

# City Council Minutes

Meeting Date: Tuesday, January 22, 2019 5:30 PM

## **PLEDGE OF ALLEGIANCE**

Council member Gilmore led the Pledge of Allegiance.

## **ROLL CALL**

Council member Lopez arrived late.

Present: Black, Clark, Espinoza, Gilmore, Herndon, Kashmann, Kniech,  
López, New, Ortega, Susman (11)

Absent: Brooks, Flynn (2)

## **APPROVAL OF THE MINUTES**

[19-0056](#) Minutes of Monday, January 14, 2019

Council Minutes 19-0056 were approved.

## **Approved**

The minutes of Monday, January 14, 2019 were distributed to Council. Council President Clark ordered the minutes approved.

## **COUNCIL ANNOUNCEMENTS**

Council members Kashmann and Clark offered announcements.

## **PRESENTATIONS**

## **COMMUNICATIONS**

## **PROCLAMATIONS**

## **BLOCK VOTE**

A motion offered by Councilwoman Gilmore, duly seconded by Councilwoman Susman, to approve the following items en bloc. The motion carried by the following vote:

## **Approved the consent agenda**

Aye: Black, Clark, Gilmore, Herndon, Kashmann, Kniech, López,  
New, Ortega, Susman (10)

Nay: (None) (0)

Absent: Brooks, Espinoza, Flynn (3)

**RESOLUTIONS**

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

**19-0001 A resolution amending a Fifth Amendatory Agreement with AEG Presents - Rocky Mountains, LLC f/k/a AEG Live - Rocky Mountains LLC relating to incentives for promoting shows at City venues.**

Amends a contract with AEG Live-Rocky Mountains, LLC, by adding \$3,400,000 for a new total of \$12,300,000 and one year for a new end date of 12-31-19 to promote and book live concerts and events at the Denver Coliseum and Red Rocks Amphitheatre (THTRS-201313532-05). The last regularly scheduled Council meeting within the 30-day review period is on 2-11-19. The Committee approved filing this item at its meeting on 1-9-19.

A motion offered by Councilwoman Gilmore, duly seconded by Councilwoman Susman, that Council Resolution 19-0001 be adopted en bloc, carried by the following vote:

**Adopted**

- Aye: Black, Clark, Gilmore, Herndon, Kashmann, Kniech, López, New, Ortega, Susman (10)
- Nay: (None) (0)
- Absent: Brooks, Espinoza, Flynn (3)

**19-0002 A resolution amending a Fifth Amendatory Agreement with Live Nation Worldwide, Inc. relating to incentives for promoting shows at City venues.**

Amends a contract with Live Nation Worldwide, Inc., by adding \$1,200,000 for a new total of \$4,030,000 and one year for a new end date of 12-31-19 to promote and book live concerts and events at the Denver Coliseum and Red Rocks Amphitheatre (THTRS-201313558-05). The last regularly scheduled Council meeting within the 30-day review period is on 2-11-19. The Committee approved filing this item at its meeting on 1-9-19.

A motion offered by Councilwoman Gilmore, duly seconded by Councilwoman Susman, that Council Resolution 19-0002 be adopted en bloc, carried by the following vote:

**Adopted**

- Aye: Black, Clark, Gilmore, Herndon, Kashmann, Kniech, López, New, Ortega, Susman (10)
- Nay: (None) (0)
- Absent: Brooks, Espinoza, Flynn (3)

**Finance & Governance Committee**

**19-0006 A resolution approving a proposed Agreement between the City and County of Denver and Occupational Health Centers of the Southwest PA PC to act as a designated medical provider when an alleged injury is reported by a city employee.**

Approves a contract with Occupational Health Centers of the Southwest, PA PC., for \$3,000,000 and for five years to act as a designated medical provider under the Workers’ Compensation Act and Rules of Procedure of the State of Colorado for care when an alleged injury is reported by a city employee (201846056). The last regularly scheduled Council meeting within the 30-day review period is on 2-11-19. The Committee approved filing this item at its meeting on 1-8-19.

A motion offered by Councilwoman Gilmore, duly seconded by Councilwoman Susman, that Council Resolution 19-0006 be adopted en bloc, carried by the following vote:

**Adopted**

Aye: Black, Clark, Gilmore, Herndon, Kashmann, Kniech, López, New, Ortega, Susman (10)

Nay: (None) (0)

Absent: Brooks, Espinoza, Flynn (3)

**Land Use, Transportation & Infrastructure Committee**

**18-1311 A resolution approving a proposed Agreement between the City and County of Denver and Hensel Phelps Construction Co. for the glass guardrail replacement project at the Lindsey-Flanigan Courthouse.**

Approves a contract with Hensel Phelps Construction Co. for \$1,764,000 and for seven months for the glass guardrail replacement project at the Lindsey-Flanigan Courthouse in Council District 10 (201845871). The last regularly scheduled Council meeting within the 30-day review period is on 2-11-19. The Committee approved filing this item at its meeting on 11-13-18.

A motion offered by Councilwoman Gilmore, duly seconded by Councilwoman Susman, that Council Resolution 18-1311 be adopted en bloc, carried by the following vote:

**Adopted**

Aye: Black, Clark, Gilmore, Herndon, Kashmann, Kniech, López, New, Ortega, Susman (10)

Nay: (None) (0)

Absent: Brooks, Espinoza, Flynn (3)

**18-1465 A resolution approving an Agreement between the City and County of Denver and Halcyon Construction, Inc. for construction services and other services for municipal building projects citywide.**

Approves an on-call contract with Halcyon Construction Inc. for \$9,000,000 and for three years for construction services including roof replacement, mechanical upgrades, lighting retrofit, concrete and asphalt replacement, and other services for municipal building projects citywide (201845909). The last regularly scheduled Council meeting within the 30-day review period is on 2-11-19. The Committee approved filing this item at its meeting on 12-11-18.

A motion offered by Councilwoman Gilmore, duly seconded by Councilwoman Susman, that Council Resolution 18-1465 be adopted en bloc, carried by the following vote:

**Adopted**

Aye: Black, Clark, Gilmore, Herndon, Kashmann, Kniech, López, New, Ortega, Susman (10)  
Nay: (None) (0)  
Absent: Brooks, Espinoza, Flynn (3)

**18-1466 A resolution approving an Agreement between the City and County of Denver and Wilderness Construction Co. for construction services and other services for municipal building projects citywide.**

Approves an on-call contract with Wilderness Construction Co. for \$9,000,000 and for three years for construction services including roof replacement, mechanical upgrades, lighting retrofit, concrete and asphalt replacement, and other services for municipal building projects citywide (201846019). The last regularly scheduled Council meeting within the 30-day review period is on 2-11-19. The Committee approved filing this item at its meeting on 12-11-18.

A motion offered by Councilwoman Gilmore, duly seconded by Councilwoman Susman, that Council Resolution 18-1466 be adopted en bloc, carried by the following vote:

**Adopted**

Aye: Black, Clark, Gilmore, Herndon, Kashmann, Kniech, López, New, Ortega, Susman (10)  
Nay: (None) (0)  
Absent: Brooks, Espinoza, Flynn (3)

**18-1467 A resolution approving an Agreement between the City and County of Denver and Interlock Construction Corp. for construction services and other services for municipal building projects citywide.**

Approves an on-call contract with Interlock Construction Corp. for \$9,000,000 and for three years for construction services including roof replacement, mechanical upgrades, lighting retrofit, concrete and asphalt replacement, and other services for municipal building projects citywide (201845953). The last regularly scheduled Council meeting within the 30-day review period is on 2-11-19. The Committee approved filing this item at its meeting on 12-11-18.

A motion offered by Councilwoman Gilmore, duly seconded by Councilwoman Susman, that Council Resolution 18-1467 be adopted en bloc, carried by the following vote:

**Adopted**

Aye: Black, Clark, Gilmore, Herndon, Kashmann, Kniech, López, New, Ortega, Susman (10)  
Nay: (None) (0)  
Absent: Brooks, Espinoza, Flynn (3)

**18-1468 A resolution approving an Agreement between the City and County of Denver and Gilmore Construction Corporation for construction services and other services for municipal building projects citywide.**

Approves an on-call contract with Gilmore Construction Corporation for \$9,000,000 and for three years for construction services including roof replacement, mechanical upgrades, lighting retrofit, concrete and asphalt replacement, and other services for municipal building projects citywide (201846016). The last regularly scheduled Council meeting within the 30-day review period is on 2-11-19. The Committee approved filing this item at its meeting on 12-11-18.

A motion offered by Councilwoman Gilmore, duly seconded by Councilwoman Susman, that Council Resolution 18-1468 be adopted. The motion carried by the following vote:

**Adopted**

Aye: Black, Clark, Herndon, Kashmann, Kniech, New, Ortega, Susman (8)  
Nay: (None) (0)  
Absent: Brooks, Espinoza, Flynn, López (4)  
Abstain: Gilmore (1)

**[18-1537](#) A resolution approving a Second Amendatory Agreement between the City and County of Denver and OZ Architecture, Inc. to address unforeseen design needs during the relocation of the 911 Communication Center, Council District 8.**

Amends a contract with Oz Architecture Inc. by adding \$63,760 for a new total of \$1,106,815 to address unforeseen design needs during the relocation of the 911 Communication Center to 12025 East 45th Avenue, in Council District 8. No change to contract duration (201626298). The last regularly scheduled Council meeting within the 30-day review period is on 2-11-19. The Committee approved filing this item at its meeting on 1-8-19.

A motion offered by Councilwoman Gilmore, duly seconded by Councilwoman Susman, that Council Resolution 18-1537 be adopted en bloc, carried by the following vote:

**Adopted**

Aye: Black, Clark, Gilmore, Herndon, Kashmann, Kniech, López, New, Ortega, Susman (10)  
Nay: (None) (0)  
Absent: Brooks, Espinoza, Flynn (3)

**[19-0003](#) A resolution laying out, opening and establishing as part of the City street system a parcel of land as a public alley near the intersection of West 17th Avenue and North Utica Street.**

Dedicates a parcel of land as public right of way as public alley, located near the intersection of West 17th Avenue and North Utica Street in Council District 1. The Committee approved filing this item at its meeting on 1-8-19.

A motion offered by Councilwoman Gilmore, duly seconded by Councilwoman Susman, that Council Resolution 19-0003 be adopted en bloc, carried by the following vote:

**Adopted**

Aye: Black, Clark, Gilmore, Herndon, Kashmann, Kniech, López, New, Ortega, Susman (10)  
Nay: (None) (0)  
Absent: Brooks, Espinoza, Flynn (3)

**[19-0004](#) A resolution laying out, opening and establishing as part of the City street system a parcel of land as a public alley near the intersection of Park Avenue West and Curtis Street.**

Dedicates a parcel of land as public right of way as public alley, located near the intersection of Park Avenue West and Curtis Street in Council 9. The Committee approved filing this item at its meeting on 1-8-19.

A motion offered by Councilwoman Gilmore, duly seconded by Councilwoman Susman, that Council Resolution 19-0004 be adopted en bloc, carried by the following vote:

**Adopted**

Aye: Black, Clark, Gilmore, Herndon, Kashmann, Kniech, López, New, Ortega, Susman (10)  
Nay: (None) (0)  
Absent: Brooks, Espinoza, Flynn (3)

**[19-0005](#) A resolution laying out, opening and establishing as part of the City street system a parcel of land as Wewatta Street near the intersection of 18th Street and Wewatta Street.**

Dedicates city owned land as public right of way as Wewatta Street, located near the intersection of 18th Street and Wewatta Street in Council District 9. The Committee approved filing this item at its meeting on 1-8-19.

A motion offered by Councilwoman Gilmore, duly seconded by Councilwoman Susman, that Council Resolution 19-0005 be adopted en bloc, carried by the following vote:

**Adopted**

Aye: Black, Clark, Gilmore, Herndon, Kashmann, Kniech, López, New, Ortega, Susman (10)

Nay: (None) (0)

Absent: Brooks, Espinoza, Flynn (3)

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

### **18-1391 A resolution approving a proposed Third Amendatory Agreement by and between the City and County of Denver and ShotSpotter, Inc. to extend the term and increase the compensation for the subscription to the ShotSpotter Flex System.**

Amends a contract with ShotSpotter Inc. by adding \$806,250 for a new total of \$2,771,159 and one year for a new end date of 12-31-19 for ShotSpotter Flex Gunfire location, alert and analysis equipment in various locations, citywide (201525310-03). The last regularly scheduled Council meeting within the 30-day review period is on 2-11-19. The Committee approved filing this item at its meeting on 11-28-18.

A motion offered by Councilwoman Gilmore, duly seconded by Councilwoman Susman, that Council Resolution 18-1391 be adopted en bloc, carried by the following vote:

#### **Adopted**

Aye: Black, Clark, Gilmore, Herndon, Kashmann, Kniech, López, New, Ortega, Susman (10)

Nay: (None) (0)

Absent: Brooks, Espinoza, Flynn (3)

## **BILLS FOR INTRODUCTION**

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

#### **18-1541 A bill for an ordinance changing the zoning classification for 3411 Albion Street, in Northeast Park Hill.**

Approves an official map amendment to rezone property from E-SU-Dx to E-MX-2x (urban edge, single-unit to urban edge, mixed-use), located at 3411 Albion Street in Council District 8. The Committee approved filing this item at its meeting on 1-8-19.

#### **Final Consideration**

#### **Required Public Hearing**

Council Bill 18-1541 was ordered published with a future required public hearing on 2-25-19.

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

## **BILLS FOR FINAL CONSIDERATION**

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

#### **18-1534 A bill for an ordinance vacating a portion of right-of-way near the intersection of Marion Street and Walnut Street, without reservations.**

Vacates a portion of the right of way at approximately 3770 Walnut Street, without reservations, in Council District 9. The Committee approved filing this item at its meeting on 1-1-18.

