

# City Council Minutes

Meeting Date: Tuesday, February 20, 2018 5:30 PM

## PLEDGE OF ALLEGIANCE

Council member Councilwoman Susman led the Pledge of Allegiance.

## ROLL CALL

Councilwoman Black arrived late.

Present: Black, Brooks, Clark, Espinoza, Flynn, Gilmore, Herndon,  
Kashmann, López, New, Ortega, Susman (12)

Absent: Kniech (1)

## APPROVAL OF THE MINUTES

The minutes of meeting date, Monday, February 12, 2018, were distributed to Council. Council President Brooks ordered the minutes approved.

[18-0201](#) Minutes of Monday, February 12, 2018

## COUNCIL ANNOUNCEMENTS

Council members Black, New, Kashmann, Ortega, Herndon, Flynn, Espinoza, and Brooks offered announcements.

## PRESENTATIONS

## COMMUNICATIONS

## PROCLAMATIONS

## RESOLUTIONS

Block Vote

Block Vote

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

### Approved the consent agenda

Aye: Brooks, Clark, Espinoza, Flynn, Gilmore, Herndon,  
Kashmann, López, New, Ortega, Susman (11)

Nay: (None) (0)

Absent: Black, Kniech (2)

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

**18-0077 A resolution approving a proposed Agreement between the City and County of Denver and ISS Facility Services, Inc. concerning janitorial cleaning services at Denver International Airport.**

Approves a three-year contract with ISS Facility Services, Inc. in the amount of \$114,883,000 for janitorial cleaning services at the main terminal, concourses, airport office building, and other areas as well as snow removal services to pedestrian sidewalks and parking structures at Denver International Airport (201732928). Pursuant to Council Rule 3.7, Councilman Flynn called out this resolution at the Monday, February 12, 2018, Council meeting for a postponement to the next regularly scheduled meeting of Tuesday, February 20, 2018. The last regularly scheduled Council meeting within the 30-day review period is on 3-5-18. The Committee approved filing this resolution at its meeting on 1-31-18.

A motion offered by Councilwoman Susman, duly seconded by Councilman Herndon, that Council Resolution 18-0077 be adopted. The motion carried by the following vote:

**Adopted**

- Aye: Brooks, Clark, Flynn, Gilmore, Herndon, Kashmann, New, Ortega, Susman (9)
- Nay: (None) (0)
- Absent: Black, Kniech, López (3)
- Abstain: Espinoza (1)

**18-0100 A resolution approving a proposed Amendatory Agreement between the City and County of Denver and Service America Corporation, d/b/a Centerplate, to extend the term and modify certain provisions.**

Amends a contract with Service America Corporation, doing business as Centerplate, by adding one year for a new end date of 6-30-19 for food, alcoholic and non-alcoholic beverages, retail services including concession, banquet and catering services, and merchandise sales services for the Colorado Convention Center and the City's Performing Arts Complex in Council District 9 (THTRS-201310982-01). The last regularly scheduled Council meeting within the 30-day review period is on 3-12-18. The Committee approved filing this resolution by consent on 2-7-18.

A motion offered by Councilwoman Susman, duly seconded by Councilman Flynn, that Council Resolution 18-0100 be adopted en bloc, carried by the following vote:

**Adopted**

- Aye: Brooks, Clark, Espinoza, Flynn, Gilmore, Herndon, Kashmann, López, New, Ortega, Susman (11)
- Nay: (None) (0)
- Absent: Black, Kniech (2)

**18-0119 A resolution approving a proposed Master Purchase Order between the City and County of Denver and Computer Sites, Inc. concerning Uninterrupted Power Supply (UPS) battery replacements at Denver International Airport.**

Approves a two-year master purchase order with Computer Sites, Inc. in the amount of \$1 million for Uninterrupted Power Supply (UPS) battery replacements for Denver International Airport (SC-00002656). The last regularly scheduled Council meeting within the 30-day review period is on 3-12-18. The Committee approved filing this resolution by consent on 2-7-18.

A motion offered by Councilwoman Susman, duly seconded by Councilman Flynn, that Council Resolution 18-0119 be adopted en bloc, carried by the following vote:

**Adopted**

Aye: Brooks, Clark, Espinoza, Flynn, Gilmore, Herndon,  
Kashmann, López, New, Ortega, Susman (11)  
Nay: (None) (0)  
Absent: Black, Kniech (2)

**18-0121 A resolution approving a proposed Contract between the City and County of Denver and Hamon Infrastructure, Inc. concerning the construction of a new de-icing and industrial water pond at Denver International Airport.**

Approves a five-month contract with Hamon Infrastructure, Inc. in the amount of \$5,070,000 for the construction of a new de-icing and industrial water pond including excavation, trenching, large diameter piping, diversion structure, piping and plumbing, mechanical, and electrical facilities at Denver International Airport (201737313). The last regularly scheduled Council meeting within the 30-day review period is on 3-12-18. The Committee approved filing this resolution by consent on 2-7-18.

A motion offered by Councilwoman Susman, duly seconded by Councilman Flynn, that Council Resolution 18-0121 be adopted en bloc, carried by the following vote:

**Adopted**

Aye: Brooks, Clark, Espinoza, Flynn, Gilmore, Herndon,  
Kashmann, López, New, Ortega, Susman (11)  
Nay: (None) (0)  
Absent: Black, Kniech (2)

**18-0122 A resolution approving a proposed Agreement between the City and County of Denver and Norwegian Air Shuttle ASA, Limited, concerning an operational incentive for a new international destination at Denver International Airport.**

Approves an incentive agreement with Norwegian Air Shuttle ASA for one year and a maximum credit amount of \$4 million to establish a new international destination service to Paris from Denver International Airport (201735702). The last regularly scheduled Council meeting within the 30-day review period is on 3-12-18. The Committee approved filing this resolution by consent on 2-7-18.

A motion offered by Councilwoman Susman, duly seconded by Councilman Flynn, that Council Resolution 18-0122 be adopted en bloc, carried by the following vote:

**Adopted**

Aye: Brooks, Clark, Espinoza, Flynn, Gilmore, Herndon,  
Kashmann, López, New, Ortega, Susman (11)  
Nay: (None) (0)  
Absent: Black, Kniech (2)

**18-0123 A resolution approving a proposed Agreement between the City and County of Denver and Norwegian Air Shuttle ASA, Limited, concerning a marketing incentive for a new international destination at Denver International Airport.**

Approves a marketing incentive agreement with Norwegian Air Shuttle ASA for fourteen months and a maximum credit amount of \$821,429 to promote a new international air service destination to Paris from Denver International Airport (201735699). The last regularly scheduled Council meeting within the 30-day review period is on 3-12-18. The Committee approved filing this resolution by consent on 2-7-18.

A motion offered by Councilwoman Susman, duly seconded by Councilman Flynn, that Council Resolution 18-0123 be adopted en bloc, carried by the following vote:

**Adopted**

Aye: Brooks, Clark, Espinoza, Flynn, Gilmore, Herndon,  
Kashmann, López, New, Ortega, Susman (11)  
Nay: (None) (0)  
Absent: Black, Kniech (2)

**Finance & Governance Committee**

**18-0104 A resolution approving a proposed Contract between the City and County of Denver and Atkins North America, Inc. for program management services.**

Approves a three-year \$19 million contract with Atkins North America, Inc., for program management of the 2017 GO Bond Program including program controls, communications, implementation, budgeting, scheduling, cost estimating, and document preparation, citywide (201839791). The last regularly scheduled Council meeting within the 30-day review period is on 3-12-18. The Committee approved filing this resolution at its meeting on 1-30-18.

A motion offered by Councilwoman Susman, duly seconded by Councilman Flynn, that Council Resolution 18-0104 be adopted en bloc, carried by the following vote:

**Adopted**

Aye: Brooks, Clark, Espinoza, Flynn, Gilmore, Herndon,  
Kashmann, López, New, Ortega, Susman (11)  
Nay: (None) (0)  
Absent: Black, Kniech (2)

**Land Use, Transportation & Infrastructure Committee**

**18-0090 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 South Galapago Street and West Evans Avenue.**

Dedicates a parcel of land as a public right-of-way as public alley located near the intersection of South Galapago and West Evans Avenue in Council District 7. The Committee approved filing this resolution by consent on 2-6-18.

A motion offered by Councilwoman Susman, duly seconded by Councilman Flynn, that Council Resolution 18-0090 be adopted en bloc, carried by the following vote:

**Adopted**

- Aye: Brooks, Clark, Espinoza, Flynn, Gilmore, Herndon, Kashmann, López, New, Ortega, Susman (11)
- Nay: (None) (0)
- Absent: Black, Kniech (2)

**18-0096 A resolution approving a proposed Fourth Amendatory Agreement between the City and County of Denver and CH2M Hill Engineers, Inc. for professional architecture and engineering design services.**

Amends a contract with CH2M Hill Engineers, Inc. by adding \$324,635 for a new total of \$3,184,865 adding one year for a new end date of 12-31-19 and changing the scope to include design services for the Brighton Boulevard Redevelopment project to design and construct critical public road and pedestrian infrastructure including cycle track, sidewalks, curb and gutter, and more features on Brighton Boulevard between 29th Avenue and 44th Avenue in Council District 9 (201418034-04). The last regularly scheduled Council meeting within the 30-day review period is on 3-12-18. The Committee approved filing this resolution by consent on 2-6-18.

A motion offered by Councilwoman Susman, duly seconded by Councilman Flynn, that Council Resolution 18-0096 be adopted en bloc, carried by the following vote:

**Adopted**

- Aye: Brooks, Clark, Espinoza, Flynn, Gilmore, Herndon, Kashmann, López, New, Ortega, Susman (11)
- Nay: (None) (0)
- Absent: Black, Kniech (2)

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

**18-0111 A resolution approving a proposed five-year comprehensive housing plan for the City and County of Denver.**

Approves the City’s five-year comprehensive housing plan as required in Chapter 27, Article V of the Denver Revised Municipal Code. The Committee approved filing this resolution at its meeting on 1-31-18.

**18-0118 A resolution approving a proposed Second Amendatory Agreement by and between the City and County of Denver and ShotSpotter, Inc., to expand the coverage area and increase funds for gunfire location detection.**

Amends a contract with ShotSpotter, Inc. to add \$93,500 for a new total contract in the amount of \$1,964,909 to expand the ShotSpotter Flex Gunfire location, alert and analysis equipment, and service agreement to include additional coverage in Police District 2. There is no change to the contract duration (201525310-02). The last regularly scheduled Council meeting within the 30-day review period is on 3-12-18. The Committee approved filing this resolution by consent on 2-7-18.

A motion offered by Councilwoman Susman, duly seconded by Councilman Flynn, that Council Resolution 18-0118 be adopted en bloc, carried by the following vote:

**Adopted**

Aye: Brooks, Clark, Espinoza, Flynn, Gilmore, Herndon, Kashmann, López, New, Ortega, Susman (11)  
Nay: (None) (0)  
Absent: Black, Kniech (2)

**18-0200 A resolution authorizing and approving the expenditure and payment from the appropriation account designated "liability claims," the total sum of Twenty Thousand Dollars and Zero cents (\$20,000.00), payable to Gabriel N. Schwartz, P.C. and Linda Bowen in full payment and satisfaction of all claims in Case No. 2017CV31726, in the District Court for the City and County of Denver, Colorado.**

Settles a claim involving the Denver Police Department. This resolution was approved for filing at the Mayor-Council meeting on 2-13-18.

A motion offered by Councilwoman Susman, duly seconded by Councilman Flynn, that Council Resolution 18-0200 be adopted en bloc, carried by the following vote:

**Adopted**

Aye: Brooks, Clark, Espinoza, Flynn, Gilmore, Herndon, Kashmann, López, New, Ortega, Susman (11)  
Nay: (None) (0)  
Absent: Black, Kniech (2)

## **BILLS FOR INTRODUCTION**

### **Finance & Governance Committee**

**[18-0116](#) A bill for an ordinance designating certain property 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 as needed for the 27th Street Interceptor Storm Water Project.**

Grants the authority to acquire through negotiated purchase or condemnation any property interest as needed for the installment of a new storm line as part of the 27th Street Interceptor Storm Water project including easement interests, access rights, improvements, buildings, fixtures, licenses, permits and other appurtenances located at 27th Avenue and Blake Street in Council District 9. The Committee approved filing this bill by consent on 2-6-18.

Council Bill 18-0116 was ordered published on first reading.

**Ordered published on first reading**

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

**[18-0117](#) A bill for an ordinance correcting the legal description of a specifically described area, generally located at 1400 and 1436 South Irving Street in Mar Lee.**

Corrects the legal description for the property described in Ordinance No. 20170729, Series of 2017, located at 1400 and 1436 South Irving Street in Council District 3. The Committee approved filing this bill by consent on 2-6-18.

Council Bill 18-0117 was ordered published on first reading.

