

City Council Minutes
Meeting Date: Monday, May 15, 2023 3:30 PM

PLEDGE OF ALLEGIANCE

Councilmember Sandoval led the Pledge of Allegiance.

LAND ACKNOWLEDGEMENT

Councilmember Sandoval led the Land Acknowledgement.

ROLL CALL

Councilmembers CdeBaca, Herndon, and Sawyer attended the meeting virtually.

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

APPROVAL OF THE MINUTES

The minutes of May 8, 2023, were distributed to members of Council. Council President Torres ordered the minutes approved.

[23-0599](#) Minutes of Monday, May 8, 2023.

Council Minutes 23-0599 were approved.

Approved

COUNCIL ANNOUNCEMENTS

Councilmembers Sandoval and Kashmann and Council President Torres made announcements.

PRESENTATIONS

COMMUNICATIONS

PROCLAMATIONS

[23-0601](#) **A Proclamation Commending the O’Neill family for 76 years of continuous service to the Denver Police Dept.**

A motion offered by Councilmember Flynn, duly seconded by Councilmember Hinds, that Council Proclamation 23-0601 be approved, carried by the following vote:

Approved

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

Nay: (None) (0)

Absent: Herndon (1)

[23-0602](#) **A Proclamation Honoring Skye Stuart on her Service to the City of Denver**

A motion offered by Councilmember Black, duly seconded by Councilmember Hinds, that Council Proclamation 23-0602 be approved, carried by the following vote:

Approved

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

Nay: (None) (0)

RECAP OF BILLS TO BE CALLED OUT

BILLS FOR INTRODUCTION

Finance & Governance Committee

[23-0513](#) **A bill for an ordinance removing the December 31, 2026 expiration date of the existing 0.15 percent sales and use tax dedicated to funding the Denver Preschool Program, and extending the tax until such authority is altered or repealed, subject to the approval of the voters at a special municipal election to be conducted in coordination with the state general election on November 7, 2023.**

A bill for an ordinance removing the December 31, 2026 expiration date of the existing 0.15 percent sales and use tax dedicated to funding the Denver Preschool Program, and extending the tax until such authority is altered or repealed, subject to the approval of the voters at a special municipal election to be conducted in coordination with the state general election on November 7, 2023. The Committee approved filing this item at its meeting on 5-2-2023.

A motion offered by Councilmember Sandoval, duly seconded by Councilmember Hinds, that Council Bill 23-0513 be postponed, carried by the following vote:

Postponed

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

Nay: (None) (0)

Absent: Herndon (1)

Land Use, Transportation & Infrastructure Committee

[23-0482](#) **A bill for an ordinance amending Chapter 59 of the Denver Revised Municipal Code, concerning unenclosed eating places.**

Amends Chapter 59 of the Denver Revised Municipal Code to allow applicable Former Chapter 59 properties to use regulations provided by the Denver Zoning Code text amendment for Outdoor Gathering Areas, as provided in CB23-0481. If ordered published, a public hearing will be held on Monday, 6-12-2023. The Committee approved filing this item at its meeting on 5-2-2023.

A motion offered by Councilmember Sandoval, duly seconded by Councilmember Flynn, that Council Bill 23-0482 be placed upon final consideration and do pass, was followed by a motion offered by Councilmember Sandoval, duly seconded by Councilmember Kniech, that Council Bill 23-0482 be amended, in the following particulars:

On page 2, line 28, add:

"Section 4. If the department of community planning and development ("CPD") receives a complete zoning permit application, including payment of all applicable fees, for an Unenclosed Eating Place on land operating a Temporary Outdoor Expansion Space for Restaurants & Bars by October 31, 2023, then the owner who wishes to receive an Unenclosed Eating Place permit is authorized to operate the temporary use until March 31, 2024, or the date on which an Unenclosed Eating Place permit is approved, whichever date is earlier. Once CPD approves an Unenclosed Eating Place permit submitted according to this section 4, or by April 1, 2024, whichever date is later, the operator of a Temporary Outdoor Expansion Space for Restaurants & Bars must cease the temporary use until all final inspections required by the city for the Unenclosed Eating Place have been approved."

The motion carried by the following vote:

Amended

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

A motion offered by Councilmember Sandoval, duly seconded by Councilmember Flynn, that Council Bill 23-0482 be ordered published as amended, carried by the following vote:

Ordered published as amended

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

BILLS FOR FINAL CONSIDERATION

Finance & Governance Committee

[23-0458](#) **A bill for an ordinance approving a proposed Cooperation Agreement between the City and County of Denver and Denver Urban Renewal Authority, for the 38th and Huron Property Tax Increment Area and Sales Tax Increment Area to establish, among other matters, the parameters for tax increment financing with incremental property and sales taxes.**

Approves an intergovernmental cooperation agreement with the Denver Urban Renewal Authority (DURA) for the 38th and Huron Property Tax Increment Area and Sales Tax Increment Area to establish, among other matters, the parameters for tax increment financing with incremental property and sales taxes in Council District 9 (FINAN-202367471). The last regularly scheduled Council meeting within the 30-day review period is on 5-29-2023. The Committee approved filing this item at its meeting on 4-25-2023.

A motion offered by Councilmember Sawyer, duly seconded by Councilmember Hinds, that Council Bill 23-0458 be postponed, carried by the following vote:

Postponed

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

Block Vote

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

Approved the consent agenda

Aye: Black, CdeBaca, Clark, Flynn, Gilmore, Herndon, Hinds, Kashmann, Kniech, Ortega, Sandoval, Sawyer, Torres (13)
Nay: (None) (0)

RESOLUTIONS

Business, Arts, Workforce, & Aviation Services Committee

[23-0509](#) **A resolution approving a proposed Contract between the City and County of Denver and Flatiron Constructors, Inc. to construct a new taxiway and deicing pad at Denver International Airport.**

Approves a contract with Flatiron Constructors, Inc. for \$60,461,770.05 and 411 days to construct a new taxiway and deicing pad to improve operational capacity and efficiency at Denver International Airport in Council District 11 (PLANE-202366450). The last regularly scheduled Council meeting within the 30-day review period is on 6-5-2023. The Committee approved filing this item at its meeting on 5-3-2023.

A motion offered by Councilmember Sandoval, duly seconded by Councilmember Hinds, that Council Resolution 23-0509 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)

[23-0510](#) A resolution approving a proposed Contract between the City and County of Denver and JSM Airport Services, LLC concerning the operation and maintenance of the baggage handling system at Denver International Airport.

Approves a contract with JSM Airport Services, LLC for \$50,000,000 and 3 years, plus two 1-year options to extend, for operation and maintenance of the baggage handling system at Denver International Airport in Council District 11 (PLANE-202265234). The last regularly scheduled Council meeting within the 30-day review period is on 6-5-2023. The Committee approved filing this item at its meeting on 5-3-2023.

A motion offered by Councilmember Sandoval, duly seconded by Councilmember Hinds, that Council Resolution 23-0510 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

[23-0476](#) A resolution approving the Mayor’s reappointments to the Denver Women’s Commission.

Approves the Mayoral reappointments of Stacey Shigaya and Stephanie Visscher to the Denver Women’s Commission for terms effective immediately and expiring 6-30-2024, or until successors are duly appointed. The Committee approved filing this item at its meeting on 5-2-2023.

A motion offered by Councilmember Sandoval, duly seconded by Councilmember Hinds, that Council Resolution 23-0476 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)

[23-0494](#) A resolution approving a proposed Agreement between the City and County of Denver and Northern Colorado Pest and Wildlife Control Corp. to perform pest management services citywide, excluding Denver International Airport.

Approves a contract with Northern Colorado Pest and Wildlife Control Corp. for \$950,000 and through 4-30-2026 to perform pest management services citywide, excluding Denver International Airport (GENRL-202367381-00). The last regularly scheduled Council meeting within the 30-day review period is on 6-5-2023. The Committee approved filing this item at its meeting on 5-2-2023.

A motion offered by Councilmember Sandoval, duly seconded by Councilmember Hinds, that Council Resolution 23-0494 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

23-0400 A resolution approving a proposed Contract between the City and County of Denver and Brannan Sand and Gravel Company, L.L.C. for approximately 30 miles of annual street maintenance, including roto-mill and asphalt overlay, citywide.

Approves a contract with Brannan Sand and Gravel Company, L.L.C. for \$2,607,987.50 and 250 days for approximately 30 miles of annual street maintenance, including roto-mill and asphalt overlay, citywide (202366351). The last regularly scheduled Council meeting within the 30-day review period is on 6-5-2023. The Committee approved filing this item at its meeting on 4-18-2023.

A motion offered by Councilmember Sandoval, duly seconded by Councilmember Hinds, that Council Resolution 23-0400 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)

23-0425 A resolution approving a proposed Amendatory Agreement between the City and County of Denver and Hensel Phelps Construction Company to continue providing horizontal construction management services for the National Western Center Program.

Amends a contract with Hensel Phelps Construction Company by adding two years for a new end date of 5-14-2025 and by changing the billing structure to align with the remaining volume of work to continue providing horizontal construction management services for the National Western Center Program, located in Council District 9. No change to contract amount (PWADM-201841662/ DOTI-202367211). The last regularly scheduled Council meeting within the 30-day review period is on 6-5-2023. The Committee approved filing this item at its meeting on 4-18-2023.

A motion offered by Councilmember Sandoval, duly seconded by Councilmember Hinds, that Council Resolution 23-0425 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)

23-0495 A resolution laying out, opening and establishing as part of the City street system parcels of land as: 1) South Clay Street, located at the intersection of South Clay Street and West Tennessee Avenue; and 2) South Clay Street, located at the intersection of South Clay Street and West Mississippi Avenue.

Dedicates two parcels of land as 1) South Clay Street, located at the intersection of South Clay Street and West Tennessee Avenue, and 2) South Clay Street, located at the intersection of South Clay Street and West Mississippi Avenue located in Council District 7. The Committee approved filing this item at its meeting on 5-2-2023.

A motion offered by Councilmember Sandoval, duly seconded by Councilmember Hinds, that Council Resolution 23-0495 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)

23-0496 A resolution laying out, opening and establishing as part of the City street system parcels of land as: 1) West Mississippi Avenue, located at the intersection of West Mississippi Avenue and South Clay Street; and 2) West Mississippi Avenue, located at the intersection of West Mississippi Avenue and South Clay Street.

Dedicates two parcels of land as 1) West Mississippi Avenue, located at the intersection of West Mississippi Avenue and South Clay Street, and 2) West Mississippi Avenue, located at the intersection of West Mississippi Avenue and South Clay Street in Council District 7. The Committee approved filing this item at its meeting on 5-2-2023.

A motion offered by Councilmember Sandoval, duly seconded by Councilmember Hinds, that Council Resolution 23-0496 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)

23-0498 A resolution laying out, opening and establishing as part of the City street system a parcel of land as South Eliot Street at the intersection of West Mississippi Avenue and West Tennessee Avenue.

Dedicates a parcel of land as public right-of-way as South Eliot Street, located between West Mississippi Avenue, and West Tennessee Avenue in Council District 7. The Committee approved filing this item at its meeting on 5-2-2023.

A motion offered by Councilmember Sandoval, duly seconded by Councilmember Hinds, that Council Resolution 23-0498 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)

23-0499 A resolution laying out, opening and establishing as part of the City street system a parcel of land as a public alley bounded by South Acoma Street, West Arkansas Avenue, South Broadway, and West Louisiana Avenue.

Dedicates a parcel of land as public right-of-way as public alley, bounded by South Acoma Street, West Arkansas Avenue, South Broadway, and West Louisiana Avenue in Council District 7. The Committee approved filing this item at its meeting on 5-2-2023.

A motion offered by Councilmember Sandoval, duly seconded by Councilmember Hinds, that Council Resolution 23-0499 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)

23-0500 A resolution laying out, opening and establishing as part of the City street system a parcel of land as a public alley bounded by North Cook Street, East 2nd Avenue, North Adams Street, and East 1st Avenue.

Dedicates a parcel of land as public right-of-way as public alley, bounded by North Cook Street, East 2nd Avenue, North Adams Street, and East 1st Avenue in Council District 10. The Committee approved filing this item at its meeting on 5-2-2023.

A motion offered by Councilmember Sandoval, duly seconded by Councilmember Hinds, that Council Resolution 23-0500 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)

23-0501 A resolution laying out, opening and establishing as part of the City street system parcels of land as: 1) Public Alley, bounded by North Lipan Street, West 14th Avenue, North Kalamath Street, and West Colfax Avenue; 2) Public Alley, bounded by North Lipan Street, West 14th Avenue, North Kalamath Street, and West Colfax Avenue; and 3) West Colfax Avenue, located at the intersection of West Colfax Avenue and North Lipan Street.

Dedicates three parcels of land as public right-of-way as 1) public alley, bounded by North Lipan Street, West 14th Avenue, North Kalamath Street and West Colfax Avenue, 2) public alley, bounded by North Lipan Street, West 14th Avenue, North Kalamath Street and West Colfax Avenue, and 3) West Colfax Avenue, located at the intersection of West Colfax Avenue and North Lipan Street in Council District 3. The Committee approved filing this item at its meeting on 5-2-2023.

