

MINUTES

Regular Meeting – Aurora City Council Monday, February 27, 2017

CALL TO ORDER – REGULAR MEETING

Mayor Hogan convened the regular meeting of City Council at 4:30 p.m.

ROLL CALL

PRESIDING:	Mayor Hogan
COUNCIL MEMBERS PRESENT:	Bergan, Berzins, Cleland, LeGare, Mounier, Peterson, Richardson, Roth
COUNCIL MEMBERS ABSENT:	Pierce
OFFICIALS PRESENT:	City Manager Noe, City Attorney Hyman, Assistant City Manager/City Clerk Napper
COUNCIL MEMBERS ARRIVING AFTER ROLL CALL:	Lawson

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

CONSIDERATION TO RECESS FOR EXECUTIVE SESSION

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

Voting Aye: Mayor Hogan, Bergan, Berzins, Cleland, LeGare, Mounier, Peterson, Roth

Voting Nay: Richardson

Abstaining: Lawson

Per the City Attorney, 2/3 of the quorum present are necessary to recess for executive session, the executive session was recorded pursuant to the requirements of state law.

1. RECONVENE REGULAR MEETING OF FEBRUARY 27, 2017 AND CALL TO ORDER

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

2. ROLL CALL

PRESIDING:	Mayor Hogan
COUNCIL MEMBERS PRESENT:	Bergan, Berzins, Cleland, Lawson, LeGare, Mounier, Peterson, Richardson, Roth
COUNCIL MEMBERS ABSENT:	Pierce
OFFICIALS PRESENT:	City Manager Noe, City Attorney Hyman, Assistant City Manager/City Clerk Napper

3. **INVOCATION** Deacon Michael Davis, Rising Star Missionary Baptist Church

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

5. APPROVAL OF THE MINUTES OF THE MEETING OF FEBRUARY 6, 2017

Motion by Mounier, second by Roth, to approve the minutes of February 6, 2017 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 Hogan, Bergan, Berzins, Cleland, Lawson, LeGare, Mounier, Richardson, Roth

Abstained: Peterson

6. **CEREMONY**

None

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

Stephanie Puckett, Aurora, Colorado, discussed the recent death of her son, David, in the Olympic Park pond and questioned the purpose of the pond. She noted the pond was dangerous for the children in the neighborhood and those that attend the adjacent elementary school. She stated her intent to pursue turning the pond into a children's splash pad.

Mayor Hogan expressed condolences to Ms. Puckett on the loss of her son and stated Council Member Cleland had stated her intention to move forward with an amendment to the budget in that regard, noting Council would then consider it.

Council Member Cleland expressed appreciation to Ms. Puckett for her attendance and for speaking at the meeting.

Ian Hanson, Aurora, Colorado, discussed the recent net neutrality overturning with the new administration and setting up an internet company for the City to compete with Comcast and Qwest as a result.

Patricia Ferrero and Monica Martinez-Vargas, Aurora, Colorado, discussed environmental justice issues and multi-modal planning in the City.

8. **ADOPTION OF THE AGENDA**

The agenda was adopted as presented.

9. **CONSENT CALENDAR - 9a-g**

General Business

- a. Consideration to AWARD A SOLE SOURCE CONTRACT to West Safety Solutions Corp. (formerly Intrado), Longmont, Colorado in the amount of \$151,800.00 for annual maintenance and support for the City's 911 answering system in the main and backup communication centers through February 8, 2018. STAFF SOURCE: Aleta Jeffress, Director, Information Technology

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

Voting Aye: Mayor Hogan, Bergan, Berzins, Cleland, Lawson, LeGare, Mounier, Peterson, Richardson, Roth

- b. Consideration to AWARD A SOLE SOURCE CONTRACT to Priority Dispatch, Salt Lake City, Utah in the amount of \$69,962.00 for annual maintenance on the Dispatch Control Software System for the City's 911 Answering System in the main and backup communication centers through February 2018. STAFF SOURCE: Aleta Jeffress, Director, Information Technology

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Council Member Cleland expressed concerns regarding a recent situation where 911 went down and 911 dispatchers were transported to another facility, noting she was not satisfied with the answers she received regarding a backup generator.

Scott Newman, Public Safety Subject Matter Expert, Information Technology, stated the Tallyn's Reach facility was protected by a generator and an uninterruptable power supply which was interrupted and caused the problem during that situation. He stated it was inline and would be between the generator and public service from Xcel, noting it would prevent any single point of failure and would keep equipment up and running while the generator cranked up. He confirmed a single component failed inside the UPS that caused the outage.

