

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

Date Drafted: January 21, 2009

**The Council of the City and County of Denver met in regular session
Tuesday, January 20, 2009 5:30 p.m.**

Pledge of Allegiance

Councilmember Johnson led the pledge of allegiance.

Roll Call

Present: Brown, Faatz, Garcia, Johnson, Lehmann, Linkhart, Madison, Montero,
President Robb (9)
Late: López, Nevitt (2)
Absent: Boigon, Hancock (2) (Roll Call Serial #16)

Minutes

The minutes of meeting date, Monday, January 12, 2009, 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)

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. 5, Series of 2009, A resolution approving the Mayor's Appointments to the Downtown Denver Business Improvement District Board of Directors. (NEIGHBORHOOD, COMMUNITY & BUSINESS REVITALIZATION)

Res. 6, Series of 2009, A resolution re-appointing Councilmember Peggy Lehmann and Councilmember Chris Nevitt to the Board of Directors of the Urban Drainage and Flood Control District. (PUBLIC WORKS)

Res. 7, Series of 2009, A resolution laying out, opening and establishing as part of the city street system, as part of the streets listed below, certain real property in Stapleton Filing No. 10. (PUBLIC WORKS)

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. 32, Series of 2009, A bill for an Ordinance approving a proposed Second Amendatory Lease Agreement between the City and County of Denver and United Church of Montbello. (FINANCE)

C.B. 33, Series of 2009, A bill for an ordinance authorizing the Mayor and other proper officials to enter into a contractual agreement with the United States of America, Department of Housing and Urban Development, for an "Emergency Shelter FY09" program and the funding therefor. (NEIGHBORHOOD, COMMUNITY & BUSINESS REVITALIZATION)

C.B. 34, Series of 2009, A bill for an ordinance authorizing the Mayor and other proper officials to enter into a contractual agreement with the State of Colorado for a "Community Services Block Grant FY09-10" program and the funding therefor. (NEIGHBORHOOD, COMMUNITY & BUSINESS REVITALIZATION)

C.B. 35, Series of 2009, A bill for an ordinance approving a Second Amendatory Agreement between the City and County of Denver and Urban Peak, to provide homeless prevention services for youth and adult individuals. (NEIGHBORHOOD, COMMUNITY & BUSINESS REVITALIZATION)

C.B. 36, Series of 2009, A bill for an ordinance vacating an alley adjacent to 2734 W. 35th Ave. and 2724 W. 35th Ave., without reservations. (PUBLIC WORKS)

C.B. 37, Series of 2009, A bill for an Ordinance designating certain properties as being required for public use and authorizing use and acquisition thereof by negotiation or through condemnation proceedings. (PUBLIC WORKS)

C.B. 38, Series of 2009, A bill for an ordinance approving a Grant Agreement between the City and County of Denver and the State of Colorado, to improve the homeland security capabilities of Denver and the entities who are part of the UASI Working Group. (SAFETY)

C.B. 39, Series of 2009, A bill for an Ordinance approving a proposed Agreement between the City and County of Denver and the State of Colorado, Judicial Department concerning certain Denver County Court fee revenue. (SAFETY)

C.B. 40, Series of 2009, A bill for an ordinance concerning county court fees. (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. 32, 33, 34, 35, 36, 37, 38, 39, and 40, Series of 2009.**

Final Consideration

A motion offered by Councilmember Johnson, duly seconded by Councilmember Lehmann, that the following resolutions be adopted en bloc: **Res. 5, 6, and 7, Series of 2009, carried** by the following vote: (Roll Call Serial #17)

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

Nays: None

Abstain: None

A motion offered by Councilmember Johnson, duly seconded by Councilmember Garcia, that the following bills be placed upon their final passage and do pass en bloc: **C.B.s 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, and 31, Series of 2009, carried** by the following vote: (Roll Call Serial #18)

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

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 Johnson, duly seconded by Councilmember Lehmann, 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 Johnson, duly seconded by Councilmember Lehmann, that final consideration of **C.B.s 721 and 722, Series of 2008**, with their public hearings be postponed to Monday, April 20, 2009, **carried** by the following vote: (Roll Call Serial #20)

Ayes: Faatz, Garcia, Johnson, Lehmann, Linkhart, López, Madison, Montero, Nevitt,
President Robb (10)