A motion offered by Councilmember Sandoval, duly seconded by Councilmember Hinds, that Council Resolution 23-0501 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)

[23-0502](#) **A resolution approving a proposed Contract Services Agreement between the City and County of Denver and Pioneer Landscape Centers, Inc. for on-call material purchase, delivery, and placement in Denver parks, citywide.**

Approves an on-call contract with Pioneer Landscape Centers, Inc. for \$800,000 and 3 years to purchase, deliver and install landscape materials such as mulches, gravel and wood fibers at sites including but not limited to medians and playgrounds that are maintained by Denver Parks and Recreation, citywide (202367179). The last regularly scheduled Council meeting within the 30-day review period is on 6-5-2023. The Committee approved filing this item at its meeting on 5-2-2023.

A motion offered by Councilmember Sandoval, duly seconded by Councilmember Hinds, that Council Resolution 23-0502 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)

[23-0503](#) **A resolution approving a proposed Contract Services Agreement between the City and County of Denver and Bedrock, LLC for on-call material purchase, delivery, and placement in Denver parks, citywide.**

Approves an on-call contract with Bedrock LLC, doing business as Ground Solutions, for \$800,000 and 3 years to purchase, deliver and install landscape materials such as mulches, gravel and wood fibers at sites including but not limited to medians and playgrounds that are maintained by Denver Parks and Recreation, citywide (202367179). The last regularly scheduled Council meeting within the 30-day review period is on 6-5-2023. The Committee approved filing this item at its meeting on 5-2-2023.

A motion offered by Councilmember Sandoval, duly seconded by Councilmember Hinds, that Council Resolution 23-0503 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

[23-0485](#) A resolution approving a proposed Second Amendatory Agreement between the City and County of Denver and Pinyon Environmental, Inc. to continue environmental site assessment, brownfields redevelopment, leaking underground storage tank removal and other environmental services, citywide.

Amends an on-call contract with Pinyon Environmental, Inc. by adding 2 years for a new end date of 12-31-2025 to continue environmental site assessment, brownfields redevelopment, leaking underground storage tank removal and other environmental services, citywide. No change to contract amount (ENVHL-202056463-02/ ESEQD-202367349-02). The last regularly scheduled Council meeting within the 30-day review period is on 6-5-2023. The Committee approved filing this item at its meeting on 5-3-2023.

A motion offered by Councilmember Sandoval, duly seconded by Councilmember Hinds, that Council Resolution 23-0485 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)

[23-0486](#) A resolution approving a proposed Amendatory Agreement between the City and County of Denver and Stantec Consulting Services Inc. to continue environmental site assessment, brownfields redevelopment, leaking underground storage tank removal and other environmental services, citywide.

Amends an on-call contract with Stantec Consulting Services, Inc. by adding 2 years for a new end date of 12-31-2025 to continue environmental site assessment, brownfields redevelopment, leaking underground storage tank removal and other environmental services, citywide. No change to contract amount (ENVHL-202056420-01/ ESEQD-202367374-01). The last regularly scheduled Council meeting within the 30-day review period is on 6-5-2023. The Committee approved filing this item at its meeting on 5-3-2023.

A motion offered by Councilmember Sandoval, duly seconded by Councilmember Hinds, that Council Resolution 23-0486 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)

23-0487 A resolution approving a proposed Amendatory Agreement between the City and County of Denver and Terracon Consultants, Inc. to continue environmental site assessment, brownfields redevelopment, leaking underground storage tank removal and other environmental services, citywide.

Amends an on-call contract with Terracon Consultants, Inc. by adding 2 years for a new end date of 12-31-2025 to continue environmental site assessment, brownfields redevelopment, leaking underground storage tank removal and other environmental services, citywide. No change to contract amount (ENVHL-202056462-01/ ESEQD-202367299-01). The last regularly scheduled Council meeting within the 30-day review period is on 6-5-2023. The Committee approved filing this item at its meeting on 5-3-2023.

A motion offered by Councilmember Sandoval, duly seconded by Councilmember Hinds, that Council Resolution 23-0487 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)

23-0489 A resolution approving a proposed Second Amendatory Agreement between the City and County of Denver and Trihydro Corporation to continue environmental site assessment, brownfields redevelopment, leaking underground storage tank removal and other environmental services, citywide.

