

City Council Minutes

Meeting Date: Monday, July 27, 2020 5:30 PM

PLEDGE OF ALLEGIANCE

ROLL CALL

Present: Black, CdeBaca, Flynn, Gilmore, Herndon, Hinds, Kashmann, Kniech, Sandoval, Sawyer, Torres (11)

Absent: Clark, Ortega (2)

APPROVAL OF THE MINUTES

[20-0755](#) Minutes of Monday, July 20, 2020

The minutes of Monday, July 20, 2020 were distributed to members of Council. Council President Gilmore ordered the minutes approved.

Approved

COUNCIL ANNOUNCEMENTS

Council members Kashmann, Hinds, Black, Torres and Sandoval offered announcements.

PRESENTATIONS

COMMUNICATIONS

RECAP OF BILLS TO BE CALLED OUT

RESOLUTIONS

City Council - Direct Files

[20-0749](#) **A resolution approving a proposed Third Amendatory Agreement between the City and County of Denver and Western Stock Show Association for allowing the City to use the National Western Hall of Education for people experiencing homelessness.**

Amends a license agreement with the Western Stock Show Association by adding \$835,000 for a new total of \$1,685,000 and one month for a new end date of 8-15-20 to license the National Western Complex Hall of Education for use as a men's auxiliary shelter due to the COVID-19 pandemic (FINAN-202055360-03). Councilmember Black approved filing this item on 7-23-20.

A motion offered by Councilmember Sawyer, duly seconded by Councilmember Herndon, that Council Resolution 20-0749 be adopted. The motion carried by the following vote:

Adopted

Aye: Black, CdeBaca, Flynn, Gilmore, Herndon, Hinds, Kashmann, Kniech, Sandoval, Torres (10)

Nay: Sawyer (1)

Absent: Clark, Ortega (2)

BILLS FOR FINAL CONSIDERATION

Finance & Governance Committee

[20-0668](#) 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 Sand Creek Project.

Grants the authority to acquire through negotiated purchase or condemnation any property interest as needed in support the Sand Creek Project, including easement interests, access rights, improvements, buildings, fixtures, licenses, permits and other appurtenances, located at 8101 East 40th Avenue in Council District 8. The Committee approved filing this item at its meeting on 7-7-20.

A motion offered by Councilmember Sawyer, duly seconded by Councilmember Herndon, that Council Bill 20-0668 be placed upon final consideration and do pass. The motion carried by the following vote:

Placed upon final consideration and do pass

- Aye: Black, Flynn, Gilmore, Herndon, Kashmann, Kniech, Sandoval, Torres (8)
- Nay: CdeBaca, Hinds, Sawyer (3)
- Absent: Clark, Ortega (2)

BLOCK VOTE

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

Approved the consent agenda

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

PROCLAMATIONS

[20-0613](#) A proclamation honoring Michael Eugene Somma for 35 years of service to the City and County of Denver.

A motion offered by Councilmember Sawyer, duly seconded by Councilmember Herndon, that Council Proclamation 20-0613 be adopted en bloc, carried by the following vote:

Adopted

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

RESOLUTIONS

Finance & Governance Committee

[20-0588](#) **A resolution declaring the intent of the City and County of Denver, Colorado to use its best efforts to issue housing revenue bonds or mortgage credit certificates to provide financing of residential facilities for low- and middle-income families or persons; prescribing certain terms and conditions of such bonds and certificates; and containing other provisions relating to the proposed issuance of such bonds and certificates.**

Declares the intent of the City to use its best efforts to issue housing revenue bonds or mortgage credit certificates to provide financing of residential facilities for low- and middle-income families or persons; prescribing certain terms and conditions of such bonds and certificates; and containing other provisions relating to the proposed issuance of such bonds and certificates. The last regularly scheduled Council meeting within the 30-day review period is on 8-17-20. The Committee approved filing this item at its meeting on 7-14-20.

A motion offered by Councilmember Sawyer, duly seconded by Councilmember Herndon, that Council Resolution 20-0588 be adopted en bloc, carried by the following vote:

Adopted

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

[20-0597](#) **A resolution approving a proposed Amendatory Agreement between the City and County of Denver and Clear Selections Group, Inc. dba Liberty Waste Management to add required FEMA language to the contract to allow the City to seek reimbursement for service related costs associated with the COVID-19 pandemic.**

Amends a contract with Clear Selections Group, Inc., doing business as Liberty Waste Management, to add required FEMA language to the contract to allow the City to seek reimbursement for service related costs associated with the COVID-19 pandemic. No change to contract amount or duration (GENRL-202054632-01; GENRL-202053133-01). The last regularly scheduled Council meeting within the 30-day review period is on 8-17-20. The Committee approved filing this item at its meeting on 7-14-20.

