon, Brown, Nevitt (3)

Abstain: (None) (0)

**CP11-0391 A proclamation recognizing Denver’s Living Streets Initiative. Sponsored by Councilmembers Montero, Robb, Lehmann, Linkhart, Hancock, Brown, López, and Johnson.**

A motion offered by Councilmember Montero, duly seconded by Councilmember Sandoval that CP11-0391 be adopted, carried by the following vote:

Passed

For: Sandoval, Faatz, Hancock, Johnson, Lehmann, Linkhart, Lopez, Montero, Robb (9)

Against: (None) (0)

Absent: Boigon, Brown, Nevitt (3)

Abstain: (None) (0)

**CP11-0392 A proclamation in recognition of City Councilmember Paula Sandoval for her leadership in the City Council and her public service to District #1. Councilmembers Robb, Lehmann, Linkhart, Faatz, Hancock, Brown, López, Johnson, and Montero.**

A motion offered by Councilmember Montero, duly seconded by Councilmember Robb that CP11-0392 be adopted, carried by the following vote:

Passed

For: Sandoval, Faatz, Hancock, Johnson, Lehmann, Linkhart, Lopez, Montero, Robb (9)

Against: (None) (0)

Absent: Boigon, Brown, Nevitt (3)

Abstain: (None) (0)

## **Resolutions**

The Council Secretary read the following resolutions by titles.

### **General Government & Finance**

**CR11-0372 A resolution acknowledging the resignation of Councilwoman Paula E. Sandoval from the office of Councilmember for Council District 1 and declaring that a vacancy exists in the office of Councilmember for Council District 1. (GENERAL GOVERNMENT & FINANCE)**

A motion offered by Councilmember Sandoval, duly seconded by Councilmember Johnson, that CR11-0372, CR11-0331, CR11-0328, CR11-0332, and CR11-0371 be adopted en bloc carried by the following vote:

Passed

For: Sandoval, Faatz, Johnson, Lehmann, Linkhart, Lopez, Montero, Robb (8)

Against: (None) (0)

Absent: Boigon, Brown, Hancock, Nevitt (4)

Abstain: (None) (0)

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

### **CR11-0331 A resolution approving the Mayor's Appointment to the Denver Latino Commission. (HEALTH, SAFETY, EDUCATION & SERVICES)**

A motion offered by Councilmember Sandoval, duly seconded by Councilmember Johnson, that CR11-0372, CR11-0331, CR11-0328, CR11-0332, and CR11-0371 be adopted en bloc carried by the following vote:

Passed

For: Sandoval, Faatz, Johnson, Lehmann, Linkhart, Lopez, Montero, Robb (8)

Against: (None) (0)

Absent: Boigon, Brown, Hancock, Nevitt (4)

Abstain: (None) (0)

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

### **CR11-0328 A resolution to set a public hearing relating to the approval of the Arapahoe Square Urban Redevelopment Plan. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

A motion offered by Councilmember Sandoval, duly seconded by Councilmember Johnson, that CR11-0372, CR11-0331, CR11-0328, CR11-0332, and CR11-0371 be adopted en bloc carried by the following vote:

Passed

For: Sandoval, Faatz, Johnson, Lehmann, Linkhart, Lopez, Montero, Robb (8)

Against: (None) (0)

Absent: Boigon, Brown, Hancock, Nevitt (4)

Abstain: (None) (0)

### **CR11-0332 A resolution approving the Mayor's Appointment to the Denver Urban Renewal Authority. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

A motion offered by Councilmember Sandoval, duly seconded by Councilmember Johnson, that CR11-0372, CR11-0331, CR11-0328, CR11-0332, and CR11-0371 be adopted en bloc carried by the following vote:

Passed

For: Sandoval, Faatz, Johnson, Lehmann, Linkhart, Lopez, Montero, Robb (8)

Against: (None) (0)

Absent: Boigon, Brown, Hancock, Nevitt (4)

Abstain: (None) (0)

### **CR11-0371 A resolution accepting and approving the plat of Lowry Filing No. 32. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

A motion offered by Councilmember Sandoval, duly seconded by Councilmember

Johnson, that CR11-0372, CR11-0331, CR11-0328, CR11-0332, and CR11-0371 be adopted en bloc carried by the following vote:

Passed

For: Sandoval, Faatz, Johnson, Lehmann, Linkhart, Lopez, Montero, Robb (8)

Against: (None) (0)

Absent: Boigon, Brown, Hancock, Nevitt (4)

Abstain: (None) (0)

**Bills for Introduction**

The Council Secretary read the following bills by titles.

**Business, Workforce & Sustainability**

**CB11-0226 A bill for an ordinance approving a proposed First Amendment to Amended and Restated Agreement between the City and County of Denver and The Western Stock Show Association, for certain use rights and restrictions with respect to the Coliseum Complex. (BUSINESS, WORKFORCE & SUSTAINABILITY)**

A motion offered by Councilmember Lehmann, duly seconded by Councilmember Sandoval, that CB11-0226, CB11-0245, CB11-0324, CB11-0333, CB11-0334, CB11-0270, CB11-0330, CB11-0069, CB11-0145, CB11-0316, CB11-0338, and CB11-0250 be ordered published en bloc, carried by the following vote:

Passed

For: Sandoval, Faatz, Johnson, Lehmann, Linkhart, Lopez, Montero, Robb (8)

Against: (None) (0)

Absent: Boigon, Brown, Hancock, Nevitt (4)

Abstain: (None) (0)

**CB11-0245 A bill for an ordinance approving a proposed Agreement between the City and County of Denver and Globeville I, LLC to accept a Community Development Block Grant for improvements related to the Globeville Urban Redevelopment project (ASARCO site). (BUSINESS, WORKFORCE & SUSTAINABILITY)**

A motion offered by Councilmember Lehmann, duly seconded by Councilmember Sandoval, that CB11-0226, CB11-0245, CB11-0324, CB11-0333, CB11-0334, CB11-0270, CB11-0330, CB11-0069, CB11-0145, CB11-0316, CB11-0338, and CB11-0250 be ordered published en bloc, carried by the following vote:

Passed

For: Sandoval, Faatz, Johnson, Lehmann, Linkhart, Lopez, Montero, Robb (8)

Against: (None) (0)

Absent: Boigon, Brown, Hancock, Nevitt (4)

Abstain: (None) (0)

**CB11-0324 A bill for an ordinance approving a proposed Loan Agreement**

**between the City and County of Denver and Affordable Communities, Inc. to purchase a 40 unit multi-family property from Neighborhood Stabilization Program (NSP) 2 funding. (BUSINESS, WORKFORCE & SUSTAINABILITY)**

A motion offered by Councilmember Lehmann, duly seconded by Councilmember Sandoval, that CB11-0226, CB11-0245, CB11-0324, CB11-0333, CB11-0334, CB11-0270, CB11-0330, CB11-0069, CB11-0145, CB11-0316, CB11-0338, and CB11-0250 be ordered published en bloc, carried by the following vote:

Passed

For: Sandoval, Faatz, Johnson, Lehmann, Linkhart, Lopez, Montero, Robb (8)

Against: (None) (0)

Absent: Boigon, Brown, Hancock, Nevitt (4)

Abstain: (None) (0)

**CB11-0333 A bill for an ordinance approving a proposed Master Purchase Order between the City and County of Denver and ADB Airfield Solutions for runway and taxiway lighting parts at Denver International Airport. (BUSINESS, WORKFORCE & SUSTAINABILITY)**

A motion offered by Councilmember Lehmann, duly seconded by Councilmember Sandoval, that CB11-0226, CB11-0245, CB11-0324, CB11-0333, CB11-0334, CB11-0270, CB11-0330, CB11-0069, CB11-0145, CB11-0316, CB11-0338, and CB11-0250 be ordered published en bloc, carried by the following vote:

Passed

For: Sandoval, Faatz, Johnson, Lehmann, Linkhart, Lopez, Montero, Robb (8)

Against: (None) (0)

Absent: Boigon, Brown, Hancock, Nevitt (4)

Abstain: (None) (0)

**CB11-0334 A bill for an ordinance approving a proposed Master Purchase Order between the City and County of Denver and Cooper Crouse-Hines, LLC for runway and taxiway lighting parts at Denver International Airport. (BUSINESS, WORKFORCE & SUSTAINABILITY)**

A motion offered by Councilmember Lehmann, duly seconded by Councilmember Sandoval, that CB11-0226, CB11-0245, CB11-0324, CB11-0333, CB11-0334, CB11-0270, CB11-0330, CB11-0069, CB11-0145, CB11-0316, CB11-0338, and CB11-0250 be ordered published en bloc, carried by the following vote:

Passed

For: Sandoval, Faatz, Johnson, Lehmann, Linkhart, Lopez, Montero, Robb (8)

Against: (None) (0)

Absent: Boigon, Brown, Hancock, Nevitt (4)

Abstain: (None) (0)

**General Government & Finance**

**CB11-0270 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. (GENERAL GOVERNMENT & FINANCE)**

A motion offered by Councilmember Lehmann, duly seconded by Councilmember Sandoval, that CB11-0226, CB11-0245, CB11-0324, CB11-0333, CB11-0334, CB11-0270, CB11-0330, CB11-0069, CB11-0145, CB11-0316, CB11-0338, and CB11-0250 be ordered published en bloc, carried by the following vote:

Passed

For: Sandoval, Faatz, Johnson, Lehmann, Linkhart, Lopez, Montero, Robb (8)

Against: (None) (0)

Absent: Boigon, Brown, Hancock, Nevitt (4)

Abstain: (None) (0)

**CB11-0330 A bill for an ordinance making a supplemental appropriation from the General Contingency Fund to the Career Service Authority. (GENERAL GOVERNMENT & FINANCE)**

A motion offered by Councilmember Lehmann, duly seconded by Councilmember Sandoval, that CB11-0226, CB11-0245, CB11-0324, CB11-0333, CB11-0334, CB11-0270, CB11-0330, CB11-0069, CB11-0145, CB11-0316, CB11-0338, and CB11-0250 be ordered published en bloc, carried by the following vote:

Passed

For: Sandoval, Faatz, Johnson, Lehmann, Linkhart, Lopez, Montero, Robb (8)

Against: (None) (0)

Absent: Boigon, Brown, Hancock, Nevitt (4)

Abstain: (None) (0)

**Health, Safety, Education & Services**

**CB11-0069 A bill for an ordinance approving a proposed Revival and Fourth Amendatory Agreement between the City and County of Denver and the Regents of the University of Colorado to extend the term and increase the maximum contract amount for continued substance abuse treatment services. (HEALTH, SAFETY, EDUCATION & SERVICES)**

A motion offered by Councilmember Lehmann, duly seconded by Councilmember Sandoval, that CB11-0226, CB11-0245, CB11-0324, CB11-0333, CB11-0334, CB11-0270, CB11-0330, CB11-0069, CB11-0145, CB11-0316, CB11-0338, and CB11-0250 be ordered published en bloc, carried by the following vote:

Passed

For: Sandoval, Faatz, Johnson, Lehmann, Linkhart, Lopez, Montero, Robb (8)

Against: (None) (0)

Absent: Boigon, Brown, Hancock, Nevitt (4)

Abstain: (None) (0)

**Land Use, Transportation & Infrastructure**

**CB11-0145 A bill for an ordinance designating Curtis Park Landmark District H, including all land between Arapahoe Street on the northwest; 28th Street on the northeast; the alley between California and Welton Streets on the southeast; and Park Avenue West on the southwest, excluding the face blocks on the southeast of Arapahoe Street between Park Avenue and 25th Street and between 26th and 27th street, the face blocks on both sides of Curtis Street between 24th and 25th Street and parks and areas previously designated as historic districts, as a district for preservation. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

A motion offered by Councilmember Lehmann, duly seconded by Councilmember Sandoval, that CB11-0226, CB11-0245, CB11-0324, CB11-0333, CB11-0334, CB11-0270, CB11-0330, CB11-0069, CB11-0145, CB11-0316, CB11-0338, and CB11-0250 be ordered published en bloc, carried by the following vote:

Passed

For: Sandoval, Faatz, Johnson, Lehmann, Linkhart, Lopez, Montero, Robb (8)

Against: (None) (0)

Absent: Boigon, Brown, Hancock, Nevitt (4)

Abstain: (None) (0)

**CB11-0316 A bill for an ordinance approving an agreement between Interlock Construction Corporation and the City & County of Denver for the Denver Coliseum dressing room remodel project. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

