

City Council Meeting of Tuesday, February 22, 2022

City and County of Denver

Robin Kniech.....At Large
Deborah "Debbie" Ortega.....At Large
Amanda P. Sandoval.....District 1
Kevin Flynn.....District 2
Jamie Torres.....District 3
Kendra Black.....District 4
Amanda Sawyer.....District 5



Paul Kashmann.....District 6
Jolon Clark.....District 7
Christopher Herndon.....District 8
Candi CdeBaca.....District 9
Chris Hinds.....District 10
Stacie Gilmore.....District 11
Bonita Roznos.....Executive Director
Mar'quasa Maes.....Secretary
Room 450
City & County Building
1437 Bannock Street
Denver CO 80202
Phone: 720-337-2000
Email: dencc@denvergov.org

MEETING ASSISTANCE NOTICE - AMERICANS WITH DISABILITIES ACT AND LANGUAGE INTERPRETATION

The Council Chambers has listening devices for people with a hearing loss. Request a device from the Council Secretary. The City can provide sign language interpretation, CART (computer assisted real-time transcription), and foreign language interpretation for persons attending City Council meetings. If you need any of these accommodations, please email dencc@denvergov.org or call 720-337-2000 three (3) business-days prior to the Council meeting. For other public accommodation requests/concerns related to a disability, please contact disabilityaccess@denvergov.org.

CITY COUNCIL AGENDA

The City Council agenda and meeting schedule are made available for public review during normal business hours at the City & County Building, 1437 Bannock St., Rm. 451, on Thursday afternoons prior to the regularly scheduled Council meeting. The agenda packet is also posted on the City Council website at <https://www.denvergov.org/citycouncil>. Questions on agenda items may be directed to the Denver City Council at 720-337-2000.

AUDIO/VIDEO ACCESS TO CITY COUNCIL MEETINGS

City Council meetings are televised live on cable TV Channel 8, and can be viewed via live or archived webcast at <https://denver.legistar.com>.

PUBLIC COMMENT DURING PUBLIC HEARINGS

This is the time of the meeting for the City Council to receive comments from the public regarding items up for consideration scheduled for public hearing. To speak, sign up online at www.denvergov.org/councilpublicinput or by phone at 720-337-2000 starting at 4:30 p.m. the day of the hearing or during the recess of Council. No sign-up by proxy permitted. Each speaker is allowed 3 minutes, there is no yielding of time (unless necessary to accommodate translation or a disability). To submit written testimony to the public record on an item, we ask that submissions be sent to dencc@denvergov.org no later than 3 p.m. on the date the item is heard before Council in order to give members of Council adequate time to review each submission before meeting start. Please contact the Denver City Council for more information at 720-337-2000.

GENERAL PUBLIC COMMENT SESSIONS

Starting at 5 p.m. before every regularly scheduled Council meeting, City Council hosts a 30-minute general public comment session, allowing members of the public to address the full Council with concerns regarding any matter not scheduled for a public hearing. Speakers have 3 minutes to speak and must sign up online at www.denvergov.org/councilpublicinput, by phone at 720-337-2000, or in person in Rm. 451 of the City & County Building. Sign up starts at 12 p.m. the Friday before the session is held and closes at 4 p.m. the day the session is held. No sign up by proxy permitted. Please contact the Denver City Council for more information at 720-337-2000.

PLEDGE OF ALLEGIANCE

LAND ACKNOWLEDGEMENT

ROLL CALL

APPROVAL OF THE MINUTES

[22-0233](#) Minutes of Monday, February 14, 2022

COUNCIL ANNOUNCEMENTS

PRESENTATIONS

COMMUNICATIONS

PROCLAMATIONS

[22-0244](#) A proclamation recognizing Mark Fleecs' contributions the City and County of Denver upon his retirement from the Denver Police Department.

Sponsor Clark, Flynn, Ortega and Torres

[22-0245](#) A proclamation welcoming Alpha Kappa Alpha Sorority, Incorporated Denver Conference.

Sponsor Gilmore

RESOLUTIONS

Business, Arts, Workforce, & Aviation Services Committee

[22-0146](#) **A resolution approving a proposed Contract between the City and County of Denver and Kleen Tech Services, LLC concerning janitorial services for the landside outlying facilities at Denver International Airport.**

Approves a contract with Kleen Tech Services, LLC for \$5,186,557 and two years, with two one-year options to renew, to provide janitorial services for the landside outlying facilities at Denver International Airport (DEN) in Council District 11 (202055520). The Committee approved filing this item at its meeting on 2-9-22. The last regularly scheduled Council meeting within the 30-day review period is on 3-14-22.

[22-0153](#) A resolution approving a proposed Agreement between the City and County of Denver and Mission Yogurt, LLC concerning revenues for a concession on Concourse C at Denver International Airport.

Approves a concession agreement with Mission Yogurt, LLC for rental revenue based on a minimum annual guarantee of \$1,243,125 or a percentage of gross sales, whichever is higher, and for 10 years at a location on Concourse C at Denver International Airport (201951185). The Committee approved filing this item at its meeting on 2-9-22. The last regularly scheduled Council meeting within the 30-day review period is on 3-14-22.

[22-0154](#) A resolution approving a proposed Agreement between the City and County of Denver and Mission Yogurt, LLC concerning revenues for a concession on Concourse A at Denver International Airport.

Approves a concession agreement with Mission Yogurt, LLC for rental revenue based on a minimum annual guarantee of \$1,402,500 or a percentage of gross sales, whichever is higher, and for 10 years at a location on Concourse A at Denver International Airport (201952018). The Committee approved filing this item at its meeting on 2-9-22. The last regularly scheduled Council meeting within the 30-day review period is on 3-14-22.

[22-0155](#) A resolution approving a proposed Agreement between the City and County of Denver and Mission Yogurt, LLC concerning revenues for a concession on Concourse A at Denver International Airport.

Approves a concession agreement with Mission Yogurt, LLC for rental revenue based on a minimum annual guarantee of \$583,100 or a percentage of gross sales, whichever is higher, and for 10 years at a location on Concourse A at Denver International Airport (202056977). The Committee approved filing this item at its meeting on 2-9-22. The last regularly scheduled Council meeting within the 30-day review period is on 3-14-22.

[22-0156](#) A resolution approving a proposed Agreement between the City and County of Denver and Love From Mission JV, LLC concerning revenues for a concession on Concourse C at Denver International Airport.

Approves a concession agreement with Love From Mission JV, LLC d/b/a Black Canyon Market and Goods for rental revenue based on a minimum annual guarantee of \$273,170 or a percentage fee, whichever is higher, and for 7 years at a location on Concourse C at Denver International Airport (202159900). The Committee approved filing this item at its meeting on 2-9-22. The last regularly scheduled Council meeting within the 30-day review period is on 3-14-22.

[22-0157](#) A resolution approving a proposed Agreement between the City and County of Denver and Love From Mission JV, LLC concerning revenues for a concession on Concourse B at Denver International Airport.

Approves a concession agreement with Love From Mission JV, LLC d/b/a High Dune Market and Goods for rental revenue based on a minimum annual guarantee of \$319,920 or a percentage fee, whichever is higher, and for 7 years at a location on Concourse B at Denver International Airport (202054060). The Committee approved filing this item at its meeting on 2-9-22. The last regularly scheduled Council meeting within the 30-day review period is on 3-14-22.

[22-0158](#) A resolution approving a proposed Agreement between the City and County of Denver and Love From Mission JV, LLC concerning revenues for a concession on Concourse C at Denver International Airport.

Approves a concession agreement with Love From Mission JV, LLC d/b/a Longs Peak Market and Goods for rental revenue based on a minimum annual guarantee of \$273,469 or a percentage fee, whichever is higher, and for 7 years at a location on Concourse C at Denver International Airport (202159901). The Committee approved filing this item at its meeting on 2-9-22. The last regularly scheduled Council meeting within the 30-day review period is on 3-14-22.

