

MINUTES**Regular Meeting – Aurora City Council
Monday, March 20, 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, Lawson, LeGare, Mounier, Peterson, Pierce, Richardson, Roth
COUNCIL MEMBERS ABSENT:	None
OFFICIALS PRESENT:	City Manager Noe, City Attorney Hyman, Assistant City Manager Napper
COUNCIL MEMBERS ARRIVING AFTER ROLL CALL:	None

Assistant City Manager Janice 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 Hogan, Bergan, Berzins, Cleland, Lawson, LeGare, Mounier, Peterson, Pierce, Richardson, Roth

Abstaining: None

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

1. RECONVENE REGULAR MEETING OF MARCH 20, 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, Pierce, Richardson, Roth
COUNCIL MEMBERS ABSENT:	None
OFFICIALS PRESENT:	City Manager Noe, City Attorney Hyman, Assistant City Manager Napper

3. INVOCATION Pastor Adrian Dominguez, New Heights Baptist Church**4. PLEDGE OF ALLEGIANCE TO THE FLAG (all standing)****5. APPROVAL OF THE MINUTES OF THE MEETING OF MARCH 6, 2017**

Motion by Bergan, second by Roth, to approve the minutes of March 6, 2017 as presented.

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

- ◆ *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.*

Abstained: None

6. **CEREMONY**

- a. Swearing in of Linda Blackston as City Clerk - Presiding Judge Shawn Day

Judge Shawn Day administered the oath of office of City Clerk to Linda Blackston. Mayor Hogan and City Council congratulated Ms. Blackston and thanked her for her service to Aurora.

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

Judge Shawn Day administered the oath of office of Assistant City Attorney to Jenna Anderson, Alexa Child, Megan Moses and Lisa Vigil. Mayor Hogan and City Council congratulated each attorney and thanked them for their service to Aurora.

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

- a. Public Invited to be Heard on the 2018 Budget. STAFF SOURCE: Greg Hays, Budget Manager, Finance

Bernard Celestin, Aurora, Colorado, announced he was running for the Ward II City Council seat and expressed sincere appreciation to Council Member Peterson for her three term service to Ward II, noting he planned to continue her great service.

Jackie Nass, Aurora, Colorado, spoke on behalf of Stephanie Puckett, regarding her proposal to cover and replace the Olympic Park pond with a splash park for children, noting a price could not be put on David Puckett's life. She discussed fundraising and the positive impact the splash park would have on the community.

Council Member Richardson expressed appreciation to Ms. Nass for her attendance and for speaking on behalf of her friend, Ms. Puckett. He noted a decision had not yet been reached because there were outstanding questions related to the issue.

Mayor Hogan confirmed there was outstanding information on the item and that no vote had yet occurred. He pointed out a vote would be as a part of an amendment to the City budget and not a vote on the facility itself, noting there was a broader picture.

Council Member Cleland disagreed, noting she spoke with Ms. Puckett in that regard and told her that there did not appear to be much support from City Council for the splash park based on several council member emails on the subject.

Council Member Bergan stated she was informed by the Water Department that the pond was a detention pond and was a needed resource, noting the issue was much more complex than just shutting down the pond.

Ms. Nass stated the splash park had similar but safer capabilities than a pond that was built for a 100-year flood.

Mayor Hogan directed Ms. Nass to speak with Nancy Freed, Deputy City Manager, who was in charge of the area, so that everyone had the correct information.

Marpessa Allen, Aurora, Colorado, Open Media Project, discussed the project and how the software might benefit the City of Aurora in engaging their constituents and invited City Council to the Global Village Health and Wellness Expo scheduled for Friday, May 5, 2017 at the Global Village Academy from 4:30 p.m. to 6:30 p.m.

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Mayor Hogan suggested Ms. Allen speak to Linda Blackston, City Clerk, and Janice Napper, Assistant City Manager, in that regard.

Juliet Piccone, Aurora Colorado, Piccone Law Firm, LLC, raised the topic of the recent impoundment of a dog named Capone by Aurora Animal Control and expressed concerns regarding how animals were handled in Aurora. She offered her services and expertise to the City to address these animal care issues.

Mayor Hogan directed Ms. Piccone to speak with Jason Batchelor, Deputy City Manager, as the animal shelter fell under his purview.

8. **ADOPTION OF THE AGENDA**

Motion by Richardson, second by Bergan, to defer item 13b to the April 3, 2017 agenda.

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

The agenda was adopted as presented with agenda item 13b deferred.

9. **CONSENT CALENDAR - 9a-I**

General Business

- a. Consideration to AWARD A SOLE SOURCE CONTRACT to CSDC Systems Inc., Ontario, Canada in the amount of \$57,439.25 for annual renewal of software maintenance on the AMANDA Development Review and Permitting Software System through January 2018. STAFF SOURCE: Aleta Jeffress, Director, Information Technology
- b. Consideration to AWARD A SOLE SOURCE CONTRACT to Microsoft Services, Reston, Virginia in the amount of \$105,392.00 for premiere software support for Office 365 through April 2018. STAFF SOURCE: Aleta Jeffress, Director, Information Technology
- c. Consideration to APPROVE A LEASE AGREEMENT with Bison Oil & Gas, LLC for city-owned mineral rights within Sections 4 & 9, Township 5 South, Range 65 West, 6th PM, Arapahoe County consisting of approximately 188.1818 acres of land to which the City has 50% ownership of mineral rights or 94.0909 net mineral acres. STAFF SOURCE: Hector Reynoso, Manager Real Property Services, Public Works

Motion by Roth, second by Mounier, to approve items 9a – 9c.

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

- d. Consideration to AWARD A COMPETITIVELY BID CONTRACT to Advanced Professional Security, Denver, Colorado in the amount not-to-exceed \$85,000.00 for security guard services, as required, for Library, Fox Center Theatre and Water, for the period through February 28, 2018. STAFF SOURCE: Steve Wasiecko, Manager of Library Operations, Library & Cultural Services

Council Member Bergan asked if this item related to the MLK Library.

Steve Wasiecko, Manager of Library Operations, Library & Cultural Services, answered affirmatively, noting the remainder was contingent as needed by Fox Arts performances, the Central library and Utilities.

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Council Member Bergan asked if security guards were provided at any of the other library facilities in the City. Mr. Wasiecko stated there were in-house staff at the Central Library that were trained in that capacity, noting there had not been a need at other facilities thus far. Council Member Bergan asked if the guard would be present in lieu of a police presence. Mr. Wasiecko stated the guard was there 40 hours a week and often helped at evening meetings as well.

Motion by Bergan, second by Mounier, to approve item 9d.

Council Member Mounier assured the audience and City Council that the security guards at the MLK Library served multiple purposes and 40 hours per week did not cover what they did, noting her town hall meetings were scheduled at night and the guards were always there and were always helpful. She asked City Council to support the item for those reasons.

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

- e. Consideration to AWARD A COMPETITIVELY BID CONTRACT to Associated Building Specialties, Frederick, Colorado in the amount of \$70,444.00 for the Utah Pool Locker Replacement Project, Project Number 5566A. **(Staff requests a waiver of reconsideration)** STAFF SOURCE: Byron Fanning, Manager of Recreation Services, Parks, Recreation & Open Space
- f. Consideration to AWARD A SINGLE SOURCE CONTRACT to L.L. Johnson Distributing Company, Denver, Colorado, in the not-to-exceed amount of \$169,000.00 for the cost of Toro brand repair parts and services as required through March 31, 2018, for Golf and Fleet Services. STAFF SOURCE: Douglas McNeil, Manager of Golf, Parks, Recreation & Open Space
- g. Consideration to AWARD A SOLE SOURCE CONTRACT to Taser International, Scottsdale, Arizona in the not-to-exceed amount of \$163,284.62 for the purchase of Taser brand taser units and accessories through March 31, 2018 for the Aurora Police Department. STAFF SOURCE: Lieutenant Scott Torpen, Police
- h. Consideration to AMEND AN OPENLY SOLICITED CONTRACT with Carollo Engineers, Broomfield, Colorado in the amount not-to-exceed \$40,000.00 for construction phase engineering support services associated with the PRV for the Wemlinger WPF Improvements Project. STAFF SOURCE: Steven Fiori, Project Delivery Service Manager, Aurora Water
- i. Consideration to AWARD A COMPETITIVELY BID CONTRACT to EJ USA, Inc., Denver, Colorado in the not-to-exceed amount of \$71,500.00 for the purchase of manhole products as required by the Water Department through March 31, 2018. (B-4215) STAFF SOURCE: Steven Sciba, Manager Water Service Operations, Aurora Water

Motion by Roth, second by Mounier, to approve items 9e – 9i with a waiver of reconsideration on item 9e.

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

Final Ordinances

- ◆ j **2017-10**
Consideration for ADOPTION OF AN ORDINANCE of the City Council of the City of Aurora, Colorado, authorizing the use of lease-purchase financing for the construction of a Recreation Center pursuant to the terms of a lease-purchase agreement by and
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between the Aurora Capital Leasing Corporation, as lessor, and the City of Aurora, Colorado, as lessee; authorizing officials of the City to take all action necessary to carry out the transactions contemplated hereby; and related matters. STAFF SOURCE: Mike Shannon, Debt, Investments & Treasury Manager, Finance

- ◆ k. **2017-11**
Consideration for ADOPTION OF AN ORDINANCE of the City Council of the City of Aurora, Colorado, authorizing the use of lease-lease back financing to finance the construction of the District 2 Police Substation during the 2017 fiscal year pursuant to the terms of a lease-lease back agreement by and between the Aurora Capital Leasing Corporation, as lessor, and the City of Aurora, Colorado, as lessee; authorizing officials of the City to take all action necessary to carry out the transactions contemplated hereby; and related matters. STAFF SOURCE: Mike Shannon, Debt, Investments & Treasury Manager, Finance
- ◆ l. **2017-12**
Consideration for ADOPTION OF AN ORDINANCE of the City Council of the City of Aurora, Colorado, authorizing the use of lease-purchase financing for the construction of the Aurora Fire Station #15 pursuant to the terms of a lease-purchase agreement by and between the Aurora Capital Leasing Corporation, as lessor, and the City of Aurora, Colorado, as lessee; authorizing officials of the City to take all action necessary to carry out the transactions contemplated hereby; and related matters. STAFF SOURCE: Mike Shannon, Debt, Investments & Treasury Manager, Finance

Motion by Roth, second by LeGare, to approve items 9j – 9l.

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

10. **RESOLUTIONS**

- ◆ a. **R2017-15**
Consideration to APPROVE A RESOLUTION of the City Council of the City of Aurora, Colorado, appointing a new member to the Havana Business Improvement District. STAFF SOURCE: Melissa Rogers, Senior Development Project Manager, Planning & Development Services

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

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

- ◆ b. **R2017-16**
Consideration to APPROVE A RESOLUTION of the City Council of the City of Aurora, Colorado, approving the amended and restated Intergovernmental Agreement for water supply between the Roxborough Water and Sanitation District and the City of Aurora, Colorado, acting by and through its Utility Enterprise. STAFF SOURCE: Alexandra Davis, Deputy Director/Water Resource, Aurora Water

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

Marshall Brown, Director, Aurora Water, provided a brief summary of the item, noting it related to the combination of two agreements that charged the City of Aurora with providing delivery of both potable and irrigation water to the Roxborough Water and Sanitation District.

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Larry Moore, General Manager, Roxborough Water and Sanitation District, spoke in support of the item, noting it made administration of the IGA easier and more streamlined. He expressed appreciation to the City of Aurora, Mr. Brown and the Aurora Water staff for their efforts in regional leadership.

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

Voting Nay: Berzins

11. **ORDINANCES FOR INTRODUCTION**

- ◆ a. **2017-13**
Consideration for INTRODUCTION OF AN ORDINANCE of the City Council of the City of Aurora, Colorado, amending various Sections of Chapter 130 of the City Code related to the standardized tax definitions project. STAFF SOURCE: Trevor Vaughn, Manager of Tax and Licensing, Finance

Motion by LeGare, second by Cleland, to introduce item 11a.

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

12. **RECONSIDERATIONS AND CALL-UPS**

None

13. **GENERAL BUSINESS**

- a. Consideration of the appointment of (5) five people to the Golf Advisory Committee. STAFF SOURCE: Janice Napper, Assistant City Manager, General Management

Motion by Roth, second by Berzins, to appoint Sandee Campbell, Scott Farrell, Timothy Morris, Laurie Steenrod and Richard Valdez to the Golf Advisory Committee.

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

- b. Consideration of the Council Rules of Order and Procedure. STAFF SOURCE: Janice Napper, Assistant City Manager, General Management

ITEM 13b WAS DEFERRED TO THE APRIL 3, 2017 AGENDA

14. **REPORTS**

- a. Report by the Mayor

Mayor Hogan noted the awards distributed at the recent *Thank you, America* event.

No report.

- b. Reports by the Council

Mayor Pro Tem Lawson expressed appreciation to all those involved in the success of the Citizen's Academy, noting graduation was scheduled for Monday, April 3, 2017.

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Council Member Mounier announced the appointment of Bob Fryberger to the Business Advisory Board and that the Ward I Town Hall meeting was scheduled for Tuesday, March 21, 2017 at the MLK Library at 6:00 p.m. where Marshall Brown, Director, Aurora Water, would be present to discuss the potential of lead in water pipes in some Ward I locations.

Council Member Berzins reminded everyone of the Ward III meetings scheduled for Wednesday, April 12, 2017 at Mimi's Café at 6:00 p.m. and on Thursday, April 20, 2017 at the Aurora Hills Golf Course Tin Cup restaurant at 7:15 a.m.

Council Member Pierce discussed his recent attendance at Rangeview High School where he spoke about Aurora City government and announced the National League of Cities recognized the City of Aurora with a second place Cultural Diversity Award for cities between of 250,000, 500,000 people for the implementation of programs that enhance and promote cultural diversity. He expressed appreciation to the City's Immigrant and Refugee Task Force for their efforts in that regard.

Council Member LeGare discussed the success of the recent *Thank You, America* event.

Council Member Roth announced the Ward V Town Hall meeting was scheduled for Tuesday, March 21, 2017 at Shalom Cares from 6:00 p.m. to 8:00 p.m. where Arapahoe County Commissioners would be in attendance and the Busker, Brews & BBQ event that was scheduled for June 9 - 10 on the Aurora Municipal Center Great Lawn.

Council Member Bergan reminded everyone of the Ward VI Town Hall meeting scheduled for Wednesday, March 22, 2017 at the Aurora Police and Fire Training Center from 6:00 p.m. to 8:00 p.m. where representatives from Police and Fire would be present to provide public safety presentations.

Council Member Richardson expressed appreciation to Jason Batchelor, Deputy City Manager, for his efforts with regards to his attendance at the recent Ward IV Town Meeting where Regatta Plaza was the topic of discussion.

15. **PUBLIC INVITED TO BE HEARD**

None

16. **ADJOURNMENT**

Mayor Hogan adjourned the regular meeting of City Council at 8:21 p.m.

STEPHEN D. HOGAN, Mayor

ATTEST:

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