

# City Council Minutes

Meeting Date: Monday, July 26, 2021 5:30 PM

## PLEDGE OF ALLEGIANCE

Council President Gilmore led the Pledge of Allegiance.

## LAND ACKNOWLEDGEMENT

Councilmember CdeBaca led the Land Acknowledgement.

## ROLL CALL

Present: Black, CdeBaca, Flynn, Gilmore, Herndon, Kashmann, Kniech, Sandoval, Sawyer, Torres (10)

Absent: Clark, Hinds, Ortega (3)

## 21-0869 EXCUSAL

A motion offered by Councilmember Gilmore, duly seconded by Councilmember Herndon, that the absence of Councilmember Ortega be excused, carried by the following vote:

### Excused

Aye: Black, CdeBaca, Flynn, Gilmore, Herndon, Kashmann, Kniech, Sandoval, Sawyer, Torres (10)

Nay: (None) (0)

Absent: Clark, Hinds, Ortega (3)

## APPROVAL OF THE MINUTES

[21-0839](#) Minutes of Monday, July 19, 2021

The minutes of Monday, July 19, 2021 were distributed to members of Council. Council President Gilmore ordered the minutes approved.

### Approved

## COUNCIL ANNOUNCEMENTS

Councilmembers Flynn, Kashmann, Black, Torres, Sandoval and Gilmore offered announcements.

## PRESENTATIONS

## COMMUNICATIONS

## PROCLAMATIONS

## **RECAP OF BILLS TO BE CALLED OUT**

Items called out for a separate vote:

### **BILLS FOR INTRODUCTION**

#### **Land Use, Transportation & Infrastructure Committee**

##### **[21-0758](#) A bill for an ordinance designating the La Alma Lincoln Park Historic Cultural District as a district for preservation.**

Approves the designation of La Alma Lincoln Park as a district for preservation, roughly bounded by 14th Avenue on the north, Kalamath Street on the west, 10th Avenue on the south, and Mariposa Street and La Alma Lincoln Park on the west in Council District 3. The Committee approved filing this item at its meeting on 7-13-21.

A motion offered by Councilmember CdeBaca, duly seconded by Councilmember Flynn, that Council Bill 21-0758 be ordered published, was followed by a motion offered by Councilmember Torres, duly seconded by Councilmember Herndon, that Council Bill 21-0758 be amended in the following particulars: "1) On page 5, line 9, strike 'and'. 2) On page 5, insert two new lines after line 9 to read as follows: 'Block 14, Lots 1 through 20 and lots 25 through 40 Block 23, Lots 1 through 14 and lots 19 through 38 and,'. 3) On page 5, line 10, strike '14' and '23', respectively." to reduce the size of the proposed historic district by amending its legal description. The new legal description removes 2 noncontributing properties on the edge of the proposed district boundary. The motion to amend carried by the following vote:

#### **Amended**

Aye: Black, CdeBaca, Flynn, Gilmore, Herndon, Kashmann, Kniech, Sandoval, Sawyer, Torres (10)

Nay: (None) (0)

Absent: Clark, Hinds, Ortega (3)

A motion offered by Councilmember CdeBaca, duly seconded by Councilmember Herndon, that Council Bill 21-0758 be ordered published as amended, with a future required public hearing on 8-2-21, carried by the following vote::

#### **Ordered published with a future required public hearing**

Aye: Black, CdeBaca, Flynn, Gilmore, Herndon, Kashmann, Kniech, Sandoval, Sawyer, Torres (10)

Nay: (None) (0)

Absent: Clark, Hinds, Ortega (3)

#### **BLOCK VOTE**

A motion offered by Councilmember CdeBaca, duly seconded by Councilmember Kniech, to approve the following items en bloc. The motion carried by the following vote:

#### **Approved the consent agenda**

Aye: Black, CdeBaca, Flynn, Gilmore, Herndon, Kashmann, Kniech, Sandoval, Sawyer, Torres (10)

Nay: (None) (0)

Absent: Clark, Hinds, Ortega (3)

**RESOLUTIONS**

**Business, Arts, Workforce, & Aviation Services Committee**

**21-0763 A resolution approving a proposed tenth Amendment, between the City and County of Denver and United Airlines, Inc. concerning updates to United’s use and lease agreement and its operation at Denver International Airport.**

Amends a use and lease agreement with United Airlines, Inc. by documenting all space currently leased, identifying changes that will take place due to the Great Hall redevelopment project and the gate expansion projects in Concourse B, memorializing United’s lease of the Concourse A Ground Load Facility, incorporating the baggage system license agreement into the Use and Lease Agreement, streamlining the affiliate airline designation process, and memorializing United’s installation of the Concourse B Baggage System and lease of the space occupied by the system. No change to agreement amount or duration (202056416). The last regularly scheduled Council meeting within the 30-day review period is on 8-16-21. The Committee approved filing this item at its meeting on 7-14-21.

A motion offered by Councilmember CdeBaca, duly seconded by Councilmember Kniech, that Council Resolution 21-0763 be adopted en bloc, carried by the following vote:

**Adopted**

- Aye: Black, CdeBaca, Flynn, Gilmore, Herndon, Kashmann, Kniech, Sandoval, Sawyer, Torres (10)
- Nay: (None) (0)
- Absent: Clark, Hinds, Ortega (3)

**21-0764 A resolution approving a proposed Agreement between the City and County of Denver and Champlain Enterprises, LLC, d/b/a CommutAir, concerning a space lease to support operations at Denver International Airport.**

Approves a use and lease agreement with Champlain Enterprises, LLC, doing business as CommutAir, for rates and charges and through 4-30-22 to lease approximately 1,500 square feet of space in the Concourse B ramp and basement levels to support their operation as a United Express carrier at Denver International Airport (202158394). The last regularly scheduled Council meeting within the 30-day review period is on 8-16-21. The Committee approved filing this item at its meeting on 7-14-21.

A motion offered by Councilmember CdeBaca, duly seconded by Councilmember Kniech, that Council Resolution 21-0764 be adopted en bloc, carried by the following vote:

**Adopted**

- Aye: Black, CdeBaca, Flynn, Gilmore, Herndon, Kashmann, Kniech, Sandoval, Sawyer, Torres (10)
- Nay: (None) (0)
- Absent: Clark, Hinds, Ortega (3)

**[21-0765](#) A resolution approving a proposed Contract between the City and County of Denver and PCL Construction Services, Inc. concerning Center Core Escalator Replacement at Denver International Airport.**

Approves a contract with PCL Construction Services, Inc. for \$7,638,966 and for 420 days for the Concourse A Center Core Escalator Replacement project at Denver International Airport (202056518-00). The last regularly scheduled Council meeting within the 30-day review period is on 8-16-21. The Committee approved filing this item at its meeting on 7-14-21.

A motion offered by Councilmember CdeBaca, duly seconded by Councilmember Kniech, that Council Resolution 21-0765 be adopted en bloc, carried by the following vote:

**Adopted**

Aye: Black, CdeBaca, Flynn, Gilmore, Herndon, Kashmann, Kniech, Sandoval, Sawyer, Torres (10)

Nay: (None) (0)

Absent: Clark, Hinds, Ortega (3)

**[21-0766](#) A resolution approving a proposed first Amendment, between the City and County of Denver and Swissport Cargo Services, L.P. concerning a lease of additional space to support cargo handling services at Denver International Airport.**

Amends a lease agreement with Swissport Cargo Services, L.P. for rates and charges and adding one year for a new end date of 12-31-22 to add an additional cargo bay and landside parking area to the lease for cargo handling services at Denver International Airport (202158439). The last regularly scheduled Council meeting within the 30-day review period is on 8-16-21. The Committee approved filing this item at its meeting on 7-14-21.

A motion offered by Councilmember CdeBaca, duly seconded by Councilmember Kniech, that Council Resolution 21-0766 be adopted en bloc, carried by the following vote:

**Adopted**

Aye: Black, CdeBaca, Flynn, Gilmore, Herndon, Kashmann, Kniech, Sandoval, Sawyer, Torres (10)

Nay: (None) (0)

Absent: Clark, Hinds, Ortega (3)

**Finance & Governance Committee**

**21-0771 A resolution approving a proposed Amendatory Agreement between the City and County of Denver and Qwest Broadband Services, Inc. doing business as CenturyLink, amending the final payment due to the City in consideration for early termination of its cable franchise agreement.**

Amends a franchise agreement with Lumen, formerly known as CenturyLink, by terminating the agreement as of 3-31-21 and amending the service terms in relation to certain services in exchange for early termination (201521211-00). The last regularly scheduled Council meeting within the 30-day review period is on 8-16-21. The Committee approved filing this item at its meeting on 7-13-21.

A motion offered by Councilmember CdeBaca, duly seconded by Councilmember Kniech, that Council Resolution 21-0771 be adopted en bloc, carried by the following vote:

**Adopted**

- Aye: Black, CdeBaca, Flynn, Gilmore, Herndon, Kashmann, Kniech, Sandoval, Sawyer, Torres (10)
- Nay: (None) (0)
- Absent: Clark, Hinds, Ortega (3)

**Land Use, Transportation & Infrastructure Committee**

**21-0768 A resolution laying out, opening and establishing as part of the City street system parcels of land as 13th Street at the intersection of 13st Street and Glenarm Place; and, a public alley bounded by 13th Street, Glenarm Place, 14th Street and Tremont Place.**

Dedicates a parcel of land as public right of way as 13th Street, located at the intersection of 13th Street and Glenarm Place and dedicates a parcel of land as public right of way as public alley, bounded by 13th Street, Glenarm Place, 14th Street, and Tremont Place in Council District 9. The Committee approved filing this item at its meeting on 7-13-21.

A motion offered by Councilmember CdeBaca, duly seconded by Councilmember Kniech, that Council Resolution 21-0768 be adopted en bloc, carried by the following vote:

**Adopted**

- Aye: Black, CdeBaca, Flynn, Gilmore, Herndon, Kashmann, Kniech, Sandoval, Sawyer, Torres (10)
- Nay: (None) (0)
- Absent: Clark, Hinds, Ortega (3)

**[21-0769](#) A resolution approving a proposed Third Amendatory Agreement between the City and County of Denver and Transcore ITS, LLC to extend the term and increase the maximum contract amount for the continued support of the traffic signal system.**

Amends a contract with Transcore ITS, LLC by adding \$113,857.58 for a new total of \$1,034,958.91 and five years for a new end date of 12-31-26 for continued support of the traffic signal system, citywide (201314013-03; 202159306-03). The last regularly scheduled Council meeting within the 30-day review period is on 8-16-21. The Committee approved filing this item at its meeting on 7-13-21.

A motion offered by Councilmember CdeBaca, duly seconded by Councilmember Kniech, that Council Resolution 21-0769 be adopted en bloc, carried by the following vote:

**Adopted**

Aye: Black, CdeBaca, Flynn, Gilmore, Herndon, Kashmann, Kniech, Sandoval, Sawyer, Torres (10)

Nay: (None) (0)

Absent: Clark, Hinds, Ortega (3)

**Safety, Housing, Education & Homelessness Committee**

**[21-0589](#) A resolution approving a proposed Agreement between the City and County of Denver and Integral Consulting, Inc. for site investigation and remediation services in Council District 8.**

Approves a contract with Integral Consulting, Inc. for \$1,000,000 and through 5-15-26 for environmental, engineering, scientific and other site investigation and remediation services at the City facilities located at 5440 Roslyn Street in Council District 8 (ENVHL-202158787). The last regularly scheduled Council meeting within the 30-day review period is on 8-16-21. The Committee approved filing this item at its meeting on 5-26-21.

A motion offered by Councilmember CdeBaca, duly seconded by Councilmember Kniech, that Council Resolution 21-0589 be adopted en bloc, carried by the following vote:

**Adopted**

Aye: Black, CdeBaca, Flynn, Gilmore, Herndon, Kashmann, Kniech, Sandoval, Sawyer, Torres (10)

Nay: (None) (0)

Absent: Clark, Hinds, Ortega (3)

**[21-0760](#) A resolution approving a proposed Option Allocation Letter between the City and County of Denver and State of Colorado, Division of Criminal Justice to administer the FY 21-22 Community Corrections Program.**

Approves a grant agreement with the Colorado Department of Public Safety, Division of Criminal Justice, for \$14,607,564.90 and through 6-30-22 for funding of the fiscal year 2021-2022 Community Corrections Program (SAFTY-202159216). The last regularly scheduled Council meeting within the 30-day review period is on 8-16-21. The Committee approved filing this item at its meeting on 7-14-21.

A motion offered by Councilmember CdeBaca, duly seconded by Councilmember Kniech, that Council Resolution 21-0760 be adopted en bloc, carried by the following vote:

**Adopted**

Aye: Black, CdeBaca, Flynn, Gilmore, Herndon, Kashmann, Kniech, Sandoval, Sawyer, Torres (10)  
Nay: (None) (0)  
Absent: Clark, Hinds, Ortega (3)

**[21-0762](#) A resolution approving and providing for the execution of a proposed amended Grant Agreement between the City and County of Denver and the State of Colorado Department of Local Affairs for the "Denver Counsel First Appearance" program and the funding therefor.**

Amends a grant agreement with the Colorado Department of Local Affairs by adding \$250,000 for a new total of \$743,909 for the Defense Counsel First Appearance Grant Program. No change to agreement duration (F19DCFA18017). The last regularly scheduled Council meeting within the 30-day review period is on 8-16-21. The Committee approved filing this item at its meeting on 7-14-21.

A motion offered by Councilmember CdeBaca, duly seconded by Councilmember Kniech, that Council Resolution 21-0762 be adopted en bloc, carried by the following vote:

**Adopted**

Aye: Black, CdeBaca, Flynn, Gilmore, Herndon, Kashmann, Kniech, Sandoval, Sawyer, Torres (10)  
Nay: (None) (0)  
Absent: Clark, Hinds, Ortega (3)

**BILLS FOR INTRODUCTION**

**Finance & Governance Committee**

**[21-0761](#) A bill for an ordinance approving the joint appointment of Rory McLuster to the Denver Board of Ethics.**

Approves the joint appointment of Rory McLuster to the Denver Board of Ethics. The Committee approved filing this item at its meeting on 7-13-21.

Council Bill 21-0761 was ordered published

**Ordered published**

**[21-0767](#) 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.**

Amends the Classification and Pay Plan for multiple small impact changes, provisionally approved by the Office of Human Resources Executive Director for the period of January 2021 through June 2021. The Committee approved filing this item at its meeting on 7-13-21.

Council Bill 21-0767 was ordered published

**Ordered published**

**Land Use, Transportation & Infrastructure Committee**

**[21-0723](#) A bill for an ordinance changing the zoning classification for 420 East 11th Avenue in Capitol Hill.**

Approves a map amendment to rezone property from G-MU-5, UO-3 to G-MX-3 (multi-unit to mixed-use), located at 420 E 11th Avenue in Council District 10. The Committee approved filing this item at its meeting on 6-29-21.

Council Bill 21-0723 was ordered published with a future required public hearing on 8-23-21

**Ordered published with a future required public hearing**

**Safety, Housing, Education & Homelessness Committee**

**[21-0770](#) A bill for an ordinance amending the maximum fines that may be assessed by the Denver Department of Public Health and Environment.**

Amends Article XII of Chapter 2 and Article I of Chapter 24 of the Denver Revised Municipal Code to increase the maximum fines that may be assessed by the Denver Department of Public Health and Environment to \$5,000 and to allow for administrative citations to be sent via first class mail. The Committee approved filing this item at its meeting on 7-14-21.

Council Bill 21-0770 was ordered published

**Ordered published**

**[21-0772](#) A bill for an ordinance amending the Revised Municipal Code of the City and County of Denver to update terminology from "illegal alien" to "worker without authorization" in accordance with state law.**

Amends Section 20-90 of the Denver Revised Municipal Code to update terminology from "illegal alien" to "worker without authorization" in conformance with recent changes to state law. The Committee approved filing this item at its meeting on 7-14-21.

