

MINUTES

Regular Meeting – Aurora City Council Monday, July 23, 2018

CALL TO ORDER – REGULAR MEETING

Mayor LeGare convened the regular meeting of City Council at 4:15 p.m.

ROLL CALL

PRESIDING:	Mayor LeGare
COUNCIL MEMBERS PRESENT:	Bergan, Berzins, Gruber, Hiltz, Johnston, Lawson, Murillo, Richardson, Roth
COUNCIL MEMBERS ABSENT:	None
OFFICIALS PRESENT:	City Attorney Hyman, Interim City Manager Batchelor, Assistant City Manager/Acting City Clerk Napper
COUNCIL MEMBERS ARRIVING AFTER ROLL CALL:	None

Assistant City Manager/Acting City Clerk Napper announced the proposed items for discussion at executive session.

CONSIDERATION TO RECESS FOR EXECUTIVE SESSION

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

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

Abstaining: None

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

1. RECONVENE REGULAR MEETING OF JULY 23, 2018 AND CALL TO ORDER

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

2. ROLL CALL Janice Napper, Assistant City Manager/Acting City Clerk

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

COUNCIL MEMBERS ABSENT: None

3. INVOCATION Pastor Kendal Hommes, Eastern Hills Community Church

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

5. APPROVAL OF THE MINUTES OF THE MEETING OF JULY 9, 2018

Motion by Hiltz, second by Bergan, to approve the minutes of the meeting of July 9, 2018, 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, Bergan, Berzins, Gruber, Hiltz, Johnston, Lawson, Murillo, Richardson, Roth

6. **CEREMONY**

None

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

George Duran, Aurora, Colorado, expressed concerns related to the traffic impact of the new Tollgate Crossing school and pointed out a promise to complete the paving at Harvest and Alexander to mitigate the traffic impact was not being honored.

Mayor LeGare assured Mr. Duran that City staff would contact him to address his concerns.

Council Member Bergan clarified the City of Aurora put in \$4M to widen Harvest Road and was working with the developer on the Alexander Drive bridge. She pointed out the City has been working hard in that regard and noted the Cherry Creek School District did not contribute to the mitigation. She stated the intent was to have the Alexander bridge open by August.

Bill Yeager, Aurora, Colorado, listed ways in which he felt the City of Aurora was going downhill. He discussed the lack of affordable housing in Aurora and suggested modular homes would be a solution at a much lesser expense.

Nicholas Walker, Aurora, Colorado, Lyn Knoll Neighborhood Association, introduced himself and asked the City Council to remember to vote for their constituents rather than themselves. He discussed the importance of putting inner city issues on the same footing as suburban issues when discussing planning and development in the City. He suggested the City Council consider the implementation of an Inner City Economic Development program as a sub-section of the revised comprehensive plan.

Andrea Chiriboga-Flor, Aurora, Colorado, Lead Housing Organizer, 9to5 Colorado, asked those Denver Meadows residents present to stand. She expressed concerns related to the closing of the Denver Meadows Mobile Home Park and the subsequent impact on the residents.

Mayor LeGare recognized approximately 25 people standing.

Through interpreter, Yamleth Jay Munoz, Elizabeth Zacaria, Ana Tovar, Maria Delores Chavez and Mariana Anguiano, Denver Meadows Mobile Home Park residents, Aurora, Colorado, stated the park owner asked them to move out and they asked the City Council for immediate assistance regarding a housing solution for park residents being displaced.

Randall McCoy, Aurora, Colorado, discussed how poorly he has been treated by the City of Aurora and the Aurora Police Department.

Luz Galicia, Denver Meadow Mobile Home Park, Aurora, Colorado, discussed the residents of the park, noting most were low-income families, and the impact the closing of the park would have on them.

8. **ADOPTION OF THE AGENDA**

The agenda was adopted as presented.

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9. **CONSENT CALENDAR - 9a-f**

General Business

- a. Consideration to AMEND A SINGLE SOURCE CONTRACT with Black & Veatch Corporation, Denver, Colorado in the amount of \$988,297.00 for providing construction phase engineering support services for Construction Work Package No. 3 for the Pump Station Rehabilitation Project. STAFF SOURCE: Marshall Brown, Director of Aurora Water, Aurora Water
- b. Consideration to AWARD A COMPETITIVELY BID CONTRACT to Pavement Restoration, Inc., Tampa, Florida in the amount of \$294,710.00 for the 2018 Reclamite Program, Project Number 18009. STAFF SOURCE: Thomas McMinimee, Street Operations Manager, Public Works
- c. Consideration to AWARD CHANGE ORDER NUMBER 1 to A1 Chipseal Company, Denver, Colorado in the amount of \$115,142.12 for the 2018 Surface Treatment Program, Project Number 18002. **(Staff Requests a Waiver of Reconsideration)** STAFF SOURCE: Thomas McMinimee, Street Operations Manager, Public Works
- d. Consideration to AWARD A COMPETITIVELY BID CONTRACT to Colorado Mechanical Services, Inc., Centennial, Colorado in the amount of \$101,400.00 for the 2018 Aurora Center for Active Adults (ACAA) Roof Top Unit Replacement Project, Project Number 5633A. STAFF SOURCE: Katrina Rodriguez, Engineering Supervisor, Public Works

Motion by Roth, second by Richardson, to approve items 9a – 9d with a waiver of reconsideration on item 9c.

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

- e. Consideration to approve the funding of Innova Dash Urban Electric Vehicle one year pilot program in an amount up to \$25,000. STAFF SOURCE: Michael Lawson, Senior Project Manager, Finance

Council Member Gruber expressed concerns related to the business plan and the cost and questioned whether the City should make this investment.

Council Member Bergan stated this was a private company that was asking for a \$25,000.00 investment from City taxpayers and while she thought it was a good program, she did have concerns. She explained it was a pilot program that would provide a service for the first and last mile transportation of those residents who use the light rail. She pointed out the backup data stated that only 5.9 percent of the residents in the community used the light rail and this was a significant investment for the City to make into a private company that was trying to determine if their program would succeed in the marketplace. She suggested the company should provide their own funding or find other sources such as RTD considering the link to light rail. She stated the company has acknowledged that it could not guarantee rides would be available to the residents and that there were limited hours. She expressed concerns that elderly residents using the resource might get injured which would be a public relations concern if the program was endorsed by the City.

Motion by Richardson, second by Hiltz, to approve item 9e.

Council Member Richardson stated this was a great public/private partnership and suggested the City was fortunate to be chosen to participate in the pilot program. He noted additionally

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it would help the senior community to transition out of driving their own vehicles and would ultimately decrease traffic.

Council Member Roth stated his support of the item and agreed it would benefit the senior living facilities in the area because once it proved to be successful, it would move into other restricted living areas. He stated the senior population was underserved and suggested the reason they did not use the light rail was because they did not have rides and this program would alleviate that concern. He stated it was a public/private partnership that required a very small investment by the City.

Council Member Hiltz stated her support of the item and agreed senior mobility was an important issue. She stated it was a good opportunity for a public/private partnership for the City, noting her initial concerns regarding whether the drivers would be equipped to work with the elderly. She confirmed she has since learned they would be extensively trained in that regard. She stated her support of the item.

Council Member Gruber agreed it was a good service for the elderly but noted the fundamental question was whether the City should be paying for the program or if it should be paid for by private investors or companies. He stated it was a good program but he did not think the City should be paying for it.

Council Member Hiltz stated she looked forward to re-evaluating all of the City's private company contracts and agreed privatization of services should be taken very seriously.

Voting Aye: Mayor LeGare, Hiltz, Johnston, Lawson, Murillo, Richardson, Roth

Voting Nay: Bergan, Berzins, Gruber

Final Ordinances

- ◆ f. **2018-26**
Consideration of AN ORDINANCE FOR ADOPTION of the City of Aurora, Colorado, amending the 2009 Aurora Comprehensive Plan to allow for an interchange and road extension to be placed in the area of e-470 and 38th Avenue and amending the travel framework map accordingly (E-470 AND 38th AVENUE COMPREHENSIVE PLAN AMENDMENT). STAFF SOURCE: Mac Callison, Planning Supervisor, Planning & Development Services

Motion by Berzins, second by Bergan, to approve item 9f.

