

# **City Council Minutes**

Meeting Date: Monday, January 9, 2023 3:30 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**

[23-0019](#) Minutes of Tuesday, January 3, 2023

The minutes of Tuesday, January 3, 2023 were distributed to members of Council. Council President Torres ordered the minutes approved.

**Approved**

## **COUNCIL ANNOUNCEMENTS**

Council members Kashmann, Sawyer and Torres offered announcements.

## **PRESENTATIONS**

## **COMMUNICATIONS**

## **PROCLAMATIONS**

## RECAP OF BILLS TO BE CALLED OUT

Items called out for a separate vote:

### BILLS FOR INTRODUCTION

#### Land Use, Transportation & Infrastructure Committee

[22-1647](#) **A bill for an ordinance changing the zoning classification for multiple properties to apply the Cherry Creek East Mixed Use and Cherry Creek East Residential Design Overlays in Cherry Creek.**

Approves a legislative map amendment to rezone multiple properties in the Cherry Creek neighborhood to apply the Cherry Creek East Commercial Mixed Use Design Overlay zone district (DO-9) and the Cherry Creek East Residential Design Overlay zone district (DO-10) in Council District 10. The Committee approved filing this item at its meeting on 12-20-2022.

A motion offered by Councilmember Black, duly seconded by Councilmember Hinds, that Council Bill 22-1647 be ordered published, was followed by a motion offered by Councilmember Sandoval, duly seconded by Councilmember Hinds, that Council Bill 22-1647 be amended in the following particulars: 'On page 1, lines 7-8, strike "Commercial and Residential Mixed Use Design Overlay", and replace with "Mixed Use and Cherry Creek East Residential Design Overlays".' to correct the design overlays to be applied to the subject areas in the title. The motion to amend carried by the following vote:

#### Amended

Aye: Black, Clark, Flynn, Gilmore, Hinds, Kashmann, Kniech, Ortega, Sandoval, Sawyer, Torres (11)  
Nay: (None) (0)  
Absent: CdeBaca, Herndon (2)

A motion offered by Councilmember Black, duly seconded by Councilmember Flynn, that Council Bill 22-1647 be ordered published as amended, carried by the following vote:

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

Aye: Black, Clark, Flynn, Gilmore, Hinds, Kashmann, Kniech, Ortega, Sandoval, Sawyer, Torres (11)  
Nay: (None) (0)  
Absent: CdeBaca, Herndon (2)

### BLOCK VOTE

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

#### Approved the consent agenda

Aye: Black, Clark, Flynn, Gilmore, Hinds, Kashmann, Kniech, Ortega, Sandoval, Sawyer, Torres (11)  
Nay: (None) (0)  
Absent: CdeBaca, Herndon (2)

## RESOLUTIONS

### City Council - Direct Files

**[23-0025](#) A resolution extending the declaration of local disaster emergency pertaining to COVID-19, influenza, and respiratory syncytial virus filed with the clerk and recorder to February 27, 2023.**

Approves the extension of the declaration of local disaster pertaining to COVID-19, influenza, and respiratory syncytial virus filed with the clerk and recorder to February 27, 2023. Councilmember Torres approved direct filing this item on 1-5-2023.

A motion offered by Councilmember Black, duly seconded by Councilmember Flynn, that Council Resolution 23-0025 be adopted en bloc, carried by the following vote:

#### **Adopted**

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

Nay: (None) (0)

Absent: CdeBaca, Herndon (2)

**[23-0026](#) A resolution extending the declaration of local disaster emergency pertaining to sheltering of migrants and asylum seekers filed with the clerk and recorder to February 27, 2023.**

Approves the extension of the declaration of local disaster pertaining to sheltering of migrants and asylum seekers filed with the clerk and recorder to February 27, 2023. Councilmember Torres approved direct filing this item on 1-5-2023.

A motion offered by Councilmember Black, duly seconded by Councilmember Flynn, that Council Resolution 23-0026 be adopted en bloc, carried by the following vote:

#### **Adopted**

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

Nay: (None) (0)

Absent: CdeBaca, Herndon (2)

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

**[22-1679](#) A resolution approving a proposed Purchase Order between the City and County of Denver and M-B Companies, Inc., concerning seven heavy-duty snow removal vehicles to support deicing operations at Denver International Airport.**

Approves a purchase order with M-B Companies, Inc. for \$3,913,957.25 to purchase seven heavy-duty snow removal vehicles to support deicing operations at Denver International Airport in Council District 11 (PO-00124510). The last regularly scheduled Council meeting within the 30-day review period is on 1-30-2023. The Committee approved filing this item at its meeting on 12-28-2022.

A motion offered by Councilmember Black, duly seconded by Councilmember Flynn, that Council Resolution 22-1679 be adopted en bloc, carried by the following vote:

#### **Adopted**

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

Nay: (None) (0)

Absent: CdeBaca, Herndon (2)

## Finance & Governance Committee

### [22-1639](#) **A resolution approving a proposed Master Purchase Order between the City and County of Denver and Skaggs Companies, Inc. to purchase uniforms for the Denver Fire Department.**

Approves a master purchase order with Skaggs Companies, Inc. for \$600,000 and through 9-1-2025, with 2 one-year options to extend, to purchase uniforms for the Denver Fire Department (SC-00007083). The last regularly scheduled Council meeting within the 30-day review period is on 1-30-2023. The Committee approved filing this item at its meeting on 12-20-2022.

A motion offered by Councilmember Black, duly seconded by Councilmember Flynn, that Council Resolution 22-1639 be adopted en bloc, carried by the following vote:

#### **Adopted**

Aye: Black, Clark, Flynn, Gilmore, Hinds, Kashmann, Kniech, Ortega, Sandoval, Sawyer, Torres (11)  
Nay: (None) (0)  
Absent: CdeBaca, Herndon (2)

### [22-1665](#) **A resolution approving the Mayor's appointments to the Denver Women's Commission.**

Approves the Mayoral appointments of Elena Mendoza, Rena Dulberg, Candice Smith, Kirsten Decker, and Rachel Garcia to the Denver Women's Commission for terms effective immediately and expiring 6-30-2025, or until successors are duly appointed. The Committee approved filing this item at its meeting on 12-27-2022.

A motion offered by Councilmember Black, duly seconded by Councilmember Flynn, that Council Resolution 22-1665 be adopted en bloc, carried by the following vote:

#### **Adopted**

Aye: Black, Clark, Flynn, Gilmore, Hinds, Kashmann, Kniech, Ortega, Sandoval, Sawyer, Torres (11)  
Nay: (None) (0)  
Absent: CdeBaca, Herndon (2)

### [22-1666](#) **A resolution approving the Mayor's appointment and reappointments to the Denver Commission for People with Disabilities.**

Approves the Mayoral appointment of Karen Roberts and the Mayoral reappointments of Joanne Stranahan, Oliver Giminaro, and Wade Balmer to the Denver Commission for People with Disabilities for terms effective immediately and expiring 9-30-2024, or until successors are duly appointed. The Committee approved filing this item at its meeting on 12-27-2022.

A motion offered by Councilmember Black, duly seconded by Councilmember Flynn, that Council Resolution 22-1666 be adopted en bloc, carried by the following vote:

#### **Adopted**

Aye: Black, Clark, Flynn, Gilmore, Hinds, Kashmann, Kniech, Ortega, Sandoval, Sawyer, Torres (11)  
Nay: (None) (0)  
Absent: CdeBaca, Herndon (2)

**[22-1667](#) A resolution approving the Mayor’s reappointment to the Colfax Business Improvement District.**

Approves the Mayoral reappointment of Andy Baldyga to the Colfax Business Improvement District for a term effective immediately and expiring 3-31-2025, or until a successor is duly appointed. The Committee approved filing this item at its meeting on 12-27-2022.

A motion offered by Councilmember Black, duly seconded by Councilmember Flynn, that Council Resolution 22-1667 be adopted en bloc, carried by the following vote:

**Adopted**

Aye: Black, Clark, Flynn, Gilmore, Hinds, Kashmann, Kniech, Ortega, Sandoval, Sawyer, Torres (11)  
Nay: (None) (0)  
Absent: CdeBaca, Herndon (2)

**[22-1668](#) A resolution approving the Mayor’s appointment to the Denver Preschool Program Board of Directors.**

Approves the Mayoral appointment of Jennifer Luke to the Denver Preschool Program Board of Directors for a term effective immediately and expiring 12-31-2023. The Committee approved filing this item at its meeting on 12-27-2022.

A motion offered by Councilmember Black, duly seconded by Councilmember Flynn, that Council Resolution 22-1668 be adopted en bloc, carried by the following vote:

**Adopted**

Aye: Black, Clark, Flynn, Gilmore, Hinds, Kashmann, Kniech, Ortega, Sandoval, Sawyer, Torres (11)  
Nay: (None) (0)  
Absent: CdeBaca, Herndon (2)

**[22-1670](#) A resolution approving a First Amendment to Agreement with Sterling Infosystems, Inc. between the City and County of Denver and Sterling Infosystems, Inc. to include an exhibit with the new global product codes used for employment hiring background screenings, citywide.**

Amends a contract with Sterling Infosystems, Inc. to include an exhibit with the new global product codes used for employment hiring background screenings, citywide. No changes to contract amount or duration (CSAHR-202160650/CSAHR-202265113-01). The last regularly scheduled Council meeting within the 30-day review period is on 1-30-2023. The Committee approved filing this item at its meeting on 12-27-2022.

A motion offered by Councilmember Black, duly seconded by Councilmember Flynn, that Council Resolution 22-1670 be adopted en bloc, carried by the following vote:

**Adopted**

Aye: Black, Clark, Flynn, Gilmore, Hinds, Kashmann, Kniech, Ortega, Sandoval, Sawyer, Torres (11)  
Nay: (None) (0)  
Absent: CdeBaca, Herndon (2)

**22-1681 A resolution approving a proposed License Agreement between the City and County of Denver and Fillmore @ Third, LLC for a crane to swing over city owned property at 305 North Milwaukee Street.**

Approves a temporary construction easement with Fillmore @ Third, LLC for up to \$19,950 and 3 years to allow a crane boom to move over city owned property, located at 305 North Milwaukee Street, so the adjacent property owner can complete construction at 311 North Filmore in Council District 10 (FINAN-202265843). The last regularly scheduled Council meeting within the 30-day review period is on 1-30-2023. The Committee approved filing this item at its meeting on 12-27-2022.

A motion offered by Councilmember Black, duly seconded by Councilmember Flynn, that Council Resolution 22-1681 be adopted en bloc, carried by the following vote:

**Adopted**

Aye: Black, Clark, Flynn, Gilmore, Hinds, Kashmann, Kniech, Ortega, Sandoval, Sawyer, Torres (11)  
Nay: (None) (0)  
Absent: CdeBaca, Herndon (2)

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

**22-1567 A resolution approving a proposed Amendatory Agreement between the City and County of Denver and Mental Health Center of Denver, doing business as WellPower, to extend the term of the agreement and expand the Support Team Assisted Response (STAR) program to add 6 behavioral health clinicians, citywide.**

Amends a contract with Mental Health Center of Denver, doing business as WellPower, by adding \$885,986 for a new total of \$2,277,567 and one year for a new end date of 12-31-2023 to expand the Support Team Assisted Response (STAR) program to add 6 behavioral health clinicians, citywide (ENVHL-202160835/202265542-01). The last regularly scheduled Council meeting within the 30-day review period is on 1-30-2023. The Committee approved filing this item at its meeting on 11-30-2022.

A motion offered by Councilmember Black, duly seconded by Councilmember Flynn, that Council Resolution 22-1567 be adopted en bloc, carried by the following vote:

**Adopted**

Aye: Black, Clark, Flynn, Gilmore, Hinds, Kashmann, Kniech, Ortega, Sandoval, Sawyer, Torres (11)  
Nay: (None) (0)  
Absent: CdeBaca, Herndon (2)

**22-1669 A resolution approving a proposed Fourth Amendatory Agreement between the City and County of Denver and Denver Preschool Program.**

Amends a contract with Denver Preschool Program to reflect the ordinance changes passed in CB 22-0805, which eliminated the requirement for an unappropriated fund balance. No changes to contract amount or duration (CE72086/ MOEAI-202265118). The last regularly scheduled Council meeting within the 30-day review period is on 1-30-2023. The Committee approved filing this item at its meeting on 12-28-2022.

A motion offered by Councilmember Black, duly seconded by Councilmember Flynn, that Council Resolution 22-1669 be adopted en bloc, carried by the following vote:

**Adopted**

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

Nay: (None) (0)

Absent: CdeBaca, Herndon (2)

**23-0013 A resolution authorizing and approving the expenditure and payment from the appropriation account designated "liability claims," the sum of One Hundred Sixty-Two Thousand Five Hundred Dollars (\$162,500.00) made payable to Shaiitarrio Brown and The Bagley Law Firm LLC in full payment and satisfaction of all claims related to the civil action captioned Shaiitarrio Brown and Brittany King v Denver, Colorado, Denver Police Department Officers John McAndrews, Frank Kerber, and Jim Bradley, in their individual and official capacities, which was filed in the United States District Court, State of Colorado, Case No. 21-cv-2050-WJM-NYM.**

Settles a claim involving the Denver Police Department. This item was approved for filing at the Mayor-Council meeting on 1-3-2023.

A motion offered by Councilmember Black, duly seconded by Councilmember Flynn, that Council Resolution 23-0013 be adopted en bloc, carried by the following vote:

**Adopted**

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

Nay: (None) (0)

Absent: CdeBaca, Herndon (2)

**23-0014 A resolution authorizing and approving the expenditure and payment from the appropriation account designated "liability claims," the sum of Seventy-Five Thousand Dollars (\$75,000.00) made payable to Baumgartner Law, LLC in full payment and satisfaction of all claims related to the civil action captioned Luke Horowitz v. James Jeffery, a former Denver Sheriff's Department Deputy, which was filed in the United States District Court, State of Colorado, Case No. 1:21-cv-01092-PAB-MEH.**

Settles a claim involving the Denver Sheriff Department. This item was approved for filing at the Mayor-Council meeting on 1-3-2023.

A motion offered by Councilmember Black, duly seconded by Councilmember Flynn, that Council Resolution 23-0014 be adopted en bloc, carried by the following vote:

**Adopted**

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

Nay: (None) (0)

Absent: CdeBaca, Herndon (2)

**[23-0023](#) A resolution authorizing and approving the expenditure and payment from the appropriation account designated "liability claims," the total sum of One Hundred Sixty-Two Thousand Five Hundred Dollars (\$162,500.00) made payable to Brittany King and The Bagley Law Firm LLC in full payment and satisfaction of all claims related to the civil action captioned Shaiitarrio Brown and Brittany King v Denver, Colorado, Denver Police Department Officers John McAndrews, Frank Kerber, and Jim Bradley, in their individual and official capacities, which was filed in the United States District Court, State of Colorado, Case No. 21-cv-2050-WJM-NYM.**

Settles a claim involving the Denver Police Department. This item was approved for filing at the Mayor-Council meeting on 1-3-2023.

A motion offered by Councilmember Black, duly seconded by Councilmember Flynn, that Council Resolution 23-0023 be adopted en bloc, carried by the following vote:

**Adopted**

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

Nay: (None) (0)

Absent: CdeBaca, Herndon (2)

**BILLS FOR INTRODUCTION**

**Finance & Governance Committee**

**[22-1632](#) A bill for an ordinance approving a proposed Purchase and Sale Agreement between the City and County of Denver and IH Holdings Sixteen, LLC, for the acquisition of a hotel property located at 12033 East 38th Avenue, 3835 Peoria Street, and 3805 Peoria Street, known as the Stay Inn, to provide 95 supportive housing units and one manager unit in Council District 8.**

Approves a purchase and sale agreement with IH Holdings Sixteen, LLC for \$9,000,000 and through 6-30-2023 for the acquisition of hotel properties located at 12033 East 38th Avenue, 3835 Peoria Street, and 3805 Peoria Street, known as the Stay Inn, to provide 95 supportive housing units and one manager unit in Council District 8 (FINAN-202264437-00). The last regularly scheduled Council meeting within the 30-day review period is on 1-30-2023. The Committee approved filing this item at its meeting on 12-13-2022.

Council Bill 22-1632 was ordered published

**Ordered published**



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

### **[22-1455](#) A bill for an ordinance changing the zoning classification for 4350 Shoshone Street in Sunnyside.**

Approves a map amendment to rezone a property from U-TU-C to U-SU-B1, located at 4350 Shoshone Street in Council District 1. The Committee approved filing this item at its meeting on 11-15-2022.

Council Bill 22-1455 was ordered published with a future required public hearing on 2-6-2023

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

### **[22-1551](#) A bill for an ordinance changing the zoning classification for 1901 North Eudora Street in South Park Hill.**

Approves a map amendment to rezone property from PUD 377 to PUD-G 30, located at 1901 North Eudora Street in Council District 8. The Committee approved filing this item at its meeting on 12-6-2022.

Council Bill 22-1551 was ordered published with a future required public hearing on 2-6-2023

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

### **[22-1664](#) A bill for an ordinance amending the Denver Zoning Code, establishing the Cherry Creek East Mixed Use Design Overlay zone district and the Cherry Creek East Residential Design Overlay zone district, and clarifying certain rules of measurement.**

Approves a Denver Zoning Code text amendment to create the Cherry Creek East Commercial Mixed-Use Design Overlay zone district (DO-9) and the Cherry Creek East Residential Design Overlay zone district (DO-10), as well as make a minor clarification to the rules of measurement. The Committee approved filing this item at its meeting on 12-20-2022.

Council Bill 22-1664 was ordered published with a future required public hearing on 2-6-2023

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

### **[22-1675](#) A bill for an ordinance relinquishing an easement, in its entirety, reserved in Ordinance No. 60, Series of 1935, recorded with Denver Clerk & Recorder at Book 4907, Page 601, located at 4699 North Marion Street.**

Relinquishes the easement reserved in Ordinance 60, Series of 1935, located at 4699 North Marion Street in Council District 9. The Committee approved filing this item at its meeting on 12-27-2022.

Council Bill 22-1675 was ordered published

### **Ordered published**

**BILLS FOR FINAL CONSIDERATION**

**Finance & Governance Committee**

**22-1633 A bill for an ordinance authorizing a rescission from and an appropriation in the Wastewater Enterprise Fund to make a cash transfer to the Wastewater Division Planned Fleet Replacement Special Revenue Fund and authorizing the purchase of capital equipment in the Fund.**

Approves a rescission from and an appropriation in the Enterprise Fund (72100) to make a cash transfer to the Wastewater Planned Fleet Replacement Fund (72200) and authorizes the purchase of a vehicle from the Wastewater Planned Fleet Replacement Fund to support clean-up operations preventing debris from getting in waterways. The Committee approved filing this item at its meeting on 12-13-2022.

A motion offered by Councilmember Black, duly seconded by Councilmember Flynn, that Council Bill 22-1633 be placed upon final consideration and do pass en bloc, carried by the following vote:

**Placed upon final consideration and do pass**

- Aye: Black, Clark, Flynn, Gilmore, Hinds, Kashmann, Kniech, Ortega, Sandoval, Sawyer, Torres (11)
- Nay: (None) (0)
- Absent: CdeBaca, Herndon (2)

**22-1649 A bill for an ordinance amending Ordinance No. 1317, Series of 2022 to change the capital budget rescission from Fund 34991 to Fund 33069 and to approve a transfer of cash between Fund 33069 to Fund 34991.**

Amends the ordinance approved by CB22-1317 to correct a clerical error by changing the capital budget rescission from fund 34991 to fund 33069 and approving a cash transfer between fund 33069 and 34991. No change to original appropriation amounts. The Committee approved filing this item at its meeting on 12-20-2022.

A motion offered by Councilmember Black, duly seconded by Councilmember Flynn, that Council Bill 22-1649 be placed upon final consideration and do pass en bloc, carried by the following vote:

**Placed upon final consideration and do pass**

- Aye: Black, Clark, Flynn, Gilmore, Hinds, Kashmann, Kniech, Ortega, Sandoval, Sawyer, Torres (11)
- Nay: (None) (0)
- Absent: CdeBaca, Herndon (2)

**Land Use, Transportation & Infrastructure Committee**

**22-1625 A bill for an ordinance approving a proposed Intergovernmental Agreement between the City and County of Denver and Housing Authority of the City and County of Denver, for certain transportation, safety, and green space improvements at the intersection of 32nd Avenue and Shoshone Street in Council District 1.**

Approves an intergovernmental agreement with the Housing Authority of the City and County of Denver (DHA) for \$900,000 and through 7-1-2023 for the city to make transportation, safety, and green space improvements at the intersection of 32nd Avenue and Shoshone Street, next to the DHA property being redeveloped at 3210 North Shoshone Street in Council District 1 (DOTI-202265717). The last regularly scheduled Council meeting within the 30-day review period is on 1-17-2023. The Committee approved filing this item at its meeting on 12-13-2022.

A motion offered by Councilmember Black, duly seconded by Councilmember Flynn, that Council Bill 22-1625 be placed upon final consideration and do pass en bloc, carried by the following vote:

**Placed upon final consideration and do pass**

- Aye: Black, Clark, Flynn, Gilmore, Hinds, Kashmann, Kniech, Ortega, Sandoval, Sawyer, Torres (11)
- Nay: (None) (0)
- Absent: CdeBaca, Herndon (2)

**22-1627 A bill for an ordinance relinquishing an easement, in its entirety, reserved in Ordinance No. 107, Series of 1985, recorded with Denver Clerk & Recorder at Reception No. 1985086465 located at 3300 Blake Street.**

Relinquishes the easement in its entirety as established in the Ordinance No. 107, Series of 1985, located at 3300 Blake Street in Council District 9. The last regularly scheduled Council meeting within the 30-day review period is on 1-17-2023. The Committee approved filing this item at its meeting on 12-13-2022.

A motion offered by Councilmember Black, duly seconded by Councilmember Flynn, that Council Bill 22-1627 be placed upon final consideration and do pass en bloc, carried by the following vote:

**Placed upon final consideration and do pass**

- Aye: Black, Clark, Flynn, Gilmore, Hinds, Kashmann, Kniech, Ortega, Sandoval, Sawyer, Torres (11)
- Nay: (None) (0)
- Absent: CdeBaca, Herndon (2)

**[22-1630](#) A bill for an ordinance relinquishing a portion of the easement reserved in Ordinance No. 584, Series of 1991, recorded with Denver Clerk & Recorder at Reception No. 1991075551, located in the vacated alley bounded by 36th Street, Chestnut Place, 38th Street, and Delgany Street.**

Relinquishes a portion of the alley easement as established in Vacating Ordinance No. 584, Series of 1991, located in the vacated alley bounded by 36th Street, 38th Street, Delgany Street, and Chestnut Place in Council District 9. The last regularly scheduled Council meeting within the 30-day review period is on 1-17-2023. The Committee approved filing this item at its meeting on 12-13-2022.

A motion offered by Councilmember Black, duly seconded by Councilmember Flynn, that Council Bill 22-1630 be placed upon final consideration and do pass en bloc, carried by the following vote:

**Placed upon final consideration and do pass**

Aye: Black, Clark, Flynn, Gilmore, Hinds, Kashmann, Kniech, Ortega, Sandoval, Sawyer, Torres (11)  
Nay: (None) (0)  
Absent: CdeBaca, Herndon (2)

**[22-1651](#) A bill for an ordinance vacating a portion of right-of-way located near East Mississippi Drive and South Parker Road, with reservations.**

Vacates approximately 17,876 square feet of right-of-way near East Mississippi Drive and South Parker Road, with reservations in Council District 5. The Committee approved filing this item at its meeting on 12-20-2022.

A motion offered by Councilmember Black, duly seconded by Councilmember Flynn, that Council Bill 22-1651 be placed upon final consideration and do pass en bloc, carried by the following vote:

**Placed upon final consideration and do pass**

Aye: Black, Clark, Flynn, Gilmore, Hinds, Kashmann, Kniech, Ortega, Sandoval, Sawyer, Torres (11)  
Nay: (None) (0)  
Absent: CdeBaca, Herndon (2)

**[22-1653](#) A bill for an ordinance amending Chapter 10 of the Denver Revised Municipal Code concerning buildings and building regulations, to adopt the 2022 Denver Building Code, Denver Fire Code, and Denver Green Code.**

Amends Article II, Chapter 10 of the Denver Revised Municipal Code concerning buildings and building regulations to adopt the 2022 Denver Building Code, Denver Fire Code, and Denver Green Code. The Committee approved filing this item at its meeting on 12-20-2022.

A motion offered by Councilmember Black, duly seconded by Councilmember Flynn, that Council Bill 22-1653 be placed upon final consideration and do pass en bloc, carried by the following vote:

**Placed upon final consideration and do pass**

Aye: Black, Clark, Flynn, Gilmore, Hinds, Kashmann, Kniech, Ortega, Sandoval, Sawyer, Torres (11)  
Nay: (None) (0)  
Absent: CdeBaca, Herndon (2)

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

### **[22-1564](#) A bill for an ordinance approving a proposed Agreement between the City and County of Denver and Denver Health and Hospital Authority (DHHA), for maternal child health services for care coordination for children and youth with special healthcare needs.**

Approves an intergovernmental agreement with Denver Health and Hospital Authority (DHHA) for \$500,000 and through 09-30-2023 for maternal child health services for care coordination for children and youth with special healthcare needs, including general consultation to families, service navigation, coordination between providers, and other services, citywide (ENVHL-202265544). The last regularly scheduled Council meeting within the 30-day review period is on 1-17-2023. The Committee approved filing this item at its meeting on 11-30-2022.

A motion offered by Councilmember Black, duly seconded by Councilmember Flynn, that Council Bill 22-1564 be placed upon final consideration and do pass en bloc, carried by the following vote:

#### **Placed upon final consideration and do pass**

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

Nay: (None) (0)

Absent: CdeBaca, Herndon (2)

### **[22-1622](#) A bill for an ordinance approving a proposed Second Amendatory Agreement between the City and County of Denver and the Housing Authority of the City and County of Denver, to extend the term, modify the scope of services, and provide additional funding for the construction of accessory dwelling units that will benefit low-income households, citywide.**

Amends an intergovernmental agreement with Housing Authority of the City and County of Denver by adding \$630,000 for a new total of \$1,130,000 and two years for a new end date of 12-31-2024 and to modify certain terms of the program to continue supporting the construction of additional accessory dwelling units for low-income households through the West Denver Renaissance Collaborative to mitigate involuntary displacement, citywide (OEDEV-201846549/HOST-202265146-02). The last regularly scheduled Council meeting within the 30-day review period is on 1-17-2023. The Committee approved filing this item at its meeting on 12-14-2022.

A motion offered by Councilmember Black, duly seconded by Councilmember Flynn, that Council Bill 22-1622 be placed upon final consideration and do pass en bloc, carried by the following vote:

#### **Placed upon final consideration and do pass**

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

Nay: (None) (0)

Absent: CdeBaca, Herndon (2)

**PRE-RECESS ANNOUNCEMENT**

Council President Torres announced that tonight, there will be a required public hearing on Council Bill 22-1456, changing the zoning classification for 6302 East 63rd Avenue and 6308 North Argonne Street in DIA; and, a one-hour courtesy public hearing on Council Bill 22-1614, amending Chapter 58 of the Denver Revised Municipal Code to provide a civil penalty for the offense of wage theft and clarifying enforcement provisions for wage violations in connection therewith. Anyone wishing to speak on either of these matters must go online to sign up during the recess of Council.

**RECESS**

Council took a recess.

**COUNCIL RECONVENES AND RESUMES ITS REGULAR SESSION**

**UNFINISHED BUSINESS**

**PROCLAMATIONS**

[23-0018](#) A proclamation honoring Alton P. Dillard II.

A motion offered by Councilmember Ortega, duly seconded by Councilmember Hinds, that Council Proclamation 23-0018 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)

**REQUIRED PUBLIC HEARINGS**

**Land Use, Transportation & Infrastructure Committee**

[22-1456](#) **A bill for an ordinance changing the zoning classification for 6302 East 63rd Avenue and 6308 North Argonne Street in DIA.**

Approves a map amendment to rezone property from C-MU-20 with waivers and conditions, AIO to S-MX-5 AIO, located at 6302 East 63rd Avenue and 6308 North Argonne Street in Council District 11. The Committee approved filing this item at its meeting on 11-15-2022.

Council sat as a Committee of the Whole, commencing at 6:04 p.m., Council President Torres presiding, to hear speakers on Council Bill 22-1456. Meaghan McGee, Megan Waldschmidt and Jarvie Worcester signed up to speak in favor of the bill. No speakers signed up to speak in opposition of the bill. Libby Kaiser of Community Planning and Development delivered the staff report.

A motion offered by Councilmember Black, duly seconded by Councilmember Hinds, that Council Bill 22-1456 be placed upon final consideration and do pass, 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)

## **COURTESY PUBLIC HEARINGS**

### **Finance & Governance Committee**

#### **[22-1614](#) A bill for an ordinance amending Chapter 58 of the Denver Revised Municipal Code to provide a civil penalty for the offense of wage theft and clarifying enforcement provisions for wage violations in connection therewith.**

Amends Chapter 58 of the Denver Revised Municipal Code to provide a civil penalty for the offense of wage theft and clarifying enforcement provisions for wage violations in connection therewith. The Committee approved filing this item at its meeting on 12-20-2022.

Council sat as a Committee of the Whole, commencing at 6:24 p.m., Council President Torres presiding, to hear speakers on Council Bill 22-1614. Marilyn Rowe, Pamela Resendiz, Nina DiSalvo, Jordan Jones, Michael Ginzal, Everardo Badillo, Dan Sikora, Edgar Jauregui, Joe Mayall, Rebecca Galemba, Jonathan Morales, Ernesto Fonseca, Malachi Dray, Mark Thompson, Marcela Salazar, Daniel Sosa and Javier Santizo signed up to speak in favor of the bill. Jessica Kostelnik signed up to speak in opposition of the bill. Council members Gilmore and Sawyer offered an overview.

A motion offered by Councilmember Black, duly seconded by Councilmember Hinds, that Council Bill 22-1614 be placed upon final consideration and do pass, 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-ADJOURNMENT ANNOUNCEMENT**

Council President Torres announced that on Monday, February 6, 2023, Council will hold a required public hearing on Council Bill 22-1455, changing the zoning classification for 4350 Shoshone Street in Sunnyside; a required public hearing on Council Bill 22-1551, changing the zoning classification for 1901 North Eudora Street in South Park Hill; and, a combined public hearing on Council Bill 22-1647, changing the zoning classification for multiple properties to apply the Cherry Creek East Commercial and Residential Mixed Use Design Overlay in Cherry Creek, and Council Bill 22-1664, amending the Denver Zoning Code, establishing the Cherry Creek East Mixed Use Design Overlay zone district and the Cherry Creek East Residential Design Overlay zone district, and clarifying certain rules of measurement. Any protests against Council Bills 22-1455, 22-1551 or 22-1647 must be filed with the Council Offices no later than noon on Monday, January 30, 2023.

**ADJOURN**

There being no further business before the City Council, Council President Torres adjourned the meeting at 7:45 p.m.

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President

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

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