A motion offered by Councilmember Lehmann, duly seconded by Councilmember Sandoval, that CB11-0226, CB11-0245, CB11-0324, CB11-0333, CB11-0334, CB11-0270, CB11-0330, CB11-0069, CB11-0145, CB11-0316, CB11-0338, and CB11-0250 be ordered published en bloc, carried by the following vote:

Passed

For: Sandoval, Faatz, Johnson, Lehmann, Linkhart, Lopez, Montero, Robb (8)

Against: (None) (0)

Absent: Boigon, Brown, Hancock, Nevitt (4)

Abstain: (None) (0)

**CB11-0338 A bill for an ordinance changing the zoning classification of 6777, 6825 and 6895 E. Hampden Avenue. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

A motion offered by Councilmember Lehmann, duly seconded by Councilmember Sandoval, that CB11-0226, CB11-0245, CB11-0324, CB11-0333, CB11-0334, CB11-0270, CB11-0330, CB11-0069, CB11-0145, CB11-0316, CB11-0338, and CB11-0250 be ordered published en bloc, carried by the following vote:

Passed

For: Sandoval, Faatz, Johnson, Lehmann, Linkhart, Lopez, Montero, Robb (8)

Against: (None) (0)

Absent: Boigon, Brown, Hancock, Nevitt (4)  
Abstain: (None) (0)

## **Late Filings**

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

#### **CB11-0250 A bill for an ordinance approving an agreement between Brannan Sand & Gravel Co. and the City & County of Denver for rotomill and overlay of West Colfax Avenue between Sheridan Boulevard and Federal Boulevard. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

A motion offered by Councilmember Robb, duly seconded by Councilmember Johnson, that the Rules of Council be suspended to allow for the introduction of CB11-0250 as a late filing.

Passed

For: Sandoval, Faatz, Johnson, Lehmann, Linkhart, Lopez, Montero, Robb (8)

Against: (None) (0)

Absent: Boigon, Brown, Hancock, Nevitt (4)

Abstain: (None) (0)

A motion offered by Councilmember Lehmann, duly seconded by Councilmember Sandoval, that CB11-0226, CB11-0245, CB11-0324, CB11-0333, CB11-0334, CB11-0270, CB11-0330, CB11-0069, CB11-0145, CB11-0316, CB11-0338, and CB11-0250 be ordered published en bloc, carried by the following vote:

Passed

For: Sandoval, Faatz, Johnson, Lehmann, Linkhart, Lopez, Montero, Robb (8)

Against: (None) (0)

Absent: Boigon, Brown, Hancock, Nevitt (4)

Abstain: (None) (0)

Hancock left

## **Recap of Bills to be Called Out**

### **Pre-Recess Announcement**

**Tonight there will be a one-hour courtesy public hearing on Council Bill CB11-0300, approving the Northeast Downtown Neighborhoods Plan, which plan shall become a part of the Comprehensive Plan for the City and County of Denver pursuant to the provisions of Section 12-61 of the Denver Revised Municipal Code. 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**

**CB11-0300 A bill for an ordinance approving the Northeast Downtown Neighborhoods Plan, which plan shall become a part of the Comprehensive Plan for the City and County of Denver pursuant to the provisions of Section 12-61 of the Denver Revised Municipal Code. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)  
Adopts the Northeast Downtown Neighborhoods Plan as a supplement to the Denver Comprehensive Plan. The Committee approved filing this bill at its meeting on 5-10-11. LAND USE, TRANSPORTATION & INFRASTRUCTURE**

A motion offered by Councilmember Sandoval, duly seconded by Councilmember Faatz, that CB11-0300 be placed upon final consideration and do pass, carried by the following vote:

- Passed
- For: Sandoval, Faatz, Johnson, Lehmann, Lopez, Montero, Robb (7)
- Against: (None) (0)
- Absent: Boigon, Brown, Hancock, Nevitt (4)
- Abstain: (None) (0)

Council sat as a Committee of the Whole commencing at 6:48 PM, Council President Pro-Tem Lehmann presiding, to hear speakers either for or against CB11-0300. John Desmond and Joel Noble signed up to address the bill. Peter Park and Courtland Hyser of Community Planning and Development delivered the Staff Report with a recommendaiton for approval.

**Bills for Final Consideration**

**Business, Workforce & Sustainability**

**CB11-0121 A bill for an ordinance approving a proposed License Agreement between the City and County of Denver and SolarCity, to provide access for construction, operation, and maintenance of solar photovoltaic system as part of the public art project at the Wellington E. Webb Municipal Building. (BUSINESS WORKFORCE & SUSTAINABILITY)**

A motion offered by Councilmember Sandoval, duly seconded by Councilmember Johnson, that CB11-0121, CB11-0311, CB11-0312, CB11-0315, and CB11-0314 be placed upon final consideration and do pass en bloc, carried by the following vote:

- Passed
- For: Sandoval, Faatz, Johnson, Lehmann, Linkhart, Lopez, Montero, Robb (8)
- Against: (None) (0)

Absent: Boigon, Brown, Hancock, Nevitt (4)  
Abstain: (None) (0)

**CB11-0311 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 Sandoval, duly seconded by Councilmember Johnson, that CB11-0121, CB11-0311, CB11-0312, CB11-0315, and CB11-0314 be placed upon final consideration and do pass en bloc, carried by the following vote:  
Passed

For: Sandoval, Faatz, Johnson, Lehmann, Linkhart, Lopez, Montero, Robb (8)  
Against: (None) (0)  
Absent: Boigon, Brown, Hancock, Nevitt (4)  
Abstain: (None) (0)

**CB11-0312 A bill for an ordinance approving a proposed Agreement between the City and County of Denver and Qwest Communications Company LLC related to on-call technical systems support services at Denver International Airport. (BUSINESS, WORKFORCE & SUSTAINABILITY)**

A motion offered by Councilmember Sandoval, duly seconded by Councilmember Johnson, that CB11-0121, CB11-0311, CB11-0312, CB11-0315, and CB11-0314 be placed upon final consideration and do pass en bloc, carried by the following vote:  
Passed

For: Sandoval, Faatz, Johnson, Lehmann, Linkhart, Lopez, Montero, Robb (8)  
Against: (None) (0)  
Absent: Boigon, Brown, Hancock, Nevitt (4)  
Abstain: (None) (0)

**CB11-0315 A bill for an ordinance authorizing the transfer of funds between "Workforce Investment Act PY10-11" grant programs within the Economic Opportunity Special Revenue Fund. (BUSINESS, WORKFORCE & SUSTAINABILITY)**

A motion offered by Councilmember Sandoval, duly seconded by Councilmember Johnson, that CB11-0121, CB11-0311, CB11-0312, CB11-0315, and CB11-0314 be placed upon final consideration and do pass en bloc, carried by the following vote:  
Passed

For: Sandoval, Faatz, Johnson, Lehmann, Linkhart, Lopez, Montero, Robb (8)  
Against: (None) (0)  
Absent: Boigon, Brown, Hancock, Nevitt (4)  
Abstain: (None) (0)

**General Government & Finance**

**CB11-0314 A bill for an Ordinance approving a proposed Purchase and Sale Agreement between the City and County of Denver and Craft Development, Inc. for the sale of the property located at 20 E. Center Avenue. (GENERAL GOVERNMENT & FINANCE)**

A motion offered by Councilmember Sandoval, duly seconded by Councilmember Johnson, that CB11-0121, CB11-0311, CB11-0312, CB11-0315, and CB11-0314 be placed upon final consideration and do pass en bloc, carried by the following vote:  
Passed

For: Sandoval, Faatz, Johnson, Lehmann, Linkhart, Lopez, Montero, Robb (8)

Against: (None) (0)

Absent: Boigon, Brown, Hancock, Nevitt (4)

Abstain: (None) (0)

## **Announcement**

**Dependent upon publication there will be a public hearing on CB11-0145, designating Curtis Park Landmark District H, on Monday, June 6, 2011, and on CB11-0338, changing the zoning classification of 6777, 6825, and 6895 E. Hampden Avenue, on Monday, June 20, 2011. Any protests against CB11-0338 must be filed with the Council Office no later than Monday, June 13, 2011.**

## **Adjourn**

There being no further business before the City Council, Council President Pro-Tem Lehmann adjourned the meeting at 7:39 PM.

## **Pending**

**CB11-0151 A bill for an ordinance relating to the Chapters 8 (Animals) and 36 (Noise Control) of the Denver Revised Municipal Code and the Denver Zoning Code authorizing the keeping of certain food producing animals. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**