

City Council Minutes

Meeting Date: Monday, August 9, 2021 5:30 PM

PLEDGE OF ALLEGIANCE

Councilmember Black led the Pledge of Allegiance.

LAND ACKNOWLEDGEMENT

Councilmember Black led the Land Acknowledgement.

ROLL CALL

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

Absent: Herndon (1)

APPROVAL OF THE MINUTES

[21-0899](#) Minutes of Monday, August 2, 2021

The minutes of Monday, August 2, 2021, were distributed to members of Council. Council President Gilmore ordered the minutes approved.

Approved

COUNCIL ANNOUNCEMENTS

Councilmembers Torres, Kashmann, Sawyer and Sandoval offered announcements.

PRESENTATIONS

COMMUNICATIONS

PROCLAMATIONS

[21-0909](#) A proclamation recognizing the Annual Brothers Redevelopment and Denver Employee Volunteer Opportunities Paint-A-Thon Day in the City and County of Denver on Saturday, August 14, 2021.

A motion offered by Councilmember Ortega, duly seconded by Councilmember Sandoval, that Council Proclamation 21-0909 be adopted, carried by the following vote:

Adopted

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

Nay: (None) (0)

Absent: Herndon (1)

RECAP OF BILLS TO BE CALLED OUT

No items were called out for a separate vote.

BLOCK VOTE

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

Approved the consent agenda

- Aye: Black, CdeBaca, Clark, Flynn, Gilmore, Hinds, Kashmann, Kniech, Ortega, Sandoval, Sawyer, Torres (12)
- Nay: (None) (0)
- Absent: Herndon (1)

RESOLUTIONS

City Council - Direct Files

21-0900 A resolution extending the declaration of local disaster filed with the clerk and recorder to September 20, 2021.

Extends the emergency declaration related to COVID-19 to September 20, 2021. Councilmember Gilmore approved direct filing this bill on 8-4-21.

A motion offered by Councilmember Black, duly seconded by Councilmember Hinds, that Council Resolution 21-0900 be adopted en bloc, carried by the following vote:

Adopted

- Aye: Black, CdeBaca, Clark, Flynn, Gilmore, Hinds, Kashmann, Kniech, Ortega, Sandoval, Sawyer, Torres (12)
- Nay: (None) (0)
- Absent: Herndon (1)

Business, Arts, Workforce, & Aviation Services Committee

21-0825 A resolution approving a proposed Agreement, between the City and County of Denver and Johnson Controls, Inc. concerning data center maintenance services at Denver International Airport.

Approves a contract with Johnson Controls, Inc. for \$1,413,154 and for three years for data center maintenance services at Denver International Airport (202056103). The last regularly scheduled Council meeting within the 30-day review period is on 8-30-21. The Committee approved filing this item at its meeting on 7-28-21.

A motion offered by Councilmember Black, duly seconded by Councilmember Hinds, that Council Resolution 21-0825 be adopted en bloc, carried by the following vote:

Adopted

- Aye: Black, CdeBaca, Clark, Flynn, Gilmore, Hinds, Kashmann, Kniech, Ortega, Sandoval, Sawyer, Torres (12)
- Nay: (None) (0)
- Absent: Herndon (1)

Finance & Governance Committee

21-0787 A resolution approving a proposed Second Amendment to Steam Service Agreement between the City and County of Denver and Public Service Company of Colorado to provide additional heating capacity needed for the Colorado Convention Center roof-top expansion project.

Amends a contract with Public Service Company of Colorado (PSCo) by adding \$1,024,339 for a new total of \$13,849,339 replacing Schedule B and adding a new Schedule C of the contract to define the design and construction costs for the steam system expansion and obligate PSCo to upgrade the capacity of the system to provide adequate heating capacity as part of the Roof-Top Expansion project at the Colorado Convention Center in Council District 9. No change to contract duration (CE0Y098-02; GENRL-202158745). The last regularly scheduled Council meeting within the 30-day review period is on 8-30-21. The Committee approved filing this item at its meeting on 7-27-21.

