

MINUTES**Regular Meeting – Aurora City Council
Monday, August 22, 2016****1. CONVENE REGULAR MEETING OF AUGUST 22, 2016 AND CALL TO ORDER**

Mayor Hogan convened 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, Peterson, Pierce, Richardson, Roth
COUNCIL MEMBERS ABSENT:	Mounier
OFFICIALS PRESENT:	City Manager Noe, City Attorney Hyman, Assistant City Manager/City Clerk Napper

3. INVOCATION Kyle Schultz - Troop 839**4. PLEDGE OF ALLEGIANCE TO THE FLAG (all standing)****5. APPROVAL OF THE MINUTES OF THE MEETING OF AUGUST 8, 2016**

Motion by Cleland, second by Roth, to approve the minutes of August 8, 2016 as amended.

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

Abstained: None

6. CEREMONY

- a. Swearing in of Interim Presiding Judge Shawn Day - District Court Judge Patricia Herron

District Court Judge Patricia Herron administered the oath of office to Shawn Day, Interim Presiding Judge. Judge Day expressed appreciation for the appointment. Mayor Hogan and City Council congratulated Judge Day and thanked him for his service to Aurora.

- b. Fire Department Recognition – Colfax Marathon Government Cup Relay – Mayor Hogan

Mayor Hogan invited Mike Garcia, Fire Chief, Aurora Fire Department team members, Andrea Dowdy, CEO, Kaiser Permanente Colfax Marathon and Greg Berlanti, Account Executive, Kaiser Permanente, to come forward. Ms. Dowdy recognized the Aurora Fire Department teams for their achievements related to the Colfax Marathon.

- c. Award of Excellence from the Colorado Government Association of Information Technology for the Aurora Water Mobile Devices and Field Map Application project – Mayor Hogan

Mayor Hogan invited David Bessen, Vice-Chair, Colorado Government Association of Information Technology (CGAIT); Marisol Medina Garcia, Aurora Water; William Keever; Jim Loek; Chris Martin; and Angela Sims-Ceja, Aurora Information Technology, to come forward. Mr. Bessen presented Aurora Water and the IT team with the Award of Excellence. Each guest expressed appreciation for the award.

Mayor Hogan recognized Boy Scout Troops #267 and #839.

- ♦ *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.*

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

Gayle Downen, Aurora, Colorado, discussed the need and importance of creating a safe pedestrian crossing at Xanadu and Yale through the installation of a traffic light.

Eugene Murray, Aurora, Colorado, echoed Ms. Downen's comments with regards to the installation of a traffic light at Xanadu and Yale.

Dena McClung, Aurora, Colorado, discussed reasons why the City Traffic Engineer's statement that the intersection of Xanadu and Yale did not meet the criteria for a full service traffic signal was not correct.

Council Member LeGare asked the destination for those pedestrians crossing at Xanadu. Ms. McClung noted there were communities on both sides of Yale at Xanadu and people crossed Xanadu to reach the bus stop.

Joelle Browner, Aurora, Colorado, discussed the importance of pedestrian safety as it related to increased Transit Oriented Development (TOD) projects in the City such as the Iliff Station. She provided a list of requests regarding funding, research and the upgrade of pedestrian access in the City in order to provide inclusivity and safety for all Aurora residents.

Council Member Richardson stated the intersection at Xanadu and Yale was dangerous, noting those stating a traffic light was not warranted at that location should go out to that location and experience crossing it for themselves.

Mayor Hogan noted there was the reality of the availability of seeking new appropriations for the 2017 budget even if nothing was moved in the 2016 budget thereby giving Council the opportunity to make those decisions.

Grant Shidelen, Aurora, Colorado, suggested a solar powered, flashing amber light should be installed at the Xanadu and Yale intersection to warn people of the hazard.

8. **ADOPTION OF THE AGENDA**

The agenda was adopted as presented with the exception of item 10e. Mayor Hogan stated item 10e would tentatively be heard at the September 26, 2016 City Council meeting after being reviewed by the Oil & Gas commission and the Business Advisory board.

9. **CONSENT CALENDAR - 9a-h**

General Business

- a. Consideration to AWARD A SOLE SOURCE CONTRACT to Everbridge Inc., Glendale, California in the total amount of \$131,500.00 for annual maintenance and support of the Citizen and Emergency Mass Notification System through September 30, 2017. STAFF SOURCE: Aleta Jeffress, Director, Information Technology

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

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

- b. Consideration to AWARD A SINGLE SOURCE CONTRACT to Shibumi Consulting Services LLC, Tempe, Arizona, in the amount not-to-exceed \$250,000.00 for on-call support and consulting services associated with the Water Department's customer billing software. STAFF SOURCE: Aleta Jeffress, Director, Information Technology

- ◆ ***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.***

Council Member Bergan noted the consultant's unique knowledge to perform the consulting services and asked staff if there was a contingency plan should the consultant be unable perform their duties.

Aleta Jeffress, Director, Information Technology, answered affirmatively, noting funds were set aside for ongoing support of the particular product.

Council Member LeGare asked what percentage of the potential \$250k was allocated to the support work. Ms. Jeffress stated approximately 20 percent and the rest was set aside for new work. Council Member LeGare stated the maximum amount might not be fully spent.

Ms. Jeffress concurred.

Motion by Bergan, second by LeGare, to approve item 9b.

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

- c. Consideration to AWARD A SOLE SOURCE CONTRACT to Taser International, