



# No room in the coop for Denver's backyard chicken champion

Urban-farming pioneer says City Hall schemed to keep him out of process for crafting new law

January 20, 2011

By [Jared Jacang Maher](#), *Face The State*

When it comes to clucking at politicians and bureaucrats to make it easier for Denver residents to raise their own chickens, no one has clucked louder than James Bertini. But now that the Denver mayor's office has created an official group to pursue ways to enhance urban farming and agriculture, Bertini says city employees are complicit in a scheme to keep him out of the hen house—and he has documents to back up his assertions.



Urban chicken farmer James Bertini

Brad Jones / Face The State

As the owner of [Denver Urban Homesteading](#)—an indoor farmers market that also hosts classes on urban agriculture—Bertini was frustrated by the slow pace of movement within the city on changing health and zoning regulations to allow the keeping of chickens and goats. So he helped launch a [very public campaign](#) on the topic and, late last year, announced his intent to put an initiative on the municipal ballot in May asking voters to choose whether people should be allowed to have 6 chickens without a permit in Denver.

Then he was contacted by City Council President Chris Nevitt, who urged Bertini to postpone his initiative efforts. A special committee had been set up through the mayors office called the Sustainable Food Policy Council to address chickens and other urban-farming issues through a possible ordinance that would go before the council.

"It was the first time I ever heard about this council," says Bertini, a retired attorney. "I started asking questions about it, and no one would give me a straight answer."

Through open-records requests Bertini learned that the council, formed last fall, included multiple local farmers, market organizations and community garden groups. Many of these same groups were also included as partners in an application that the city has submitted to the USDA for a \$2 million grant called the "Food Abundance Initiative."

All of this was news to Bertini and his partner in the campaign, John Beauparlant. Many of the proposed programs described in the grant application—such as setting up farmers markets in under-served "food desert" neighborhoods, and accepting food stamps—are already being done at Bertini's 8,000-square-foot industrial/commercial facility off Santa Fe Drive. (Face the State knows because we rent office space from Bertini and literally see it in our own backyard.)

Among the documents Bertini received through the open-records request was a Dec. 17 e-mail sent by Sundari Kraft, a co-chair on the Sustainable Food Policy Council, to Katherine Cornwell, Denver's Healthy Eating Active Living program manager, discussing Bertini's possible ballot initiative.

In it Kraft explains why they have not been more public about the official group:

"We have been keeping everything really on the down-low, and I'm not totally sure why. I think it mostly has to do with keeping the process away from James and John, because if they knew we were working on an ordinance behind their back they would want to be a part of the process, which we "didn't" want. I guess our hope was just that we'd get the ordinance ready to go and present it to council, and by then it would be too late for them to interfere. (Obviously, that worked out really well.)"

Bertini thinks this shows there has been a concerted effort within the city to shut him out of the public process.

When asked about the e-mail, Kraft explains that the "process" she was referring to was a sub-committee that is focusing on crafting a proposed ordinance having to do with food-producing animals (i.e. urban chickens.)

"The intention always was (and still is) that as the (food-producing animal) ordinance moves forward it, would be subject to a very public process, with lots of opportunities for public comment," writes Kraft in an e-mail to Face the State. "However, these initial meetings were just to get the ball rolling, and the small group discussing it consisted of people who either work for the city or are currently operating within the city regulations regarding FPAs."

As for the formation of the Sustainable Food Policy Council and \$2 million grant application, Kraft refers questions to Cornwell, who works within Denver's Department of Environmental Health.

"There was not an active effort to keep anyone out of the selection process," says Cornwell. "There were so many names to consider for the Sustainable Food Policy Council and ultimately I made the decision about who best fit the criteria for each of their seats."

But Bertini doesn't buy it. He says no one ever told him that this council existed despite months of direct communications with many of the players he now knows are involved.

"I'm surprised and disappointed that my government would try to keep citizens who are actively trying to make the city more sustainable from knowing they