MINUTES

Regular Meeting – Aurora City Council Monday, June 5, 2017

CALL TO ORDER – REGULAR MEETING

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

ROLL CALL

PRESIDING:	Mayor Hogan
COUNCIL MEMBERS PRESENT:	Bergan, Berzins, Cleland, Lawson, LeGare, Mounier, Pierce, Richardson, Roth
COUNCIL MEMBERS ABSENT:	Peterson
OFFICIALS PRESENT:	City Manager Noe, City Attorney Hyman, City Clerk Blackston
COUNCIL MEMBERS ARRIVING AFTER ROLL CALL:	None

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

CONSIDERATION TO RECESS FOR EXECUTIVE SESSION

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

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

Abstaining: None

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

1. **RECONVENE REGULAR MEETING OF JUNE 5, 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** Pastor Reid Hettich, Mosaic Church of Aurora

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

5. **APPROVAL OF THE MINUTES OF THE MEETING OF MAY 15, 2017**

   Motion by Roth, second by Bergan, to approve the minutes of May 15, 2017 as presented.

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

   Abstained: None

6. **CEREMONY**

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

♦ ***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.***

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.

Name	Board or Commission
Robert Plowden	Citizens Advisory Committee for Housing and Community Development
James Weeks	Citizens Advisory Committee for Housing and Community Development
Charles Peters	Historic Preservation Commission
Nadine Caldwell	Metropolitan Wastewater Reclamation District Board
Dan Mikesell	Metropolitan Wastewater Reclamation District Board
Tom Issacson	Open Space Board

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

Marian Yeager, Aurora, Colorado, spoke in support of the proposed ready-to-work program planned for the Apache Mesa neighborhood.

Mike Ware, Aurora, Colorado, representing Operation Nehemiah, discussed the upcoming community outreach basketball camp planned for June 26-30, 2017 and requested support from the City of Aurora and Aurora City Council.

Nicole Johnston, Aurora, Colorado, East Aurora Community Development founder and Ward II Aurora City Council candidate, expressed concerns regarding the use of administrative waivers and the lack of public input in those instances and discussed how administrative waivers could impact the proposed RV public boat storage at Murphy Creek, noting she has received community feedback related to the City processes and lack of involvement by citizens and the city officials were a concern.

Jim Herlihy, Aurora, Colorado, Director of Marketing and Communications for the Alzheimer's Association of Colorado, noted June was Alzheimer's and Brain Awareness Month and provided information about Alzheimer's disease and the resources provided by the Alzheimer's Association of Colorado.

Neil Burroughs, Aurora, Colorado, Air Force Association - Mile High Chapter, expressed appreciation to the Aurora Chamber of Commerce and the City of Aurora for their support of veterans and active military in the community and announced the upcoming Air Force Association charity golf tournament scheduled for Monday, June 19, 2017 at Heritage Eagle Bend at 8:00 a.m. He noted those interested in the tournament could find more information at www.defensetournament.golfreg.com.

Margaret Sobey, Aurora, Colorado, President, Murphy Creek Golf Course (MCGC) Neighborhood Association, discussed the Lowry Landfill Superfund Site and the proposed Murphy Creek East Development, noting the Environmental Protection Agency (EPA) and the Colorado Department of Public Health and Environment (CDPHE) agreed with the Citizens for Lowry Landfill Environmental Action Now regarding concerns related to the unchecked migration of chemicals and lack of any action to contain them. She requested an environmental assessment of the Murphy Creek East land be conducted and that the Lowry Landfill Superfund Site be included on a City Council study session agenda.

Mayor Hogan stated the superfund site was owned by the City and County of Denver and was located in Arapahoe County and not the City of Aurora.

Council Member Cleland expressed her ongoing concerns related to the Murphy Creek south area and its proximity to the landfill.

Deborah Boyd, Aurora, Colorado, Laredo Highline Neighborhood Association, spoke in opposition to the location of the proposed Bridge House ready-to-work program due to its proximity to area schools.

8. **ADOPTION OF THE AGENDA**

The agenda was adopted as presented.

