

MINUTES

**Regular Meeting – Aurora City Council
Monday, December 10, 2018**

CALL TO ORDER – REGULAR MEETING

Mayor LeGare convened the regular meeting of City Council at 5:30 p.m.

ROLL CALL

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

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

CONSIDERATION TO RECESS FOR EXECUTIVE SESSION

Motion by Roth, second by Bergan, to recess for executive session.

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

Abstaining: None

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

1. **RECONVENE REGULAR MEETING OF DECEMBER 10, 2018 AND CALL TO ORDER**

Mayor LeGare reconvened the regular meeting of City Council at 7:32 p.m.

2. **ROLL CALL** Michael Lawson, Interim City Clerk

COUNCIL MEMBERS PRESENT:	Mayor LeGare, Bergan, Berzins, Gruber, Hiltz, Johnston, Lawson, Murillo, Richardson, Roth, Watson
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COUNCIL MEMBERS ABSENT:	None
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3. **INVOCATION** Topaz McBride, Restoration Christian Fellowship

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

5. **APPROVAL OF THE MINUTES OF THE MEETING OF NOVEMBER 19, 2018**

♦ *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.*

Motion by Roth, second by Berzins, to approve the minutes of the meeting of November 19, 2018, as presented.

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

Abstaining: None

APPROVAL OF THE MINUTES OF THE MEETING OF NOVEMBER 26, 2018

Motion by Roth, second by Bergan, to approve the minutes of the meeting of November 26, 2018, as presented.

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

Abstaining: Berzins, Hiltz, Richardson

6. **CEREMONY**

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

Judge Shawn Day administered the oath of office to the 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>
Gloria Shea	Aurora Commission for Seniors
Madison Dragon	Aurora Youth Commission
Jamie Nichols	Aurora Youth Commission
Donnie Betts	Cultural Affairs Commission
Dan Mikesell	Homestake Steering Committee
Kelli Malcolm	Judicial Performance Commission
Dan Mikesell	Joint Water Authority
Danielle Lammon	Parks and Recreation Commission
Melvin Bush	Planning and Zoning Commission

Judge Shawn Day administered the oath of office to new Assistant City Attorneys. The City Council congratulated the members and thanked them for their service to Aurora.

Ryan Swedlaw, Ed Garubyan, Laura Wood, Andy Kemmer

- b. Special presentation to recognize the contributions of Sheriff Walcher, Arapahoe County, and Sheriff McIntosh, Adams County, and their partnership with the City of Aurora – Mayor LeGare

Mayor LeGare invited Chief Nick Metz, Aurora Police, to come forward to recognize the outgoing Arapahoe and Adams County Sheriffs and to express appreciation for their partnership with the City of Aurora. Both recipients expressed appreciation for the recognition.

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

Ayana Pierce discussed the nationwide and local homelessness epidemic, noted the difficulty in obtaining resources and requested further services be considered and provided.

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Mayor LeGare asked Ms. Pierce to leave her contact information with the City Clerk so that she could take advantage of the City's Homelessness Program.

William Montgomery discussed his experience with homelessness in Aurora and a trespass notice issue he had with the Aurora Police.

8. **ADOPTION OF THE AGENDA**

The agenda was adopted as presented.

9. **CONSENT CALENDAR - 9a-s**

General Business

- a. Consideration to AWARD A SOLE SOURCE CONTRACT to Niquito's, Aurora, Colorado in the not-to-exceed amount of \$85,000.00 for delivery of prepared food and other food items to the Aurora Detention Center through December 31, 2019. STAFF SOURCE: Dr. Zelda DeBoyes, Court Administrator/Detention, Court Administration

Council Member Murillo asked the difference between a sole and single source contract, noting her understanding there were other potential providers in this instance but no one else put in a bid.

Bryn Fillinger, Manager, Purchasing & Contracts, stated those services were solicited for a number of years and Niquito's was the only company to respond therefore it was considered a sole source contract.

Dr. Zelda DeBoyes, Court Administrator/Detention, Court Administration, stated the City considered providing the services in-house and could not match the price.

Motion by Murillo, second by Roth, to approve item 9a.

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

- b. Consideration to AWARD A SOLE SOURCE CONTRACT to the Aurora Economic Development Council (AEDC), Aurora, Colorado in an amount not to exceed \$550,000 for services to retain, expand, and attract companies and employment within the City of Aurora. STAFF SOURCE: Chad Argentar, Planning Supervisor, Planning & Development Services
- c. Consideration to APPROVE THE PURCHASE of 7 shares of the Union Ditch Company Stock, 22 shares of the Godfrey Ditch Company Stock, a water delivery structure, and 320 acre-feet of lined storage from Dixie Water LLC for \$5,000,000 by the City of Aurora, acting by and through its Utility Enterprise. STAFF SOURCE: Dawn Jewell, S. Platte Basin Supply, Aurora Water
- d. Consideration to EXTEND AN OPENLY SOLICITED CONTRACT to Viewu, Seattle, WA in the amount of \$236,250.00 to provide Body Worn Camera hardware and software services for the Aurora Police Department through October 31, 2019. (R1717) STAFF SOURCE: Lieutenant Dan Mark, Police
- e. Consideration to AWARD A SINGLE SOURCE CONTRACT to Simpler North America, LLC, Chicago, Illinois in the amount of \$108,000.00 for consulting services for LEAN Design of the Southeast Area Maintenance Facility (SEAM). **(STAFF REQUESTS A**

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WAIVER OF RECONSIDERATION) STAFF SOURCE: Sarah Young, Water Planning Service Manager, Aurora Water

- f. Consideration to AWARD A SOLE SOURCE CONTRACT to Pure Technologies, Columbia, Maryland, in the amount of \$1,219,505.00 for a real-time wire break monitoring system and associated services for the four miles of PCCP in the new raw water delivery system. STAFF SOURCE: Sarah Young, Water Planning Service Manager, Aurora Water
- g. Consideration to AWARD AN OPENLY SOLICITED CONTRACT to CUES, Orlando, FL in the amount of \$125,135.00 to purchase Wastewater Pipeline Inspection Software for the Water Department. (R-1891) STAFF SOURCE: Steve Sciba, Manager of Water Operations, Aurora Water
- h. Consideration to AWARD A SINGLE SOURCE CONTRACT to NicheVision Forensics, LLC, Akron, Ohio in the amount of \$98,000.00 for the installation of two STRmix Expert DNA Analysis Systems for the Unified Metropolitan Forensic Crime Lab. **(STAFF REQUESTS A WAIVER OF RECONSIDERATION)** STAFF SOURCE: Police Lieutenant Timothy Dufour, Police
- i. Consideration to AWARD A SINGLE SOURCE CONTRACT to H&E Equipment Services, Henderson, Colorado, in the amount of \$3,602,160.00 for the purchase of three (3) Emergency One pumper fire trucks, one (1) Emergency One heavy rescue truck, and one (1) Emergency One aerial ladder truck. STAFF SOURCE: Mark Hinterreiter, Manager of Fleet Services, General Management
- j. Consideration to AWARD A SINGLE SOURCE CONTRACT to Wagner Equipment Company, Aurora, Colorado in the not-to-exceed amount of \$100,000.00 for the purchase of parts and repair services for Caterpillar and other miscellaneous heavy equipment from March 1, 2019, through February 28, 2020. STAFF SOURCE: Mark Hinterreiter, Manager of Fleet Services, General Management
- k. Consideration to AWARD A SINGLE SOURCE CONTRACT to Mike Naughton Ford, Inc., Aurora, Colorado, in the not-to-exceed amount of \$150,000.00 for the purchase of Ford OEM vehicle parts and repair services from March 1, 2019, through February 28, 2020. STAFF SOURCE: Mark Hinterreiter, Manager of Fleet Services, General Management
- l. Consideration to AUTHORIZE the Risk Manager to expend funds for the City of Aurora's property and liability insurance policies and surety bond due on January 1, 2019, paid through the insurance broker, IMA, Inc., Denver, Colorado in the amount not-to-exceed \$2,100,000.00. **(STAFF REQUESTS A WAIVER OF RECONSIDERATION)** STAFF SOURCE: Renee Pettinato Mosley, Risk Manager, Human Resources
- m. Consideration to AWARD A SINGLE SOURCE CONTRACT to Publication Printers Corporation, Denver, Colorado in the amount not-to-exceed \$153,593.20 through December 31, 2019. STAFF SOURCE: Jessica Bixenman, Manager of Marketing & Special Events, Parks, Recreation & Open Space
- n. Consideration to APPROVE a Water and Sewer Service Agreement between the City of Aurora and Trails, LLC. STAFF SOURCE: Kelley Neumann, Deputy Director Water Plan/Engineering, Aurora Water
- o. Approval of a contract to Holland & Knight in the amount of \$120,000 for federal lobbying services in 2019. STAFF SOURCE: Michael Crews, Intergovernmental Relations Coordinator, General Management

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Motion by Gruber, second by Bergan, to approve items 9b – 9o with a waiver of reconsideration on items 9e, 9h and 9l.

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

Final Ordinances

- ◆ p. **2018-59**
Consideration of AN ORDINANCE FOR ADOPTION of the City Council of the City of Aurora, Colorado, rezoning 6.95 acres more or less at the Southwest Corner of East Mississippi Avenue and Tower Road from Retail Business District (B-1) to Medium Density Residential District (R-2) and amending the zoning map accordingly. (COMMONS AT EAST CREEK AT TOWER LANDING REZONE) (**Case Number 2012-2001-01 Recommended approval unanimously at the October 24, 2018 Planning Commission Meeting**) STAFF SOURCE: Deborah Bickmire, Planner II, Planning & Development Services

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

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

- ◆ q. **2018-60**
Consideration of AN ORDINANCE FOR ADOPTION of the City Council of the City of Aurora, Colorado, amending Section 26-28 of the Aurora City Code, and adding article III Titled "Community Development Grants and Loans", expanding the duties and powers of the City of Aurora Business Advisory Board, and other related matters. STAFF SOURCE: Chad Argentar, Planning Supervisor, Planning & Development Services

Motion by Gruber, second by Watson, to approve item 9q.

Mayor Pro Tem Berzins asked if the item has been discussed with the Business Advisory Board (BAB) and if so, what they thought about it.

Chad Argentar, Planning Supervisor, Planning & Development Services, answered affirmatively, noting they initially expressed concerns related to capacity but were supportive after further discussion.

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

- ◆ r. **2018-62**
Consideration of AN ORDINANCE FOR ADOPTION of the City Council of the City of Aurora, Colorado, vacating a portion of the public right-of-way for East 14th Avenue, a street segment between Boston Street and Beeler Street, City of Aurora, County of Arapahoe, State of Colorado and reserving a utility easement therein. (BOSTON ELEMENTARY SCHOOL-STREET VACATION) STAFF SOURCE: Stephen Rodriguez, Planning Supervisor, Planning and Development Services

Motion by Roth, second by Bergan, to approve item 9r.

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

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- ◆ s. **2018-63**
Consideration of AN ORDINANCE FOR ADOPTION 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 for the 2018 fiscal year. STAFF SOURCE: Gregory Hansen, Financial Analyst, Finance

Motion by Watson, second by Gruber, to approve item 9s.

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

- ◆ t. **2018-64**
Consideration of AN ORDINANCE FOR ADOPTION of the City Council of the City of Aurora, Colorado, amending section two of Ordinance 2016-36 of the City Council of the City of Aurora, Colorado, regarding the time extension of the infill development incentive program. STAFF SOURCE: Jacob Cox, Senior Development Project Manager, General Management

Motion by Watson, second by Bergan, to approve item 9t.

Mayor Pro Tem Berzins stated she would abstain from the vote as she did on the original ordinance. She stated her certainty that Mayor Hogan would have been happy to see this item continue on.

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

Abstained: Berzins

10. RESOLUTIONS

- ◆ a. Consideration to APPROVE A RESOLUTION of the City Council of the City of Aurora, Colorado, adopting a City Market Based Revenue Opportunities Policy. STAFF SOURCE: Michael Lawson, Interim City Clerk, General Management

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

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

- ◆ b. Consideration to APPROVE A RESOLUTION of the City Council of the City of Aurora, Colorado, for the Intergovernmental Agreement Between the City of Aurora and Arapahoe County for Quincy Avenue/Gun Club Road Intersection Reconstruction Project (Funding for Project Construction) ***(This item also appears on the December 10, 2018 Study Session) (Due to this item being dual listed, the backup is included in item 2b of the Study Session Packet.) (Staff Requests a Waiver of Reconsideration)*** STAFF SOURCE: Cindy Colip, Transportation Project Delivery Manager, Public Works

Motion by Bergan, second by Richardson, to approve item 10b with a waiver of reconsideration.

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

- ◆ c. Consideration to APPROVE A RESOLUTION of the City Council of the City of Aurora, Colorado, for the Intergovernmental Agreement between the City of Aurora,

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Arapahoe County and the Colorado Department of Transportation for Maintenance of Quincy Avenue at Gun Club Road (SH 30) Intersection ***(This item also appears on the December 10, 2018 Study Session) (Due to this item being dual listed, the backup is included in item 2c of the Study Session Packet.) (Staff Requests a Waiver of Reconsideration)*** STAFF SOURCE: Cindy Colip, Transportation Project Delivery Manager, Public Works

Motion by Watson, second by Gruber, to approve item 10c with a waiver of reconsideration.

