

City Council Minutes

Meeting Date: Monday, November 29, 2021 5:30 PM

PLEDGE OF ALLEGIANCE

Councilmember Ortega led the Pledge of Allegiance.

LAND ACKNOWLEDGEMENT

Councilmember Ortega led the Land Acknowledgement.

ROLL CALL

Councilmembers Herndon and Hinds arrived late.

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

APPROVAL OF THE MINUTES

[21-1473](#) Minutes of Monday, November 22, 2021

The minutes of Monday, November 22, 2021 were distributed to members of Council. Council President Gilmore ordered the minutes approved.

Approved

COUNCIL ANNOUNCEMENTS

Councilmembers Sawyer and Kashmann offered announcements.

PRESENTATIONS

COMMUNICATIONS

PROCLAMATIONS

RECAP OF BILLS TO BE CALLED OUT

Items called out for a separate vote:

RESOLUTIONS

Finance & Governance Committee

[21-1377](#) **A resolution approving a proposed Revocable License between the City and County of Denver and Colorado Village Collaborative for lease of a portion of the parking lot located at 3815 North Steele Street.**

Approves a revocable license with Colorado Village Collaborative for \$10 and for one year, with two six-month options to extend, to lease a portion of the parking lot at the Eastside Human Services building at 3815 North Steele Street in Council District 9 for a Safe Outdoor Space site (FINAN-202161043-00). The last regularly scheduled Council meeting within the 30-day review period is on 12-20-21. The Committee approved filing this item at its meeting on 11-16-21.

A motion offered by Councilmember Ortega, duly seconded by Councilmember Flynn, that Council Resolution 21-1377 be adopted, carried by the following vote:

Adopted

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

Nay: Sawyer (1)

Absent: Herndon, Hinds (2)

BILLS FOR FINAL CONSIDERATION

Finance & Governance Committee

21-1352 A bill for an ordinance approving a proposed Cooperation Agreement between the City and County of Denver and Denver Urban Renewal Authority for the Fox Park Urban Redevelopment Area to establish, among other matters, the parameters for tax increment financing with incremental sales and property taxes.

Approves a cooperation agreement with the Denver Urban Renewal Authority for the Fox Park Urban Redevelopment Area to establish, among other matters, the parameters for tax increment financing with incremental sales and property taxes in Council District 9. The last regularly scheduled Council meeting within the 30-day review period is on 12-13-21. The Committee approved filing this item at its meeting on 11-9-21.

A motion offered by Councilmember Ortega, duly seconded by Councilmember Flynn, that Council Bill 21-1352 be placed upon final consideration and do pass, was followed by a motion offered by Councilmember Black, duly seconded by Councilmember Herndon, that final consideration of Council Bill 21-1352 be postponed to the end of the public hearing on Council Bill 21-1353. The motion to postpone carried by the following vote:

Postponed

- Aye: Kniech, Ortega, Sandoval, Sawyer, Torres, Black, Clark, Flynn, Gilmore, Herndon, Kashmann (11)
- Nay: CdeBaca (1)
- Absent: Hinds (1)

BLOCK VOTE

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

Approved the consent agenda

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

RESOLUTIONS

Business, Arts, Workforce, & Aviation Services Committee

21-1381 A resolution approving a proposed Second Amendment between the City and County of Denver and ASKREPLY, f/k/a B2Gnow/AskReply, Inc. concerning payment of the final invoice for the LCP Tracker system at Denver International Airport.

Amends a contract with ASKREPLY, formerly known as B2Gnow/AskReply, Inc. by adding \$110,400 for a new total of \$952,300 to pay the final invoice for the LCP Tracker system. No change to contract duration (202159262). The last regularly scheduled Council meeting within the 30-day review period is on 12-20-21. The Committee approved filing this item at its meeting on 11-17-21.

A motion offered by Councilmember Ortega, duly seconded by Councilmember Flynn, that Council Resolution 21-1381 be adopted en bloc, carried by the following vote:

Adopted

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

Nay: (None) (0)

21-1382 A resolution approving an Agreement between the City and County of Denver and Big Toe Towing, LLC concerning towing services at Denver International Airport.