Finance & Governance Committee

[22-0148](#) A resolution approving the Mayor's appointments to the Denver Nonprofit Engagement Commission.

Approves the Mayoral appointments of LeRita Cavness, Christopher Conner, Linda Foster, Madisen Frederick, Djuana Harvell, Marsena Holsopple, Flavia Zarcuola, Melanie Tsuchida, and Cori Streetman to the Denver Nonprofit Engagement Commission for terms effective immediately and expiring 1-1-24, or until a successor is duly appointed. The Committee approved filing this item at its meeting on 2-8-22.

[22-0149](#) A resolution approving the Mayor's appointment to the Denver Community Corrections Board.

Approves the Mayoral appointment of Merideth McGrath to the Denver Community Corrections Board for a term effective immediately and expiring 6-30-25, or until a successor is duly appointed. The Committee approved filing this item at its meeting on 2-8-22.

[22-0150](#) A resolution approving the Mayor's appointment to the Downtown Denver Business Improvement District board.

Approves the Mayoral appointment of Evan Gart to the Downtown Denver Business Improvement District board for a term effective immediately and expiring 12-31-24, or until a successor is duly appointed. The Committee approved filing this item at its meeting on 2-8-22.

Safety, Housing, Education & Homelessness Committee**[22-0132](#) A resolution approving a proposed Revival and Amendatory Agreement between the City and County of Denver and Denver Rescue Mission to provide 24/7 shelter operations, day shelter services, and case management at multiple DRM sites for people experiencing homelessness.**

Amends a contract with Denver Rescue Mission (DRM) by adding \$8,700,000 for a new total contract amount of \$13,699,889 and one year for a new end date of December 31, 2022, to provide 24/7 shelter operations, day shelter services, and case management at multiple DRM sites for people experiencing homelessness (HOST 202161577-01). The last regularly scheduled Council meeting within the 30-day review period is on 3-14-22. The Committee approved filing this item at its meeting on 2-9-22.

[22-0133](#) A resolution approving a proposed Revival and Amendatory Agreement between the City and County of Denver and Catholic Charities and Community Services of the Archdiocese of Denver, Inc. to provide shelter services at various locations and programming for women homelessness.

Amends a contract with Catholic Charities and Community Services of the Archdiocese of Denver, Inc. by adding \$7,915,624 for a new contract total of \$14,493,841 and one year for a new end date of December 31, 2022 to provide shelter services at various locations and programming for women homelessness (HOST-202161576-01). The last regularly scheduled Council meeting within the 30-day review period is on 3-14-22. The Committee approved filing this item at its meeting on 2-9-22.

[22-0134](#) A resolution approving a proposed Revival and Amendatory Agreement between the City and County of Denver and Urban Peak Denver to provide shelter operations and programs for youth aged 15-24 experiencing homelessness.

Amends a contract with Urban Peak Denver by adding \$1,820,000 for a new contract total of \$2,480,000 and two years for a new end date of December 31, 2023 to provide shelter operations and programs for youth aged 15-24 experiencing homelessness within the City & County of Denver (HOST 202161223-01). The last regularly scheduled Council meeting within the 30-day review period is on 3-14-22. The Committee approved filing this item at its meeting on 2-9-22.

[22-0135](#) A resolution approving a proposed Revival and Amendatory Agreement between the City and County of Denver and Denver Rescue Mission to provide emergency shelter activities for people experiencing homelessness or housing instability due to the Coronavirus Pandemic.

Amends a contract with Denver Rescue Mission (DRM) by adding an additional \$54,868.31 for a new contract total of \$1,654,622.31 and 10 months for a new end date of July 31, 2022 to provide emergency shelter activities for people experiencing homelessness or housing instability due to the Coronavirus Pandemic (COVID-19) (HOST 202161468-01). The last regularly scheduled Council meeting within the 30-day review period is on 3-14-22. The Committee approved filing this item at its meeting on 2-9-22.