**Ordered published on first reading**

**[18-0130](#) A bill for an ordinance changing the zoning classification for 680 Sheridan Blvd. in Villa Park.**

Approves an official map amendment to rezoning property at 680 Sheridan Boulevard from PUD 1 to E-MX-3 (planned unit development to urban edge-neighborhood) in Council District 3. If ordered published, a public hearing will be held on Monday, 3-19-18. The Committee approved filing this bill at its meeting on 2-6-18.

Council Bill 18-0130 was ordered published with a future required public hearing on 3-19-18.

**Ordered published with future required public hearing**

**[18-0136](#) A bill for an ordinance amending Ordinance 235, Series of 2008 concerning the "Event Facility Fund" and transferring cash within the Culture and Recreation Special Revenue Fund.**

Transfers the remaining cash balance for the Chief Hosa Campground from the Event Facility Fund 15823 into the Denver Mountain Park Fund 15825 and amends Ordinance No. 235, Series of 2008, to remove all language concerning the Chief Hosa Campground. The Committee approved filing this bill by consent on 2-6-18.

Council Bill 18-0136 was ordered published on first reading.

**Ordered published on first reading**

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

**[18-0107](#) A bill for an ordinance approving a proposed Loan Agreement between the City and County of Denver and The Housing Authority of the City and County of Denver for construction of housing for disabled and senior residents at Vida at Sloan's.**

Approves an intergovernmental agreement with Denver Housing Authority in the amount of \$2.4 million through 8-31-19 to support the construction of 112 one-bedroom units of rental housing for senior and disabled residents including 13 units restricted for residents earning at or below 30% of Area Median Income (AMI), 36 units restricted for residents earning at or below 40% of AMI, 37 units restricted for residents earning at or below 50% of AMI, and 25 units for residents earning at or below 60% of AMI located at 4057 West Colfax Avenue in Council District 1 (OEDEV-201736288-00). The last regularly scheduled Council meeting within the 30-day review period is on 3-12-18. The Committee approved filing this bill at its meeting on 2-7-18.

Council Bill 18-0107 was ordered published on first reading.

**Ordered published on first reading**

**BILLS FOR FINAL CONSIDERATION**

**Finance & Governance Committee**

**[18-0089](#) 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 by creating a new classification called Career Service Hearing Officer at pay grade L-821. The Committee approved filing this bill by consent on 1-30-18.

A motion offered by Councilwoman Susman, duly seconded by Councilman Flynn, that Council Bill 18-0089 be placed upon final consideration and do pass en bloc, carried by the following vote:

**Placed upon final consideration and do pass**

- Aye: Brooks, Clark, Espinoza, Flynn, Gilmore, Herndon, Kashmann, López, New, Ortega, Susman (11)
- Nay: (None) (0)
- Absent: Black, Kniech (2)



**18-0105 A bill for an ordinance making rescissions, cash transfers and supplemental appropriations from the General Contingency Fund to the Capital Improvements and Capital Maintenance Fund and to various departments.**

Approves a \$4.5 million supplemental appropriation from the general fund contingency for program management services to implement the 2017 General Obligation Bond program. The Committee approved filing this bill at its meeting on 1-30-18.

A motion offered by Councilwoman Susman, duly seconded by Councilman Flynn, that Council Bill 18-0105 be placed upon final consideration and do pass en bloc, carried by the following vote:

**Placed upon final consideration and do pass**

Aye: Brooks, Clark, Espinoza, Flynn, Gilmore, Herndon,  
Kashmann, López, New, Ortega, Susman (11)  
Nay: (None) (0)  
Absent: Black, Kniech (2)

**Land Use, Transportation & Infrastructure Committee**

**18-0080 A bill for an ordinance vacating a portion of the alley bounded by Julian Street, Irving Street, West 17th Avenue and West 16th Avenue, with reservations.**

Vacates a portion of the alley bounded by Julian Street, Irving Street, 17th Avenue, and 16th Avenue, with reservations, located at 1622 Julian Street in Council District 3. The Committee approved filing this bill by consent on 1-30-18.

