

City Council Minutes

Meeting Date: Monday, June 12, 2023 3:30 PM

PLEDGE OF ALLEGIANCE

Council member Flynn led the Pledge of Allegiance.

LAND ACKNOWLEDGEMENT

Council member Flynn led the Land Acknowledgement.

ROLL CALL

Council member Kashmann arrived late.

Council members CdeBaca, Gilmore, Kashmann, Sandoval, Torres attended the meeting virtually.

Present: Black, CdeBaca, Clark, Flynn, Gilmore, Kashmann, Kniech,
Ortega, Sandoval, Sawyer, Torres (11)

Absent: Herndon, Hinds (2)

APPROVAL OF THE MINUTES

The minutes of June 5, 2023, were distributed to members of Council. Council member Clark ordered the minutes approved.

[23-0769](#) Minutes of Monday, June 5, 2023.

Council Minutes 23-0769 were approved.

Approved

COUNCIL ANNOUNCEMENTS

Council members Sawyer and Ortega made announcements.

PRESENTATIONS

COMMUNICATIONS

RECAP OF BILLS TO BE CALLED OUT

No items were called out for a separate vote.

Block Vote

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

Approved the consent agenda

Aye: Black, CdeBaca, Clark, Flynn, Gilmore, Kniech, Ortega,
Sandoval, Sawyer, Torres (10)

Nay: (None) (0)

Absent: Herndon, Hinds, Kashmann (3)

PROCLAMATIONS

[23-0773](#) A Proclamation Recognizing Kathy Gile's Service to the City of Denver (consent)

A motion offered by Councilmember Flynn, duly seconded by Councilmember Black, that Council Proclamation 23-0773 be adopted en bloc, carried by the following vote:

Adopted

Aye: Black, CdeBaca, Clark, Flynn, Gilmore, Kniech, Ortega,
Sandoval, Sawyer, Torres (10)

Nay: (None) (0)

Absent: Herndon, Hinds, Kashmann (3)

[23-0774](#) A Proclamation Recognizing Andrew Brooks' Service to the City of Denver (consent)

A motion offered by Councilmember Flynn, duly seconded by Councilmember Black, that Council Proclamation 23-0774 be adopted en bloc, carried by the following vote:

Adopted

Aye: Black, CdeBaca, Clark, Flynn, Gilmore, Kniech, Ortega, Sandoval, Sawyer, Torres (10)

Nay: (None) (0)

Absent: Herndon, Hinds, Kashmann (3)

RESOLUTIONS

Business, Arts, Workforce, & Aviation Services Committee

[23-0683](#) A resolution approving a proposed Purchase Order between the City and County of Denver and Pelican Chemicals Inc concerning an extension for an FAA-compliant deicer compound used in deicing operations at Denver International Airport.

Approves a master purchase order with Pelican Chemical Inc. for \$500,000 and 2 years, plus 3 1-year options to extend for FAA-compliant deicer compound used in deicing operations at Denver International Airport in Council District 11 (SC-00007798). The last regularly scheduled Council meeting within the 30-day review period is on 6-26-2023. The Committee approved filing this item at its meeting on 5-31-2023.

A motion offered by Councilmember Flynn, duly seconded by Councilmember Black, that Council Resolution 23-0683 be adopted en bloc, carried by the following vote:

Adopted

Aye: Black, CdeBaca, Clark, Flynn, Gilmore, Kniech, Ortega, Sandoval, Sawyer, Torres (10)

Nay: (None) (0)

Absent: Herndon, Hinds, Kashmann (3)

[23-0685](#) A resolution approving a proposed Agreement between the City and County of Denver and PCL Construction Services, Inc. concerning preconstruction services for the replacement of the existing physical access control system (PACS) at Denver International Airport.

Approves a contract with PCL Construction Services, Inc. for \$749,912 and 1 year for preconstruction services for the replacement of the existing physical access control system (PACS) for all of Denver International Airport in Council District 11 (PLANE-201952747-00). The last regularly scheduled Council meeting within the 30-day review period is on 6-26-2023. The Committee approved filing this item at its meeting on 5-31-2023.

A motion offered by Councilmember Flynn, duly seconded by Councilmember Black, that Council Resolution 23-0685 be adopted en bloc, carried by the following vote:

Adopted

Aye: Black, CdeBaca, Clark, Flynn, Gilmore, Kniech, Ortega, Sandoval, Sawyer, Torres (10)

Nay: (None) (0)

Absent: Herndon, Hinds, Kashmann (3)

23-0690 A resolution approving a proposed First Amendment between the City and County of Denver and Delsco Northwest Corp. concerning additional work related to oil and gas field closure services at Denver International Airport.

Amends a contract with Delsco Northwest, Corp. by adding \$3,000,000 for a new total of \$12,200,000 for additional work related to oil and gas field closure services at Denver International Airport in Council District 11. No change to contract duration (202161284/ 202368118). The last regularly scheduled Council meeting within the 30-day review period is on 6-26-2023. The Committee approved filing this item at its meeting on 5-31-2023.