A motion offered by Councilmember Sawyer, duly seconded by Councilmember Herndon, that Council Resolution 20-0597 be adopted en bloc, carried by the following vote:

Adopted

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

20-0598 A resolution approving a proposed Fourth Amendatory Agreement between the City and County of Denver and Roth Property Maintenance, L.L.C. to add required FEMA language to the contract to allow the City to seek reimbursement for service related costs associated with the COVID-19 pandemic.

Amends a contract with Roth Property Maintenance, LLC to add required FEMA language to the contract to allow the City to seek reimbursement for service related costs associated with the COVID-19 pandemic. No change to contract amount or duration (GENRL-201419545-04; GENRL-202054649). The last regularly scheduled Council meeting within the 30-day review period is on 8-17-20. The Committee approved filing this item at its meeting on 7-14-20.

A motion offered by Councilmember Sawyer, duly seconded by Councilmember Herndon, that Council Resolution 20-0598 be adopted en bloc, carried by the following vote:

Adopted

Aye: Black, CdeBaca, Flynn, Gilmore, Herndon, Hinds, Kashmann, Kniech, Sandoval, Sawyer, Torres (11)

Nay: (None) (0)

Absent: Clark, Ortega (2)

20-0680 A resolution approving the temporary waiver of the accrual of interest for delinquent payment of property taxes.

Approves waiving the full interest associated with the late payment of property taxes beginning July 1 through October 1, 2020, as authorized through HB20-1421. The Committee approved filing this item at its meeting on 7-14-20.

A motion offered by Councilmember Sawyer, duly seconded by Councilmember Herndon, that Council Resolution 20-0680 be adopted en bloc, carried by the following vote:

Adopted

Aye: Black, CdeBaca, Flynn, Gilmore, Herndon, Hinds, Kashmann, Kniech, Sandoval, Sawyer, Torres (11)

Nay: (None) (0)

Absent: Clark, Ortega (2)

Land Use, Transportation & Infrastructure Committee

20-0681 A resolution approving a proposed Second Amendatory Agreement between the City and County of Denver and Root Tree Service, LLC to extend the term.

Amends a contract with Root Tree Service, LLC by adding four months for a new end date of 9-30-20 for on-call tree maintenance, including tree management and pruning, tree removal, stump removal and other services on public and private property, citywide. No change to contract amount (PARKS-201735111). The last regularly scheduled Council meeting within the 30-day review period is on 8-17-20. The Committee approved filing this item at its meeting on 7-14-20.

A motion offered by Councilmember Sawyer, duly seconded by Councilmember Herndon, that Council Resolution 20-0681 be adopted en bloc, carried by the following vote:

Adopted

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

20-0685 A resolution accepting and approving the plat of Denver Gateway Center Filing No. 6.

Approves a subdivision plat for Denver Gateway Center Filing No. 6, located between East 60th Avenue and East 61st Avenue and North Argonne Street and North Dunkirk Street in Council District 11. The Committee approved filing this item at its meeting on 7-14-20.

A motion offered by Councilmember Sawyer, duly seconded by Councilmember Herndon, that Council Resolution 20-0685 be adopted en bloc, carried by the following vote:

Adopted

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

Safety, Housing, Education & Homelessness Committee

20-0617 A resolution approving a proposed Second Amendatory Agreement between the City and County of Denver and La Clinica Tepeyac, Inc. to provide services to individuals living with HIV/AIDS in the Denver Transitional Grant area.

Amends a contract with La Clinica Tepeyac Inc. by adding \$172,020 for a new total of \$507,029 and one year for a new end date of 2-28-21 to provide medical case management, mental health services, medical transportation and outpatient/ambulatory health services including in response to the COVID-19 pandemic, to individuals living with HIV/AIDS in the Denver Transitional Grant Area (TGA) (ENVHL-202054730). The last regularly scheduled Council meeting within the 30-day review period is on 8-17-20. The Committee approved filing this item at its meeting on 7-1-20.

A motion offered by Councilmember Sawyer, duly seconded by Councilmember Herndon, that Council Resolution 20-0617 be adopted en bloc, carried by the following vote:

Adopted

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

20-0618 A resolution approving a proposed Second Amendatory Agreement between the City and County of Denver and Metro Community Provider Network, Inc. to provide services to individuals living with HIV/AIDS in the Denver Transitional Grant area.

Amends a contract with Metro Community Provider Network Inc., doing business as STRIDE Community Health Center, by adding \$221,609 for a new total of \$658,820 and one year for a new end date of 2-28-21 to provide medical case management, mental health services, oral health care services and outpatient/ambulatory health services including in response to the COVID-19 pandemic, to individuals living with HIV/AIDS in the Denver Transitional Grant Area (TGA) (ENVHL-202054723). The last regularly scheduled Council meeting within the 30-day review period is on 8-17-20. The Committee approved filing this item at its meeting on 7-1-20.

A motion offered by Councilmember Sawyer, duly seconded by Councilmember Herndon, that Council Resolution 20-0618 be adopted en bloc, carried by the following vote:

Adopted

Aye: Black, CdeBaca, Flynn, Gilmore, Herndon, Hinds, Kashmann, Kniech, Sandoval, Sawyer, Torres (11)

Nay: (None) (0)

Absent: Clark, Ortega (2)

20-0679 A resolution approving and providing for the execution of a proposed Grant Agreement between the City and County of Denver and the Colorado Department of Public Health and Environment concerning the "COVID - ELC" program and the funding therefor.

Approves a grant agreement with the Colorado Department of Public Health and Environment for \$5,192,109.73 of State funds and through 12-19-22 to provide reimbursement for the City's COVID-19 response including critical containment activities such as disease surveillance, case investigation, contact tracing, and testing, citywide (ENVHL-202055225-00). The last regularly scheduled Council meeting within the 30-day review period is on 8-17-20. The Committee approved filing this item at its meeting on 7-15-20.

A motion offered by Councilmember Sawyer, duly seconded by Councilmember Herndon, that Council Resolution 20-0679 be adopted en bloc, carried by the following vote:

Adopted

Aye: Black, CdeBaca, Flynn, Gilmore, Herndon, Hinds, Kashmann, Kniech, Sandoval, Sawyer, Torres (11)

Nay: (None) (0)

Absent: Clark, Ortega (2)

BILLS FOR INTRODUCTION

Finance & Governance Committee

[20-0665](#) **A bill for an ordinance approving proposed Amendments to approximately ten Leases, Licenses and Concession Agreements in response to the COVID-19 health crisis, to be negotiated by the Director of Real Estate to provide relief for the tenants.**

Authorizes the Division of Real Estate to negotiate and amend commercial leases in City-owned buildings to provide an additional three months of rent relief in response to the COVID-19 pandemic. The last regularly scheduled Council meeting within the 30-day review period is on 8-17-20. The Committee approved filing this item at its meeting on 7-14-20.

Council Bill 20-0665 was ordered published

Ordered published

[20-0666](#) **A bill for an ordinance approving a proposed Purchase and Sale Agreement between the City and County of Denver and Mercy Housing Mountain Plains.**

Approves a purchase and sale agreement with Mercy Housing Mountain Plains for \$10 to sell property located at 8315 East Colfax Avenue and 1500 North Valentia Street in Council District 8 to support affordable housing development with a 99-year restrictive deed term (FINAN-202053697). The last regularly scheduled Council meeting within the 30-day review period is on 8-17-20. The Committee approved filing this item at its meeting on 7-14-20.

Council Bill 20-0666 was ordered published

Ordered published

[20-0676](#) **A bill for an ordinance amending the classification and pay plan for employees in the Career Service and for certain employees not in the Career Service.**

Amends the Classification and Pay Plan for multiple small impact changes, provisionally approved by the Office of Human Resources Executive Director for the period of January 2020 through June 2020. The Committee approved filing this item at its meeting on 7-14-20.

Council Bill 20-0676 was ordered published

Ordered published

[20-0678](#) **A bill for an ordinance establishing a new fund in the General Government Special Revenue Fund for the "Climate Federal Grants" program.**

Establishes the "Climate Federal Grants Fund" a new Fund in the General Government Special Revenue Funds Series. The Committee approved filing this item at its meeting on 7-14-20.

Council Bill 20-0678 was ordered published

Ordered published

Land Use, Transportation & Infrastructure Committee

[20-0574](#) **A bill for an ordinance approving a proposed Intergovernmental Agreement between the City and County of Denver and Urban Drainage and Flood Control District, d/b/a Mile High Flood District, for final design and construction of drainage and flood control improvements regarding South Platte River-Globeville Levee from 31st Street to East 50th Avenue.**

Approves an intergovernmental agreement with Urban Drainage and Flood Control District, doing business as Mile High Flood Control District, for \$1,500,000 of City funds and through 12-31-22 for final construction design for flood control improvements on the Globeville levee from 31st Street to East 50th Avenue in Council District 9 (202054890). The last regularly scheduled Council meeting within the 30-day review period is on 8-17-20. The Committee approved filing this item at its meeting on 7-14-20.

