

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

**Date Drafted: February 3, 2009**

**The Council of the City and County of Denver met in regular session  
Monday, February 2, 2009 5:30 p.m.**

**Pledge of Allegiance**

Councilmember Linkhart led the pledge of allegiance.

**Roll Call**

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

Late: None

Absent: Nevitt (1) (Roll Call Serial #39)

**Minutes**

The minutes of meeting date, Monday, January 26, 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)**

**Proc. 4, Series of 2009**, A proclamation urging President Obama to establish an advisory body to the Office of Urban Policy was read in its entirety by Councilmember Linkhart.

A motion offered by Councilmember Linkhart, duly seconded by Councilmember Garcia, that **Proc. 4, Series of 2009**, be adopted, **carried** by the following vote: (Roll Call Serial #40)

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

Nays: None

Abstain: Faatz (1)

**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. 13, Series of 2009**, A resolution approving the Mayor's Reappointment to the Welfare Reform Board. (NEIGHBORHOOD, COMMUNITY & BUSINESS REVITALIZATION)

**Res. 14, Series of 2009**, A resolution authorizing and approving the expenditure and payment from the appropriation account designated "liability claims," the sum of Twenty-Five Thousand Dollars (\$25,000.00) payable to Law Offices of Allen J. Kincaid and Dusty Lee Smith in full payment and satisfaction of all claims in Civil Action No. 07CV9107 in the District Court for the City and County of Denver. (PUBLIC WORKS)

**Res. 15, Series of 2009**, 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 Trudy Trout and her attorneys, Faegre & Benson, LLP, in full payment and satisfaction of all claims in Claim No. 08-2205. (SAFETY)

**Res. 16, Series of 2009**, A resolution approving the Mayor’s Reappointments to the Citizen Oversight Board. (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. 50, Series of 2009**, A bill for an ordinance changing the zoning classification for 274 South Monroe Street and 269-275 South Garfield Street to a Planned Unit Development District (PUD). (BLUEPRINT DENVER)

**C.B. 51, Series of 2009**, A bill for an ordinance changing the zoning classification for 723 and 765 Delaware Street. (BLUEPRINT DENVER)

**C.B. 52, Series of 2009**, A bill for an Ordinance approving a proposed Second Amendatory Agreement between the City and County of Denver and W2007 MVP Denver, LLC, for the renewal lease for courts at 1515 Cleveland Place. (FINANCE)

**C.B. 53, Series of 2009**, A bill for an Ordinance approving a proposed Revival and Amendatory Agreement between the City and County of Denver and Sylvester Tally doing business as Coffee Etcetera. (FINANCE)

**C.B. 54, Series of 2009**, A bill for an ordinance approving an Amendatory Agreement between the City and County of Denver and Lowry Assumption, LLC regarding oversight of soil disturbing activities within an area of Denver formerly known as the Lowry Air Force base. (GREENPRINT)

**C.B. 55, Series of 2009**, A bill for an Ordinance approving a proposed First Amendment and Modification Agreement between the City and County of Denver and Sheridan Homes, LLC. (NEIGHBORHOOD, COMMUNITY & BUSINESS REVITALIZATION)

**C.B. 56, Series of 2009**, A bill for an ordinance making a rescission and transfer appropriation in the General Government Special Revenue Fund and an expenditure authorization in the Community Development Special Revenue Fund for the "Line of Credit Security Payment." (NEIGHBORHOOD, COMMUNITY & BUSINESS REVITALIZATION)

**C.B. 57, Series of 2009**, A bill for an ordinance approving an Amendatory Agreement between the City and County of Denver and Mental Health Center of Denver, to provide mental health treatment services to chronically homeless individuals. (NEIGHBORHOOD, COMMUNITY & BUSINESS REVITALIZATION)

**C.B. 58, Series of 2009**, A bill for an ordinance approving a Second Amendatory Agreement between the City and County of Denver and Warren Village, Inc., to provide housing services for chronic and episodic homeless persons. (NEIGHBORHOOD, COMMUNITY & BUSINESS REVITALIZATION)

**C.B. 59, Series of 2009**, A bill for an ordinance approving a Second Amendatory Agreement between the City and County of Denver and Volunteers of America, Colorado Branch, to administer the “Family Motel Project”, which provides emergency lodging services for homeless families, single women, and respite care for persons recuperating from recent hospital stays. (NEIGHBORHOOD, COMMUNITY & BUSINESS REVITALIZATION)

**C.B. 60, Series of 2009**, A bill for an ordinance approving a License and Agreement between the City and County of Denver and the Colorado Museum of Natural History dba Denver Museum of Nature and Science to allow construction of a weather station within the City Park Golf Course. (PUBLIC AMENITIES)

**C.B. 61, Series of 2009**, A bill for an Ordinance approving a Second Amendment of an on-call landscape and irrigation services contract by and between the City and County of Denver and American Civil Constructors. (PUBLIC AMENITIES)