A motion offered by Councilmember Black, duly seconded by Councilmember Hinds, that Council Resolution 21-0787 be adopted en bloc, carried by the following vote:

Adopted

- Aye: Black, CdeBaca, Clark, Flynn, Gilmore, Hinds, Kashmann, Kniech, Ortega, Sandoval, Sawyer, Torres (12)
- Nay: (None) (0)
- Absent: Herndon (1)

21-0788 A resolution approving a proposed Second Amendment to Chilled Water Service Agreement between the City and County of Denver and Public Service Company of Colorado to provide additional cooling capacity needed for the Colorado Convention Center roof-top expansion project.

Amends a contract with Public Service Company of Colorado (PSCo) by adding \$304,530 for a new total of \$17,304,530 and replacing the original Schedule B to define the design and construction costs for the chilled water system expansion and obligate PSCo to upgrade the capacity of the system to provide adequate cooling capacity as part of the Roof-Top Expansion project at the Colorado Convention Center in Council District 9. No change to contract duration (CE0Y011-02; GENRL-202158839). The last regularly scheduled Council meeting within the 30-day review period is on 8-30-21. The Committee approved filing this item at its meeting on 7-27-21.

A motion offered by Councilmember Black, duly seconded by Councilmember Hinds, that Council Resolution 21-0788 be adopted en bloc, carried by the following vote:

Adopted

- Aye: Black, CdeBaca, Clark, Flynn, Gilmore, Hinds, Kashmann, Kniech, Ortega, Sandoval, Sawyer, Torres (12)
- Nay: (None) (0)
- Absent: Herndon (1)

21-0807 A resolution approving the Mayor’s reappointment and appointments to the Denver Housing Authority.

Approves the Mayoral reappointment of Fernando Sergio Ferrufino and the Mayoral appointments of Melinda Pollack and Maria Sepulveda to the Denver Housing Authority for terms effective immediately and expiring 7-20-26, or until a successor is duly appointed. The Committee approved filing this item at its meeting on 7-27-21.

A motion offered by Councilmember Black, duly seconded by Councilmember Hinds, that Council Resolution 21-0807 be adopted en bloc, carried by the following vote:

Adopted

Aye: Black, CdeBaca, Clark, Flynn, Gilmore, Hinds, Kashmann, Kniech, Ortega, Sandoval, Sawyer, Torres (12)
Nay: (None) (0)
Absent: Herndon (1)

21-0808 A resolution approving the Mayor’s reappointments and appointment to the Denver Head Start Policy Council.

Approves the Mayoral reappointments of Megan Bock and Dwayne Meeks and the Mayoral appointment of Pedro Mendez to the Denver Head Start Policy Council for terms effective immediately and expiring 7-20-22, or until a successor is duly appointed. The Committee approved filing this item at its meeting on 7-27-21.

A motion offered by Councilmember Black, duly seconded by Councilmember Hinds, that Council Resolution 21-0808 be adopted en bloc, carried by the following vote:

Adopted

Aye: Black, CdeBaca, Clark, Flynn, Gilmore, Hinds, Kashmann, Kniech, Ortega, Sandoval, Sawyer, Torres (12)
Nay: (None) (0)
Absent: Herndon (1)

Land Use, Transportation & Infrastructure Committee

21-0827 A resolution laying out, opening and establishing as part of the City street system a parcel of land as West Jewell Avenue at the intersection of South Acoma Street and West Jewell Avenue; and, a parcel of land as South Acoma Street at the intersection of West Jewell Avenue and South Acoma Street; and, a parcel of land as a public alley bounded by West Asbury Avenue, South Bannock Street, West Jewell Avenue and South Acoma Street.

Dedicates a parcel of land as public right of way as West Jewell Avenue, located at the intersection of South Acoma Street and West Jewell Avenue, dedicates a parcel of land as public right of way as South Acoma Street, located at the intersection of South Acoma Street and West Jewell Avenue, and dedicates a parcel of land as public right of way as public alley, bounded by West Asbury Avenue, South Bannock Street, West Jewell Avenue, and South Acoma Street in Council District 7. The Committee approved filing this item at its meeting on 7-27-21.

