

City Council Minutes

Meeting Date: Tuesday, March 26, 2019 5:30 PM

PLEDGE OF ALLEGIANCE

Council member Herndon led the Pledge of Allegiance.

ROLL CALL

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

Absent: Brooks, Flynn (2)

APPROVAL OF THE MINUTES

[19-0293](#) Minutes of Monday, March 18, 2019

Council Minutes 19-0293 were approved

Approved

The minutes of Monday, March 18, 2019 were delivered to Council. Council President Clark ordered the minutes approved.

COUNCIL ANNOUNCEMENTS

Council member Lopez and Council President Clark offered announcements.

PRESENTATIONS

COMMUNICATIONS

PROCLAMATIONS

[19-0263](#) **A proclamation honoring the life and service of the late Denver Police Detective Gail S. Riddell.**

A motion offered by Councilwoman Susman, duly seconded by Councilman Herndon, that Council Proclamation 19-0263 be adopted. The motion carried by the following vote:

Adopted

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

Nay: (None) (0)

Absent: Brooks, Flynn (2)

[19-0295](#) **A proclamation honoring the *Vietnamese American Community of Colorado* in Denver.**

A motion offered by Councilman López, duly seconded by Councilman Herndon, that Council Proclamation 19-0295 be adopted. The motion carried by the following vote:

Adopted

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

Nay: (None) (0)

Absent: Brooks, Flynn (2)

RESOLUTIONS

Business, Arts, Workforce, & Aviation Services Committee

Block Vote

Block Vote

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

Approved the consent agenda

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

Nay: (None) (0)

Absent: Brooks, Flynn (2)

[19-0222](#) **A resolution approving a proposed Agreement between the City and County of Denver and Concrete Works of Colorado, Inc. concerning the rehabilitation of the Pikes Peak Parking facility at Denver International Airport.**

Approves a contract with Concrete Works of Colorado Inc. for \$19,821,807 and for seven months for the rehabilitation of the Pikes Peak Parking facility, including removing and reconditioning pavement, placing 17 new concrete shelter islands with new enclosed shelter buildings, milling existing parking areas and placing concrete pavement overlay, updating electrical, HVAC, and lighting, and other services, at Denver International Airport (201845783). The last regularly scheduled Council meeting within the 30-day review period is on 4-15-19. The Committee approved filing this item at its meeting on 3-13-19.

A motion offered by Councilman Herndon, duly seconded by Councilwoman Gilmore, that Council Resolution 19-0222 be adopted en bloc, carried by the following vote:

Adopted

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

Nay: (None) (0)

Absent: Brooks, Flynn (2)

[19-0223](#) **A resolution approving a proposed second Amendment between the City and County of Denver and Airport & Aviation Professionals Inc. concerning professional liaison services at Denver International Airport.**

Amends a contract with Airport and Aviation Professionals Inc. by adding \$2,000,000 for a new total of \$5,226,022 for professional liaison services to represent the collective views of airlines and provide a common point of contact for the airport and airlines to address complex issues including lease negotiations, providing technical services on capital planning, providing airline expertise on capital projects that significantly impact airline operations, and other services, at Denver International Airport. No Change to contract duration (201311731-02). The last regularly scheduled Council meeting within the 30-day review period is on 4-15-19. The Committee approved filing this item at its meeting on 3-13-19.

A motion offered by Councilman Herndon, duly seconded by Councilwoman Gilmore, that Council Resolution 19-0223 be adopted en bloc, carried by the following vote:

Adopted

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

19-0224 A resolution approving a proposed Agreement between the City and County of Denver and Intermountain Electric Inc. concerning maintenance of the electrical switchgears at Denver International Airport.

Approves a contract with Intermountain Electric Inc. for \$760,000 and for four years for timely and scheduled testing and preventative maintenance of the electrical switchgears at Denver International Airport (201842074). The last regularly scheduled Council meeting within the 30-day review period is on 4-15-19. The Committee approved filing this item at its meeting on 3-13-19.

A motion offered by Councilman Herndon, duly seconded by Councilwoman Gilmore, that Council Resolution 19-0224 be adopted en bloc, carried by the following vote:

Adopted

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

Finance & Governance Committee

19-0155 A resolution approving a proposed Eighth Amendment to Agreement for Services between the City and County of Denver and SHL US LLC, to pre-employment testing and assessment services for a variety of city classifications, citywide.

Amends a contract with SHL US LLC by adding \$200,000 for a new total of \$650,000 and fifteen months for a new end date of 12-31-20 for pre-employment testing and assessment services for a variety of city classifications, citywide (CSAHR-201523127-09). The last regularly scheduled Council meeting within the 30-day review period is on 4-15-19. The Committee approved filing this item at its meeting on 2-26-19.

A motion offered by Councilman Herndon, duly seconded by Councilwoman Gilmore, that Council Resolution 19-0155 be adopted en bloc, carried by the following vote:

Adopted

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

[19-0218](#) A resolution approving a proposed Third Amendment to on Call Technology Services Agreement between the City and County of Denver and Grant Thornton LLP to extend the term and increase funding to provide specialized professional technology services.

Amends a contract with Grant Thornton LLP by adding \$3,000,000 for a new total of \$4,000,000 and one year for a new end date of 6-30-21 for professional services related to Information Technology (IT) governance reviews, IT assessments and IT internal audits to develop and deliver revised disaster recovery policies and procedures, project and program health assessment and management oversight, technology portfolio management and rationalization and other strategic initiatives to support the operational capabilities of Technology Services, citywide (TECHS - 201416059). The last regularly scheduled Council meeting within the 30-day review period is on 4-15-19. The Committee approved filing this item at its meeting on 3-12-19.

A motion offered by Councilman Herndon, duly seconded by Councilwoman Gilmore, that Council Resolution 19-0218 be adopted en bloc, carried by the following vote:

Adopted

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

Land Use, Transportation & Infrastructure Committee

[19-0112](#) A resolution approving a Contract between the City and County of Denver and J.M.G Concrete Services LLC for bridge and structural construction services, citywide.

Approves an on-call contract with J.M.G Concrete Services LLC for \$3,000,000 and for three years for bridge and structural construction services, citywide (201947270). The last regularly scheduled Council meeting within the 30-day review period is on 4-15-19. The Committee approved filing this item at its meeting on 2-12-19.

A motion offered by Councilman Herndon, duly seconded by Councilwoman Gilmore, that Council Resolution 19-0112 be adopted en bloc, carried by the following vote:

Adopted

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

19-0113 A resolution approving a Contract between the City and County of Denver and SEMA Construction, Inc. for bridge and construction services, citywide.

Approves an on-call contract with SEMA Construction Inc. for \$3,000,000 and for three years for bridge and structural construction services, citywide (201947371). The last regularly scheduled Council meeting within the 30-day review period is on 4-15-19. The Committee approved filing this item at its meeting on 2-12-19.

A motion offered by Councilman Herndon, duly seconded by Councilwoman Gilmore, that Council Resolution 19-0113 be adopted en bloc, carried by the following vote:

Adopted

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

Nay: (None) (0)

Absent: Brooks, Flynn (2)

19-0210 A resolution approving a Contract between the City and County of Denver and Iron Woman Construction & Environmental Services, LLC to retrofit the existing detention basin in Council District 7.

Approves a contract with Iron Woman Construction & Environmental Services LLC for \$2,602,142.15 and for seven months to retrofit the existing detention basin to include water quality and improve recreational aspects in Asbury & Tejon Park, located near the intersection of West Asbury Avenue and South Tejon Street in Council District 7 (201845550). The last regularly scheduled Council meeting within the 30-day review period is on 4-15-19. The Committee approved filing this item at its meeting on 3-12-19.

A motion offered by Councilman Herndon, duly seconded by Councilwoman Gilmore, that Council Resolution 19-0210 be adopted en bloc, carried by the following vote:

Adopted

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

Nay: (None) (0)

Absent: Brooks, Flynn (2)

19-0213 A resolution approving a proposed Contract between the City and County of Denver and Keene Concrete, Inc. for the 2018 Citywide Bond Concrete Repair.

Approves a contract with Keene Concrete Inc. for \$2,468,950 and for six months to remove and replace damaged curb and gutter and non-compliant curb ramps on stretches of arterial collector streets, citywide (201845779). The last regularly scheduled Council meeting within the 30-day review period is on 4-15-19. The Committee approved filing this item at its meeting on 3-12-19.

A motion offered by Councilman Herndon, duly seconded by Councilwoman Gilmore, that Council Resolution 19-0213 be adopted en bloc, carried by the following vote:

Adopted

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

Nay: (None) (0)

Absent: Brooks, Flynn (2)

19-0214 A resolution laying out, opening and establishing as part of the City street system a parcel of land as East Evans Avenue near the intersection of East Evans Avenue and South Race Street.

Dedicates a parcel of land as public right of way as East Evans Avenue, located near the intersection of East Evans Avenue and South Race Street in Council District 6.

The Committee approved filing this item at its meeting on 3-12-19.

A motion offered by Councilman Herndon, duly seconded by Councilwoman Gilmore, that Council Resolution 19-0214 be adopted en bloc, carried by the following vote:

Adopted

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

Nay: (None) (0)

Absent: Brooks, Flynn (2)

19-0215 A resolution laying out, opening and establishing as part of the City street system parcels of land as a public alley bounded by East Mississippi Avenue, South Logan Street, East Arizona Avenue and South Grant Street.

Dedicates a parcel of land as public right of way as public alley, located in the alley bounded by East Mississippi Avenue, South Logan Street, East Arizona Avenue and South Grant Street in Council District 7. The Committee approved filing this item at its meeting on 3-12-19.

A motion offered by Councilman Herndon, duly seconded by Councilwoman Gilmore, that Council Resolution 19-0215 be adopted en bloc, carried by the following vote:

Adopted

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

Nay: (None) (0)

Absent: Brooks, Flynn (2)

19-0216 A resolution laying out, opening and establishing as part of the City street system a parcel of land as West Louisiana Avenue at the intersection of South Federal Boulevard and West Louisiana Avenue.

Dedicates a parcel of land as public right of way as West Louisiana Avenue, located at the intersection of South Federal Boulevard and West Louisiana Avenue in Council District 3. The Committee approved filing this item at its meeting on 3-12-19.

A motion offered by Councilman Herndon, duly seconded by Councilwoman Gilmore, that Council Resolution 19-0216 be adopted en bloc, carried by the following vote:

Adopted

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

Nay: (None) (0)

Absent: Brooks, Flynn (2)

19-0227 A resolution approving a proposed Third Amendatory Agreement between the City and County of Denver and Deighton Associates LTD to add the scope of work, extend the term and increase compensation to provide continued refinement and enhancement of the CCD Transportation Asset Management System.

Amends a contract with Deighton Associates LTD by adding \$198,996.20 for a new total of \$1,544,456.20 and eighteen months for a new end date of 6-30-20 for asset management consulting services for curb, gutter, sidewalks and ADA accessibility evaluation and management, citywide (201627262-03). The last regularly scheduled Council meeting within the 30-day review period is on 4-15-19. The Committee approved filing this item at its meeting on 3-12-19.

A motion offered by Councilman Herndon, duly seconded by Councilwoman Gilmore, that Council Resolution 19-0227 be adopted en bloc, carried by the following vote:

Adopted

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

Nay: (None) (0)

Absent: Brooks, Flynn (2)

Safety, Housing, Education & Homelessness Committee

19-0118 A resolution approving a proposed Amendatory Agreement between the City and County of Denver and Overlay, LLC for database tracking and management regarding the promotion of energy efficiency in commercial and multi-family buildings citywide.

Amends a contract with Overlay Consulting by adding \$616,404 for a new total of \$920,474 and sixteen months for a new end date of 3-9-22 for database tracking and management, help center administration, trainings, mail lists, scorecards, and a web-hosted interactive map to support benchmarking efforts required by city ordinance to promote energy efficiency in commercial and multifamily buildings, citywide (ENVHL-201733448-01). The last regularly scheduled Council meeting within the 30-day review period is on 4-15-19. The Committee approved filing this item at its meeting on 2-13-19.

A motion offered by Councilman Herndon, duly seconded by Councilwoman Gilmore, that Council Resolution 19-0118 be adopted en bloc, carried by the following vote:

Adopted

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

Nay: (None) (0)

Absent: Brooks, Flynn (2)

19-0171 A resolution approving a proposed Agreement between the City and County of Denver and Energy Outreach Colorado for energy efficiency services, weatherization upgrades, and education programs.

Approves a contract with Energy Outreach Colorado for \$750,000 and for one year for energy efficiency services, weatherization upgrades, and resident education for multi-family residential units and nonprofit facilities, citywide (HRCRS-201947238-00). The last regularly scheduled Council meeting within the 30-day review period is on 4-15-19. The Committee approved filing this item at its meeting on 3-6-19.

A motion offered by Councilman Herndon, duly seconded by Councilwoman Gilmore, that Council Resolution 19-0171 be adopted en bloc, carried by the following vote:

Adopted

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

Nay: (None) (0)

Absent: Brooks, Flynn (2)

Special Issues: Marijuana

19-0181 A resolution approving a proposed Third Amendatory Agreement between the City and County of Denver and Amelie Company to add additional work and add compensation to facilitate the Youth Marijuana Education Prevention Campaign through strategic planning.