Council Bill 21-0772 was ordered published

**Ordered published**



**[21-0773](#) A bill for an ordinance amending Article IV of Chapter 28 of the Revised Municipal Code concerning the Prohibition of Discrimination in Employment, Housing and Commercial Space, Public Accommodations, Educational Institutions, and Health and Welfare Services on the basis of a protective hairstyle.**

Amends Article IV of Chapter 28 of the Denver Revised Municipal Code by adding the prohibition of discrimination based on a protective hairstyle. The Committee approved filing this item at its meeting on 7-14-21.

Council Bill 21-0773 was ordered published

**Ordered published**

**BILLS FOR FINAL CONSIDERATION**

**Business, Arts, Workforce, & Aviation Services Committee**

**[21-0754](#) A bill for an ordinance approving a proposed Agreement between the City and County of Denver and Boulder County to provide employment, education, and training services under the TEC-P 2.0 program.**

Approves an intergovernmental agreement with Boulder County for \$780,000 and through 1-31-25 for participation in the second phase of federally funded Technology Employment in Colorado Partnership (TEC-P), which will provide career counseling, and upskilling opportunities, and job placement for adult jobseekers, and for which DEDO will serve as grant administrator for Denver and its regional partners (OEDEV-202158073-00). The last regularly scheduled Council meeting within the 30-day review period is on 8-9-21. The Committee approved filing this item at its meeting on 7-7-21.

A motion offered by Councilmember CdeBaca, duly seconded by Councilmember Kniech, that Council Bill 21-0754 be placed upon final consideration and do pass en bloc, carried by the following vote:

**Placed upon final consideration and do pass**

Aye: Black, CdeBaca, Flynn, Gilmore, Herndon, Kashmann, Kniech, Sandoval, Sawyer, Torres (10)

Nay: (None) (0)

Absent: Clark, Hinds, Ortega (3)

**Land Use, Transportation & Infrastructure Committee**

**[21-0751](#) A bill for an ordinance vacating a portion of right-of-way on the west side of South Clarkson Street between East Jewell Avenue and East Asbury Avenue, with reservations.**

Vacates a portion of right of way, located at the west side of South Clarkson Street between Jewell Avenue and Asbury Avenue, with reservations, in Council District 7. The Committee approved filing this item at its meeting on 7-6-21.

A motion offered by Councilmember CdeBaca, duly seconded by Councilmember Kniech, that Council Bill 21-0751 be placed upon final consideration and do pass en bloc, carried by the following vote:

**Placed upon final consideration and do pass**

Aye: Black, CdeBaca, Flynn, Gilmore, Herndon, Kashmann, Kniech, Sandoval, Sawyer, Torres (10)

Nay: (None) (0)

Absent: Clark, Hinds, Ortega (3)

**PRE-RECESS ANNOUNCEMENT**

Council President Gilmore announced that tonight, there will be a required public hearing on Council Bill 21-0526, changing the zoning classification for 4012, 4040, 4046, and 4058 North Fox Street in Globeville; a required public hearing on Council Bill 21-0553, classification for 930 North Bryant Street, 2449 West 10th Avenue and 991 North Alcott Way in Sun Valley; and, a required public hearing on Council Bill 21-0532, amending Section 2-242 and Section 2-243 of the Denver Revised Municipal Code regarding the Denver Food Commission. Anyone wishing to speak on any of these matters must go online to sign up during the recess of Council.

**RECESS**

Council took a recess.

**COUNCIL RECONVENES AND RESUMES ITS REGULAR SESSION**

**PUBLIC HEARINGS - BILLS FOR FINAL CONSIDERATION**

**Land Use, Transportation & Infrastructure Committee**

**[21-0526](#) A bill for an ordinance changing the zoning classification for 4012, 4040, 4046, and 4058 North Fox Street in Globeville.**

Approves a map amendment to rezone property from I-A UO-2 to C-MS-8 (industrial to urban center, 8-stories), located at 4012, 4040, 4046, and 4058 Fox Street in Council District 9. The Committee approved filing this item at its meeting on 5-11-21.