Amends an on-call contract with Trihydro Corporation by adding \$1,000,000 for a new total of \$3,000,000 and 2 years for a new end date of 12-31-2025 to continue environmental site assessment, brownfields redevelopment, leaking underground storage tank removal and other environmental services, citywide (ENVHL-202056457-02/ ESEQD-202367397-02). The last regularly scheduled Council meeting within the 30-day review period is on 6-5-2023. The Committee approved filing this item at its meeting on 5-3-2023.

A motion offered by Councilmember Sandoval, duly seconded by Councilmember Hinds, that Council Resolution 23-0489 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)

23-0491 A resolution approving a proposed Sixth Amendatory Agreement between the City and County of Denver and HopSkipDrive, Inc., to provide transportation services for youth clients of Denver Human Services.

Amends a contract with HopSkipDrive, Inc. by adding \$305,000 for a new total of \$1,168,000 and 3 months for a new end date of 9-30-2023 to provide door to door transportation services for children/youth ensuring Denver Human Services clients receive services in a safe environment, citywide (SOCSV-201845500-06, SOCSV-202367642-06). The last regularly scheduled Council meeting within the 30-day review period is on 6-5-2023. The Committee approved filing this item at its meeting on 5-3-2023.

A motion offered by Councilmember Sandoval, duly seconded by Councilmember Hinds, that Council Resolution 23-0491 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)

23-0600 A resolution authorizing and approving the expenditure and payment from the appropriation account designated "liability claims," the total sum of One Hundred Thirty-Five Thousand Dollars and no cents (\$135,000.00), payable to Sabrina Aragon and The Law Office of Cornell Johnson, P.C., COLTAF ACCOUNT in full payment and satisfaction of all claims related to the civil action captioned *Sabrina Aragon v. Kaylan Campbell and City and county of Denver, and Bristol West Ins. Co., v. Kaylan Campbell and Denver Police Department* which was filed in the District Court, City and County of Denver, Colorado Case No. 2022CV31243.

Settles a claim involving the Denver Police Department. This resolution was approved for filing at the Mayor Council meeting 5-9-2023.

A motion offered by Councilmember Sandoval, duly seconded by Councilmember Hinds, that Council Resolution 23-0600 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

[23-0403](#) A bill for an ordinance authorizing a rescission from and an appropriation in the Volume-Based Trash Pricing Fund.

Rescinds \$4,189,708 from the Volume Based Trash-Pricing (VBTP) Fund appropriated transfer to the Planned Fleet Special Revenue Fund originally intended for truck purchases and makes an appropriation of \$6,500,000 in the VBTP Fund's operating budget to reflect the rescission and recognize updated revenue. The Committee approved filing this item at its meeting on 5-2-2023.

Council Bill 23-0403 was ordered published

Ordered published

[23-0504](#) A bill for an ordinance making a cash transfer from the Health Federal Grant Special Revenue Fund to the Public Health and Wellness Special Revenue Fund and making an appropriation in and the Public Health and Wellness Special Revenue Fund.

Approves a cash transfer of \$11,342.11 from the Health Federal Grant Fund (14001) to the Public Health and Wellness Special Revenue Fund (14806) and appropriates these funds in the Public Health and Wellness Special Revenue Fund, to close out the completed grant award and, with the approval of the grantor, make the grant fund balance available for wellness programs. The Committee approved filing this item at its meeting on 5-2-2023.

Council Bill 23-0504 was ordered published

Ordered published

[23-0505](#) A bill for an ordinance authorizing a rescission from and an appropriation in the Planned Capital Equipment Special Revenue Fund to make a cash transfer to the Planned Fleet Replacement Special Revenue Fund and authorizing the purchase of capital equipment in the Planned Fleet Special Revenue Fund.

Approves a cash transfer of \$25,000 from the Planned Capital Equipment Special Revenue Fund to the Planned Fleet Special Revenue Fund to cover a portion of the cost to purchase one vehicle and authorizes the purchase of three vehicles from the Planned Fleet Special Revenue Fund to correct an error in Ordinance No. 1475, Series 2022, which originally authorized the purchase of three vehicles from the Planned Capital Equipment Special Revenue fund. The Committee approved filing this item at its meeting on 5-2-2023.

Council Bill 23-0505 was ordered published

Ordered published

[23-0507](#) **A bill for an ordinance designating certain properties as being required for public use and authorizing use and acquisition thereof by negotiation or through condemnation proceedings of fee simple, easement and other interests, including any rights and interests related or appurtenant to properties designated as needed for the 51st Avenue: Logan Street to Emerson Street project.**

Grants the authority to acquire through negotiated purchase or condemnation of all or any portion of any property interest as needed in support of multi-modal safety improvements, including easement interests, access rights, improvements, buildings, fixtures, licenses, permits and other appurtenances, for the 51st Avenue Project, located along 51st Avenue from Logan to Emerson Streets in Council District 9. The Committee approved filing this item at its meeting on 5-2-2023.

Council Bill 23-0507 was ordered published

Ordered published

[23-0508](#) **A bill for an ordinance designating certain properties as being required for public use and authorizing use and acquisition thereof by negotiation or through condemnation proceedings of fee simple, easement and other interests, including any rights and interests related or appurtenant to properties designated as needed for the Washington Street Corridor Project.**

Grants the authority to acquire through negotiated purchase or condemnation of all or any portion of any property interest as needed in support of multi-modal safety and green infrastructure improvements, including easement interests, access rights, improvements, buildings, fixtures, licenses, permits and other appurtenances, for the Washington Street Corridor Project in Council District 9. The Committee approved filing this item at its meeting on 5-2-2023.

Council Bill 23-0508 was ordered published

Ordered published

Land Use, Transportation & Infrastructure Committee

[23-0480](#) **A bill for an ordinance approving and accepting the Near Southeast Area Plan, which Plan shall become a part of Comprehensive Plan 2040 for the City and County of Denver pursuant to the provisions of Section 12-61 of the Denver Revised Municipal Code.**

Adopts the Near Southeast Area Plan, as part of the City's Comprehensive Plan. If ordered published, a public hearing will be held on Monday, 5-22-2023. The Committee approved filing this item at its meeting on 5-2-2023.

Council Bill 23-0480 was ordered published with a future required public hearing on 5/22/2023.

Ordered published with a future required public hearing

[23-0481](#) A bill for an ordinance amending the Denver Zoning Code, establishing an Outdoor Gathering Area use.

Approves a Denver Zoning Code text amendment related to Outdoor Gathering Areas. If ordered published, a public hearing will be held on Monday, 6-12-2023. The Committee approved filing this item at its meeting on 5-2-2023.

Council Bill 23-0481 was ordered published with a future required public hearing on 6/12/2023.

Ordered published with a future required public hearing

[23-0497](#) A bill for an ordinance relinquishing 1) a portion of the easement reserved in Ordinance No. 116, Series of 1947, recorded with Denver Clerk & Recorder at Reception No. R-92-0095493; and 2) the easement, in its entirety, reserved in Ordinance No. 115, Series of 1926, recorded with Denver Clerk & Recorded at Book 4880, Page 443, located at 725 West 39th Avenue.

Relinquishes a portion of the easement established in Ordinance Number 116, Series 1947, and the easement in its entirety as established in Ordinance Number 115, Series 1926, located at 725 West 39th Avenue in Council District 9. The last regularly scheduled Council meeting within the 30-day review period is on 6-5-2023. The Committee approved filing this item at its meeting on 5-2-2023.

Council Bill 23-0497 was ordered published

Ordered published

BILLS FOR FINAL CONSIDERATION

Finance & Governance Committee

[23-0456](#) A bill for an ordinance making a rescission from and an appropriation in the Capital Improvements and Capital Maintenance Fund.

Authorizes a cash transfer of \$71,037.90 between two accounts supporting Denver Moves Bicycle Implementation, in order to correct a previous line-item error and without changing the total funds allocated to this project. The Committee approved filing this item at its meeting on 4-25-2023.

A motion offered by Councilmember Sandoval, duly seconded by Councilmember Hinds, that Council Bill 23-0456 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 Torres announced that tonight, there will be a required public hearing on Council Bill 23-0566 authorizing the non-profit corporation administering the Denver Preschool Program to utilize non-city funds to administer other preschool programs to non-Denver residents and utilize tax dollars for grants and technical assistance to individuals seeking licensure to provide preschool programs in Denver; a required public hearing on Council Bill 23-0428 amending article IV, chapter 11 of the revised municipal code, regarding the Denver College Affordability Fund; a required public hearing on Council Bill 23-0335 changing the zoning classification for 8405 & 8415 East Colfax Avenue in East Colfax; a required public hearing on Council Bill 23-0384 designating 602 South Harrison Lane as a structure for preservation, and a required public hearing on Council Bill 23-0457 approving the 38th and Huron Urban Redevelopment Plan, the creation of the 38th and Huron Urban Redevelopment Area and the 38th and Huron Property Tax Increment Area and Sales Tax Increment Area. Anyone wishing to speak on any of these matters must go online to sign up during the recess of Council.