Council Member Cleland expressed concerns that this situation would happen again.

Michelle Wolfe, Deputy City Manager, stated the power outage was related to the UPS box and not the software. She discussed the many levels of backup systems and processes in place for an outage.

Motion by Cleland, second by Mounier, to approve item 9b.

Voting Aye: Mayor Hogan, Bergan, Berzins, Cleland, Lawson, LeGare, Mounier, Peterson, Richardson, Roth

- c. Consideration to AWARD A SOLE SOURCE CONTRACT to Versaterm Systems, Scottsdale, Arizona in the amount of \$256,235.00 for annual renewal of software maintenance on the Police Information Management, Mobile Report Entry and Crime Analysis Systems through March 2018. STAFF SOURCE: Aleta Jeffress, Director, Information Technology

Council Member Bergan asked if Versaterm Systems was the only company that could provide this service.

Scott Newman, Public Safety Subject Matter Expert, Information Technology, answered affirmatively, noting the company developed the software as well.

Council Member Bergan asked staff to speak to the ability of Public Safety to put in parameters for the software to bring up crime statistics to provide weekly reports. Mr. Newman did so, stating there were several platforms in the City that could do so. Council Member Bergan asked if this was the software that the City's police used to input data. Mr. Newman answered affirmatively. Council Member Bergan asked if a detailed report of the software's capability with regard to the types of reports that could be compiled could be provided. Mr. Newman stated reports could be provided from many sources, noting it depended on what specific information was being requested. Council Member Bergan stated her interest in driving information to gather and analyze the information.

Mr. Newman agreed to provide a report in that regard for Council's review.

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

Voting Aye: Mayor Hogan, Bergan, Berzins, Cleland, Lawson, LeGare, Mounier, Peterson, Richardson, Roth

- d. Consideration to AWARD A SINGLE SOURCE CONTRACT to EnvisionWare Inc., Duluth, Georgia in the amount not-to-exceed \$175,861.70 to provide a Library Materials RFID

System for all Aurora Library locations. STAFF SOURCE: Patti Bateman, Director, Library & Cultural Services

- e. Consideration to award a SINGLE SOURCE CONTRACT to Dewberry Engineers, Inc., Denver, Colorado in the amount of \$382,081.00 for design engineering services associated with the Rampart Raw Water Delivery System Phase IV Improvements Project. STAFF SOURCE: Steve Fiori, Project Delivery Service Manager, Water
- f. Consideration to AWARD A SOLE SOURCE CONTRACT to Evoqua Water Technologies LLC, Sarasota, Florida in the amount not-to-exceed \$295,000.00 for the Akta Chlor 25 water treatment chemical (Sodium Chlorite) and related services through February 2018. STAFF SOURCE: Bobby Oligo, Manager of Water Treatment, Aurora Water

Motion by Richardson, second by Roth, to approve items 9d – 9f.

Voting Aye: Mayor Hogan, Bergan, Berzins, Cleland, Lawson, LeGare, Mounier, Peterson, Richardson, Roth

- g. Consideration to EXTEND A COMPETITIVELY BID CONTRACT with Publication Printers Corporation, Denver, Colorado in the not-to-exceed amount of \$84,733.56 for printing and mail preparation of the Aurora Recreation Guide through November 30, 2017. STAFF SOURCE: Byron Fanning, Manager of Recreation Services, Parks, Recreation & Open Space

Council Member Peterson stated she would not support the item because it was a waste of resources to mail the guide out when it could be picked up by citizens at local locations.

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

Voting Aye: Mayor Hogan, Bergan, Berzins, Cleland, Lawson, LeGare, Mounier, Roth

Voting Nay: Peterson, Richardson

10. **RESOLUTIONS**

- ◆ a. **R2017-07**
Consideration to APPROVE A RESOLUTION of the City Council of the City of Aurora, Colorado, to approve the Intergovernmental Agreement regarding construction and construction management of the Northglenn Ralston House. STAFF SOURCE: Michelle Wolfe, Deputy City Manager, General Management

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

Voting Aye: Bergan, Berzins, Cleland, Lawson, LeGare, Mounier, Peterson, Richardson, Roth

- ◆ b. **R2017-08**
Consideration to APPROVE A RESOLUTION of the City Council of the City of Aurora, Colorado, to approve the 2015-2019 memorandum of understanding regarding child protective services. STAFF SOURCE: Nancy Rodgers, Client Group Manager, City Attorney

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

Voting Aye: Bergan, Berzins, Cleland, Lawson, LeGare, Mounier, Peterson, Richardson, Roth

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- ◆ c. **R2017-09**
Consideration to APPROVE A RESOLUTION of the City Council of the City of Aurora, Colorado, approving the Revised Foothills Intergovernmental Agreement between the City and County of Denver, a municipal corporation of the State of Colorado, acting by and through its Board of Water Commissioners, and the City of Aurora, Colorado, acting by and through its Utility Enterprise regarding operations of Strontia Springs Dam and Reservoir. STAFF SOURCE: Bobby Oligo, Manager of Water Treatment, Aurora Water

Motion by LeGare, second by Bergan, to approve item 10c.

Voting Aye: Bergan, Berzins, Cleland, Lawson, LeGare, Mounier, Peterson, Richardson, Roth

11. **PUBLIC HEARING WITHOUT RELATED ORDINANCE**

- ◆ a. **R2017-10**
Public Hearing and CONSIDERATION TO APPROVE A RESOLUTION of the City Council of the City of Aurora, Colorado, approving the First Amendment to the Service Plan and First Amendment to the Intergovernmental Agreement for Cornerstar Metropolitan District and Authorizing the Execution of the First Amendment to the Intergovernmental Agreement between the City and the Cornerstar Metropolitan District. **(Staff requests a Waiver of Reconsideration)** STAFF SOURCE: Gary Sandel, Development Project Manager, General Management

Mayor Hogan opened the public hearing on the item.

Gary Sandel, Development Project Manager, General Management, provided a brief summary of the item, noting it related to an amendment to the agreement.

Mayor Hogan closed the public hearing on the item.

Motion by Roth, second by Berzins, to approve item 11a with a waiver of reconsideration.

Council Member Peterson stated she should not support the item because she did not support metro districts in general because she felt that people paying into a metro district were less likely to want to pay a tax increase to take care of City issues such as streets.

Voting Aye: Bergan, Berzins, Cleland, Lawson, LeGare, Mounier, Richardson, Roth

Voting Nay: Peterson

12. **ORDINANCES FOR FINAL**

- ◆ a. **2017-08**
Consideration for ADOPTION OF AN ORDINANCE of the City Council of the City of Aurora, Colorado, amending Section 66-34 of the City Code related to the lawful possession and use of fireworks. STAFF SOURCE: Captain Siegfried Klein, Fire

Motion by LeGare, second by Bergan, to approve item 12a.

Voting Aye: Bergan, Berzins, Cleland, Lawson, LeGare, Mounier, Peterson, Richardson, Roth

- ◆ b. **2017-09**
Consideration for ADOPTION OF AN ORDINANCE of the City Council of the City of Aurora, Colorado, amending Chapter 86 of the City Code related to the sale of fireworks. STAFF SOURCE: Captain Siegfried Klein, Fire

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Motion by Bergan, second by Roth, to approve item 12b.

Council Member Roth pointed out these two ordinances went hand-in-hand and allowed the City of Aurora to mirror ordinances of adjacent municipalities and the State of Colorado, noting it did not allow the sale or use of any fireworks that left the ground or that exploded.

Voting Aye: Bergan, Berzins, Cleland, Lawson, LeGare, Mounier, Peterson, Richardson, Roth

13. **RECONSIDERATIONS AND CALL-UPS**

None

14. **GENERAL BUSINESS**

- a. Consideration of the Appointment of one (1) person to the Citizens Advisory Committee on Housing and Community Development. STAFF SOURCE: Janice Napper, Assistant City Manager/City Clerk, General Management

Motion by Berzins, second by Lawson, to appoint Mark Hopkins to the Citizens Advisory Committee on Housing and Community Development.

Voting Aye: Mayor Hogan, Bergan, Berzins, Cleland, Lawson, LeGare, Mounier, Peterson, Richardson, Roth

- b. Consideration of the appointment of one (1) person to the Oil and Gas Advisory Committee. STAFF SOURCE: Janice Napper, Assistant City Manager/City Clerk, General Management

Motion by Peterson, second by Bergan, to appoint Philip Holmes to the Oil and Gas Advisory Committee.

