

# City Council Minutes

Meeting Date: Monday, January 23, 2017 5:30 PM

## PLEDGE OF ALLEGIANCE

Council member New led the Pledge of Allegiance.

## ROLL CALL

Present: Black, Brooks, Espinoza, Flynn, Gilmore, Herndon, Kniech,  
New, Ortega, Susman (10)

Absent: Clark, Kashmann, López (3)

## APPROVAL OF THE MINUTES

The minutes of meeting date, January 17, 2017, were distributed to Council. Council President Brooks ordered the minutes approved.

[17-0065](#) Minutes of Tuesday, January 17, 2017

The minutes of Tuesday, January 17, 2017, were approved.

## Approved

## COUNCIL ANNOUNCEMENTS

Council members Gilmore, Susman, Espinoza, and Kniech offered announcements.

## PRESENTATIONS

## COMMUNICATIONS

## PROCLAMATIONS

[17-0071](#) A proclamation honoring Milender White's contributions to the Rose Andom Center and the community in the City and County of Denver.

A motion offered by Councilman New, duly seconded by Councilman Herndon, that Proclamation 17-0071 be adopted. The motion carried by the following vote:

## Adopted

Aye: Black, Brooks, Espinoza, Flynn, Gilmore, Herndon, Kniech,  
New, Ortega, Susman (10)

Nay: (None) (0)

Absent: Clark, Kashmann, López (3)

## RESOLUTIONS

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

Block Vote

Block Vote

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

## Approved the consent agenda

Aye: Black, Brooks, Espinoza, Flynn, Gilmore, Herndon, Kniech,  
New, Ortega, Susman (10)

Nay: (None) (0)

Absent: Clark, Kashmann, López (3)

[17-0006](#) A resolution approving the Mayor's reappointments to the Fax-Mayfair Business Improvement District Board of Directors.

Approves the Mayoral reappointments of Christian Anderson, Jamie Harris, Barbara MacFarlane, Dan Murray, and Candace Wickstrom to the Fax-Mayfair Business Improvement District Board of Directors for terms effective 1-1-17 and expiring on 12-31-20, or until successors are duly appointed. The Committee approved filing this resolution by consent on 1-11-17.

A motion offered by Councilman New, duly seconded by Councilwoman Ortega, that Resolution 17-0006 be adopted en bloc, carried by the following vote:

**Adopted**

Aye: Black, Brooks, Espinoza, Flynn, Gilmore, Herndon, Kniech, New, Ortega, Susman (10)

Nay: (None) (0)

Absent: Clark, Kashmann, López (3)

[17-0007](#) A resolution approving a proposed Purchase Order between the City and County of Denver and O.J. Watson Equipment Company, Inc. concerning high speed front-mount airport snow brooms for snow removal at Denver International Airport. Approves the \$1,952,580 purchase of four high-speed front-mount airport snow brooms from O.J. Watson Company, Inc. for runway snow removal at Denver International Airport (PLANE 19396). The last regularly scheduled Council meeting within the 30-day review period is on 2-13-17. The Committee approved filing this resolution by consent on 1-4-17.

A motion offered by Councilman New, duly seconded by Councilwoman Ortega, that Resolution 17-0007 be adopted en bloc, carried by the following vote:

**Adopted**

Aye: Black, Brooks, Espinoza, Flynn, Gilmore, Herndon, Kniech, New, Ortega, Susman (10)

Nay: (None) (0)

Absent: Clark, Kashmann, López (3)

[17-0013](#) A resolution approving a proposed First Amendment between the City and County of Denver and Clear Channel Outdoor Inc. d/b/a Clear Channel Airports to accelerate the timeframe for Clear Channel to make capital investments into the advertising program during the years 2016 and 2017 that will partially satisfy its Minimum Refurbishment Investment and to incorporate the airport's Guidelines for Signage and Advertising, which shall govern advertising content on the Clear Channel advertising locations at Denver International Airport. Amends a contract with Clear Channel Outdoor, Inc. by updating the advertising definitions and interpretations to allow for the licensee to make necessary capital investments to signage within the airport sooner than the original midterm refurbish date of 2018. There is no change to the contract amount or term (PLANE201205012-01). The last regularly scheduled Council meeting within the 30-day review period is on 2-13-17. The Committee approved filing this resolution by consent on 1-11-17.

A motion offered by Councilman New, duly seconded by Councilwoman Ortega, that Resolution 17-0013 be adopted en bloc, carried by the following vote:

**Adopted**

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

[17-0014](#) A resolution approving a proposed Agreement between the City and County of Denver and Talson Solutions, LLC concerning auditing services at Denver International Airport.

Approves an on-call contract with Talson Solutions, LLC for \$5 million and a five-year term through 2022 for auditing services related to construction and professional services contracts to evaluate and assess current processes in compliance with the 2013 Performance Audit of Denver International Airport (201628901). The last regularly scheduled Council meeting within the 30-day review period is on 2-13-17. The Committee approved filing this resolution by consent on 1-11-17.

A motion offered by Councilman New, duly seconded by Councilwoman Ortega, that Resolution 17-0014 be adopted en bloc, carried by the following vote:

**Adopted**

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

[17-0015](#) A resolution approving a proposed First Amendment between the City and County of Denver and Clear Channel Outdoor Inc. d/b/a Clear Channel Airports to incorporate the airport's Guidelines for Signage and Advertising, which shall govern advertising content at the Clear Channel advertising locations at Denver International Airport.

Amends a contract with Clear Channel Outdoor, Inc. by updating the advertising definitions and interpretations to provide for greater consistency in advertising language and compliance for gate area television programming services at Denver International Airport. There is no change to the contract amount or term (PLANE201312566-02). The last regularly scheduled Council meeting within the 30-day review period is on 2-13-17. The Committee approved filing this resolution by consent on 1-11-17.

A motion offered by Councilman New, duly seconded by Councilwoman Ortega, that Resolution 17-0015 be adopted en bloc, carried by the following vote:

**Adopted**

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

## **Finance & Governance Committee**

[16-1139](#) A resolution approving a proposed Second Amendatory Agreement by and between the City and County of Denver and Kofile Technologies, Inc., to extend the term and add funds to make historic records available for public online access. Adds \$510,555 to and extends the contract with Kofile Technologies, Inc. for a new total amount of \$ 1.01 million through 12-31-22 for online public access of searchable Real Estate and Marriage Certificate records (CLERK-201309360-02). The last regularly scheduled Council meeting within the 30-day review period is on 2-13-17. The Committee approved filing this resolution by consent on 11-15-16.

A motion offered by Councilman New, duly seconded by Councilwoman Ortega, that Resolution 16-1139 be adopted en bloc, carried by the following vote:

### **Adopted**

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

[16-1244](#) A resolution approving a proposed 2017 Insurance Agreement between the City and County of Denver and UnitedHealthcare Insurance Company to provide medical insurance for the City and County of Denver employees. Approves an up-to \$65,316,134.40 contract with United Healthcare Insurance Company for 2017 medical insurance for eligible city employees (CSAHR-201631060-00). The last regularly scheduled Council meeting within the 30-day review period is on 2-13-17. The Committee approved filing this resolution by consent on 12-6-16.

A motion offered by Councilman New, duly seconded by Councilwoman Ortega, that Resolution 16-1244 be adopted en bloc, carried by the following vote:

### **Adopted**

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

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

[16-1317](#) A resolution approving a proposed Agreement between the City and County of Denver and CH2M Hill Engineers, Inc. for on-call Program Management for the National Western Center Campus Development. Approves an on-call contract with CH2M Hill Engineers, Inc. for \$14 million and three years for program management services to develop the baseline scope, schedule, budget and phasing for the National Western Center Campus Development at the National Western Center in Council District 9 (201632012-00). The last regularly scheduled Council meeting within the 30-day review period is on 2-13-17. The Committee approved filing this resolution at its meeting on 1-3-17.

A motion offered by Councilman New, duly seconded by Councilman Herndon, that Resolution 16-1317 be adopted. The motion carried by the following vote:

### **Adopted**

Aye: Black, Brooks, Flynn, Gilmore, Herndon, Kniech, New, Ortega, Susman (9)

Nay: Espinoza (1)  
Absent: Clark, Kashmann, López (3)

[16-1339](#) A resolution approving a proposed Second Amendatory Agreement between the City and County of Denver and University of Colorado-Denver for technical and engineering services.

Amends an on-call contract with the University of Colorado Denver by adding one year for a new end date of 4-30-18 for technical and engineering services in the Public Works street maintenance, bridge maintenance, transportation and mobility sections, among others, for citywide tasks that are also educational opportunities for the participating students. There is no change to the contract amount (201415569-2). The last regularly scheduled Council meeting within the 30-day review period is on 2-13-17. The Committee approved filing this resolution by consent on 12-27-16.

A motion offered by Councilman New, duly seconded by Councilwoman Ortega, that Resolution 16-1339 be adopted en bloc, carried by the following vote:

**Adopted**

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

[17-0008](#) A resolution approving a proposed First Amendment to Revocable and Nonexclusive License between the City and County of Denver and Confluence Apartments, LLC to adjust the term, project schedule and compliance request. Amends a contract with Confluence Apartments, LLC by adding 2 years and four months for a new end date of 5-31-19 for improvements on City-owned property in conformance with the site development plan and agreement to benefit the public in the open space parcel at the confluence of Cherry Creek and South Platte River, also known as Confluence East, in Council District 9. No change to this \$0 contract (201626654). The last regularly scheduled Council meeting within the 30-day review period is on 2-13-17. The Committee approved filing this resolution by consent on 1-10-17.

A motion offered by Councilman New, duly seconded by Councilwoman Ortega, that Resolution 17-0008 be adopted en bloc, carried by the following vote:

**Adopted**

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

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

[17-0005](#) A resolution approving the Mayor's reappointments to the Denver Latino Commission.

Approves the Mayoral reappointments of Chy Montoya, Tariana Navas-Nieves, Jose Silva, Anne Smith, Kathryn Grove, Steve Chavez, Victoria Lovato, and Joseph Montoya to the Denver Latino Commission for terms effective immediately and expiring on 12-31-19, or until successors are duly appointed. The Committee approved filing this resolution by consent on 1-11-17.

A motion offered by Councilman New, duly seconded by Councilwoman Ortega, that Resolution 17-0005 be adopted en bloc, carried by the following vote:

### **Adopted**

Aye: Black, Brooks, Espinoza, Flynn, Gilmore, Herndon, Kniech, New, Ortega, Susman (10)

Nay: (None) (0)

Absent: Clark, Kashmann, López (3)

[17-0066](#) A resolution authorizing and approving the expenditure and payment from the appropriation account designated "liability claims," the sum of One Million Six Hundred Thousand Dollars (\$1,600,000.00), payable to the Killmer, Lane & Newman, LLP, Client Trust Account in full payment and satisfaction of all claims in Case No. 11-cv-00102-MSK-KLM, in the United States District Court for the District of Colorado.

Settles a claim involving the Denver Police Department. This resolution was approved for filing at the Mayor-Council meeting on 1-17-17.

A motion offered by Councilman New, duly seconded by Councilman Herndon, that Resolution 17-0066 be adopted. The motion carried by the following vote:

### **Adopted**

Aye: Black, Brooks, Espinoza, Flynn, Gilmore, Herndon, Kniech, Susman (8)

Nay: (None) (0)

Absent: Clark, Kashmann, López (3)

Abstain: New, Ortega (2)

[17-0067](#) A resolution authorizing and approving the expenditure and payment from the appropriation account designated "liability claims," the sum of Ten Thousand Dollars (\$10,000.00), payable to Bruce Baumann in full payment and satisfaction of all claims in Case No. 14-cv-02751-RM-NYW, in the United States District Court for the District of Colorado.

