

## **City Council Minutes**

Meeting Date: Monday, February 28, 2011 5:30 PM

### **Pledge of Allegiance**

Councilmember Hancock led the pledge of allegiance.

### **Roll Call**

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

Absent: Madison

### **Approval of Minutes of Tuesday, February 22, 2011**

The minutes of meeting date, Tuesday, February 22, 2011 were distributed to Council. Council President Nevitt ordered the minutes approved.

### **Council Announcements**

#### **Presentations**

#### **Communications**

#### **Proclamations**

#### **Resolutions**

The Council Secretary read the following resolutions by titles.

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

#### **CR11-0045 A resolution approving the Mayor's Appointment to the Denver Convention Center Hotel Authority Board of Directors. (BUSINESS, WORKFORCE & SUSTAINABILITY)**

A motion offered by Councilmember Brown, duly seconded by Councilmember Hancock, that CR11-0045 and CR11-0106 be adopted en bloc, carried by the following vote:

Passed

For: Boigon, Brown, Faatz, Johnson, Lehmann, Linkhart, Lopez, Montero, Robb, Sandoval (10)

Against: (None) (0)

Absent: Madison (1)  
Abstain: (None) (0)

## **General Government & Finance**

### **CR11-0106 A resolution approving the reappointment by the City Council of Edgar L. Neel to serve as a member of the Board of Ethics. (GENERAL GOVERNMENT & FINANCE)**

A motion offered by Councilmember Brown, duly seconded by Councilmember Hancock, that CR11-0045 and CR11-0106 be adopted en bloc, carried by the following vote:

Passed

For: Boigon, Brown, Faatz, Johnson, Lehmann, Linkhart, Lopez, Montero, Robb, Sandoval (10)

Against: (None) (0)

Absent: Madison (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.

Council President Nevitt announced that there being no further business before the City Council, the meeting was adjourned at 7:07 PM.

## **Business, Workforce & Sustainability**

### **CB11-0091 A bill for an ordinance approving a proposed First Amendatory Agreement between the City and County of Denver and Denver Neighborhood Revitalization, Inc., for corrections and modifications to program activities related to the Neighborhood Stabilization Program (NSP). (BUSINESS, WORKFORCE AND SUSTAINABILITY)**

A motion offered by Councilmember Nevitt, duly seconded by Councilmember Hancock, that CB11-0091, CB11-0096, CB11-0097, CB11-0100, CB11-0072, CB11-0105, CB11-0078, CB11-0088, CB11-0089 and CB11-0090, be ordered published en bloc, carried by the following vote:

Passed

For: Boigon, Brown, Faatz, Johnson, Lehmann, Linkhart, Lopez, Montero, Robb, Sandoval (10)

Against: (None) (0)

Absent: Madison (1)

Abstain: (None) (0)

### **CB11-0096 A bill for an ordinance approving a proposed Agreement between the City and County of Denver and the United States of America**

**concerning a lease at Denver International Airport. (BUSINESS, WORKFORCE & SUSTAINABILITY)**

A motion offered by Councilmember Nevitt, duly seconded by Councilmember Hancock, that CB11-0091, CB11-0096, CB11-0097, CB11-0100, CB11-0072, CB11-0105, CB11-0078, CB11-0088, CB11-0089 and CB11-0090, be ordered published en bloc, carried by the following vote:

Passed

For: Boigon, Brown, Faatz, Johnson, Lehmann, Linkhart, Lopez, Montero, Robb, Sandoval (10)

Against: (None) (0)

Absent: Madison (1)

Abstain: (None) (0)

**CB11-0097 A bill for an ordinance approving a proposed First Amendment to Airport Use and Facilities Lease Agreement between the City and County of Denver and Air Canada, concerning a lease at Denver International Airport. (BUSINESS, WORKFORCE & SUSTAINABILITY)**

A motion offered by Councilmember Nevitt, duly seconded by Councilmember Hancock, that CB11-0091, CB11-0096, CB11-0097, CB11-0100, CB11-0072, CB11-0105, CB11-0078, CB11-0088, CB11-0089 and CB11-0090, be ordered published en bloc, carried by the following vote:

Passed

For: Boigon, Brown, Faatz, Johnson, Lehmann, Linkhart, Lopez, Montero, Robb, Sandoval (10)

Against: (None) (0)

Absent: Madison (1)

Abstain: (None) (0)

**CB10-1118 A bill for an ordinance approving a proposed Second Amendment and Modification Agreement between the City and County of Denver and Denver Urban Economic Development Corporation to extend the loan maturity date. (BUSINESS, WORKFORCE & SUSTAINABILITY)**

A motion offered by Councilmember Hancock, duly seconded by Councilmember Linkhart, that CB10-1118, CB10-1119, and CB10-1120 be ordered published en bloc, carried by the following vote:

Passed

For: Boigon, Brown, Johnson, Lehmann, Linkhart, Lopez, Robb, Sandoval (8)

Against: Faatz (1)

Absent: Madison, Montero (2)

Abstain: (None) (0)

**CB10-1119 A bill for an ordinance approving a proposed Third Amendment and Modification Agreement between the City and County of Denver and Denver Urban Economic Development Corporation to extend the loan**

**maturity date. (BUSINESS, WORKFORCE & SUSTAINABILITY)**

A motion offered by Councilmember Hancock, duly seconded by Councilmember Linkhart, that CB10-1118, CB10-1119, and CB10-1120 be ordered published en bloc, carried by the following vote:

- Passed
- For: Boigon, Brown, Johnson, Lehmann, Linkhart, Lopez, Robb, Sandoval (8)
- Against: Faatz (1)
- Absent: Madison, Montero (2)
- Abstain: (None) (0)

**CB10-1120 A bill for an ordinance approving a proposed First Amendment and Modification Agreement between the City and County of Denver and Denver Urban Economic Development Corporation to extend the loan maturity date. (BUSINESS, WORKFORCE & SUSTAINABILITY)**

A motion offered by Councilmember Hancock, duly seconded by Councilmember Linkhart, that CB10-1118, CB10-1119, and CB10-1120 be ordered published en bloc, carried by the following vote:

- Passed
- For: Boigon, Brown, Johnson, Lehmann, Linkhart, Lopez, Robb, Sandoval (8)
- Against: Faatz (1)
- Absent: Madison, Montero (2)
- Abstain: (None) (0)

**General Government & Finance**

**CB11-0100 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 Nevitt, duly seconded by Councilmember Hancock, that CB11-0091, CB11-0096, CB11-0097, CB11-0100, CB11-0072, CB11-0105, CB11-0078, CB11-0088, CB11-0089 and CB11-0090, be ordered published en bloc, carried by the following vote:

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

**CB11-0152 A bill for an ordinance setting the salaries of elected Charter officers for terms beginning July 18, 2011.**

A motion offered by Councilmember Hancock, duly seconded by Councilmember Linkhart, that CB11-0152 be ordered published, was followed by a motion offered

by Councilmember Faatz, duly seconded by Councilmember Hancock, that CB11-0152 be amended in the following particulars: on page 1, lines 27- 32, strike the final recital and substitute the following: "WHEREAS, due to current and projected budgetary constraints, the Denver City Council has determined that elected officials should forego any salary increase whatsoever for the entire term of office commencing July 18, 2011." On page 2, at the table starting on line 10, in the second column where heading of the column reads, "Annual Salary", strike the date of July 15, 2013 and substitute the date of July 20, 2015. In addition, eliminate the third and fourth columns in the table, which motion to amend was followed by a motion offered by Councilmember Brown, duly seconded by Councilmember Linkhart, that CB11-0152, be re-referred to General Government & Finance Committee, carried by the following vote:

Passed  
For: Brown, Johnson, Lehmann, Linkhart, Lopez, Montero, Robb, Sandoval (8)  
Against: Boigon, Faatz (2)  
Absent: Madison (1)  
Abstain: (None) (0)

