

MINUTES

Regular Meeting – Aurora City Council Monday, May 6, 2019

CALL TO ORDER – REGULAR MEETING

Mayor LeGare convened the regular meeting of City Council at 3:30 p.m.

ROLL CALL

PRESIDING:	Mayor LeGare
COUNCIL MEMBERS PRESENT:	Berzins, Gruber, Hiltz, Johnston, Lawson Murillo, Roth, Watson
COUNCIL MEMBERS ABSENT:	Bergan, Richardson,
OFFICIALS PRESENT:	Deputy City Manager Freed, Interim City Attorney Brotzman, City Clerk Ruger
COUNCIL MEMBERS ARRIVING AFTER ROLL CALL:	None

City Clerk Ruger announced the proposed items for discussion at executive session.

CONSIDERATION TO RECESS FOR EXECUTIVE SESSION

Motion by Watson, second by Berzins, to recess for executive session.

Voting Aye: Mayor LeGare, Berzins, Gruber, Hiltz, Johnston, Lawson, Murillo, Roth, Watson

Abstaining: None

The executive session was recorded pursuant to the requirements of state law.

1. RECONVENE REGULAR MEETING OF MAY 6, 2019 AND CALL TO ORDER

Mayor LeGare reconvened the regular meeting of City Council at 7:30 p.m.

2. ROLL CALL Stephen Ruger, City Clerk

COUNCIL MEMBERS PRESENT: Mayor LeGare, Berzins, Gruber, Hiltz, Johnston,
Lawson, Murillo, Roth, Watson

COUNCIL MEMBERS ABSENT: Bergan, Richardson

3. INVOCATION Mayor Bob LeGare, City of Aurora

4. PLEDGE OF ALLEGIANCE TO THE FLAG (all standing)

Mayor LeGare recognized Scout Troop #630 sponsored by Denver Area Council/Aurora.

5. APPROVAL OF THE MINUTES OF THE MEETING OF APRIL 15, 2019

Motion by Berzins, second by Murillo, to approve the minutes of the meeting of April 15, 2019, as presented.

- ♦ *The City Charter prescribes the Mayor may vote on resolutions and ordinances only to create or break a tie vote of Council Members present. The Mayor Pro-Tem is always permitted to vote on all items.*

Voting Aye: Mayor LeGare, Berzins, Gruber, Hiltz, Johnston, Murillo, Watson

Abstaining: Lawson, Roth

6. **CEREMONY**

- a. Swearing in of newly appointed Boards and Commission members – Presiding Judge Shawn Day

Presiding Judge Shawn Day administered the oath of office to the newly appointed board and commission members. City Council congratulated the members and thanked them for their service to Aurora.

<u>Name</u>	<u>Board or Commission</u>
Jeff Brown	Citizens Budget Advisory Commission
Jason Schneider	Golf Course Advisory Committee

- b. Swearing in of New Assistant City Attorneys - Presiding Judge Shawn Day

Presiding Judge Shawn Day administered the oath of office to the new Assistant City Attorneys, Dan Wilson and John Sherman. City Council congratulated the attorneys and thanked them for their service to Aurora.

- c. Proclamation Rangeview Raiders Boys Basketball Class 5A Champions

Mayor LeGare invited the Rangeview Raiders Boys Basketball team and coaches to come forward to accept the proclamation. He read the proclamation recognizing the Rangeview Raiders Boys Basketball team as the Class 5A State Champions. Coach Shawn Palmer expressed appreciation for the proclamation.

Proclamation declaring May 2019 as Mental Health Month – Mayor LeGare

Mayor LeGare invited Marsha Berzins, Aurora City Council, Aurora Mental Health Board; Mark Stephenson, Vice President, Aurora Mental Health Board; Dr. Kelly Phillips; Larry Davila, Aurora Mental Health Board and Debbie Stafford, Community Liaison, Aurora Mental Health Center, to come forward to accept the proclamation. He read the proclamation declaring May 2019 as Mental Health Month. Everyone expressed appreciation for the proclamation.

Proclamation declaring May 2nd Holocaust Remembrance Day – Mayor LeGare

Mayor LeGare invited Cynthia Francis, Chair, Veterans Affairs Commission; Dr. Greg McDonald, Aurora Community of Faith; Kevin Hempsted, Human Relations Commission; Aaron Futrell, Human Relations Commission; Georgina Kolber, Mizel Museum and Debbie Stafford, Vice-Chair, Aurora Community of Faith, to come forward to accept the proclamation. He read the proclamation declaring May 2 Holocaust Remembrance Day. Ms. Kolber expressed appreciation for the proclamation.

Proclamation declaring May 5th Cinco De Mayo– Mayor LeGare

Mayor LeGare invited Subash Nepal, Crawford Elementary School; Andy Figueroa, Manager, Mi Casa Resource Center; Susana Arreola Ponce de Leon, Manager of Community Programs, CREA Results; Adriana Cordova, Instructor/Counselor CCA; and Kimberly Rivera, Human

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Relations Commission to come forward to accept the proclamation. He read the proclamation declaring May 5th Cinco De Mayo. Everyone expressed appreciation for the proclamation.

7. **PUBLIC INVITED TO BE HEARD** (non-agenda related issues only)

Emzy Veazy III discussed instituting a reading comprehension and speed reading program in Aurora for children and adults.

Tim McCormack, 17th Judicial District Attorney candidate, discussed his career focus and commitment to public safety. He directed those interested in finding out more about him to visit his website at www.mccormackforda.com.

Mindy Parnes discussed the Holocaust and shared her family's story in that regard.

Randee Webb, What the Frack Arapahoe, discussed the passing of Colorado Senate Bill 181 and the expected response from the City.

8. **ADOPTION OF THE AGENDA**

The agenda was adopted as presented.

9. **CONSENT CALENDAR - 9a-h**

General Business

- a. Consideration to AWARD A SINGLE SOURCE CONTRACT to Scott Safety, Monroe, North Carolina in the amount of \$119,450.00 for citywide annual repair/maintenance and fit testing as required for Scott Self Contained Breathing Apparatus (SCBA) and associated equipment through April 1, 2020. STAFF SOURCE: Battalion Chief Scott Mills, Fire
- b. Consideration to EXTEND AN OPENLY SOLICITED CONTRACT to Western Ag Air Inc., Rocky Ford, CO in the total amount of \$200,000.00 to provide herbicide application. Services for the Rocky Ford Ditch Revegetation Project through June 2020. (R-1917) STAFF SOURCE: Alexandra Davis, Deputy Director/Water Resource, Aurora Water
- c. Consideration to AWARD A SOLE SOURCE CONTRACT to Intergraph Corp., dba Hexagon Safety & Infrastructure, Madison, Alabama in the amount of \$351,121.36 for annual support of the Computer Aided Dispatch (CAD) software and interfaces through May 31, 2020. STAFF SOURCE: Aleta Jeffress, Chief Information & Digital Officer, Information Technology
- d. Consideration to AWARD A SINGLE SOURCE CONTRACT to Advanced Traffic Products, Everett, Washington in the amount of \$96,550.00 for the purchase of fifteen (15) TrafficCast BlueTOAD travel time monitoring devices and associated hardware, software, licenses, support, and annual maintenance. STAFF SOURCE: Anna Bunce, Traffic Manager, Public Works

Motion by Roth, second by Watson, to approve items 9a – 9d.

Voting Aye: Mayor LeGare, Berzins, Gruber, Hiltz, Johnston, Lawson, Murillo, Roth, Watson

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- e. Consideration to AWARD A SINGLE SOURCE CONTRACT to Ground Engineering, Englewood, Colorado in the amount of \$370,000.00 for pavement data collection and integration services to update pavement condition data for arterial, collector streets and some residential areas. (Staff Requests a Waiver of Reconsideration) STAFF SOURCE: Tom McMinimee, Street Operations Manager, Public Works

Council Member Gruber stated he supported the item but had concerns related to the City being locked into a sole source contract indefinitely. He asked how the City would handle that concern moving forward.

Lynne Center, Principle Engineer, stated the City could re-advertise the testing contract, noting this company was the only company doing testing work at the time of the contract.

Motion by Gruber, second by Berzins, to approve item 9e with a waiver of reconsideration.

Council Member Watson pointed out these types of longevity process contracts froze out many companies.

Voting Aye: Mayor LeGare, Berzins, Gruber, Hiltz, Johnston, Lawson, Murillo, Roth, Watson

- f. Consideration to EXTEND A COMPETITIVELY BID CONTRACT with Fire Inspection Services, LLC, Wheat Ridge, Colorado for Fire Protection Repair and Maintenance Services in the not-to-exceed amount of \$50,000.00 on an as needed basis through June 30, 2020, B-4380. STAFF SOURCE: Lynne Center, Acting Deputy Director Street Operations, Public Works

Motion by Roth, second by Watson, to approve item 9f.

Voting Aye: Mayor LeGare, Berzins, Gruber, Hiltz, Johnston, Lawson, Murillo, Roth, Watson

Final Ordinances

- g. **2019-15**
Consideration of AN ORDINANCE FOR ADOPTION of the City Council of the City of Aurora, Colorado, rezoning 1047 acres more or less in the vicinity of 38th Avenue and Tower Road, E-470 and I-70 from Master Planned Industrial Park (MPIP) And Light Industrial District (M1) to E-470 Light Industrial/Flex Office subarea and amending the zoning map accordingly (MAJESTIC COMMERCENTER REZONE) STAFF SOURCE: Brandon Cammarata, Senior Planner, Planning & Development Services

Motion by Berzins, second by Roth, to approve item 9g.

Voting Aye: Berzins, Gruber, Hiltz, Johnston, Lawson, Murillo, Roth, Watson

- h. **2019-16**
Consideration of AN ORDINANCE FOR ADOPTION of the City Council of the City of Aurora, Colorado, adding Section 94-44 of the City Code related to unlawful peeping. STAFF SOURCE: Nancy Rodgers, Deputy City Attorney

Motion by Hiltz, second by Gruber, to approve item 9h.

Council Member Hiltz noted this item was driven by a constituent and recommended citizens not hesitate to address their issues with City Council.

Voting Aye: Berzins, Gruber, Hiltz, Johnston, Lawson, Murillo, Roth, Watson

10. **RESOLUTIONS**

a. **R2019-22**

Consideration to APPROVE A RESOLUTION of the City Council of the City of Aurora, Colorado, approving the Amended Memorandum of Agreement between the City of Aurora, Colorado, by and through its Utility Enterprise, and Buckley Air Force Base, Colorado, to complete environmental studies and design of the East Tollgate Creek and Plains drainage. STAFF SOURCE: Kelley Neumann, Deputy Director, Planning and Engineering

Motion by Gruber, second by Watson, to approve item 10a.

Voting Aye: Berzins, Gruber, Hiltz, Johnston, Lawson, Murillo, Roth, Watson

b. **R2019-23**

Consideration to APPROVE A RESOLUTION of the City Council of the City of Aurora, Colorado, to approve the Automatic and Mutual Aid Agreement with South Metro/Cunningham Fire Rescue Authority. STAFF SOURCE: Commander Allen Robnett, Fire

Motion by Watson, second by Roth, to approve item 10b.

Voting Aye: Gruber, Hiltz, Johnston, Lawson, Murillo, Roth, Watson

Voting Nay: Berzins

c. **R2019-24**

Consideration to APPROVE A RESOLUTION of the City Council of the City of Aurora, Colorado, authorizing and approving Aurora, Colorado's participation in the Metro Mortgage Assistance Plus Program, and authorizing the execution of the Intergovernmental Delegation and Participation Agreement and other documents in connection therewith. STAFF SOURCE: Anita Burkhart, Manager of Community Development, Neighborhood Services

Motion by Watson, second by Berzins, to approve item 10c.

Council Member Lawson asked how individuals were notified about the program.

Anita Burkhart, Manager of Community Development, Neighborhood Services, stated it was a Denver program so Denver did the marketing and Aurora, as a participant, would be promoting it through the City's First Time Homebuyer Program.

Council Member Watson noted this was a Denver provided-program and the City did not have to provide any funding.

Ms. Burkhart concurred.

Voting Aye: Berzins, Gruber, Hiltz, Johnston, Lawson, Murillo, Roth, Watson

11. **ORDINANCES FOR INTRODUCTION**

a. **2019-17**

Consideration of AN ORDINANCE FOR INTRODUCTION of the City Council of the City of Aurora, Colorado, appropriating sums of money in addition to those appropriated in ordinance Nos. 2017-50, 2018-15, and 2018-63 for the 2018 fiscal year and Ordinance No. 2018-56 for the 2019 fiscal year. STAFF SOURCE: Jackie Ehmann, Budget Finance Program Manager, Finance

Motion by Roth, second by Gruber, to introduce item 11a.

Voting Aye: Berzins, Gruber, Hiltz, Johnston, Lawson, Murillo, Roth, Watson

b. **2019-18**

Consideration of AN ORDINANCE FOR INTRODUCTION of the City Council of the City of Aurora, Colorado, amending Sections 94-313 and 94-61 of the City Code related to alcohol and glass bottles in public places or parks. STAFF SOURCE: Patricia Schuler, Manager of Open Space & Natural Resources Operation, Parks, Recreation & Open Space

Motion by Roth, second by Lawson, to introduce item 11b.

Nancy Rodgers, Deputy City Attorney, stated the item was a result of the change in state law related to 3.2 liquor, noting this item would allow beer and wine to be consumed in City parks as long as it was not in glass containers.

