

# City Council Minutes

Meeting Date: Tuesday, March 28, 2017 5:30 PM

## **PLEDGE OF ALLEGIANCE**

Council member Flynn led the Pledge of Allegiance.

## **ROLL CALL**

Councilwoman Susman arrived late.

Present: Black, Brooks, Clark, Espinoza, Flynn, Gilmore, Herndon,  
Kashmann, New, Ortega, Susman (11)

Absent: Kniech, López (2)

## **APPROVAL OF THE MINUTES**

[17-0371](#) Minutes of Monday, March 20, 2017.

The minutes of Monday, March 20, 2017 were approved.

## **Approved**

The minutes of meeting date, Monday, March 20, 2017, were distributed to Council. Council President Brooks ordered the minutes approved.

## **COUNCIL ANNOUNCEMENTS**

Council President Brooks offered announcements.

## **PRESENTATIONS**

## **COMMUNICATIONS**

## **PROCLAMATIONS**

## **RESOLUTIONS**

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

Block Vote

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

## **Approved the consent agenda**

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

Nay: (None) (0)

Absent: Kniech, López (2)

[17-0290](#) A resolution approving a proposed Agreement between the City and County of Denver and Faithful + Gould, Inc. concerning professional, technical and support services for use on Airport Infrastructure Management (AIM) projects at Denver International Airport.

Approves a five-year contract with Faithful + Gould, Inc., in the amount of \$25 million for professional, technical and support personnel augmentation with an emphasis on project controls and project management services for capital improvement projects on an as-needed basis to ensure the demand for personnel resources is met to complete all projects assigned to Airport Infrastructure Management (AIM) development, at any given time, at Denver International Airport (201628585). The last regularly scheduled Council meeting within the 30-day review period is on 4-17-17. The Committee approved filing this resolution by consent on 3-15-17.

A motion offered by Councilman Flynn, duly seconded by Councilwoman Black, that Resolution 17-0290 be adopted en bloc, carried by the following vote:

**Adopted**

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

Nay: (None) (0)

Absent: Kniech, López (2)

[17-0320](#) A resolution approving a proposed Second Amendment between the City and County of Denver and Parsons Brinckerhoff, Inc. concerning professional consulting services at Denver International Airport.

Approves a one-year, no-cost extension of the contract with Parsons Brinckerhoff, Inc. for a new end date of 3-31-18 for professional consulting services including financial planning best practices evaluation, assessment of current financial processes, capital planning prioritization, and data analysis expertise to ensure best practices are utilized for capital planning efforts at Denver International Airport. (201309306-02). The last regularly scheduled Council meeting within the 30-day review period is on 4-17-17. The Committee approved filing this resolution by consent on 3-15-17.

A motion offered by Councilman Flynn, duly seconded by Councilwoman Black, that Resolution 17-0320 be adopted en bloc, carried by the following vote:

**Adopted**

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

Nay: (None) (0)

Absent: Kniech, López (2)

[17-0321](#) A resolution approving a proposed First Amendment to Agreement between the City and County of Denver and Nossaman, LLP to extend the maximum contract liability for legal counsel for the Great Hall Project at Denver International Airport. Adds \$600,000 to the contract with Nossaman, LLP for a new total contract of \$1.2 million and extends the maximum contract liability for counsel provided to the city on all aspects of the Great Hall Development Project agreement at Denver International Airport (201629808-01). The last regularly scheduled Council meeting within the 30-day review period is on 4-17-17. The Committee approved filing this resolution by consent on 3-15-17.

A motion offered by Councilman Flynn, duly seconded by Councilwoman Ortega, that Resolution 17-0321 and Resolution 17-0322 be adopted en bloc, carried by the following vote:

**Adopted**

Aye: Black, Brooks, Clark, Espinoza, Flynn, Herndon, Kashmann, New, Ortega, Susman (10)

Nay: (None) (0)

Absent: Kniech, López (2)

Abstain: Gilmore (1)

[17-0322](#) A resolution approving a proposed Second Amendment to Agreement between the City and County of Denver and KPMG Corporate Finance, LLC to extend the maximum contract liability for financial advisory services for the Great Hall Project at Denver International Airport.

