

City Council Minutes

Meeting Date: Monday, April 11, 2022 5:30 PM

PLEDGE OF ALLEGIANCE

Councilmember Kashmann led the Pledge of Allegiance.

LAND ACKNOWLEDGEMENT

Councilmember Kashmann led the Land Acknowledgement.

ROLL CALL

Present: CdeBaca, Clark, Flynn, Gilmore, Herndon, Hinds, Kashmann, Kniech, Sandoval, Sawyer, Torres (11)

Absent: Black, Ortega (2)

APPROVAL OF THE MINUTES

[22-0422](#) Minutes of April 4, 2022

The minutes of Monday, April 4, 2022 were distributed to members of Council. Council President Gilmore ordered the minutes approved.

Approved

COUNCIL ANNOUNCEMENTS

Council members Kniech, Sawyer, Kashmann and Torres offered announcements.

PRESENTATIONS

COMMUNICATIONS

PROCLAMATIONS

RECAP OF BILLS TO BE CALLED OUT

Items called out for a separate vote:

RESOLUTIONS

Business, Arts, Workforce, & Aviation Services Committee

[22-0348](#) **A resolution approving a proposed Amendment between the City and County of Denver and Enterprise Leasing Company of Denver, LLC concerning rental car facilities at Denver International Airport.**

Amends a ground lease with Enterprise Leasing Company of Denver, LLC to add \$98,773,450 for a new contract total of \$118,528,140 and 5 years for a new end date of 12-31-27 and terminates the Rental Car Concession Agreement, moving relevant clauses into this lease to consolidate all terms under one agreement, for rental car facilities at Denver International Airport in Council District 11 (PLANE-202159847 [201314191]). The last regularly scheduled Council meeting within the 30-day review period is on 5-2-22. The Committee approved filing this item at its meeting on 3-30-22.

Pursuant to Council Rule 3.7, Councilmember Flynn called this item out at the 4-11-22 meeting for a postponement to 4-18-22.

Postponed

[22-0349](#) A resolution approving a proposed Amendment between the City and County of Denver and Fox Rent A Car, Inc. concerning rental car facilities at Denver International Airport.

Amends a ground lease with Fox Rent A Car, Inc. to add \$ 10,828,315 for a new contract total of \$12,993,978 and 5 years for a new end date of 12-31-27 and terminates the Rental Car Concession Agreement, moving relevant clauses into this lease to consolidate all terms under one agreement, for rental car facilities at Denver International Airport in Council District 11 (PLANE-202159849 [201314178]). The last regularly scheduled Council meeting within the 30-day review period is on 5-2-22. The Committee approved filing this item at its meeting on 3-30-22.

Pursuant to Council Rule 3.7, Councilmember Flynn called this item out at the 4-11-22 meeting for a postponement to 4-18-22.

Postponed

[22-0350](#) A resolution approving a proposed Amendment between the City and County of Denver and Hertz Corporation concerning rental car facilities at Denver International Airport.

Amends a ground lease with the Hertz Corporation to add \$98,860,290 for a new contract total of \$118,632,348 and 5 years for a new end date of 12-31-27 and terminates the Rental Car Concession Agreement, moving relevant clauses into this lease to consolidate all terms under one agreement, for rental car facilities at Denver International Airport in Council District 11 (PLANE-202159851 [201314180]). The last regularly scheduled Council meeting within the 30-day review period is on 5-2-22. The Committee approved filing this item at its meeting on 3-30-22.

Pursuant to Council Rule 3.7, Councilmember Flynn called this item out at the 4-11-22 meeting for a postponement to 4-18-22.

Postponed

[22-0351](#) A resolution approving a proposed Amendment between the City and County of Denver and Sixt Rent A Car, LLC concerning rental car facilities at Denver International Airport.

Amends a ground lease with Sixt Rent A Car, LLC to add \$15,484,740 for a new contract total of \$18,581,688 and 5 years for a new end date of 12-31-27 and terminates the Rental Car Concession Agreement, moving relevant clauses into this lease to consolidate all terms under one agreement, for rental car facilities at Denver International Airport in Council District 11 (PLANE-202159852 [201314178]). The last regularly scheduled Council meeting within the 30-day review period is on 5-2-22. The Committee approved filing this item at its meeting on 3-30-22.

Pursuant to Council Rule 3.7, Councilmember Flynn called this item out at the 4-11-22 meeting for a postponement to 4-18-22.

Postponed

BLOCK VOTE

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

Approved the consent agenda

- Aye: CdeBaca, Clark, Flynn, Gilmore, Herndon, Hinds, Kashmann, Kniech, Sandoval, Sawyer, Torres (11)
- Nay: (None) (0)
- Absent: Black, Ortega (2)

RESOLUTIONS

Business, Arts, Workforce, & Aviation Services Committee

22-0286 A resolution approving a proposed Agreement with Tepeyac QALICB, Inc. an affiliate of Tepeyac Community Health Center to support the expansion of their clinical services by acquiring a portion of land at 2101 and 2111 East 48th Avenue.

Approves a loan agreement with Tepeyac QALICB, Inc. an affiliate of Tepeyac Community Health Center, for \$500,000 in Community Development Based Grant (CDBG) funding and through 6-30-2022 to support the expansion of their clinical services by acquiring a portion of land at 2101 and 2111 E. 48th Avenue in Council District 9 (OEDEV-202159172). The last regularly scheduled Council meeting within the 30-day review period is on 5-2-22. The Committee approved filing this item at its meeting on 3-30-22.

A motion offered by Councilmember Hinds, duly seconded by Councilmember Flynn, that Council Resolution 22-0286 be adopted en bloc, carried by the following vote:

Adopted

- Aye: CdeBaca, Clark, Flynn, Gilmore, Herndon, Hinds, Kashmann, Kniech, Sandoval, Sawyer, Torres (11)
- Nay: (None) (0)
- Absent: Black, Ortega (2)

22-0287 A resolution approving a proposed Agreement with Tepeyac QALICB, Inc. an affiliate of Tepeyac Community Health Center to support the expansion of their clinical services by acquiring a portion of land at 2101 and 2111 East 48th Avenue.

Approves a performance loan agreement with Tepeyac QALICB, Inc. an affiliate of Tepeyac Community Health Center, for \$500,000 in Community Development Based Grant-COVID (CDBG-CV) funding and through 6-30-2022 to support the expansion of their clinical services by acquiring a portion of land at 2101 and 2111 E. 48th Avenue in Council District 9 (OEDEV-202159171). The last regularly scheduled Council meeting within the 30-day review period is on 5-2-22. The Committee approved filing this item at its meeting on 3-30-22.

A motion offered by Councilmember Hinds, duly seconded by Councilmember Flynn, that Council Resolution 22-0287 be adopted en bloc, carried by the following vote:

Adopted

- Aye: CdeBaca, Clark, Flynn, Gilmore, Herndon, Hinds, Kashmann, Kniech, Sandoval, Sawyer, Torres (11)
- Nay: (None) (0)
- Absent: Black, Ortega (2)

22-0341 A resolution approving a proposed Purchase Order between the City and County of Denver and Lynch Denver, Inc. concerning the one-time purchase of a Century Rotator 1150R Wrecker heavy-duty tow truck for use at Denver International Airport.

Approves a purchase order with Lynch Denver, Inc. for \$753,923.26 for the one-time purchase of a Century Rotator 1150R Wrecker heavy-duty tow truck for use at Denver International Airport in Council District 11 (PO-00111733). The last regularly scheduled Council meeting within the 30-day review period is on 5-2-22. The Committee approved filing this item at its meeting on 3-30-22.

A motion offered by Councilmember Hinds, duly seconded by Councilmember Flynn, that Council Resolution 22-0341 be adopted en bloc, carried by the following vote:

Adopted

Aye: CdeBaca, Clark, Flynn, Gilmore, Herndon, Hinds, Kashmann, Kniech, Sandoval, Sawyer, Torres (11)
Nay: (None) (0)
Absent: Black, Ortega (2)

22-0346 A resolution approving a proposed amendment between the City and County of Denver and United Airlines, Inc. concerning rates and charges to document all space currently leased by United at Denver International Airport.

Amends a use and lease agreement with United Airlines, Inc. for rates and charges to document all space currently leased by United, identify new leased areas in the Great Hall redevelopment project and identify new leased support space in the B East Expansion at Denver International Airport in Council District 11. No change to contract duration (202160322/XC 2X000). The last regularly scheduled Council meeting within the 30-day review period is on 5-2-22. The Committee approved filing this item at its meeting on 3-30-22.

A motion offered by Councilmember Hinds, duly seconded by Councilmember Flynn, that Council Resolution 22-0346 be adopted en bloc, carried by the following vote:

Adopted

Aye: CdeBaca, Clark, Flynn, Gilmore, Herndon, Hinds, Kashmann, Kniech, Sandoval, Sawyer, Torres (11)
Nay: (None) (0)
Absent: Black, Ortega (2)

[22-0347](#) A resolution approving a proposed Lease Agreement between the City and County of Denver and Worldwide Flight Services concerning a space lease to support ramp services and ticketing operations at Denver International Airport.

Approves a lease agreement with Worldwide Flight Services for rates and charges and for 3 years for use of 312.9 sf on the Concourse A apron to support ramp services such as bag loading and 71.0 sf in the terminal to support ticketing operations for smaller carriers at Denver International Airport in Council District 11 (202160323). The last regularly scheduled Council meeting within the 30-day review period is on 5-2-22. The Committee approved filing this item at its meeting on 3-30-22.

A motion offered by Councilmember Hinds, duly seconded by Councilmember Flynn, that Council Resolution 22-0347 be adopted en bloc, carried by the following vote:

Adopted

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

Nay: (None) (0)

Absent: Black, Ortega (2)

Finance & Governance Committee

[22-0356](#) A resolution approving the Mayor's appointment and reappointment to the West Colfax Business Improvement District Board of Directors.

Approves the Mayoral appointment of Juan Padro and the Mayoral reappointment of Rene Doubleday to the West Colfax Business Improvement District Board of Directors for terms effective immediately and expiring 10-3-24, or until a successor is duly appointed. The Committee approved filing this resolution by consent on 3-29-2022.

A motion offered by Councilmember Hinds, duly seconded by Councilmember Flynn, that Council Resolution 22-0356 be adopted en bloc, carried by the following vote:

Adopted

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

Nay: (None) (0)

Absent: Black, Ortega (2)

Land Use, Transportation & Infrastructure Committee

[22-0358](#) A resolution accepting and approving the plat of Denver Gateway Center Filing No. 9.

Approves a subdivision plat for Denver Gateway Center Filing No. 9, located between East 61st Avenue and East 62nd Avenue and North Ceylon Street and North Dunkirk Street in Council District 11. The Committee approved filing this item at its meeting on 3-29-22.

A motion offered by Councilmember Hinds, duly seconded by Councilmember Flynn, that Council Resolution 22-0358 be adopted en bloc, carried by the following vote:

Adopted

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

Nay: (None) (0)

Absent: Black, Ortega (2)

Safety, Housing, Education & Homelessness Committee

[22-0228](#) A resolution approving a proposed Loan Agreement between the City and County of Denver and Mile High Ministries to construct a 61-unit affordable housing rental project known as Clara Brown Commons, serving low- to moderate income households.

Approves a performance loan agreement with Mile High Ministries for \$1,825,000 and for 60 years to construct a 61-unit affordable housing rental project known as Clara Brown Commons, serving low- to moderate-income households and located at 3700 Gaylord Street in Council District 9 (HOST-202161467). The last regularly scheduled Council meeting within the 30-day review period is on 5-2-22. The Committee approved filing this item at its meeting on 2-23-22.

A motion offered by Councilmember Hinds, duly seconded by Councilmember Flynn, that Council Resolution 22-0228 be adopted en bloc, carried by the following vote:

Adopted

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

Nay: (None) (0)

Absent: Black, Ortega (2)

BILLS FOR INTRODUCTION

Finance & Governance Committee

[22-0320](#) A bill for an ordinance granting the authority to acquire through negotiated purchase or condemnation of all or any portion of any property interest as needed in support of the Weir Gulch Reach 1 - Decatur Street Crossing Point project in Council District 3.

Grants the authority to acquire through negotiated purchase or condemnation of all or any portion of any property interest as needed in support of the Weir Gulch Reach 1 - Decatur Street Crossing Point project in Council District 3. The Committee approved filing this item at its meeting on 3-22-22.

Council Bill 22-0320 was ordered published

Ordered published

Land Use, Transportation & Infrastructure Committee

[22-0307](#) A bill for an ordinance changing the zoning classification for 2900 North Eudora Street, 2685 North Dahlia Street and 3025 North Glencoe Street in North Park Hill.

Approves a map amendment to rezone property from U-SU-C to U-SU-C1, located at 2685 North Dahlia Street, and E-SU-DX to E-SU-D1X, located at 2900 North Eudora Street and 3025 North Glencoe Street, in Council District 8. The Committee approved filing this item at its meeting on 3-29-22.

Council Bill 22-0307 was ordered published with a future required public hearing on 5-9-22

Ordered published with a future required public hearing

[22-0343](#) A bill for an ordinance changing the zoning classification for multiple properties in Villa Park, Barnum and Barnum West.

Approves a legislative map amendment to rezone multiple properties from E-SU-D and E-SU-Dx to E-SU-D1 and E-SU-D1x, located in the Villa Park, Barnum, and Barnum West neighborhoods in Council District 3. The Committee approved filing this item at its meeting on 3-29-22.

Council Bill 22-0343 was ordered published with a future required public hearing on 5-9-22

Ordered published with a future required public hearing

[22-0344](#) A bill for an ordinance designating 3435 Albion Street as a structure for preservation.

Approves an individual Denver landmark designation for property located at 3435 Albion Street in Council District 8. The Committee approved filing this item at its meeting on 3-29-22.

Council Bill 22-0344 was ordered published with a future required public hearing on 4-18-22

Ordered published with a future required public hearing

[22-0353](#) A bill for an ordinance changing the zoning classification for 2264 South Williams Street in University.

Approves a map amendment to rezone property from U-SU-C to U-SU-C1, located at 2264 South Williams Street in Council District 6. The Committee approved filing this item at its meeting on 3-29-22.

Council Bill 22-0353 was ordered published with a future required public hearing on 5-9-22

Ordered published with a future required public hearing

BILLS FOR FINAL CONSIDERATION

Finance & Governance Committee

22-0290 A bill for an ordinance authorizing the issuance of (1) the “City and County of Denver, Colorado, General Obligation Elevate Denver Bonds” for the purpose of financing and defraying the cost of acquiring, constructing, installing and improving various civic facilities, and (2) a tax-exempt and a taxable series of the “City and County of Denver, Colorado, General Obligation RISE Denver Bonds” for the purpose of repairing and improving various civic facilities; providing for the levy of general ad valorem taxes to pay the principal of and interest on such Bonds; and making other provisions relating thereto.

Authorizes the issuance of City and County of Denver General Obligation Bonds, Series 2022A-C in a principal amount not to exceed \$366.4 million for the purpose of funding projects approved by Denver voters in the November 2017 Elevate Bond Program and the November 2021 RISE Denver Bond Program, and to pay associated costs of issuance. The Committee approved filing this item at its meeting on 3-15-22.

A motion offered by Councilmember Hinds, duly seconded by Councilmember Flynn, that Council Bill 22-0290 be placed upon final consideration and do pass en bloc, carried by the following vote:

Placed upon final consideration and do pass

- Aye: CdeBaca, Clark, Flynn, Gilmore, Herndon, Hinds, Kashmann, Kniech, Sandoval, Sawyer, Torres (11)
- Nay: (None) (0)
- Absent: Black, Ortega (2)

22-0291 A bill for an ordinance to amend, restate and supersede Ordinance No. 0819, Series of 2017, designating the projects to be undertaken and funded with the proceeds of any general obligations bonds authorized by voters at the November 7, 2017 election.

Amends the 2017 Elevate Denver Bond companion ordinance, approved as CB17-0819, to revise project names and/or descriptions to more accurately reflect the projects to be undertaken and provides other administrative revisions. The Committee approved filing this item at its meeting on 3-15-22.

A motion offered by Councilmember Hinds, duly seconded by Councilmember Flynn, that Council Bill 22-0291 be placed upon final consideration and do pass en bloc, carried by the following vote:

Placed upon final consideration and do pass

- Aye: CdeBaca, Clark, Flynn, Gilmore, Herndon, Hinds, Kashmann, Kniech, Sandoval, Sawyer, Torres (11)
- Nay: (None) (0)
- Absent: Black, Ortega (2)

22-0315 A bill for an ordinance approving proposed Amendments to Lease Agreements with Coffee Etc., Dazbog Denver Bldg, LLC, Pizza Republica II, and Subway Real Estate, LLC to provide additional rent relief through 3-31-22 in response to the COVID-19 pandemic.

Authorizes the Division of Real Estate to amend commercial leases with Coffee Etc., Dazbog Denver Bldg, LLC, Pizza Republica II, and Subway in City-owned buildings located at the Lindsey-Flanigan Courthouse, Webb Building, Colorado Convention Center, and Denver Justice Center Garage to provide additional rent relief through 3-31-22 in response to the COVID-19 pandemic. Previous employee retention measures will be discontinued with this final round of lease amendments. The last regularly scheduled Council meeting within the 30-day review period is on 3-22-22. The Committee approved filing this item at its meeting on 4-25-22.

A motion offered by Councilmember Hinds, duly seconded by Councilmember Flynn, that Council Bill 22-0315 be placed upon final consideration and do pass en bloc, carried by the following vote:

Placed upon final consideration and do pass

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

Nay: (None) (0)

Absent: Black, Ortega (2)

22-0319 A bill for an ordinance approving a proposed Purchase and Sale Agreement between the City and County of Denver and Habitat for Humanity of Metro Denver, Inc., for sale of 5 parcels of City-owned property, located at 1049 Stuart Street, 1060 Newton Street, 1076 Meade Street, 1077 Meade Street & 1086 Meade Street in Council District 3, for purchaser to build affordable housing.

Approves a purchase and sale agreement with Habitat for Humanity for \$50 for sale of 5 parcels of City-owned property, located at 1049 Stuart Street, 1060 Newton Street, 1076 Meade Street, 1077 Meade Street & 1086 Meade Street in Council District 3, for purchaser to build a minimum of 6 income-restricted units, including recordation of a 90-year affordable housing deed covenant upon closing (FINAN-202261767). The last regularly scheduled Council meeting within the 30-day review period is on 4-25-22. The Committee approved filing this item at its meeting on 3-22-22.

A motion offered by Councilmember Hinds, duly seconded by Councilmember Flynn, that Council Bill 22-0319 be placed upon final consideration and do pass en bloc, carried by the following vote:

Placed upon final consideration and do pass

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

Nay: (None) (0)

Absent: Black, Ortega (2)

22-0321 A bill for an ordinance making a rescission from and an appropriation in the Parks Legacy Fund; transferring cash to the Parks, Trails, and Open Space Capital Improvement Fund; and authorizing an appropriation in the Parks, Trails, and Open Space Capital Improvement Fund.

Approves the transfer of \$5 million from the Parks, Trails and Open Space Operating Special Revenue Fund 15828 into the Parks Legacy Improvement Projects Fund 36050 and appropriates the transferred amount to be utilized for parks and recreation improvements to be delivered as part of the Weir Gulch-Decatur Crossing flood mitigation project. The Committee approved filing this item at its meeting on 3-22-22.

A motion offered by Councilmember Hinds, duly seconded by Councilmember Flynn, that Council Bill 22-0321 be placed upon final consideration and do pass en bloc, carried by the following vote:

Placed upon final consideration and do pass

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

Nay: (None) (0)

Absent: Black, Ortega (2)

22-0330 A bill for an ordinance to amend Ordinance No. 1413, Series of 2020, concerning the Climate Protection Fund.

Amends Ordinance 20-1413 creating the Climate Protection Fund to expand the types of allowable revenue received into the fund to include program income. The Committee approved filing this item at its meeting on 3-22-22.

A motion offered by Councilmember Hinds, duly seconded by Councilmember Flynn, that Council Bill 22-0330 be placed upon final consideration and do pass en bloc, carried by the following vote:

Placed upon final consideration and do pass

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

Nay: (None) (0)

Absent: Black, Ortega (2)

PRE-RECESS ANNOUNCEMENT

Council President Gilmore announced that tonight, there will be a required public hearing on Council Bill 22-0209, changing the zoning classification for 3455 North Birch Street in Northeast Park Hill. Anyone wishing to speak on this matter 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

[22-0209](#) A bill for an ordinance changing the zoning classification for 3455 North Birch Street in Northeast 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 3455 N. Birch Street in Council District 8. The Committee approved filing this item at its meeting on 2-22-22.

Council sat as a Committee of the Whole, commencing at 6:07 p.m., Council President Gilmore presiding, to hear speakers on Council Bill 22-0209. Jesse Parris signed up to speak in favor of the bill. No speakers signed up to speak in opposition of the bill. Val Herrera of Community Planning and Development delivered the staff report.

A motion offered by Councilmember Kashmann, duly seconded by Councilmember Herndon, that Council Bill 22-0209 be placed upon final consideration and do pass, carried by the following vote:

Placed upon final consideration and do pass

Aye: Clark, Flynn, Gilmore, Herndon, Hinds, Kashmann, Kniech, Sandoval, Sawyer, Torres (10)

Nay: (None) (0)

Absent: Black, CdeBaca, Ortega (3)

PRE-ADJOURNMENT ANNOUNCEMENT

Council President Gilmore announced that on Monday, April 18, 2022, Council will hold a required public hearing on Council Bill 22-0344, designating 3435 Albion Street as a structure for preservation. On Monday, May 9, 2022, Council will hold a required public hearing on Council Bill 22-0307, changing the zoning classification for 2900 North Eudora Street, 2685 North Dahlia; a required public hearing on Council Bill 22-0343, changing the zoning classification for multiple properties in Villa Park, Barnum and Barnum West; and, a required public hearing on Council Bill 22-0353, changing the zoning classification for 2264 South Williams Street in University. Any protests against Council Bills 22-0307, 22-0343 or 22-0353 must be filed with the Council Offices no later than noon on Monday, May 2, 2022.

ADJOURN

There being no further business before City Council, Council President Gilmore adjourned the meeting at 6:18 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