

MINUTES

**Regular Meeting – Aurora City Council
Monday, December 18, 2017**

CALL TO ORDER – REGULAR MEETING

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

ROLL CALL

PRESIDING:	Mayor Hogan
COUNCIL MEMBERS PRESENT:	Bergan, Berzins, Gruber, Hiltz, Johnston, LeGare, Murillo, Richardson
OFFICIALS PRESENT:	Interim City Manager Batchelor, City Clerk Blackston
COUNCIL MEMBERS ARRIVING AFTER ROLL CALL:	Lawson, Roth

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

CONSIDERATION TO RECESS FOR EXECUTIVE SESSION

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

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

Abstaining: None

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

1. **RECONVENE REGULAR MEETING OF DECEMBER 18, 2017 AND CALL TO ORDER**

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

2. **ROLL CALL** Linda S. Blackston, City Clerk

3. **INVOCATION** Father Felix Medina-Algaba, Queen of Peace Catholic Church

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

5. **APPROVAL OF THE MINUTES OF THE MEETING OF DECEMBER 4, 2017**

Motion by Bergan, second by Roth, to approve the minutes of December 4, 2017 as presented.

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

Abstain: Lawson

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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. Mayor Hogan and City Council congratulated the members and thanked them for their service to Aurora.

<u>Name</u>	<u>Board or Commission</u>
Julie Ressalam	Immigrant & Refugee
Maria Schoeffler	Immigrant & Refugee
Camara Chukwufumanya	Immigrant & Refugee
Sabe Kemer	Immigrant & Refugee
Christian Jimenez	Immigrant & Refugee
Alexandrea Davis	Homestake Steering Committee and the Joint Water Authority
Angela Goodman	Homestake Steering Committee and the Joint Water Authority

- b. Hurricane Donor Drive Proclamation – Mayor Hogan

Mayor Hogan invited Brian Arnold, Aurora Warms the Night; Pastor Greg MacDonald, Heritage Christian Center and Aurora Community of Faith; Jamie LaDuke, Volunteer Program Coordinator; Sum Nyugen, KCRT; Antoinette Dowd, Executive Director, Provider's Resource Clearinghouse; Alice Jackson, Police Volunteer Coordinator; Scott Luedke, Buehler Companies; and Stuart Smith, Buehler Companies, to come forward to accept the proclamation. He read the proclamation declaring December 18, 2017 as Hurricane Donor Drive. Each guest expressed appreciation for the proclamation.

- c. Mayor's Golf Trophy Presentation – Mayor Hogan

Mayor Hogan invited Debbie Stafford, Aurora Vistas Foundation staff support; Tim Huffman; Aurora Mental Health, Nancy Stephenson, Aurora Vistas, Mark Stephenson, Aurora Mental Health; Linda Ashburn, Aurora Vistas, Tom Ashburn, Aurora Vistas; and Terri Todd, Chair, Aurora Vistas Mayor's Cup Golf Tournament, to come forward. Mr. Todd presented the trophy to Mayor Hogan who had the winning team. Ms. Stafford congratulated and expressed appreciation to Mayor Hogan for his efforts on behalf of Aurora Mental Health. Mayor Hogan expressed appreciation for the recognition.

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

Samantha Brown, Carriage Place resident, Aurora, Colorado, discussed the residential road closure that was done as a part of the construction deal. She expressed support in sustaining that road closure.

Tony Engelhart, Aurora, Colorado, provided an update on his personal situation as it related to an incident with the Aurora Police Department.

8. **ADOPTION OF THE AGENDA**

The agenda was adopted as presented.

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9. **CONSENT CALENDAR - 9a-k**