A motion offered by Councilwoman Susman, duly seconded by Councilman Flynn, that Council Bill 18-0080 be placed upon final consideration and do pass en bloc, carried by the following vote:

**Placed upon final consideration and do pass**

Aye: Brooks, Clark, Espinoza, Flynn, Gilmore, Herndon,  
Kashmann, López, New, Ortega, Susman (11)  
Nay: (None) (0)  
Absent: Black, Kniech (2)

**18-0091 A bill for an ordinance approving a proposed Contract between the City and County of Denver and the Colorado Department of Transportation for ongoing maintenance of State Highways.**

Approves an intergovernmental agreement with the Colorado Department of Transportation (CDOT) for \$750,000 and for one year to reimburse the City for costs associated with the ongoing maintenance, snow removal, pothole patching, crack seal, and minor subgrade repair of state highways within the City including sections of Colorado Boulevard, Alameda Avenue, Colfax Avenue, and Federal Boulevard (201839397). The last regularly scheduled Council meeting within the 30-day review period is on 3-5-18. The Committee approved filing this bill by consent on 1-30-18.

A motion offered by Councilwoman Susman, duly seconded by Councilman Flynn, that Council Bill 18-0091 be placed upon final consideration and do pass en bloc, carried by the following vote:

**Placed upon final consideration and do pass**

Aye: Brooks, Clark, Espinoza, Flynn, Gilmore, Herndon,  
Kashmann, López, New, Ortega, Susman (11)

Nay: (None) (0)  
Absent: Black, Kniech (2)

**18-0103 A bill for an ordinance approving a proposed Access and Use Permit Agreement between the City and County of Denver and Public Service Company of Colorado for installation of an electrical transformer for the 911 Communications Center.**

Approves an access and use permit agreement with Public Service Company of Colorado to allow the installation and area for the installation of an electrical transformer for the 911 Communications Center located at 12025 East 45th Avenue in Council District 8 (PWTRN-201737077). The last regularly scheduled Council meeting within the 30-day review period is on 3-5-18. The Committee approved filing this bill by consent on 1-30-18.

A motion offered by Councilwoman Susman, duly seconded by Councilman Flynn, that Council Bill 18-0103 be placed upon final consideration and do pass en bloc, carried by the following vote:

**Placed upon final consideration and do pass**

Aye: Brooks, Clark, Espinoza, Flynn, Gilmore, Herndon, Kashmann, López, New, Ortega, Susman (11)  
Nay: (None) (0)  
Absent: Black, Kniech (2)

**RECAP OF BILLS TO BE CALLED OUT**

**PRE-RECESS ANNOUNCEMENT**

Council President Brooks announced that tonight, there will be a one-hour courtesy public hearing on Council Resolution 18-0111, regarding the City’s five-year comprehensive housing plan. Anyone wishing to speak on this matter must see the Council Secretary to receive a speaker card to fill out and return to her during the recess of Council.

**RECESS**

Council took a recess.

**COUNCIL RECONVENES AND RESUMES ITS REGULAR SESSION**

**COURTESY PUBLIC HEARING**

**18-0111 A resolution approving a proposed five-year comprehensive housing plan for the City and County of Denver.**

Approves the City’s five-year comprehensive housing plan as required in Chapter 27, Article V of the Denver Revised Municipal Code. The Committee approved filing this resolution at its meeting on 1-31-18.

A motion offered by Councilwoman Susman, duly seconded by Councilman Herndon, that Council Resolution 18-0111 be adopted. The motion carried by the following vote:

**Adopted**

Council sat as a Committee of the Whole commencing at 6:20 p.m., Council President Brooks presiding, to hear speakers on Council Resolution 18-0111. Helen Taylor, Jonathan Cappelli, Emily Bustos, Aaron Miripol, Andrew Romero, Tiana Patterson, Brad Segal, Will Kralovec, and Renee Martinez Stone signed up to speak in favor of the resolution. Tim Craft signed up to speak in opposition of the resolution. Laura Brudzynski of the Office of Economic Development delivered the Staff Report.

Aye: Black, Brooks, Clark, Espinoza, Gilmore, Herndon,  
Kashmann, López, New, Ortega, Susman (11)  
Nay: Flynn (1)  
Absent: Kniech (1)

**PRE-ADJOURNMENT ANNOUNCEMENT**

Council President Brooks announced that on Monday, March 19, 2018, Council will hold a required public hearing on Council Bill 18-0130, changing the zoning classification for 680 Sheridan Boulevard in Villa Park. Any protests against Council Bill 18-0130 must be filed with the Council Offices no later than Monday, March 12, 2018.

**ADJOURN**

There being no further business before the City Council, Council President Brooks adjourned the meeting at 8:08 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