

## **City Council Minutes**

Meeting Date: Monday, November 08, 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 1, 2010**

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

### **Mayor's Proposed 2011 Budget**

A motion offered by Councilmember Sandoval, duly seconded by Councilmember Brown, that Council adopt the Mayor's Proposed 2011 Budget carried by the following vote:

Passed

For: Boigon, Brown, Faatz, Hancock, Johnson, Lehmann, Linkhart, Lopez, Madison, Montero, Nevitt, Robb, Sandoval (13)

Against: (None) (0)

Absent: (None) (0)

Abstain: (None) (0)

### **Council Announcements**

Councilmembers Johnson, Robb, Linkhart, and Montero offered announcements.

### **Presentations**

### **Communications**

### **Proclamations**

CP10-0980 A proclamation recognizing Denver 8 TV on its first place awards from the National Association of Telecommunication Officers and Advisors.

Sponsored by Councilmembers Lehmann, Linkhart, Hancock, López, Boigon, Brown, Robb, Sandoval, Montero, Faatz, and Madison.

A motion offered by Councilmember Lehmann, duly seconded by Councilmember Johnson, that CP10-0980 be adopted carried by the following vote:

Passed

For: Boigon, Brown, Faatz, Hancock, Johnson, Lehmann, Linkhart, Lopez, Madison, Montero, Nevitt, Robb, Sandoval (13)

Against: (None) (0)

Absent: (None) (0)

Abstain: (None) (0)

CP10-1005 A proclamation welcoming the American Public Health Association's 138th Annual Meeting and Exposition to Denver.  
Sponsored by Councilmembers López, Linkhart, Brown, Robb, and Madison.

A motion offered by Councilmember López, duly seconded by Councilmember Lehmann, that CP10-1005 be adopted carried by the following vote:

Passed

For: Boigon, Brown, Faatz, Hancock, Johnson, Lehmann, Linkhart, Lopez, Madison, Montero, Nevitt, Robb, Sandoval (13)

Against: (None) (0)

Absent: (None) (0)

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**

CB10-0892 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 Nevitt, duly seconded by Councilmember Brown, that CB10-0892, CB10-0903, CB10-0936, CB10-0938, CB10-0913, CB10-0922, CB10-0908, CB10-0939, and CB10-1007 be ordered published and do pass en bloc carried by the following vote:

Passed

For: Boigon, Brown, Faatz, Hancock, Johnson, Lehmann, Linkhart, Lopez, Madison, Montero, Nevitt, Robb, Sandoval (13)

Against: (None) (0)

Absent: (None) (0)

Abstain: (None) (0)

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 Nevitt, duly seconded by Councilmember Brown, that CB10-0892, CB10-0903, CB10-0936, CB10-0938, CB10-0913, CB10-0922, CB10-0908, CB10-0939, and CB10-1007 be ordered published and do pass en bloc carried by the following vote:

Passed

For: Boigon, Brown, Faatz, Hancock, Johnson, Lehmann, Linkhart, Lopez, Madison, Montero, Nevitt, Robb, Sandoval (13)

Against: (None) (0)

Absent: (None) (0)

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 Nevitt, duly seconded by Councilmember Brown, that CB10-0892, CB10-0903, CB10-0936, CB10-0938, CB10-0913, CB10-0922, CB10-0908, CB10-0939, and CB10-1007 be ordered published and do pass en bloc carried by the following vote:

Passed

For: Boigon, Brown, Faatz, Hancock, Johnson, Lehmann, Linkhart, Lopez, Madison, Montero, Nevitt, Robb, Sandoval (13)

Against: (None) (0)

Absent: (None) (0)

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 Nevitt, duly seconded by Councilmember Brown, that CB10-0892, CB10-0903, CB10-0936, CB10-0938, CB10-0913, CB10-0922, CB10-0908, CB10-0939, and CB10-1007 be ordered published and do pass en bloc carried by the following vote:

Passed

For: Boigon, Brown, Faatz, Hancock, Johnson, Lehmann, Linkhart, Lopez, Madison, Montero, Nevitt, Robb, Sandoval (13)

Against: (None) (0)

Absent: (None) (0)

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 Nevitt, duly seconded by Councilmember Brown, that CB10-0892, CB10-0903, CB10-0936, CB10-0938, CB10-0913, CB10-0922, CB10-0908, CB10-0939, and CB10-1007 be ordered published and do pass en bloc carried by the following vote:

Passed

For: Boigon, Brown, Faatz, Hancock, Johnson, Lehmann, Linkhart, Lopez, Madison, Montero, Nevitt, Robb, Sandoval (13)

Against: (None) (0)

Absent: (None) (0)

Abstain: (None) (0)

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 Nevitt, duly seconded by Councilmember Brown, that CB10-0892, CB10-0903, CB10-0936, CB10-0938, CB10-0913, CB10-0922, CB10-0908, CB10-0939, and CB10-1007 be ordered published and do pass en bloc carried by the following vote:

Passed

For: Boigon, Brown, Faatz, Hancock, Johnson, Lehmann, Linkhart, Lopez, Madison, Montero, Nevitt, Robb, Sandoval (13)

Against: (None) (0)

Absent: (None) (0)

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 Nevitt, duly seconded by Councilmember Brown, that CB10-0892, CB10-0903, CB10-0936, CB10-0938, CB10-0913, CB10-0922, CB10-0908, CB10-0939, and CB10-1007 be ordered published and do pass en bloc carried by the following vote:

Passed

For: Boigon, Brown, Faatz, Hancock, Johnson, Lehmann, Linkhart, Lopez, Madison, Montero, Nevitt, Robb, Sandoval (13)

Against: (None) (0)

Absent: (None) (0)

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 Nevitt, duly seconded by Councilmember Brown, that CB10-0892, CB10-0903, CB10-0936, CB10-0938, CB10-0913, CB10-0922, CB10-0908, CB10-0939, and CB10-1007 be ordered published and do pass en bloc carried by the following vote:

Passed

For: Boigon, Brown, Faatz, Hancock, Johnson, Lehmann, Linkhart, Lopez, Madison, Montero, Nevitt, Robb, Sandoval (13)

Against: (None) (0)

Absent: (None) (0)

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 Nevitt, duly seconded by Councilmember Brown, that CB10-0892, CB10-0903, CB10-0936, CB10-0938, CB10-0913, CB10-0922, CB10-0908, CB10-0939, and CB10-1007 be ordered published and do pass en bloc carried by the following vote:

Passed

For: Boigon, Brown, Faatz, Hancock, Johnson, Lehmann, Linkhart, Lopez, Madison, Montero, Nevitt, Robb, Sandoval (13)

Against: (None) (0)

Absent: (None) (0)

Abstain: (None) (0)

## **Pre-Recess Announcements**

Council President Nevitt announced that Council will sit as the Board of Equalization for the following local maintenance districts and hold a public hearing on the two protests of assessment which were duly filed with the Manager of Public Works within the 20-day appeal period provided in the charter. The protest period for these districts ended October 29, 2010. Hearings will be held on protests in the following districts: Broadway A and Phase II Broadway.

No protests were filed in the following districts: St. Luke's; Delgany Street; West 32nd Avenue and Lowell; Broadway B; Broadway Viaduct; 22nd Avenue and Park Avenue West; and Consolidated Morrison Road. No hearings are required and the assessments are approved.

## **Recess**

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

## **Board of Equalization Maintenance Districts - Public Hearings**

Brendan Kelly, Public Works, offered the Staff Report.

Broadway A – no speakers signed up to vote and no motions were offered  
Phase II Broadway – no speakers signed up to vote and no motions were offered

## **Bills for Final Consideration**

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

CB10-0906 A bill for an Ordinance approving a proposed Lease Agreement with Option to Purchase between the City and County of Denver and Southwest Improvement Council, Inc.

A motion offered by Councilmember Brown, duly seconded by Councilmember Lehmann, that CB10-0906, CB10-0904, CB10-0905, CB10-0900, CB10-0901, CB10-0909, CB10-0898, and CB10-0899 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, Madison, Montero, Nevitt, Robb, Sandoval (13)

Against: (None) (0)

Absent: (None) (0)

Abstain: (None) (0)

### **Government Affairs & Finance**

CB10-0904 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 Brown, duly seconded by Councilmember Lehmann, that CB10-0906, CB10-0904, CB10-0905, CB10-0900, CB10-0901, CB10-0909, CB10-0898, and CB10-0899 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, Madison, Montero, Nevitt, Robb, Sandoval (13)

Against: (None) (0)

Absent: (None) (0)

Abstain: (None) (0)

CB10-0905 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 Brown, duly seconded by Councilmember Lehmann, that CB10-0906, CB10-0904, CB10-0905, CB10-0900, CB10-0901, CB10-0909, CB10-0898, and CB10-0899 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, Madison, Montero, Nevitt, Robb, Sandoval (13)

Against: (None) (0)

Absent: (None) (0)

Abstain: (None) (0)

Health, Safety, Education & Services

CB10-0900 A bill for an ordinance authorizing the purchase of capital equipment from the "FY2010 Forensic DNA Backlog Reduction" program Special Revenue Fund budget.

A motion offered by Councilmember Brown, duly seconded by Councilmember Lehmann, that CB10-0906, CB10-0904, CB10-0905, CB10-0900, CB10-0901, CB10-0909, CB10-0898, and CB10-0899 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, Madison, Montero, Nevitt, Robb, Sandoval (13)

Against: (None) (0)

Absent: (None) (0)

Abstain: (None) (0)

CB10-0901 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 "Solving Cold Cases with DNA FY10" program and the funding therefor.

A motion offered by Councilmember Brown, duly seconded by Councilmember Lehmann, that CB10-0906, CB10-0904, CB10-0905, CB10-0900, CB10-0901, CB10-0909, CB10-0898, and CB10-0899 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, Madison, Montero, Nevitt, Robb, Sandoval (13)

Against: (None) (0)

Absent: (None) (0)

Abstain: (None) (0)

CB10-0909 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 U.S. Department of Justice concerning the "FY2010 Community Oriented Policing Services (COPS) Technology" program and the funding therefor.

A motion offered by Councilmember Brown, duly seconded by Councilmember Lehmann, that CB10-0906, CB10-0904, CB10-0905, CB10-0900, CB10-0901, CB10-0909, CB10-0898, and CB10-0899 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, Madison, Montero, Nevitt, Robb, Sandoval (13)

Against: (None) (0)

Absent: (None) (0)

Abstain: (None) (0)

## Land Use, Transportation & Infrastructure

CB10-0898 A bill for an ordinance approving an amendatory agreement between the HNTB Corporation and the City & County of Denver to extend the term and increase funds for Bicycle/Pedestrian bridge crossing.

A motion offered by Councilmember Brown, duly seconded by Councilmember Lehmann, that CB10-0906, CB10-0904, CB10-0905, CB10-0900, CB10-0901, CB10-0909, CB10-0898, and CB10-0899 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, Madison, Montero, Nevitt, Robb, Sandoval (13)

Against: (None) (0)

Absent: (None) (0)

Abstain: (None) (0)

CB10-0899 A bill for an ordinance approving an amendatory on call agreement between Studiotrope, LLC and the City & County of Denver to provide general engineering services.

A motion offered by Councilmember Brown, duly seconded by Councilmember Lehmann, that CB10-0906, CB10-0904, CB10-0905, CB10-0900, CB10-0901, CB10-0909, CB10-0898, and CB10-0899 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, Madison, Montero, Nevitt, Robb, Sandoval (13)

Against: (None) (0)

Absent: (None) (0)

Abstain: (None) (0)

## Announcement

Council President announced that on Monday, November 15, 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 6:39 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