A motion offered by Councilmember Flynn, duly seconded by Councilmember Black, that Council Resolution 23-0690 be adopted en bloc, carried by the following vote:

Adopted

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

23-0691 A resolution approving a proposed Contract between the City and County of Denver and Flatiron Constructors, Inc. concerning construction services to rehabilitate various assets at gates C40 and C42 at Denver International Airport.

Approves a contract with Flatiron Constructor, Inc. for \$8,445,671 and 120 days for construction services to rehabilitate various assets at gates C40 and C42 at Denver International Airport in Council District 11 (PLANE-202265787). The last regularly scheduled Council meeting within the 30-day review period is on 6-26-2023. The Committee approved filing this item at its meeting on 5-31-2023.

A motion offered by Councilmember Flynn, duly seconded by Councilmember Black, that Council Resolution 23-0691 be adopted en bloc, carried by the following vote:

Adopted

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

Finance & Governance Committee

[23-0616](#) A resolution approving a proposed Amendatory Agreement between the City and County of Denver and VertiQ Software LLC for continued use and support of case management software supporting the Office of the Medical Examiner.

Amends a contract with VertiQ Software LLC by adding \$262,550 and 5 years for a new end date of 4-01-2028 for continued use and support of case management software supporting the Office of the Medical Examiner, citywide. (TECHS - 202367372-02 /TECHS - 201737523-02). The last regularly scheduled Council meeting within the 30-day review period is on 6-26-2023. The Committee approved filing this item at its meeting on 5-30-2023.

A motion offered by Councilmember Flynn, duly seconded by Councilmember Black, that Council Resolution 23-0616 be adopted en bloc, carried by the following vote:

Adopted

Aye: Black, CdeBaca, Clark, Flynn, Gilmore, Kniech, Ortega, Sandoval, Sawyer, Torres (10)

Nay: (None) (0)

Absent: Herndon, Hinds, Kashmann (3)

[23-0622](#) A resolution approving the Mayor’s appointment to the Prosperity Denver Fund Board of Directors.

Approves the Mayoral appointment of Polica Houston to the Prosperity Denver Fund Board of Directors for a term effective immediately and expiring 5-01-2026, or until a successor is duly appointed. The Committee approved filing this item at its meeting on 5-30-2023.

A motion offered by Councilmember Flynn, duly seconded by Councilmember Black, that Council Resolution 23-0622 be adopted en bloc, carried by the following vote:

Adopted

Aye: Black, CdeBaca, Clark, Flynn, Gilmore, Kniech, Ortega, Sandoval, Sawyer, Torres (10)

Nay: (None) (0)

Absent: Herndon, Hinds, Kashmann (3)

[23-0652](#) A resolution approving a proposed Contract between the City and County of Denver and Gerald H. Phipps, Inc. to serve as construction manager and general contractor for the Wellington E. Webb Municipal Building renovation project.

Approves a contract with GERALD H. PHIPPS, INC. for \$92,302,364 and 3 years to serve as construction manager and general contractor for the Wellington E. Webb Municipal Building renovation project, located at 201 West Colfax Avenue in Council District 9 (202367708). The last regularly scheduled Council meeting within the 30-day review period is on 6-26-2023. The Committee approved filing this item at its meeting on 5-23-2023.

A motion offered by Councilmember Flynn, duly seconded by Councilmember Black, that Council Resolution 23-0652 be adopted en bloc, carried by the following vote:

Adopted

Aye: Black, CdeBaca, Clark, Flynn, Gilmore, Kniech, Ortega, Sandoval, Sawyer, Torres (10)

Nay: (None) (0)

Absent: Herndon, Hinds, Kashmann (3)

[23-0659](#) A resolution approving a proposed Amendatory Agreement between the City and County of Denver and Zivaro, Inc. to support increased use of on-demand data storage for enterprise technology solutions, security, system upgrades, and other data storage needs.

Amends a contract with Zivaro, Inc. to add \$3,075,000 for a new contract total of \$4,250,000 to support increased use of on-demand data storage for enterprise technology solutions, security, system upgrades, and other data storage needs, citywide. No change to contract duration (TECHS-202263433-01/TECHS-202368090-01). The last regularly scheduled Council meeting within the 30-day review period is on 6-26-2023. The Committee approved filing this item at its meeting on 5-30-2023.

A motion offered by Councilmember Flynn, duly seconded by Councilmember Black, that Council Resolution 23-0659 be adopted en bloc, carried by the following vote:

Adopted

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

[23-0668](#) A resolution approving the Mayor's appointment and reappointments to the Colfax-Mayfair Business Improvement District Board of Directors.

Approves the following Mayoral appointment and reappointments to the Colfax-Mayfair Business Improvement District Board of Directors: appointment of Taylor Woodard and reappointment of Jamie Harris for terms effective immediately and expiring 3-31-2025, or until successors are duly appointed and the reappointments of Daniel P. Murray and Barbara Macfarlane for terms effective immediately and expiring 3-31-2026, or until successors are duly appointed. The Committee approved filing this item at its meeting on 5-30-2023.

A motion offered by Councilmember Flynn, duly seconded by Councilmember Black, that Council Resolution 23-0668 be adopted en bloc, carried by the following vote:

Adopted

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

Land Use, Transportation & Infrastructure Committee

23-0612 A resolution approving a proposed Contract between the City and County of Denver and Sasaki Associates, Inc. to provide landscape planning, design and related consulting services to support Parks and Recreation, citywide.

Approves an on-call contract with Sasaki Associates Inc. for \$1,500,000 and 3 years, to provide landscape planning, design and related consulting services to support Parks and Recreation, citywide (PARKS-202367791). The last regularly scheduled Council meeting within the 30-day review period is on 6-26-2023. The Committee approved filing this item at its meeting on 5-23-2023.

A motion offered by Councilmember Flynn, duly seconded by Councilmember Black, that Council Resolution 23-0612 be adopted en bloc, carried by the following vote:

Adopted

Aye: Black, CdeBaca, Clark, Flynn, Gilmore, Kniech, Ortega, Sandoval, Sawyer, Torres (10)

Nay: (None) (0)

Absent: Herndon, Hinds, Kashmann (3)

23-0617 A resolution approving a proposed Contract between the City and County of Denver and Keene Concrete, Inc. for ADA ramp and concrete repair, including associated paving and landscaping restoration, citywide.

Approves a contract with Keene Concrete, Inc. for \$3,078,250 and 200 days for ADA ramp and concrete repair, including associated paving and landscaping restoration, citywide. (202366347) The last regularly scheduled Council meeting within the 30-day review period is on 6-26-2023. The Committee approved filing this item at its meeting on 5-23-2023.

A motion offered by Councilmember Flynn, duly seconded by Councilmember Black, that Council Resolution 23-0617 be adopted en bloc, carried by the following vote:

Adopted

Aye: Black, CdeBaca, Clark, Flynn, Gilmore, Kniech, Ortega, Sandoval, Sawyer, Torres (10)

Nay: (None) (0)

Absent: Herndon, Hinds, Kashmann (3)

23-0667 A resolution 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 "Heron Pond/Heller/Carpio-Sanguinette Park Phase 2" program and the funding therefor.

Approves a grant agreement with the Colorado Department of Natural Resources for \$750,000 and through 3-31-2025 for Parks to improve trails, shelters, and environmental education signage at Heron Pond/Heller/Carpio-Sanguinette Park in Council District 9 (PARKS-202266247). The last regularly scheduled Council meeting within the 30-day review period is on 6-26-2023. The Committee approved filing this item at its meeting on 5-30-2023.

A motion offered by Councilmember Flynn, duly seconded by Councilmember Black, that Council Resolution 23-0667 be adopted en bloc, carried by the following vote:

Adopted

Aye: Black, CdeBaca, Clark, Flynn, Gilmore, Kniech, Ortega, Sandoval, Sawyer, Torres (10)

Nay: (None) (0)

Absent: Herndon, Hinds, Kashmann (3)

23-0771 A resolution authorizing and approving the expenditure and payment from the appropriation account designated "liability claims," the total sum of Three Hundred Ten Thousand Dollars and no cents (\$310,000.00), payable to Richard Moseley, on behalf of Coltrane Moseley, and Zaner Harden Law, LLP in full payment and satisfaction of all claims related to the civil action captioned *Richard Moseley, on behalf of Coltrane Moseley, his minor child v. The City and County of Denver*, which was filed in the District Court, City and County of Denver, Colorado Case No. 2022CV30398.

Settles a claim involving the Department of Transportation and Infrastructure. This item was approved for filing at the Mayor Council meeting on 6-6-2023.

A motion offered by Councilmember Flynn, duly seconded by Councilmember Black, that Council Resolution 23-0771 be adopted en bloc, carried by the following vote:

Adopted

Aye: Black, CdeBaca, Clark, Flynn, Gilmore, Kniech, Ortega, Sandoval, Sawyer, Torres (10)

Nay: (None) (0)

Absent: Herndon, Hinds, Kashmann (3)

Safety, Housing, Education & Homelessness Committee

23-0483 A resolution approving a proposed Amendatory Agreement between the City and County of Denver and AECOM Technical Services, Inc. to continue environmental site assessment, brownfields redevelopment, leaking underground storage tank removal and other environmental services, citywide.

Amends an on-call contract with AECOM Technical Services, Inc. by adding 2 years for a new end date of 12-31-2025 to continue environmental site assessment, brownfields redevelopment, leaking underground storage tank removal and other environmental services, citywide. No change to contract amount (ENVHL-202056459-01/ ESEQD-202367304-01). The last regularly scheduled Council meeting within the 30-day review period is on 6-26-2023. The Committee approved filing this item at its meeting on 5-3-2023.