Settles a claim involving the Denver Police Department. This resolution was approved for filing at the Mayor-Council meeting on 1-17-17.

A motion offered by Councilman New, duly seconded by Councilman Herndon, that Resolution 17-0067 be adopted. The motion carried by the following vote:

### **Adopted**

Aye: Black, Brooks, Espinoza, Flynn, Gilmore, Herndon, Kniech, Susman (8)

Nay: (None) (0)

Absent: Clark, Kashmann, López (3)

Abstain: New, Ortega (2)

## **BILLS FOR INTRODUCTION**

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

[17-0018](#) A bill for an ordinance amending the annual salary of the Director of Excise and Licenses.

Amends Section 18-91 of the Denver Revised Municipal Code to change the annual salary of the Director of Excise and Licenses from \$107,932 to \$142,000. The Committee approved filing this bill at its meeting on 1-11-17.

This Bill 17-0018 was ordered published on first reading.

#### **Ordered published on first reading**

### **Finance & Governance Committee**

[17-0019](#) A bill for an ordinance approving a First Amendment to the Service Plans between the City and County of Denver and DUS Metropolitan District No. 1, DUS Metropolitan District No. 2, DUS Metropolitan District No. 3, DUS Metropolitan District No. 4 and DUS Metropolitan District No. 5.

Approves the first amendments to the Service Plans for the Denver Union Station Metropolitan Districts No. 1, 2, 3, 4 & 5 in Council District 9 as discussed at the Finance & Governance Committee on 1-3-17 as part of the refinancing plan for Denver Union Station. IF ORDERED PUBLISHED, A PUBLIC HEARING WILL BE HELD ON THIS ITEM. REFER TO THE "PENDING" SECTION OF THE FUTURE COUNCIL MEETING AGENDAS FOR THE DATE. The Committee approved filing this bill by consent on 1-10-17.

This Bill 17-0019 was ordered published with future required public hearing. to the Finance & Governance Committee due back on 1/30/2017

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

## **BILLS FOR FINAL CONSIDERATION**

### **Finance & Governance Committee**

[16-1341](#) A bill for an ordinance making a supplemental appropriation from the General Contingency Fund and an appropriation from the Human Services Service Delivery and Administration Fund and the Homeless Services Fund.

Approves a supplemental appropriation of \$4.6 million in various City funds for the acquisition of the property at 4330 East 48th Avenue for use as an emergency shelter and general City storage in Council District 8. The Committee approved filing this bill at its meeting on 1-3-17.

A motion offered by Councilman New, duly seconded by Councilwoman Ortega, that Bill 16-1341 be placed upon final consideration and do pass en bloc, carried by the following vote:

#### **Placed upon final consideration and do pass**

Aye: Black, Brooks, Espinoza, Flynn, Gilmore, Herndon, Kniech, New, Ortega, Susman (10)

Nay: (None) (0)

Absent: Clark, Kashmann, López (3)

**RECAP OF BILLS TO BE CALLED OUT**

**PRE-RECESS ANNOUNCEMENT**

**RECESS**

**COUNCIL RECONVENES AND RESUMES ITS REGULAR SESSION**

**PUBLIC HEARINGS - BILLS FOR FINAL CONSIDERATION**

**PRE-ADJOURNMENT ANNOUNCEMENT**

Council President Brooks announced that on Monday, January 30, 2017, Council will hold a required public hearing on Council Bill 17-0019, approving the first amendments to the service plans for the Denver Union Station Metropolitan Districts No. 1, 2, 3, 4, and 5.

**ADJOURN**

There being no further business before the City Council, Council President Brooks adjourned the meeting at 6:24 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