

**Proceedings of the Council
City and County of Denver
Denver, Colorado**

**The Council of the City and County of Denver met in regular session
Monday, March 8, 2010 5:30 P.M.**

Pledge of Allegiance

Councilmember Madison led the pledge of allegiance.

Roll Call

Present: Brown, Faatz, Hancock, Johnson, Lehmann, Linkhart, López, Madison,
Montero, Nevitt, President Robb (11)

Late: Boigon (1)

Absent: None

Minutes-

The minutes of meeting date, Monday, March 1 and Friday, March 5, and Monday, 2010 were distributed to Council. There being no corrections from members of Council, Council President Robb ordered the minutes approved.

Presentations

Communications

Proclamations – (Series of 2010)

Proc. 6, Series of 2010, A proclamation congratulating the Denver St. Patrick's Day Parade Committee on the occasion of the 48th Annual Parade on Saturday, March 13, 2010 was read in its entirety by Councilmember Montero.

A motion offered by Councilmember Montero, duly seconded by Councilmember Brown, that **Proc. 6, Series of 2010**, be adopted **carried** by the following vote:

Ayes: Brown, Faatz, Hancock, Johnson, Lehmann, Linkhart, López, Madison,
Montero, Nevitt, President Robb (11)

Nays: None

Abstain: None

Proc. 7, Series of 2010, A proclamation welcoming the Rocky Mountain Horse Expo to Denver's National Western Complex was read in its entirety by Councilmember Montero.

A motion offered by Councilmember Montero, duly seconded by Councilmember Brown, that **Proc. 7, Series of 2010**, be adopted **carried** by the following vote:

Ayes: Brown, Faatz, Hancock, Johnson, Lehmann, Linkhart, López, Madison,
Montero, Nevitt, President Robb (11)

Nays: None

Abstain: None

Proc. 8, Series of 2010, A proclamation congratulating Ruby Hill Rail Yard for its record-breaking fourth season was read in its entirety by Councilmember Lehmann.

A motion offered by Councilmember Lehmann, duly seconded by Councilmember Brown, that **Proc. 8, Series of 2010**, be adopted **carried** by the following vote:

Ayes: Brown, Faatz, Hancock, Johnson, Lehmann, Linkhart, López, Madison,
Montero, Nevitt, President Robb (11)

Nays: None

Abstain: None

Resolutions – (Series of 2010)

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

Res. 65, Series of 2010, A resolution approving the Mayor's Reappointments and Appointments to the Denver Latino Commission. (NEIGHBORHOOD, COMMUNITY & BUSINESS REVITALIZATION)

Res. 66 Series of 2010, A resolution approving the Mayor's Reappointments to the Denver American Indian Commission. (NEIGHBORHOOD, COMMUNITY & BUSINESS REVITALIZATION)

Res. 67, Series of 2010, A resolution authorizing and approving the expenditure and payment from the appropriation account designated "liability claims," the sum of Ten Thousand Dollars (\$10,000.00) payable to Jeni Beyer and Irwin & Boesen, P.C., in full payment and satisfaction of all claims in claim number 0906-3322. (SAFETY)

Bills for Introduction - (Series of 2010)

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.

C.B. 134, Series of 2010, A bill for an Ordinance amending Ordinance Number 426, Series of 2007, concerning the projects to be undertaken and funded with the proceeds of the Better Denver bonds. (BOND IMPLEMENTATION)

C.B. 135, Series of 2010, A bill for an ordinance approving an agreement between Huitt-Zollars, Inc. and the City & County of Denver for the design and reconstruction of University and Josephine Streets between 1st and 6th Avenues. (BOND IMPLEMENTATION)

C.B. 136, Series of 2010, A bill for an ordinance authorizing the City and County of Denver to convey to Northview Investments, LLC its interest in a parcel of real estate located at approximately 2737 Umatilla Street. (FINANCE)

C.B. 137, Series of 2010, A bill for an Ordinance approving a proposed Purchase Order for Waste Management to dispose of construction related debris and materials at the Denver Arapahoe Disposal Facility (DADS) generated on the South Platte River Zuni/Lakewood Gulch Decatur Project. (GREENPRINT)

C.B. 138, Series of 2010, A bill for an ordinance approving a proposed First Amendment and Modification Agreement between the City and County of Denver and Bayaud Industries, Inc. (NEIGHBORHOOD, COMMUNITY & BUSINESS REVITALIZATION)