Council sat as a Committee of the Whole, commencing at 6:07 p.m., Council President Gilmore presiding, to hear speakers on Council Bill 21-0526. No speakers signed up to speak in favor of the bill. Jesse Parris and Tess Dougherty signed up to speak in opposition of the bill. Ella Stueve of Community Planning and Development delivered the staff report.

A motion offered by Councilmember CdeBaca, duly seconded by Councilmember Herndon, that Council Bill 21-0526 be placed upon final consideration and do pass, carried by the following vote:

**Placed upon final consideration and do pass**

- Aye: Black, Flynn, Gilmore, Herndon, Kashmann, Kniech, Sandoval, Sawyer, Torres (9)
- Nay: CdeBaca (1)
- Absent: Clark, Hinds, Ortega (3)

**[21-0553](#) A bill for an ordinance changing the zoning classification for 930 North Bryant Street, 2449 West 10th Avenue and 991 North Alcott Way in Sun Valley.**

Approves a map amendment to rezone property from C-RX-8 UO-3 to C-MX-12 (urban center residential mixed use to mixed use), located at 930 North Bryant Street, 2449 West 10th Avenue, and 991 North Alcott Way in Council District 3. The Committee approved filing this item at its meeting on 5-18-21.

Council sat as a Committee of the Whole, commencing at 6:37 p.m., Council President Gilmore presiding, to hear speakers on Council Bill 21-0553. Ryan Tobin and Jeanne Granville signed up to speak in favor of the bill. Jesse Parris signed up to speak in opposition of the bill. James VanHooser of Community Planning and Development delivered the staff report.

A motion offered by Councilmember CdeBaca, duly seconded by Councilmember Herndon, that Council Bill 21-0553 be placed upon final consideration and do pass, carried by the following vote:

**Placed upon final consideration and do pass**

Aye: Black, CdeBaca, Flynn, Gilmore, Herndon, Kashmann, Kniech, Sandoval, Sawyer, Torres (10)

Nay: (None) (0)

Absent: Clark, Hinds, Ortega (3)

**Safety, Housing, Education & Homelessness Committee**

**[21-0532](#) A bill for an ordinance amending Section 2-242 and Section 2-243 of the Denver Revised Municipal Code regarding the Denver Food Commission.**

Amends Chapter 2 of the Denver Revised Municipal Code concerning the Healthy Food for Denver's Kids Initiative to improve the ability of the Healthy Food for Denver's Kids Commission to disburse funds more widely and equitably. The Committee approved filing this item at its meeting on 6-30-21.

Council sat as a Committee of the Whole, commencing at 7:04 p.m., Council President Gilmore presiding, to hear speakers on Council Bill 21-0532. Jesse Parris signed up to speak in favor of the bill. No speakers signed up to speak in opposition of the bill. Lauren Howe of the Department of Public Health and Environment delivered the staff report.

A motion offered by Councilmember CdeBaca, duly seconded by Councilmember Herndon, that Council Bill 21-0532 be placed upon final consideration and do pass. The motion carried by the following vote:

**Placed upon final consideration and do pass**

Aye: Black, CdeBaca, Flynn, Gilmore, Herndon, Kashmann, Kniech, Sandoval, Sawyer, Torres (10)

Nay: (None) (0)

Absent: Clark, Hinds, Ortega (3)

**PRE-ADJOURNMENT ANNOUNCEMENT**

Council President Gilmore announced that on Monday, August 2, 2021, Council will hold a required public hearing on Council Bill 21-0758, designating the La Alma Lincoln Park Historic Cultural District as a district for preservation. On Monday, August 23, 2021, Council will hold a required public hearing on Council Bill 21-0723, changing the zoning classification for 420 East 11th Avenue in Capitol Hill. Any protests against Council Bill 21-0723 must be filed with the Council Offices no later than noon on Monday, August 16, 2021.

**ADJOURN**

There being no further business before the City Council, Council President Gilmore adjourned the meeting at 7:15 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