Voting Aye: Berzins, Gruber, Hiltz, Johnston, Lawson, Murillo, Roth, Watson

12. **RECONSIDERATIONS AND CALL-UPS**

None

13. **GENERAL BUSINESS**

a. Consideration to appoint one (1) member to the Aurora Fox Arts Center Board. STAFF SOURCE: Stephen Ruger, City Clerk, General Management

Motion by Roth, second by Watson, to appoint Dawn Garibaldi to the Aurora Fox Arts Center board.

Voting Aye: Mayor LeGare, Berzins, Gruber, Hiltz, Johnston, Lawson, Murillo, Roth, Watson

b. Consideration to appoint one (1) member to the Career Service Commission.

Motion by Berzins, second by Lawson, to appoint Steven Gallegos to the Career Service Commission.

Voting Aye: Mayor LeGare, Berzins, Gruber, Hiltz, Johnston, Lawson, Murillo, Roth, Watson

14. **REPORTS**

a. Report by the Mayor

- ♦ *The City Charter prescribes the Mayor may vote on resolutions and ordinances only to create or break a tie vote of Council Members present. The Mayor Pro-Tem is always permitted to vote on all items.*

Mayor LeGare noted his attendance at the recent Change of Command ceremony at Buckley AFB where Colonel Troy Endicott was promoted and moved onto the National Security Council and Colonel Devin Pepper took up command. He welcomed Colonel Pepper and his family to Colorado and noted he looked forward to working with the Colonel.

b. Reports by Council

Council Member Murillo announced the Ward I Town Hall meeting was scheduled for Thursday, May 23, 2019 at the Village Exchange Center where the County Assessor would be present to discuss property values in Ward I. She discussed her attendance at the recent Aurora Cinco De Mayo celebration held at Fletcher Plaza and the Second Chance Center Gala.

Council Member Hiltz commended the Parks, Recreation & Open Space Department (PROS) on the success of the recent Food Truck Rodeo. She discussed her attendance at the Second Chance Center Gala, the Fire Academy graduation and a ride-along with Aurora Fire and the Red Cross to install smoke detectors in a mobile home park. She encouraged those who needed the support to take advantage of the Fire Department's smoke alarm program and encouraged everyone to check their smoke alarm batteries regularly.

Council Member Berzins announced the Ward III Town Hall meetings were scheduled for Wednesday, May 15, 2019 at the City Café in the Aurora Municipal Building at 6:30 p.m. and Thursday, May 16, 2019 at the Aurora Hills Golf Course Tin Cup restaurant at 7:15 a.m. She noted representatives from the City's Fence Program, the Civil Service Commission and the Aurora Police Department would be present.

Mayor Pro Tem Roth discussed his recent address of the Future Business Leaders of America, Colorado Chapter, at their opening ceremony. He announced the Central Recreation Center ribbon-cutting event was scheduled for Thursday, May 9, 2019, noting it took a lot of hard work by staff and City Council to get to the finish line. He invited all those interested in attending to the Ward V Town Hall meeting scheduled for Tuesday, May 21, 2019 at the Heather Gardens Clubhouse at 6:30 p.m.

Council Member Lawson discussed her attendance at the recent Adams County Mayors and Commissioners Youth Awards ceremony where youth who have overcome adversity were recognized.

Council Member Johnston announced the State of the City address was scheduled for Wednesday, May 8, 2019 at the Gaylord Rockies. She discussed her attendance at the Clyde Miller K-8 school Career Day event. She expressed appreciation to the scouts who attended the City Council meeting.

Council Member Watson noted the scouts were waiting for the next agenda item to make an announcement, noting some of them were present to complete their Communication Badge. He stated his plan to announce new businesses coming to Aurora, noting the grand opening of the Dutch Car Wash, located at Quincy Road and Parker Road.

15. **PUBLIC INVITED TO BE HEARD**

Giovanni Pasina, Scout Troop #630, asked if there were any ongoing environmental issues in Aurora and if so, what the City planned to do to resolve them.

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Mayor LeGare answered affirmatively, noting trash was a concern. He pointed out he has discussed this issue in many classrooms in the City and he always asks the students to pick up trash along their way home.

Victoria Huang, Scout Troop #630, stated she was working on her rank advancement.

Ina Quesada, Scout Troop #630, expressed appreciation for the invitation to attend the Council meeting.

Mayor LeGare expressed appreciation to the troop for their comments and attendance.

Council Member Watson noted the troop members aspired to be a fighter pilot, an astronaut and a graphic designer.

Mayor LeGare encouraged them to continue to work hard, noting in doing so, they would achieve their aspirations.

16. **ADJOURNMENT**

Mayor LeGare adjourned the regular meeting of City Council at 8:45 p.m.

BOB LEGARE, MAYOR

ATTEST:

Stephen Ruger, City Clerk