9. **CONSENT CALENDAR - 9a-p**

General Business

a. Consideration to AWARD A SINGLE SOURCE CONTRACT to Waste Management of Colorado, Incorporated, Englewood, Colorado in the not-to-exceed amount of $299,500.00 for landfill services through June 30, 2018. STAFF SOURCE: Thomas Ries, Manager of Water Operations and Maintenance, Aurora Water

b. Consideration to EXTEND A COMPETITIVELY BID CONTRACT to MEI Precision Elevator, Lakewood, Colorado in the not-to-exceed amount of $88,500.00 for elevator maintenance services on an as-required basis through June 30, 2018. STAFF SOURCE: Chris Carnahan, Deputy Director of Public Works Operations, Public Works

c. Consideration to AWARD A COMPETITIVELY BID CONTRACT to Hydro Resources-Rocky Mountain, Inc., Fort Lupton, Colorado in the amount of $368,955.00 for the North Campus Well Field Rehabilitation Project. Project No. 5583A STAFF SOURCE: Steve Fiori, Project Delivery Services Manager, Aurora Water

d. Consideration to AWARD A CHANGE ORDER TO THE COMPETITIVELY BID CONTRACT with Garney Companies, Inc., Littleton, Colorado in the amount of $152,032.73 for the Wemlinger Water Purification Facility Treated Water Reservoir Rehabilitation, Project No. 5556A. STAFF SOURCE: Steve Fiori, Project Delivery Services Manager, Aurora Water

e. Consideration to AWARD A SINGLE SOURCE CONTRACT to Carollo Engineers, Inc., Broomfield, Colorado in the amount of $863,372.00 for final design and construction phase support services associated with the 2nd Creek Regional Interceptor Segment 1E and related infrastructure design. ***(Staff requests a Waiver of Reconsideration)*** STAFF SOURCE: Sarah Young, Water Planning Service Manager, Aurora Water

f. Consideration to AWARD A SINGLE SOURCE CONTRACT to Stantec Consulting, Inc., Fort Collins, Colorado in the amount of $400,634.00 for design and construction phase support services associated with the 2nd Creek Regional Lift Station. ***(Staff requests a Waiver of Reconsideration)*** STAFF SOURCE: Sarah Young, Water Planning Service Manager, Aurora Water

g. Consideration to AWARD A SOLE SOURCE CONTRACT to Infor Public Sector, Inc. Alpharetta, Georgia in the amount of $142,761.52 for annual maintenance on the Water asset management software system through July 2018. STAFF SOURCE: Sarah Young, Water Planning Service Manager, Aurora Water

h. Consideration to AWARD AN OPENLY SOLICITED CONTRACT to Carollo Engineers, Inc., Broomfield, Colorado in the amount of $2,542,814.00 for providing professional engineering services for the final design of the Fitzsimons-Peoria Storm Water Outfall R-1799. STAFF SOURCE: Steve Fiori, Project Delivery Services Manager, Aurora Water

i. Consideration to AWARD A SOLE SOURCE CONTRACT to GE Intelligent Platforms Inc., Pittsburgh, Pennsylvania in the total amount of $68,929.88 for annual renewal of software maintenance on the Water SCADA Information Management System through June 2018. STAFF SOURCE: Steven Sciba, Manager Water Service Operations, Aurora Water

Motion by Bergan, second by Roth, to approve items 9a – 9i with waivers of reconsideration on 9e and 9f.

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

j. Consideration to AWARD A COMPETITIVELY BID CONTRACT to Mountain High Lawn & Landscape, Castle Rock, Colorado in the amount not-to-exceed $133,900.00 for median landscape maintenance services for Parks O&M, as required, for the period through March 31, 2018. ***(Staff requests a Waiver of Reconsideration)*** STAFF SOURCE: John Wesolowski, Manager of Parks & Forestry, Parks, Recreation & Open Space

Council Member Roth noted a bidder withdrew due to an error in their estimate and asked if standard procedures were in place that would restrict using that vendor in the future.

Bryn Fillinger, Purchasing Manager answered no.

Council Member Roth agreed some repercussion for the cost of additional staff time caused by the error should be realized.

Bryn Fillinger, Purchasing Manager concurred

Council Member Roth requested the item be reviewed by the Management & Finance (M&F) committee.

