

# City Council Minutes

Meeting Date: Monday, September 28, 2020 5:30 PM

## PLEDGE OF ALLEGIANCE

Councilmember Kniech led the Pledge of Allegiance.

## ROLL CALL

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

## APPROVAL OF THE MINUTES

[20-1043](#) Minutes of Monday, September 21, 2020

The minutes of Monday, September 21, 2020 were distributed to members of Council. Council President Gilmore ordered the minutes approved.

### Approved

## COUNCIL ANNOUNCEMENTS

Councilmembers Sandoval, Torres, Sawyer, CdeBaca and Gilmore offered announcements.

## PRESENTATIONS

## COMMUNICATIONS

## PROCLAMATIONS

## RECAP OF BILLS TO BE CALLED OUT

## BLOCK VOTE

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

### Approved the consent agenda

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

Nay: (None) (0)

## RESOLUTIONS

### City Council - Direct Files

[20-0975](#) **A resolution extending the declaration of local disaster filed with the clerk and recorder to November 2, 2020.**

Extends the local disaster declaration to November 2, 2020. Councilmember Gilmore approved filing this item on 9-24-20.

A motion offered by Councilmember Kniech, duly seconded by Councilmember Hinds, that Council Resolution 20-0975 be adopted en bloc, carried by the following vote:

### Adopted

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

Nay: (None) (0)

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

**20-0918 A resolution approving a proposed Purchase Order between the City and County of Denver and John Bean Technologies Corporation concerning the purchase of ground power units for an expansion project on Concourse A at Denver International Airport.**

Approves a purchase order with John Bean Technologies Corporation for \$833,980.01 to purchase 23 ground power units for the expansion project on A Concourse at Denver International Airport (PO-00090533). The last regularly scheduled Council meeting within the 30-day review period is on 10-20-20. The Committee approved filing this item at its meeting on 9-16-20.

A motion offered by Councilmember Kniech, duly seconded by Councilmember Hinds, that Council Resolution 20-0918 be adopted en bloc, carried by the following vote:

**Adopted**

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

Nay: (None) (0)

**20-0919 A resolution approving a proposed Purchase Order between the City and County of Denver and Twist, Inc. concerning the purchase of pre-conditioned air units for an expansion project on Concourse A at Denver International Airport.**

Approves a purchase order with Twist, Inc. for \$1,613,035.97 to purchase 20 pre-conditioned air units for the expansion project on A Concourse at Denver International Airport (PO-00090791). The last regularly scheduled Council meeting within the 30-day review period is on 10-20-20. The Committee approved filing this item at its meeting on 9-16-20.

A motion offered by Councilmember Kniech, duly seconded by Councilmember Hinds, that Council Resolution 20-0919 be adopted en bloc, carried by the following vote:

**Adopted**

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

Nay: (None) (0)

**Finance & Governance Committee**

**[20-0917](#) A resolution approving a proposed Agreement between the City and County of Denver and Standard Insurance Company, to administer employee benefits plans including life insurance and short-term and long-term disability plans for all qualified benefited employees.**

Approves a contract with Standard Insurance Company for \$22 million and through 12-31-21 to administer employee benefit plans including life insurance, and short-term and long-term disability plans for all qualified benefited employees (CSAHR-202053663). The last regularly scheduled Council meeting within the 30-day review period is on 10-20-20. The Committee approved filing this item at its meeting on 9-15-20.

A motion offered by Councilmember Kniech, duly seconded by Councilmember Hinds, that Council Resolution 20-0917 be adopted en bloc, carried by the following vote:

**Adopted**

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

**Land Use, Transportation & Infrastructure Committee**

**[20-0926](#) A resolution approving a proposed License Agreement between the City and County of Denver and GKZ, Inc. for access and maintenance of Chief Hosa Road in Genesee Park.**

Approves a non-financial license agreement in perpetuity with GKZ, Inc. for access and maintenance of Chief Hosa Road in Genesee Park, which serves as the sole access to the property at 26012 Chief Hosa Road in Jefferson County (202055378). The last regularly scheduled Council meeting within the 30-day review period is on 10-20-20. The Committee approved filing this item at its meeting on 9-15-20.

A motion offered by Councilmember Kniech, duly seconded by Councilmember Hinds, that Council Resolution 20-0926 be adopted en bloc, carried by the following vote:

**Adopted**

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

**20-0927 A resolution approving a proposed Amendatory Agreement between the City and County of Denver and Denver Urban Gardens to modify the term of the Agreement.**

Amends a revenue sharing contract with Denver Urban Gardens by adding one year for a new end date of 5-21-21 for operating and maintaining multiple community garden sites on City property. No change to contract amount (201521600; 202055207). The last regularly scheduled Council meeting within the 30-day review period is on 10-20-20. The Committee approved filing this item at its meeting on 9-15-20.

A motion offered by Councilmember Kniech, duly seconded by Councilmember Hinds, that Council Resolution 20-0927 be adopted en bloc, carried by the following vote:

**Adopted**

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

Nay: (None) (0)

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

**20-0932 A resolution approving a proposed Revival and Amendatory Agreement between the City and County of Denver and The Colorado Coalition for the Homeless to provide staffing for screening and triage at shelters for people experiencing homelessness in response to the COVID-19 pandemic.**

Amends a contract with The Colorado Coalition for the Homeless by adding \$318,749 for a new total of \$806,461 and 4.5 months for a new end date of 12-31-20 to provide staffing for screening and triage at shelters for people experiencing homelessness in response to the COVID-19 pandemic (HOST202054658; HOST202055726-01). The last regularly scheduled Council meeting within the 30-day review period is on 10-20-20. The Committee approved filing this item at its meeting on 9-16-20.

A motion offered by Councilmember Kniech, duly seconded by Councilmember Hinds, that Council Resolution 20-0932 be adopted en bloc, carried by the following vote:

**Adopted**

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

Nay: (None) (0)

## **BILLS FOR INTRODUCTION**

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

[20-0889](#) **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 Revenue Bonds, Series 2020A" in the maximum aggregate principal amount of \$225,000,000 for the purposes of defraying the costs of the Series 2020A Refunding Project, the "City and County of Denver, Colorado, for and on behalf of its Department of Aviation, Airport System Revenue Bonds, Series 2020B" in the maximum aggregate principal amount of \$110,000,000 for the purposes of defraying the costs of the Series 2020B Refunding Project, and the "City and County of Denver, Colorado, for and on behalf of its Department of Aviation, Airport System Revenue Bonds, Series 2020C" in the maximum aggregate principal amount of \$890,000,000 for the purposes of defraying the costs of the Series 2020C 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 Senior Revenue Bonds, Series 2020A-C in an amount not to exceed \$1.225 billion for the purpose of refunding and restructuring of airport bonds, paying for swap termination costs and paying costs of issuance expenses. The last regularly scheduled Council meeting within the 30-day review period is on 10-20-20. The Committee approved filing this item at its meeting on 9-2-20.

Council Bill 20-0889 was ordered published

#### **Ordered published**

[20-0890](#) **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 2020D" in the maximum aggregate principal amount of \$750,000,000 for the purposes of defraying the costs of the Series 2020D 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 2020D in an amount not to exceed \$750 million for the purpose of refunding and restructuring of airport bonds and paying costs of issuance expenses. The last regularly scheduled Council meeting within the 30-day review period is on 10-20-20. The Committee approved filing this item at its meeting on 9-2-20.

Council Bill 20-0890 was ordered published

#### **Ordered published**

## Finance & Governance Committee

[20-0912](#) **A bill for an ordinance designating certain properties as being required for public use and authorizing use and acquisition thereof by negotiation or through condemnation proceedings of fee simple, easement and other interests, including any rights and interests related or appurtenant to properties designated as needed for the traffic and pedestrian safety improvement project at the intersections of West Kentucky Avenue and Morrison Road, and West 44th Avenue and Lowell Boulevard.**

Grants the authority to acquire through negotiated purchase or condemnation any property interest as needed in support traffic signal improvements, including easement interests, access rights, improvements, buildings, fixtures, licenses, permits and other appurtenances, located at all four intersections at the northwest corner of West Kentucky Avenue and Morrison Road, the southwest corner of West Kentucky Avenue and Morrison Road, the northeast corner of West Kentucky Avenue and Morrison Road, the southeast corner of West Kentucky Avenue and Morrison Road and the southeast corner of West 44th Avenue and Lowell Blvd in Council District 1 and 3. The Committee approved filing this item at its meeting on 9-8-20.

Council Bill 20-0912 was ordered published

### Ordered published

[20-0915](#) **A bill for an ordinance making a rescission from General Fund Contingency, making an appropriation in the General Fund, and making a cash transfer to the Coronavirus Emergency Response Special Revenue Fund to support Denver housing needs exacerbated by the COVID-19 pandemic.**

Approves a supplemental appropriation of \$2,650,000 from General Fund Contingency to make a cash transfer to the Coronavirus Emergency Response Special Revenue Fund to address housing support needs, including housing vouchers, TRUA, outreach services, and safe encampment support, that have been exacerbated by the COVID-19 pandemic. The Committee approved filing this item at its meeting on 9-15-20.

Council Bill 20-0915 was ordered published

### Ordered published

[20-0935](#) **A bill for an ordinance restating Article X of Chapter 53, of the Denver Revised Municipal Code to establish a temporary maximum fee that can be charged for third-party food delivery services in the city.**

A bill for an ordinance capping the fees for third-party food delivery systems. The Committee approved filing this item at its meeting on 9-15-20.

Council Bill 20-0935 was ordered published

### Ordered published

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

**[20-0916](#) A bill for an ordinance relinquishing portions of the easements established in High Point Subdivision Filing No. 3 recorded with the Denver Clerk & Recorder at Reception No. 2020036314 located near the intersections of North Argonne Street and East 66th Place; and, East 65th Avenue and North Ceylon Street.**

Relinquishes a portion of two dry utility easements, as established in the High Point Subdivision Filing No.3, Recordation No. 2020036314, located near Argonne Street and 66th Place and near Ceylon Street, Ceylon Court, and 65th Avenue in Council District 11. The last regularly scheduled Council meeting within the 30-day review period is on 10-20-20. The Committee approved filing this item at its meeting on 9-15-20.

Council Bill 20-0916 was ordered published

### **Ordered published**

**[20-0929](#) A bill for an ordinance changing the zoning classification of 1290 Williams Street in Cheesman Park.**

Approves an official map amendment to rezone property from G-MU-20 UO-3 to PUD-G #23 (multi-unit, 20 stories to planned development), located at 1290 Williams Street in Council District 10. If ordered published, a public hearing will be held on Monday, 10-26-20. The Committee approved filing this item at its meeting on 9-15-20.

Council Bill 20-0929 was ordered published with a future required public hearing on 10-26-20

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

**[20-0930](#) A bill for an ordinance approving and accepting the East Central Area Plan, which plan shall become a part of the Comprehensive Plan 2040 for the City and County of Denver pursuant to the provisions of Section 12-61 of the Denver Revised Municipal Code.**

Adopts the East Central Area Plan, as part of the city's Comprehensive Plan. If ordered published, a public hearing will be held on Monday, 10-5-20. The Committee approved filing this item at its meeting on 9-15-20.

Council Bill 20-0930 was ordered published with a future required public hearing on 10-5-20

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

**BILLS FOR FINAL CONSIDERATION**

**Land Use, Transportation & Infrastructure Committee**

**20-0910 A bill for an ordinance approving a proposed Easement between the City and County of Denver and PHC Mixed Use, LLC for real property located at 2868-2980 Fairfax Street.**

Grants a temporary construction easement, a permanent easement for underground footings, and permanent access agreement to PHC Mixed Use, LLC for \$12,862 on City property located at 2868 Fairfax Street in Council District 8 (FINAN-202055162). The last regularly scheduled Council meeting within the 30-day review period is on 10-12-20. The Committee approved filing this item at its meeting on 9-8-20.

A motion offered by Councilmember Kniech, duly seconded by Councilmember Hinds, that Council Bill 20-0910 be placed upon final consideration and do pass en bloc, carried by the following vote:

**Placed upon final consideration and do pass**

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

**20-0911 A bill for an ordinance approving a proposed Easement between the City and County of Denver and PHC Mixed Use, LLC for real property located at 2848 Fairfax Street.**

Grants a temporary construction easement, a permanent easement for underground footings, and permanent access agreement to PHC Mixed Use, LLC for \$432 on City property located at 2848 Fairfax Street in Council District 8 (FINAN-202054315). The last regularly scheduled Council meeting within the 30-day review period is on 10-12-20. The Committee approved filing this item at its meeting on 9-8-20.