Voting Aye: Mayor Hogan, Bergan, Berzins, Cleland, Lawson, LeGare, Mounier, Peterson, Richardson, Roth

- c. Consideration of the reappointment of one (1) member and the appointment of two (2) members to the Citizens Water Advisory Committee. STAFF SOURCE: Janice Napper, Assistant City Manager/City Clerk, General Management

Council Member Bergan nominated Tom Coker for appointment.

Council Member Berzins nominated Janet Marlowe for appointment.

Council Member LeGare nominated Tom Tobiassen for appointment and Alicia Gilley for reappointment.

Motion by LeGare, second by Bergan, to reappoint Alicia Gilley to the Citizens Water Advisory Committee.

Voting Aye: Mayor Hogan, Bergan, Berzins, Cleland, Lawson, LeGare, Mounier, Peterson, Richardson, Roth

Motion by Bergan, second by Roth, to appoint Tom Coker and Tom Tobiassen to the Citizens Water Advisory Committee.

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Voting Aye: Mayor Hogan, Bergan, Berzins, Cleland, Lawson, LeGare, Mounier, Peterson, Richardson, Roth

15. **REPORTS**

a. Report by the Mayor

Mayor Hogan stated his attendance at the recent Front Range Airport Advisory committee meeting and reported on the latest happenings at the airport. He discussed his recent tour of the VA Hospital complex and provided an update on the Impact 64 group and issues related to a potential 2017 state ballot issue on transportation and its impact on Aurora and surrounding areas and entities.

Council Member Cleland asked when the discussion took place. Mayor Hogan stated the discussions have been ongoing for approximately four months. Council Member Cleland asked if some of the legislators were aware of these discussions. Mayor Hogan confirmed a few were aware.

b. Reports by the Council

Mayor Pro Tem Lawson announced the At-Large Ward meeting was scheduled for Thursday, March 2, 2017 at the Tallyn's Reach library where homelessness would be discussed and Jason Bachelor, Deputy City Manager, and the district PAR officer would be present.

Council Member Mounier asked everyone to visit the Stanley Marketplace.

Council Member Berzins announced the construction on Havana and Kentucky was complete and the gas station and convenience store were both open. She discussed her attendance at the recent Cameroon Forum where she learned about the human rights atrocities going on there. She encouraged everyone to attend their Council Ward meetings to learn more about what was going on in their neighborhood and announced the Ward III meeting was scheduled for Wednesday, March 8, 2017 at Mimi's Café at 6:00 p.m. where Dr. Zelda DeBoyes, Court Administrator, Aurora Courts, would be present to discuss jails, the sanctuary cities issue and the court system.

Council Member LeGare mentioned the RTD Aurora rail line, also known as the R rail line, that ran through Aurora was now open with eight new rail stations, noting it ran to Lone Tree and up to Peoria and also to downtown Denver from anywhere south of the Florida Station.

Council Member Roth discussed the upcoming Buskers, Brews and BBQ event scheduled for June 9 -10, 2017 on the Aurora Municipal Center Great Lawn.

Council Member Bergan discussed her attendance at the Cameroonian Community Forum and shared their call to action regarding the atrocities going on there. She announced the Ward VI Town Hall meeting was scheduled for Wednesday, March 22, 2017 at the Police and Fire Training Center at 6:00 p.m. where the Police and Fire Departments would provide a presentation.

Council Member Richardson asked if the sanctuary cities public meeting was scheduled for Monday, March 27, 2017. Mayor Hogan answered affirmatively. Council Member Richardson recommended the meeting be moved to Council Chambers rather than the Aurora Room, that instant Spanish translation be provided and public speakers be allowed to speak. Mayor Hogan agreed on the location change and to provide translation, noting the difficulty with taking testimony lay in the question of moving from a study session to a public meeting as it related to Council rules. He stated a change would require the majority of Council.

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Council Member Richardson expressed his hope that at least five council members would agree to allow public speakers because of the high emotions expressed on each side.

Council Member Cleland expressed concern that allowing public speaking would make the meeting go very late which would not allow the City Council to have a full discussion. She suggested testimony could be limited to an hour.

Mayor Hogan stated the issue would be reviewed and a determination made in that regard.

Council Member LeGare suggested the issue be brought back to study session rather than through email.

Mayor Hogan concurred.

16. **PUBLIC INVITED TO BE HEARD**

Ian Hanson, Aurora, Colorado, stated his support of permitting public testimony at the sanctuary city meeting because of the importance of the issue.

17. **ADJOURNMENT**

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

STEPHEN D. HOGAN, Mayor

ATTEST:
