

City Council Minutes

Meeting Date: Tuesday, January 18, 2022 5:30 PM

PLEDGE OF ALLEGIANCE

Councilmember Torres led the Pledge of Allegiance.

LAND ACKNOWLEDGEMENT

Councilmember Torres led the Land Acknowledgement.

ROLL CALL

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

APPROVAL OF THE MINUTES

[22-0089](#) Minutes of Monday, January 10, 2022

The minutes of Monday, January 10, 2022 were distributed to members of Council. Council President Gilmore ordered the minutes approved.

Approved

COUNCIL ANNOUNCEMENTS

Councilmembers Ortega, Herndon, Sandoval, Hinds and Sawyer offered announcements.

Council President Gilmore announced that tonight Council is scheduled to hold a required public hearing on Council Bill 21-1455, changing the zoning classification for 2000 Blake Street in Five Points. However, it is Council's intent to postpone final consideration of Council Bill 21-1455, with its public hearing, to Monday, February 14, 2022. If you are wishing to speak on this matter, we apologize for any inconvenience and ask that you testify on Monday, February 14, 2022.

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 Torres, duly seconded by Councilmember Herndon, to approve the following items en bloc, 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

[22-0050](#) **A resolution extending the declaration of local disaster filed with the clerk and recorder to February 21, 2022.**

A resolution extending the declaration of local disaster filed with the clerk and recorder to February 21, 2022. Councilmember Gilmore approved direct filing this item on 1-13-22.

A motion offered by Councilmember Torres, duly seconded by Councilmember Herndon, that Council Resolution 22-0050 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

[22-0017](#) **A resolution approving an Agreement between the City and County of Denver and Colorado Dental Service, Inc. doing business as Delta Dental Colorado, to offer three dental benefit plan options to qualified Denver employees.**

Approves a contract with Colorado Dental Service, Inc. doing business as Delta Dental Colorado, for \$55 million and through 12-31-26 to offer three dental benefit plan options to qualified Denver employees (CSAHR-202160474). The last regularly scheduled Council meeting within the 30-day review period is on 2-7-22. The Committee approved filing this item at its meeting on 1-4-22.

A motion offered by Councilmember Torres, duly seconded by Councilmember Herndon, that Council Resolution 22-0017 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

[22-0019](#) **A resolution approving a resolution accepting and approving the plat of Tower 160 Subdivision Filing No. 3.**

Approves a subdivision plat for Tower 160 Subdivision Filing No. 3, located between East 49th Avenue and East 52nd Avenue, and North Tower Road and North Telluride Street in Council District 11. The Committee approved filing this item at its meeting on 1-4-22.

A motion offered by Councilmember Torres, duly seconded by Councilmember Herndon, that Council Resolution 22-0019 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

21-1505 A resolution approving a proposed Second Amendatory Agreement between the City and County of Denver and Colorado Coalition for the Homeless to modify and amend the terms a loan agreement.

Amends a performance loan agreement with Colorado Coalition for the Homeless for the Renaissance Off Broadway Lofts affordable housing project by reducing the compliance period from 50 to 20 years for a new end date of 2-14-21, which allows the agreement to expire to facilitate a new performance loan agreement for additional financing to rehabilitate the property under a 60-year affordability period in Council District 9 (HOST 202160837). The last regularly scheduled Council meeting within the 30-day review period is on 2-7-22. The Committee approved filing this item at its meeting on 12-15-21.

A motion offered by Councilmember Torres, duly seconded by Councilmember Herndon, that Council Resolution 21-1505 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)

21-1506 A resolution approving a proposed Loan Agreement between the City and County of Denver and Colorado Coalition for the Homeless to finance rehabilitation costs of an 81-unit housing project known as Renaissance Off Broadway Lofts.

Approves a performance loan agreement with Colorado Coalition for the Homeless for \$1,250,000 and for 60 years to rehabilitate a 81-unit affordable housing project known as Renaissance Off Broadway Lofts, serving low- to moderate-income households, earning at or below 60% of the area median income located at 2135 Stout Street in Council District 9 (HOST 202161071).The last regularly scheduled Council meeting within the 30-day review period is on 2-7-22. The Committee approved filing this item at its meeting on 12-15-21.

A motion offered by Councilmember Torres, duly seconded by Councilmember Herndon, that Council Resolution 21-1506 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)

22-0018 A resolution approving a proposed Second Amendment and Modification Agreement between the City and County of Denver and 101 Apartment Developers, LLC to amend and modify the Loan Agreement to revise and correct the description of the collateral.

Amends a loan agreement with 101 Apartment Developers, LLC by updating the legal description contained in the loan document to match the Planned Community Declaration recorded on the site at 101 Broadway in Council District 7 for a 102-unit project affordable to tenants at or below 60% area median income. No change to agreement amount or duration (OEDEV - 201952558). The last regularly scheduled Council meeting within the 30-day review period is on 2-7-22. The Committee approved filing this item at its meeting on 1-5-22.

A motion offered by Councilmember Torres, duly seconded by Councilmember Herndon, that Council Resolution 22-0018 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)

22-0021 A resolution approving and providing for the execution of a proposed Grant Agreement between the City and County of Denver and the U.S. Department of Housing & Urban Development (HUD) concerning the "HOME - American Rescue Plan Act (ARPA) FY2022" Program and the funding therefor.

Approves a grant agreement with the U.S. Department of Housing and Urban Development (HUD) for \$10,820,331 and through 9-30-30 to receive HOME Investment Partnership - American Rescue Plan (HOME-ARP) funds to assist individuals or households who are homeless, at risk of homelessness, and other vulnerable populations, citywide (HOST-202161557). The last regularly scheduled Council meeting within the 30-day review period is on 2-7-22. The Committee approved filing this item at its meeting on 1-5-22.

A motion offered by Councilmember Torres, duly seconded by Councilmember Herndon, that Council Resolution 22-0021 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

Finance & Governance Committee

[22-0022](#) A bill for an ordinance making a supplemental appropriation in the Wastewater Management Division Urban Drainage and Flood Control District Tracking Fund.

Appropriates \$1,250,000 in the Wastewater Management Division Urban Drainage and Flood Control District Tracking fund (72701) for the General Storm - Bowles Ditch Separation project that is co-funded by Urban Drainage and Flood Control District, doing business as the Mile High Flood District, in Council District 2. The last regularly scheduled Council meeting within the 30-day review period is on 2-7-22. The Committee approved filing this item at its meeting on 1-4-22.

Council Bill 22-0022 was ordered published

Ordered published

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.

Council Bill 22-0003 was ordered published with a future required public hearing on 2-14-22

Ordered published with a future required public hearing

[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. If ordered published, a public hearing will be held on Monday, 2-14-22. The Committee approved filing this item at its meeting on 1-4-22.

Council Bill 22-0016 was ordered published with a future required public hearing on 2-14-22

Ordered published with a future required public hearing

BILLS FOR FINAL CONSIDERATION

Finance & Governance Committee

22-0013 A bill for an ordinance to amend Ordinance No. 406, Series of 2013, to change the budget basis of the "Composting" Special Revenue Fund to better align the budget with received program revenue.

Amends Ordinance 406, Series of 2013, to change the budget basis of the Composting Special Revenue Fund from appropriated to revenue-based to align the budget with program revenue received. The Committee approved filing this item at its meeting on 12-28-21.

A motion offered by Councilmember Torres, duly seconded by Councilmember Herndon, that Council Bill 22-0013 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)

Land Use, Transportation & Infrastructure Committee

22-0004 A bill for an ordinance approving a proposed Amendatory Intergovernmental Agreement between the City and County of Denver and Arapahoe County Board of County Commissioners and City of Greenwood Village, to add compensation and a new end date to further study the "Diamond Plus" alternative for designing certain roadway improvements at the I-25 and Belleview interchange in Council District 4.

Amends an intergovernmental agreement with the Arapahoe County Board of County Commissioners and City of Greenwood Village by adding \$200,000 of City funds for a new total of \$1,700,000 and six months for a new end date of 7-1-22 to further study the "Diamond Plus" alternative for designing certain roadway improvements at the I-25 and Belleview interchange in Council District 4 (202161252-01; 201839753-01).

A motion offered by Councilmember Torres, duly seconded by Councilmember Herndon, that Council Bill 22-0004 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)

22-0011 A bill for an ordinance relinquishing a portion of the easement reserved in Ordinance No. 256, Series of 1970 recorded with the Denver Clerk & Recorder at Reception No. 1970058907, Book 189, Page 387, located at 1523 North Quitman Street.

Relinquishes a portion of the utility easement as established in the Vacating Ordinance No. 256, Series of 1970, located at 1523 North Quitman Street in Council District 1. The last regularly scheduled Council meeting within the 30-day review period is on 1-31-22. The Committee approved filing this item at its meeting on 12-28-21.

A motion offered by Councilmember Torres, duly seconded by Councilmember Herndon, that Council Bill 22-0011 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)

Safety, Housing, Education & Homelessness Committee

21-1511 A bill for an ordinance approving a proposed Amendatory Agreement between the City and County of Denver and University of Colorado Hospital Authority to provide services to individuals living with HIV/AIDS in the Denver Transitional Grant Area.

Amends an intergovernmental agreement with University of Colorado Hospital Authority by adding \$26,171 for a new total of \$1,100,614 to provide early intervention services for minority AIDS initiatives for new clients to individuals living with HIV/AIDS in the Denver Transitional Grant Area. No change to agreement duration (ENVHL-202161298-01). The last regularly scheduled Council meeting within the 30-day review period is on 1-31-22. The Committee approved filing this item at its meeting on 12-15-21.

A motion offered by Councilmember Torres, duly seconded by Councilmember Herndon, that Council Bill 21-1511 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)

[22-0002](#) A bill for an ordinance amending Chapters 18 of the Revised Municipal Code establishing salaries and benefits for command staff in the Denver Sheriff Department in 2022 and 2023.

Amends Chapter 18 of the Denver Revised Municipal Code establishing salaries and benefits for command staff in the Denver Sheriff Department for 2022 and 2023 in accordance with the approved Collective Bargaining Agreement. The Committee approved filing this item at its meeting on 12-29-21.

A motion offered by Councilmember Torres, duly seconded by Councilmember Herndon, that Council Bill 22-0002 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 Council is scheduled to hold a required public hearing on Council Bill 21-1455, changing the zoning classification for 2000 Blake Street in Five Points. However, it is Council's intent to postpone final consideration of Council Bill 21-1455, with its public hearing, to Monday, February 14, 2022.

RECESS

Council did not take a recess.

COUNCIL RECONVENES AND RESUMES ITS REGULAR SESSION

PUBLIC HEARINGS - BILLS FOR FINAL CONSIDERATION

Land Use, Transportation & Infrastructure Committee

[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.

A motion offered by Councilmember Torres, duly seconded by Councilmember Herndon, that Council Bill 21-1455 be placed upon final consideration and do pass, was followed by a motion offered by Councilmember Herndon, duly seconded by Councilmember Hinds, that final consideration of Council Bill 21-1455 be postponed to Monday, 2-14-22. The motion to postpone carried by the following vote:

Postponed

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

Nay: (None) (0)

PRE-ADJOURNMENT ANNOUNCEMENT

Council President Gilmore announced that on Monday, February 14, 2022, Council will hold a required public hearing on Council Bill 22-0003, changing the zoning classification for 735 North Milwaukee Street in Congress Park; and, a required public hearing on Council Bill 22-0016, changing the zoning classification for 1974 and 1990 South Huron Street in Overland. Any protests against Council Bills 22-0003 or 22-0016 must be filed with the Council Offices no later than noon on Monday, February 7, 2022.

ADJOURN

There being no further business before City Council, Council President Gilmore adjourned the meeting at 5:52 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