A motion offered by Councilmember Kniech, duly seconded by Councilmember Hinds, that Council Bill 20-0911 be placed upon final consideration and do pass en bloc, carried by the following vote:

**Placed upon final consideration and do pass**

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

**PRE-RECESS ANNOUNCEMENT**

Council President Gilmore announced that tonight there will be a required public hearing on Council Bill 20-0813, changing the zoning classification for 55, 65, 101 S. Colorado Blvd., 51, 97, 101 Colorado Blvd. and 98 Harrison St. in Cherry Creek; and, a required public hearing on Council Bill 20-0815, changing the zoning classification for 50 South Kalamath Street, 39 South Kalamath Street, 10 South Lipan Street, and 101 South Santa Fe Drive in Baker. Anyone wishing to speak on either of these matters must go online to sign up during the recess of Council.

**RECESS**

Council took a recess

**COUNCIL RECONVENES AND RESUMES ITS REGULAR SESSION**

**PUBLIC HEARINGS - BILLS FOR FINAL CONSIDERATION**

**Land Use, Transportation & Infrastructure Committee**

**[20-0813](#) A bill for an ordinance changing the zoning classification for 55, 65, 101 S. Colorado Blvd., 51, 97, 101 Colorado Blvd. and 98 Harrison St. in Cherry Creek.**

Approves an official map amendment to rezone property located at 101 Colorado Boulevard from G-RH-3 to G-MU-5, properties located at 98 Harrison Street, 97 Colorado Boulevard and 51 Colorado Boulevard from G-RH-3 to G-RO-5, properties located at 55 and 65 South Colorado Boulevard from PUD 56 to G-RO-5 and property located at 101 S. Colorado Boulevard from G-MU-3 to G-MU-5 (various districts to multi-unit, 5 stories) in Council District 10. The Committee approved filing this item at its meeting on 8-18-20.

Council sat as a Committee of the Whole, commencing at 6:03 p.m., Council President Gilmore presiding, to hear speakers on Council Bill 20-0813. Caitlin Quander, Douglas McKinnon, William Moon, Phil Workman, John Tredennick, Lou Raders, Larry Fullerton, Adam Estroff, Dylan McQuinn, David Pardo, Jason Sinners and Wende Reoch signed up to speak in favor of the bill. Bill Tanner and Jesse Parris signed up to speak neither for nor against the bill. No speakers signed up to speak in opposition of the bill. Courtney Levingston of Community Planning and Development delivered the staff report.

A motion offered by Councilmember Kniech, duly seconded by Councilmember Hinds, that Council Bill 20-0813 be placed upon final consideration and do pass. The motion carried by the following vote:

**Placed upon final consideration and do pass**

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

**20-0815 A bill for an ordinance changing the zoning classification for 50 South Kalamath Street, 39 South Kalamath Street, 10 South Lipan Street, and 101 South Santa Fe Drive in Baker.**

Approves an official map amendment to rezone properties located at South Kalamath Street, 39 South Kalamath Street, 10 South Lipan Street and 101 South Santa Fe Drive from I-A UO-2 to I-B UO-2 to I-MX-5, UO-2, DO-7 (industrial to industrial, mixed-use) with waivers in Council District 7. The Committee approved filing this item at its meeting on 8-18-20.

Council sat as a Committee of the Whole, commencing at 7:14 p.m., Council President Gilmore presiding, to hear speakers on Council Bill 20-0815. Patrick Schmitz, Kenneth Ho and Adam Estroff signed up to speak in favor of the bill. Bruce Peterson, Matthew Brown and Brian Loma signed up to speak neither for nor against the bill. Courtney Levingston of Community Planning and Development delivered the staff report.

A motion offered by Councilmember Kniech, duly seconded by Councilmember Herndon, that Council Bill 20-0815 be placed upon final consideration and do pass. The motion carried by the following vote:

**Placed upon final consideration and do pass**

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

Nay: (None) (0)

Abstain: CdeBaca (1)

**PRE-ADJOURNMENT ANNOUNCEMENT**

Council President Gilmore announced that on Monday, October 5, 2020, Council will hold a required public hearing on Council Bill 20-0930, approving and accepting the East Central Area Plan, which plan shall become a part of the Comprehensive Plan 2040 for the City and County of Denver pursuant to the provisions of Section 12-61 of the Denver Revised Municipal Code. On Monday, October 26, 2020, Council will hold a required public hearing on Council Bill 20-0929, changing the zoning classification of 1290 Williams Street in Cheesman Park. Any protests against Council Bill 20-0929 must be filed with the Council Offices no later than noon on Tuesday, October 20, 2020.

**ADJOURN**

There being no further business before the City Council, Council President Gilmore adjourned the meeting at 8:33 p.m.

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President

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

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