## **City Council Minutes**

Meeting Date: Monday, November 15, 2010 5:30 PM

## **Pledge of Allegiance**

Councilmember Brown led the pledge of allegiance.

#### Roll Call

Present: Boigon, Brown, Faatz, Hancock, Johnson, Lehmann, Linkhart, López,

Madison, Montero, Nevitt, Robb, Sandoval (13)

# Approval of Minutes of Monday, November 8, 2010

The minutes of meeting date, Monday, November 8, 2010 were distributed to Council. Council President Nevitt ordered the minutes approved.

#### **Council Announcements**

No Councilmembers offered announcements.

### **Presentations**

#### **Communications**

### **Proclamations**

#### Resolutions

The Council Secretary read the following resolutions by titles. The Council President referred the resolutions to the committees shown in parentheses after the resolution titles.

Health, Safety, Education & Services

CR10-0952 A resolution approving the Mayor's Appointment to the Denver Gay, Lesbian, Bisexual and Transgender (GLBT) Commission.

A motion offered by Councilmember Boigon, duly seconded by Councilmember Brown, that CR10-0952, CR10-0953, and CR10-1001 be adopted en bloc carried by the following vote:

Passed

For: Boigon, Brown, Faatz, Hancock, Lehmann, Linkhart, Lopez, Madison, Montero,

Nevitt, Robb, Sandoval (12)

CR10-0953 A resolution approving the Mayor's Appointment to the Denver American Indian Commission.

A motion offered by Councilmember Boigon, duly seconded by Councilmember Brown, that CR10-0952, CR10-0953, and CR10-1001 be adopted en bloc carried by the following vote:

Passed

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

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

CR10-1001 A resolution authorizing and approving the expenditure and payment from the appropriation account designated "liability claims," the sum of One Hundred Forty Thousand Dollars and 00/100 (\$140,000.00), payable to Darrell S. Elliott, P.C. and Adriana Reza, individually, and Adriana Reza as mother and next friend of Gaspar Reza, Fey Reza and Francisco Olvera in full payment and satisfaction of all claims in Case No. 09-CV-8058, in the Denver District Court.

A motion offered by Councilmember Boigon, duly seconded by Councilmember Brown, that CR10-0952, CR10-0953, and CR10-1001 be adopted en bloc carried by the following vote:

Passed

For: Boigon, Brown, Faatz, Hancock, Lehmann, Linkhart, Lopez, Madison, Montero,

Nevitt, Robb, Sandoval (12)

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

#### **Bills for Introduction**

The Council Secretary read the following bills by titles. The Council President referred the bills to the committees shown in parentheses after the bill titles.

Council President Nevitt announced that all other bills on introduction are ordered published.

Business, Workforce & Sustainability

CB10-0541 A bill for an ordinance approving a proposed Agreement between the City and County of Denver and Neighborhood Development Collaborative, Inc. for the Neighborhood Stabilization Program 2.

A motion offered by Councilmember Nevitt, duly seconded by Councilmember Boigon, that CB10-0541, CB10-0712, CB10-0937, CB10-0954, CB10-0955, CB10-0956, CB10-0957, CB10-0958, CB10-0959, CB10-0960, CB10-0961, CB10-0962, CB10-0963, CB10-0917, CB10-0918, CB10-0919, CB10-0920, CB10-0933, CB10-0942, CB10-0946, CB10-0668, CB10-0669, CB10-0935, CB10-0943, CB10-0944, CB10-0923, CB10-0924, CB10-0925, CB10-0926, CB10-0927, CB10-0928, CB10-0929, CB10-0930, and CB10-0931 be ordered published en bloc carried by the following vote:

Passed

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

CB10-0712 A bill for an ordinance approving a proposed First Amendatory Agreement between the City and County of Denver and Neighborhood Development Collaborative, Inc., to amend the grant for the Neighborhood Stabilization Program (NSP1).

A motion offered by Councilmember Nevitt, duly seconded by Councilmember Boigon, that CB10-0541, CB10-0712, CB10-0937, CB10-0954, CB10-0955, CB10-0956, CB10-0957, CB10-0958, CB10-0959, CB10-0960, CB10-0961, CB10-0962, CB10-0963, CB10-0917, CB10-0918, CB10-0919, CB10-0920, CB10-0933, CB10-0942, CB10-0946, CB10-0668, CB10-0669, CB10-0935, CB10-0943, CB10-0944, CB10-0923, CB10-0924, CB10-0925, CB10-0926, CB10-0927, CB10-0928, CB10-0929, CB10-0930, and CB10-0931 be ordered published en bloc carried by the following vote:

Passed

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

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

CB10-0937 A bill for an ordinance approving an Operating Plan and Budget for 2011 for the Cherry Creek North Business Improvement District.

A motion offered by Councilmember Nevitt, duly seconded by Councilmember Boigon, that CB10-0541, CB10-0712, CB10-0937, CB10-0954, CB10-0955, CB10-0956, CB10-0957, CB10-0958, CB10-0959, CB10-0960, CB10-0961, CB10-0962, CB10-0963, CB10-0917, CB10-0918, CB10-0919, CB10-0920, CB10-0933, CB10-0942, CB10-0946, CB10-0668, CB10-0669, CB10-0935, CB10-0943, CB10-0944, CB10-0923, CB10-0924, CB10-0925, CB10-0926, CB10-0927, CB10-0928, CB10-0929, CB10-0930, and CB10-0931 be ordered published en bloc carried by the following vote:

Passed

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

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

CB10-0954 A bill for an ordinance approving an Operating Plan and Budget for 2011 for the Old South Gaylord Business Improvement District.

A motion offered by Councilmember Nevitt, duly seconded by Councilmember Boigon, that CB10-0541, CB10-0712, CB10-0937, CB10-0954, CB10-0955, CB10-0956, CB10-0957, CB10-0958, CB10-0959, CB10-0960, CB10-0961, CB10-0962, CB10-0963, CB10-0917, CB10-0918, CB10-0919, CB10-0920, CB10-0933, CB10-0942, CB10-0946, CB10-0668, CB10-0669, CB10-0935, CB10-0943, CB10-0944, CB10-0923, CB10-0924, CB10-0925, CB10-0926, CB10-0927, CB10-0928, CB10-0929, CB10-0930, and CB10-0931 be ordered published en bloc carried by the following vote:

Passed

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

CB10-0955 A bill for an ordinance approving an Operating Plan and Budget for 2011 for the Downtown Denver Business Improvement District.

A motion offered by Councilmember Nevitt, duly seconded by Councilmember Boigon, that CB10-0541, CB10-0712, CB10-0937, CB10-0954, CB10-0955, CB10-0956, CB10-0957, CB10-0958, CB10-0959, CB10-0960, CB10-0961, CB10-0962, CB10-0963, CB10-0917, CB10-0918, CB10-0919, CB10-0920, CB10-0933, CB10-0942, CB10-0946, CB10-0668, CB10-0669, CB10-0935, CB10-0943, CB10-0944, CB10-0923, CB10-0924, CB10-0925, CB10-0926, CB10-0927, CB10-0928, CB10-0929, CB10-0930, and CB10-0931 be ordered published en bloc carried by the following vote:

Passed

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

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

CB10-0956 A bill for an ordinance approving an Operating Plan and Budget for 2011 for the West Colfax Business Improvement District.

A motion offered by Councilmember Nevitt, duly seconded by Councilmember Boigon, that CB10-0541, CB10-0712, CB10-0937, CB10-0954, CB10-0955, CB10-0956, CB10-0957, CB10-0958, CB10-0959, CB10-0960, CB10-0961, CB10-0962, CB10-0963, CB10-0917, CB10-0918, CB10-0919, CB10-0920, CB10-0933, CB10-0942, CB10-0946, CB10-0668, CB10-0669, CB10-0935, CB10-0943, CB10-0944, CB10-0923, CB10-0924, CB10-0925, CB10-0926, CB10-0927, CB10-0928, CB10-0929, CB10-0930, and CB10-0931 be ordered published en bloc carried by the following vote:

Passed

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

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

CB10-0957 A bill for an ordinance approving a proposed Fifth Amendment and Modification Agreement between the City and County of Denver and Empowercom, Inc. to extend the loan maturity date.

A motion offered by Councilmember Nevitt, duly seconded by Councilmember Boigon, that CB10-0541, CB10-0712, CB10-0937, CB10-0954, CB10-0955, CB10-0956, CB10-0957, CB10-0958, CB10-0959, CB10-0960, CB10-0961, CB10-0962, CB10-0963, CB10-0917, CB10-0918, CB10-0919, CB10-0920, CB10-0933, CB10-0942, CB10-0946, CB10-0668, CB10-0669, CB10-0935, CB10-0943, CB10-0944, CB10-0923, CB10-0924, CB10-0925, CB10-0926, CB10-0927, CB10-0928, CB10-0929, CB10-0930, and CB10-0931 be ordered published en bloc carried by the following vote:

Passed

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

CB10-0958 A bill for an ordinance approving a proposed First Amendment and Modification Agreement between the City and County of Denver and Empowercom, Inc. to extend the loan maturity date.

A motion offered by Councilmember Nevitt, duly seconded by Councilmember Boigon, that CB10-0541, CB10-0712, CB10-0937, CB10-0954, CB10-0955, CB10-0956, CB10-0957, CB10-0958, CB10-0959, CB10-0960, CB10-0961, CB10-0962, CB10-0963, CB10-0917, CB10-0918, CB10-0919, CB10-0920, CB10-0933, CB10-0942, CB10-0946, CB10-0668, CB10-0669, CB10-0935, CB10-0943, CB10-0944, CB10-0923, CB10-0924, CB10-0925, CB10-0926, CB10-0927, CB10-0928, CB10-0929, CB10-0930, and CB10-0931 be ordered published en bloc carried by the following vote:

**Passed** 

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

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

CB10-0959 A bill for an ordinance approving a proposed First Amendment to Airport Use and Facilities Lease Agreement between Go Jet Airlines LLC and the City and County of Denver, related to Denver International Airport.

A motion offered by Councilmember Nevitt, duly seconded by Councilmember Boigon, that CB10-0541, CB10-0712, CB10-0937, CB10-0954, CB10-0955, CB10-0956, CB10-0957, CB10-0958, CB10-0959, CB10-0960, CB10-0961, CB10-0962, CB10-0963, CB10-0917, CB10-0918, CB10-0919, CB10-0920, CB10-0933, CB10-0942, CB10-0946, CB10-0668, CB10-0669, CB10-0935, CB10-0943, CB10-0944, CB10-0923, CB10-0924, CB10-0925, CB10-0926, CB10-0927, CB10-0928, CB10-0929, CB10-0930, and CB10-0931 be ordered published en bloc carried by the following vote:

Passed

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

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

CB10-0960 A bill for an ordinance approving a proposed Support Facilities Lease Agreement between the City and County of Denver and North American Aircraft Services, Inc. related to leased space at Denver International Airport.

A motion offered by Councilmember Nevitt, duly seconded by Councilmember Boigon, that CB10-0541, CB10-0712, CB10-0937, CB10-0954, CB10-0955, CB10-0956, CB10-0957, CB10-0958, CB10-0959, CB10-0960, CB10-0961, CB10-0962, CB10-0963, CB10-0917, CB10-0918, CB10-0919, CB10-0920, CB10-0933, CB10-0942, CB10-0946, CB10-0668, CB10-0669, CB10-0935, CB10-0943, CB10-0944, CB10-0923, CB10-0924, CB10-0925, CB10-0926, CB10-0927, CB10-0928, CB10-0929, CB10-0930, and CB10-0931 be ordered published en bloc carried by the following vote:

Passed

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

CB10-0961 A bill for an ordinance approving a proposed Standard RMU Program Asset Manager License Agreement between the City and County of Denver and Provenzano Resources, Inc. concerning a retail merchandising unit program at Denver International Airport.

A motion offered by Councilmember Nevitt, duly seconded by Councilmember Boigon, that CB10-0541, CB10-0712, CB10-0937, CB10-0954, CB10-0955, CB10-0956, CB10-0957, CB10-0958, CB10-0959, CB10-0960, CB10-0961, CB10-0962, CB10-0963, CB10-0917, CB10-0918, CB10-0919, CB10-0920, CB10-0933, CB10-0942, CB10-0946, CB10-0668, CB10-0669, CB10-0935, CB10-0943, CB10-0944, CB10-0923, CB10-0924, CB10-0925, CB10-0926, CB10-0927, CB10-0928, CB10-0929, CB10-0930, and CB10-0931 be ordered published en bloc carried by the following vote:

Passed

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

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

CB10-0962 A bill for an ordinance approving a Fifth Amendment to Cooperative Service Agreement between the City and County of Denver and USDA-APHIS Wildlife Services to extend the contract for performing certain wildlife control measures at Denver International Airport.

A motion offered by Councilmember Nevitt, duly seconded by Councilmember Boigon, that CB10-0541, CB10-0712, CB10-0937, CB10-0954, CB10-0955, CB10-0956, CB10-0957, CB10-0958, CB10-0959, CB10-0960, CB10-0961, CB10-0962, CB10-0963, CB10-0917, CB10-0918, CB10-0919, CB10-0920, CB10-0933, CB10-0942, CB10-0946, CB10-0668, CB10-0669, CB10-0935, CB10-0943, CB10-0944, CB10-0923, CB10-0924, CB10-0925, CB10-0926, CB10-0927, CB10-0928, CB10-0929, CB10-0930, and CB10-0931 be ordered published en bloc carried by the following vote:

Passed

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

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

CB10-0963 A bill for an ordinance approving a proposed Contract between the City and County of Denver and Bombardier Transportation (Holdings) USA Inc., for the operation and maintenance of the Automated Ground Transportation System (AGTS) at Denver International Airport.

A motion offered by Councilmember Nevitt, duly seconded by Councilmember Boigon, that CB10-0541, CB10-0712, CB10-0937, CB10-0954, CB10-0955, CB10-0956, CB10-0957, CB10-0958, CB10-0959, CB10-0960, CB10-0961, CB10-0962, CB10-0963, CB10-0917, CB10-0918, CB10-0919, CB10-0920, CB10-0933, CB10-0942, CB10-0946, CB10-0668, CB10-0669, CB10-0935, CB10-0943, CB10-0944, CB10-0923, CB10-0924, CB10-0925, CB10-0926, CB10-0927, CB10-0928, CB10-0929, CB10-0930, and CB10-0931 be ordered published en bloc carried by the following vote:

**Passed** 

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

#### Government Affairs & Finance

CB10-0917 A bill for an ordinance making appropriations to pay the expenses of conducting the public business for the year 2011 and for the purposes required by the Charter and by other law.

A motion offered by Councilmember Nevitt, duly seconded by Councilmember Boigon, that CB10-0541, CB10-0712, CB10-0937, CB10-0954, CB10-0955, CB10-0956, CB10-0957, CB10-0958, CB10-0959, CB10-0960, CB10-0961, CB10-0962, CB10-0963, CB10-0917, CB10-0918, CB10-0919, CB10-0920, CB10-0933, CB10-0942, CB10-0946, CB10-0668, CB10-0669, CB10-0935, CB10-0943, CB10-0944, CB10-0923, CB10-0924, CB10-0925, CB10-0926, CB10-0927, CB10-0928, CB10-0929, CB10-0930, and CB10-0931 be ordered published en bloc carried by the following vote:

**Passed** 

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

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

CB10-0918 A bill for an ordinance authorizing the transfer of Fire Mill Levy funds from the Liability Claims Fund to the General Fund effective for calendar year 2010, as noted in the 2011 Budget Plan.

A motion offered by Councilmember Nevitt, duly seconded by Councilmember Boigon, that CB10-0541, CB10-0712, CB10-0937, CB10-0954, CB10-0955, CB10-0956, CB10-0957, CB10-0958, CB10-0959, CB10-0960, CB10-0961, CB10-0962, CB10-0963, CB10-0917, CB10-0918, CB10-0919, CB10-0920, CB10-0933, CB10-0942, CB10-0946, CB10-0668, CB10-0669, CB10-0935, CB10-0943, CB10-0944, CB10-0923, CB10-0924, CB10-0925, CB10-0926, CB10-0927, CB10-0928, CB10-0929, CB10-0930, and CB10-0931 be ordered published en bloc carried by the following vote:

Passed

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

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

CB10-0919 A bill for an ordinance making rescissions in the 2001 COP Proceed Funds and transferring the cash balance to the Capital Improvements Fund, as noted in the 2011 Budget Plan.

A motion offered by Councilmember Nevitt, duly seconded by Councilmember Boigon, that CB10-0541, CB10-0712, CB10-0937, CB10-0954, CB10-0955, CB10-0956, CB10-0957, CB10-0958, CB10-0959, CB10-0960, CB10-0961, CB10-0962, CB10-0963, CB10-0917, CB10-0918, CB10-0919, CB10-0920, CB10-0933, CB10-0942, CB10-0946, CB10-0668, CB10-0669, CB10-0935, CB10-0943, CB10-0944, CB10-0923, CB10-0924, CB10-0925, CB10-0926, CB10-0927, CB10-0928, CB10-0929, CB10-0930, and CB10-0931 be ordered published en bloc carried by the following vote:

Passed

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

CB10-0920 A bill for an ordinance making rescissions in the Winter Park Parks and Recreation Capital Fund, the Capital Improvements and Capital Maintenance Fund and the State Conservation Trust (Lottery) Fund to close out capital projects, as noted in the 2011 Capital Budget.

A motion offered by Councilmember Nevitt, duly seconded by Councilmember Boigon, that CB10-0541, CB10-0712, CB10-0937, CB10-0954, CB10-0955, CB10-0956, CB10-0957, CB10-0958, CB10-0959, CB10-0960, CB10-0961, CB10-0962, CB10-0963, CB10-0917, CB10-0918, CB10-0919, CB10-0920, CB10-0933, CB10-0942, CB10-0946, CB10-0668, CB10-0669, CB10-0935, CB10-0943, CB10-0944, CB10-0923, CB10-0924, CB10-0925, CB10-0926, CB10-0927, CB10-0928, CB10-0929, CB10-0930, and CB10-0931 be ordered published en bloc carried by the following vote:

Passed

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

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

CB10-0933 A bill for an ordinance amending the 1963 Retirement Plan with regard to the actuarially required contribution.

A motion offered by Councilmember Nevitt, duly seconded by Councilmember Boigon, that CB10-0541, CB10-0712, CB10-0937, CB10-0954, CB10-0955, CB10-0956, CB10-0957, CB10-0958, CB10-0959, CB10-0960, CB10-0961, CB10-0962, CB10-0963, CB10-0917, CB10-0918, CB10-0919, CB10-0920, CB10-0933, CB10-0942, CB10-0946, CB10-0668, CB10-0669, CB10-0935, CB10-0943, CB10-0944, CB10-0923, CB10-0924, CB10-0925, CB10-0926, CB10-0927, CB10-0928, CB10-0929, CB10-0930, and CB10-0931 be ordered published en bloc carried by the following vote:

Passed

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

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

CB10-0942 A bill for an ordinance approving a First Amendment to Professional Services Agreement with Imagebase, LLC, for the records digitization project.

A motion offered by Councilmember Nevitt, duly seconded by Councilmember Boigon, that CB10-0541, CB10-0712, CB10-0937, CB10-0954, CB10-0955, CB10-0956, CB10-0957, CB10-0958, CB10-0959, CB10-0960, CB10-0961, CB10-0962, CB10-0963, CB10-0917, CB10-0918, CB10-0919, CB10-0920, CB10-0933, CB10-0942, CB10-0946, CB10-0668, CB10-0669, CB10-0935, CB10-0943, CB10-0944, CB10-0923, CB10-0924, CB10-0925, CB10-0926, CB10-0927, CB10-0928, CB10-0929, CB10-0930, and CB10-0931 be ordered published en bloc carried by the following vote:

Passed

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

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

CB10-0946 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.

A motion offered by Councilmember Nevitt, duly seconded by Councilmember Boigon, that CB10-0541, CB10-0712, CB10-0937, CB10-0954, CB10-0955, CB10-0956, CB10-0957, CB10-0958, CB10-0959, CB10-0960, CB10-0961, CB10-0962, CB10-0963, CB10-0917, CB10-0918, CB10-0919, CB10-0920, CB10-0933, CB10-0942, CB10-0946, CB10-0668, CB10-0669, CB10-0935, CB10-0943, CB10-0944, CB10-0923, CB10-0924, CB10-0925, CB10-0926, CB10-0927, CB10-0928, CB10-0929, CB10-0930, and CB10-0931 be ordered published en bloc carried by the following vote:

Passed

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

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

Health, Safety, Education & Services

CB10-0668 A bill for an ordinance approving a Second Amendatory Agreement between the City and County of Denver and Excel Environmental, Inc. to increase the contract value by \$1,000,000 concerning asbestos, lead-based paint and mold abatement for Department of Environmental Health.

A motion offered by Councilmember Nevitt, duly seconded by Councilmember Boigon, that CB10-0541, CB10-0712, CB10-0937, CB10-0954, CB10-0955, CB10-0956, CB10-0957, CB10-0958, CB10-0959, CB10-0960, CB10-0961, CB10-0962, CB10-0963, CB10-0917, CB10-0918, CB10-0919, CB10-0920, CB10-0933, CB10-0942, CB10-0946, CB10-0668, CB10-0669, CB10-0935, CB10-0943, CB10-0944, CB10-0923, CB10-0924, CB10-0925, CB10-0926, CB10-0927, CB10-0928, CB10-0929, CB10-0930, and CB10-0931 be ordered published en bloc carried by the following vote:

Passed

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

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

CB10-0669 A bill for an ordinance approving a Second Amendatory Agreement between the City and County of Denver and LVI Environmental Services, Inc. to increase the contract value by \$1,000,000 concerning asbestos, lead-based paint and mold abatement for Department of Environmental Health.

A motion offered by Councilmember Nevitt, duly seconded by Councilmember Boigon, that CB10-0541, CB10-0712, CB10-0937, CB10-0954, CB10-0955, CB10-0956, CB10-0957, CB10-0958, CB10-0959, CB10-0960, CB10-0961, CB10-0962, CB10-0963, CB10-0917, CB10-0918, CB10-0919, CB10-0920, CB10-0933, CB10-0942, CB10-0946, CB10-0668, CB10-0669, CB10-0935, CB10-0943, CB10-0944, CB10-0923, CB10-0924, CB10-0925, CB10-0926, CB10-0927, CB10-0928, CB10-0929, CB10-0930, and CB10-0931 be ordered published en bloc carried by the following vote:

Passed

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

CB10-0935 A bill for an ordinance naming a building located on Martin Luther King Jr. Boulevard at Westerly Creek as the "Central Park Recreation Center".

A motion offered by Councilmember Nevitt, duly seconded by Councilmember Boigon, that CB10-0541, CB10-0712, CB10-0937, CB10-0954, CB10-0955, CB10-0956, CB10-0957, CB10-0958, CB10-0959, CB10-0960, CB10-0961, CB10-0962, CB10-0963, CB10-0917, CB10-0918, CB10-0919, CB10-0920, CB10-0933, CB10-0942, CB10-0946, CB10-0668, CB10-0669, CB10-0935, CB10-0943, CB10-0944, CB10-0923, CB10-0924, CB10-0925, CB10-0926, CB10-0927, CB10-0928, CB10-0929, CB10-0930, and CB10-0931 be ordered published en bloc carried by the following vote:

Passed

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

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

CB10-0943 A bill for an ordinance amending Section 14-65, D.R.M.C. concerning county court procedures in regard to violation of probation.

A motion offered by Councilmember Nevitt, duly seconded by Councilmember Boigon, that CB10-0541, CB10-0712, CB10-0937, CB10-0954, CB10-0955, CB10-0956, CB10-0957, CB10-0958, CB10-0959, CB10-0960, CB10-0961, CB10-0962, CB10-0963, CB10-0917, CB10-0918, CB10-0919, CB10-0920, CB10-0933, CB10-0942, CB10-0946, CB10-0668, CB10-0669, CB10-0935, CB10-0943, CB10-0944, CB10-0923, CB10-0924, CB10-0925, CB10-0926, CB10-0927, CB10-0928, CB10-0929, CB10-0930, and CB10-0931 be ordered published en bloc carried by the following vote:

Passed

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

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

CB10-0944 A bill for an ordinance adopting section 14-70, D.R.M.C. authorizing the county court to attach the earnings of a defendant in order to collect fines, fees, court costs and restitution.