C.B. 139, Series of 2010, A bill for an ordinance approving and providing for the execution of a proposed grant agreement between the City and County of Denver and Mile High United Way concerning the "Food Assistance Outreach Project" and the funding therefor. (NEIGHBORHOOD, COMMUNITY & BUSINESS REVITALIZATION)

C.B. 140, Series of 2010, A bill for an ordinance approving a proposed Amendatory Agreement between the City and County of Denver and Dennis Oppenheim to reduce the scope of work, which will be done by Hensel Phelps and their subcontractors, for artwork to be integrated into the construction of the Justice Center. (PUBLIC AMENITIES)

C.B. 141, Series of 2010, A bill for an Ordinance approving a Concession License with Flog, LLC for food, beverage, and other services at Kennedy Golf Course. (PUBLIC AMENITIES)

C.B. 142, Series of 2010, A bill for an ordinance approving an agreement between Fasick Concrete, Inc. and the City & County of Denver for a citywide Curbramp and Concrete Repair Project, Phase 1. (PUBLIC WORKS)

C.B. 143, Series of 2010, A bill for an ordinance approving an agreement between Insituform Technologies, Inc. and the City & County of Denver 2009 Annual Sanitary Sewer Improvements, Phase II. (PUBLIC WORKS)

C.B. 144, Series of 2010, A bill for an ordinance approving an agreement between Goodland Construction, Inc. and the City & County of Denver for the Colfax / Tremont / 13th / Delaware Intersection Improvements. (PUBLIC WORKS)

CB. 145, Series of 2010, A bill for an ordinance vacating N. Sherman Street north of E. 48th Avenue, without reservations. (PUBLIC WORKS)

C.B. 146, Series of 2010, A bill for an ordinance vacating a portion of the southeast corner of Buchtel Boulevard and University Boulevard, with a reservation. (PUBLIC WORKS)

C.B. 147, Series of 2010, A bill for an ordinance approving a proposed Agreement between the City and County of Denver and PMAM Corporation to administer the burglar alarm permit system. (SAFETY)

Pre-Recess Announcement

Council President Robb announced that tonight Council will hold required public hearings on C.B. 80 (amending Division 3 (General Outdoor Advertising Devices) of Article V (Signs) of Chapter 59 (Zoning), Denver Revised Municipal Code), C.B. 119 (authorizing the naming of the Art Exhibit Space located at the North End of the Jeppesen Terminal Level Six at Denver International Airport as “Ansbacher Hall: The Art of Colorado”), and C.B. 132 (approving the Service Plans for the creation of Denargo Market Metropolitan District Nos. 1-3) Series of 2010. Anyone wishing to speak on any of these matters must see the Council Secretary to receive a speaker card to fill out and return to her during the recess of Council.

Bills for Introduction

None

There being no objections from members of Council, Council President Robb ordered the following bills published: **C.B.s 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, and 147, Series of 2010.**

Bills for Final Consideration

C.B. 129, Series of 2010, A bill for an ordinance approving the extension of an on-call agreement between PBS&J and the City & County of Denver that will provide general engineering services. (PUBLIC WORKS)

A motion offered by Councilmember Boigon, duly seconded by Councilmember Lehmann, that **C.B. 129, Series of 2010**, be placed upon final consideration and do pass was followed by a motion offered by Councilmember Johnson, duly seconded by Councilmember Faatz, that **C.B. 129, Series of 2010**, be amended in the following particulars:

On page 9, line 14, strike “Clerk’s Filing No. 07-097-B” and insert “Clerk’s Filing No. 07-097-C”.

which motion to amend **carried** by the following vote:

Ayes: Boigon, Brown, Faatz, Hancock, Johnson, Lehmann, Linkhart, López, Madison, Montero, Nevitt, President Robb (12)

Nays: None

Abstain: None

A motion offered by Councilmember Boigon, duly seconded by Councilmember Lehmann, that **C.B. 129, Series of 2010**, be placed upon final consideration and do pass as amended, **carried** by the following vote:

Ayes: Boigon, Brown, Faatz, Hancock, Johnson, Lehmann, Linkhart, López, Madison, Montero, Nevitt, President Robb (12)

Nays: None

Abstain: None

A motion offered by Councilmember Boigon, duly seconded by Councilmember Hancock, that the following resolutions be adopted en bloc: **Res. 65, 66, and 67, Series of 2010, carried** by the following vote:

Ayes: Boigon, Brown, Faatz, Hancock, Johnson, Lehmann, Linkhart, López, Madison, Montero, Nevitt, President Robb (12)
Nays: None
Abstain: None

A motion offered by Councilmember Boigon, duly seconded by Councilmember Montero, that the following bills be placed upon their final passage and do pass en bloc: **C.B.s 117, 118, 120, 121, 122, 123, 124, 125, 126, 127, 128, 130, 131, and 133, Series of 2010, carried** by the following vote:

Ayes: Boigon, Brown, Faatz, Hancock, Johnson, Lehmann, Linkhart, López, Madison, Montero, Nevitt, President Robb (12)
Nays: None
Abstain: None

C.B. 80, Series of 2010, A bill for an ordinance amending Division 3 (General Outdoor Advertising Devices) of Article V (Signs) of Chapter 59 (Zoning), Denver Revised Municipal Code. (BLUEPRINT DENVER)

Council sat as a Committee of the Whole commencing at 6:30 p.m., Council President Robb presiding, to hear speakers either for or against the **C.B. 80, Series of 2010**. Larry Barrett, Jay Horowitz, David Reveles, Miles Davies, Frank Gonzales, Margaret Brown, Steve Richards, Chip Roehrig, A. Barry Hirschfeld, Daniel M. Scherer, Mark Barnes, Cathy Gale, Richard A. Holme, Carolynne White, April Crumley, John Russell, Mike Freeborg, and Bill Brown addressed the bill. Michael O’Flaherty of Community Planning and Development delivered the Staff Report with an overview and recommendation for approval. Kerry Bucky, City Attorney’s Office, answered questions. A motion offered by Councilmember Boigon, duly seconded by Councilmember Lehmann, that **C.B. 80, Series of 2010**, be placed upon final consideration and do pass, **carried** by the following vote:

Ayes: Boigon, Brown, Faatz, Hancock, Johnson, Lehmann, Linkhart, López, Madison, Montero, Nevitt, President Robb (12)
Nays: None
Abstain: None

C.B. 119, Series of 2010, A bill for an ordinance authorizing the naming of the Art Exhibit Space located at the North End of the Jeppesen Terminal Level Six at Denver International Airport as “Ansbacher Hall: The Art of Colorado”. (ECONOMIC DEVELOPMENT)

Council sat as a Committee of the Whole commencing at 7:45 p.m., Council President Robb presiding, to hear speakers either for or against the **C.B. 119, Series of 2010**. No speakers signed up to address the bill. Brian Elms and Kim day of Denver International Airport delivered the Staff Report with an overview and recommendation for approval. A motion offered by Councilmember Boigon, duly seconded by Councilmember Linkhart, that **C.B. 80, Series of 2010**, be placed upon final consideration and do pass, **carried** by the following vote:

Ayes: Brown, Faatz, Hancock, Johnson, Lehmann, Linkhart, Madison, Montero, President Robb (9)
Nays: None
Abstain: None

C.B. 132, Series of 2010, A bill for an ordinance approving the Service Plans for the creation of Denargo Market Metropolitan District Nos. 1-3. (PUBLIC WORKS)

Council sat as a Committee of the Whole commencing at 7:50 p.m., Council President Robb presiding, to hear speakers either for or against the **C.B. 132, Series of 2010**. Nic Whittaker, Larry Burgess, Curt LeRossignol, Kristin Bowers, Bruce O'Donnell, and Megan Becher addressed the bill. Brendan Kelly of Community Planning and Development delivered the Staff Report with an overview and recommendation for approval. Jen Welbourn of the City Attorney's Office and Andrew Johnston of the Finance Department answered questions. A motion offered by Councilmember Madison, duly seconded by Councilmember Brown, that **C.B. 132, Series of 2010**, be placed upon final consideration and do pass, **carried** by the following vote:

Ayes: Boigon, Brown, Faatz, Hancock, Johnson, Lehmann, Linkhart, Madison,
Montero, President Robb (10)
Nays: None
Abstain: None

Announcement

None

Adjourn

There being no further business before the City Council, Council President Robb adjourned the meeting at 8:12 p.m.

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