

# City Council Minutes

Meeting Date: Monday, December 19, 2022 3:30 PM

## **PLEDGE OF ALLEGIANCE**

Councilmember Clark led the Pledge of Allegiance.

## **LAND ACKNOWLEDGEMENT**

Councilmember Clark led the Land Acknowledgement.

## **ROLL CALL**

Councilmember CdeBaca attended the meeting virtually.

Present: Black, CdeBaca, Clark, Flynn, Gilmore, Herndon, Hinds,  
Kashmann, Kniech, Ortega, Sandoval, Sawyer, Torres (13)

## **APPROVAL OF THE MINUTES**

[22-1663](#) Minutes of Monday, December 12, 2022

The minutes of Monday, December 12, 2022 were distributed to members of Council. Council President Torres ordered the minutes approved.

### **Approved**

## **COUNCIL ANNOUNCEMENTS**

Council members Sandoval and Torres offered announcements.

## **PRESENTATIONS**

## **COMMUNICATIONS**

## **PROCLAMATIONS**

[22-1662](#) A proclamation affirming a commitment to countering antisemitism.

A motion offered by Councilmember Herndon, duly seconded by Councilmember Hinds, that Council Proclamation 22-1662 be adopted, carried by the following vote:

### **Adopted**

Aye: Black, CdeBaca, Clark, Flynn, Gilmore, Herndon, Hinds,  
Kashmann, Kniech, Ortega, Sandoval, Sawyer, Torres (13)

Nay: (None) (0)

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

Items called out for a separate vote:

**RESOLUTIONS**

**Finance & Governance Committee**

**[22-1604](#) A resolution levying upon all taxable property within the City and County of Denver taxes for the year 2022, to be collected in 2023, for purposes authorized by law for School District No. 1 in the City and County of Denver, State of Colorado.**

Establishes the 2022 Denver Public Schools mill levy for property taxes due in 2023. The last regularly scheduled Council meeting within the 30-day review period is on 1-9-2023. The Committee approved filing this item at its meeting on 12-6-2022.

A motion offered by Councilmember Clark, duly seconded by Councilmember Herndon, that Council Resolution 22-1604 be adopted, carried by the following vote:

**Adopted**

- Aye: Black, Clark, Flynn, Gilmore, Herndon, Hinds, Kashmann, Kniech, Ortega, Sandoval, Sawyer, Torres (12)
- Nay: CdeBaca (1)

**[22-1612](#) A resolution to set a public hearing to approve the Consolidated Service Plan for the Park Hill Metropolitan District Nos. 1-5.**

Sets a public hearing before City Council on 1-23-2023, for the Consolidated Service Plan for the Park Hill Metropolitan District Numbers 1 through 5, in Council District 8. If ordered published, a public hearing will be held on Monday, 1-23-2023. The Committee approved filing this item at its meeting on 12-6-2022.

A motion offered by Councilmember Clark, duly seconded by Councilmember Flynn, that Council Resolution 22-1612 be adopted, carried by the following vote:

**Adopted**

- Aye: Black, Clark, Flynn, Gilmore, Herndon, Hinds, Kniech, Ortega, Sawyer, Torres (10)
- Nay: CdeBaca, Kashmann, Sandoval (3)

**BILLS FOR INTRODUCTION**

**Land Use, Transportation & Infrastructure Committee**

**[22-1629](#) A bill for an ordinance changing the zoning classification for 4141 East 35th Avenue in Northeast Park Hill.**

Approves a map amendment to rezone property from OS-B to OS-A, C-MX-12, C-MX-8, C-MX-5, C-MX-5 with waivers, C-MS-5 with DO-8, G-RX-5, and G-RX-5 with waivers, located at 4141 East 35th Avenue in Council District 8. The Committee approved filing this item at its meeting on 12-13-2022.

**Final Consideration 1-23-2023 | Required Public Hearing**

A motion offered by Councilmember Clark, duly seconded by Councilmember Herndon, that Council Bill 22-1629 be ordered published, carried by the following vote:

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

- Aye: Black, Clark, Flynn, Gilmore, Herndon, Hinds, Kniech, Ortega, Sawyer, Torres (10)
- Nay: CdeBaca, Kashmann, Sandoval (3)

**BLOCK VOTE**

A motion offered by Councilmember Clark, duly seconded by Councilmember Flynn, to approve the following items en bloc, carried by the following vote:

**Approved the consent agenda**

Aye: Black, CdeBaca, Clark, Flynn, Gilmore, Herndon, Hinds, Kashmann, Kniech, Ortega, Sandoval, Sawyer, Torres (13)  
Nay: (None) (0)

**RESOLUTIONS**

**City Council - Direct Files**

**22-1661 A resolution extending the declaration of local disaster emergency pertaining to sheltering of migrants and asylum seekers filed with the clerk and recorder to January 17, 2023.**

Approves the extension of the declaration of local disaster filed with the clerk and recorder to January 17, 2023. Councilmember Torres approved direct filing this item on 12-15-2022.

A motion offered by Councilmember Clark, duly seconded by Councilmember Flynn, that Council Resolution 22-1661 be adopted en bloc, carried by the following vote:

**Adopted**

Aye: Black, CdeBaca, Clark, Flynn, Gilmore, Herndon, Hinds, Kashmann, Kniech, Ortega, Sandoval, Sawyer, Torres (13)  
Nay: (None) (0)

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

**22-1594 A resolution approving and providing for the execution of a proposed Grant Agreement between the City and County of Denver and the United States of America Department of Housing and Urban Development concerning the "Community Development Block Grant FY22" program and the funding therefor.**

Approves a grant agreement with the United States Department of Housing and Urban Development (HUD) for the 2022 allocation of \$6,685,254 through the Community Development Block Grant (CDBG) program to improve housing and living conditions and expand economic opportunities for low- and moderate-income persons, citywide (OEDEV-202265611). The last regularly scheduled Council meeting within the 30-day review period is on 1-9-2023. The Committee approved filing this item at its meeting on 12-7-2022.

A motion offered by Councilmember Clark, duly seconded by Councilmember Flynn, that Council Resolution 22-1594 be adopted en bloc, carried by the following vote:

**Adopted**

Aye: Black, CdeBaca, Clark, Flynn, Gilmore, Herndon, Hinds, Kashmann, Kniech, Ortega, Sandoval, Sawyer, Torres (13)  
Nay: (None) (0)

**[22-1597](#) A resolution approving a proposed Second Amendatory Agreement between the City and County of Denver and Argus Event Staffing, LLC, to extend the Term for three months for a new end date of March 31, 2023, with no change to the contract amount, to continue providing security, crowd control, usher, parking supervision and other services as needed, at Denver Arts & Venues events.**

Amends a contract with Argus Event Staffing, LLC by adding 3 months for a new end date of 3-31-2023 to continue providing security, crowd control, usher, parking supervision and other services as needed, at Denver Arts & Venues events while a new procurement is completed. No change to contract amount (THTRS-201738467/ THTRS-202265730-02). The last regularly scheduled Council meeting within the 30-day review period is on 1-9-2023. The Committee approved filing this item at its meeting on 12-7-2022.

A motion offered by Councilmember Clark, duly seconded by Councilmember Flynn, that Council Resolution 22-1597 be adopted en bloc, carried by the following vote:

**Adopted**

Aye: Black, CdeBaca, Clark, Flynn, Gilmore, Herndon, Hinds, Kashmann, Kniech, Ortega, Sandoval, Sawyer, Torres (13)  
Nay: (None) (0)

**Finance & Governance Committee**

**[22-1461](#) A resolution approving a proposed Third Amendatory Agreement between the City and County of Denver and Squire Patton Boggs LLP to provide regulatory and litigation support for environmental law issues, citywide.**

Amends a contract with Squire Patton Boggs (US), LLP by adding \$500,000 for a new total of \$1,000,000 and three years for a new end date of 12-31-2025 for outside counsel to provide regulatory and litigation support for environmental law issues, citywide (201950224-01/ ATTNYS-202265096-03). The last regularly scheduled Council meeting within the 30-day review period is on 1-9-2023. The Committee approved filing this item at its meeting on 11-15-2022.

A motion offered by Councilmember Clark, duly seconded by Councilmember Flynn, that Council Resolution 22-1461 be adopted en bloc, carried by the following vote:

**Adopted**

Aye: Black, CdeBaca, Clark, Flynn, Gilmore, Herndon, Hinds, Kashmann, Kniech, Ortega, Sandoval, Sawyer, Torres (13)  
Nay: (None) (0)

**22-1591 A resolution or an ordinance approving and providing for the execution of a proposed grant agreement between the City and County of Denver and the State of Colorado concerning the "UASI FY22" program and the funding therefor, and authorizing the purchase of capital equipment items from the "UASI FY22" Special Revenue Fund budget.**

Approves a grant agreement with the Colorado Department of Homeland Security and Emergency Management for \$3,120,000 and through 8-31-2025 to initiate the FY22 Urban Area Security Initiative (UASI) grant program to prevent, prepare for, respond to, mitigate against, and recover from acts of terrorism, citywide (MOOEM-202265821). The last regularly scheduled Council meeting within the 30-day review period is on 1-9-2023. The Committee approved filing this item at its meeting on 12-6-2022.

A motion offered by Councilmember Clark, duly seconded by Councilmember Flynn, that Council Resolution 22-1591 be adopted en bloc, carried by the following vote:

**Adopted**

Aye: Black, CdeBaca, Clark, Flynn, Gilmore, Herndon, Hinds, Kashmann, Kniech, Ortega, Sandoval, Sawyer, Torres (13)

Nay: (None) (0)

**22-1598 A resolution approving the Mayor's reappointment and appointments to the RiNo Business Improvement District.**

Approves the following Mayoral reappointment and appointments to the RiNo Business Improvement District: reappointment of Diana Merkel for a term effective immediately and expiring 6-20-2025, or until a successor is duly appointed, the appointment of Tom Kiler for a term effective immediately and expiring 6-20- 2026, or until a successor is duly appointed, and the appointments of Jevon Taylor, Obadiah Ariss, and Adam Larkey for terms effective immediately and expiring 6-20-2027, or until successors are duly appointed. The Committee approved filing this item at its meeting on 12-6-2022.

A motion offered by Councilmember Clark, duly seconded by Councilmember Flynn, that Council Resolution 22-1598 be adopted en bloc, carried by the following vote:

**Adopted**

Aye: Black, CdeBaca, Clark, Flynn, Gilmore, Herndon, Hinds, Kashmann, Kniech, Ortega, Sandoval, Sawyer, Torres (13)

Nay: (None) (0)

**22-1599 A resolution approving the Mayor's reappointment to the Colfax Business Improvement District.**

Approves the Mayoral reappointment of Leonard Austin to the Colfax Business Improvement District, for a term effective immediately and expiring 3-31-2025, or until a successor is duly appointed. The Committee approved filing this item at its meeting on 12-6-2022.

A motion offered by Councilmember Clark, duly seconded by Councilmember Flynn, that Council Resolution 22-1599 be adopted en bloc, carried by the following vote:

**Adopted**

Aye: Black, CdeBaca, Clark, Flynn, Gilmore, Herndon, Hinds, Kashmann, Kniech, Ortega, Sandoval, Sawyer, Torres (13)

Nay: (None) (0)

**22-1600 A resolution approving the Mayor’s reappointment to the National Western Center Authority Board of Directors.**

Approves the Mayoral reappointment of John Ikard to the National Western Center Authority Board of Directors, for a term effective immediately and expiring 12-31-2027, or until a successor is duly appointed. The Committee approved filing this item at its meeting on 12-6-2022.

A motion offered by Councilmember Clark, duly seconded by Councilmember Flynn, that Council Resolution 22-1600 be adopted en bloc, carried by the following vote:

**Adopted**

Aye: Black, CdeBaca, Clark, Flynn, Gilmore, Herndon, Hinds, Kashmann, Kniech, Ortega, Sandoval, Sawyer, Torres (13)

Nay: (None) (0)

**22-1601 A resolution approving the Mayor’s reappointments to the Denver Convention Center Hotel Authority.**

Approves the Mayoral reappointments of Margaret Danuser and Scott Wylie to the Denver Convention Center Hotel Authority, for terms effective immediately and expiring 12-31-2025, or until successors are duly appointed. The Committee approved filing this item at its meeting on 12-6-2022.

A motion offered by Councilmember Clark, duly seconded by Councilmember Flynn, that Council Resolution 22-1601 be adopted en bloc, carried by the following vote:

**Adopted**

Aye: Black, CdeBaca, Clark, Flynn, Gilmore, Herndon, Hinds, Kashmann, Kniech, Ortega, Sandoval, Sawyer, Torres (13)

Nay: (None) (0)

**22-1605 A resolution levying taxes for the year 2022 upon all taxable property within special districts within the City and County of Denver, to be collected in 2023, for purposes authorized by law for special districts.**

Establishes the 2022 Special Districts mill levy for property taxes due in 2023. The Committee approved filing this item at its meeting on 12-6-2022.

A motion offered by Councilmember Clark, duly seconded by Councilmember Flynn, that Council Resolution 22-1605 be adopted en bloc, carried by the following vote:

**Adopted**

Aye: Black, CdeBaca, Clark, Flynn, Gilmore, Herndon, Hinds, Kashmann, Kniech, Ortega, Sandoval, Sawyer, Torres (13)

Nay: (None) (0)

## Land Use, Transportation & Infrastructure Committee

### [22-1509](#) **A resolution approving a proposed Contract between the City and County of Denver and Crowe, LLP to provide certified public accounting services for finance administration grant and audit support to the Department of Transportation and Infrastructure, citywide.**

Approves an on-call contract with Crowe, LLP for \$900,000 and through 11-30-2025 to provide certified public accounting services for finance administration grant and audit support to the Department of Transportation and Infrastructure, citywide (DOTI -202265430). The last regularly scheduled Council meeting within the 30-day review period is on 1-9-2023. The Committee approved filing this item at its meeting on 11-22-2022.

A motion offered by Councilmember Clark, duly seconded by Councilmember Flynn, that Council Resolution 22-1509 be adopted en bloc, carried by the following vote:

#### **Adopted**

Aye: Black, CdeBaca, Clark, Flynn, Gilmore, Herndon, Hinds, Kashmann, Kniech, Ortega, Sandoval, Sawyer, Torres (13)

Nay: (None) (0)

### [22-1516](#) **A resolution approving a proposed Contract between the City and County of Denver and SEMA Construction, Inc. to implement wastewater infrastructure improvement projects and programs, citywide.**

Approves an on-call contract with SEMA Construction, Inc. for up to \$2,000,000 and 2 years to implement wastewater infrastructure improvement projects and programs, citywide (DOTI-202263906). The last regularly scheduled Council meeting within the 30-day review period is on 1-9-2023. The Committee approved filing this item at its meeting on 11-22-2022.

A motion offered by Councilmember Clark, duly seconded by Councilmember Flynn, that Council Resolution 22-1516 be adopted en bloc, carried by the following vote:

#### **Adopted**

Aye: Black, CdeBaca, Clark, Flynn, Gilmore, Herndon, Hinds, Kashmann, Kniech, Ortega, Sandoval, Sawyer, Torres (13)

Nay: (None) (0)

### [22-1658](#) **A resolution authorizing and approving the expenditure and payment from the appropriation account designated "liability claims," the sum of forty thousand dollars (\$40,000.00) made payable to Terry Lopez and Silvern & Bulger P.C., in full payment and satisfaction of all claims related to the civil action captioned Terry Lopez v. City and County of Denver, Case No. 21CV34006 which was filed in the Denver County District Court, State of Colorado.**

Settles a claim involving the Department of Transportation and Infrastructure. This item was approved for filing at the Mayor Council meeting on 12-13-2022.

A motion offered by Councilmember Clark, duly seconded by Councilmember Flynn, that Council Resolution 22-1658 be adopted en bloc, carried by the following vote:

#### **Adopted**

Aye: Black, CdeBaca, Clark, Flynn, Gilmore, Herndon, Hinds, Kashmann, Kniech, Ortega, Sandoval, Sawyer, Torres (13)

Nay: (None) (0)

[22-1659](#) **A resolution authorizing and approving the expenditure and payment from the appropriation account designated "liability claims," the total sum of Sixty Thousand Dollars and Zero cents (\$60,000.00), payable to Ronald Trejo and Larson & Larimer, P.C. in full payment and satisfaction of all claims in Case No. 2022CV31006 in District Court for the City and County of Denver, Colorado.**

Settles a claim with the Department of Transportation and Infrastructure. This item was approved for filing at the Mayor-Council meeting on 12-13-2022.

A motion offered by Councilmember Clark, duly seconded by Councilmember Flynn, that Council Resolution 22-1659 be adopted en bloc, carried by the following vote:

**Adopted**

Aye: Black, CdeBaca, Clark, Flynn, Gilmore, Herndon, Hinds, Kashmann, Kniech, Ortega, Sandoval, Sawyer, Torres (13)

Nay: (None) (0)

[22-1660](#) **A resolution authorizing and approving the expenditure and payment from the appropriation account designated "liability claims," the total sum of Eighty-Five Thousand Dollars and Zero cents (\$85,000.00), payable to Law Offices of Robert A. Stutman, P.C. as attorneys for GuideOne National Insurance Company in full payment and satisfaction of all claims in Case No. 2021CV32664 in the District Court for the City and County of Denver, Colorado.**

Settles a claim with Department of Transportation and Infrastructure. This resolution was approved for filing at the Mayor Council meeting on 12-13-22.

A motion offered by Councilmember Clark, duly seconded by Councilmember Flynn, that Council Resolution 22-1660 be adopted en bloc, carried by the following vote:

**Adopted**

Aye: Black, CdeBaca, Clark, Flynn, Gilmore, Herndon, Hinds, Kashmann, Kniech, Ortega, Sandoval, Sawyer, Torres (13)

Nay: (None) (0)

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

[22-1500](#) **A resolution approving a proposed Amendatory Agreement between the City and County of Denver and Denver Health and Hospital Authority to continue providing family nutrition services during pediatric appointments at several outpatient clinic locations.**

Amends a grant agreement with Denver Health and Hospital Authority (DHHA) by adding \$522,650 for a new total of \$1,001,033 and one year for a new end date of 9-30-2023, through funding from the Healthy Food for Denver's Kids Initiative, for DHHA to continue providing family nutrition services during pediatric appointments at several outpatient clinic locations, in Council Districts 3, 8, and 9 (ENVL-202159936/ ENVHL-202264828-01). The last regularly scheduled Council meeting within the 30-day review period is on 1-9-2023. The Committee approved filing this item at its meeting on 11-23-2022.

A motion offered by Councilmember Clark, duly seconded by Councilmember Flynn, that Council Resolution 22-1500 be adopted en bloc, carried by the following vote:

**Adopted**

Aye: Black, CdeBaca, Clark, Flynn, Gilmore, Herndon, Hinds, Kashmann, Kniech, Ortega, Sandoval, Sawyer, Torres (13)



Nay: (None) (0)

**[22-1557](#) A resolution approving a proposed Loan Agreement between the City and County of Denver and Montbello FreshLo, LLC to provide funding for the development and construction of a 97-unit affordable housing development, located at 12444 East Albrook Drive in Council District 8.**

Approves a loan agreement with Montbello FreshLo, LLC for \$3,300,000 and 18 years and six months to provide funding for a new affordable housing development, located at 12444 East Albrook Drive in Council District 8 (HOST-202264852). The last regularly scheduled Council meeting within the 30-day review period is on 1-9-2023. The Committee approved filing this item at its meeting on 11-30-2023.

A motion offered by Councilmember Clark, duly seconded by Councilmember Flynn, that Council Resolution 22-1557 be adopted en bloc, carried by the following vote:

**Adopted**

Aye: Black, CdeBaca, Clark, Flynn, Gilmore, Herndon, Hinds, Kashmann, Kniech, Ortega, Sandoval, Sawyer, Torres (13)

Nay: (None) (0)

**[22-1590](#) A resolution approving a proposed Second Amendatory Agreement between the City and County of Denver and Second Chance Center, Inc. to continue providing reentry programming to reduce recidivism through targeted supportive services delivered both in jail and at the Second Chance Center, located at 1391 Delaware Street in Council District 10.**

Amends a contract with Second Chance Center, Inc. by adding \$895,416 for a new total of \$2,462,394 and one year for a new end date of 12-31-2023 to continue providing reentry programming to reduce recidivism through targeted supportive services delivered both in jail and at the Second Chance Center, located at 1391 Delaware Street in Council District 10 (ENVHL-202158589/ SAFTY-202265196-02). The last regularly scheduled Council meeting within the 30-day review period is on 1-9-2023. The Committee approved filing this item at its meeting on 12-7-2022.

A motion offered by Councilmember Clark, duly seconded by Councilmember Flynn, that Council Resolution 22-1590 be adopted en bloc, carried by the following vote:

**Adopted**

Aye: Black, CdeBaca, Clark, Flynn, Gilmore, Herndon, Hinds, Kashmann, Kniech, Ortega, Sandoval, Sawyer, Torres (13)

Nay: (None) (0)

**[22-1593](#) A resolution approving a proposed Fourteenth Amendatory Agreement between the City and County of Denver and Keefe Commissary Network, L.L.C. to provide commissary services and accounting software for inmate accounts at both the County Jail and Downtown Detention Center while a new procurement is completed.**

Amends a contract with Keefe Commissary Network, LLC by adding 3 months for a new end date of 3-31-2023 to provide commissary services and accounting software for inmate accounts at both the County Jail and Downtown Detention Center while a new procurement is completed. No change to contract amount (RC63008/SHERF-202265745-14). The last regularly scheduled Council meeting within the 30-day review period is on 1-9-2023. The Committee approved filing this item at its meeting on 12-7-2022.

A motion offered by Councilmember Clark, duly seconded by Councilmember Flynn, that Council Resolution 22-1593 be adopted en bloc, carried by the following vote:

**Adopted**

Aye: Black, CdeBaca, Clark, Flynn, Gilmore, Herndon, Hinds, Kashmann, Kniech, Ortega, Sandoval, Sawyer, Torres (13)

Nay: (None) (0)

**[22-1607](#) A resolution approving a proposed Loan Agreement between the City and County of Denver and NDHC Affordable Communities, Inc. to develop 70 condos which will be sold to households earning at or below 80% of the area-median income, as part of the Central Park IV project, located at 5702 North Central Park Boulevard in Council District 8.**

Approves a loan agreement with NDHC Affordable Communities, Inc. for \$2,449,976 to develop 70 condos available at 80% area-median income, as part of the Central Park IV project, located at 5702 North Central Park Boulevard in Council District 8 (HOST-202265609). The last regularly scheduled Council meeting within the 30-day review period is on 1-9-2023. The Committee approved filing this item at its meeting on 12-7-2022.