A motion offered by Councilwoman Gilmore, duly seconded by Councilwoman Susman, that Council Bill 18-1534 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, Gilmore, Herndon, Kashmann, Kniech, López, New, Ortega, Susman (10)

Nay: (None) (0)



Absent: Brooks, Espinoza, Flynn (3)

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

**18-1358 A bill for an ordinance approving a proposed Third Amendment and Modification Agreement between the City and County of Denver and Housing Authority of the City and County of Denver, to extend the deadline for the sale of certain affordable units, and to clarify units subject to affordability restrictions.**

Amends a loan agreement with Denver Housing Authority (DHA) by adding \$65,752 for a new total of \$1,265,752 and one year for a new end date of 12-31-19 to allow for DHA to sell two condos located at 525 Jackson Street to income-qualified buyers and includes the associated remodeling costs and down payment assistance (OEDEV-GE6A125-03). The last regularly scheduled Council meeting within the 30-day review period is on 2-4-19. The Committee approved filing this item at its meeting on 11-21-18.

A motion offered by Councilwoman Gilmore, duly seconded by Councilwoman Susman, that Council Bill 18-1358 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, Gilmore, Herndon, Kashmann, Kniech, López, New, Ortega, Susman (10)

Nay: (None) (0)

Absent: Brooks, Espinoza, Flynn (3)

**18-1469 A bill for an ordinance amending Chapter 22 of the Revised Municipal Code to establish the 2019, 2020, and 2021 salary of the Fire Chief, Deputy Chief, and Division Chiefs.**

Amends Section 22-35 of the Denver Revised Municipal Code to establish the 2019-2021 salaries of the command staff for the Denver Fire Department. The Committee approved filing this bill by consent on 12-12-18.

A motion offered by Councilwoman Gilmore, duly seconded by Councilwoman Susman, that Council Bill 18-1469 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, Gilmore, Herndon, Kashmann, Kniech, López, New, Ortega, Susman (10)

Nay: (None) (0)

Absent: Brooks, Espinoza, Flynn (3)

**18-1533 A bill for an ordinance amending Chapter 22 of the Revised Municipal Code to establish vacation rate accruals for firefighters with twenty-five (25) years or more experience, and City contributions for Fire Commanders' Post Employment Health Plan.**

Amends Chapter 22 of the Denver Revised Municipal Code to establish vacation rate accruals for firefighters with twenty-five years or more experience, and to establish city contributions for the fire commanders' Post Employment Health Plan. The Committee approved filing this bill by consent on 12-26-18.

A motion offered by Councilwoman Gilmore, duly seconded by Councilwoman Susman, that Council Bill 18-1533 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, Gilmore, Herndon, Kashmann, Kniech, López, New, Ortega, Susman (10)  
Nay: (None) (0)  
Absent: Brooks, Espinoza, Flynn (3)

**18-1536 A bill for an ordinance approving a proposed Agreement between the City and County of Denver and University of Colorado Hospital Authority to provide services to individuals living with HIV/AIDS in the Denver Transitional Grant area.**

Approves an intergovernmental agreement with University of Colorado Hospital for \$1,132,343 and for one year for outpatient ambulatory care, mental health services, early intervention services, substance abuse treatment, and early intervention services to individuals living with HIV/AIDS, citywide (ENVHL - 201843491 - 00). The last regularly scheduled Council meeting within the 30-day review period is on 2-4-19. The Committee approved filing this item at its meeting on 1-2-19.

A motion offered by Councilwoman Gilmore, duly seconded by Councilwoman Susman, that Council Bill 18-1536 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, Gilmore, Herndon, Kashmann, Kniech, López, New, Ortega, Susman (10)  
Nay: (None) (0)  
Absent: Brooks, Espinoza, Flynn (3)

**RECAP OF BILLS TO BE CALLED OUT**

**PRE-RECESS ANNOUNCEMENT**

**RECESS**

Council did not take a recess.

**COUNCIL RECONVENES AND RESUMES ITS REGULAR SESSION**

**PUBLIC HEARINGS - BILLS FOR FINAL CONSIDERATION**

**PRE-ADJOURNMENT ANNOUNCEMENT**

Council President Clark announced that on Monday, February 25, 2019, Council will hold a required public hearing on Council Bill 18-1541, changing the zoning classification for 3411 Albion Street, in Northeast Park Hill. Any protests against Council Bill 18-1541 must be filed with the Council Offices no later than noon on Tuesday, February 19, 2019.

**ADJOURN**

There being no further business before the City Council, Council President Clark adjourned the meeting at 5:37 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