A motion offered by Councilmember Black, duly seconded by Councilmember Hinds, that Council Resolution 21-0827 be adopted en bloc, carried by the following vote:

Adopted

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

Nay: (None) (0)
Absent: Herndon (1)

21-0828 A resolution laying out, opening and establishing as part of the City street system a parcel of land as East 40th Avenue at the intersection of North Chambers Road and East 40th Avenue.

Dedicates a parcel of land as public right of way as East 40th Avenue, located at the intersection of North Chambers Road and East 40th Avenue in Council District 11. The Committee approved filing this item at its meeting on 7-27-21.

A motion offered by Councilmember Black, duly seconded by Councilmember Hinds, that Council Resolution 21-0828 be adopted en bloc, carried by the following vote:

Adopted

Aye: Black, CdeBaca, Clark, Flynn, Gilmore, Hinds, Kashmann, Kniech, Ortega, Sandoval, Sawyer, Torres (12)
Nay: (None) (0)
Absent: Herndon (1)

21-0831 A resolution accepting and approving the plat of Outlook Gateway Subdivision Filing No. 2.

Approves a subdivision plat for Outlook Gateway Subdivision Filing No. 2, located between East 56th Avenue and East 57th Avenue, and North Ceylon Street and North Dunkirk Street in Council District 11. The Committee approved filing this item at its meeting on 7-27-21.

A motion offered by Councilmember Black, duly seconded by Councilmember Hinds, that Council Resolution 21-0831 be adopted en bloc, carried by the following vote:

Adopted

Aye: Black, CdeBaca, Clark, Flynn, Gilmore, Hinds, Kashmann, Kniech, Ortega, Sandoval, Sawyer, Torres (12)
Nay: (None) (0)
Absent: Herndon (1)

Safety, Housing, Education & Homelessness Committee

21-0824 A resolution approving and providing for the execution of a proposed Grant Agreement between the City and County of Denver and the Colorado Department of Public Health and Environment concerning the "Maternal and Child Health" program and the funding therefor.

Approves a grant agreement with the Colorado Department of Public Health and Environment for \$775,778 and for one year for funding to develop, implement, and evaluate evidence-based maternal and child health local action plans that promote and contribute to healthy outcomes for women, children, and youth, citywide (202159553). The last regularly scheduled Council meeting within the 30-day review period is on 8-30-21. The Committee approved filing this item at its meeting on 7-28-21.

A motion offered by Councilmember Black, duly seconded by Councilmember Hinds, that Council Resolution 21-0824 be adopted en bloc, carried by the following vote:

Adopted

Aye: Black, CdeBaca, Clark, Flynn, Gilmore, Hinds, Kashmann, Kniech, Ortega, Sandoval, Sawyer, Torres (12)
Nay: (None) (0)

Absent: Herndon (1)

21-0830 A resolution approving and providing for the execution of a proposed Grant Agreement between the City and County of Denver and the United States of America Department of Health and Human Services concerning the "Denver Resiliency in Communities After Stress and Trauma (ReCAST)" program and the funding therefor.

Approves a grant agreement with the U.S. Department of Health and Human Services for \$1,000,000 and for one year to assist high-risk youth and families through implementation of violence prevention and community youth engagement programs, as well as linkages to trauma-informed behavioral health services, citywide (ENVHL-202159495). The last regularly scheduled Council meeting within the 30-day review period is on 8-30-21. The Committee approved filing this item at its meeting on 7-28-21.

A motion offered by Councilmember Black, duly seconded by Councilmember Hinds, that Council Resolution 21-0830 be adopted en bloc, carried by the following vote:

Adopted

Aye: Black, CdeBaca, Clark, Flynn, Gilmore, Hinds, Kashmann, Kniech, Ortega, Sandoval, Sawyer, Torres (12)
Nay: (None) (0)
Absent: Herndon (1)

21-0834 A resolution approving a proposed Amendatory Agreement between the City and County of Denver and Brothers Redevelopment, Inc. to administer the Emergency Rental Assistance Program (ERAP) citywide.

Amends a contract with Brothers Redevelopment, Inc. by adding \$3,000,000 for a new total of \$5,000,000 and nine months for a new end date of 9-30-22 to administer the Emergency Rental Assistance Program (ERAP) citywide (HOST202158228; HOST202159593). The last regularly scheduled Council meeting within the 30-day review period is on 8-30-21. The Committee approved filing this item at its meeting on 7-28-21.

A motion offered by Councilmember Black, duly seconded by Councilmember Hinds, that Council Resolution 21-0834 be adopted en bloc, carried by the following vote:

Adopted

Aye: Black, CdeBaca, Clark, Flynn, Gilmore, Hinds, Kashmann, Kniech, Ortega, Sandoval, Sawyer, Torres (12)
Nay: (None) (0)
Absent: Herndon (1)

[21-0835](#) A resolution approving a proposed Amendatory Agreement between the City and County of Denver and Northeast Denver Housing Center, Inc. to administer the Emergency Rental Assistance Program (ERAP) citywide.

Amends a contract with Northeast Denver Housing Center, Inc. by adding \$4,000,000 for a new total of \$6,000,000 and nine months for a new end date of 9-30-22 to administer the Emergency Rental Assistance Program (ERAP) citywide (HOST202158229; HOST202159592). The last regularly scheduled Council meeting within the 30-day review period is on 8-30-21. The Committee approved filing this item at its meeting on 7-28-21.

A motion offered by Councilmember Black, duly seconded by Councilmember Hinds, that Council Resolution 21-0835 be adopted en bloc, carried by the following vote:

Adopted

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

Nay: (None) (0)

Absent: Herndon (1)

BILLS FOR INTRODUCTION

Finance & Governance Committee

[21-0819](#) 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 adjusting the pay ranges by 2% based on the annual market analysis. The Committee approved filing this item at its meeting on 7-27-21.

Council Bill 21-0819 was ordered published

Ordered published

[21-0820](#) 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 to make pay range adjustments and changes to employee pay rates to be effective on January 1, 2022 in response to the city contractor/city employee minimum wage ordinance. The Committee approved filing this item at its meeting on 7-27-21.

Council Bill 21-0820 was ordered published

Ordered published

Land Use, Transportation & Infrastructure Committee

[21-0759](#) A bill for an ordinance changing the zoning classification for 2569 South Federal Boulevard in Harvey Park.

Approves a map amendment to rezone property from S-SU-D to S-MU-5 (single-unit to multi-unit), located at 2569 South Federal Boulevard in Council District 2. The Committee approved filing this item at its meeting on 7-27-21.

Council Bill 21-0759 was ordered published with a future required public hearing on 8-30-21

Ordered published with a future required public hearing

[21-0810](#) A bill for an ordinance changing the zoning classification for 1091 South Parker Road and 7400 East Mississippi Avenue in Windsor.

Approves a map amendment to rezone property from S-SU-D to S-MU-3 (single-unit to multi-unit), located at 7400 East Mississippi Avenue and approves a map amendment to rezone property from-SU-D to S-MU-5, located at 1091 South Parker Road in Council District 5. The Committee approved filing this item at its meeting on 7-27-21.

Council Bill 21-0810 was ordered published with a future required public hearing on 8-30-21

Ordered published with a future required public hearing

[21-0829](#) A bill for an ordinance relinquishing 3,218 square feet of the easement reserved in Ordinance No. 56, Series of 1936, recorded with Denver Clerk & Recorder at Book 6918, Page 99, located near 24th Street and California Street.

Relinquishes a portion of the sanitary sewer easement established in the Vacating Ordinance No. 56, Series of 1936, located at 24th Street and California Street in Council District 9. The last regularly scheduled Council meeting within the 30-day review period is on 8-30-21. The Committee approved filing this item at its meeting on 7-27-21.