A motion offered by Councilmember Clark, duly seconded by Councilmember Flynn, that Council Resolution 22-1607 be adopted en bloc, carried by the following vote:

**Adopted**

Aye: Black, CdeBaca, Clark, Flynn, Gilmore, Herndon, Hinds, Kashmann, Kniech, Ortega, Sandoval, Sawyer, Torres (13)

Nay: (None) (0)

**22-1608 A resolution approving a proposed Second Amendatory Agreement between the City and County of Denver and Brothers Redevelopment, Inc. to continue administration of the Temporary Rental and Utility Assistance (TRUA) program.**

Amends a contract with Brothers Redevelopment, Inc. by adding \$1,533,600 for a new contract total of \$4,329,455 and one year for a new end date of 12-31-2023 to continue administration of the Temporary Rental and Utility Assistance (TRUA) program, citywide (HOST 202157451/ HOST 202265159-02). The last regularly scheduled Council meeting within the 30-day review period is on 1-9-2023. The Committee approved filing this item at its meeting on 12-7-2022.

A motion offered by Councilmember Clark, duly seconded by Councilmember Flynn, that Council Resolution 22-1608 be adopted en bloc, carried by the following vote:

**Adopted**

Aye: Black, CdeBaca, Clark, Flynn, Gilmore, Herndon, Hinds, Kashmann, Kniech, Ortega, Sandoval, Sawyer, Torres (13)

Nay: (None) (0)

**22-1609 A resolution approving a proposed Second Amendatory Agreement between the City and County of Denver and Northeast Denver Housing Center, Inc. to continue administration of the Temporary Rental and Utility Assistance (TRUA) program, citywide.**

Amends a contract with Northeast Denver Housing Center, Inc. by adding \$1,533,600 for a new contract total of \$4,367,200 and one year for a new end date of 12-31-2023 to continue administration of the Temporary Rental and Utility Assistance (TRUA) program, citywide (HOST 202157450/ HOST 202265158-02). The last regularly scheduled Council meeting within the 30-day review period is on 1-9-2023. The Committee approved filing this item at its meeting on 12-7-2022.

A motion offered by Councilmember Clark, duly seconded by Councilmember Flynn, that Council Resolution 22-1609 be adopted en bloc, carried by the following vote:

**Adopted**

Aye: Black, CdeBaca, Clark, Flynn, Gilmore, Herndon, Hinds, Kashmann, Kniech, Ortega, Sandoval, Sawyer, Torres (13)

Nay: (None) (0)

**22-1657 A resolution authorizing and approving the expenditure and payment from the appropriation account designated "liability claims," the sum of twenty-seven thousand seven hundred dollars and forty-six cents (\$27,700.46) made payable to Pinnacol Assurance, in full payment and satisfaction of all claims related to the Notice of Claim, Claim Number 2101-000130.**

Settles a claim involving the Denver Police Department. This item was approved for filing at the Mayor-Council meeting on 12-13-2022.

A motion offered by Councilmember Clark, duly seconded by Councilmember Flynn, that Council Resolution 22-1657 be adopted en bloc, carried by the following vote:

**Adopted**

Aye: Black, CdeBaca, Clark, Flynn, Gilmore, Herndon, Hinds, Kashmann, Kniech, Ortega, Sandoval, Sawyer, Torres (13)

Nay: (None) (0)

## **BILLS FOR INTRODUCTION**

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

[22-1606](#) **A bill for an ordinance amending article II of chapter 32 of the Denver Revised Municipal Code to modify food licensing categories and fees.**

Amends Article II, Chapter 32 of the Denver Revised Municipal Code to modify food licensing categories and fees. The Committee approved filing this item at its meeting on 12-7-2022.

Council Bill 22-1606 was ordered published

#### **Ordered published**

### **Finance & Governance Committee**

[22-1449](#) **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 of fee simple, easement and other interests, including any rights and interests related or appurtenant to properties designated as needed for the public access to Axton Ranch in Jefferson County, Colorado.**

Grants the authority to acquire through negotiated purchase or condemnation any property interest as needed for legal public access to Axton Ranch, including easement interests, access rights, improvements, buildings, fixtures, licenses, permits and other appurtenances. The Committee approved filing this item at its meeting on 12-6-2022.

Council Bill 22-1449 was ordered published

#### **Ordered published**

[22-1588](#) **A bill for an ordinance amending Ordinance No. 113 Series of 1985 to update outdated language and to authorize expenditures above \$1,500 without requiring City Council approval.**

Amends Ordinance No. 113, Series of 1985, concerning the "Human Rights/Community Relations" Special Revenue Fund, to update outdated language, and to authorize expenditures above \$1,500 without requiring City Council approval. The Committee approved filing this item at its meeting on 12-6-2022.

Council Bill 22-1588 was ordered published

#### **Ordered published**

**[22-1596](#) A bill for an ordinance establishing a new Fund in the Culture and Recreation Special Revenue Fund Series for the “Denver Public Library” Program and appropriating budget for the fund in 2023.**

Establishes the “Denver Public Library” Special Revenue Fund, as approved by Denver voters through Referred Ballot Measure 2I in the November 2022 election, which will receive property tax revenue to fund library services, per article XVIII, Chapter 53 of the Denver Revised Municipal Code, and appropriates \$32,161,008 to this fund for 2023. The Committee approved filing this item at its meeting on 12-6-2022.

Council Bill 22-1596 was ordered published

**Ordered published**

**[22-1641](#) A bill for an ordinance amending Article III of Chapter 15 of the Revised Municipal Code concerning the regulation of campaign finances.**

Amends Article III of Chapter 15 of the Denver Revised Municipal Code to update provisions in preparation for the 2023 municipal elections by synchronizing reporting deadlines with the revised election date, adjusting the qualifying period for public funding to match the voter-approved petition deadline, adjusting reporting deadlines for increased frequency, improving administrability of new voter-approved debate requirements, lowering the required number of debates for candidates seeking public funding, clarifying existing unclear contribution limits with a visual aid, and updating definitions for intelligibility. The Committee approved filing this item at its meeting on 12-6-2022.

