

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

Date Drafted: January 6, 2009

**The Council of the City and County of Denver met in regular session
Monday, January 5, 2009 5:30 p.m.**

Pledge of Allegiance

Councilmember Hancock led the pledge of allegiance.

Roll Call

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

Late: None

Absent: Garcia (1) (Roll Call Serial #1)

Minutes

The minutes of meeting date, Monday, December 22, 2008, were distributed to Council. There being no corrections from members of Council, Council President Robb ordered the minutes approved.

Presentations

None

Communications

None

Proclamations – (Series of 2009)

Proc. 1, Series of 2009, A proclamation welcoming the 103rd National Western Stock Show, Rodeo and Horse Show to Denver was read in its entirety by Councilmember Montero.

A motion offered by Councilmember Montero, duly seconded by Councilmember Brown, that **Proc. 1, Series of 2009**, be adopted, **carried** by the following vote: (Roll Call Serial #2)

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

Nays: None

Abstain: None

Proc. 2, Series of 2009, A proclamation in recognition of The Colorado Lottery's Starburst Community Award to the Gates Tennis Center was read in its entirety by Councilmember Lehmann.

A motion offered by Councilmember Lehmann, duly seconded by Councilmember Brown, that **Proc. 2, Series of 2009**, be adopted, **carried** by the following vote: (Roll Call Serial #3)

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

Nays: None

Abstain: None

Resolutions – (Series of 2009)

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.

Res. 1, Series of 2009, A resolution approving the Mayor's Appointment to the Denver Housing Authority Board of Directors. (NEIGHBORHOOD, COMMUNITY & BUSINESS REVITALIZATION)

Res. 2, Series of 2009, A resolution appointing Mr. Neal Berlin to the Civil Service Commission. (SAFETY)

Res. 3, Series of 2009, A resolution authorizing and approving the expenditure and payment from the appropriation account designated "liability claims", the sum of Twenty Thousand Dollars (\$20,000.00), payable to Killmer, Lane & Newman, LLP in full payment and satisfaction of all claims in Claim No. 0812-006763. (SAFETY)

Bills for Introduction – (Series of 2009)

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. 1, Series of 2009, A bill for an ordinance changing the zoning classification with waivers of parcels of land generally located in an area bounded by Speer Boulevard, West 27th Avenue, Bryant Street and west of Zuni Street. (BLUEPRINT DENVER)

C.B. 2, Series of 2009, A bill for an ordinance approving an agreement between Tech Logic Corporation and the City & County of Denver that will provide a Radio Frequency Identification System for the Denver Public Library System. (BOND IMPLEMENTATION)

C.B. 3, Series of 2009, A bill for an ordinance approving a proposed First Amendment to Agreement between the City and County of Denver and Diversified Underground, Inc. to provide consultant services at Denver International Airport. (ECONOMIC DEVELOPMENT)

C.B. 4 Series of 2009, A bill for an ordinance authorizing expenditures in the Employees Voluntary Salary Redirection Plan Special Trust Fund for Uninsured Medical Expense, Dependent Care Expense, and Qualified Parking Expense. (GENERAL GOVERNMENT)

C.B. 5, Series of 2009, A bill for an ordinance authorizing expenditures from the Dental Self-Insurance Fund. (GENERAL GOVERNMENT)

C.B. 6, Series of 2009, 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 Colorado Trust concerning the "The Colorado Trust - Outreach and Enrollment for Children and Youth" program and the funding therefor. (NEIGHBORHOOD, COMMUNITY & BUSINESS REVITALIZATION)

C.B. 7, Series of 2009, 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 "Food Stamp Program Participation" project and the funding therefor. (NEIGHBORHOOD, COMMUNITY & BUSINESS REVITALIZATION)