A motion offered by Councilmember Nevitt, duly seconded by Councilmember Boigon, that CB10-0541, CB10-0712, CB10-0937, CB10-0954, CB10-0955, CB10-0956, CB10-0957, CB10-0958, CB10-0959, CB10-0960, CB10-0961, CB10-0962, CB10-0963, CB10-0917, CB10-0918, CB10-0919, CB10-0920, CB10-0933, CB10-0942, CB10-0946, CB10-0668, CB10-0669, CB10-0935, CB10-0943, CB10-0944, CB10-0923, CB10-0924, CB10-0925, CB10-0926, CB10-0927, CB10-0928, CB10-0929, CB10-0930, and CB10-0931 be ordered published en bloc carried by the following vote:

Passed

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

Land Use, Transportation & Infrastructure

CB10-0923 A bill for an ordinance assessing the annual costs of the continuing care, operation, repair, maintenance and replacement of the St. Luke's Pedestrian Mall Local Maintenance District upon the real property, exclusive of improvements thereon, benefited.

A motion offered by Councilmember Nevitt, duly seconded by Councilmember Boigon, that CB10-0541, CB10-0712, CB10-0937, CB10-0954, CB10-0955, CB10-0956, CB10-0957, CB10-0958, CB10-0959, CB10-0960, CB10-0961, CB10-0962, CB10-0963, CB10-0917, CB10-0918, CB10-0919, CB10-0920, CB10-0933, CB10-0942, CB10-0946, CB10-0668, CB10-0669, CB10-0935, CB10-0943, CB10-0944, CB10-0923, CB10-0924, CB10-0925, CB10-0926, CB10-0927, CB10-0928, CB10-0929, CB10-0930, and CB10-0931 be ordered published en bloc carried by the following vote:

Passed

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

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

CB10-0924 A bill for an ordinance assessing the annual costs of the continuing care, operation, repair, maintenance and replacement of the Delgany Street Pedestrian Mall Local Maintenance District upon the real property, exclusive of improvements thereon, benefited.

A motion offered by Councilmember Nevitt, duly seconded by Councilmember Boigon, that CB10-0541, CB10-0712, CB10-0937, CB10-0954, CB10-0955, CB10-0956, CB10-0957, CB10-0958, CB10-0959, CB10-0960, CB10-0961, CB10-0962, CB10-0963, CB10-0917, CB10-0918, CB10-0919, CB10-0920, CB10-0933, CB10-0942, CB10-0946, CB10-0668, CB10-0669, CB10-0935, CB10-0943, CB10-0944, CB10-0923, CB10-0924, CB10-0925, CB10-0926, CB10-0927, CB10-0928, CB10-0929, CB10-0930, and CB10-0931 be ordered published en bloc carried by the following vote:

**Passed** 

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

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

CB10-0925 A bill for an ordinance assessing the annual costs of the continuing care, operation, repair, maintenance and replacement of the 32nd and Lowell Pedestrian Mall Local Maintenance District upon the real property, exclusive of improvements thereon, benefited.

A motion offered by Councilmember Nevitt, duly seconded by Councilmember Boigon, that CB10-0541, CB10-0712, CB10-0937, CB10-0954, CB10-0955, CB10-0956, CB10-0957, CB10-0958, CB10-0959, CB10-0960, CB10-0961, CB10-0962, CB10-0963, CB10-0917, CB10-0918, CB10-0919, CB10-0920, CB10-0933, CB10-0942, CB10-0946, CB10-0668, CB10-0669, CB10-0935, CB10-0943, CB10-0944, CB10-0923, CB10-0924, CB10-0925, CB10-0926, CB10-0927, CB10-0928, CB10-0929, CB10-0930, and CB10-0931 be ordered published en bloc carried by the following vote:

Passed

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

CB10-0926 A bill for an ordinance assessing the annual costs of the continuing care, operation, repair, maintenance and replacement of the Broadway Pedestrian Mall A Local Maintenance District upon the real property, exclusive of improvements thereon, benefited.

A motion offered by Councilmember Nevitt, duly seconded by Councilmember Boigon, that CB10-0541, CB10-0712, CB10-0937, CB10-0954, CB10-0955, CB10-0956, CB10-0957, CB10-0958, CB10-0959, CB10-0960, CB10-0961, CB10-0962, CB10-0963, CB10-0917, CB10-0918, CB10-0919, CB10-0920, CB10-0933, CB10-0942, CB10-0946, CB10-0668, CB10-0669, CB10-0935, CB10-0943, CB10-0944, CB10-0923, CB10-0924, CB10-0925, CB10-0926, CB10-0927, CB10-0928, CB10-0929, CB10-0930, and CB10-0931 be ordered published en bloc carried by the following vote:

Passed

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

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

CB10-0927 A bill for an ordinance assessing the annual costs of the continuing care, operation, repair, maintenance and replacement of the Broadway Pedestrian Mall B Local Maintenance District upon the real property, exclusive of improvements thereon, benefited.

A motion offered by Councilmember Nevitt, duly seconded by Councilmember Boigon, that CB10-0541, CB10-0712, CB10-0937, CB10-0954, CB10-0955, CB10-0956, CB10-0957, CB10-0958, CB10-0959, CB10-0960, CB10-0961, CB10-0962, CB10-0963, CB10-0917, CB10-0918, CB10-0919, CB10-0920, CB10-0933, CB10-0942, CB10-0946, CB10-0668, CB10-0669, CB10-0935, CB10-0943, CB10-0944, CB10-0923, CB10-0924, CB10-0925, CB10-0926, CB10-0927, CB10-0928, CB10-0929, CB10-0930, and CB10-0931 be ordered published en bloc carried by the following vote:

Passed

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

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

CB10-0928 A bill for an ordinance assessing the annual costs of the continuing care, operation, repair, maintenance and replacement of the Phase II Broadway Pedestrian Mall Local Maintenance District upon the real property, exclusive of improvements thereon, benefited.

A motion offered by Councilmember Nevitt, duly seconded by Councilmember Boigon, that CB10-0541, CB10-0712, CB10-0937, CB10-0954, CB10-0955, CB10-0956, CB10-0957, CB10-0958, CB10-0959, CB10-0960, CB10-0961, CB10-0962, CB10-0963, CB10-0917, CB10-0918, CB10-0919, CB10-0920, CB10-0933, CB10-0942, CB10-0946, CB10-0668, CB10-0669, CB10-0935, CB10-0943, CB10-0944, CB10-0923, CB10-0924, CB10-0925, CB10-0926, CB10-0927, CB10-0928, CB10-0929, CB10-0930, and CB10-0931 be ordered published en bloc carried by the following vote:

**Passed** 

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

CB10-0929 A bill for an ordinance assessing the annual costs of the continuing care, operation, repair, maintenance and replacement of the Broadway Viaduct Pedestrian Mall Local Maintenance District upon the real property, exclusive of improvements thereon, benefited.

A motion offered by Councilmember Nevitt, duly seconded by Councilmember Boigon, that CB10-0541, CB10-0712, CB10-0937, CB10-0954, CB10-0955, CB10-0956, CB10-0957, CB10-0958, CB10-0959, CB10-0960, CB10-0961, CB10-0962, CB10-0963, CB10-0917, CB10-0918, CB10-0919, CB10-0920, CB10-0933, CB10-0942, CB10-0946, CB10-0668, CB10-0669, CB10-0935, CB10-0943, CB10-0944, CB10-0923, CB10-0924, CB10-0925, CB10-0926, CB10-0927, CB10-0928, CB10-0929, CB10-0930, and CB10-0931 be ordered published en bloc carried by the following vote:

Passed

For: Boigon, Brown, Faatz, Hancock, Lehmann, Linkhart, Lopez, Madison, Montero,

Nevitt, Robb, Sandoval (12)

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

CB10-0930 A bill for an ordinance assessing the annual costs of the continuing care, operation, repair, maintenance and replacement of the 22nd Street and Park Avenue West Pedestrian Mall Local Maintenance District upon the real property, exclusive of improvements thereon, benefited.

A motion offered by Councilmember Nevitt, duly seconded by Councilmember Boigon, that CB10-0541, CB10-0712, CB10-0937, CB10-0954, CB10-0955, CB10-0956, CB10-0957, CB10-0958, CB10-0959, CB10-0960, CB10-0961, CB10-0962, CB10-0963, CB10-0917, CB10-0918, CB10-0919, CB10-0920, CB10-0933, CB10-0942, CB10-0946, CB10-0668, CB10-0669, CB10-0935, CB10-0943, CB10-0944, CB10-0923, CB10-0924, CB10-0925, CB10-0926, CB10-0927, CB10-0928, CB10-0929, CB10-0930, and CB10-0931 be ordered published en bloc carried by the following vote:

Passed

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

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

CB10-0931 A bill for an ordinance assessing the annual costs of the continuing care, operation, repair, maintenance and replacement of the Consolidated Morrison Road Pedestrian Mall Local Maintenance District upon the real property, exclusive of improvements thereon, benefited.

A motion offered by Councilmember Nevitt, duly seconded by Councilmember Boigon, that CB10-0541, CB10-0712, CB10-0937, CB10-0954, CB10-0955, CB10-0956, CB10-0957, CB10-0958, CB10-0959, CB10-0960, CB10-0961, CB10-0962, CB10-0963, CB10-0917, CB10-0918, CB10-0919, CB10-0920, CB10-0933, CB10-0942, CB10-0946, CB10-0668, CB10-0669, CB10-0935, CB10-0943, CB10-0944, CB10-0923, CB10-0924, CB10-0925, CB10-0926, CB10-0927, CB10-0928, CB10-0929, CB10-0930, and CB10-0931 be ordered published en bloc carried by the following vote:

**Passed** 

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

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

#### Recess

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

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

REQUIRED	CB10-0874 A bill for an ordinance relating to the Denver
	Zoning Code, correcting section numbering and heading errors
	relating to detached accessory structures. (LAND USE,
	TRANSPORTATION & INFRASTRUCTURE)
	Corrects section reference errors in the zoning code regarding
	detached accessory structures in Articles 3-7 and 9. The
	Committee approved filing this bill at its meeting on 10-5-10.

Council sat as a Committee of the Whole commencing at 6:04 PM. Council President Nevitt presiding, to hear speakers either for or against the bill. No speakers signed up to address the budget. Michelle Pyle of Community Planning and Development delivered the Staff Report with an overview and recommendation for approval.

A motion offered by Councilmember Boigon, duly seconded by Councilmember Lehmann, that CB10-0874 be placed upon final consideration and do pass carried by the following vote:

Passed

For: Boigon, Brown, Faatz, Hancock, Lehmann, Linkhart, Lopez, Madison, Montero,

Nevitt, Robb, Sandoval (12)

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

### **Bills for Final Consideration**

Business, Workforce & Sustainability

CB10-0892 A bill for an ordinance approving a proposed Agreement between the City and County of Denver and Argus Event Staffing, LLC to provide event staffing services for all venues managed and operated by the Division of Theatres and Arenas.

A motion offered by Councilmember Boigon, duly seconded by Councilmember Hancock, that CB10-0892, CB10903, CB10-0936, CB10-0938, CB10-0913, CB10-0922, CB10-0908, CB10-0939, and CB10-1007 be placed upon final consideration and do pass en bloc carried by the following vote:

Passed

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

CB10-0903 A bill for an ordinance approving a proposed Amendatory Agreement between the City and County of Denver and McKinstry Essention, Inc., to allow for energy audits, retrocomissionings, and facility condition assessments of additional City buildings.

A motion offered by Councilmember Boigon, duly seconded by Councilmember Hancock, that CB10-0892, CB10903, CB10-0936, CB10-0938, CB10-0913, CB10-0922, CB10-0908, CB10-0939, and CB10-1007 be placed upon final consideration and do pass en bloc carried by the following vote:

Passed

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

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

CB10-0936 A bill for an ordinance approving an Operating Plan and Budget for 2011 for the 9th Avenue Business Improvement District.

A motion offered by Councilmember Boigon, duly seconded by Councilmember Hancock, that CB10-0892, CB10903, CB10-0936, CB10-0938, CB10-0913, CB10-0922, CB10-0908, CB10-0939, and CB10-1007 be placed upon final consideration and do pass en bloc carried by the following vote:

**Passed** 

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

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

CB10-0938 A bill for an ordinance approving an Operating Plan and Budget for 2011 for the Cherry Creek Subarea Business Improvement District.

A motion offered by Councilmember Boigon, duly seconded by Councilmember Hancock, that CB10-0892, CB10903, CB10-0936, CB10-0938, CB10-0913, CB10-0922, CB10-0908, CB10-0939, and CB10-1007 be placed upon final consideration and do pass en bloc carried by the following vote:

Passed

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

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

#### Government Affairs & Finance

CB10-0913 A bill for an ordinance making a supplemental appropriation from the General Contingency Fund to the Department of Safety, Fire Department.

A motion offered by Councilmember Boigon, duly seconded by Councilmember Hancock, that council bills <numbers>, all series of <series number> be placed upon final consideration and do pass en bloc carried by the following vote:
Passed

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

CB10-0922 A bill for an ordinance approving a proposed Third Amendatory Agreement between the City and County of Denver and HSS, Inc., extending the security contract through February 28, 2011.

A motion offered by Councilmember Boigon, duly seconded by Councilmember Hancock, that CB10-0892, CB10903, CB10-0936, CB10-0938, CB10-0913, CB10-0922, CB10-0908, CB10-0939, and CB10-1007 be placed upon final consideration and do pass en bloc carried by the following vote: Passed

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

Against: (None) (0) Absent: Johnson (1)

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

Health, Safety, Education & Services

CB10-0908 A bill for an ordinance adding Article III to Chapter 55, of the Revised Municipal Code, creating a Vehicle Identification Number Verification Service and Fee in the City and County of Denver.

A motion offered by Councilmember Boigon, duly seconded by Councilmember Hancock, that council bills <numbers>, all series of <series number> be placed upon final consideration and do pass en bloc carried by the following vote: Passed

For: Boigon, Brown, Faatz, Hancock, Lehmann, Linkhart, Lopez, Madison, Montero,

Nevitt, Robb, Sandoval (12)

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

Land Use, Transportation & Infrastructure

CB10-0939 A bill for an ordinance approving the First Amendment to Service Plan of the GVR Metropolitan District.

A motion offered by Councilmember Boigon, duly seconded by Councilmember Hancock, that council bills <numbers>, all series of <series number> be placed upon final consideration and do pass en bloc carried by the following vote: Passed

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

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

CB10-1007 A bill for an ordinance to amend Ordinance No. 519, Series 2010, assessing the annual costs of the continuing care, operation, repair, maintenance and replacement of the Santa Fe Drive Pedestrian Mall A Local Maintenance District upon the real property, exclusive of improvements thereon, benefited.

A motion offered by Councilmember Boigon, duly seconded by Councilmember Hancock, that CB10-0892, CB10903, CB10-0936, CB10-0938, CB10-0913, CB10-0922, CB10-0908, CB10-0939, and CB10-1007 be placed upon final consideration and do pass en bloc carried by the following vote: Passed

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

#### **Announcement**

Council President Nevitt stated that the following is a correction to an announcement made last week. On Monday, November 29, Council will sit as the Board of Equalization to hear any protests of assessment from the South Broadway Streetscape (Arizona Avenue to Iowa Avenue) Local Maintenance District.

## Adjourn

There being no further business before the City Council, Council President Nevitt adjourned the meeting at 6:08 PM.

President

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

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