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

10. **RESOLUTIONS**

- ◆ a. **R2018-61**
Consideration to APPROVE A RESOLUTION of the City Council of the City of Aurora, Colorado, Approving the Collection Agreement between the City of Aurora, Colorado, Acting by and through its Utility Enterprise and the United States Department of Agriculture, U.S. Forest Service, Pike and San Isabel National Forests, Cimarron and Comanche National Grasslands, Leadville Ranger District. STAFF SOURCE: Richard Vidmar, Principal Water Resources, Aurora Water

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

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

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- ♦ b. **R2018-62**
Consideration to APPROVE A RESOLUTION of the City Council of the City of Aurora, Colorado, approving an Intergovernmental Agreement between the City of Aurora and the Eagle Bend Metropolitan District. STAFF SOURCE: Sarah Young, Water Planning Services Manager, Aurora Water

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

Council Member Bergan confirmed the item went through the Water Policy committee and was moved forward. She asked if the Eagle Bend Metro District was subject to drought restrictions.

Marshall Brown, Director, Aurora Water, answered affirmatively.

Council Member Bergan stated the district would pay money to the City over a thirty year period and they have allocated money for design costs.

Mr. Brown concurred, noting they would also reimburse the City for construction costs over that thirty year period.

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

- ♦ c. **R2018-63**
Consideration to APPROVE A RESOLUTION of the City Council of the City of Aurora, Colorado, submitting to a vote of the registered electors of the City of Aurora, Colorado, at the Special Municipal Election of November 6, 2018 a proposed Ballot Question concerning whether or not the city of Aurora should remove SB 152 restrictions related to engaging in broad band activities. STAFF SOURCE: Randy Simpson, TV & Cable Services Manager, Communications

Motion by Hiltz, second by Johnston, to approve item 10c.

Council Member Johnston stated her hope that City Council would support the item because this was an example of state restrictions on local control.

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

- ♦ d. **R2018-64**
Consideration to APPROVE A RESOLUTION of the City Council of the City of Aurora, Colorado, approving acquisition of Certain Real Property located in Eagle County for the Eagle River Memorandum of Understanding Project and to approve a Seven-Year Lease Agreement with Sellers. STAFF SOURCE: Hector Reynoso, Manager, Real Property Services

Motion by Berzins, second by Roth, to approve item 10d.

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

- ♦ e. **R2018-65**
Consideration to APPROVE A RESOLUTION of the City Council of the City of Aurora, Colorado, approving an Intergovernmental Agreement between Adams County, Colorado and the City of Aurora, Colorado for the conduct of a Special Municipal Election to be held as part of a coordinated election on November 6, 2018. (***This***

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item also appears on the July 23, 2018 Study Session) STAFF SOURCE: Karen Goldman, Contract Consultant, General Management

Motion by Roth, second by Bergan, to approve item 10e.

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

- ♦ f. **R2018-66**
Consideration to APPROVE A RESOLUTION of the City Council of the City of Aurora, Colorado, approving an Intergovernmental Agreement between Arapahoe County, Colorado and the City of Aurora, Colorado for the conduct of a Special Municipal Election to be held as part of a coordinated election on November 6, 2018. ***(This item also appears on the July 23, 2018 Study Session)*** STAFF SOURCE: Karen Goldman, Contract Consultant, General Management

Motion by Murillo, second by Bergan, to approve item 10f.

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

- ♦ g. **R2018-67**
Consideration to APPROVE A RESOLUTION of the City Council of the City of Aurora, Colorado, approving an Intergovernmental Agreement between Douglas County, Colorado, and the City of Aurora, Colorado for the conduct of a Special Municipal Election to be held as part of a coordinated election on November 6, 2018. ***(This item also appears on the July 23, 2018 Study Session)*** STAFF SOURCE: Karen Goldman, Contract Consultant, General Management

Motion by Berzins, second by Roth, to approve item 10g.

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

11. **PUBLIC HEARING WITHOUT RELATED ORDINANCE**

- a. **R2018-68**
PUBLIC HEARING and Consideration of the City Council of the City of Aurora, Colorado, to review a request to amend The Century City Condominiums Site Plan with seven waivers from the zoning code. STAFF SOURCE: Sarah Wieder, Planner, Planning & Development Services

Mayor LeGare opened the public hearing on the item.

Sarah Wieder, Planner, Planning & Development Services, gave a presentation on the item, noting it related to a major site plan amendment with waivers request.

Marcus Pachner and Diana Rael, Norris Design, representing Century Communities, gave a presentation on the item.

David Bryden, Aurora, Colorado, expressed concerns related to the item.

Council Member Bergan expressed appreciation to the applicant for the changes they made in consideration of the community and Planning Commission comments. She stated it was an infill development which made it difficult to design around existing infrastructure. She stated her support of the item and noted she was pleased that the price point was lower than many developments coming into the City.

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Council Member Johnston asked if the applicant could make a commitment for owner-occupied units.

Brian Mulqueen, Century Communities, stated it was Century Communities' goal and intent to market and sell to owner-occupied residents noting this development would tap into the unmet need for housing at this price point.

Council Member Johnston asked Mr. Mulqueen if Century Communities would require the condos to be owner-occupied. Mr. Mulqueen agreed that could be done at the front end but noted it was out of their control once the units were sold.

Council Member Gruber expressed appreciation to the applicant for the changes they made to the plan, particularly the parking. He suggested limiting the number of units purchased by a single person or organization to one might help to ensure owner-occupied units. He questioned the precedent set previously by City Council that an applicant's commitments must be provided in writing rather than just verbally.

Mayor LeGare pointed out precedent was not set in that instance. He explained individual council members insisted the change be brought back in writing at the next meeting. He stated the City Council had a long history of approving changes in a public hearing which was public record.

Mike Hyman, City Attorney, suggested any motion made should be conditioned upon compliance of the applicant's commitment.

Council Member Berzins expressed appreciation to the applicant for the changes. She stated this development was in Ward III and noted she often thought the land was wasted. She stated her support of the item.

Council Member Johnston echoed her appreciation for the changes that were made that addressed the concerns that were raised. She stated she was however, uncomfortable with approving changes that staff had not had a chance to review.

Council Member Hiltz asked if City Council would be voting on the item again if it were approved. Mayor LeGare stated it was done once it was approved. Council Member Hiltz stated she supported the changes but was not comfortable with approving them before staff had the opportunity to review them.

Council Member Murillo stated having a better idea of the income required for this price point illustrated the impact. She noted she was an advocate for affordable housing and this development went in the right direction. She appreciated the price point and the infill nature of the project and agreed it was a good project.

Council Member Johnston echoed Council Member Gruber's request that the applicant consider restricting the purchasing to one owner-occupied unit.

Mayor LeGare asked the applicant to speak to the impact of a potential delay of the item. Mr. Pachner did so, noting a delay added to the challenge of bringing in the development at this price point. He discussed the City's tool of technical submittals and stated staff would concur that the changes coincided with their requests. He noted the applicant would concede to council's decision.

Council Member Richardson asked Ms. Wieder when staff received the changes. Ms. Wieder stated the changes came in the written form of an email that morning. She stated the reason staff would be comfortable with a deferral was so they could revise the backup material to include the accurate waiver requests. She stated it could be done as a technical submittal, noting however technical changes were usually smaller but it could be done.

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Council Member Richardson asked if the applicant's comments that the waivers were reduced from seven to five was accurate. Ms. Wieder stated it appeared to be but noted that could not be verified because of the late notice. Council Member Richardson referenced the applicant's presentation and asked staff if the changes seen there were similar to those provided in the email. Ms. Wieder answered affirmatively. Council Member Richardson asked staff if the intent was to provide more recommendations to council with the new information. Ms. Wieder stated staff wanted council to have accurate information. Council Member Richardson asked if the item could be called up if it were approved and then it was determined that the plan was inconsistent with the email. He pointed out the applicant's reputation was excellent and he stated his opposition to a deferral.

Mike Hyman, City Attorney, answered affirmatively and recommended the motion to approve include a reference to the changes that were made and offered by the applicant. He explained how the reconsideration provision of Council rules would apply in this instance.

Council Member Hiltz stated she would support the item because the developer's reputation was good and she liked the proposed changes. She confirmed she would be the first to call the item up if it turned out to be a sham.

Mayor LeGare closed the public hearing on the item.

Council Member Johnston referenced the Fitzsimons development and the amount of time the council spent on it. She stated she was not in favor of approving waivers and while the plan sounded great, she was not comfortable moving it forward without more input from staff and the neighbors.

Council Member Bergan stated she would not support a deferral of the item because the applicant made the presentation at a public hearing and it was on the public record. She pointed out it was a constrained site and she would have supported it even without the waivers. She stated the waivers were a bonus and she appreciated them and pointed out delaying a project cost the applicant more money.

Motion by Richardson, second by Hiltz, to approve item 11a with the conditions related to waiver adjustments that were stated in the public hearing and shown in the presentation.

Council Member Gruber stated he was happy this item was not being delayed like the 17 story condo plan was.

Council Member Johnston asked for clarification regarding whether staff would review the information and provide council with the accurate backup material. Mayor LeGare stated his understanding that staff would review everything and council would call the item up if it were found to not be accurate. Council Member Johnston asked if staff would provide council with recommendations on the written material provided by the applicant.

Council Member Richardson stated he would be amenable as the motion maker to staff providing a report validating the email and presentation were the same.

Council Member Johnston stated she was also looking for staff recommendations.

Mayor LeGare confirmed staff would have input on the matter and council would hear about it if staff was not satisfied with the outcome. He noted in which case council had the opportunity to call the item up.

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

Mayor LeGare stated he was just informed that he could have voted on item 11a and for the record, his vote would have been in favor.

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12. **ORDINANCES FOR INTRODUCTION**

- ◆ a. **2018-33**
Consideration of AN ORDINANCE FOR INTRODUCTION of the City Council of the City of Aurora, Colorado, emergency ordinance amending Chapter 62, Article II, Division 2, of the City Code of the City of Aurora, Colorado, related to nuisance property used in connection with certain crimes. STAFF SOURCE: Commander Harry Glidden, Police

Motion by Bergan, second by Richardson, to introduce item 12a.

Council Member Bergan stated the Saddle Rock North residents have experienced the ramifications of having a commercial grow house in their neighborhood. She pointed out her constituents know she has been an advocate for their concerns about safety, security, home values, and quality of life. She noted the safety task force requested the City Council make a good-faith effort to consider what happened to a neighborhood when criminals occupied a residence, possessed firearms, intimidated law-abiding citizens, and supported drug cartels with massive grow amounts of illegal marijuana. She stated it was just a matter of time before more criminal grow houses came into residential developments so there was a need for a tough and evenhanded ordinance to deter this criminal behavior. She pointed out items were removed from the previous draft to alleviate concerns raised by some council members and while the task force did request marijuana grow house equipment be seized as well, that was not added because of the City's seizure laws. She stated it was imperative that council show residents that they would be protected with the available legal tools from illegal grow houses, child prostitution and human trafficking in their neighborhoods. She requested council support the added changes and the existing nuisance ordinance.

Council Member Gruber stated he would support the item because the City's current ordinances did not include marijuana grow houses. He discussed how these situations put neighbors at the most risk. He explained this ordinance was an emergency change by adding the nuisance ordinance to specifically affect grow houses with the understanding that City code would be modified.

Council Member Johnston asked staff to speak to what adding the term 'emergency' to the ordinance meant from a legal point of view.

Mike Hyman, City Attorney, did so. He discussed the adoption of emergency ordinances, noting they were done for the preservation of public property, health, peace and safety. He stated they would only be approved by the unanimous vote of the membership of the council present at the meeting at introduction and also when it came back for final approval.

Mayor LeGare asked what would happen if the vote was not unanimous. Mr. Hyman stated it would take effect in the ordinary course which would include a requirement of effectiveness 30 days after final publication and all references to the emergency would be redacted.

Council Member Bergan stated the reason for the emergency ordinance request was because the residents have been waiting since January for something to be done to address this concern. She noted it was a long process to make sure that council did what was right by the law and utilized all legal tools available to deter this criminal behavior. She asked council to support the item.

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Council Member Johnston stated her appreciation for the changes that were made. She noted however she would not support the item because she had concerns of City overreach in certain sections and that the 10 days owner notification timeframe would cause veterans and those living overseas to fall through the cracks. She stated her understanding that the item would be brought up at the Public Safety committee and she planned to offer related amendments. She agreed the problem of illegal grow houses in residential neighborhoods was an issue that needed to be addressed and she was open to working on it but she could not support it at this time.

Council Member Hiltz expressed appreciation to Council Member Bergan for her efforts in this regard.

Council Member Bergan clarified council was voting on the changes made to the nuisance ordinance and any amendments would be separate from the ordinance. She pointed out the 10 day notification timeframe has been the case for decades in the City. She stated her understanding that Council Member Johnston wanted to change that to a longer timeframe but confirmed it was not changed in the ordinance.

Council Member Richardson asked staff if an amendment related to the 10 to 15 days would jeopardize the emergency status of the ordinance. Mr. Hyman answered affirmatively, noting they were separate issues. Council Member Richardson confirmed the ordinance has been tied up for a long time and encouraged Council Member Johnston to support the item, noting all of her concerns could be addressed through committee.

Council Member Bergan asked for clarification regarding an amendment changing the ordinance's emergency status.

Council Member Johnston stated her concern went beyond the 10 days being served to the provision that 'the owner must fully cooperate.' She stated she would like to have it state 'the owner must *reasonably* cooperate' because she was concerned residents seeking legal representation or advice might be misconstrued as not fully cooperating.

Mayor LeGare stated his understanding that since one council member would not support the item that it would be adopted but not as an emergency ordinance and would take effect under the regular time process.

Mr. Hyman concurred.

Voting Aye: Bergan, Berzins, Gruber, Lawson, Richardson, Roth

Voting Nay: Hiltz, Johnston, Murillo

Mayor LeGare stated the ordinance would be amended by the City Attorney's Office to remove the emergency portion and it would then proceed on a regular 30 day waiting period approval process to be adopted.

13. **RECONSIDERATIONS AND CALL-UPS**

None

14. **GENERAL BUSINESS**

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- a. Consideration to appoint two (2) members to the Human Relations Commission. STAFF SOURCE: Janice Napper, Assistant City Manager/Acting City Clerk

Motion by Roth, second by Berzins, to appoint Kevin Hempsted and Lauren Piner to the Human Relations Commission.

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

- b. Consideration to reappoint one (1) member to the Judicial Performance Commission. STAFF SOURCE: Janice Napper, Assistant City Manager/Acting City Clerk

Motion by Roth, second by Berzins, to reappoint John Haien to the Judicial Performance Commission.

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

- c. Consideration to appoint one (1) member to the Golf Course Advisory Committee. STAFF SOURCE: Janice Napper, Assistant City Manager/Acting City Clerk

Motion by Berzins, second by Roth, to appoint Dan Daly to the Golf Course Advisory Committee.

Council Member Bergan nominated Mr. Nuwash.

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

Voting Nay: Bergan, Johnston

Dan Daly was appointed.

- d. Consideration of the appointment of four (4) youth members, the reappointment of one (1) youth member, the appointment of one (1) adult member, and the reappointment of one (1) adult member to the Aurora Youth Commission. Total of 7. STAFF SOURCE: Janice Napper, Assistant City Manager/Acting City Clerk

Motion by Richardson, second by Hiltz, to appoint the applicants recommended by the Aurora Youth Commission to the Aurora Youth Commission.

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

- e. Consideration of the appointment of the new Council Member at Large. STAFF SOURCE: Janice Napper, Assistant City Manager/Acting City Clerk

Mayor LeGare listed the five applicants as Tom Tobiassen, Jonathan Scott, Margaret Sobey, JulieMarie Shepherd Macklin and Johnny Watson.

Council Members Bergan and Roth expressed appreciation to all those who applied for the open seat, noting the decision would be difficult because they were all great candidates.

FIRST ROUND OF VOTING

Mayor LeGare voted for Tom Tobiassen.

Council Members Hiltz, Johnston and Murillo voted for Margaret Sobey.

Jonathan Scott received zero (0) votes.

Council Members Gruber and Lawson voted for Johnny Watson.

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Council Members Bergan, Berzins, Richardson and Roth voted for JulieMarie Shepherd Macklin.

Jonathan Scott was removed from consideration.

SECOND ROUND OF VOTING

Tom Tobiassen received zero (0) votes.

Council Members Hiltz, Johnston and Murillo voted for Margaret Sobey.

Mayor LeGare, Council Members Gruber and Lawson voted for Johnny Watson.

Council Members Bergan, Berzins, Richardson and Roth voted for JulieMarie Shepherd Macklin.

Tom Tobiassen was removed from consideration.

THIRD ROUND OF VOTING

Council Member Johnston voted for Margaret Sobey.

Mayor LeGare, Council Members Gruber, Hiltz, Lawson and Murillo voted for Johnny Watson.

Council Members Bergan, Berzins, Richardson and Roth voted for JulieMarie Shepherd Macklin.

Margaret Sobey was removed from consideration.

FOURTH ROUND OF VOTING

Mayor LeGare, Council Members Gruber, Hiltz, Johnston, Lawson and Murillo voted for Johnny Watson.

Motion by Gruber, second by Lawson, to appoint Johnny Watson as the new Council Member at Large.

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

- f. Consideration of the appointment of the new City Manager of the City of Aurora.
STAFF SOURCE: Dianna Giordano, Director, Human Resources

Motion by Roth, second by Bergan, to appoint Jim Twombly as the new City Manager of the City of Aurora.

Voting Aye: Mayor LeGare, Bergan, Berzins, Gruber, Johnston, Richardson, Roth

Voting Nay: Hiltz, Lawson, Murillo

15. **REPORTS**

- a. Report by the Mayor

Mayor LeGare announced the appointment of Tony Brake as the Mayoral appointee to the Business Advisory Board.

- b. Reports by the Council

Council Member Johnston announced the appointment of Leanne Wheeler to the Citizen's Advisory Budget Committee and discussed the success of the recent Town Hall meeting on affordable housing.

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Council Member Gruber announced the recent opening of the VA Hospital, noting it was a beautiful facility and announced the Sister Cities International Convention was coming to Aurora.

Council Member Lawson agreed the VA Hospital opening celebration was a success involving a lot of history of those who have served.

Council Member Berzins discussed the success of the recent Ward III community picnic and expressed appreciation to all those who came out in support and to help. She stated her support of Ward III residents and their comments.

Council Member Bergan announced the Ward VI Town Hall meeting was scheduled for Wednesday, July 25, 2018 at the Heritage Eagle Bend Clubhouse at 6:00 p.m. where a planning and development presentation, Q & A and updates on road issues including traffic signals at Heritage Eagle Bend and other intersections would be provided.

Council Member Hiltz agreed the Ward III community picnic was a success and announced the At-Large Town Hall meeting was scheduled for September.

Council Member Murillo announced the Ward I Town Hall meeting was scheduled for Tuesday, August 21, 2018 at the Moorhead Recreation Center at 6:00 p.m. She invited all of the At-Large council members to attend.

16. **PUBLIC INVITED TO BE HEARD**

Alison Coombs, Aurora, Colorado, stated she had signed up to speak for item 11a but was not called on to do so. She expressed concerns related to the only reason recommendations from staff and due diligence were used was on the chance that developers were lying in public. She discussed the importance of following the process so that residents of the City had adequate opportunity to comment on changes made in the City.

Bill Yeager, Aurora, Colorado, discussed modular homes as a solution for the lack of affordable housing in Aurora.

George Duran, Aurora, Colorado, discussed the importance of getting changes in writing and suggested that be done in the future, the extraction of hash oil dangers and its impact on neighbors' rights, Aurora paying for the Olympics, the light rail through the City, and City Council spending taxpayer money on things that were not good for taxpayers.

Nicholas Walker, Aurora, Colorado, expressed appreciation to the City Council for voting for experience and for having the ability to see a balanced future and to work together collaboratively with the public and private sectors and nongovernmental, community-based organizations.

- ◆ ***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.***

17. **ADJOURNMENT**

Mayor LeGare adjourned the regular meeting of City Council at 9:57 p.m.



BOB LEGARE, MAYOR

ATTEST:



Michael Lawson, Interim City Clerk

- ◆ ***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.***