Council Bill 21-0829 was ordered published

Ordered published

[21-0832](#) A bill for an ordinance approving a proposed Agreement between the City and County of Denver and Urban Drainage and Flood Control District D/B/A Mile High Flood Control District, for construction of drainage and flood control improvements for Marston Lakes North at Bowles Ditch.

Approves an intergovernmental agreement with Urban Drainage and Flood Control District (UDFCD), doing business as Mile High Flood Control District, for \$1,250,000 of UDFCD funds and \$1,250,000 of City funds and through 8-1-24 for construction of drainage and flood control improvements for Marston Lakes North at Bowles Ditch in Council District 2 (202159332). The last regularly scheduled Council meeting within the 30-day review period is on 8-30-21. The Committee approved filing this item at its meeting on 7-27-21.

Council Bill 21-0832 was ordered published

Ordered published

Safety, Housing, Education & Homelessness Committee

[21-0809](#) A bill for an ordinance approving a proposed Agreement between the City and County of Denver and Denver Health and Hospital Authority, to provide comprehensive health and mental health services.

Approves an intergovernmental agreement with Denver Health and Hospital Authority for \$604,164 and through 6-30-22 to provide comprehensive health and mental health services to 1,344 Head Start and Early Head Start children and their families, citywide (202158542). The last regularly scheduled Council meeting within the 30-day review period is on 8-30-21. The Committee approved filing this item at its meeting on 7-28-21.

Council Bill 21-0809 was ordered published

Ordered published

[21-0843](#) A bill for an ordinance submitting to a vote of the qualified and registered electors of the city and county of Denver at a special municipal election to be held in conjunction with the coordinated election of November 2, 2021, a proposed amendment to the charter pertaining to the structure of the office of the independent monitor.

Submits to a vote of the qualified and registered electors of the city and county of Denver at a special municipal election to be held in conjunction with the coordinated election of November 2, 2021, a proposed amendment to the charter pertaining to the structure of the office of the independent monitor. The Committee approved filing this item at its meeting on 8-4-21.

Council Bill 21-0843 was ordered published

Ordered published

[21-0882](#) A bill for an ordinance amending the process for screening candidates to fill future vacancies in the director of the office of the independent monitor in connection with revisions to the charter structure of the monitor if approved by electors at a special municipal election to be held in conjunction with the coordinated election of November 2, 2021.

Amends the process for screening candidates to fill a vacancy in the director of the office of the independent monitor in connection with revisions to the charter structure of the monitor if approved by electors at a special municipal election to be held in conjunction with the coordinated election of November 2, 2021. The Committee approved filing this item at its meeting on 8-4-21.

Council Bill 21-0882 was ordered published

Ordered published

BILLS FOR FINAL CONSIDERATION

Finance & Governance Committee

[21-0818](#) A bill for an ordinance concerning non-displacement of workers hired by contractors who provide essential services on city property.

For an ordinance concerning non-displacement of workers hired by contractors who provide essential services on city property. The Committee approved filing this item at its meeting on 7-20-21.

A motion offered by Councilmember Black, duly seconded by Councilmember Hinds, that Council Bill 21-0818 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, Hinds, Kashmann, Kniech, Ortega, Sandoval, Sawyer, Torres (12)

Nay: (None) (0)

Absent: Herndon (1)

PRE-RECESS ANNOUNCEMENT

Council President Gilmore announced that tonight, there will be a required public hearing on Council Bill 21-0523, changing the zoning classification for 945 North Irving Street in Villa Park; a required public hearing on Council Bill 21-0659, changing the zoning classification for 1634, 1642, 1650, and 1680 North Sheridan Boulevard in West Colfax; and, a required public hearing on Council Bill 21-0720, changing the zoning classification for multiple properties in Sloan's Lake and six properties in West Colfax. 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

PUBLIC HEARINGS - BILLS FOR FINAL CONSIDERATION

Land Use, Transportation & Infrastructure Committee

[21-0523](#) A bill for an ordinance changing the zoning classification for 945 North Irving Street in Villa Park.