Council Member Bergan asked if each area was itemized in the landscape contract.

John Wesolowski, Manager of Parks & Forestry, Parks, Recreation & Open Space, answered affirmatively.

Council Member Bergan stated it should have been easy to understand what was required on the bid.

Mr. Wesolowski concurred.

Motion by Roth, second by Bergan, to approve item 9j with a waiver of reconsideration.

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

k. Consideration to AWARD A SOLE SOURCE CONTRACT to Everbridge Inc., Pasadena, California in the amount of $131,500.00 for annual maintenance and support of the Citizen Emergency Mass Notification System through September 30, 2018. STAFF SOURCE: Aleta Jeffress, Director, Information Technology

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

♦ ***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, Pierce, Richardson, Roth

l. Consideration to AWARD A SOLE SOURCE CONTRACT to Emergency One, Inc., Ocala, Florida in the not-to-exceed amount of $120,000.00 for OEM repair parts on an as needed basis for the City's Emergency One fire trucks from July 1, 2017, through June 30, 2018. STAFF SOURCE: John Kebba, Fleet Services Coordinator, Internal Services

Council Member Berzins asked if the additional repair costs were due to the age and/or additional use of the vehicles.

John Kebba, Fleet Services Coordinator, Internal Services, stated it was due to higher call rates.

Council Member Berzins asked if that were the case with the use of the smaller vehicles. Mr. Kebba answered affirmatively.

Motion by Berzins, second by LeGare, to approve item 9l.

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

m. Consideration to EXTEND A COMPETITIVELY BID CONTRACT with Ed Bozarth Chevrolet, Aurora, Colorado in the not-to-exceed amount of $175,000.00 for OEM repair parts and service on an as-needed basis for the City's Chevrolet vehicles from July 1, 2017 through June 30, 2018. (B-4176) STAFF SOURCE: John Kebba, Fleet Services Coordinator, Internal Services

n. Consideration to AWARD A SINGLE SOURCE CONTRACT to McCandless Truck Center, Aurora, Colorado in the not-to-exceed amount of $220,000.00 for OEM repair parts on an as-needed basis for the City's heavy duty International trucks from August 1, 2017, through July 31, 2018. STAFF SOURCE: John Kebba, Fleet Services Coordinator, Internal Services

Motion by Bergan, second by Roth, to approve items 9m and 9n.

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

Final Ordinances

♦ o. **2017-16**
Consideration for ADOPTION OF AN ORDINANCE of the City Council of the City of Aurora, Colorado, to Rezone 1.80 acres, more or less, generally located at the northeast corner of Laredo Street and E Colfax Avenue from R-2 (Medium Density Residential District) to R-3 (Medium Density Multi-Family Residential District) for future multi-family housing and to amend the Aurora Zoning Map accordingly. (Case Number 2017-2001-00) STAFF SOURCE: Brenden Paradies, Planner I, Planning & Development Service

♦ p. **2017-17**
Consideration for ADOPTION OF AN ORDINANCE of the City Council of the City of Aurora, Colorado, to amend the Pioneer Hills Self-Storage facility General Development Plan to allow for the development of a 24-hour self-storage facility as a conditional use in site currently zoned as mixed use – commercial, identified as "Use Area 3" (Pioneer Hills Self-Storage Facility GDP) (Case Number 1999-2009-04) STAFF SOURCE: Michelle Montenegro, Planner I, Planning & Development Service

♦ ***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 LeGare, second by Roth, to approve items 9o and 9p.

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

10. **RESOLUTIONS**

♦ a. **R2017-29**
Consideration to APPROVE A RESOLUTION of the City Council of the City Aurora, Colorado, approving and authorizing the Execution of the First Amendment to the Amended and Restated Intergovernmental Agreement between the City of Aurora, Colorado and Southlands Metropolitan District No. 2. STAFF SOURCE: Mark Geyer, Development Project Manager, General Management

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

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

♦ b. **R2017-30**
Consideration to APPROVE A RESOLUTION of the City Council of the City Aurora, Colorado, approving and authorizing the Execution of the Second Amendment to the Intergovernmental Agreement between the City of Aurora, Colorado and Wheatlands Metropolitan District. STAFF SOURCE: Mark Geyer, Development Project Manager, General Management

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

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

♦ c. **R2017-31**
Consideration to APPROVE A RESOLUTION of the City Council of the City Aurora, Colorado, to approve the 2017 Memorandum of Understanding regarding the Metropolitan Gang Task Force. STAFF SOURCE: Chief Nicholas Metz, Police

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

Council Member Cleland extended congratulations to the City of Aurora Police Department for initiating the Metro Gang Task Force.

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

♦ d. **R2017-32**
Consideration to APPROVE A RESOLUTION of the City Council of the City Aurora, Colorado, approving the Intergovernmental Agreement between the City of Aurora and the City of Centennial regarding East Quincy Avenue Improvements. STAFF SOURCE: Cindy Colip, Transportation Project Delivery Management, Public Works

Motion by Lawson, second by Bergan, to approve item 10d.

Council Member Bergan expressed her support for the item.

Voting Aye: Bergan, Berzins, Cleland, Lawson, LeGare, Mounier, 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.***

11. **PUBLIC HEARING WITHOUT RELATED ORDINANCE**

♦ a. **R2017-33**
PUBLIC HEARING and Consideration to Approve a Resolution of the City Council of the City of Aurora, Colorado, approving the Amended and Restated consolidated service plan for Kings Point South Metropolitan District Nos. 1 and 2 and authorizing the execution of an amended and Restated Intergovernmental Agreement between the City and the Kings Point South Metropolitan District Nos. 1 and 2. STAFF SOURCE: Gary Sandel, Development Project Manager, General Management

Mayor Hogan opened the public hearing on the item and hearing no comment, closed the public hearing on the item.

Motion by Bergan, second by Roth, to approve item 11a.

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

12. **ORDINANCES FOR INTRODUCTION**

♦ a. **2017-18**
Consideration for INTRODUCTION OF AN ORDINANCE of the City Council of the City of Aurora, Colorado, amending Section 22-573 of the City Code of the City of Aurora, Colorado, relating to growing marijuana in residential structures. STAFF SOURCE: Sergeant David Pendleton, Police

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

Nancy Rodgers, Sr. Assistant City Attorney stated the intent behind the change in the ordinance was to more clearly reflect a citizen's right to grow marijuana in their personal residence.

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

♦ b. **2017-19**
Consideration for INTRODUCTION OF AN ORDINANCE of the City Council of the City of Aurora, Colorado, vacating the Cul-De-Sac Public Right-of-Way at the Terminus of Ensenada Street, West of East 22nd Avenue and South of Smith Road, City of Aurora, County of Adams, State of Colorado, and reserving a utility easement therein (Eastpark 70 Street Vacation) STAFF SOURCE: Brenden Paradies, Planner I, Planning & Development Services

Motion by Lawson, second by Berzins, to introduce item 12b.

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

♦ c. **2017-20**
Consideration for INTRODUCTION OF AN ORDINANCE of the City Council of the City of Aurora, Colorado, vacating public rights-of-way consisting of portions of Nome Street, East 26th Avenue and East 26th Place, including alleys, located in the City of Aurora, County of Adams, State of Colorado (Stapleton Street and Alley Vacation). STAFF SOURCE: Stephen Rodriguez, Planning Supervisor, Planning & Development Services

Motion by Mounier, second by Roth, to introduce item 12c.

♦ ***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: Bergan, Berzins, Cleland, Lawson, LeGare, Mounier, Pierce, Richardson, Roth

♦ d. **2017-21**
Consideration for INTRODUCTION OF AN ORDINANCE of the City Council of the City of Aurora, Colorado, amending section 130-566 of the City Code of the City of Aurora, Colorado, regarding the Infill Development Incentive Program. STAFF SOURCE: Jacob Cox, Development Project Manager, General Management

Motion by Berzins, second by Mounier, to introduce item 12d.

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

♦ e. **2017-22**
Consideration for INTRODUCTION OF AN ORDINANCE of the City Council of the City of Aurora, Colorado, authorizing the use of lease-purchase financing for the construction, improvement and equipping of three fire stations (including related vehicles) pursuant to the terms of one or more lease-purchase agreements 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, Manager Debt, Treasury & Investments

Motion by Roth, second by Pierce, to introduce item 12e.

Terri Velasquez, Finance Director, listed the stations related to the item as Stations #5, #15 – Murphy Creek and #16 - Gaylord.

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

♦ f. **2017-23**
Consideration for INTRODUCTION OF AN ORDINANCE 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 regular municipal election of November 7, 2017, an amendment to Section 11-18.5 of the City Charter regarding entertainment districts. STAFF SOURCE: Michael J. Hyman, City Attorney

Motion by Mounier, second by Roth, to introduce item 12f.

Nicole Johnston, Aurora, Colorado, expressed concerns regarding the speed with which this item was processed in the City, noting the racetrack project was generated from special interests and not the community.

Bonnie Rader spoke in opposition to the item.

Margaret Sobey, Aurora, Colorado, spoke in opposition to the item, noting her concerns related to the quickness of the approval process in this case.

Council Member Richardson spoke in opposition to the item and pointed out this was an intentionally overt, misleading fourth attempt to allow public funding to be used for a racetrack. He discussed his concerns related to the speed in which the item was processed, the location of the facility, the developer incentives, public funding for a racetrack and the entertainment district label.

Council Member LeGare clarified the item related to whether or not the City Council should put an item on the ballot for citizens to decide.

Council Member Pierce noted the previous attempts at the ballot question did not specify the location and only focused on undoing the 1999 charter amendment. He pointed out that concern was remedied with this item, noting Nascar would not try and come to the City of Aurora when the door was closed to doing so.

Council Member Bergan asked staff to address the use of City funds to promote the ballot question.

Mike Hyman, City Attorney, stated the law prohibited the City from using City funds to promote or oppose the item if it were to be put on the ballot.

Council Member Berzins discussed transparency as it related to the item, noting it was a concern and not fair to the citizens for the City Council to receive the information at such a late date. She stated her support of the entertainment district but not for the lack of process for the item.

Council Member Cleland asked staff if this was a charter amendment. Mr. Hyman answered affirmatively. Council Member Cleland noted her understanding that the charter could only be amended through another Council majority vote and then it would be up to Council to create an entertainment district.

Mayor Hogan confirmed the item introduced a charter amendment that would require final approval by City Council. He pointed out the item mentioned an entertainment district but did not create one. He stated if the item went on the ballot and was ultimately adopted by the voters then the finances and physical location would have to go through a public process which would require approval by City Council.

Council Member Mounier discussed the closeness of the previous vote to remove the charter language that prevented the City Council from offering subsidies to a motorsports facility, noting the voter objections were not to the facility itself but to the unknown location's possibly proximity to their homes. She clarified the language for this item included the formation of an entertainment district that could include motorsports facilities on undeveloped land far away from proposed or existing residential developments. She discussed transparency and made assurances that her reputation was on the line in this matter. She pointed out there was not a motorsports facility in the Rocky Mountain region and discussed the positive economic impact the Kansas City Speedway had on the Kansas City area, noting the way to keep citizen property taxes down was to increase tax revenues in other ways and this was a perfect way to do that. She stated the campaign manager for the item would raise funds to fund the program, noting those funds included his compensation.

Voting Aye: Bergan, Berzins, Lawson, LeGare, Mounier, Pierce, Roth

Voting Nay: Cleland, Richardson

13. **RECONSIDERATIONS AND CALL-UPS**

None

14. **GENERAL BUSINESS**

a. Consideration to APPROVE A PROFESSIONAL SERVICES AGREEMENT IN THE AMOUNT OF $112,000 in 2017 between the City of Aurora, and Aurora Sister Cities International. STAFF SOURCE: Roberto Venegas, Assistant City Manager, General Management

Motion by LeGare, second by Roth, to approve item 14a.

Council Member Berzins asked if she should abstain from the vote because she sat on the board.

Mike Hyman, City Attorney, answered no, noting she had no financial or personal interest in the item.

Council Member Roth stated for the record that he also sat on the board.