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

11. **RECONSIDERATIONS AND CALL-UPS**

None

12. **GENERAL BUSINESS**

- a. Consideration to Elect a Mayor Pro Tem for a One Year Term. STAFF SOURCE: Janice Napper, Assistant City Manager

Mayor LeGare explained the election process for Mayor Pro Tem for 2019 candidates Council Members Johnston and Roth.

Council Member Watson asked Mayor Pro Tem Berzins to explain the role of the Mayor Pro Tem. Mayor Pro Tem did so, noting it was a huge responsibility and a wonderful job where a person was on-call 24/7 with the main goal of doing whatever possible to fill in for and support the Mayor. She suggested both candidates be certain they were available 24/7.

The votes were as follows:

Johnston – Mayor LeGare, Lawson, Hiltz, Murillo
Roth – Bergan, Berzins, Gruber, Richardson, Watson

Mayor LeGare stated Council Member Roth was elected as Mayor Pro Tem for 2019.

Council Member Richardson expressed appreciation to Mayor Pro Tem Berzins for her efforts as Mayor Pro Tem particularly considering the difficulty of the last year.

- b. Consideration to Approve the 2019 City Council Meeting Calendar. STAFF SOURCE: Michael Lawson, Interim City Clerk, General Management

Council Member Richardson stated there was a conflict with one of the meetings and the Colorado Municipal League (CML) Conference in June.

Council Member Murillo suggested as a result that there be only two City Council meetings in the month of June.

Mayor Pro Tem Berzins pointed out this might need to be revisited because an exact date for Accelerate Colorado had not been determined.

Mayor LeGare asked that it remain as it was.

Motion by Murillo, second by Richardson, to approve the item with the amendment to move the June 17, 2019 City Council meeting to June 24, 2019 and to cancel the June 24 Study Session.

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

13. **REPORTS**

a. Report by the Mayor

Mayor LeGare expressed appreciation to Council Member Berzins for her efforts this last year as Mayor Pro Tem especially considering the challenges of this last year.

b. Reports by Council

Council Member Murillo announced a Ward I meeting would not be held for December and requested recommendations for 2019 meeting locations. She expressed appreciation to the Second Chance Center and the Northwest Aurora Neighborhood Organization (NANO) for the success of their recent holiday events.

Council Member Hiltz expressed appreciation to Council Member Berzins and welcomed Mayor Pro Tem Roth. She discussed her experience with the Homelessness Services Cold Weather Activation Team and requested everyone that could do so to donate cold weather supplies to the Day Resource Center. She announced the Aurora Fire Station #16 was officially in service.

Council Member Richardson announced Ecotech Institute closed and requested recommendations for 2019 Ward III Town Hall meeting locations.

Council Member Bergan expressed appreciation to Chief Nick Metz, Aurora Police, and all those Aurora Police officers involved for their efforts with the recent school safety meeting.

Council Member Berzins announced a Ward III meeting was not scheduled for December and expressed appreciation for the Sheriff's ceremony.

Mayor LeGare noted it was Chief Metz who initiated the ceremony.

Council Member Roth echoed others council member comments related to Council Member Berzins' efforts as Mayor Pro Tem in 2018 and extended congratulations to Council Member Johnston for extending herself and putting her name forward.

Council Member Lawson expressed appreciation to Council Member Berzins and extended congratulations to Mayor Pro Tem Roth.

Council Member Gruber expressed appreciation to Council Member Bergan and City staff for their efforts in moving the installation of the traffic light at Heritage Eagle Bend forward to fruition.

Council Member Johnston expressed appreciation to all those involved in the success of the recent City of Aurora Tree Lighting event and to Council Member Berzins for her efforts as Mayor Pro Tem and extended congratulations to Mayor Pro Tem Roth.

Council Member Watson announced the Gaylord Rockies Resort and Convention Center would open on December 18, 2018, expressed appreciation to Council Member Berzins for her efforts as Mayor Pro Tem and congratulated Mayor Pro Tem Roth. He asked Mayor Pro Tem Roth to make efforts to move the City Council closer together for 2019.

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14. **PUBLIC INVITED TO BE HEARD**

Pastor Arthur Porter, New Nation Church, discussed gentrification of northwest Aurora neighborhoods and requested the church and its neighborhood be considered and included by the City in the northwest Aurora planning moving forward.

Mayor LeGare asked Pastor Porter to provide the City Clerk with his contact information in order to to further discuss his concerns.

15. **ADJOURNMENT**

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

BOB LEGARE, MAYOR

ATTEST:
