

City Council Minutes

Meeting Date: Monday, February 27, 2023 3:30 PM

PLEDGE OF ALLEGIANCE

Councilmember Herndon led the Pledge of Allegiance.

LAND ACKNOWLEDGEMENT

Councilmember Herndon led the Land Acknowledgement.

ROLL CALL

Councilmember CdeBaca attended the meeting virtually. Councilmember Ortega arrived late.

Present: CdeBaca, Flynn, Gilmore, Herndon, Hinds, Kashmann,
Ortega, Sandoval, Sawyer, Torres (10)

Absent: Black, Clark, Kniech (3)

APPROVAL OF THE MINUTES

[23-0196](#) Minutes of Tuesday, February 21, 2023.

The minutes of Tuesday, February 21, 2023 were distributed to members of Council. Council President Torres ordered the minutes approved.

Council Minutes 23-0196 were approved.

Approved

COUNCIL ANNOUNCEMENTS

Councilmembers Sawyer, Flynn, and Kashmann, and Council President Torres made announcements.

PRESENTATIONS

COMMUNICATIONS

PROCLAMATIONS

RECAP OF BILLS TO BE CALLED OUT

No items were called out for a separate vote.

Block Vote

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

Approved the consent agenda

Aye: CdeBaca, Flynn, Gilmore, Herndon, Hinds, Kashmann,
Ortega, Sandoval, Sawyer, Torres (10)

Nay: (None) (0)

Absent: Black, Clark, Kniech (3)

RESOLUTIONS

City Council - Direct Files

[23-0195](#) A resolution extending the declaration of local disaster emergency pertaining to sheltering of migrants and asylum seekers filed with the clerk and recorder to March 27, 2023.

Approves the extension of the declaration of local disaster filed with the clerk and recorder to March 27, 2023. Councilmember Torres approved direct filing this bill on 2-23-2023.

A motion offered by Councilmember Hinds, duly seconded by Councilmember Flynn, that Council Resolution 23-0195 be adopted en bloc, carried by the following vote:

Adopted

Aye: CdeBaca, Flynn, Gilmore, Herndon, Hinds, Kashmann, Ortega, Sandoval, Sawyer, Torres (10)

Nay: (None) (0)

Absent: Black, Clark, Kniech (3)

Business, Arts, Workforce, & Aviation Services Committee

[23-0126](#) A resolution approving a proposed On-Call Contract between the City and County of Denver and CIVIL TECHNOLOGY, INC., providing comprehensive integrated project management support services for infrastructure and facilities development and rehabilitation projects at Denver International Airport.

Approves an on-call contract with Civil Technology, Inc. for \$30,000,000 and 3 years, plus 2 one-year options to extend, to provide comprehensive integrated project management support services for infrastructure and facilities development and rehabilitation projects at Denver International Airport in Council District 11 (PLANE-202262947-00). The last regularly scheduled Council meeting within the 30-day review period is on 3-20-2023. The Committee approved filing this item at its meeting on 2-15-2023.

A motion offered by Councilmember Hinds, duly seconded by Councilmember Flynn, that Council Resolution 23-0126 be adopted en bloc, carried by the following vote:

Adopted

Aye: CdeBaca, Flynn, Gilmore, Herndon, Hinds, Kashmann, Ortega, Sandoval, Sawyer, Torres (10)

Nay: (None) (0)

Absent: Black, Clark, Kniech (3)

23-0127 A resolution approving a proposed On-Call Contract between the City and County of Denver and J.A. Watts, Inc., providing comprehensive integrated project management support services for infrastructure and facilities development and rehabilitation projects at Denver International Airport.

Approves an on-call contract with J.A. Watts, Inc. for \$40,000,000 and 3 years, plus 2 one-year options to extend, to provide comprehensive integrated project management support services for infrastructure and facilities development and rehabilitation projects at Denver International Airport in Council District 11 (PLANE-202262936-00). The last regularly scheduled Council meeting within the 30-day review period is on 3-20-2023. The Committee approved filing this item at its meeting on 2-15-2023.