Adds \$800,000 to the contract with KPMG Corporate Finance, LLC for a new total contract of \$4 million to support procurement of a private partner related to the Great Hall project and for continued financial analysis, public private partnerships expertise, and counsel in the final contract negotiation process at Denver International Airport (201520619). The last regularly scheduled Council meeting within the 30-day review period is on 4-17-17. The Committee approved filing this resolution by consent on 3-15-17.

A motion offered by Councilman Flynn, duly seconded by Councilwoman Ortega, that Resolution 17-0321 and Resolution 17-0322 be adopted en bloc, carried by the following vote:

**Adopted**

Aye: Black, Brooks, Clark, Espinoza, Flynn, Herndon, Kashmann, New, Ortega, Susman (10)

Nay: (None) (0)

Absent: Kniech, López (2)

Abstain: Gilmore (1)

## **Finance & Governance Committee**

[17-0317](#) A resolution approving a proposed Purchase Order between the City and County of Denver and Insight Public Sector, Inc., for Microsoft Enterprise software licenses.

Approves an annual \$2,890,965.64 Microsoft enterprise agreement with Insight through 2-28-18 for continued use of software licenses such as Office 365, patches, enhancements, and new releases for the products covered under the agreement (EAPPS-0000006471). The last regularly scheduled Council meeting within the 30-day review period is on 4-17-17. The Committee approved filing this resolution by consent on 3-14-17.

A motion offered by Councilman Flynn, duly seconded by Councilwoman Black, that Resolution 17-0317 be adopted en bloc, carried by the following vote:

### **Adopted**

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

Nay: (None) (0)

Absent: Kniech, López (2)

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

[17-0306](#) A resolution approving a proposed Contract between the City and County of Denver and L.E.R. Inc d/b/a Renner Sports Surfaces for on-call court repair and construction services.

Approves an on-call contract with L.E.R., Inc., doing business as Renner Sports Surfaces, for \$2 million and for two years for citywide tennis court repair and replacement services including crack repair, resurfacing, chain link fencing, court lighting, tennis net posts and basketball hoops, and landscape, irrigation, and concrete repair adjacent to the courts (201732642). The last regularly scheduled Council meeting within the 30-day review period is on 4-17-17. The Committee approved filing this resolution by consent on 3-14-17.

A motion offered by Councilman Flynn, duly seconded by Councilwoman Black, that Resolution 17-0306 be adopted en bloc, carried by the following vote:

### **Adopted**

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

Nay: (None) (0)

Absent: Kniech, López (2)

[17-0307](#) A resolution approving a proposed Contract between the City and County of Denver and Sport Court of the Rockies LLC for on-call court repair and construction services.

Approves an on-call contract with Sport Court of the Rockies for \$2 million and for two years for citywide tennis court repair and replacement services including crack repair, resurfacing, chain link fencing, court lighting, tennis net posts and basketball hoops, and landscape, irrigation, and concrete repair adjacent to the courts (201732637). The last regularly scheduled Council meeting within the 30-day review period is on 4-17-17. The Committee approved filing this resolution by consent on 3-14-17.

A motion offered by Councilman Flynn, duly seconded by Councilwoman Black, that Resolution 17-0307 be adopted en bloc, carried by the following vote:

**Adopted**

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

[17-0313](#) A resolution approving a proposed Third Amendatory Agreement between the City and County of Denver and CH2M Hill Engineers, Inc., for professional architecture and engineering design services relating to Brighton Boulevard (between 29th and 44th Streets) Project.