Ayu Gmichal; Hermela Goshu; Alex Lee; Young Lim; Peter Lee; Jennifer Kim; Marta Ramirez; Neil Krauss, Director, Outreach and Initiatives CU-Anschutz Medical Campus; Chris Ward, Vice-President, Community College of Aurora, Chairman, Aurora Sister Cities International; and Karlyn Shorb, CEO, Aurora Sister Cities International, spoke in support of the item.

Council Member Richardson clarified the agreement did not have an end date and therefore would be a regular permanent part of the City budget. He noted it would take a vote of six council members to remove it from the agenda. He expressed his understanding that when the City agreed to provide office space for Sister Cities, it was to jumpstart the program and not to fund it in perpetuity. He stated his opposition to the use of taxpayer funds in this manner.

Council Member Bergan stated she would support the item because there was value in the programs initiated, the cultural and business relationships cultivated and the potential for economic development. She noted this was a good non-profit organization with a good mission and she encouraged them to increase their fundraising efforts moving forward.

Council Member Roth discussed his involvement with Aurora Sister Cities International and the discussions that centered on the importance of international trade/economic development, fundraising and self-sufficiency in a timely fashion.

Council Member Cleland discussed the history of the Sister Cities program in the City, noting it was a great progressive organization. She stated there were many funding needs in the City and the Sister Cities was not one the City of Aurora could financially afford. She pointed out the City and County of Denver put their Sister Cities program on moratorium because it was not providing them with anything. She concurred with Council Member Richardson's remarks regarding her understanding that the organization would be self-sufficient within a few years.

Council Member Berzins stated she sat on the Sister Cities board and noted it was a great organization. She agreed $112k in perpetuity was a lot of money and confirmed she was not pushing through the Sister Cities agenda. She stated she did not work that way as her responsibility was to the taxpayers. She stated rules were in place for Sister Cities International and there was an expectation for those rules to be followed, noting she would speak up if they were not.

Mayor Hogan stated the contract was no different than any other professional services agreement with the Aurora Economic Development Council or any other of the numerous entities the City contracted with. He stated the Sister Cities program was encouraging for the future and there was great value in the financial and emotional value of this relationship. He pointed out it was also an opportunity to raise the name of Aurora internationally.

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

Voting Nay: Cleland, Richardson

b. Consideration of the reappointment of one (1) person to the Aurora Commission for Seniors. STAFF SOURCE: Linda Blackston, City Clerk, General Management

Motion by Roth, second by Bergan, to reappoint Barbara Schneller to the Aurora Commission for Seniors.

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

c. Consideration to AWARD A Multi-year Homeless Services Contract for Mile High Behavioral Healthcare/Comitis Day Resource Center Operations in the amount of $2,674,712 for 3 years, 8 months of operating funds. STAFF SOURCE: Shelley McKittrick, Homelessness Program Director, Neighborhood Services

Motion by LeGare, second by Mounier, to approve item 14c.

Council Member Richardson asked staff if items 14c – 14f had a provision in the agreements that allowed the City to terminate the contract at its convenience.

Tim Joyce, Assistant City Attorney, stated according to City Council's direction, the termination language for convenience was not included in the agreements. He pointed out however that termination language related to lack of funding and default was included in each of the agreements.

Council Member Cleland asked the differences between items 14c and 14d and why the item did not go out to bid.

Shelley McKittrick, Homelessness Program Director, Neighborhood Services, stated items 14c and 14d were approved for 2017 by City Council and the policy committee stated any new or currently funded entity would be a part of multi-year agreements moving forward.

Jason Batchelor, Deputy City Manager, stated item 14c related to the operations of the resource day center and item 14d related to the outreach.

Council Member Berzins asked what would happen to these contracts if the retail sales tax revenue went away. Mr. Joyce stated the lack of funding could cause the contracts to terminate each year.

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

Voting Nay: Richardson

d. Consideration to AWARD A Multi-year Contract for Mile High Behavioral Healthcare/Comitis Outreach Services from 9/1/2017 - 12/31/2020 for a total of $316,000. STAFF SOURCE: Shelley McKittrick, Homelessness Program Director, Neighborhood Services

Motion by LeGare, second by Mounier, to approve item 14d.