**Health, Safety, Education & Services**

**CB11-0072 A bill for an ordinance authorizing expenditures in the Human Services Special Revenue Fund based on a letter of intent from State of Colorado to award funding for the "Community Services Block Grant FY11-12" program. (HEALTH, SAFETY, EDUCATION & SERVICES)**

A motion offered by Councilmember Nevitt, duly seconded by Councilmember Hancock, that CB11-0091, CB11-0096, CB11-0097, CB11-0100, CB11-0072, CB11-0105, CB11-0078, CB11-0088, CB11-0089 and CB11-0090, be ordered published en bloc, carried by the following vote:

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

**CB11-0105 A bill for an ordinance authorizing the redistribution of funds from the Police Department’s Victim Assistance Municipal Surcharge Special Revenue Fund to the Victim Assistance Municipal Surcharge Special Revenue Funds of the District Attorney, City Attorney and County Court. (HEALTH, SAFETY, EDUCATION & SERVICES)**

A motion offered by Councilmember Nevitt, duly seconded by Councilmember Hancock, that CB11-0091, CB11-0096, CB11-0097, CB11-0100, CB11-0072, CB11-0105, CB11-0078, CB11-0088, CB11-0089 and CB11-0090, be ordered published en bloc, carried by the following vote:

Passed

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

**Land Use, Transportation & Infrastructure**

**CB11-0078 A bill for an ordinance to approve annual programs of the Department of Public Works and waive the City Council approval requirement for specific contracts let pursuant to the annual program. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

A motion offered by Councilmember Nevitt, duly seconded by Councilmember Hancock, that CB11-0091, CB11-0096, CB11-0097, CB11-0100, CB11-0072, CB11-0105, CB11-0078, CB11-0088, CB11-0089 and CB11-0090, be ordered published en bloc, carried by the following vote:

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

**CB11-0088 A bill for an ordinance approving an on-call agreement between ICON Engineering, Inc. and the City & County of Denver for engineering services. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

A motion offered by Councilmember Nevitt, duly seconded by Councilmember Hancock, that CB11-0091, CB11-0096, CB11-0097, CB11-0100, CB11-0072, CB11-0105, CB11-0078, CB11-0088, CB11-0089 and CB11-0090, be ordered published en bloc, carried by the following vote:

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

**CB11-0089 A bill for an ordinance approving an on-call agreement between Olsson Associates, Inc. and the City & County of Denver for engineering services. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

A motion offered by Councilmember Nevitt, duly seconded by Councilmember Hancock, that CB11-0091, CB11-0096, CB11-0097, CB11-0100, CB11-0072, CB11-

0105, CB11-0078, CB11-0088, CB11-0089 and CB11-0090, be ordered published en bloc, carried by the following vote:

Passed

For: Boigon, Brown, Faatz, Johnson, Lehmann, Linkhart, Lopez, Montero, Robb, Sandoval (10)

Against: (None) (0)

Absent: Madison (1)

Abstain: (None) (0)

**CB11-0090 A bill for an ordinance approving an on-call agreement between Enginuity Engineering Solutions, LLC and the City & County of Denver for engineering services. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

A motion offered by Councilmember Nevitt, duly seconded by Councilmember Hancock, that CB11-0091, CB11-0096, CB11-0097, CB11-0100, CB11-0072, CB11-0105, CB11-0078, CB11-0088, CB11-0089 and CB11-0090, be ordered published en bloc, carried by the following vote:

Passed

For: Boigon, Brown, Faatz, Johnson, Lehmann, Linkhart, Lopez, Montero, Robb, Sandoval (10)

Against: (None) (0)

Absent: Madison (1)

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**

**CB11-0074 A bill for an ordinance approving a proposed Non-Disturbance and Attornment Agreement between the City and County of Denver, Skyport Development Company, LLC and Sunglass Hut Trading LLC concerning a concession at Denver International Airport. (BUSINESS, WORKFORCE & SUSTAINABILITY)**

A motion offered by Councilmember Montero, duly seconded by Councilmember Boigon, that CB11-0074, CB11-0092, CB11-0016, CB11-0065, CB11-0107, CB11-0143, CB11-0064, CB11-0073, and CB11-0077 be placed upon final consideration and do pass en bloc, carried by the following vote:

Passed

For: Boigon, Brown, Faatz, Johnson, Lehmann, Linkhart, Lopez, Montero, Robb, Sandoval (10)

Against: (None) (0)

Absent: Madison (1)

Abstain: (None) (0)

**CB11-0075 A bill for an ordinance approving a proposed Amendatory Agreement between the City and County of Denver and Service America Corporation, dba Centerplate, relating to concession services at the Colorado Convention Center and the Denver Performing Arts Complex. (BUSINESS, WORKFORCE & SUSTAINABILITY)**

A motion Councilmember Hancock, duly seconded by Councilmember Boigon, that CB11-0075 and CB11-0076 be placed upon final consideration and do pass en bloc, carried by the following vote:

Passed

For: Boigon, Brown, Faatz, Johnson, Lehmann, Lopez, Montero, Robb (8)

Against: (None) (0)

Absent: Madison (1)

Abstain: Sandoval (1)

**CB11-0076 A bill for an ordinance approving a proposed First Amendatory Agreement between the City and County of Denver and SMG, relating to management services at the Colorado Convention Center. (BUSINESS, WORKFORCE & SUSTAINABILITY)**

A motion Councilmember Hancock, duly seconded by Councilmember Boigon, that CB11-0075 and CB11-0076 be placed upon final consideration and do pass en bloc, carried by the following vote:

Passed

For: Boigon, Brown, Faatz, Johnson, Lehmann, Lopez, Montero, Robb (8)

Against: (None) (0)

Absent: Madison (1)

Abstain: Sandoval (1)

**CB11-0092 A bill for an ordinance approving a proposed purchase order by the City and County of Denver for two Refuse Barrel Loaders for Solid Waste. (BUSINESS, WORKFORCE & SUSTAINABILITY)**

A motion offered by Councilmember Montero, duly seconded by Councilmember Boigon, that CB11-0074, CB11-0092, CB11-0016, CB11-0065, CB11-0107, CB11-0143, CB11-0064, CB11-0073, and CB11-0077 be placed upon final consideration and do pass en bloc, carried by the following vote:

Passed

For: Boigon, Brown, Faatz, Johnson, Lehmann, Linkhart, Lopez, Montero, Robb, Sandoval (10)



Against: (None) (0)  
Absent: Madison (1)  
Abstain: (None) (0)

## **General Government & Finance**

### **CB11-0016 A bill for an ordinance approving a proposed Master Purchase Order between the City and County of Denver and Independent Stationers, Inc., for various office supplies with the option of four yearly extensions. (GOVERNMENT AFFAIRS & FINANCE)**

A motion offered by Councilmember Montero, duly seconded by Councilmember Boigon, that CB11-0074, CB11-0092, CB11-0016, CB11-0065, CB11-0107, CB11-0143, CB11-0064, CB11-0073, and CB11-0077 be placed upon final consideration and do pass en bloc, carried by the following vote:

Passed

For: Boigon, Brown, Faatz, Johnson, Lehmann, Linkhart, Lopez, Montero, Robb, Sandoval (10)

Against: (None) (0)

Absent: Madison (1)

Abstain: (None) (0)

### **CB11-0065 A bill for an ordinance approving a proposed Second Amendatory Agreement between the City and County of Denver and Sylvester Tally regarding a coffee kiosk at the City and County Building. (GENERAL GOVERNMENT & FINANCE)**

A motion offered by Councilmember Montero, duly seconded by Councilmember Boigon, that CB11-0074, CB11-0092, CB11-0016, CB11-0065, CB11-0107, CB11-0143, CB11-0064, CB11-0073, and CB11-0077 be placed upon final consideration and do pass en bloc, carried by the following vote:

Passed

For: Boigon, Brown, Faatz, Johnson, Lehmann, Linkhart, Lopez, Montero, Robb, Sandoval (10)

Against: (None) (0)

Absent: Madison (1)

Abstain: (None) (0)

### **CB11-0107 A bill for an ordinance creating a Fund Number in the Grant Projects Fund and creating a Fund Number in the Community Development Special Revenue Fund for the "City of Denver Community Challenge Planning Grant Program – Denver TOD Strategic Implementation Program". (GENERAL GOVERNMENT & FINANCE)**

A motion offered by Councilmember Montero, duly seconded by Councilmember Boigon, that CB11-0074, CB11-0092, CB11-0016, CB11-0065, CB11-0107, CB11-0143, CB11-0064, CB11-0073, and CB11-0077 be placed upon final consideration

and do pass en bloc, carried by the following vote:

Passed

For: Boigon, Brown, Faatz, Johnson, Lehmann, Linkhart, Lopez, Montero, Robb, Sandoval (10)

Against: (None) (0)

Absent: Madison (1)

Abstain: (None) (0)

**CB11-0143 A bill for an ordinance approving a proposed Purchase Agreement between the City and County of Denver and 513, LLC for the purchase of a building located at 4640 Lipan Street for the Denver Fire Line Shop. (GENERAL GOVERNMENT & FINANCE)**

A motion offered by Councilmember Montero, duly seconded by Councilmember Boigon, that CB11-0074, CB11-0092, CB11-0016, CB11-0065, CB11-0107, CB11-0143, CB11-0064, CB11-0073, and CB11-0077 be placed upon final consideration and do pass en bloc, carried by the following vote:

Passed

For: Boigon, Brown, Faatz, Johnson, Lehmann, Linkhart, Lopez, Montero, Robb, Sandoval (10)

Against: (None) (0)

Absent: Madison (1)

Abstain: (None) (0)

**Health, Safety, Education & Services**

**CB11-0064 A bill for an ordinance approving a proposed Agreement between the City and County of Denver and Energy Outreach Colorado to provide weatherization and energy efficiency education services to low-income residents living in multi-family affordable housing units within the City and County of Denver. (HEALTH, SAFETY, EDUCATION & SERVICES)**

A motion offered by Councilmember Montero, duly seconded by Councilmember Boigon, that CB11-0074, CB11-0092, CB11-0016, CB11-0065, CB11-0107, CB11-0143, CB11-0064, CB11-0073, and CB11-0077 be placed upon final consideration and do pass en bloc, carried by the following vote:

Passed

For: Boigon, Brown, Faatz, Johnson, Lehmann, Linkhart, Lopez, Montero, Robb, Sandoval (10)

Against: (None) (0)

Absent: Madison (1)

Abstain: (None) (0)

**CB11-0073 A bill for an ordinance approving and providing for the execution of a proposed grant agreement between the City and County of Denver and the United States of America concerning the "Shelter Plus Care Women's FY10-11" program and the funding therefor. (HEALTH, SAFETY,**

## **EDUCATION & SERVICES)**

A motion offered by Councilmember Montero, duly seconded by Councilmember Boigon, that CB11-0074, CB11-0092, CB11-0016, CB11-0065, CB11-0107, CB11-0143, CB11-0064, CB11-0073, and CB11-0077 be placed upon final consideration and do pass en bloc, carried by the following vote:

Passed

For: Boigon, Brown, Faatz, Johnson, Lehmann, Linkhart, Lopez, Montero, Robb, Sandoval (10)

Against: (None) (0)

Absent: Madison (1)

Abstain: (None) (0)

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

### **CB11-0077 A bill for an ordinance approving an agreement between Concrete Works of Colorado, Inc. and the City & County of Denver to reconstruct S. Broadway from Yale to Wesley Avenues. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

A motion offered by Councilmember Montero, duly seconded by Councilmember Boigon, that CB11-0074, CB11-0092, CB11-0016, CB11-0065, CB11-0107, CB11-0143, CB11-0064, CB11-0073, and CB11-0077 be placed upon final consideration and do pass en bloc, carried by the following vote:

Passed

For: Boigon, Brown, Faatz, Johnson, Lehmann, Linkhart, Lopez, Montero, Robb, Sandoval (10)

Against: (None) (0)

Absent: Madison (1)

Abstain: (None) (0)

## **Adjourn**