RECESS

Council took a recess.

COUNCIL RECONVENES AND RESUMES ITS REGULAR SESSION

UNFINISHED BUSINESS

PROCLAMATIONS

PUBLIC HEARINGS - BILLS FOR INTRODUCTION

Finance & Governance Committee

[23-0566](#) **A bill for an ordinance authorizing the non-profit corporation administering the Denver Preschool Program to utilize non-city funds to administer other preschool programs to non-Denver residents and utilize tax dollars for grants and technical assistance to individuals seeking licensure to provide preschool programs in Denver.**

For an ordinance amending chapter 11 of the code to authorize the non-profit corporation administering the Denver Preschool Program to utilize non-city funds to administer other preschool programs to non-Denver residents and utilize tax dollars for grants and technical assistance to individuals seeking licensure to provide preschool programs in Denver. The Committee approved filing this item at its meeting on 5-9-2023.

Council sat as a Committee of the Whole, commencing at 5:31 p.m., Council President Torres presiding, to hear speakers on Council Bill 23-0566. Janice Sinden and Gerri Howard signed up to speak in favor of the bill. No speakers signed up in opposition of the bill. Ellen Baskerville of the Denver Preschool Program delivered the staff report.

A motion offered by Councilmember Sandoval, duly seconded by Councilmember Hinds, that Council Bill 23-0566 be ordered published, carried by the following vote:

Ordered published

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

Nay: (None) (0)

23-0513 A bill for an ordinance removing the December 31, 2026 expiration date of the existing 0.15 percent sales and use tax dedicated to funding the Denver Preschool Program, and extending the tax until such authority is altered or repealed, subject to the approval of the voters at a special municipal election to be conducted in coordination with the state general election on November 7, 2023.

A bill for an ordinance removing the December 31, 2026 expiration date of the existing 0.15 percent sales and use tax dedicated to funding the Denver Preschool Program, and extending the tax until such authority is altered or repealed, subject to the approval of the voters at a special municipal election to be conducted in coordination with the state general election on November 7, 2023. The Committee approved filing this item at its meeting on 5-2-2023.

A motion offered by Councilmember Sandoval, duly seconded by Councilmember Hinds, that Council Bill 23-0513 be ordered published, carried by the following vote:

Ordered published

Aye: Black, CdeBaca, Clark, Flynn, Gilmore, Herndon, Hinds, Kashmann, Kniech, Ortega, Sandoval, Sawyer, Torres (13)
Nay: (None) (0)

Safety, Housing, Education & Homelessness Committee

23-0428 A bill for an ordinance amending article IV, chapter 11 of the revised municipal code, regarding the Denver College Affordability Fund.

An ordinance amending Article IV, Chapter 11 of the revised municipal code, regarding the Denver College Affordability Fund. The Committee approved filing this item at its meeting on 4-19-2023.

Council sat as a Committee of the Whole, commencing at 5:51 p.m., Council President Torres presiding, to hear speakers on Council Bill 23-0428. Natasha Garfield, Melissa Muniz, Will Simpkins, Emory Dinner, TeRay Esquibel, Emelene Peralta, Liz Taylor, Roger Low, Joselyn Loya-Acosta, Katie Zaback, Cynthia Gallegos, Lorii Rabinowitz, Lisa Seaman, Patrick Donovan, and Emily Weiss signed up to speak in favor of the bill. No speakers signed up in opposition of the bill. Matt Jordan of Prosperity Denver delivered the staff report.

A motion offered by Councilmember Sandoval, duly seconded by Councilmember Hinds, that Council Bill 23-0428 be ordered published, carried by the following vote:

Ordered published

Aye: Black, CdeBaca, Clark, Gilmore, Herndon, Hinds, Kashmann, Kniech, Ortega, Sandoval, Sawyer, Torres (12)
Nay: Flynn (1)

PUBLIC HEARINGS - BILLS FOR FINAL CONSIDERATION

Land Use, Transportation & Infrastructure Committee

23-0335 A bill for an ordinance changing the zoning classification for 8405 & 8415 East Colfax Avenue in East Colfax.

Approves a map amendment to rezone property from E-MS-3 to E-MS-5, located at 8405 & 8415 East Colfax Avenue in Council District 8. The Committee approved filing this item at its meeting on 4-4-2023.

Council sat as a Committee of the Whole, commencing at 7:43 p.m., Council President Torres presiding, to hear speakers on Council Bill 23-0335. No speakers signed up to speak in favor of the bill or opposition of the bill. Edson Ibanez of Community Planning and Development delivered the staff report.