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

Voting Nay: Richardson

e. Consideration to AWARD A Multi-year Contract for Aurora Mental Health Worker at Day Resource Center in the amount of $353,272 for 3 years, 8 months from 5/1/2017 - 12/31/2020. STAFF SOURCE: Shelley McKittrick, Homelessness Program Director, Neighborhood Services

Motion by LeGare, second by Roth, to approve item 14e.

Council Member Cleland asked if she should abstain from the vote due to her involvement with Aurora Mental Health.

Mike Hyman, City of Aurora, stated the rewrite of the Council Rules related to the concept of personal or financial interest so he advised Council Member Cleland to abstain considering she was employed by the agency.

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

Voting Nay: Richardson

Abstaining: Cleland

f. Consideration to AWARD A Multi-year Contract for Aurora Housing Authority Landlord Recruiter in the amount of May 1, 2017 - December 31, 2020. STAFF SOURCE: Shelley McKittrick, Homelessness Program Director, Neighborhood Services

Motion by LeGare, second by Lawson, to approve item 14f.

Council Member Cleland asked staff if she should abstain from the vote because she was a member of the Aurora Housing Authority, noting she had no financial or personal gain or interest.

Mike Hyman, City Attorney, suggested that even though the position was a volunteer position, he advised Council Member Cleland to abstain from the vote because she was the board director.

Council Member Cleland pointed out if that was the case then no council member appointed to a board could vote on any related item.

Mr. Hyman stated his opinion that the rules were intended to state the exclusion if there was some sort of financial remuneration. He suggested the definition was not clear and should be conformed to Council's intent.

Mayor Hogan stated that change should be made when the rules were corrected.

Council Member Cleland concurred.

Mr. Hyman concurred, noting the intent was not carried out by the language.

Council Member LeGare pointed out he sat on the Mile High Behavioral Healthcare board and voted on the previous item.

Mr. Hyman reiterated the definition did not conform to the intent of the rules. He read the related rule, *"Financial interest" shall be defined as including, but not limited to, a financial interest held by a Council Member which is: (i) an ownership or creditor interest in (Rules Revised 04-03-2017) Page 12 a business; (ii) employment or prospective employment with a business; (iii) an ownership interest in real or personal property; or (iv) a director, officer or other prominent position in a business or organization."* He noted there was a poor choice of words in item IV.

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

Voting Nay: Richardson

Abstaining: Cleland

14. **REPORTS**

a. Report by the Mayor

Mayor Hogan stated he would put his remarks in an email to City Council.

b. Reports by the Council

Council Member Bergan expressed appreciation to Greg Hayes, Budget Officer, Lieutenant Garland and Officer Nelson, Aurora Par Officers and the commission members who attended and provided reports at the recent Ward VI Town Hall meeting.

Council Member Roth announced the Buskers, Brews and BBQ event was scheduled for Saturday, June 10 2017 from 11:30 a.m. to 6:30 p.m. on the Great Lawn at the Aurora Municipal Center.

Council Member LeGare mentioned that Don Toussaint, a City of Aurora City Attorney, was appointed as Arapahoe County District Court Magistrate for the Eighteenth Judicial District. He noted every time he saw Mr. Toussaint out in the community he was working with children.

Mike Hyman, City Attorney, expressed appreciation to Council Member LeGare for the recognition and stated Mr. Toussaint would be missed.

Council Member Cleland discussed her attendance at the recent bill signing of HB 1305, a victim's rights bill.

Council Member Pierce discussed his attendance at the Unified Metropolitan Forensic Crime Lab groundbreaking event.

Council Member Berzins reminded everyone of the upcoming Ward III meeting scheduled for Wednesday, June 14, 2017 at Mimi's Café at 6:00 p.m. where retired Battalion Fire Chief Mark Stephenson would make a presentation on Aurora Fire.

15. **PUBLIC INVITED TO BE HEARD**

None

16. **ADJOURNMENT**

Mayor Hogan adjourned the regular meeting of City Council at 10:06 p.m.

Stephen D. Hogan

STEPHEN D. HOGAN, Mayor

ATTEST:

Linda S Blackston

♦ *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.*