Approves a map amendment to rezone property from E-SU-D to E-SU-D1 (allows for an accessory dwelling unit), located at 945 North Irving Street in Council District 3. The Committee approved filing this item at its meeting on 6-15-21.

Council sat as a Committee of the Whole, commencing at 6:23 p.m., Council President Gilmore presiding, to hear speakers on Council Bill 21-0523. Jesse Parris signed up to speak in favor of the bill. No speakers signed up to speak in opposition of the bill. Edson Ibanez of Community Planning and Development delivered the staff report.

A motion offered by Councilmember Black, duly seconded by Councilmember Hinds, that Council Bill 21-0523 be placed upon final consideration and do pass, carried by the following vote:

Placed upon final consideration and do pass

Aye: Black, Flynn, Gilmore, Hinds, Kashmann, Kniech, Ortega, Sandoval, Sawyer, Torres (10)

Nay: (None) (0)

Absent: CdeBaca, Clark, Herndon (3)

[21-0659](#) A bill for an ordinance changing the zoning classification for 1634, 1642, 1650, and 1680 North Sheridan Boulevard in West Colfax.

Approves a map amendment to rezone property from U-SU-C2 and U-RH-3A to U-RX-3 (residential mixed-use), located at 1634, 1642, 1650, and 1680 North Sheridan Boulevard in Council District 1. The Committee approved filing this item at its meeting on 6-15-21.

Council sat as a Committee of the Whole, commencing at 6:35 p.m., Council President Gilmore presiding, to hear speakers on Council Bill 21-0659. Jesse Parris signed up to speak in favor of the bill. No speakers signed up to speak in opposition of the bill. James Van Hoover of Community Planning and Development delivered the staff report.

A motion offered by Councilmember Black, duly seconded by Councilmember Flynn, that Council Bill 21-0659 be placed upon final consideration and do pass, carried by the following vote:

Placed upon final consideration and do pass

Aye: Black, Flynn, Gilmore, Hinds, Kashmann, Kniech, Ortega, Sandoval, Sawyer, Torres (10)

Nay: (None) (0)

Absent: CdeBaca, Clark, Herndon (3)

[21-0720](#) A bill for an ordinance changing the zoning classification for multiple properties in Sloan's Lake and six properties in West Colfax.

Approves a legislative map amendment to rezone multiple properties from U-SU-B, U-SU-C, and U-US-C1 with UO-3 to U-SU-B1, U-SU-C1, and U-SU-C1 with UO-3 (allowing for accessory dwelling units), located in the Sloan Lake and West Colfax neighborhoods in Council District 1. The Committee approved filing this item at its meeting on 6-29-21.

Council sat as a Committee of the Whole, commencing at 6:53 p.m., Council President Gilmore presiding, to hear speakers on Council Bill 21-0720. Allen Cowgill, Jesse Parris and Patrick Murphy signed up to speak in favor of the bill. No speakers signed up to speak in opposition of the bill. Libbie Adams of Community Planning and Development delivered the staff report.

A motion offered by Councilmember Black, duly seconded by Councilmember Sandoval, that Council Bill 21-0720 be placed upon final consideration and do pass, carried by the following vote:

Placed upon final consideration and do pass

Aye: Black, CdeBaca, Flynn, Gilmore, Hinds, Kashmann, Kniech, Ortega, Sandoval, Sawyer, Torres (11)

Nay: (None) (0)

Absent: Clark, Herndon (2)

PRE-ADJOURNMENT ANNOUNCEMENT

Council President Gilmore announced that on Monday, August 30, 2021, Council will hold a required public hearing on Council Bill 21-0759, changing the zoning classification for 2569 South Federal Boulevard in Harvey Park; and, a required public hearing on Council Bill 21-0810, changing the zoning classification for 1091 South Parker Road and 7400 East Mississippi Avenue in Windsor. Any protests against Council Bills 21-0759 or 21-0810 must be filed with the Council Offices no later than noon on Monday, August 23, 2021.

ADJOURN

There being no further business before the City Council, Council President Gilmore adjourned the meeting at 7:16 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