

## **City Council Minutes**

Meeting Date: Monday, April 04, 2011 5:30 PM

### **Pledge of Allegiance**

Councilmember Montero led the pledge of allegiance.

### **Roll Call**

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

Absent: Madison (1)

Councilmember Linkhart arrived late.

### **Approval of Minutes of Tuesday, March 29, 2011**

The minutes of meeting date, Tuesday, March 29, 2011 were distributed to Council. Council President Nevitt ordered the minutes approved.

### **Council Announcements**

Councilmembers Robb and Montero offered announcements.

### **Presentations**

### **Communications**

### **Proclamations**

#### **CP11-0241 A proclamation in support of National Start! Walking Day.**

Sponsored by Councilmembers Robb, Johnson, Montero, Lehmann, Boigon, Brown, and López.

A motion offered by Councilmember Robb, duly seconded by Councilmember Sandoval, that CP11-0241 be adopted, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: Madison (1)

Abstain: (None) (0)

#### **CP11-0243 A proclamation in recognition of the life and career of Raul Pierre Jimenez.**

Sponsored by Councilmembers Montero, Faatz, Johnson, Lehmann, Hancock, Boigon, Brown, and López.

A motion offered by Councilmember Montero, duly seconded by Councilmember Hancock, that CP11-0243 be adopted, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: Madison (1)

Abstain: (None) (0)

## Resolutions

The Council Secretary read the following resolutions by titles.

### General Government & Finance

**CR11-0242 A resolution authorizing an increase in the Capital Contribution fee ("PEG Fee") from \$.87 per month to \$1.00 per month for residential subscribers under Denver's cable television franchise. (GENERAL GOVERNMENT & FINANCE)**

A motion offered by Councilmember Brown, duly seconded by Councilmember Lehmann, that CR11-0242 be adopted, carried by the following vote:

Passed

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

Against: Brown, Faatz, Hancock (3)

Absent: Madison (1)

Abstain: (None) (0)

### Health, Safety, Education & Services

**CR11-0210 A resolution approving the Mayor's Reappointments and Appointments to the Denver American Indian Commission. (HEALTH, SAFETY, EDUCATION & SERVICES)**

A motion offered by Councilmember Montero, duly seconded by Councilmember Lehmann, that CR11-0210, CR11-0231, and CR11-0209 be adopted en bloc, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: Madison (1)

Abstain: (None) (0)

**CR11-0231 A resolution authorizing and approving the expenditure and payment from the appropriation account designated "liability claims," the sum of Seventy-Five Thousand Dollars (\$75,000.00), payable to Gloria Jalovec and Mintz Law Firm, LLC, in full payment and satisfaction of all claims in Case No. 10-CV-5585, in the Denver District Court. (HEALTH, SAFETY, EDUCATION & SERVICES)**

A motion offered by Councilmember Montero, duly seconded by Councilmember Lehmann, that CR11-0210, CR11-0231, and CR11-0209 be adopted en bloc, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: Madison (1)

Abstain: (None) (0)

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

### **CR11-0209 A resolution laying out, opening and establishing as part of the city street system a certain parcel of land as Federal Blvd., located at the intersection of W. 12th Ave. and Federal Blvd. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

A motion offered by Councilmember Montero, duly seconded by Councilmember Lehmann, that CR11-0210, CR11-0231, and CR11-0209 be adopted en bloc, carried by the following vote:

Passed

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

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.

## **General Government & Finance**

### **CB11-0202 A bill for an ordinance approving a proposed Purchase Order between the City and County of Denver and Oracle America, Inc., for maintenance and support for PeopleSoft database. (GENERAL GOVERNMENT & FINANCE)**

Councilmember Montero, that CB11-0202, CB11-0207, CB11-0153, and CB11-0154 be ordered published en bloc, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: Madison (1)

Abstain: (None) (0)

### **CB11-0207 A bill for an ordinance authorizing a transfer of cash from the Human Services Special Revenue Fund to the General Fund to close out the "Census 2010" Special Revenue Fund. (GENERAL GOVERNMENT & FINANCE)**

Councilmember Montero, that CB11-0202, CB11-0207, CB11-0153, and CB11-0154 be ordered published en bloc, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: Madison (1)

Abstain: (None) (0)

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

### **CB11-0153 A bill for an ordinance changing the zoning classification of 2090 S. Galapago Street. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

Councilmember Montero, that CB11-0202, CB11-0207, CB11-0153, and CB11-0154 be ordered published en bloc, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: Madison (1)

Abstain: (None) (0)

### **CB11-0154 A bill for an ordinance changing the zoning classification of the properties located at 14th Avenue and Pennsylvania Street. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

Councilmember Montero, that CB11-0202, CB11-0207, CB11-0153, and CB11-0154 be ordered published en bloc, carried by the following vote:

Passed

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

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**

#### **CB11-0172 A bill for an ordinance making a rescission from the Denver Office of Cultural Affairs appropriation and making an appropriation in the Culture and Recreation Special Revenue Fund. (BUSINESS, WORKFORCE & SUSTAINABILITY)**

A motion offered by Councilmember Montero, duly seconded by Councilmember Johnson, that CB11-0172, CB11-0183, CB11-0194, CB11-0195, CB11-0184, CB10-1045, CB11-0185, CB11-0196, CB11-0167, and CB11-0188 be placed upon final consideration and do pass en bloc, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: Madison (1)

Abstain: (None) (0)

**CB11-0183 A bill for an Ordinance amending Section 20-76(b) of Division 3 of Article IV of Chapter 20, Treatment of Employees Associated with City Contracts. (BUSINESS, WORKFORCE & SUSTAINABILITY)**

A motion offered by Councilmember Montero, duly seconded by Councilmember Johnson, that CB11-0172, CB11-0183, CB11-0194, CB11-0195, CB11-0184, CB10-1045, CB11-0185, CB11-0196, CB11-0167, and CB11-0188 be placed upon final consideration and do pass en bloc, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: Madison (1)

Abstain: (None) (0)

**CB11-0194 A bill for an ordinance approving a proposed Second Amendment to Airport Use and Facilities Lease Agreement between the City and County of Denver and British Airways Plc, related to leased space at Denver International Airport. (BUSINESS, WORKFORCE & SUSTAINABILITY)**

A motion offered by Councilmember Montero, duly seconded by Councilmember Johnson, that CB11-0172, CB11-0183, CB11-0194, CB11-0195, CB11-0184, CB10-1045, CB11-0185, CB11-0196, CB11-0167, and CB11-0188 be placed upon final consideration and do pass en bloc, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: Madison (1)

Abstain: (None) (0)

**CB11-0195 A bill for an ordinance approving a proposed Second Amendment to Airport Use and Facilities Lease Agreement between the City and County of Denver and American Airlines, Inc., related to leased space at Denver International Airport. (BUSINESS, WORKFORCE & SUSTAINABILITY)**

A motion offered by Councilmember Montero, duly seconded by Councilmember Johnson, that CB11-0172, CB11-0183, CB11-0194, CB11-0195, CB11-0184, CB10-1045, CB11-0185, CB11-0196, CB11-0167, and CB11-0188 be placed upon final consideration and do pass en bloc, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: Madison (1)

Abstain: (None) (0)

## **General Government & Finance**

### **CB11-0184 A bill for an ordinance approving a proposed amendatory agreement between the City and County of Denver and Xerox Corporation to pay off the remainder of the copier lease. (GENERAL GOVERNMENT & FINANCE)**

A motion offered by Councilmember Montero, duly seconded by Councilmember Johnson, that CB11-0172, CB11-0183, CB11-0194, CB11-0195, CB11-0184, CB10-1045, CB11-0185, CB11-0196, CB11-0167, and CB11-0188 be placed upon final consideration and do pass en bloc, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: Madison (1)

Abstain: (None) (0)

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

### **CB10-1045 A bill for an ordinance approving a proposed second amendatory agreement between the City and County of Denver and the Denver Children's Advocacy Center for continued provision of forensic interviews. (HEALTH, SAFETY, EDUCATION & SERVICES COMMITTEE)**

A motion offered by Councilmember Montero, duly seconded by Councilmember Johnson, that CB11-0172, CB11-0183, CB11-0194, CB11-0195, CB11-0184, CB10-1045, CB11-0185, CB11-0196, CB11-0167, and CB11-0188 be placed upon final consideration and do pass en bloc, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: Madison (1)

Abstain: (None) (0)

### **CB11-0185 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 "Ryan White Part A FY11" program and the funding therefor. (HEALTH, SAFETY, EDUCATION & SERVICES)**

A motion offered by Councilmember Montero, duly seconded by Councilmember Johnson, that CB11-0172, CB11-0183, CB11-0194, CB11-0195, CB11-0184, CB10-1045, CB11-0185, CB11-0196, CB11-0167, and CB11-0188 be placed upon final consideration and do pass en bloc, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: Madison (1)

Abstain: (None) (0)

**CB11-0196 A bill for an ordinance authorizing the purchase of capital equipment items from the "Urban Areas Security Initiative" Special Revenue Fund budgets. (HEALTH, SAFETY, EDUCATION & SERVICES)**

A motion offered by Councilmember Montero, duly seconded by Councilmember Johnson, that CB11-0172, CB11-0183, CB11-0194, CB11-0195, CB11-0184, CB10-1045, CB11-0185, CB11-0196, CB11-0167, and CB11-0188 be placed upon final consideration and do pass en bloc, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: Madison (1)

Abstain: (None) (0)

**Land Use, Transportation & Infrastructure**

**CB11-0167 A bill for an Ordinance amending Ordinance Number 426, Series of 2007, as amended by Ordinance Number 335, Series of 2009, Ordinance Number 148, Series of 2010, and Ordinance Number 11, Series of 2011 designating the project to be undertaken and funded with the proceeds of the Better Denver bonds. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

A motion offered by Councilmember Montero, duly seconded by Councilmember Johnson, that CB11-0172, CB11-0183, CB11-0194, CB11-0195, CB11-0184, CB10-1045, CB11-0185, CB11-0196, CB11-0167, and CB11-0188 be placed upon final consideration and do pass en bloc, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: Madison (1)

Abstain: (None) (0)

**CB11-0188 A bill for an ordinance vacating the alley bounded by 13th and 14th Avenues between Cherokee and Delaware Streets, without reservations. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

A motion offered by Councilmember Montero, duly seconded by Councilmember Johnson, that CB11-0172, CB11-0183, CB11-0194, CB11-0195, CB11-0184, CB10-1045, CB11-0185, CB11-0196, CB11-0167, and CB11-0188 be placed upon final consideration and do pass en bloc, carried by the following vote:

Passed

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

Against: (None) (0)

Absent: Madison (1)

Abstain: (None) (0)

**Announcement**

Council President Nevitt announced that there will be public hearings on CB11-0153, changing the zoning classification of 2090 S. Galapago Street, and CB11-0154, changing the zoning classification of the properties located at 14th Avenue and Pennsylvania Street, on Monday, May 2, 2011. Any protests against CB11-0152 or CB11-0153 must be filed in the Council Office no later than Monday, April 25, 2011.

## **Adjourn**

Council President Nevitt announced that there being no further business before the City Council, the meeting was adjourned at 6:25 PM.

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President

Attested by me with the Corporate Seal  
of the City and County of Denver

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Clerk and Recorder, Ex-Officio Clerk  
of the City and County of Denver

City Council public documents are available upon request in alternate formats.  
Prepared by Kelly Velez