A motion offered by Councilmember Flynn, duly seconded by Councilmember Black, that Council Resolution 23-0483 be adopted en bloc, carried by the following vote:

Adopted

Aye: Black, CdeBaca, Clark, Flynn, Gilmore, Kniech, Ortega, Sandoval, Sawyer, Torres (10)

Nay: (None) (0)

Absent: Herndon, Hinds, Kashmann (3)

[23-0673](#) A resolution approving and providing for the execution of a proposed amended Grant Agreement between the City and County of Denver and the Colorado Department of Human Services Office of Behavioral Health concerning the “Law Enforcement Assisted Diversion” program and the funding therefor.

Amends a grant agreement with Colorado Department of Human Services by adding \$578,000 for a new total of \$2,261,375 and one year for a new end date of 6-30-2024 to continue providing services through the Law Enforcement Assisted Diversion (LEAD) program, which diverts people with behavioral health needs into intensive case management in lieu of arrest for low-level crimes, citywide (ENVHL-202055380/ SAFTY-202368048). The last regularly scheduled Council meeting within the 30-day review period is on 6-26-2023. The Committee approved filing this item at its meeting on 5-31-2023.

A motion offered by Councilmember Flynn, duly seconded by Councilmember Black, that Council Resolution 23-0673 be adopted en bloc, carried by the following vote:

Adopted

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

[23-0679](#) A resolution approving a contract with Urban Peak Denver to add two Denver-area locations for housing and case management services for eligible youth (ages 16 to 24) experiencing homelessness, who have aged out and/or are transitioning out of foster care. No change to contract length or amount.

Amends a contract with Urban Peak Denver to add two Denver-area locations for housing and case management services for eligible youth (ages 16 to 22) experiencing homelessness, who have aged out and are transitioning out of foster care. No change to contract length or amount (SOCVS-2019-52843-00 /SOSCVS-2023-67840-04). The last regularly scheduled Council meeting within the 30-day review period is on 6-26-2023. The Committee approved filing this item at its meeting on 5-31-2023.

A motion offered by Councilmember Flynn, duly seconded by Councilmember Black, that Council Resolution 23-0679 be adopted en bloc, carried by the following vote:

Adopted

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

23-0686 A resolution approving a proposed purchase order with FED, LLC, to purchase meals for guests at emergency shelters, citywide.

Approves a purchase order with FED LLC for \$800,000 and through 12-31-2023 to purchase meals for guests at emergency shelters, citywide (PO-00132257). The last regularly scheduled Council meeting within the 30-day review period is on 6-26-2023. The Committee approved filing this item at its meeting on 5-31-2023.

A motion offered by Councilmember Flynn, duly seconded by Councilmember Black, that Council Resolution 23-0686 be adopted en bloc, carried by the following vote:

Adopted

Aye: Black, CdeBaca, Clark, Flynn, Gilmore, Kniech, Ortega, Sandoval, Sawyer, Torres (10)

Nay: (None) (0)

Absent: Herndon, Hinds, Kashmann (3)

23-0687 A resolution approving a proposed purchase order with Snap Colorado LLC to purchase meals for guests at emergency shelters, citywide.

Approves a purchase order with SNAP COLORADO LLC for \$500,000 and through 12-31-2023 to purchase meals for guests at emergency shelters, citywide (PO-00132256). The last regularly scheduled Council meeting within the 30-day review period is on 6-26-2023. The Committee approved filing this item at its meeting on 5-31-2023.

A motion offered by Councilmember Flynn, duly seconded by Councilmember Black, that Council Resolution 23-0687 be adopted en bloc, carried by the following vote:

Adopted

Aye: Black, CdeBaca, Clark, Flynn, Gilmore, Kniech, Ortega, Sandoval, Sawyer, Torres (10)

Nay: (None) (0)

Absent: Herndon, Hinds, Kashmann (3)

23-0688 A resolution approving a proposed purchase order with Michael's of Denver Catering Inc. to purchase meals for guests at emergency shelters, citywide.

Approves a purchase order with MICHAEL'S OF DENVER CATERING INC. for \$500,000 and through 12-31-2023 to purchase meals for guests at emergency shelters, citywide (PO-00132255). The last regularly scheduled Council meeting within the 30-day review period is on 6-26-2023. The Committee approved filing this item at its meeting on 5-31-2023.

A motion offered by Councilmember Flynn, duly seconded by Councilmember Black, that Council Resolution 23-0688 be adopted en bloc, carried by the following vote:

Adopted

Aye: Black, CdeBaca, Clark, Flynn, Gilmore, Kniech, Ortega, Sandoval, Sawyer, Torres (10)

Nay: (None) (0)

Absent: Herndon, Hinds, Kashmann (3)

[23-0770](#) **A resolution authorizing and approving the expenditure and payment from the appropriation account designated "liability claims," the total sum of Four Hundred and Fifty Thousand dollars and no cents (\$450,000.00), made payable to the Estate of Jalonte Jones, c/o Rathod Mohamedbhai LLC COLTAF, in full payment and satisfaction of any and all claims that could be asserted against the City and County of Denver, or employees thereof, in a potential civil action arising out of the death of Jalonte Jones on September 7, 2020.**

Settles a claim involving the Denver Police Department. This resolution was approved for filing at the Mayor Council meeting on 6-6-2023.

A motion offered by Councilmember Flynn, duly seconded by Councilmember Black, that Council Resolution 23-0770 be adopted en bloc, carried by the following vote:

Adopted

Aye: Black, CdeBaca, Clark, Flynn, Gilmore, Kniech, Ortega, Sandoval, Sawyer, Torres (10)

Nay: (None) (0)

Absent: Herndon, Hinds, Kashmann (3)

BILLS FOR INTRODUCTION

Finance & Governance Committee

[23-0656](#) **A bill for an ordinance concerning the approval of two alternate forms of an annually renewable Fourth Amended and Restated Build to Suit Lease Purchase Agreement No. 2023 in respect of the Wellington E. Webb Office Building between Civic Center Office Building Inc., as landlord or lessor, and the City and County of Denver, Colorado as tenant or lessee; authorizing the execution of a Fourth Amended and Restated Build to Suit Lease Purchase Agreement No. 2023 and documents related thereto authorizing officials of the City and County of Denver to take all actions necessary to carry out the transactions contemplated hereby, including selection of one of the two alternate forms of lease purchase agreements and related documents referenced above depending on future market conditions; ratifying actions previously taken; providing other matters relating thereto; and providing the effective date thereof.**

Amends the Lease with Civic Center Office Building, Inc. for the Lease Purchase of the Wellington E. Webb Municipal Building and authorizes the Manager of Finance, on behalf of the City, to select for the City between alternate forms of a 2023 Lease Purchase Agreement and approves related alternate Indentures and Preliminary Official Statements, and take other necessary action in relation thereto. The Committee approved filing this item at its meeting on 5-23-2023.

Council Bill 23-0656 was ordered published

Ordered published

[23-0657](#) A bill for an ordinance approving a proposed Agreement between the City and County of Denver and Comcast of Colorado IX, LLC, to provide high-definition channels and other related public benefits that specifies customer service standards and compliance with all city, state, and federal requirements.

Approves a cable franchise agreement with Comcast of Colorado IX, LLC. (Comcast) through 12-31-2028 to provide high-definition channels, video-on-demand, free service to the public schools, channels for public, educational and government use, enforcement and other related public benefits and that specifies customer service standards and compliance with all city, state, and federal requirements for Comcast infrastructure in the public rights-of-way (TECHS-202367796-00). The Committee approved filing this item at its meeting on 5-23-2023.

Council Bill 23-0657 was ordered published

Ordered published

[23-0664](#) 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 by changing the pay grade of the Denver International Airport Communication Center classifications including, Airport Operations Representative, Airport Emergency Dispatcher, Airport Communications Center Specialist, and Airport Communications Center Supervisor. The Committee approved filing this item at its meeting on 5-30-2023.

Council Bill 23-0664 was ordered published

Ordered published

[23-0665](#) 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 by changing the pay grades of Pretrial Services Officer I-IV. The Committee approved filing this item at its meeting on 5-30-2023.

Council Bill 23-0665 was ordered published

Ordered published

[23-0666](#) 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 by changing the pay grade and range for multiple jobs based on the Office of Human Resources' annual market analysis. The Committee approved filing this item at its meeting on 5-30-2023.

Council Bill 23-0666 was ordered published

Ordered published

[23-0671](#) A bill for an ordinance approving a proposed Amendatory Lease Agreement between the City and County of Denver and State of Colorado Department of Motor Vehicles to lease 2,583 square feet of space located at 4685 North Peoria Street in Council District 8.

Amends a lease agreement with the State of Colorado Department of Motor Vehicles (DMV) by adding \$241,506.48 for a new total of \$598,038.12 and three years for a new end date of 11-30-2026 for the DMV to lease 2,583 square feet of space located at 4685 North Peoria Street in Council District 8 (FINAN-201841987/ FINAN-202368055-01). The last regularly scheduled Council meeting within the 30-day review period is on 6-26-2023. The Committee approved filing this item at its meeting on 5-30-2023.

Council Bill 23-0671 was ordered published

Ordered published

[23-0684](#) A bill for an ordinance making a rescission from and an appropriation in the "Denver Public Library" Fund, to make a cash transfer to and appropriations in the "Library Capital" Fund; and authorizing the purchase of capital equipment.

Appropriates \$850,000 in the Denver Public Library Special Revenue Fund (15830) to transfer cash and appropriate budget in the Denver Public Library Capital Projects Fund (34041) for the Central Library Renovation project. The Committee approved filing this item at its meeting on 5-30-2023.

Council Bill 23-0684 was ordered published

Ordered published

Safety, Housing, Education & Homelessness Committee

[23-0660](#) A bill for an ordinance approving a proposed Second Amendatory Agreement between the City and County of Denver and Colorado Department of Public Health and Environment for the city to perform air quality inspections and investigation services for CDPHE, citywide.

Amends an intergovernmental agreement with the Colorado Department of Public Health and Environment (CDPHE) by adding \$180,586.56 for a new total of \$549,840.55 and one year for a new end date of 6-30-2024 for the city to perform air quality inspections and investigation services for CDPHE, citywide (ENVHL-202158690-02/ ESEQD-202368067-02). The last regularly scheduled Council meeting within the 30-day review period is on 6-26-2023. The Committee approved filing this item at its meeting on 5-31-2023.

Council Bill 23-0660 was ordered published

Ordered published

BILLS FOR FINAL CONSIDERATION

Finance & Governance Committee

23-0572 A bill for an ordinance making a rescission from and an appropriation in the Capital Improvements and Capital Maintenance Fund.

Approves a transfer of \$5,000,000 from Capital Program PB001 - NWC Triangle Project fund to Capital Program NX002 - NWC Equestrian Center Project fund to support procurement activities, assessments, and design of the equestrian center and potential hotel at the National Western Center campus in Council District 9. The Committee approved filing this item at its meeting on 5-16-2023.

A motion offered by Councilmember Flynn, duly seconded by Councilmember Black, that Council Bill 23-0572 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, Kniech, Ortega, Sandoval, Sawyer, Torres (10)

Nay: (None) (0)

Absent: Herndon, Hinds, Kashmann (3)

23-0587 A bill for an ordinance making a rescission from the General Fund; making an appropriation in the General Fund to make a cash transfer; and making an appropriation in the Capital Improvement and Capital Maintenance Fund.

Rescinds \$30,000 from Council District 4's 2023 General Fund appropriation, authorizes an appropriation to transfer cash to the Capital Improvement and Capital Maintenance Fund, and makes an appropriation for the Southeast Skatepark Visioning Project. The Committee approved filing this item at its meeting on 5-16-2023.

A motion offered by Councilmember Flynn, duly seconded by Councilmember Black, that Council Bill 23-0587 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, Kniech, Ortega, Sandoval, Sawyer, Torres (10)

Nay: (None) (0)

Absent: Herndon, Hinds, Kashmann (3)

[23-0648](#) **A bill for an ordinance approving a proposed Purchase and Sale Agreement between the City and County of Denver and Shirley Beickman, as Trustee, Penny Mays, as Trustee and Aaron Beickman, as Trustee under the provisions of the Trust Agreement dated November 17, 2005 for the Poor Boy Irrevocable Trust to purchase property located at 4801 and 4815 North Washington Street in support of the 48th Avenue Outfall project.**

Approves a purchase and sale agreement with Poor Boy Irrevocable Trust for \$2,220,000 to purchase property located at 4801 and 4815 North Washington Street in support of the 48th Avenue Outfall project in Council District 9 (FINAN 202367515-00). The last regularly scheduled Council meeting within the 30-day review period is on 6-26-2023. The Committee approved filing this item at its meeting on 5-23-2023.

A motion offered by Councilmember Flynn, duly seconded by Councilmember Black, that Council Bill 23-0648 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, Kniech, Ortega, Sandoval, Sawyer, Torres (10)

Nay: (None) (0)

Absent: Herndon, Hinds, Kashmann (3)

Land Use, Transportation & Infrastructure Committee

[23-0576](#) **A bill for an ordinance approving a proposed Intergovernmental Agreement between the City and County of Denver and Evergreen Metropolitan District to set forth and clarify rights, obligations and responsibilities of both parties as it relates to Evergreen Lake and Dam.**

Approves a non-financial intergovernmental agreement with the Evergreen Metropolitan District (EMD) for 50 years to set forth and clarify rights, obligations and responsibilities of both parties as it relates to Evergreen Lake and Dam (202263483). The last regularly scheduled Council meeting within the 30-day review period is on 6-20-2023. The Committee approved filing this item at its meeting on 5-16-2023.

A motion offered by Councilmember Flynn, duly seconded by Councilmember Black, that Council Bill 23-0576 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, Kniech, Ortega, Sandoval, Sawyer, Torres (10)

Nay: (None) (0)

Absent: Herndon, Hinds, Kashmann (3)

23-0577 A bill for an ordinance approving a proposed Intergovernmental Agreement between the City and County of Denver and Evergreen Park and Recreation District (EPRD) for EPRD's use of a portion of Dedisse Park including Evergreen Lake for recreational activities and programs.

Approves an intergovernmental agreement with the Evergreen Park and Recreation District (EPRD) for 50 years for EPRD's use of a portion of Dedisse Park including Evergreen Lake for recreational activities and programs (202263452). The last regularly scheduled Council meeting within the 30-day review period is on 6-20-2023. The Committee approved filing this item at its meeting on 5-16-2023.

A motion offered by Councilmember Flynn, duly seconded by Councilmember Black, that Council Bill 23-0577 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, Kniech, Ortega, Sandoval, Sawyer, Torres (10)
Nay: (None) (0)
Absent: Herndon, Hinds, Kashmann (3)

23-0629 A bill for an ordinance designating certain property as "park" under section 2.4.5 of the City Charter as an addition to City of Cuernavaca Park.

Approves the park designation for the City of Cuernavaca Park, containing 4.8 acres, located at 3550 Rockmont Drive in Council District 1. The Committee approved filing this item at its meeting on 5-23-2023.

A motion offered by Councilmember Flynn, duly seconded by Councilmember Black, that Council Bill 23-0629 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, Kniech, Ortega, Sandoval, Sawyer, Torres (10)
Nay: (None) (0)
Absent: Herndon, Hinds, Kashmann (3)

23-0630 A bill for an ordinance designating certain property as "park" under section 2.4.5 of the City Charter as an addition to Cottonwood Gallery.

Approves the park designation for Cottonwood Gallery, containing 7 acres, located at 9101 East Prairie Meadow Drive in Council District 8. The Committee approved filing this item at its meeting on 5-23-2023.

A motion offered by Councilmember Flynn, duly seconded by Councilmember Black, that Council Bill 23-0630 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, Kniech, Ortega, Sandoval, Sawyer, Torres (10)
Nay: (None) (0)
Absent: Herndon, Hinds, Kashmann (3)

23-0631 A bill for an ordinance designating certain property as “park” under section 2.4.5 of the City Charter as an addition to First Creek Open Space.

Approves the park designation for First Creek Open Space, containing 3.4 acres, located at 4201 North Picadilly Road and 21640 East 42nd Avenue in Council District 11. The Committee approved filing this item at its meeting on 5-23-2023.

A motion offered by Councilmember Flynn, duly seconded by Councilmember Black, that Council Bill 23-0631 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, Kniech, Ortega, Sandoval, Sawyer, Torres (10)

Nay: (None) (0)

Absent: Herndon, Hinds, Kashmann (3)

23-0632 A bill for an ordinance designating certain property as “park” under section 2.4.5 of the City Charter the Northfield Athletic Complex.

Approves the park designation for Northfield Athletic Complex, containing 69.1 acres, located at 9550 East 56th Avenue in Council District 8. The Committee approved filing this item at its meeting on 5-23-2023.

A motion offered by Councilmember Flynn, duly seconded by Councilmember Black, that Council Bill 23-0632 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, Kniech, Ortega, Sandoval, Sawyer, Torres (10)

Nay: (None) (0)

Absent: Herndon, Hinds, Kashmann (3)

23-0633 A bill for an ordinance designating certain property as “park” under section 2.4.5 of the City Charter Sand Creek Open Space.

Approves the park designation for Sand Creek Open Space, containing 20.9 acres, located at 2800 North Havana Way in Council District 8. The Committee approved filing this item at its meeting on 5-23-2023.

A motion offered by Councilmember Flynn, duly seconded by Councilmember Black, that Council Bill 23-0633 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, Kniech, Ortega, Sandoval, Sawyer, Torres (10)

Nay: (None) (0)

Absent: Herndon, Hinds, Kashmann (3)

23-0634 A bill for an ordinance designating certain property as “park” under section 2.4.5 of the City Charter the unnamed Kentucky and Irving park.

Approves the park designation of an unnamed park, containing 0.3 acres, located at West Kentucky Avenue and South Irving Street, located in Council District 3. The Committee approved filing this item at its meeting on 5-23-2023.

A motion offered by Councilmember Flynn, duly seconded by Councilmember Black, that Council Bill 23-0634 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, Kniech, Ortega, Sandoval, Sawyer, Torres (10)

Nay: (None) (0)

Absent: Herndon, Hinds, Kashmann (3)

23-0635 A bill for an ordinance designating certain property as “park” under section 2.4.5 of the City Charter the unnamed 44th and Pearl park.

Approves the park designation of an unnamed park, containing 0.5 acres, located at 44th Avenue and Pearl Street in Council District 9. The Committee approved filing this item at its meeting on 5-23-2023.

A motion offered by Councilmember Flynn, duly seconded by Councilmember Black, that Council Bill 23-0635 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, Kniech, Ortega, Sandoval, Sawyer, Torres (10)

Nay: (None) (0)

Absent: Herndon, Hinds, Kashmann (3)

23-0636 A bill for an ordinance designating certain property as “park” under section 2.4.5 of the City Charter the unnamed 47th and Telluride park.