Approves a contract with Big Toe Towing, LLC for \$1,592,620 and for three years to provide immediate 24-hour on-site, standby, and contingency towing services at Denver International Airport (202157902). The last regularly scheduled Council meeting within the 30-day review period is on 12-20-21. The Committee approved filing this item at its meeting on 11-17-21.

A motion offered by Councilmember Ortega, duly seconded by Councilmember Flynn, that Council Resolution 21-1382 be adopted en bloc, carried by the following vote:

Adopted

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

Nay: (None) (0)

21-1383 A resolution approving a proposed Agreement between the City and County of Denver and Liberty Elevator Experts, LLC concerning conveyance equipment inspections at Denver International Airport.

Approves a contract with Liberty Elevator Experts, LLC for \$675,713 and through 12-31-23, with three one-year options to extend, for third-party conveyance equipment inspections services at Denver International Airport (202159286). The last regularly scheduled Council meeting within the 30-day review period is on 12-20-21. The Committee approved filing this item at its meeting on 11-16-21.

A motion offered by Councilmember Ortega, duly seconded by Councilmember Flynn, that Council Resolution 21-1383 be adopted en bloc, carried by the following vote:

Adopted

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

Nay: (None) (0)

Finance & Governance Committee

21-1364 A resolution approving a proposed Agreement between the City and County of Denver and Linebarger Goggan Clair & Sampson, LLP for collection services for parking and photo enforcement citations in support of the Department of Transportation and Infrastructure.

Approves a contract with Linebarger Goggan Clair & Sampson, LLP for \$1.5 million and through 8-31-24 for collections services for parking violations and photo enforcement citations in support of the Department of Transportation and Infrastructure (ATTNY-202160108). The last regularly scheduled Council meeting within the 30-day review period is on 12-20-21. The Committee approved filing this item at its meeting on 11-16-21.

A motion offered by Councilmember Ortega, duly seconded by Councilmember Flynn, that Council Resolution 21-1364 be adopted en bloc, carried by the following vote:

Adopted

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

Nay: (None) (0)

21-1379 A resolution approving a proposed First Amendment to Agreement between the City and County of Denver and Denver Health Medical Plan, Inc. by adding funds to offer voluntary medical benefit plans to qualified Denver career service employees and classified Denver Police employees.

Amends a contract with Denver Health Medical Plan, Inc. by adding \$10 million for a new total of \$20 million and one year for a new end date of 12-31-22 to offer voluntary medical benefit plans to qualified Denver career service employees and classified Denver Police employees (CSAHR-202055846-01). The last regularly scheduled Council meeting within the 30-day review period is on 12-20-21. The Committee approved filing this item at its meeting on 11-16-21.

A motion offered by Councilmember Ortega, duly seconded by Councilmember Flynn, that Council Resolution 21-1379 be adopted en bloc, carried by the following vote:

Adopted

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

Nay: (None) (0)

[21-1380](#) A resolution approving a proposed First Amendment to 2020-2021 Insurance Agreement between the City and County of Denver and Standard Insurance Company by adding funds to administer employee benefit plans including life insurance, and short-term and long-term disability plans for all qualified benefitted employees.

Amends a contract with Standard Insurance Company by adding \$33 million for a new total of \$55 million and three years for a new end date of 12-31-24 to administer employee benefit plans including life insurance, and short-term and long-term disability plans for all qualified benefitted employees (CSAHR-202053663-01). The last regularly scheduled Council meeting within the 30-day review period is on 12-20-21. The Committee approved filing this item at its meeting on 11-16-21.

A motion offered by Councilmember Ortega, duly seconded by Councilmember Flynn, that Council Resolution 21-1380 be adopted en bloc, carried by the following vote:

Adopted

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

Nay: (None) (0)

Land Use, Transportation & Infrastructure Committee

[21-1375](#) A resolution approving a proposed Second Amendatory Agreement between the City and County of Denver and David Evans and Associates, Inc. adding compensation and a new end date for professional design services in Council District 11.