Council Bill 22-1641 was ordered published with a future required public hearing on 1-3-2023

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

**Land Use, Transportation & Infrastructure Committee**

**[22-1473](#) A bill for an ordinance changing the zoning classification for 7003 North Tower Road and multiple associated parcels in DIA.**

Approves a map amendment to rezone multiple properties from C-MU-10 with waivers and conditions, AIO; C-MU-20 with waivers and conditions, AIO; C-MU-30 with waivers and conditions; and UO-1, AIO to S-MX-8, AIO and S-MX-8A, AIO, located at 7003 North Tower Road in Council District 11. The Committee approved filing this item at its meeting on 11-29-2022.

**Final Consideration 1-17-2023 | Required Public Hearing**

Council Bill 22-1473 was ordered published with a future required public hearing on 1-17-2023

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

**[22-1552](#) A bill for an ordinance changing the zoning classification for 3145, 3151, 3155, and 3237 West Florida Avenue in Mar Lee.**

Approves a map amendment to rezone properties from S-SU-D and PUD 611 to S-MU-3, located at 3237, 3145, 3151 & 3155 West Florida Avenue in Council District 3. The Committee approved filing this item at its meeting on 11-29-2022.

**Final Consideration 1-17-2023 | Required Public Hearing**

Council Bill 22-1552 was ordered published with a future required public hearing on 1-17-2023

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

**[22-1553](#) A bill for an ordinance changing the zoning classification for 2212 South Franklin Street in University.**

Approves a map amendment to rezone property from U-SU-C to U-SU-C1, located at 2212 South Franklin Street in Council District 6. The Committee approved filing this item at its meeting on 11-29-2022.

**Final Consideration 1-17-2023 | Required Public Hearing**

Council Bill 22-1553 was ordered published with a future required public hearing on 1-17-2023

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

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

**[22-1592](#) A bill for an ordinance approving a proposed Contract Amendment to an Intergovernmental Agreement with the Colorado Department of Human Services to adjust the award for the Disability Navigator Program.**

Amends an intergovernmental agreement with the Colorado Department of Human Services - Office of Economic Security by reducing the agreement by \$62,613.55 for a new total of \$1,221,408.09, which reconciles the previously awarded amount and revised available allocation, to continue implementing the Disability Navigator Program, which assists persons with disabilities in navigating the application and/or appeal process for federal disability benefits under the Supplemental Security Income (SSI) program, citywide. No change to agreement term.

(SOCSV-202160615/ SOCSV-202160615-03). The last regularly scheduled Council meeting within the 30-day review period is on 1-9-2023. The Committee approved filing this item at its meeting on 12-7-2022.

Council Bill 22-1592 was ordered published

**Ordered published**

**[22-1611](#) A bill for an ordinance approving a proposed First Amendment and Modification Agreement between the City and County of Denver and Housing Authority of the City and County of Denver, to align the terms of an affordable housing loan agreement with current standards and practices of the Department of Housing and Stability and clarify the term of affordability for the property, located at 998 North Navajo Street in Council District 3.**

Amends an intergovernmental agreement with the Housing Authority of the City and County of Denver to align the terms of an affordable housing loan agreement with current standards and practices of the Department of Housing and Stability and clarifies the term of affordability for the property, located at 998 North Navajo Street in Council District 3. No change to agreement duration or amount (OEDEV-201314253/ HOST-202265172). The last regularly scheduled Council meeting within the 30-day review period is on 1-9-2023. The Committee approved filing this item at its meeting on 12-7-2022.

Council Bill 22-1611 was ordered published

**Ordered published**

**BILLS FOR FINAL CONSIDERATION**

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

**[22-1545](#) A bill for an ordinance amending Article XX of Chapter 2 of the Denver Revised Municipal Code to clarify fees and restrictions on disposable bags and polystyrene food containers.**

Amends Article XX, Chapter 2 of the Denver Revised Municipal Code to clarify requirements of the fee on disposable bags and to align the minimum requirements with changes in state law. The Committee approved filing this item at its meeting on 11-30-2022.

A motion offered by Councilmember Clark, duly seconded by Councilmember Flynn, that Council Bill 22-1545 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, Clark, Flynn, Gilmore, Herndon, Hinds,  
Kashmann, Kniech, Ortega, Sandoval, Sawyer, Torres (13)  
Nay: (None) (0)

**[22-1585](#) A bill for an ordinance amending Article II of Chapter 32 (License Fees) and Article VIII of Chapter 27 (Licensing of Residential Rental Property) clarifying licensing fees and advertisement requirements.**

Amends Article II of Chapter 32 (License Fees) and Article VIII of Chapter 27 (Licensing of Residential Rental Property) of the Denver Revised Municipal Code to clarify licensing fees and advertisement requirements. The Committee approved filing this item at its meeting on 11-30-2022.

A motion offered by Councilmember Clark, duly seconded by Councilmember Flynn, that Council Bill 22-1585 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, Clark, Flynn, Gilmore, Herndon, Hinds,  
Kashmann, Kniech, Ortega, Sandoval, Sawyer, Torres (13)  
Nay: (None) (0)



**Finance & Governance Committee**

**22-1574 A bill for an ordinance making rescissions from the General Fund; making appropriations in the General Fund to make cash transfers; making appropriations the Capital Improvement and Capital Maintenance Fund to address 2022 and 2023 needs.**

Rescinds \$65,000 from Council District 4 2022 General Fund appropriation, authorizes appropriations to transfer cash to Capital Improvement and Capital Maintenance Fund, and makes a \$60,000 appropriation to support Babi Yar Park Rehabilitation in 2023 and a \$5,000 appropriation to support Bible Park Art in 2023. The Committee approved filing this item at its meeting on 11-29-2022.

A motion offered by Councilmember Clark, duly seconded by Councilmember Flynn, that Council Bill 22-1574 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, Clark, Flynn, Gilmore, Herndon, Hinds, Kashmann, Kniech, Ortega, Sandoval, Sawyer, Torres (13)  
Nay: (None) (0)

**22-1575 A bill for an ordinance modifying Article II, Chapter 18 of the Revised Municipal Code of Denver by creating a new Division 6 titled "2022 Employee Appreciation Bonus Program" for the purpose of providing a one-time \$600 bonus to be paid to eligible employees in appreciation for their dedication and service in 2022 when staffing shortages impacted departments and agencies across the city, often at the expense of the city's workforce.**

Amends Chapter 18 of the Denver Revised Municipal Code by creating a new Division 6 titled "2022 Employee Appreciation Bonus Program" to provide a one-time \$600 bonus payment to eligible employees in appreciation for their service through historic staffing shortages. The Committee approved filing this item at its meeting on 11-29-2022.

A motion offered by Councilmember Clark, duly seconded by Councilmember Flynn, that Council Bill 22-1575 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, Clark, Flynn, Gilmore, Herndon, Hinds, Kashmann, Kniech, Ortega, Sandoval, Sawyer, Torres (13)  
Nay: (None) (0)

**22-1576 A bill for an ordinance making rescissions from agency General Fund appropriations and making an appropriation in the Department of Finance Special Payments Program.**

Rescinds \$4,300,000 from agency General Fund appropriations and makes appropriations in the Department of Finance Special Payments Program. The Committee approved filing this item at its meeting on 11-29-2022.

A motion offered by Councilmember Clark, duly seconded by Councilmember Flynn, that Council Bill 22-1576 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, Clark, Flynn, Gilmore, Herndon, Hinds, Kashmann, Kniech, Ortega, Sandoval, Sawyer, Torres (13)

Nay: (None) (0)

**22-1577 A bill for an ordinance authorizing the issuance and sale of an aggregate amount not to exceed \$19,541,667 of the City and County of Denver, Colorado Multifamily Tax-Exempt Mortgage-Backed Bonds (M-TEBS) (SOCIAL) (Northfield Flats Project) Series 2023A and the City and County of Denver, Colorado Multifamily Housing Revenue Bonds (Northfield Flats Project) Series 2023B for the purpose of financing the acquisition, construction and equipping of an affordable multifamily rental housing facility located in the City and County of Denver, Colorado and to pay certain expenses of such Bonds (as defined below) issue; approving and authorizing execution of an Indenture, a Financing Agreement, a Tax Regulatory Agreement, and a Bond Purchase Agreement (each as defined below) with respect to the Bonds; making findings and determinations with respect to the Project (as defined below) and the Bonds; authorizing the execution and delivery of related documents; and repealing all action heretofore taken in conflict herewith.**

Approves the issuance and sale of an aggregate amount not to exceed \$19,541,667 of the City and County of Denver, Colorado Multifamily Tax-Exempt Mortgage-Backed Bonds (Northfield Flats Project) Series 2023A and the City and County of Denver, Colorado Multifamily Housing Revenue Bonds (Northfield Flats Project) Series 2023B for the purpose of financing the acquisition, construction, and equipping of an affordable multifamily rental housing facility, located at 4545 Xenia Street Denver in Council District 8. The Committee approved filing this item at its meeting on 11-29-2022.

A motion offered by Councilmember Clark, duly seconded by Councilmember Flynn, that Council Bill 22-1577 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, Clark, Flynn, Gilmore, Herndon, Hinds, Kashmann, Kniech, Ortega, Sandoval, Sawyer, Torres (13)

Nay: (None) (0)

[22-1578](#) **A bill for an ordinance authorizing the issuance and sale of an amount not to exceed \$25,670,000 of the City and County of Denver, Colorado Multifamily Housing Revenue Note (Montbello FreshLo - The Hub), Series 2023A and not to exceed \$7,330,000 of the City and County of Denver, Colorado Multifamily Housing Revenue Taxable Note (Montbello FreshLo - The Hub), Series 2023B for the purpose of financing the acquisition, construction and equipping of an affordable multifamily rental housing facility located in the City and County of Denver, Colorado and to pay certain expenses of such Notes (as defined below) issue; approving and authorizing execution of a Funding Loan Agreement, a Borrower Loan Agreement and a Tax Regulatory Agreement (each as defined below) with respect to the Notes; making findings and determinations with respect to the Project (as defined below) and the Notes; authorizing the execution and delivery of related documents; and repealing all action heretofore taken in conflict herewith.**

Approves the issuance and sale of an amount not to exceed \$25,670,000 of the City and County of Denver, Colorado Multifamily Housing Revenue Note (Montbello FreshLo Hub) Series 2023A and not to exceed \$7,330,000 of the City and County of Denver, Colorado Multifamily Housing Taxable Revenue Note (Montbello FreshLo Hub) Series 2023B for the purpose of financing the acquisition, construction, and equipping of an affordable multifamily rental housing facility, located at 12444 East Albrook Drive in Council District 8. The Committee approved filing this item at its meeting on 11-29-2022.

A motion offered by Councilmember Clark, duly seconded by Councilmember Flynn, that Council Bill 22-1578 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, Clark, Flynn, Gilmore, Herndon, Hinds,  
Kashmann, Kniech, Ortega, Sandoval, Sawyer, Torres (13)  
Nay: (None) (0)

[22-1580](#) **A bill for an ordinance amending the 1963 Retirement Plan with regard to contributions and payroll deductions.**

Amends Article XII of Chapter 18 of the Denver Revised Municipal Code to reflect the actuarially determined employer and employee contribution rates to the Denver Employees Retirement Plan for 2023. The Committee approved filing this item at its meeting on 11-29-2022.

A motion offered by Councilmember Clark, duly seconded by Councilmember Flynn, that Council Bill 22-1580 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, Clark, Flynn, Gilmore, Herndon, Hinds,  
Kashmann, Kniech, Ortega, Sandoval, Sawyer, Torres (13)  
Nay: (None) (0)

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

**22-1554 A bill for an ordinance approving a proposed Fifth Amendatory Intergovernmental Agreement between the City and County of Denver and State of Colorado Judicial Department, for Youth and Family Treatment Court services to provide marijuana specific education, interventions, and impactful alternatives to youth struggling with marijuana.**

Amends an intergovernmental agreement with the State of Colorado Judicial Department by adding \$245,000 for a new total of \$1,017,000 and one year for a new end date of 12-31-2023 for Youth and Family Treatment Court services to provide marijuana specific education, interventions, and impactful alternatives to youth struggling with marijuana, citywide (ENVHL-201846825-05/SAFTY-202265503-05). The last regularly scheduled Council meeting within the 30-day review period is on 1-3-2023. The Committee approved filing this item at its meeting on 11-30-2022.

