

City Council Minutes

Meeting Date: Monday, July 26, 2010 5:30 PM

Pledge of Allegiance

Councilmember Lehmann led the pledge of allegiance.

Roll Call

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

Absent: López (1)

Approval of Minutes of Monday, July 19, 2010

The minutes of meeting date, Monday, July 19, 2010 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. The Council President referred the resolutions to the committees shown in parentheses after the resolution titles.

Public Works

CR10-0608 A resolution granting a revocable permit to School District No. 1 in the City and County of Denver to encroach into the right-of-way with a retaining wall along East 26th Ave., between Franklin St. and Gilpin St. at Manual High School.

A motion offered by Councilmember Lehmann, duly seconded by Councilmember Robb, that CR10-0608 and CR10-0593 be adopted en bloc carried by the following vote:

Passed

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

Against: (None) (0)

Absent: López (1)

Abstain: (None) (0)

Safety

CR10-0593 A resolution authorizing and approving the expenditure and payment from the appropriation account designated "liability claims," the sum of Eighty Five Thousand Dollars (\$85,000.00), payable to Jaime Solis and Benjamin Silva, III, Esq., in full payment and satisfaction of all claims in Civil Action No. 08-CV-5583, in the Denver District Court.

A motion offered by Councilmember Lehmann, duly seconded by Councilmember Robb, that CR10-0608 and CR10-0593 be adopted en bloc carried by the following vote:

Passed

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

Against: (None) (0)

Absent: López (1)

Abstain: (None) (0)

Bills for Introduction-Held in Committee - (Series of 2010)

CB10-0489 A bill for an ordinance adding Sections 1 through 4 to Chapter 17, of the Revised Municipal Code, creating a Fire Department Emergency Services Fee for at-fault non-resident drivers who receive Denver Fire Department Emergency Response Services on State Highways within the City and County of Denver. (SAFETY)

A motion offered by Councilmember Lehmann, duly seconded by Councilmember Boigon, that CP10-0489 be ordered published failed to carry by the following vote:
Failed

For: (None) (0)

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

Absent: López (1)

Abstain: (None) (0)

CB10-0570 A bill for an ordinance setting fees for hearings before the Board of Adjustment for zoning appeals. (BLUEPRINT DENVER)

A motion offered by Councilmember Lehmann, duly seconded by Councilmember Boigon, that CP10-0570 failed to carry by the following vote:

Failed

For: (None) (0)

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

Absent: López (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.

Blueprint Denver

CB10-0604 A bill for an ordinance designating the Allen M. Ghost Historic District, located generally between the alley between 31st and 32nd Avenues on the north, Lowell Boulevard on the west, 29th Avenue on the south and Irving Street on the east as a district for preservation.

A motion offered by Councilmember Nevitt, duly seconded by Councilmember Lehmann, that CB10-0604, CB10-0652, CB10-0560, CB10-0545, CB10-0587, CB10-0600, CB10-0506, CB10-0510, CB10-0509, CB10-0508, CB10-0601, CB10-0556, CB10-0557, CB10-0558, and CB10-0581 be ordered published en bloc carried by the following vote:

Passed

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

Against: (None) (0)

Absent: López (1)

Abstain: (None) (0)

CB10-0652 A bill for an ordinance setting fees for hearings before the Board of Adjustment for zoning appeals.

A motion offered by Councilmember Nevitt, duly seconded by Councilmember Lehmann, that CB10-0604, CB10-0652, CB10-0560, CB10-0545, CB10-0587, CB10-0600, CB10-0506, CB10-0510, CB10-0509, CB10-0508, CB10-0601, CB10-0556, CB10-0557, CB10-0558, and CB10-0581 be ordered published en bloc carried by the following vote:

Passed

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

Against: (None) (0)

Absent: López (1)

Abstain: (None) (0)

Finance

CB10-0560 A bill for an ordinance authorizing the transfer of cash from the Surplus and Deficiency Fund and the Local Improvement District Assessment Fund to the Local Improvement Construction Revolving Fund effective for calendar year 2010 and making an appropriation to the Broadway Streetscape Project.