C.B. 8, Series of 2009, A bill for an ordinance approving an Amendatory Agreement between the City and County of Denver and Regents of the University of Colorado, a Body Corporate, Acting on Behalf of the University of Colorado Health Sciences Center, Addiction Research and Treatment Services (ARTS) and The Haven, to provide for substance abuse treatment services related to the Denver Entire Family Focused Comprehensive Treatment (EFFECT) Grant. (NEIGHBORHOOD, COMMUNITY & BUSINESS REVITALIZATION)

C.B. 9, Series of 2009, A bill for an Ordinance approving an Amendatory Agreement between the City and County of Denver and Mike Quintana Sr. dba Sloans Lake Boxing Club to occupy the Gun Club Building at Sloan's Lake Park. (PUBLIC AMENITIES)

C.B. 10, Series of 2009, A bill for an ordinance making rescissions and appropriations in the State Conservation Trust (Lottery) Fund for the River North Master Plan project. (PUBLIC AMENITIES)

C.B. 11, Series of 2009, A bill for an ordinance approving and providing for the execution of a proposed contract amendment between the City and County of Denver and the State of Colorado Department of Transportation concerning the "Reconstruction of Broadway, Yale to Wesley" project and the funding therefor. (PUBLIC WORKS)

C.B. 12, Series of 2009, A bill for an ordinance approving an on-call agreement between Turner Construction Company and the City & County of Denver that will provide general construction services. (PUBLIC WORKS)

C.B. 13, Series of 2009, A bill for an ordinance approving an on-call agreement between FCI Constructors, Inc. and the City & County of Denver that will provide general construction services. (PUBLIC WORKS)

C.B. 14, Series of 2009, A bill for an ordinance making appropriations from the Capital Improvement Fund projects. (PUBLIC WORKS)

C.B. 15, Series of 2009, A bill for an ordinance approving a proposed Second Amendatory Agreement between the City and County of Denver and Justice Benefits, Inc., for a no-cost extension. (SAFETY)

Report of Standing Committees

None

There being no objections from members of Council, Council President Robb ordered the following bills published: **C.B.s. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, and 15, Series of 2009.**

Final Consideration

C.B. 741, Series of 2008, A bill for an ordinance amending the salary of the District Attorney. (GENERAL GOVERNMENT)

A motion offered by Councilmember Hancock, duly seconded by Councilmember Brown, that **C.B. 741, Series of 2008**, be placed upon final consideration and do pass, **carried** by the following vote: (Roll Call Serial #4)

Ayes: Boigon, Brown, Hancock, Johnson, Lehmann, Linkhart, López, Montero, Nevitt (9)

Nays: Faatz, Madison, President Robb (3)

Abstain: None

C.B. 739, Series of 2008, 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. (GENERAL GOVERNMENT)

A motion offered by Councilmember Hancock, duly seconded by Councilmember Linkhart, that **C.B. 741, Series of 2008**, be placed upon final consideration and do pass, **carried** by the following vote: (Roll Call Serial #5)

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

Nays: López (1)

Abstain: None

A motion offered by Councilmember Hancock, duly seconded by Councilmember Boigon, that the following resolutions be adopted en bloc: **Res. 1, 2, and 3, Series of 2009**, **carried** by the following vote: (Roll Call Serial #6)

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

Nays: None

Abstain: None

A motion offered by Councilmember Hancock, duly seconded by Councilmember Montero, that the following bills be placed upon their final passage and do pass en bloc: **C.B.s 731, 732, 733, 734, 735, 736, 737, 738, 740, 742, 743, 744, 745, and 746, Series of 2008, carried** by the following vote: (Roll Call Serial #7)

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

Nays: None

Abstain: None

C.B. 632, Series of 2008, A bill for an ordinance changing the zoning classification for 2159 Downing Street to a Planned Unit Development District (PUD). (BLUEPRINT DENVER)

A motion offered by Councilmember Hancock, duly seconded by Councilmember Nevitt, that **C.B. 632, Series of 2008**, be placed upon final consideration and do pass, was followed by Council sitting as a Committee of the Whole commencing at 7:53 p.m., Council President Robb presiding, to hear speakers either for or against the bill. Paul Benington, John E. Collison, Anthony Graves, and Charles Brantigan signed up to speak in favor of the bill. No speakers signed up to speak against the bill. Ellen Ittleson of Community Planning and Development delivered the Staff Report with an overview and recommendation for approval. The public hearing was declared closed. The motion **carried** by the following vote: (Roll Call Serial #8)

Ayes: Boigon, Faatz, Hancock, Johnson, Lehmann, Linkhart, Madison, Montero, Nevitt, President Robb (10)

Nays: None

Abstain: None

C.B. 679, Series of 2008, A bill for an ordinance changing the zoning classification for 99 South Garfield Street to a Planned Unit Development District (PUD). (BLUEPRINT DENVER)

A motion offered by Councilmember Hancock, duly seconded by Councilmember Boigon, that **C.B. 679, Series of 2008**, be placed upon final consideration and do pass, was followed by Council sitting as a Committee of the Whole commencing at 8:14 p.m., Council President Robb presiding, to hear speakers either for or against the bill. Bob Schnautz signed up to speak in favor of the bill. No speakers signed up to speak against the bill. Chris Gleissner of Community Planning and Development delivered the Staff Report with an overview and recommendation for approval. The public hearing was declared closed. The motion **carried** by the following vote: (Roll Call Serial #9)

Ayes: Boigon, Hancock, Johnson, Lehmann, Linkhart, Madison, Montero, Nevitt, President Robb (9)

Nays: None

Abstain: None

C.B. 680, Series of 2008, A bill for an ordinance changing the zoning classification for East First Avenue and Fillmore Place to a Planned Unit Development District (PUD). (BLUEPRINT DENVER)

A motion offered by Councilmember Hancock, duly seconded by Councilmember Montero, that **C.B. 680, Series of 2008**, be placed upon final consideration and do pass, was followed by Council sitting as a Committee of the Whole commencing at 8:22 p.m., Council President Robb presiding, to hear speakers either for or against the bill. Robert Mattucci signed up to speak in favor of the bill. No speakers signed up to speak against the bill. Chris Gleissner of Community Planning and Development delivered the Staff Report with an overview and recommendation for approval. The public hearing was declared closed. The motion **carried** by the following vote: (Roll Call Serial #10)

Ayes: Boigon, Hancock, Johnson, Lehmann, Linkhart, Madison, Montero, Nevitt, President Robb (9)

Nays: None

Abstain: None

C.B. 721, Series of 2008, A bill for an ordinance designating the CU Medical Center Children's Psychiatric Day Care Building, located at 4301 East 8th Avenue, as a structure for preservation. (BLUEPRINT DENVER)

C.B. 722, Series of 2008, A bill for an ordinance designating the John F. Kennedy Childhood Development Center/ B.F. Stolinsky Research Labs, located at 4399 East 8th Avenue, as a structure for preservation. (BLUEPRINT DENVER)

A motion offered by Councilmember Hancock, duly seconded by Councilmember Boigon, that **C.B.s 721 and 722, Series of 2008**, be placed upon final consideration and do pass en bloc, was followed by a motion offered by Councilmember Hancock, duly seconded by Councilmember Johnson, that final consideration of **C.B.s 721 and 722, Series of 2008**, with their public hearings be postponed to Tuesday, January 20, 2009, **carried** by the following vote: (Roll Call Serial #12)

Ayes: Boigon, Hancock, Johnson, Lehmann, Linkhart, Madison, Montero, Nevitt,
President Robb (9)

Nays: None

Abstain: None

Announcement

Council President Robb announced that there will be a public hearing on C.B. 1, Series of 2009, on February 2, 2009. Any protests against C.B. 1, Series of 2009, must be filed in the Council Office no later than Monday, January 26, 2009.

Adjourn

There being no further business before the City Council, Council President Robb adjourned the meeting at 8:40 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 the following alternate formats: Braille, large print, computer disk. Please allow adequate time for the preparation of your request.

Prepared by Kelly Velez