Amends a contract with David Evans and Associates, Inc. by adding \$2,999,962 for a new total of \$4,160,502 and three years for a new end date of 12-31-24 for professional design services for the widening of 56th Avenue from Peoria Boulevard to Pena Boulevard in Council District 11 as part of the Elevate Denver Bond program (202161137-02; 202054114-02). The last regularly scheduled Council meeting within the 30-day review period is on 12-20-21. The Committee approved filing this item at its meeting on 11-16-21.

A motion offered by Councilmember Ortega, duly seconded by Councilmember Flynn, that Council Resolution 21-1375 be adopted en bloc, carried by the following vote:

Adopted

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

Nay: (None) (0)

[21-1376](#) A resolution approving a proposed Contract between the City and County of Denver and Ames Construction, Inc. for the 56th Avenue Widening design-build services in Council District 11 as part of the Elevate Denver Bond program.

Approves a contract with Ames Construction, Inc. for \$38,724,012.59 and for 782 days for design-build services for the widening of 56th Avenue from Peoria Boulevard to Pena Boulevard in Council District 11 as part of the Elevate Denver Bond program (202160979). The last regularly scheduled Council meeting within the 30-day review period is on 12-20-21. The Committee approved filing this item at its meeting on 11-16-21.

A motion offered by Councilmember Ortega, duly seconded by Councilmember Flynn, that Council Resolution 21-1376 be adopted en bloc, carried by the following vote:

Adopted

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

Nay: (None) (0)

[21-1384](#) A resolution approving a proposed Third Amendatory Agreement between the City and County of Denver and HKS, Inc. for professional design services for the Stockyards Event Center and Stock Yards at the National Western Center.

Amends a contract with HKS, Inc. by adding \$300,000 for a new total of \$3,667,352.97 and 410 days for a new end date of 12-31-22 for professional design services for the Stockyards Event Center and Stock Yards at the National Western Center in Council District 9 (202161188). The last regularly scheduled Council meeting within the 30-day review period is on 12-20-21. The Committee approved filing this item at its meeting on 11-16-21.

A motion offered by Councilmember Ortega, duly seconded by Councilmember Flynn, that Council Resolution 21-1384 be adopted en bloc, carried by the following vote:

Adopted

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

Nay: (None) (0)

Safety, Housing, Education & Homelessness Committee

21-1366 A resolution approving a proposed Fifth Amendatory Agreement between the City and County of Denver and Busco, Inc. to provide daily bus transportation to individuals experiencing homelessness for trips originating in central downtown Denver to various designated approved shelter locations.

Amends a contract with Busco, Inc. by adding \$1,000,000 for a new total of \$5,465,000 and one year for a new end date of 12-31-22 to provide daily bus transportation to individuals experiencing homelessness for trips originating in central downtown Denver to various designated approved shelter locations (HOST 202160811-5). The last regularly scheduled Council meeting within the 30-day review period is on 12-20-21. The Committee approved filing this item at its meeting on 11-17-21.

A motion offered by Councilmember Ortega, duly seconded by Councilmember Flynn, that Council Resolution 21-1366 be adopted en bloc, carried by the following vote:

Adopted

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

Nay: (None) (0)

21-1367 A resolution approving a proposed Second Amendatory Agreement between the City and County of Denver and The Colorado Coalition for the Homeless to provide rehousing services, including short-term bridge shelter, rehousing rental assistance, and supportive services.

Amends a contract with The Colorado Coalition for the Homeless by adding \$2,499,997 for a new total of \$6,500,000 and one year for a new end date of 12-31-22 to coordinate a rehousing collaborative in order to provide rehousing services, including short-term bridge shelter, rehousing rental assistance, and supportive services, citywide (HOST 202161110-02). The last regularly scheduled Council meeting within the 30-day review period is on 12-20-21. The Committee approved filing this item at its meeting on 11-17-21.

A motion offered by Councilmember Ortega, duly seconded by Councilmember Flynn, that Council Resolution 21-1367 be adopted en bloc, carried by the following vote:

Adopted

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

Nay: (None) (0)

[21-1369](#) A resolution approving a proposed Loan Agreement between the City and County of Denver, and Northeast Denver Housing Center, Inc., for the construction and development of a 90-unit affordable housing project known as Central Park II Apartments.