A motion offered by Councilmember Hinds, duly seconded by Councilmember Flynn, that Council Resolution 23-0127 be adopted en bloc, carried by the following vote:

Adopted

Aye: CdeBaca, Flynn, Gilmore, Herndon, Hinds, Kashmann, Ortega, Sandoval, Sawyer, Torres (10)

Nay: (None) (0)

Absent: Black, Clark, Kniech (3)

23-0128 A resolution approving a proposed On-Call Contract between the City and County of Denver and Abadjis Systems, LTD., doing business as ASLPM, providing comprehensive integrated project management support services for infrastructure and facilities development and rehabilitation projects at Denver International Airport.

Approves an on-call contract with Abadjis Systems, LTD., doing business as ASLPM, for \$5,000,000 and 3 years, plus 2 one-year options to extend, to provide comprehensive integrated project management support services for infrastructure and facilities development and rehabilitation projects at Denver International Airport in Council District 11 (PLANE-202262932-00). The last regularly scheduled Council meeting within the 30-day review period is on 3-20-2023. The Committee approved filing this item at its meeting on 2-15-2023.

A motion offered by Councilmember Hinds, duly seconded by Councilmember Flynn, that Council Resolution 23-0128 be adopted en bloc, carried by the following vote:

Adopted

Aye: CdeBaca, Flynn, Gilmore, Herndon, Hinds, Kashmann, Ortega, Sandoval, Sawyer, Torres (10)

Nay: (None) (0)

Absent: Black, Clark, Kniech (3)

[23-0129](#) A resolution approving a proposed On-Call Contract between the City and County of Denver and V-1 Consulting, LLC, providing comprehensive integrated project management support services for infrastructure and facilities development and rehabilitation projects at Denver International Airport.

Approves an on-call contract with V-1 Consulting, LLC for \$5,000,000 and 3 years, plus 2 one-year options to extend, to provide comprehensive integrated project management support services for infrastructure and facilities development and rehabilitation projects at Denver International Airport in Council District 11 (PLANE-202262948-00). The last regularly scheduled Council meeting within the 30-day review period is on 3-20-2023. The Committee approved filing this item at its meeting on 2-15-2023.

A motion offered by Councilmember Hinds, duly seconded by Councilmember Flynn, that Council Resolution 23-0129 be adopted en bloc, carried by the following vote:

Adopted

Aye: CdeBaca, Flynn, Gilmore, Herndon, Hinds, Kashmann, Ortega, Sandoval, Sawyer, Torres (10)

Nay: (None) (0)

Absent: Black, Clark, Kniech (3)

[23-0130](#) A resolution approving a proposed Contract between the City and County of Denver and Northern Colorado Pest and Wildlife Control, to provide pest management services at Denver International Airport.

Approves a contract with Northern Colorado Pest and Wildlife Control Corp. for \$500,000 and 2 years, plus 3 one-year options to extend, to provide certain routine scheduled pest management services, as well as on-demand pest management services, located at Denver International Airport in Council District 11 (Plane - 202263623-00). The last regularly scheduled Council meeting within the 30-day review period is on 3-20-2023. The Committee approved filing this item at its meeting on 2-15-2023.

A motion offered by Councilmember Hinds, duly seconded by Councilmember Flynn, that Council Resolution 23-0130 be adopted en bloc, carried by the following vote:

Adopted

Aye: CdeBaca, Flynn, Gilmore, Herndon, Hinds, Kashmann, Ortega, Sandoval, Sawyer, Torres (10)

Nay: (None) (0)

Absent: Black, Clark, Kniech (3)

Finance & Governance Committee

[23-0103](#) A resolution to set a public hearing to approve the respective First Amendments to Service Plan for the respective Denargo Market Metropolitan District Nos. 1-3.

Sets a public hearing before City Council on 3-28-2023 for the first amendment to the Service Plan for Denargo Market Metropolitan District Numbers 1-3. The Committee approved filing this item at its meeting on 2-7-2023.

A motion offered by Councilmember Hinds, duly seconded by Councilmember Flynn, that Council Resolution 23-0103 be adopted en bloc, carried by the following vote:

Adopted

Aye: CdeBaca, Flynn, Gilmore, Herndon, Hinds, Kashmann,
Ortega, Sandoval, Sawyer, Torres (10)
Nay: (None) (0)
Absent: Black, Clark, Kniech (3)

23-0119 A resolution approving the Mayor’s appointment to the Commission for People with Disabilities.

Approves the Mayoral appointment of Elena Mendoza to the Commission for People with Disabilities for a term effective immediately and expiring 9-30-2024, or until a successor is duly appointed. The Committee approved filing this item at its meeting on 2-14-2023.

A motion offered by Councilmember Hinds, duly seconded by Councilmember Flynn, that Council Resolution 23-0119 be adopted en bloc, carried by the following vote:

Adopted

Aye: CdeBaca, Flynn, Gilmore, Herndon, Hinds, Kashmann,
Ortega, Sandoval, Sawyer, Torres (10)
Nay: (None) (0)
Absent: Black, Clark, Kniech (3)

Land Use, Transportation & Infrastructure Committee

23-0067 A resolution approving a proposed Agreement between the City and County of Denver and Triunity, Inc. to provide owner's representative professional services for the East Colfax Bus Rapid Transit (BRT) project.

Approves an on-call contract with Triunity, Inc. for \$17,800,000 and through 12-31-2027 to provide owner’s representative professional services for the East Colfax Bus Rapid Transit (BRT) project, citywide (DOTI-202265837). The last regularly scheduled Council meeting within the 30-day review period is on 3-20-2023. The Committee approved filing this item at its meeting on 1-31-2023.

A motion offered by Councilmember Hinds, duly seconded by Councilmember Flynn, that Council Resolution 23-0067 be adopted en bloc, carried by the following vote:

Adopted

Aye: CdeBaca, Flynn, Gilmore, Herndon, Hinds, Kashmann,
Ortega, Sandoval, Sawyer, Torres (10)
Nay: (None) (0)
Absent: Black, Clark, Kniech (3)

23-0125 A resolution laying out, opening and establishing as part of the City street system parcels of land as: 1) South Acoma Street, located near the intersection of South Acoma Street and West Mexico Avenue; 2) Public Alley, bounded by South Acoma Street, West Mexico Avenue, South Broadway, and West Iowa Avenue; and 3) Public Alley, bounded by South Acoma Street, West Mexico Avenue, South Broadway, and West Iowa Avenue.

Dedicates three parcels of land as 1) South Acoma Street, located near the intersection of South Acoma Street and West Mexico Avenue, 2) public alley, bounded by South Acoma Street, West Mexico Avenue, South Broadway, and West Iowa Avenue, and 3) public alley, bounded by South Acoma Street, West Mexico Avenue, South Broadway, and West Iowa Avenue, located in Council District 7. The Committee approved filing this item at its meeting on 2-14-2023.

A motion offered by Councilmember Hinds, duly seconded by Councilmember Flynn, that Council Resolution 23-0125 be adopted en bloc, carried by the following vote:

Adopted

Aye: CdeBaca, Flynn, Gilmore, Herndon, Hinds, Kashmann, Ortega, Sandoval, Sawyer, Torres (10)

Nay: (None) (0)

Absent: Black, Clark, Kniech (3)

23-0131 A resolution approving a proposed Second Amendatory Agreement between the City and County of Denver and BBH Management Solutions, LLC to continue providing task-based project management services for the Department of Transportation and Infrastructure, citywide, while a new procurement is completed.

Amends an on-call contract with BBH Management Solutions, LLC by adding one year for a new end date of 3-1-2024 to continue providing task-based project management services for the Department of Transportation and Infrastructure, citywide, while a new procurement is completed. No change to contract amount (201839342-02/ 202366538-02). The last regularly scheduled Council meeting within the 30-day review period is on 3-20-2023. The Committee approved filing this item at its meeting on 2-14-2023.