A motion offered by Councilmember Sandoval, duly seconded by Councilmember Hinds, that Council Bill 23-0335 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)
Abstain: Herndon (1)

23-0384 A bill for an ordinance designating 602 South Harrison Lane as a structure for preservation.

Approves an individual landmark designation for a structure located at 602 South Harrison Lane in Council District 10. The Committee approved filing this item at its meeting on 4-11-2023.

Council sat as a Committee of the Whole, commencing at 7:59 p.m., Council President Torres presiding, to hear speakers on Council Bill 23-0384. Allen Gas, Mike Hughes, Tom Harp, Michael Harris, Kimber Dempsey, Brianna Samyn, Atom Stevens, Michael Flowers signed up to speak in favor of the bill. No speakers signed up in opposition of the bill. Abigail Christman of Community Planning and Development delivered the staff report.

A motion offered by Councilmember Sandoval, duly seconded by Councilmember Gilmore, that Council Bill 23-0384 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)

Finance & Governance Committee

[23-0457](#) A bill for an ordinance approving the 38th and Huron Urban Redevelopment Plan, the creation of the 38th and Huron Urban Redevelopment Area and the 38th and Huron Property Tax Increment Area and Sales Tax Increment Area

Approves the 38th and Huron Urban Redevelopment Plan authorizing the creation of an Urban Redevelopment Area and property tax and sales tax increment areas located in Council District 9. The Committee approved filing this item at its meeting on 4-25-2023.

Council sat as a Committee of the Whole, commencing at 8:36 p.m., Council President Torres presiding, to hear speakers on Council Bill 23-0457. Bruce O'Donnell, Ryan Snyder, Anthony Cistone, Manuel Jimenez signed up to speak in favor of the bill. No speakers signed up in opposition of the bill. Tracy Huggins of Denver Urban Renewal Authority delivered the staff report.

A motion offered by Councilmember Sandoval, duly seconded by Councilmember Flynn, that Council Bill 23-0457 be placed upon final consideration and do pass, carried by the following vote:

Placed upon final consideration and do pass

Aye: Clark, Flynn, Gilmore, Herndon, Hinds, Kashmann, Kniech, Ortega, Sandoval, Sawyer, Torres (11)
Nay: CdeBaca (1)
Abstain: Black (1)

[23-0458](#) A bill for an ordinance approving a proposed Cooperation Agreement between the City and County of Denver and Denver Urban Renewal Authority, for the 38th and Huron Property Tax Increment Area and Sales Tax Increment Area to establish, among other matters, the parameters for tax increment financing with incremental property and sales taxes.

Approves an intergovernmental cooperation agreement with the Denver Urban Renewal Authority (DURA) for the 38th and Huron Property Tax Increment Area and Sales Tax Increment Area to establish, among other matters, the parameters for tax increment financing with incremental property and sales taxes in Council District 9 (FINAN-202367471). The last regularly scheduled Council meeting within the 30-day review period is on 5-29-2023. The Committee approved filing this item at its meeting on 4-25-2023.

A motion offered by Councilmember Sandoval, duly seconded by Councilmember Flynn, that Council Bill 23-0458 be placed upon final consideration and do pass, carried by the following vote:

Placed upon final consideration and do pass

Aye: Clark, Flynn, Gilmore, Herndon, Hinds, Kashmann, Kniech, Ortega, Sandoval, Sawyer, Torres (11)
Nay: CdeBaca (1)
Abstain: Black (1)

PRE-ADJOURNMENT ANNOUNCEMENT

Council President Torres announced that on Monday, on Monday, May 22, 2023, Council will hold a courtesy public hearing on Council Bill 23-0480 approving and accepting the Near Southeast Area Plan, which Plan shall become a part of Comprehensive Plan 2040 for the City and County of Denver pursuant to the provisions of Section 12-61 of the Denver Revised Municipal Code; and on Monday, June 12, 2023 a combined required public hearing on Council Bill 23-0481 amending the Denver Zoning Code, establishing an Outdoor Gathering Area use and Council Bill 23-0482 amending Chapter 59 of the Denver Revised Municipal Code, concerning unenclosed eating places. Any protests against Council Bills 23-0481 or 23-0482, must be filed with the Council Offices no later than noon on Monday, June 5, 2023.

ADJOURN

There being no further business before the City Council, Council President Torres adjourned the meeting at 9:21 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