A motion offered by Councilmember Clark, duly seconded by Councilmember Flynn, that Council Bill 22-1554 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, Clark, Flynn, Gilmore, Herndon, Hinds, Kashmann, Kniech, Ortega, Sandoval, Sawyer, Torres (13)

Nay: (None) (0)

**22-1555 A bill for an ordinance approving a proposed Amendatory Intergovernmental Agreement between the City and County of Denver and Regents of the University of Colorado, to continue providing residential and non-residential community corrections services.**

Amends an agreement with the University of Colorado Health Sciences Center - Addiction Research and Treatment Services by adding \$3,750,000 for a new total of \$8,750,000 to continue providing residential and non-residential community corrections services (SAFTY-202056981/ 202265386-01). The last regularly scheduled Council meeting within the 30-day review period is on 1-3-2023. The Committee approved filing this item at its meeting on 11-30-2022.

A motion offered by Councilmember Clark, duly seconded by Councilmember Flynn, that Council Bill 22-1555 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, Clark, Flynn, Gilmore, Herndon, Hinds, Kashmann, Kniech, Ortega, Sandoval, Sawyer, Torres (13)

Nay: (None) (0)

**PRE-RECESS ANNOUNCEMENT**

Council President Torres announced that tonight, there will be a thirty-minute combined courtesy public hearing on Council Bills 22-1587 and 22-1615, submitting to a vote of the qualified and registered electors of the City and County of Denver at the general municipal election on April 4, 2023, a proposed amendment to the Charter of the City and County of Denver concerning the Board of Adjustment and, a proposed amendment to the Charter of the City and County of Denver concerning the City Council’s zoning authority under Charter Section 3.2.9. Anyone wishing to speak on either 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**

**UNFINISHED BUSINESS**

**PROCLAMATIONS**

**COURTESY PUBLIC HEARINGS - BILLS FOR FINAL CONSIDERATION**

**Land Use, Transportation & Infrastructure Committee**

[22-1587](#) **A bill for an ordinance submitting to a vote of the qualified and registered electors of the City and County of Denver at the general municipal election on April 4, 2023, a proposed amendment to the Charter of the City and County of Denver concerning the Board of Adjustment.**

Submits to a vote of the qualified and registered electors of the City and County of Denver at the general municipal election on April 4, 2023, a proposed amendment to the Charter of the City and County of Denver concerning the Board of Adjustment. The Committee approved filing this item at its meeting on 11-29-2022.

Council sat as a Committee of the Whole, commencing at 5:31 p.m., Council President Torres presiding, to hear speakers on Council Bill 22-1587 and 22-1615. JoAnna Rosa-Saenz and Jesse Parris signed up to speak in favor of the bills. No speakers signed up to speak in opposition of the bill. Council members Kniech and Sandoval delivered an overview of the bills.

A motion offered by Councilmember Clark, duly seconded by Councilmember Hinds, that Council Bill 22-1587 be placed upon final consideration and do pass, carried by the following vote:

**Placed upon final consideration and do pass**

- Aye: Black, CdeBaca, Clark, Flynn, Gilmore, Herndon, Hinds, Kashmann, Kniech, Ortega, Sandoval, Sawyer, Torres (13)
- Nay: (None) (0)

**[22-1615](#) A bill for an ordinance submitting to a vote of the qualified and registered electors of the City and County of Denver at the general municipal election on April 4, 2023, a proposed amendment to the Charter of the City and County of Denver concerning the City Council’s zoning authority under Charter Section 3.2.9.**

Submits to a vote of the qualified and registered electors of the City and County of Denver at the general municipal election on April 4, 2023, a proposed amendment to the Charter of the City and County of Denver concerning the City Council’s zoning power under Charter Sec. 3.2.9. The Committee approved filing this item at its meeting on 12-6-2022.

A motion offered by Councilmember Clark, duly seconded by Councilmember Flynn, that Council Bill 22-1615 be placed upon final consideration and do pass, carried by the following vote:

**Placed upon final consideration and do pass**

Aye: Black, CdeBaca, Clark, Flynn, Gilmore, Herndon, Hinds, Kashmann, Kniech, Ortega, Sandoval, Sawyer, Torres (13)

Nay: (None) (0)

**PRE-ADJOURNMENT ANNOUNCEMENT**

Council President Torres announced that on Tuesday, January 3, 2023, Council will hold a required public hearing on Council Bill 22-1641, amending Article III of Chapter 15 of the Revised Municipal Code concerning the regulation of campaign finances. On Tuesday, January 17, 2023, Council will hold a required public hearing on Council Bill 22-1473, changing the zoning classification for 7003 North Tower Road and multiple associated parcels in DIA; a required public hearing on Council Bill 22-1552, changing the zoning classification for 3145, 3151, 3155, and 3237 West Florida Avenue in Mar Lee; and, a required public hearing on Council Bill 22-1553, changing the zoning classification for 2212 South Franklin Street in University. On Monday, January 23, 2023, Council will hold a required public hearing on Council Bill 22-1629, changing the zoning classification for 4141 East 35th Avenue in Northeast Park Hill. Any protests against Council Bills 22-1473, 22-1552 or 22-1553, must be filed with the Council Offices no later than noon on Monday, January 9, 2023. Any protests against Council Bill 22-1629 must be filed with the Council Offices no later than noon on Tuesday, January 17, 2023.

**ADJOURN**

There being no further business before the City Council, Council President Torres adjourned the meeting at 5:56 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