Nays: None

Abstain: None

C.B. 725, Series of 2008, A bill for an ordinance relating to Chapter 59 (Zoning), Denver Revised Municipal Code, amending allowed uses in the B-2 zone district to allow residence for older adults. (BLUEPRINT DENVER)

A motion offered by Councilmember Johnson, duly seconded by Councilmember Garcia, that **C.B. 725, Series of 2008**, be placed upon final consideration and do pass, was followed by Council sitting as a Committee of the Whole commencing at 6:19 p.m., Council President Robb presiding, to hear speakers either for or against the bill. Ray Stranske, Chad Holtzinger, Melinda Pollack, Veronica Barela, and Dick Taft signed up to speak in favor of the bill. No speakers signed up to speak against the bill. Deirdre Oss 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 #21)

Ayes: Faatz, Garcia, Johnson, Lehmann, Linkhart, López, Madison, Montero, Nevitt,
President Robb (10)

Nays: None

Abstain: None

C.B. 727, Series of 2008, A bill for an ordinance changing the zoning classification, with waivers, for land located generally between Colorado Boulevard, East 9th Avenue, Clermont Street and East 11th Avenue. (BLUEPRINT DENVER)

C.B. 728, Series of 2008, A bill for an ordinance changing the zoning classification, with waivers, for land located generally between Colorado Boulevard, East 8th Avenue, East 11th Avenue and Bellaire Street. (BLUEPRINT DENVER)

C.B. 729, Series of 2008, A bill for an ordinance changing the zoning classification, with waivers, for land located generally between Colorado Boulevard, East 9th Avenue, East 8th Avenue and Clermont Street. (BLUEPRINT DENVER)

C.B. 730, Series of 2008, A bill for an ordinance changing the zoning classification, with waivers, for land located generally between Colorado Boulevard, East 9th Avenue, East 11th Avenue and Bellaire Street. (BLUEPRINT DENVER)

A motion offered by Councilmember Johnson, duly seconded by Councilmember Garcia, that **C.B. 727, Series of 2008**, be placed upon final consideration and do pass, was followed by Council sitting as a Committee of the Whole commencing at 6:55 p.m., Council President Robb presiding, to hear speakers either for or against C.B.s 727, 728, 729, or 730, Series of 2008. Peter Culshaw, David F. Witte, Lynn Moore, Julie M. Eck, Mary Nell Wolff, David Vasquez, Tony Ruiz, Ray Allen, Marvia Valdez, and Marcus Pachner signed up to speak in favor of the bill. No speakers signed up to speak against the bill. Blake Pendergrass signed up to speak neither in favor of nor against the bill. Tina Axelrad of Community Planning and Development delivered the Staff Report with an overview and recommendation for approval. Tyler Gibbs of Community Planning and Development and Kerry Buckey of the City Attorney's Office answered questions. The public hearing was declared closed. The motion **carried** by the following vote: (Roll Call Serial #22)

Ayes: Faatz, Garcia, Johnson, Lehmann, Linkhart, López, Madison, Montero, Nevitt,
President Robb (10)

Nays: None

Abstain: None

A motion offered by Councilmember Johnson, duly seconded by Councilmember Garcia, that **C.B. 728, Series of 2008**, be placed upon final consideration and do pass, **carried** by the following vote: (Roll Call Serial #23)

Ayes: Faatz, Garcia, Johnson, Lehmann, Linkhart, López, Madison, Montero, Nevitt,
President Robb (10)

Nays: None

Abstain: None

A motion offered by Councilmember Johnson, duly seconded by Councilmember Garcia, that **C.B. 729, Series of 2008**, be placed upon final consideration and do pass, **carried** by the following vote: (Roll Call Serial #24)

Ayes: Faatz, Garcia, Johnson, Lehmann, Linkhart, López, Madison, Montero, Nevitt,
President Robb (10)

Nays: None

Abstain: None

A motion offered by Councilmember Johnson, duly seconded by Councilmember Garcia, that **C.B. 730, Series of 2008**, be placed upon final consideration and do pass, **carried** by the following vote: (Roll Call Serial #25)

Ayes: Faatz, Garcia, Johnson, Lehmann, Linkhart, López, Madison, Montero, Nevitt,
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 7:44 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