

# City Council Minutes

Meeting Date: Monday, March 21, 2022 5:30 PM

## PLEDGE OF ALLEGIANCE

Councilmember Clark led the Pledge of Allegiance.

## LAND ACKNOWLEDGEMENT

Councilmember Clark led the Land Acknowledgement.

## ROLL CALL

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

## APPROVAL OF THE MINUTES

[22-0333](#) Minutes of Monday, March 14, 2022

The minutes of Monday, March 14, 2022 were distributed to members of Council. Council President Gilmore ordered the minutes approved.

### Approved

## COUNCIL ANNOUNCEMENTS

Council members Sawyer, Torres and Black offered announcements.

## PRESENTATIONS

## COMMUNICATIONS

## PROCLAMATIONS

[22-0339](#) A proclamation honoring the life of Margaret Chavez.

A motion offered by Councilmember Ortega, duly seconded by Councilmember Herndon, that Council Proclamation 22-0339 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)

[22-0340](#) Cesar Chavez Day.

A motion offered by Councilmember Torres, duly seconded by Councilmember Herndon, that Council Proclamation 22-0340 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

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

**[22-0201](#) A resolution approving a proposed Business Incentive Fund (BIF) contract with Bottling Group, LLC for an amount not to exceed \$1,000,000 for 7 years and for performance based criteria that include establishment of a state-of-the-art manufacturing facility and associated significant investments, as well as job retention and creation and associated investments into upskilling and training of the manufacturing facility's Denver-based workforce.**

Approves a Business Incentive Fund (BIF) contract with Bottling Group, LLC for an amount not to exceed \$1,000,000 and for 7 years through 12-31-2028 for performance based criteria that include establishment of a state-of-the-art manufacturing facility and associated significant investments, as well as job retention and creation and associated investments into upskilling and training of the manufacturing facility's Denver-based workforce (OEDEV-202160849-00). The last regularly scheduled Council meeting within the 30-day review period is on 4-11-2022. The Committee approved filing this item at its meeting on 3-9-2022.

A motion offered by Councilmember Clark, duly seconded by Councilmember Hinds, that Council Resolution 22-0201 be adopted, carried by the following vote:

#### Adopted

Aye: Clark, Flynn, Gilmore, Herndon, Hinds, Kashmann, Kniech, Ortega, Sandoval, Sawyer, Torres (11)

Nay: CdeBaca (1)

Absent: Black (1)

## BILLS FOR INTRODUCTION

### City Council - Direct Files

**[22-0328](#) A bill for an ordinance amending Article II of Chapter 15 of the Revised Municipal Code for purposes of approving a new redistricting plan for the eleven council districts of the City and County of Denver for the municipal election on April 4, 2023, and for any general or special council election held thereafter.**

Describes the district boundaries depicted in Map G. Councilmember CdeBaca approved direct filing this item on 3-17-22.

A motion offered by Councilmember Clark, duly seconded by Councilmember Sandoval, that Council Bill 22-0328 be ordered published, failed to carry by the following vote:

#### Ordered published

Aye: (None) (0)

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

Absent: Black (1)

**[22-0332](#) A bill for an ordinance amending Article II of Chapter 15 of the Revised Municipal Code for purposes of approving a new redistricting plan for the eleven council districts of the City and County of Denver for the municipal election on April 4, 2023, and for any general or special council election held thereafter.**

Describes the district boundaries depicted on Map A. Councilmember CdeBaca approved direct filing this item on 3-17-22.

A motion offered by Councilmember Clark, duly seconded by Councilmember Torres, that Council Bill 22-0332 be ordered published, failed to carry by the following vote:

**Ordered published**

Aye: CdeBaca (1)

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

**Redistricting Committee**

**[22-0299](#) A bill for an ordinance amending Article II of Chapter 15 of the Revised Municipal Code for purposes of approving a new redistricting plan for the eleven council districts of the City and County of Denver for the municipal election on April 4, 2023, and for any general or special council election held thereafter.**

Describes the district boundaries depicted on Map D. The Committee approved filing this item at its meeting on 3-14-22.

A motion offered by Councilmember Clark, duly seconded by Councilmember Hinds, that Council Bill 22-0299 be ordered published, carried by the following vote:

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

Aye: Black, Clark, Flynn, Gilmore, Herndon, Hinds, Kashmann, Kniech, Ortega, Sandoval, Sawyer (11)

Nay: CdeBaca, Torres (2)

**[22-0300](#) A bill for an ordinance amending Article II of Chapter 15 of the Revised Municipal Code for purposes of approving a new redistricting plan for the eleven council districts of the City and County of Denver for the municipal election on April 4, 2023, and for any general or special council election held thereafter.**

Describes the district boundaries depicted on Map E. The Committee approved filing this item at its meeting on 3-14-22.

A motion offered by Councilmember Clark, duly seconded by Councilmember Hinds, that Council Bill 22-0300 be ordered published, failed to carry by the following vote:

**Ordered published**

Aye: Ortega, Sandoval, Torres (3)

Nay: Black, CdeBaca, Clark, Flynn, Gilmore, Herndon, Hinds, Kashmann, Kniech, Sawyer (10)

**BLOCK VOTE**

A motion offered by Councilmember Clark, duly seconded by Councilmember Hinds, 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**

**Finance & Governance Committee**

**22-0262 A resolution extending the declaration of local disaster filed with the clerk and recorder to April 25, 2022.**

Approves the extension of the declaration of local disaster filed with the clerk and recorder to April 25, 2022. The Committee approved filing this item at its meeting on 3-8-22.

A motion offered by Councilmember Clark, duly seconded by Councilmember Hinds, that Council Resolution 22-0262 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)

**22-0269 A resolution approving a proposed Master Purchase Order between the City and County of Denver and The Goodyear Tire & Rubber Company for purchase of new tires and tire services for various city vehicles.**

Amends a master purchase order with The Goodyear Tire and Rubber Company to add \$1.7 million for a new total of \$3.3 million to accommodate additional agency needs for purchase of new tires and tire services for various city vehicles. No change to contract duration (SC-00004008). The last regularly scheduled Council meeting within the 30-day review period is on 4-11-22. The Committee approved filing this item at its meeting on 3-8-22.

A motion offered by Councilmember Clark, duly seconded by Councilmember Hinds, that Council Resolution 22-0269 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)

**22-0270 A resolution approving the Mayor’s reappointments to the Regional Emergency Medical and Trauma Council (RETAC).**

Approves the Mayoral reappointments of Gary Bryskiewicz, Eric M. Campion, Ryan Lawless and Kevin E. McVaney to the Regional Emergency Medical and Trauma Council (RETAC) for terms effective immediately and expiring on 2-15-2024, or until successors are duly appointed. The Committee approved filing this item at its meeting on 3-8-22.

A motion offered by Councilmember Clark, duly seconded by Councilmember Hinds, that Council Resolution 22-0270 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)

**22-0271 A resolution approving the Mayor’s reappointments to the Cherry Creek North Business Improvement District Board of Directors.**

Approves the Mayoral reappointments of Sean Huggard, Michael Moore, Terri Garbarini, Karrie Fletcher, Rosella Louis, and Matt Joblon to the Cherry Creek North Business Improvement District Board of Directors for terms effective immediately and expiring on 12-31-2024, or until a successor is duly appointed. The Committee approved filing this item at its meeting on 3-8-22.

A motion offered by Councilmember Clark, duly seconded by Councilmember Hinds, that Council Resolution 22-0271 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**

**22-0159 A resolution approving a proposed Agreement between the City and County of Denver and American Traffic Solutions, Inc. to provide photo radar and photo red light services.**

Approves a contract with American Traffic Solutions, Inc. d/b/a/ Verra Mobility for \$5,660,000 and for 5 years to provide photo radar and photo red light services citywide (POLIC-202261957). The last regularly scheduled Council meeting within the 30-day review period is on 4-11-22. The Committee approved filing this item at its meeting on 2-9-22.

A motion offered by Councilmember Clark, duly seconded by Councilmember Hinds, that Council Resolution 22-0159 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)

**22-0196 A resolution approving a proposed Agreement between the City and County of Denver and The Salvation Army to provide non-congregate shelter operations at the former Rodeway Inn for individuals experiencing homelessness.**

Approves a contract, including license agreement for occupancy, with the Salvation Army for \$2,750,000 and through 12-31-2022 to provide non-congregate shelter operations at the former Rodeway Inn located at 4765 Federal Blvd. in Council District 1 for individuals experiencing homelessness (HOST-202261825). The last regularly scheduled Council meeting within the 30-day review period is on 4-11-22. The Committee approved filing this item at its meeting on 2-16-22.

A motion offered by Councilmember Clark, duly seconded by Councilmember Hinds, that Council Resolution 22-0196 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)

**22-0200 A resolution approving a proposed First Amendatory Agreement between the City and County of Denver and Analytics and Insights Matter LLC to reduce stigma associated with seeking behavioral health services.**

Amends a contract with Analytics and Insights Matter, LLC by adding \$250,000 for a new contract total of \$798,951 to incorporate an ARPA-funded comprehensive behavioral health needs assessment into existing stigma reduction programming contract scope, citywide. No change to contract duration (ENVHL-202261909). The last regularly scheduled Council meeting within the 30-day review period is on 4-11-22. The Committee approved filing this item at its meeting on 2-16-22.

A motion offered by Councilmember Clark, duly seconded by Councilmember Hinds, that Council Resolution 22-0200 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)

**22-0337 A resolution authorizing and approving the expenditure and payment from the appropriation account designated "liability claims," the sum of One Hundred Thousand Dollars (\$100,000.00) made payable to Killmer, Lane & Newman LLP COLTAF Client Trust Account, in full payment and satisfaction of all claims related to the civil action captioned Natalie Kantor v. City and County of Denver, et al., which was filed in the United States District Court for the District of Colorado, Case No. 2021-cv-01902-PAB-MEH.**

Settles a claim involving the Denver Police Department. This item was approved for filing at the Mayor-Council meeting on 3-15-22.

A motion offered by Councilmember Clark, duly seconded by Councilmember Hinds, that Council Resolution 22-0337 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**

[22-0268](#) **A bill for an ordinance approving a proposed Intergovernmental Agreement between the City and County of Denver and State of Colorado, Department of Higher Education, by the State Board of Community Colleges and Occupational Education for the use and benefit of the Community College of Denver, relating to WORKNOW, a collaborative workforce development initiative to recruit, support and train local residents in construction and construction-related careers.**

Approves an Intergovernmental Agreement with the Community College of Denver (CCD) for \$822,700 and through 12-31-2022 for activities in CCD's Center for Workforce Initiatives relating to WORKNOW, a collaborative workforce development initiative to recruit, support and train local residents in construction and construction-related careers, citywide (OEDEV-202161592-00). The last regularly scheduled Council meeting within the 30-day review period is on 4-11-2022. The Committee approved filing this item at its meeting on 3-9-2022.

Council Bill 22-0268 was ordered published

#### **Ordered published**

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

[22-0168](#) **A bill for an ordinance changing the zoning classification for 4116 Decatur Street in Sunnyside.**

Approves a map amendment to rezone property from U-SU-C1 to U-SU-B1 (allows for an accessory dwelling unit), located at 4116 North Decatur Street in Council District 1. The Committee approved filing this item at its meeting on 2-15-22.

Council Bill 22-0168 was ordered published with a future required public hearing on 4-18-22

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

[22-0169](#) **A bill for an ordinance changing the zoning classification for 2841 North Kearney Street in North Park Hill.**

Approves a map amendment to rezone property from E-SU-Dx to E-SU-D1x (allows for an accessory dwelling unit), located at 2841 North Kearney Street in Council District 8. The Committee approved filing this item at its meeting on 2-15-22.

Council Bill 22-0169 was ordered published with a future required public hearing on 4-18-22

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

[22-0264](#) **A bill for an ordinance relinquishing the easements, in their entirety, reserved in Ordinance No. 400, Series of 1983; and, established in the Permanent Non-Exclusive Easement, recorded with the Denver Clerk & Recorder at Book 2848, Page 695, and Reception No. 2020006498, respectively, located near 1390 North Decatur Street.**

Relinquishes the easements in their entirety as established in Vacating Ordinance No. 400, Series of 1983, and as reserved in the permanent non-exclusive easement with Recordation No. 2020006498, located at 1390 North Decatur Street in Council District 3. The last regularly scheduled Council meeting within the 30-day review period is on 4-11-22. The Committee approved filing this item at its meeting on 3-8-22.

Council Bill 22-0264 was ordered published

**Ordered published**

[22-0265](#) **A bill for an ordinance relinquishing a portion of the easement established in the Permanent Non-Exclusive Easement recorded with the Denver Clerk & Recorder at Reception No. 2009167987 located at 575 East 20th Avenue.**

Relinquishes a portion of the wastewater easement as established in the permanent non-exclusive easement with Recordation No. 2009167987, located at 575 East 20th Avenue in Council District 9. The last regularly scheduled Council meeting within the 30-day review period is on 4-11-22. The Committee approved filing this item at its meeting on 3-8-22.

Council Bill 22-0265 was ordered published

**Ordered published**

[22-0266](#) **A bill for an ordinance approving a proposed Intergovernmental Agreement between the City and County of Denver and Metro Water Recovery, formerly known as Metro Wastewater Reclamation District, to construct the local infrastructure necessary to connect the Lift Station #13 (Gateway Lift Station) sanitary tributary area to the Metro Water Recovery's Second Creek Infrastructure in Council District 11.**

Approves an Intergovernmental Agreement with Metro Water Recovery, formerly known as Metro Wastewater Reclamation District, for \$1,000,333 and for 3 years to construct the local infrastructure necessary to connect the Lift Station #13 (Gateway Lift Station) sanitary tributary area to the Metro Water Recovery's Second Creek Infrastructure in Council District 11 (DOTI-202262227). The last regularly scheduled Council meeting within the 30-day review period is on 4-11-22. The Committee approved filing this item at its meeting on 3-8-22.

Council Bill 22-0266 was ordered published

**Ordered published**



**BILLS FOR FINAL CONSIDERATION**

**Land Use, Transportation & Infrastructure Committee**

[22-0254](#) **A bill for an ordinance relinquishing the sanitary sewer easements reserved in Ordinance No. 306, Series of 1979, recorded with the Denver Clerk & Recorder at Reception No. 1979051074, Book 1948, Page 140, located at 1010 West Colfax Avenue.**

Relinquishes the 20-foot sanitary sewer easements, in their entirety, as established in the Vacating Ordinance No. 306, Series of 1979, located at 1010 West Colfax Avenue in Council District 3. The last regularly scheduled Council meeting within the 30-day review period is on 4-4-22. The Committee approved filing this item at its meeting on 3-1-22.

A motion offered by Councilmember Clark, duly seconded by Councilmember Hinds, that Council Bill 22-0254 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 Gilmore announced that tonight, there will be a required public hearing on Council Bill 21-1455, changing the zoning classification for 2000 Blake Street in Five Points; and, a required public hearing on Council Bill 22-0160, changing the zoning classification for 3759 North Inca Street and 3760 North Jason Street in Highland. 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**

**PUBLIC HEARINGS - BILLS FOR FINAL CONSIDERATION**

**Land Use, Transportation & Infrastructure Committee**

**[21-1455](#) A bill for an ordinance changing the zoning classification for 2000 Blake Street in Five Points.**

Approves a map amendment to rezone property from PUD 329 and B-8 with waivers, UO-1, UO-2 to C-MX-8 (planned development to mixed-use, 8-stories), located at 2000 Blake Street in Council District 9. The Committee approved filing this item at its meeting on 12-7-21.

Council sat as a Committee of the Whole, commencing at 6:42 p.m., Council President Gilmore presiding, to hear speakers on Council Bill 21-1455. Matt Van Sistine, Tobias Strohe, Paul DiGiorgio, Jerry M., Mike Harrington, Ron Silva, Jovina Amor and Richard Farley signed up to speak in favor of the bill. Jesse Parris signed up to speak in opposition of the bill. Edson Ibanez of Community Planning and Development delivered the staff report.

A motion offered by Councilmember Clark, duly seconded by Councilmember Hinds, that Council Bill 21-1455 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)

**[22-0160](#) A bill for an ordinance changing the zoning classification for 3759 North Inca Street and 3760 North Jason Street in Highland.**

Approves a map amendment to rezone property from I-A, UO-2 to U-RX-3 (industrial to urban, residential mixed-use), located at 3759 Inca Street and 3760 Jason Street in Council District 1. The Committee approved filing this item at its meeting on 2-8-22.

Council sat as a Committee of the Whole, commencing at 7:12 p.m., Council President Gilmore presiding, to hear speakers on Council Bill 22-0160. No speakers signed up to speak in favor of the bill. Jesse Parris signed up to speak in opposition of the bill. Edson Ibanez of Community Planning and Development delivered the staff report.

A motion offered by Councilmember Clark, duly seconded by Councilmember Hinds, that Council Bill 22-0160 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 Gilmore announced that on Monday, April 18, 2022, Council will hold a required public hearing on Council Bill 22-0168, changing the zoning classification for 4116 Decatur Street in Sunnyside; and, a required public hearing on Council Bill 22-0169, changing the zoning classification for 2841 North Kearney Street in North Park Hill. Any protests against Council Bills 22-0168 or 22-0169 must be filed with the Council Offices no later than noon on Monday, April 11, 2022.

**ADJOURN**

There being no further business before the City Council, Council President Gilmore adjourned the meeting at 7:27 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