General Business

- a. Consideration to AWARD A SOLE SOURCE CONTRACT to Correct Care Solutions, Greenwood Village, Colorado in the amount of \$613,230.72 for inmate medical services required at the Aurora Detention Center through December 31, 2018. **(Staff requests a Waiver of Reconsideration)** STAFF SOURCE: Dr. Zelda DeBoyes, Court Administrator/Detention, Court Administration
- b. 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, 2018. **(Staff requests a Waiver of Reconsideration)** STAFF SOURCE: Dr. Zelda DeBoyes, Court Administrator/Detention, Court Administration
- c. Consideration to AWARD A SINGLE SOURCE CONTRACT to Gall's/Neve's Uniforms, Incorporated, Denver, Colorado in an amount not-to-exceed \$220,000.00 for police uniforms and tailoring services as required through May 31, 2018. STAFF SOURCE: Chief Nicholas "Nick" Metz, Police
- d. Consideration to AWARD A SINGLE SOURCE CONTRACT to Municipal Treatment Equipment Inc., Golden, Colorado in the not-to-exceed amount of \$82,000.00 for Evoqua Water Technologies equipment, parts, and certified technical services for the annual upkeep of chlorine, chlorine dioxide, and ammonia systems at the Griswold, Wemlinger, and Binney Water Purification Facilities as required through November 30, 2018. STAFF SOURCE: Bobby Oligo, Manager of Water Treatment, Aurora Water
- e. Consideration to AWARD A SINGLE SOURCE CONTRACT to Factory Surplus Distributors, Denver, Colorado in the not-to-exceed amount of \$94,600.00 for miscellaneous industrial hardware and supplies as required through December 31, 2018. STAFF SOURCE: Steven Sciba, Manager Water Service Operations, Aurora Water
- f. Consideration to AWARD AN OPENLY SOLICITED CONTRACT to HDR Engineering, Inc., Denver, Colorado in the amount of \$302,806.00 for professional engineering services for the Preliminary Engineering of Rampart Delivery System Capacity Expansion Project, RFP R-1850. STAFF SOURCE: Sarah Young, Water Planning Services Manager, Aurora Water
- g. Consideration to AWARD WORK PACKAGE NO. 4 of the Central Recreation Center to Adolfson & Peterson Construction, Aurora, Colorado in the amount of \$4,512,032.00, R-5540A. STAFF SOURCE: Lynne Center, Principal Engineer, Public Works
- h. Consideration to approve CHANGE ORDER NO. 3 TO AN EMERGENCY CONTRACT with ISS Facility Services, Inc., San Antonio, Texas in the amount not-to-exceed \$87,325.57 for custodial services for facilities in the southern half of the City. STAFF SOURCE: Chris Carnahan, Deputy Director Public Works Operations, Public Works
- i. Consideration to AWARD A SOLE SOURCE CONTRACT to Motorola Inc., Westminster, Colorado in the amount of \$668,079.09 to provide 2017-2018 annual support for the P25 Trunked Radio System used by Public Safety and Public Works through December 31, 2018. **(Staff requests a Waiver of Reconsideration)** STAFF SOURCE: Aleta Jeffress, Chief Information Officer, Information Technology
- j. Consideration to AWARD A COMPETITIVELY BID CONTRACT to Grounds Service Company, Denver, Colorado in the amount of \$76,668.00 for snow removal services

for PROS and Public Works. (Invitation for Bid B-4273) STQFF SOURCE: John Wesolowski, Manager of Parks & Forestry, Parks, Recreation & Open Space

Motion by Richardson, second by Berzins, to approve items 9a – 9j with waivers of reconsideration on 9a, 9b and 9i.

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

Final Ordinances

- ◆ k. **2017-84**
Consideration for ADOPTION OF AN ORDINANCE of the City Council of the City of Aurora, Colorado, amending Section 2-31(d) of the City Code of the City of Aurora, Colorado, relating to the selection of the Mayor Pro Tem. STAFF SOURCE: Michael J. Hyman, City Attorney

ORIGINAL MOTION

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

AMENDMENT

Motion by Richardson, second by Johnston, to amend item 9k to state '*any vote for the position of Mayor Pro Tem shall be by open ballot.*'

Council Member LeGare asked if an open ballot meant the same as publicly recorded by raising hands.

Council Member Richardson answered affirmatively, noting it was an identified vote by each council member.

Mayor Hogan expressed confusion over the proposed amendment, noting the Council rules were clear as they followed O. Garfield Jones parliamentary procedure rules which indicated those ballots were secret. He pointed out that generally questions involving rules were handled through the committee process.

Council Member Richardson asked staff to read the title of the O. Garfield Jones pamphlet.

Mike Hyman, City Attorney, did so, noting it was *Parliamentary Procedure at a Glance*.

Council Member Richardson stated these were parliamentary rules that acted as guidance for the legislative body and were not binding.

Council Member Bergan asked if the item would be reviewed by the rules committee rather than a policy committee.

Mayor Hogan pointed out the rules committee was a special committee which could be reformed, noting additionally there was nothing to prohibit it from going to the Management & Finance committee (M&F) for a recommendation.

Council Member Johnston agreed that substantive issues or those with financial impact should follow the process and be reviewed by committee and noted her support for the item considering the current review of the Mayor Pro Tem rules and the call for transparency from the public in this regard.

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Mayor Pro Tem Berzins stated her preference that the item go through the process because of the importance of the recent transparency discussions.

VOTE ON AMENDMENT

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

Voting Nay: Bergan, Berzins, Gruber, Roth

VOTE ON ORIGINAL MOTION

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

Voting Nay: Lawson

10. **RESOLUTION**

- ◆ a. **R2017-100**
Consideration to APPROVE A PURCHASE AND SALE AGREEMENT (Coal-Senac Creek Connection) between the City of Aurora, Colorado, and the Trust for Public Land, a California public benefit corporation, for the acquisition of parcels for the Triple Creek Greenway Phase 3 Project. **(Staff requests a Waiver of Reconsideration)** STAFF SOURCE: Patricia Schuler, Manager of Open Space & Natural Resources Operations, Parks, Recreation & Open Space

Motion by LeGare, second by Johnston, to approve item 10a with a waiver of reconsideration.

Council Member Johnston stated she spoke with the equestrian community in Ward I and they were supportive of the item.

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

11. **RECONSIDERATIONS AND CALL-UPS**

Motion by Richardson, second by Johnston, to call-up the approval of the administrative approval of the oil and gas facility by Conoco known as the Florida Well permit.

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

Motion by Richardson, second by Johnston, to call-up the conditional use permit approval by the Planning Commission for the Ready-to-Work project so that it could be mated to the mandatory Council review of the rezoning.

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

Voting Nay: Gruber, Lawson

12. **GENERAL BUSINESS**

- ◆ ***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.***

- a. Consideration to SET REGULAR COUNCIL MEETINGS AT 7:30 pm and approve Location for Public Posting of Agenda at East entryway to Aurora Municipal Center, 15151 E. Alameda Parkway, Aurora, CO 80012. STAFF SOURCE: Linda Blackston, City Clerk, General Management

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

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

- b. Consideration to Approve the 2018 City Council Meeting Calendar. STAFF SOURCE: Janice Napper, Assistant City Manager, General Management

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

AMENDMENT I

Motion by LeGare, second by Gruber, to amend item 12b to move the Winter Workshop from February to March, the Spring Workshop from April to May, the March 19, 2018 Council meeting to March 26, 2018 and to follow the Spring Workshop with a special study session instead of a regular Council meeting.

VOTE ON AMENDMENT

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

VOTE ON ORIGINAL MOTION

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

13. **REPORTS**

- a. Report by the Mayor

Mayor Hogan wished everyone a Merry Christmas and Happy New Year, noting this was the final meeting for 2017.

- b. Reports by the Council

Council Member Johnston announced the appointments of Ashley Delap and Hashim Coates to the Citizens Advisory Budget Committee.

Council Member Gruber announced the appointments of George Peck and Craig Upston to the Citizens Advisory Budget Committee.

Council Member LeGare welcomed the new council members and discussed \$18M transportation funding shortfall and the failed citizen outreach initiative he instigated in that regard. He pointed out the City was not maintaining its roads and the Public Works department has made a conscious decision to no longer do maintenance on residential streets. He asked his colleagues, especially those who did not support the initiative, to get involved and to bring ideas for a solution forward, his new colleagues to study this issue and

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to help address it, and the citizens to go out and look at the residential streets. He pointed out he has been working on this issue since his return to City Council six years ago.

Mayor Hogan pointed out the \$18M figure was per year.

Mayor Pro Tem Berzins stated she sat on a National Transportation and Infrastructure committee for several years, noting Charlotte, North Carolina put a half percent sales tax that did great things. She stated she would work with Council Member LeGare in that regard and wished everyone a Merry Christmas and save travels for those traveling.

Council Member Bergan stated she voted in opposition to Council Member LeGare's initiative and he subsequently asked her to take a leadership role in that regard. She agreed to do so and has a meeting with the Public Works department scheduled for January. She confirmed she would work diligently alongside Council Member Gruber to come up with a proposal that everyone could support. She agreed it was a serious issue that impacted everyone's lives. She wished everyone a Merry Christmas and happy holidays, noting the importance of friends and family.

Richardson stated only one of the 36 projects that staff proposed were in Ward IV.

Council Member Hiltz stated her keen interest in transportation, noting her hope they would find a way forward. She announced the appointments of Michael Westerberg and Brian Matise to the Citizens Advisory Budget Committee.

Council Member Murillo stated she was open to hear everyone's perspective of those who are interested in improving the community and she requested the same in return.

16. **PUBLIC INVITED TO BE HEARD**

Juan Marcano, Aurora, Colorado, asked if item 9k went through the committee process.

Mayor Hogan answered affirmatively.

17. **ADJOURNMENT**

Mayor Hogan adjourned the regular meeting of City Council at 8:34 p.m.


STEPHEN D. HOGAN, Mayor

ATTEST:


Linda S. Blackston, City Clerk