Approves the park designation of an unnamed park, containing 13.2 acres, located at East 47th Avenue and Telluride Street in Council District 11. The Committee approved filing this item at its meeting on 5-23-2023.

A motion offered by Councilmember Flynn, duly seconded by Councilmember Black, that Council Bill 23-0636 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, Kniech, Ortega, Sandoval, Sawyer, Torres (10)

Nay: (None) (0)

Absent: Herndon, Hinds, Kashmann (3)

[23-0637](#) A bill for an ordinance designating certain property as “park” under section 2.4.5 of the City Charter the Westwood Recreation Center.

Approves the park designation of the Westwood Recreation Center, containing 2.8 acres, located at 4320 Morrison Road in Council District 3. The Committee approved filing this item at its meeting on 5-23-2023.

A motion offered by Councilmember Flynn, duly seconded by Councilmember Black, that Council Bill 23-0637 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, Kniech, Ortega, Sandoval, Sawyer, Torres (10)

Nay: (None) (0)

Absent: Herndon, Hinds, Kashmann (3)

PRE-RECESS ANNOUNCEMENT

Council member Clark announced that tonight, there will be a required combined public hearing on Council Bill 23-0481 amending the Denver Zoning Code, establishing an Outdoor Gathering Area use and Council Bill 23-0482 amending Chapter 59 of the Denver Revised Municipal Code, concerning unenclosed eating places; and a courtesy public hearing Council Bill 23-0650 naming a trail within O’Fallon Park “Winston K. Walker Loop Trail”. 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

UNFINISHED BUSINESS

PROCLAMATIONS

REQUIRED PUBLIC HEARINGS - BILLS FOR FINAL CONSIDERATION

Land Use, Transportation & Infrastructure Committee

[23-0481](#) A bill for an ordinance amending the Denver Zoning Code, establishing an Outdoor Gathering Area use.

Approves a Denver Zoning Code text amendment related to Outdoor Gathering Areas. The Committee approved filing this item at its meeting on 5-2-2023.

Council sat as a Committee of the Whole, commencing at 5:32 p.m., Council member Clark presiding, to hear speakers on Council Bills 23-0481 and 23-0482. Diana Rae Bevis and John Jaramillo signed up to speak in favor of the bill. No speakers signed up in opposition of the bill. Brad Johnson of Community Planning and Development delivered the staff report.

A motion offered by Councilmember Flynn, duly seconded by Councilmember Sawyer, that Council Bill 23-0481 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, Kashmann, Kniech, Ortega, Sandoval, Sawyer, Torres (11)

Nay: (None) (0)

Absent: Herndon, Hinds (2)

23-0482 A bill for an ordinance amending Chapter 59 of the Denver Revised Municipal Code, concerning unenclosed eating places.

Amends Chapter 59 of the Denver Revised Municipal Code to allow applicable Former Chapter 59 properties to use regulations provided by the Denver Zoning Code text amendment for Outdoor Gathering Areas, as provided in CB23-0481. The Committee approved filing this item at its meeting on 5-2-2023.

A motion offered by Councilmember Flynn, duly seconded by Councilmember Sawyer, that Council Bill 23-0482 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, Kashmann, Kniech, Ortega, Sandoval, Sawyer, Torres (11)

Nay: (None) (0)

Absent: Herndon, Hinds (2)

COURTESY PUBLIC HEARINGS - BILLS FOR FINAL CONSIDERATION

Land Use, Transportation & Infrastructure Committee

23-0650 A bill for an ordinance naming a trail within O’Fallon Park “Winston K. Walker Loop Trail”.

Approves naming 2.9 miles of an unnamed park loop trail as “Winston K. Walker Loop Trail”, located within O’Fallon Park in Jefferson County, which is part of the city’s mountain park system. The Committee approved filing this item at its meeting on 5-23-2023.

Council sat as a Committee of the Whole, commencing at 5:56 p.m., Council member Clark presiding, to hear speakers on Council Bill 23-0650. Happy Haynes, Jessica Newton, Pam Jiner, Sid Wilson, Gary Jackson, Everett Brinson, Bart Berger, Tom Craft, and Kate Fritz signed up to speak in favor of the bill. No speakers signed up in opposition of the bill. Jesus Orrantia of Parks and Recreation delivered the staff report.

A motion offered by Councilmember Flynn, duly seconded by Councilmember Sawyer, that Council Bill 23-0650 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, Kashmann, Kniech, Ortega, Sandoval, Sawyer, Torres (11)

Nay: (None) (0)

Absent: Herndon, Hinds (2)

PRE-ADJOURNMENT ANNOUNCEMENT

ADJOURN

There being no further business before the City Council, Council member Clark adjourned the meeting at 6:37 p.m.

PENDING

President

Attested by me with the Corporate Seal of the City and County of Denver

Clerk and Recorder, Ex-Officio Clerk
of the City and County of Denver