Amends a contract with CH2M Hill Engineers, Inc. by adding \$545,905 for a new total contract amount of \$2,860,230 and adding one year for a new end date of 12-31-18 to incorporate design services during construction and additional final design services for the Brighton Boulevard 29th to 44th Design Project in Council District 9 (201418034-03). The last regularly scheduled Council meeting within the 30-day review period is on 4-17-17. The Committee approved filing this resolution by consent on 3-14-17.

A motion offered by Councilman Flynn, duly seconded by Councilwoman Black, that Resolution 17-0313 be adopted en bloc, carried by the following vote:

**Adopted**

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

[17-0315](#) 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 Champa Street, and a parcel of land as Park Avenue West at the intersection of Park Avenue West and Champa Street.

Dedicates a parcel of land as public right-of-way as public alley and as Park Avenue West located at the intersection of Park Avenue West and Champa Street in Council District 9. The Committee approved filing this resolution by consent on 3-14-17.

A motion offered by Councilman Flynn, duly seconded by Councilwoman Black, that Resolution 17-0315 be adopted en bloc, carried by the following vote:

**Adopted**

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

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

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

[16-1266](#) A resolution approving a proposed Amendatory Agreement between the City and County of Denver and Mental Health Center of Denver for housing, wrap-around and outcome services.

Adds \$429,184 and extends for one year the contract with Mental Health Center of Denver (MHCD) for a total contract of \$877,876 and end date of 12-31-17 for citywide housing and wrap-around services for a minimum of 60 female and male clients per year with co-occurring mental health, substance abuse, and trauma experiences (2016-29249-01). The last regularly scheduled Council meeting within the 30-day review period is on 4-17-17. The Committee approved filing this resolution by consent on 12-14-16.

A motion offered by Councilman Flynn, duly seconded by Councilwoman Black, that Resolution 16-1266 be adopted en bloc, carried by the following vote:

**Adopted**

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

[17-0160](#) A resolution approving a proposed Agreement between the City and County of Denver and Denver Urban Renewal Authority to provide funds for a single family home rehabilitation program.

Approves a \$700,000 contract with the Denver Urban Renewal Authority for fifteen months to administer the Single Family Rehabilitation Program for Denver owner/occupants who are at or below 80% of Denver’s Area Median Income (201732731). The last regularly scheduled Council meeting within the 30-day review period is on 4-17-17. The Committee approved filing this resolution by consent on 3-15-17.

A motion offered by Councilman Flynn, duly seconded by Councilwoman Black, that Resolution 17-0160 be adopted en bloc, carried by the following vote:

**Adopted**

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

[17-0285](#) A resolution approving and providing for the execution of a proposed grant agreement between the City and County of Denver and the United States concerning the "CoC-Housing First FY17-18" program and the funding therefore.

Accepts a Continuum of Care (CoC) Housing First grant award from the U.S. Department of Housing and Urban Development (HUD) in the amount of \$2,497,840 with a term through 3-31-18 to provide for 151 units of tenant-based rental assistance, 49 units of sponsor-based rental assistance, and 40 units of project-based rental assistance to chronically and episodically homeless single individuals citywide. The last regularly scheduled Council meeting within the 30-day review period is on 4-10-17. The Committee approved filing this resolution by consent on 3-8-17. Pursuant to Council Rule 3.7, Councilwoman Kniech called out this resolution on the 3-20-17 Council meeting for a one-week postponement to 3-28-17.

A motion offered by Councilman Flynn, duly seconded by Councilman Herndon, that Resolution 17-0285 be adopted. The motion carried by the following vote:

**Adopted**

Aye: Black, Brooks, Clark, Espinoza, Flynn, Gilmore, Herndon, Kashmann, New, Susman (10)  
Nay: (None) (0)  
Absent: Kniech, López (2)  
Abstain: Ortega (1)

[17-0310](#) A resolution approving and providing for the execution of a proposed grant agreement between the City and County of Denver and the United States of America concerning the "Ryan White Part A FY17" program and the funding therefor.

Accepts \$3,691,985 from the U.S. Department of Health and Human Services for the Department of Environmental Health, Denver Office of HIV Resources from 3-1-17 through 2-28-18 for services to persons living with HIV/AIDS in the Denver Metropolitan Area. The last regularly scheduled Council meeting within the 30-day review period is on 4-17-17. The Committee approved filing this resolution by consent on 3-15-17.

A motion offered by Councilman Flynn, duly seconded by Councilwoman Black, that Resolution 17-0310 be adopted en bloc, carried by the following vote:

**Adopted**

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

## **BILLS FOR INTRODUCTION**

### **Finance & Governance Committee**

[17-0318](#) 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.

Creates and abolishes various Human Resource job titles and changes certain titles and/or pay grades for existing jobs per the recommendations of a study conducted by consultant Segal Waters. The Committee approved filing this resolution by consent on 3-14-17.

Council Bill 17-0318 was ordered published on first reading.

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

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

[17-0311](#) A bill for an ordinance to amend Chapter 59 (Zoning) of the Denver Revised Municipal Code relating to the Denver Zoning Code and to amend and restate the Denver Zoning Code.

Approves a text amendment to the Denver Zoning Code comprised of multiple substantive, clarification, and usability changes across the entirety of the code, prioritized in response to customer and community feedback, industry changes and other factors, to maintain a citywide zoning code that is modern, clear and user-friendly. 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 at its meeting on 3-14-17.

Council Bill 17-0311 was ordered published with future required public hearing to the Land Use, Transportation & Infrastructure Committee on 4-24-17.

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

[17-0314](#) A bill for an ordinance vacating a portion of North Uno Court between West 13th Avenue and West Wells Place, without reservations.

Vacates a portion of North Uno Court between West 13th Avenue and West Wells Place, without reservations, in Council District 1. The Committee approved filing this bill by consent on 3-14-17.

Council Bill 17-0314 was ordered published on first reading.

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



**BILLS FOR FINAL CONSIDERATION**

**Land Use, Transportation & Infrastructure Committee**

[17-0293](#) A bill for an ordinance relinquishing certain easements dedicated to the City by the Denver Connection West Filing No. 1 subdivision, recorded with the Denver Clerk & Recorder at Reception No. 2016106834.

Relinquishes a portion of the easements conveyed in the Denver Connection West Filing No. 1 Subdivision, recorded on 08-12-16 with reception no. 2016106834, at Green Valley Ranch Boulevard and Memphis Street, in Council District 11. The last regularly scheduled Council meeting within the 30-day review period is on 4-10-17. The Committee approved filing this bill by consent on 3-7-17.

A motion offered by Councilman Flynn, duly seconded by Councilwoman Black, that Council Bill 17-0293 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, Clark, Espinoza, Flynn, Gilmore, Herndon, Kashmann, New, Ortega, Susman (11)

Nay: (None) (0)

Absent: Kniech, López (2)

[17-0294](#) A bill for an ordinance vacating the alley bounded by East Pacific Place, East Evans Avenue, South Hudson Street and South Holly Street, with reservations.

Vacates the alley bounded by East Pacific Avenue and East Evans Avenue, and South Hudson Street and South Holly Street, with reservations, in Council District 6. The Committee approved filing this bill by consent on 3-7-17.

A motion offered by Councilman Flynn, duly seconded by Councilwoman Black, that Council Bill 17-0294 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, Clark, Espinoza, Flynn, Gilmore, Herndon, Kashmann, New, Ortega, Susman (11)

Nay: (None) (0)

Absent: Kniech, López (2)

**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 Brooks announced that on Monday, April 24, 2017, Council will hold a required public hearing on Council Bill 17-0311, amending Chapter 59 (Zoning) of the Denver Revised Municipal Code to amend multiple substantive, clarification, and usability changes across the entirety of the code, prioritized in response to customer and community feedback, industry changes and other factors, to maintain a citywide zoning code that is modern, clear and user-friendly.

**ADJOURN**

There being no further business before the City Council, Council President Brooks adjourned the meeting at 5:51 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