A motion offered by Councilmember Nevitt, duly seconded by Councilmember Lehmann, that CB10-0604, CB10-0652, CB10-0560, CB10-0545, CB10-0587, CB10-0600, CB10-0506, CB10-0510, CB10-0509, CB10-0508, CB10-0601, CB10-0556, CB10-0557, CB10-0558, and CB10-0581 be ordered published en bloc carried by the following vote:

Passed

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

Against: (None) (0)

Absent: López (1)

Abstain: (None) (0)

CB10-0545 A bill for an ordinance rescinding unspent budget from completed 1998 Neighborhood Bond projects and making an appropriation in the 1998 Bond Projects for the Vanderbilt Park Development Project and the Yale/Syracuse Intersection Renovation Project .

A motion offered by Councilmember Nevitt, duly seconded by Councilmember Lehmann, that CB10-0604, CB10-0652, CB10-0560, CB10-0545, CB10-0587, CB10-0600, CB10-0506, CB10-0510, CB10-0509, CB10-0508, CB10-0601, CB10-0556, CB10-0557, CB10-0558, and CB10-0581 be ordered published en bloc carried by the following vote:

Passed

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

Against: (None) (0)

Absent: López (1)

Abstain: (None) (0)

CB10-0587 A bill for an ordinance making rescissions of budget balances to close out grants, and transferring grant cash balances to the General Fund.

A motion offered by Councilmember Nevitt, duly seconded by Councilmember Lehmann, that CB10-0604, CB10-0652, CB10-0560, CB10-0545, CB10-0587, CB10-0600, CB10-0506, CB10-0510, CB10-0509, CB10-0508, CB10-0601, CB10-0556, CB10-0557, CB10-0558, and CB10-0581 be ordered published en bloc carried by the following vote:

Passed

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

Against: (None) (0)

Absent: López (1)

Abstain: (None) (0)

Neighborhood, Community & Business Revitalization

CB10-0600 A bill for an ordinance approving a proposed Agreement between the City and County of Denver and Catholic Charities and Community Services of the Archdiocese of Denver, Inc., for the 2010-2011 Temporary Assistance for Needy Families (TANF) program year.

A motion offered by Councilmember Nevitt, duly seconded by Councilmember Lehmann, that CB10-0604, CB10-0652, CB10-0560, CB10-0545, CB10-0587, CB10-0600, CB10-0506, CB10-0510, CB10-0509, CB10-0508, CB10-0601, CB10-0556, CB10-0557, CB10-0558, and CB10-0581 be ordered published en bloc carried by the following vote:

Passed

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

Against: (None) (0)

Absent: López (1)

Abstain: (None) (0)

Public Amenities

CB10-0506 A bill for an ordinance approving an amendatory on-call agreement between Consolidated Divisions, Inc. and the City & County of Denver for landscape improvements and irrigation construction services.

A motion offered by Councilmember Nevitt, duly seconded by Councilmember Lehmann, that CB10-0604, CB10-0652, CB10-0560, CB10-0545, CB10-0587, CB10-0600, CB10-0506, CB10-0510, CB10-0509, CB10-0508, CB10-0601, CB10-0556, CB10-0557, CB10-0558, and CB10-0581 be ordered published en bloc carried by the following vote:

Passed

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

Against: (None) (0)

Absent: López (1)

Abstain: (None) (0)

CB10-0510 A bill for an ordinance approving an amendatory on-call agreement between CTM, Inc. d/b/a Colorado Total Maintenance and the City & County of Denver for landscape improvements and irrigation construction services.

A motion offered by Councilmember Nevitt, duly seconded by Councilmember Lehmann, that CB10-0604, CB10-0652, CB10-0560, CB10-0545, CB10-0587, CB10-0600, CB10-0506, CB10-0510, CB10-0509, CB10-0508, CB10-0601, CB10-0556, CB10-0557, CB10-0558, and CB10-0581 be ordered published en bloc carried by the following vote:

Passed

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

Against: (None) (0)

Absent: López (1)

Abstain: (None) (0)

CB10-0509 A bill for an ordinance approving an amendatory on-call agreement between Goodland Construction, Inc. and the City & County of Denver for landscape improvements and irrigation construction services.

A motion offered by Councilmember Nevitt, duly seconded by Councilmember Lehmann, that CB10-0604, CB10-0652, CB10-0560, CB10-0545, CB10-0587, CB10-0600, CB10-0506, CB10-0510, CB10-0509, CB10-0508, CB10-0601, CB10-0556, CB10-0557, CB10-0558, and CB10-0581 be ordered published en bloc carried by the following vote:

Passed

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

Against: (None) (0)

Absent: López (1)

Abstain: (None) (0)

CB10-0508 A bill for an ordinance approving an amendatory on-call agreement between Richdell Construction, Inc. and the City & County of Denver for landscape improvements and irrigation construction services.

A motion offered by Councilmember Nevitt, duly seconded by Councilmember Lehmann, that CB10-0604, CB10-0652, CB10-0560, CB10-0545, CB10-0587, CB10-0600, CB10-0506, CB10-0510, CB10-0509, CB10-0508, CB10-0601, CB10-0556, CB10-0557, CB10-0558, and CB10-0581 be ordered published en bloc carried by the following vote:

Passed

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

Against: (None) (0)

Absent: López (1)

Abstain: (None) (0)

Safety

CB10-0601 A bill for an ordinance approving a program to reimburse the Denver County Court for alcohol evaluation services rendered by the Denver County Court Probation Department between the City and County of Denver and State of Colorado Judicial Department.

A motion offered by Councilmember Nevitt, duly seconded by Councilmember Lehmann, that CB10-0604, CB10-0652, CB10-0560, CB10-0545, CB10-0587, CB10-0600, CB10-0506, CB10-0510, CB10-0509, CB10-0508, CB10-0601, CB10-0556, CB10-0557, CB10-0558, and CB10-0581 be ordered published en bloc carried by the following vote:

Passed

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

Against: (None) (0)

Absent: López (1)

Abstain: (None) (0)

CB10-0556 A bill for an Ordinance amending the Old Hire Firefighters Pension Plan to allow members whose status was active on October 2, 1998, to receive pension credit for their additional months of service.

A motion offered by Councilmember Nevitt, duly seconded by Councilmember Lehmann, that CB10-0604, CB10-0652, CB10-0560, CB10-0545, CB10-0587, CB10-0600, CB10-0506, CB10-0510, CB10-0509, CB10-0508, CB10-0601, CB10-0556, CB10-0557, CB10-0558, and CB10-0581 be ordered published en bloc carried by the following vote:

Passed

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

Against: (None) (0)

Absent: López (1)

Abstain: (None) (0)

CB10-0557 A bill for an Ordinance amending the City and County of Denver Old Hire Fire Pension Plan by removing the requirement that members select a DROP distribution method within 30 days of retirement.

A motion offered by Councilmember Nevitt, duly seconded by Councilmember Lehmann, that CB10-0604, CB10-0652, CB10-0560, CB10-0545, CB10-0587, CB10-0600, CB10-0506, CB10-0510, CB10-0509, CB10-0508, CB10-0601, CB10-0556, CB10-0557, CB10-0558, and CB10-0581 be ordered published en bloc carried by the following vote:

Passed

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

Against: (None) (0)

Absent: López (1)

Abstain: (None) (0)

CB10-0558 A bill for an Ordinance amending the City and County of Denver Old Hire Police Pension Plan by removing the requirement that members select a DROP distribution method within 30 days of retirement.

A motion offered by Councilmember Nevitt, duly seconded by Councilmember Lehmann, that CB10-0604, CB10-0652, CB10-0560, CB10-0545, CB10-0587, CB10-0600, CB10-0506, CB10-0510, CB10-0509, CB10-0508, CB10-0601, CB10-0556, CB10-0557, CB10-0558, and CB10-0581 be ordered published en bloc carried by the following vote:

Passed

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

Against: (None) (0)

Absent: López (1)

Abstain: (None) (0)

CB10-0581 A bill for an Ordinance approving an Intergovernmental Agreement and Lease of a fire station facility to provide fire protection services to the City of Sheridan

A motion offered by Councilmember Nevitt, duly seconded by Councilmember Lehmann, that CB10-0604, CB10-0652, CB10-0560, CB10-0545, CB10-0587, CB10-0600, CB10-0506, CB10-0510, CB10-0509, CB10-0508, CB10-0601, CB10-0556, CB10-0557, CB10-0558, and CB10-0581 be ordered published en bloc carried by the following vote:

Passed

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

Against: (None) (0)

Absent: López (1)

Abstain: (None) (0)

Recess

Council Reconvenes and Resumes its Regular Session

Bills for Final Consideration

CB10-0582 A bill for an ordinance approving a proposed Lease Agreement between the City and County of Denver and GE Johnson Construction Company. (FINANCE)

A motion offered by Councilmember Lehmann, duly seconded by Councilmember Hancock, that CB10-0582, CB10-0583, CB10-0542, CB10-0589, CB10-0576, and CB10-0575 be placed upon final consideration and do pass en bloc carried by the following vote:

Passed

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

Against: (None) (0)

Absent: López (1)

Abstain: (None) (0)

CB10-0583 A bill for an ordinance approving an Agreement between the City and County of Denver and Bridgeman Art Library International to allow the sale of certain copies of art work owned by the Denver Public Library. (PUBLIC AMENITIES)

A motion offered by Councilmember Lehmann, duly seconded by Councilmember Hancock, that CB10-0582, CB10-0583, CB10-0542, CB10-0589, CB10-0576, and CB10-0575 be placed upon final consideration and do pass en bloc carried by the following vote:

Passed

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

Against: (None) (0)

Absent: López (1)

Abstain: (None) (0)

CB10-0542 A bill for an Ordinance approving a Development Agreement with LNR CPI High Point, LLC. (PUBLIC AMENITIES)

A motion offered by Councilmember Lehmann, duly seconded by Councilmember Hancock, that CB10-0582, CB10-0583, CB10-0542, CB10-0589, CB10-0576, and CB10-0575 be placed upon final consideration and do pass en bloc carried by the following vote:

Passed

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

Against: (None) (0)

Absent: López (1)

Abstain: (None) (0)

CB10-0589 A bill for an ordinance approving and providing for the execution of a proposed contract between the City and County of Denver and the State of Colorado concerning the "Community Corrections FY10-11" program and the funding therefor. (SAFETY)

A motion offered by Councilmember Lehmann, duly seconded by Councilmember Hancock, that CB10-0582, CB10-0583, CB10-0542, CB10-0589, CB10-0576, and CB10-0575 be placed upon final consideration and do pass en bloc carried by the following vote:

Passed

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

Against: (None) (0)

Absent: López (1)

Abstain: (None) (0)

CB10-0576 A bill for an ordinance approving a proposed Agreement between the City and County of Denver and RRK Enterprises d/b/a Independence House for residential and non-residential community corrections services. (SAFETY)

A motion offered by Councilmember Lehmann, duly seconded by Councilmember Hancock, that CB10-0582, CB10-0583, CB10-0542, CB10-0589, CB10-0576, and CB10-0575 be placed upon final consideration and do pass en bloc carried by the following vote:

Passed

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

Against: (None) (0)

Absent: López (1)

Abstain: (None) (0)

CB10-0575 A bill for an ordinance approving a proposed Agreement between the City and County of Denver and Correctional Management, Inc. for residential and non-residential community corrections services. (SAFETY)

A motion offered by Councilmember Lehmann, duly seconded by Councilmember Hancock, that CB10-0582, CB10-0583, CB10-0542, CB10-0589, CB10-0576, and CB10-0575 be placed upon final consideration and do pass en bloc carried by the following vote:

Passed

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

Against: (None) (0)

Absent: López (1)

Abstain: (None) (0)

Announcement

Dependent upon publication there will be public hearings on CB10-0604, designating the Allen M. Ghost Historic District, as a district for preservation on Monday, August 2, 2010.

Adjourn

There being no further business before the City Council, Council President Nevitt adjourned the meeting at 6:02 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