Approves a loan agreement with Northeast Denver Housing Center, Inc. for \$1,665,000 and for 60 years to construct a 90-unit affordable housing project known as Central Park II Apartments, serving low- to moderate-income households earning up to 60% of the area median income, located at the northeast corner of Central Park Boulevard and East Prairie Meadow Drive in Council District 8 (HOST 202160900). The last regularly scheduled Council meeting within the 30-day review period is on 12-20-21. The Committee approved filing this item at its meeting on 11-17-21.

A motion offered by Councilmember Ortega, duly seconded by Councilmember Flynn, that Council Resolution 21-1369 be adopted en bloc, carried by the following vote:

Adopted

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

Nay: (None) (0)

BILLS FOR INTRODUCTION

Business, Arts, Workforce, & Aviation Services Committee

[21-1387](#) A bill for an ordinance concerning the Airport Facilities of the City and County of Denver; authorizing the issuance of the "City and County of Denver, Colorado, for and on behalf of its Department of Aviation, Airport System Subordinate Revenue Bonds, Series 2021C" in the maximum aggregate principal amount of \$35,000,000 for the purposes of defraying the costs of the Series 2021C Refunding Project, and providing other details in connection therewith; providing the amount, terms and other details of such bonds; authorizing the execution of certain related agreements; ratifying action previously taken; providing for other related matters; and providing the effective date of this ordinance.

Authorizes the Manager of Finance, Chief Financial Officer to issue City and County of Denver, for and on behalf of its Department of Aviation, Airport Subordinate Revenue Bonds, Series 2021C in an amount not to exceed \$35 million for the purpose of refunding airport bonds and paying and paying costs of issuance expenses. The last regularly scheduled Council meeting within the 30-day review period is on 12-20-21. The Committee approved filing this item at its meeting on 11-17-21.

Council Bill 21-1387 was ordered published

Ordered published

[21-1388](#) **A bill for an ordinance concerning the Airport Facilities of the City and County of Denver; authorizing the incurrence of the Interim Note Subordinate Obligation under the General Subordinate Bond Ordinance in a maximum aggregate principal amount not to exceed \$700,000,000 in connection with a note purchase agreement to be entered into for the purposes of defraying the costs of certain approved projects, and providing other details in connection therewith; providing the maximum rate and other terms and other details of the Interim Note Subordinate Obligation, which shall be evidenced by a note purchase agreement and a note; authorizing the execution of certain related agreements; ratifying action previously taken; providing for other related matters; and providing the effective date of this ordinance.**

Authorizes the Manager of Finance, Chief Financial Officer to issue City and County of Denver, for and on behalf of its Department of Aviation, Airport Subordinate Interim Note Obligations, in a principal amount not to exceed \$700 million for the purpose of providing interim funding for projects in the Airports existing 2018-2022 Capital Improvement Plan and paying costs of issuance expenses. The last regularly scheduled Council meeting within the 30-day review period is on 12-20-21. The Committee approved filing this item at its meeting on 11-17-21.

Council Bill 21-1388 was ordered published

Ordered published

Finance & Governance Committee

[21-1355](#) **A bill for an ordinance approving a proposed non-exclusive easement between the City and County of Denver and Arapahoe County, to relocate their stormwater and sanitary sewer along a portion of South Cherry Creek Drive in Council District 6.**

Grants a non-exclusive easement with Arapahoe County for \$10 to relocate their stormwater and sanitary sewer along with related purposes along a portion of South Cherry Creek Drive in Council District 6 (FINAN-202160416). The last regularly scheduled Council meeting within the 30-day review period is on 12-20-21. The Committee approved filing this item at its meeting on 11-9-21.

Council Bill 21-1355 was ordered published

Ordered published

[21-1389](#) **A bill for an ordinance making rescissions from and appropriations in the Capital Improvements and Capital Maintenance Fund Series.**

Rescinds \$1,470,171 from completed facilities maintenance capital projects and reappropriates the funds to support energy conservation capital projects, as well as serve as an emergency reserve. The Committee approved filing this item at its meeting on 11-16-21.

Council Bill 21-1389 was ordered published

Ordered published

[21-1390](#) A bill for an ordinance making a rescission from and an appropriation in the General Government Special Revenue Fund Series to make a cash transfer to and an appropriation in the Capital Improvements and Capital Maintenance Fund.

Rescinds and transfers \$2.8 million from the Climate Protection Special Revenue Fund into the Climate Protection Capital Projects Fund and appropriates the transferred amount to be utilized for energy conservation capital improvements. The Committee approved filing this item at its meeting on 11-16-21.

Council Bill 21-1390 was ordered published

Ordered published

Safety, Housing, Education & Homelessness Committee

[21-0999](#) A bill for an ordinance approving a proposed Fourth Amendatory Agreement between the City and County of Denver and Jefferson County Public Health, to provide services to increase equitable neighborhood access to healthy, affordable foods.

Amends an intergovernmental agreement with Jefferson County Public Health by adding \$198,000 for a new total of \$764,653.64 and one year for a new end date of 6-30-22 for collaborative assistance to continue building food systems and neighborhood environments to increase equitable access to healthy, affordable foods as part of the Food In Communities (FIC) program citywide (202055646; 202160321). The last regularly scheduled Council meeting within the 30-day review period is on 12-20-21. The Committee approved filing this item at its meeting on 9-8-21.

Council Bill 21-0999 was ordered published

Ordered published

BILLS FOR FINAL CONSIDERATION

Finance & Governance Committee

[21-1212](#) A bill for an ordinance establishing a new Fund in the Capital Improvements and Capital Maintenance Fund Series for the "Climate Protection Capital Projects" program.

Establishes a new capital improvement fund, 34804 Climate Protection Capital Projects, within the Capital Improvement and Capital Maintenance Fund Series for expenditures related to planning, design, and construction of capital improvements for climate action, sustainability, and resiliency projects. The Committee approved filing this item at its meeting on 11-9-21.

A motion offered by Councilmember Ortega, duly seconded by Councilmember Flynn, that Council Bill 21-1212 be placed upon final consideration and do pass en bloc, carried by the following vote:

Placed upon final consideration and do pass

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

[21-1213](#) A bill for an ordinance making a rescission from and an appropriation in the General Government Special Revenue Fund Series to make a cash transfer to and an appropriation in the Capital Improvements and Capital Maintenance Fund.

Approves a rescission and an appropriation in the Climate Protection Fund to transfer \$18 million from the Climate Protection Fund to the Climate Protection Capital Projects Fund, and appropriates the transferred amount to be utilized for capital improvements associated with the Renewable Denver Community Solar initiative. The Committee approved filing this item at its meeting on 11-9-21.

A motion offered by Councilmember Ortega, duly seconded by Councilmember Flynn, that Council Bill 21-1213 be placed upon final consideration and do pass en bloc, carried by the following vote:

Placed upon final consideration and do pass

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

Nay: (None) (0)

[21-1352](#) A bill for an ordinance approving a proposed Cooperation Agreement between the City and County of Denver and Denver Urban Renewal Authority for the Fox Park Urban Redevelopment Area to establish, among other matters, the parameters for tax increment financing with incremental sales and property taxes.

Approves a cooperation agreement with the Denver Urban Renewal Authority for the Fox Park Urban Redevelopment Area to establish, among other matters, the parameters for tax increment financing with incremental sales and property taxes in Council District 9. The last regularly scheduled Council meeting within the 30-day review period is on 12-13-21. The Committee approved filing this item at its meeting on 11-9-21.

A motion offered by Councilmember Ortega, duly seconded by Councilmember Hinds, that Council Bill 21-1352 be placed upon final consideration and do pass, carried by the following vote:

Placed upon final consideration and do pass

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

Nay: CdeBaca (1)

[21-1357](#) A bill for an ordinance approving a proposed Fox North Amended and Restated Development Agreement between the City and County of Denver and Vita Fox North, L.P., West Globeville Metropolitan District No. 1, and West Globeville Metropolitan District No. 2, for the development of approximately 41 acres bounded by I-70, West 45th Avenue, North Fox Street, West 43rd Avenue and the RTD Rail Line.

Approves the Fox North Amended and Restated Development Agreement in Council District 9. The last regularly scheduled Council meeting within the 30-day review period is on 12-13-21. The Committee approved filing this item at its meeting on 11-9-21.

A motion offered by Councilmember Ortega, duly seconded by Councilmember Flynn, that Council Bill 21-1357 be placed upon final consideration and do pass en bloc, carried by the following vote:

Placed upon final consideration and do pass

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

Nay: (None) (0)

Land Use, Transportation & Infrastructure Committee

[21-1354](#) A bill for an ordinance vacating a portion of right-of-way bounded by East 16th Avenue, East Colfax Avenue, North Valentia Street and North Verbena Street, without reservations.

Vacates a portion of an alley bounded by East 16th Avenue and East Colfax Avenue, and North Valentia Street and North Verbena Street, without reservations in Council District 8. The Committee approved filing this item at its meeting on 11-9-21.

A motion offered by Councilmember Ortega, duly seconded by Councilmember Flynn, that Council Bill 21-1354 be placed upon final consideration and do pass en bloc, carried by the following vote:

Placed upon final consideration and do pass

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

Nay: (None) (0)

Safety, Housing, Education & Homelessness Committee

[21-1219](#) A bill for an ordinance approving a proposed Fiscal Year 2022 Amendment to the Second Amended and Restated Operating Agreement between the City and County of Denver and Denver Health and Hospital Authority, providing for the amounts to be paid for services by the City and County of Denver and by the Denver Health and Hospital Authority for Fiscal Year 2022.

Approves the 2022 Denver Health and Hospital Authority operating agreement (ENVHL-202160644). The last regularly scheduled Council meeting within the 30-day review period is on 12-31-21. The Committee approved filing this item at its meeting on 11-10-21.

A motion offered by Councilmember Ortega, duly seconded by Councilmember Flynn, that Council Bill 21-1219 be placed upon final consideration and do pass en bloc, carried by the following vote:

Placed upon final consideration and do pass

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

Nay: (None) (0)

[21-1235](#) A bill for an ordinance approving a proposed Ninth Amended and Restated Intergovernmental Agreement to Provide Fire Protection between the City and County of Denver and City of Sheridan for fire protection services within the municipal boundary of the City of Sheridan.

Amends an intergovernmental agreement with the City of Sheridan by adding \$2,262,887.22 for a new total of \$20,384,894.10 and one year for a new end date of 12-31-22 to provide fire protection services within the municipal boundary of the City of Sheridan (FIRES-202160750; FIRES-201208809-09). The last regularly scheduled Council meeting within the 30-day review period is on 12-31-21. The Committee approved filing this item at its meeting on 10-27-21.

A motion offered by Councilmember Ortega, duly seconded by Councilmember Flynn, that Council Bill 21-1235 be placed upon final consideration and do pass en bloc, carried by the following vote:

Placed upon final consideration and do pass

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

Nay: (None) (0)

PRE-RECESS ANNOUNCEMENT

Council President Gilmore announced that tonight, there will be a required public hearing on Council Bill 21-1187, changing the zoning classification for 3600 North Cook Street in Clayton; a required public hearing on Council Bill 21-1188, changing the zoning classification for 4301 West 35th Avenue in West Highland; a required public hearing on Council Bill 21-1334, approving the First Amended Service Plans for each of the West Globeville Metropolitan District Nos. 1 and 2; a required public hearing on Council Bill 21-1353, approving the Fox Park Urban Redevelopment Plan, the creation of the Fox Park Urban Redevelopment Area and the Fox Park Property Tax Increment Area and Sales Tax Increment Area; and, a 30-minute courtesy public hearing on Council Bill 21-1182, amending article XI of chapter 24, D.R.M.C., to ban the sale of flavored tobacco products and accessories. 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

REQUIRED PUBLIC HEARINGS - BILLS FOR FINAL CONSIDERATION

Land Use, Transportation & Infrastructure Committee

[21-1187](#) A bill for an ordinance changing the zoning classification for 3600 North Cook Street in Clayton.

Approves a map amendment to rezone property from U-SU-B to U-SU-B1 (allows for an accessory dwelling unit), located at 3600 North Cook Street in Council District 9. The Committee approved filing this item at its meeting on 10-12-21.

Council sat as a Committee of the Whole, commencing at 6:02 p.m., Council President Gilmore presiding, to hear speakers on Council Bill 21-1187. Matthew Leeke and Jesse Parris signed up to speak in favor of the bill. No speakers signed up to speak in opposition of the bill. Fran Penafiel of Community Planning and Development delivered the staff report.

A motion offered by Councilmember Ortega, duly seconded by Councilmember Hinds, that Council Bill 21-1187 be placed upon final consideration and do pass, carried by the following vote:

Placed upon final consideration and do pass

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

21-1188 A bill for an ordinance changing the zoning classification for 4301 West 35th Avenue in West Highland.

Approves a map amendment to rezone property from U-SU-B to U-SU-B1 (allows for an accessory dwelling unit), located at 4301 West 35th Avenue in Council District 1. The Committee approved filing this item at its meeting on 10-12-21.

Council sat as a Committee of the Whole, commencing at 6: 12 p.m., Council President Gilmore presiding, to hear speakers on Council Bill 21-1188. Jesse Parris signed up to speak in favor of the bill. No speakers signed up to speak in opposition of the bill. Fran Penafiel of Community Planning and Development delivered the staff report.

A motion offered by Councilmember Ortega, duly seconded by Councilmember Herndon, that Council Bill 21-1188 be placed upon final consideration and do pass, carried by the following vote:

Placed upon final consideration and do pass

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

Nay: (None) (0)

21-1334 A bill for an ordinance approving the First Amended Service Plans for each of the West Globeville Metropolitan District Nos. 1 and 2.

Approves two separate First Amended and Restated Service Plans for the Title 32 districts, West Globeville Metropolitan District No. 1 and West Globeville Metropolitan District No. 2 in Council District 9. The Committee approved filing this item at its meeting on 11-9-21.

Council sat as a Committee of the Whole, commencing at 6:20 p.m., Council President Gilmore presiding, to hear speakers on Council Bill 21-1334. Matt Ruhland and Jose Carredano signed up to speak in favor of the bill. Jesse Parris signed up to speak in opposition of the bill. Michael Kerrigan of Community Planning and Development delivered the staff report.

A motion offered by Councilmember Ortega, duly seconded by Councilmember Hinds, that Council Bill 21-1334 be placed upon final consideration and do pass, carried by the following vote:

Placed upon final consideration and do pass

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

Nay: CdeBaca (1)

[21-1353](#) A bill for an ordinance approving the Fox Park Urban Redevelopment Plan, the creation of the Fox Park Urban Redevelopment Area and the Fox Park Property Tax Increment Area and Sales Tax Increment Area.

Approves the Fox Park Urban Redevelopment Plan authorizing the creation of an Urban Redevelopment Area and sales and property tax increment areas in Council District 9. The Committee approved filing this item at its meeting on 11-9-21.

Council sat as a Committee of the Whole, commencing at 6:55 p.m., Council President Gilmore presiding, to hear speakers on Council Bill 21-1353. Jeff Bader, Blair Lichtenfels, Manuel Jimenez, Maria Sepulveda, Kathleen Fogler, Mark Tompkins, Nola Miguel, Karen Gerwitz, LJ Suzuki, Karen Gerwitz, Anthony Cistone, Carla Padilla, Kelli P. and Gayle LeRoux signed up to speak in favor of the bill. Jesse Parris signed up to speak in opposition of the bill. Tracy Huggins of Denver Urban Renewal Authority delivered the staff report.

A motion offered by Councilmember Ortega, duly seconded by Councilmember Herndon, that Council Bill 21-1353 be placed upon final consideration and do pass, carried by the following vote:

Placed upon final consideration and do pass

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

Nay: CdeBaca (1)

COURTESY PUBLIC HEARINGS - BILLS FOR INTRODUCTION

Safety, Housing, Education & Homelessness Committee

[21-1182](#) A bill for an ordinance amending article XI of chapter 24, D.R.M.C., to ban the sale of flavored tobacco products and accessories.

Amends Article IX of chapter 24, D.R.M.C., to ban the sale of flavored tobacco products and accessories. The Committee approved filing this item at its meeting on 11-17-21.

A motion offered by Councilmember Ortega, duly seconded by Councilmember Hinds, that Council Bill 21-1182 be ordered published, was followed by a motion offered by Councilmember Flynn, duly seconded by Councilmember Herndon, that Council Bill 21-1182 be amended in the following particulars: "1) On page 2, line 28 add 'menthol' after 'other than the taste or smell of tobacco,'; 2) On page 2, line 30 strike 'menthol,'." to exempt menthol-flavored tobacco products from the flavored tobacco ban. The motion to amend failed to carry by the following vote:

Amended

Aye: Black, Clark, Flynn, Gilmore, Herndon (5)

Nay: Kniech, Ortega, Sandoval, Sawyer, Torres, CdeBaca, Hinds, Kashmann (8)

A motion offered by Councilmember Black, duly seconded by Councilmember Hinds, that Council Bill 21-1182 be amended in the following particulars: "1) On page 3, line 24 add '(k) Specialty retail tobacco store means a business operating as a tobacco business, as defined in C.R.S. 25-14-203(18), that sells, gives, delivers, or furnishes tobacco products to a user or consumer and prohibits individuals under the age of 21 from entering or being present in the store unless the individual enters solely for the purpose of providing a service to the specialty retail tobacco store, including making a delivery.' 2) Reletter subsequent subsections; and 3) On page 4, after line 24, insert '(3) This section shall not apply to flavored tobacco products sold in specialty retail tobacco stores.'" to exempt specialty tobacco retailers who only allow individuals over 21 in their business from the flavored tobacco ban. The motion to amend failed to carry by the following vote:

Amended

Aye: Black, CdeBaca, Clark, Flynn, Gilmore, Herndon (6)
Nay: Kniech, Ortega, Sandoval, Sawyer, Torres, Hinds, Kashmann (7)

A motion offered by Councilmember Kashmann, duly seconded by Councilmember Flynn, that Council Bill 21-1182 be amended in the following particulars: "1) On page 6, line 15, strike 'July 1, 2022.' and replace with 'July 1, 2023.'" to delay the implementation date to 7-1-23. The motion to amend carried by the following vote:

Amended

Aye: Torres, Black, CdeBaca, Clark, Flynn, Gilmore, Herndon, Kashmann (8)
Nay: Kniech, Ortega, Sandoval, Sawyer, Hinds (5)

Council sat as a Committee of the Whole, commencing at 8:02 p.m., to hear speakers on Council Bill 21-1182. Haimanot Embaye, Isaac Gebhart, Nelson Namm, Scott Balderman, Juan Gallegos, Sarah Barnes, Branden Shafer, Angela Garcia, Dr. Temitope Dimmer, Joy Walker and Terri Richardson signed up to speak in favor of the bill. Brandy Majors, David Hagan, Jesse Parris, Philip, Guerin, Shareef Aleem, Grier Bailey, Jordan Henry, Anthony Miranda, Kailash Karki, Tiffany Truong, Alexander Spero, Kristen Hensel, Vaper Jungle -GM Nichelle Hart, Maurica King, Maya Bishop, Amanda Wheeler, Malik Bishop, Mail Tolman, Monica Vondruska, Hoa Luong, Matthew Sawaged, Shareef Aleem, Cornelius Wright, Raymond Smith, Mary Szarmach, Alvertis Simmons, Brian Fojtik, Philip Guerin, Arthur Way and Joe Miklosi signed up to speak in opposition of the bill. No staff report was given.

A motion offered by Councilmember Ortega, duly seconded by Councilmember Hinds, that Council Bill 21-1182 be ordered published as amended, carried by the following vote:

Ordered published as amended

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

PRE-ADJOURNMENT ANNOUNCEMENT

ADJOURN

There being no further business before the City Council, Council President Gilmore adjourned the meeting at 10:18 p.m.

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