Amends a contract with Amelie by adding \$300,000 for a new total of \$2,450,000 and expanding the scope of work to include full-year account management and strategy, extended creative development execution to increase campaign awareness and engagement, additional survey and campaign measurement, creation of a Spanish website, and other services, for continued facilitation of the citywide Youth Marijuana Education and Prevention Campaign (201731482-03). The last regularly scheduled Council meeting within the 30-day review period is on 4-15-19. The Committee approved filing this item at its meeting on 3-4-19.

A motion offered by Councilman Herndon, duly seconded by Councilwoman Gilmore, that Council Resolution 19-0181 be adopted en bloc, carried by the following vote:

Adopted

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

Nay: (None) (0)

Absent: Brooks, Flynn (2)

BILLS FOR INTRODUCTION

Land Use, Transportation & Infrastructure Committee

[19-0208](#) **A bill for an ordinance relinquishing the easements established in the Easement, recorded with the Denver Clerk & Recorder at Reception No. 1939499057, Book 5340, pages 155-158; the Easement, recorded with the Denver Clerk & Recorder at Reception No. 2011143786; and, Denargo Market Subdivision Filing No. 2, recorded with the Denver Clerk & Recorder at Reception No. 2012049308, located near the intersection of Denargo Street and Wewatta Way.**

Relinquishes three separate easements in their entirety as established in the Highway and Slope Easement in Book 5340, Pages 155 - 158 with Recordation No. 1939499057, the 30-foot storm Easement document with Recordation No. 2011143786, and the Utility easements as reserved in Denargo Market Subdivision Filing No. 2 with Recordation No. 2012049308, respectively, located at Denargo Street and Wewatta Way in Council District 9. The last regularly scheduled Council meeting within the 30-day review period is on 4-15-19. The Committee approved filing this item at its meeting on 3-12-19.

Council Bill 19-0208 was ordered published on first reading

Ordered published on first reading

[19-0211](#) **A bill for an ordinance approving the Department of Public Works 2019 annual programs and waiving further City Council approval of specific contracts implementing the annual programs.**

Approves the annual Public Works infrastructure program by waiving the requirement that contracts above \$500,000 be individually approved by City Council. The last regularly scheduled Council meeting within the 30-day review period is on 4-15-19. The Committee approved filing this item at its meeting on 3-12-19.

Council Bill 19-0211 was ordered published on first reading

Ordered published on first reading

BILLS FOR FINAL CONSIDERATION

Finance & Governance Committee

[19-0137](#) **A bill for an ordinance exempting feminine hygiene products from the collection of sales and use tax in the City and County of Denver.**

The Committee approved filing this item at its meeting on 3-5-19.

A motion offered by Councilman Herndon, duly seconded by Councilwoman Gilmore, that Council Bill 19-0137 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, Espinoza, Gilmore, Herndon, Kashmann, Kniech, López, New, Ortega, Susman (11)
Nay: (None) (0)
Absent: Brooks, Flynn (2)

Land Use, Transportation & Infrastructure Committee

19-0195 A bill for an ordinance vacating a portion of the alley bounded by North Uno Court, West 13th Avenue and North Tennyson Street, with reservations.

Vacates a portion of the alley along the west property line of 1243, 1247, and 1255 North Tennyson Street, with reservations, in Council District 1. The Committee approved filing this item at its meeting on 3-5-19.

A motion offered by Councilman Herndon, duly seconded by Councilwoman Gilmore, that Council Bill 19-0195 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, Espinoza, Gilmore, Herndon, Kashmann, Kniech, López, New, Ortega, Susman (11)
- Nay: (None) (0)
- Absent: Brooks, Flynn (2)

19-0198 A bill for an ordinance approving a proposed Agreement between the City and County of Denver and Regional Transportation District (RTD) to provide transportation Eco-pass benefits to eligible employees citywide.

Approves an intergovernmental agreement with the Regional Transportation District (RTD) for \$1,455,092 and for one year to provide transportation Eco-pass benefits to eligible employees citywide (201947538). The last regularly scheduled Council meeting within the 30-day review period is on 4-8-19. The Committee approved filing this item at its meeting on 3-5-19.

A motion offered by Councilman Herndon, duly seconded by Councilwoman Gilmore, that Council Bill 19-0198 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, Espinoza, Gilmore, Herndon, Kashmann, Kniech, López, New, Ortega, Susman (11)
- Nay: (None) (0)
- Absent: Brooks, Flynn (2)

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

ADJOURN

There being no further business before the City Council, Council President Clark adjourned the meeting at 6:10 p.m.

President

Attested by me with the Corporate Seal of the City and County of Denver

Clerk and Recorder, Ex-Officio Clerk
of the City and County of Denver