A motion offered by Councilmember Hinds, duly seconded by Councilmember Flynn, that Council Resolution 23-0131 be adopted en bloc, carried by the following vote:

Adopted

Aye: CdeBaca, Flynn, Gilmore, Herndon, Hinds, Kashmann, Ortega, Sandoval, Sawyer, Torres (10)

Nay: (None) (0)

Absent: Black, Clark, Kniech (3)

Safety, Housing, Education & Homelessness Committee

23-0120 A resolution approving a proposed Amendatory Agreement between the City and County of Denver and Sewall Child Development Center, Inc. for a cost-of-living adjustment and quality improvement activities related to providing comprehensive Head Start services to 60 children in Council Districts 1, 2, 3, and 7.

Amends a contract with Sewall Child Development Center, Inc. by adding \$12,821 for a new total of \$581,152 to add funding for a cost-of-living adjustment and quality improvement activities related to providing comprehensive Head Start services to 60 children in Council Districts 1, 2, 3, and 7. No change to contract duration (MOEAI-202262470/ MOEAI-202264768-01). The last regularly scheduled Council meeting within the 30-day review period is on 3-20-2023. The Committee approved filing this item at its meeting on 2-15-2023.

A motion offered by Councilmember Hinds, duly seconded by Councilmember Flynn, that Council Resolution 23-0120 be adopted en bloc, carried by the following vote:

Adopted

Aye: CdeBaca, Flynn, Gilmore, Herndon, Hinds, Kashmann, Ortega, Sandoval, Sawyer, Torres (10)

Nay: (None) (0)

Absent: Black, Clark, Kniech (3)

23-0134 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 "Ryan White Part A FY23" program and the funding therefor.

Approves a grant agreement with the United States Department of Health and Human Services for \$1,355,237 and through 02-28-2024 for the Ryan White grant program part A response to provide care, treatment, and supportive services to persons living with HIV/AIDS in the Denver Transitional Grant Area (ENVHL-202366330-00). The Committee approved filing this item at its meeting on 2-15-2023.

A motion offered by Councilmember Hinds, duly seconded by Councilmember Flynn, that Council Resolution 23-0134 be adopted en bloc, carried by the following vote:

Adopted

Aye: CdeBaca, Flynn, Gilmore, Herndon, Hinds, Kashmann, Ortega, Sandoval, Sawyer, Torres (10)

Nay: (None) (0)

Absent: Black, Clark, Kniech (3)

BILLS FOR INTRODUCTION

Finance & Governance Committee

[23-0132](#) A bill for an ordinance authorizing expenditures in the General Government Special Revenue Fund based on a letter of intent from the United States of America to award funding to the City and County of Denver for the "Denver Great Kids Head Start FY 2023-2024" program.

Appropriates \$10,423,277 based on a letter of intent from the United States Department of Health and Human Services to fund the Denver Great Kids Head Start (DGKHS) Grant for program year 2023-2024. The Committee approved filing this item at its meeting on 2-14-2023.

Council Bill 23-0132 was ordered published.

Ordered published

[23-0133](#) A bill for an ordinance making an appropriation in the Wastewater Management Enterprise Fund.

Approves an appropriation to the Storm Bond Payments Fund (72901) for the 2023 principal and interest payment for storm drainage facilities. The Committee approved filing this item at its meeting on 2-14-2023.

Council Bill 23-0133 was ordered published.

Ordered published

[23-0136](#) A bill for an ordinance establishing a new Capital Fund in the Capital Improvements and Capital Maintenance Fund Series for the "Library Capital" program.

Approves new Capital Improvements Fund, Denver Public Library Capital Projects (34041), within the Capital Improvements and Capital Maintenance Fund Series. The Committee approved filing this item at its meeting on 2-14-2023.

Council Bill 23-0136 was ordered published.

Ordered published

[23-0137](#) A bill for an ordinance making a rescission from and an appropriation in the "Denver Public Library" Fund, to make a cash transfer to and appropriations in the "Library Capital" Fund; and authorizing the purchase of capital equipment.

Rescinds \$6,025,000 from the Denver Public Library Special Revenue Fund (15830) appropriation, authorizes an appropriation to transfer cash and makes an appropriation in the Denver Public Library Capital Projects Fund (34041), and authorizes the purchase of capital equipment items. The Committee approved filing this item at its meeting on 2-14-2023.

Council Bill 23-0137 was ordered published.

Ordered published

Land Use, Transportation & Infrastructure Committee

[23-0124](#) **A bill for an ordinance relinquishing portion of the easement established in Peña Station Filing No. 2, recorded with the Denver Clerk & Recorder at Reception No. 2020050433, located at 6105 North Tower Road.** Relinquishes a portion of the easement established in Peña Station Filing No. 2, Recordation No. 2020050433, located at 6105 North Tower Road in Council District 11. The last regularly scheduled Council meeting within the 30-day review period is on 3-20-2023. The Committee approved filing this item at its meeting on 2-14-2023.

Council Bill 23-0124 was ordered published.

Ordered published

BILLS FOR FINAL CONSIDERATION

Finance & Governance Committee

[23-0102](#) **A bill for an ordinance making a rescission from and an appropriation in the Capital Improvements and Capital Maintenance Fund.** Approves a rescission of \$1,996,500 from Capital Program PI008 - Pavement Markings and makes an appropriation in Capital Program PO008 - Denver Moves Implementation, to better align with the intended use of appropriated funds in the 2023 budget for design, outreach and installation of bikeway projects, citywide. The Committee approved filing this item at its meeting on 2-7-2023.

A motion offered by Councilmember Hinds, duly seconded by Councilmember Flynn, that Council Bill 23-0102 be placed upon final consideration and do pass en bloc, carried by the following vote:

Placed upon final consideration and do pass

Aye: CdeBaca, Flynn, Gilmore, Herndon, Hinds, Kashmann, Ortega, Sandoval, Sawyer, Torres (10)
Nay: (None) (0)
Absent: Black, Clark, Kniech (3)

[23-0104](#) **A bill for an ordinance approving a proposed Real Estate Purchase Agreement between the City and County of Denver and Lifespan Local LLC for the acquisition of a condominium unit for the Denver Public Library branch in the Westwood neighborhood, located at 3300 Nevada Place.**

Approves a purchase and sale agreement with Lifespan Local, LLC for \$5,950,000, as part of the RISE Denver bond program, for the city to purchase a 6,000 square foot condo unit to support a new Denver Public Library branch in the Westwood neighborhood, located at 3300 Nevada Place in Council District 3 (FINAN 202265857-00). The last regularly scheduled Council meeting within the 30-day review period is on 3-13-2023. The Committee approved filing this item at its meeting on 2-7-2023.

A motion offered by Councilmember Hinds, duly seconded by Councilmember Flynn, that Council Bill 23-0104 be placed upon final consideration and do pass en bloc, carried by the following vote:

Placed upon final consideration and do pass

Aye: CdeBaca, Flynn, Gilmore, Herndon, Hinds, Kashmann, Ortega, Sandoval, Sawyer, Torres (10)
Nay: (None) (0)
Absent: Black, Clark, Kniech (3)

Safety, Housing, Education & Homelessness Committee

[23-0114](#) A bill for an ordinance amending certain provisions of Chapter 2, concerning the Citizen Oversight Board.

For an ordinance amending certain provisions of Chapter 2, concerning the Citizen Oversight Board. The Committee approved filing this item at its meeting on 2-8-2023.

A motion offered by Councilmember Hinds, duly seconded by Councilmember Flynn, that Council Bill 23-0114 be placed upon final consideration and do pass en bloc, carried by the following vote:

Placed upon final consideration and do pass

Aye: CdeBaca, Flynn, Gilmore, Herndon, Hinds, Kashmann, Ortega, Sandoval, Sawyer, Torres (10)

Nay: (None) (0)

Absent: Black, Clark, Kniech (3)

PRE-RECESS ANNOUNCEMENT

Council President Torres announced that tonight, there will be a combined required public hearing on Council Bill 23-0030 amending the Denver Zoning Code, establishing the Sunnyside Conservation Overlay zone district and the Sunnyside Conservation and Brick Overlay zone district, and clarifying standards in the Potter Highlands Conservation Overlay zone district and the Bungalow Conservation Overlay zone district and Council Bill 23-0031 changing the zoning classification for multiple properties to apply the Sunnyside Conservation Overlay and the Sunnyside Conservation and Brick Overlays within the Sunnyside neighborhood. Anyone wishing to speak on 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

UNFINISHED BUSINESS

PROCLAMATIONS

PUBLIC HEARINGS - BILLS FOR FINAL CONSIDERATION

Land Use, Transportation & Infrastructure Committee

23-0030 A bill for an ordinance amending the Denver Zoning Code, establishing the Sunnyside Conservation Overlay zone district and the Sunnyside Conservation and Brick Overlay zone district, and clarifying standards in the Potter Highlands Conservation Overlay zone district and the Bungalow Conservation Overlay zone district.

Approves a Denver Zoning code legislative text amendment to create the Sunnyside Conservation Overlay zone district (CO-7) and Sunnyside Conservation and Brick Overlay zone district (CO-8) in Council District 1. The Committee approved filing this item at its meeting on 1-17-2023.

Council sat as a Committee of the Whole, commencing at 5:32 p.m., Council President Torres presiding, to hear speakers on Council Bills 23-0030 and 23-0031. Jesse Parris, Jamie Chesser, Rodney Kazenske, Bill Hare, Trupti Suthar, and Rudy Garcia signed up to speak in favor of the bills. David Sabados signed up in opposition of the bills. Brad Johnson of Community Planning and Development delivered the staff report.

A motion offered by Councilmember Herndon, duly seconded by Councilmember Flynn, that Council Bills 23-0030 and 23-0031 be placed upon final consideration and do pass en bloc, carried by the following vote:

Placed upon final consideration and do pass

Council sat as a Committee of the Whole, commencing at 5:32 p.m., Council President Torres presiding, to hear speakers on Council Bills 23-0030 and 23-0031. Jesse Parris, Jamie Chesser, Rodney Kazenske, Bill Hare, Trupti Suthar, and Rudy Garcia signed up to speak in favor of the bill. David Sabados signed up in opposition of the bill. Brad Johnson of Community Planning and Development delivered the staff report.

Aye: CdeBaca, Flynn, Gilmore, Herndon, Hinds, Kashmann, Ortega, Sandoval, Sawyer, Torres (10)

Nay: (None) (0)

Absent: Black, Clark, Kniech (3)

23-0031 A bill for an ordinance changing the zoning classification for multiple properties to apply the Sunnyside Conservation Overlay and the Sunnyside Conservation and Brick Overlays within the Sunnyside neighborhood.

Approves a legislative map amendment to rezone multiple properties in the Sunnyside neighborhood to apply the Sunnyside Conservation Overlay zone district (CO-7) and the Sunnyside Conservation Overlay and Brick zone district (CO-8) in Council District 1. The Committee approved filing this item at its meeting on 1-17-2023.

Council sat as a Committee of the Whole, commencing at 5:32 p.m., Council President Torres presiding, to hear speakers on Council Bills 23-0030 and 23-0031. Jesse Parris, Jamie Chesser, Rodney Kazenske, Bill Hare, Trupti Suthar, and Rudy Garcia signed up to speak in favor of the bills. David Sabados signed up in opposition of the bills. Brad Johnson of Community Planning and Development delivered the staff report.

A motion offered by Councilmember Herndon, duly seconded by Councilmember Flynn, that Council Bills 23-0030 and 23-0031 be placed upon final consideration and do pass en bloc, carried by the following vote:

Placed upon final consideration and do pass

Aye: CdeBaca, Flynn, Gilmore, Herndon, Hinds, Kashmann,
Ortega, Sandoval, Sawyer, Torres (10)
Nay: (None) (0)
Absent: Black, Clark, Kniech (3)

PRE-ADJOURNMENT ANNOUNCEMENT

There was no pre-adjournment announcement.

ADJOURN

There being no further business before the City Council, Council President Torres adjourned the meeting at 6:28 pm.

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