**C.B. 62, Series of 2009**, A bill for an Ordinance approving a Second Amendment of an on-call landscape and irrigation services contract by and between the City and County of Denver and CTM, Inc., dba Colorado Total Maintenance. (PUBLIC AMENITIES)

**C.B. 63, Series of 2009**, A bill for an Ordinance approving a Second Amendment of an on-call landscape and irrigation services contract by and between the City and County of Denver and T2 Construction. (PUBLIC AMENITIES)

**C.B. 64, Series of 2009**, A bill for an Ordinance approving a Second Amendment of an on-call landscape and irrigation services contract by and between the City and County of Denver and Richdell Construction. (PUBLIC AMENITIES)

**C.B. 65, Series of 2009**, A bill for an Ordinance approving a Second Amendment of an on-call landscape and irrigation services contract by and between the City and County of Denver and Goodland Construction. (PUBLIC AMENITIES)

**C.B. 66, 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 "Traffic Signal Improvements" project and the funding therefor. (PUBLIC WORKS)

**C.B. 67, Series of 2009**, A bill for an ordinance approving a proposed Second Amendatory Agreement between the City and County of Denver and Colorado Strijpe Wright, Ltd. for traffic Signage replacement and installation services. (PUBLIC WORKS)

**C.B. 68, Series of 2009**, A bill for an ordinance relinquishing the easement as created by the original Lowry Filing No. 10 subdivision plat map. (PUBLIC WORKS)

**C.B. 69, Series of 2009**, A bill for an ordinance approving a License Agreement between the City and County of Denver and Verizon Wireless LLC to construct and operate cell tower facilities at Denver Fire Department Station #21. (SAFETY)

**C.B. 70, Series of 2009**, A bill for an ordinance making rescissions and appropriations in the Capital Improvements Fund for the Denver County Jail Building 19 Showers project. (SAFETY)

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## **Report of Standing Committees**

**C.B. 57, Series of 2009**, A bill for an ordinance approving an Amendatory Agreement between the City and County of Denver and Mental Health Center of Denver, to provide mental health treatment services to chronically homeless individuals. (NEIGHBORHOOD, COMMUNITY & BUSINESS REVITALIZATION)

A motion offered by Councilmember Linkhart, duly seconded by Councilmember Boigon, that **C.B. 57, Series of 2009**, be ordered published, **carried** by the following vote: (Roll Call Serial #41)

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

Nays: None

Abstain: Montero (1)

There being no objections from members of Council, Council President Robb ordered the following bills published: **C.B.s. 50, 51, 52, 53, 54, 55, 56, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, and 70, Series of 2009.**

## Final Consideration

A motion offered by Councilmember Linkhart, duly seconded by Councilmember Garcia, that the following resolutions be adopted en bloc: **Res. 13, 14, 15, and 16, Series of 2009, carried** by the following vote: (Roll Call Serial #42)

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

Nays: None

Abstain: None

A motion offered by Councilmember Linkhart, duly seconded by Councilmember Hancock, that the following bills be placed upon their final passage and do pass en bloc: **C.B.s 41, 42, 43, 44, 45, 46, 47, 48, and 49, Series of 2009, carried** by the following vote: (Roll Call Serial #43)

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

Nays: None

Abstain: None

**C.B. 1, Series of 2009, AS AMENDED, 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)**

A motion offered by Councilmember Linkhart, duly seconded by Councilmember Garcia, that **C.B. 1, Series of 2009**, be placed upon final consideration and do pass, was followed by Council sitting as a Committee of the Whole commencing at 6:08 p.m., Council President Robb presiding, to hear speakers either for or against the bill. Lauren Brockman, Tom Blyth, and Tom Ragonetti 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 #44)

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

Nays: None

Abstain: None

**C.B. 649, Series of 2008, A bill for an ordinance changing the zoning classification 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)**

A motion offered by Councilmember Linkhart, duly seconded by Councilmember Garcia, that **C.B. 649, Series of 2008**, be placed upon final consideration and do pass, was followed by Council sitting as a Committee of the Whole commencing at 6:39 p.m., Council President Robb presiding, to hear speakers either for or against the bill. No speakers signed up to speak either in favor or nor against the bill. The public hearing was declared closed. The motion **carried** by the following vote: (Roll Call Serial #45)

Ayes: None

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

Abstain: None

## Announcement

Council President Robb announced that there will be public hearings on C.B.s 50 and 51, Series of 2009, on March 2, 2009. Any protests against C.B. 50 or 51, Series of 2009, must be filed in the Council Office no later than Monday, February 23, 2009.

## Adjourn

There being no further business before the City Council, Council President Robb adjourned the meeting at 6:41 p.m.

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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 the following alternate formats: Braille, large print, computer disk. Please allow adequate time for the preparation of your request.

Prepared by Kelly Velez