[22-0145](#) A resolution approving the Mayoral appointment of Armando Saldate as Executive Director of the Department of Safety, pursuant to Charter Section § 2.2.6 (D).

The Committee approved filing this item at its meeting on 2-9-22.

[22-0238](#) A resolution authorizing and approving the expenditure and payment from the appropriation account designated "liability claims," the sum of four hundred and fifty thousand dollars (\$450,000.00) made payable to The Law Offices of Decker & Jones, in full payment and satisfaction of all claims related to the civil action captioned Justin Lecheminant v. The City and County of Denver, Daniel Felkins and Robert Blanc, which was filed in the United States District Court for the District of Colorado, Case No. 20-cv-01246-RBJ.

Settles a claim involving the Denver Police Department. This item was approved for filing at the Mayor-Council meeting on 2-15-22.

[22-0239](#) **A resolution authorizing and approving the expenditure and payment from the appropriation account designated "liability claims," the sum of five hundred seventy-five thousand dollars (\$575,000.00) made payable to The Law Offices of Ross Ziev, P.C. COLTAF Trust Account, in full payment and satisfaction of all claims related to the civil action captioned Megan Matthews v. The City and County of Denver, Colorado, Chief of Police Paul Pazen, and John & Jane Does 1-5, which was filed in the United States District Court for the District of Colorado, Case No.**

21-cv-00666-RMR-STV.

Settles a claim involving the Denver Police Department. This item was approved for filing at the Mayor-Council meeting on 2-15-22.

[22-0240](#) **A resolution authorizing and approving the expenditure and payment from the appropriation account designated "liability claims," the sum of two hundred fifty thousand dollars (\$250,000.00) made payable to Youssef Amghar and Loevy & Loevy, in full payment and satisfaction of all claims asserted by Youssef Amghar in the civil action captioned Fitouri, et al. v. City and County of Denver, Colorado, et al., which was filed in the United States District Court for the District of Colorado, Case No.**

20-cv-1922-RB-MEH and consolidated with Case No. 20-cv-1878-RBJ.

Settles a claim involving the Denver Police Department. This item was approved for filing at the Mayor-Council meeting on 2-15-22.

BILLS FOR INTRODUCTION

Land Use, Transportation & Infrastructure Committee

[22-0160](#) **A bill for an ordinance changing the zoning classification for 3759 North Inca Street and 3760 North Jason Street in Highland.**

Approves a map amendment to rezone property from I-A, UO-2 to U-RX-3 (industrial to urban, residential mixed-use), located at 3759 Inca Street and 3760 Jason Street in Council District 1. If ordered published, a public hearing will be held on Monday, 3-21-22. The Committee approved filing this item at its meeting on 2-8-22.

BILLS FOR FINAL CONSIDERATION**Business, Arts, Workforce, & Aviation Services Committee**

[22-0129](#) **A bill for an ordinance establishing a new Fund in the Denver Municipal Airport System Enterprise Fund for the "Airport Capital Art Fund" program and authorizing cash transfers from other Aviation Enterprise Funds.**

Approves creation of a new Capital Equipment and Improvements Fund in the Aviation Enterprise Fund series, makes appropriations in the new Airport Capital Art Fund - 73853, and authorizes cash transfers from other Aviation Enterprise Funds with eligible Capital Projects for the purpose of administering the Master Art program at DEN in Council District 11. The Committee approved filing this item at its meeting on 2-22-22. The last regularly scheduled Council meeting within the 30-day review period is on 3-7-22.

Finance & Governance Committee

[22-0136](#) **A bill for an ordinance amending Ordinance 1141, Series of 2013, concerning the Green Building Fund.**

Amends Council Bill 1141, Series 2018 that established the Green Building Fund (Accounting No. 38604) in the Grant and Other Money Projects Capital Fund, to revise the name to the "Green Building Capital Fund" and change the allowable revenue. The Committee approved filing this item at its meeting on 2-1-22.

[22-0137](#) **A bill for an ordinance establishing a new Fund in the General Government Special Revenue Fund Series for the "Green Building" program and authorizing a cash transfer from the Green Building Capital Fund to the new Green Building SRF.**

Approves creating a new Green Building Program Special Revenue Fund in the General Government SRF series and authorizes a cash transfer from the Green Building Capital Fund to the Green Building Program SRF. The Committee approved filing this item at its meeting on 2-1-22.

[22-0139](#) A bill for an ordinance establishing a new Fund in the Public Safety Special Revenue Fund Series for the “DCC Competency Diversion Initiative” program.

Approves creation of a new Safety Special Revenue Fund for the purpose of administering the new Denver County Court Competency Diversion Initiative. The Committee approved filing this item at its meeting on 2-1-22.

Land Use, Transportation & Infrastructure Committee

[22-0138](#) A bill for an ordinance approving a proposed Amendment to Agreement between the City and County of Denver and Urban Drainage and Flood Control District d/b/a Mile High Flood District to add funding regarding final design and construction of Drainage and Flood Control Improvements for Sand Creek.

Amends an Intergovernmental Agreement with Urban Drainage and Flood Control District, doing business as Mile High Flood District, to add \$500,000 in city funding for a new total of \$4,589,193.37 for the construction phase of Sand Creek Trail Improvements in Council District 8 (201952159/202161469). The last regularly scheduled Council meeting within the 30-day review period is on 3-7-22. The Committee approved filing this item at its meeting on 2-1-22.

Safety, Housing, Education & Homelessness Committee

[21-1510](#) A bill for an ordinance approving a proposed Amendatory Agreement between the City and County of Denver and Denver Health and Hospital Authority to provide services to individuals living with HIV/AIDS in the Denver Transitional Grant Area.

Amends an intergovernmental agreement with Denver Health and Hospital Authority by adding \$58,021 for a new total of \$1,107,171 to provide early intervention services for minority AIDS initiatives for new clients and to enhance the outpatient/ambulatory health services to individuals living with HIV/AIDS in the Denver Transitional Grant Area. No change to agreement duration (ENVHL-202159168-00; 202161296-01). The last regularly scheduled Council meeting within the 30-day review period is on 3-7-22. The Committee approved filing this item at its meeting on 12-15-21.

[22-0127](#) A bill for an ordinance approving a proposed Contract Amendment #3 between the City and County of Denver and State of Colorado, Department of Human Services, Office of Behavioral Health, for the Jail Based Behavioral Health Services Program.

Amends an intergovernmental agreement for Fiscal Year 2022 funding with the State of Colorado Office of Behavioral Health by adding \$22,750 for a new total of \$1,382,198 to provide additional mental health and substance abuse treatment services at both Denver City and County Jails (SHERF-202055330-00; SHERF-202161501-03). The last regularly scheduled Council meeting within the 30-day review period is on 3-7-22. The Committee approved filing this item at its meeting on 2-2-22.

RECAP OF BILLS TO BE CALLED OUT

PRE-RECESS ANNOUNCEMENT

Tonight, there will be a required public hearing on Council Bill 22-0003, changing the zoning classification for 735 North Milwaukee Street in Congress Park; a required public hearing on Council Bill 22-0016, changing the zoning classification for 1974 and 1990 South Huron Street in Overland; and, a required public hearing on Council Bill 22-0093, reestablishing the board of adjustment and updating board requirements and procedures. Anyone wishing to speak on any of these matters must go online to sign up during the recess of Council.

RECESS

COUNCIL RECONVENES AND RESUMES ITS REGULAR SESSION

PUBLIC HEARINGS - BILLS FOR FINAL CONSIDERATION

Land Use, Transportation & Infrastructure Committee

[22-0003](#) A bill for an ordinance changing the zoning classification for 735 North Milwaukee Street in Congress Park.

Approves a map amendment to rezone property from U-SU-C to U-SU-C1 (allows for an accessory dwelling unit), located at 735 North Milwaukee Street in Council District 10. The Committee approved filing this item at its meeting on 12-28-21.

[22-0016](#) A bill for an ordinance changing the zoning classification for 1974 and 1990 South Huron Street in Overland.

Approves a map amendment to rezone property from E-TU-C to E-SU-A (two-unit to single-unit), located at 1974 and 1990 South Huron Street in Council District 7. The Committee approved filing this item at its meeting on 1-4-22.

[22-0093](#) A bill for an ordinance reestablishing the board of adjustment and updating board requirements and procedures.

Reestablishes the board of adjustment and updating board requirements and procedures. The Committee approved filing this item at its meeting on 1-18-22.

PRE-ADJOURNMENT ANNOUNCEMENT

Dependent upon publication, on Monday, March 21, 2022, Council will hold a required public hearing on 22-0160, changing the zoning classification for 3759 North Inca Street and 3760 North Jason Street in Highland. Any protests against Council Bill 22-0160 must be filed with the Council Offices no later than noon on Monday, March 14, 2022.

ADJOURN

PENDING

FOR 2-28-22:

[22-0028](#) A bill for an ordinance changing the zoning classification for 1468 Tennyson Street in West Colfax.

Approves a map amendment to rezone property from U-SU-C2 to U-SU-C1 (Allows for an accessory dwelling unit), located at 1468 Tennyson Street in Council District 1. The Committee approved filing this item at its meeting on 1-18-22.

Final Consideration 2-28-22 | Required Public Hearing

[22-0044](#) A bill for an ordinance changing the zoning classification for 3178 South Dayton Court in Hampden.

Approves a map amendment to rezone property from S-SU-F to S-SU-F with waivers (grants a variance for the lot size for an accessory dwelling unit), located at 3178 South Dayton Court in Council District 4. The Committee approved filing this item at its meeting on 1-18-22.

Final Consideration 2-28-22 | Required Public Hearing

FOR 3-14-22:

[21-1528](#) A bill for an ordinance changing the zoning classification for 3435 North Albion Street in Northeast Park Hill.

Approves a map amendment to rezone property from PUD 539 to E-MX-2x (planned development to urban edge, mixed-use), located at 3435 North Albion Street in Council District 8. The Committee approved filing this item at its meeting on 2-1-22.

Final Consideration 3-14-22 | Required Public Hearing

[22-0116](#) A bill for an ordinance changing the zoning classification for 900 North Monaco Street Parkway in Montclair.

Approves a map amendment to rezone property from E-SU-G to E-SU-G1 (allows for an accessory dwelling unit) located at 900 North Monaco Street Parkway in Council District 5. The Committee approved filing this item at its meeting on 2-1-22.

Final Consideration 3-14-22 | Required Public Hearing

[22-0125](#) A bill for an ordinance changing the zoning classification for 8101 & 8351 East Belleview Avenue in Hampden South.

Approves a map amendment to rezone property from B-8 with waivers and conditions, UO-1, UO-2 & B-8 with waivers, UO-1, UO-2 to S-MX-8 (former chapter 59 zoning to suburban, mixed-use), located at 8101 & 8351 E Belleview Ave in Council District 4. The Committee approved filing this item at its meeting on 2-1-22.

Final Consideration 3-14-22 | Required Public Hearing

FOR 3-21-22:

[21-1455](#) A bill for an ordinance changing the zoning classification for 2000 Blake Street in Five Points.

Approves a map amendment to rezone property from PUD 329 and B-8 with waivers, UO-1, UO-2 to C-MX-8 (planned development to mixed-use, 8-stories), located at 2000 Blake Street in Council District 9. The Committee approved filing this item at its meeting on 12-7-21.

Final Consideration 3-21-22 | Required Public Hearing