

1 **BY AUTHORITY**

2 RESOLUTION NO. 19-1084

3 SERIES OF 2019

4
5

COMMITTEE OF REFERENCE

Safety, Housing, Education & Homelessness

6 **A RESOLUTION**

7 **Authorizing and approving the expenditure and payment from the appropriation**
8 **account designated “liability claims,” the sum of Nine Hundred Seventy-Five**
9 **Thousand Dollars (\$975,000.00), of which \$583,165.00 will be paid to the law firm**
10 **of Benezra & Culver, and \$391,835.00 will be paid to Colley Fisher for wages and**
11 **compensatory damages, in payment and satisfaction of all claims and appeals**
12 **filed by the parties in the litigation matters captioned “Fisher v. City and County**
13 **of Denver,” commenced in the United States District Court, District of Colorado,**
14 **Case No. 16-cv-01796-RPM, and the United States Court of Appeals for the Tenth**
15 **Circuit, Case No. 19-1184.**

16 **BE IT RESOLVED BY THE COUNCIL OF THE CITY AND COUNTY OF DENVER:**

17 **Section 1.** That the Council of the City and County of Denver hereby approves and
18 authorizes the expenditure and payment from the 2019 appropriation account designated as
19 “Liability Claims” (Accounting Number 11827-4511001), the sum of Nine Hundred Seventy-Five
20 Thousand Dollars (\$975,000.00), of which \$583,165.00 will be paid to the law firm of Benezra &
21 Culver, and \$391,835.00 will be paid to Colley Fisher for wages and compensatory damages, in
22 payment and satisfaction of all claims and appeals filed by the parties in the litigation matters
23 captioned “Fisher v. City and County of Denver,” commenced in the United States District Court for
24 the District of Colorado (Case No. 16-cv-01796-RPM) and the United States Court of Appeals for
25 the Tenth Circuit (Case No. 19-1184).

26 Payment to be made upon the execution and delivery of such release or releases as is or are
27 satisfactory to the attorney for the City and County of Denver.

28 **Section 2.** The Manager of Finance is hereby authorized and directed to make such book
29 and record such entries and to do such other things as may be necessary to accomplish the purposes
30 of this resolution.

31

1 COMMITTEE APPROVAL DATE: N/A

2 MAYOR-COUNCIL DATE: October 8, 2019

3 PASSED BY THE COUNCIL: _____, 2019

4 _____ - PRESIDENT

5 ATTEST: _____ - CLERK AND RECORDER,
6 EX-OFFICIO CLERK OF THE
7 CITY AND COUNTY OF DENVER

8 PREPARED BY: Charles Mitchell, Assistant City Attorney; October 9, 2019

9 Pursuant to section 13-12, D.R.M.C., this proposed resolution has been reviewed by the office of the
10 City Attorney. We find no irregularity as to form and have no legal objection to the proposed
11 resolution. The proposed resolution **is not** submitted to the City Council for approval pursuant to §
12 3.2.6 of the Charter.

13 Kristin M. Bronson, City Attorney for the City and County of Denver

14 BY: _____, Assistant City Attorney DATE: _____, 2019

15