Council Bill 20-0574 was ordered published

Ordered published

[20-0610](#) **A bill for an ordinance changing the zoning classification for 14000 and 14422 East Andrews Drive, 14408, 14419 and 14421 East Elk Drive in Montbello.**

Approves an official map amendment to rezone property from S-SU-D to S-RH-2.5 (single unit to row house), located at 14400 and 14422 East Andrews Drive, 14408, 14419 and 14421 East Elk Drive in Council District 8. The Committee approved filing this item at its meeting on 7-14-20.

Final Consideration | Required Public Hearing

Council Bill 20-0610 was ordered published with a future required public hearing on 8-24-20

Ordered published with a future required public hearing

[20-0621](#) **A bill for an ordinance changing the zoning classification for 4901 Green Court in Regis.**

Approves an official map amendment to rezone property from U-SU-C to U-SU-C1 (allows for an accessory dwelling unit), located at 4901 Green Court in Council District 1. The Committee approved filing this item at its meeting on 7-14-20.

Final Consideration | Required Public Hearing

Council Bill 20-0621 was ordered published with a future required public hearing on 8-24-20

Ordered published with a future required public hearing

[20-0622](#) **A bill for an ordinance changing the zoning classification for 5320 East Thrill Place in Northeast Park Hill.**

Approves an official map amendment to rezone property from E-SU-Dx to E-SU-D1x (allows for an accessory dwelling unit), located at 5320 East Thrill Place in Council District 8. The Committee approved filing this item at its meeting on 7-14-20.

Final Consideration | Required Public Hearing

Council Bill 20-0622 was ordered published with a future required public hearing on 8-24-20

Ordered published with a future required public hearing

[20-0673](#) A bill for an ordinance approving a proposed First Amendment to North Metro Rail Line Intergovernmental Agreement (Denver-RTD) between the City and County of Denver and Regional Transportation District for the North Metro Rail Line Project.

Amends a zero-dollar intergovernmental agreement with the Regional Transportation District (RTD) by adding \$5,181,042, approving receipt and appropriating \$813,018 of RTD funds to upgrade City sewer and drainage infrastructure in relation to the North Metro Rail Line, in Council District 9. No change to agreement duration (201313671; 202054850). The last regularly scheduled Council meeting within the 30-day review period is on 8-17-20. The Committee approved filing this item at its meeting on 7-14-20.

Council Bill 20-0673 was ordered published

Ordered published

[20-0674](#) A bill for an ordinance approving a proposed Intergovernmental Agreement between the City and County of Denver and Urban Drainage and Flood Control District, d/b/a Mile High Flood District, for final design and construction of drainage and flood control improvements for Weir Gulch Reach W1 - South Platte River to 8th Avenue.

Approves an intergovernmental agreement Urban Drainage and Flood Control District (UDFCD), doing business as Mile High Flood Control District, for \$2 million of UDFCD funds, \$2.2 million of City funds and through 12-31-22 to design and construct drainage and flood control improvements in Weir Gulch from the South Platte River to 8th Avenue in Council District 3 (202055100). The last regularly scheduled Council meeting within the 30-day review period is on 8-17-20. The Committee approved filing this item at its meeting on 7-14-20.

Council Bill 20-0674 was ordered published

Ordered published

[20-0675](#) A bill for an ordinance approving a proposed Second Amendment to an Intergovernmental Agreement between the City and County of Denver, The Board of County Commissioners of the County of Arapahoe, State of Colorado to add additional funds for the Highline Canal Underpass Project.

Amends an intergovernmental agreement with The Board of County Commissioners of the County of Arapahoe by adding \$500,000 of County of Arapahoe funds and \$500,000 of City funds for a new total of \$3,500,400 to fully fund the project for design and construction of a bike/pedestrian box culvert underpass for the High Line Canal Trail at Parker Road and Mississippi Avenue in Council District 5. No change to agreement duration (201842253; 202055023). The last regularly scheduled Council meeting within the 30-day review period is on 8-17-20. The Committee approved filing this item at its meeting on 7-14-20.

Council Bill 20-0675 was ordered published

Ordered published

Safety, Housing, Education & Homelessness Committee

[20-0677](#) A bill for an ordinance establishing a new fund in the General Government Special Revenue Fund for the "Climate State Grants" program, and approving and providing for the execution of a proposed Grant Agreement between the City and County of Denver and the Colorado Department of Local Affairs concerning the "Renewable Denver Initiative" program and the funding therefor.

Establishes the "Climate State Grants Fund," a new Fund in the General Government Special Revenue Fund Series and approves a grant agreement with The State of Colorado Department of Local Affairs for \$1,000,000 and through 6-30-23 for the construction of community solar gardens hosted across public parking lots, rooftops, and other land parcels owned by the City, citywide (CASR-202055160-00). The Committee approved filing this item at its meeting on 7-15-20.

Council Bill 20-0677 was ordered published

Ordered published

[20-0684](#) A bill for an ordinance increasing the sales and use tax by a rate of 0.25 percent and dedicating the revenue derived from the tax rate increase to fund efforts to eliminate green house gases and air pollution, and to adapt to climate change, subject to the approval of the voters at a special municipal election to be conducted in coordination with the state general election on November 3, 2020.

Increases the sales and use tax by a rate of 0.25 percent and dedicating the revenue derived from the tax rate increase to fund efforts to reduce carbon pollution and adapt to climate change, subject to the approval of the voters at a special municipal election to be conducted in coordination with the state general election on November 3, 2020. The Committee approved filing this item at its meeting on 7-15-20.

Council Bill 20-0684 was ordered published with a future courtesy public hearing on 8-3-20

Ordered published with a future courtesy public hearing

BILLS FOR FINAL CONSIDERATION

Safety, Housing, Education & Homelessness Committee

20-0661 A bill for an ordinance approving a proposed Second Amendatory Agreement between the City and County of Denver and Denver Health and Hospital Authority to provide services to individuals living with HIV/AIDS in the Denver Transitional Grant area.

Amends an intergovernmental agreement with Denver Health and Hospital Authority by adding \$1,296,549 for a new total of \$3,797,217 and one year for a new end date of 2-28-21 to provide medical case management, mental health services, medical transportation, early intervention services, oral health care and substance abuse outpatient care and outpatient /ambulatory health services including in response to COVID-19, to individuals living with HIV/AIDS in the Denver Transitional Grant Area (ENVHL-202054733). The last regularly scheduled Council meeting within the 30-day review period is on 8-10-20. The Committee approved filing this item at its meeting on 7-8-20.

A motion offered by Councilmember Sawyer, duly seconded by Councilmember Herndon, that Council Bill 20-0661 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, Flynn, Gilmore, Herndon, Hinds, Kashmann, Kniech, Sandoval, Sawyer, Torres (11)
- Nay: (None) (0)
- Absent: Clark, Ortega (2)

PRE-RECESS ANNOUNCEMENT

Council President Gilmore announced that tonight there will be a required public hearing on Council Bill 20-0648, designating the Howard Berkeley Park Chapel as a structure for preservation. Anyone wishing to speak on this matter must go online to sign up.

RECESS

Council took a recess.

COUNCIL RECONVENES AND RESUMES ITS REGULAR SESSION

PUBLIC HEARINGS - BILLS FOR FINAL CONSIDERATION

Land Use, Transportation & Infrastructure Committee

[20-0648](#) A bill for an ordinance designating the Howard Berkeley Park Chapel as a structure for preservation.

Approves an individual Denver landmark designation for the Howard Berkeley Park Chapel, located at 4345 West 46th Avenue in Council District 1. The Committee approved filing this item at its meeting on 6-30-20.

Council sat as a Committee of the Whole, commencing at 7:21 p.m., Council President Gilmore presiding, to hear speakers on Council Bill 20-0648. Ben Gearhart, Thomas Simmons and Anne Levinsky signed up to speak in favor of the bill. No speakers signed up to speak in opposition of the bill. Kara Hahn of Community Planning and Development delivered the staff report.

A motion offered by Councilmember Sawyer, duly seconded by Councilmember Herndon, that Council Bill 20-0648 be placed upon final consideration and do pass. The motion carried by the following vote:

Placed upon final consideration and do pass

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

Nay: (None) (0)

Absent: Clark, Kniech, Ortega (3)

PRE-ADJOURNMENT ANNOUNCEMENT

Council President Gilmore announced that on Monday, August 24, 2020, Council will hold a required public hearing on Council Bill 20-0610, changing the zoning classification for 14000 and 14422 East Andrews Drive, 14408, 14419 and 14421 East Elk Drive in Montbello; a required public hearing on Council Bill 20-0621, changing the zoning classification for 4901 Green Court in Regis; and, a required public hearing on Council Bill 20-0622, changing the zoning classification for 5320 East Thrill Place in Northeast Park Hill. Any protests against Council Bills 20-0610, 20-0621 or 20-0622, must be filed with the Council Offices no later than noon on Monday, August 17, 2020.

ADJOURN

There being no further business before the City Council, Council President Gilmore adjourned the meeting at 7:54 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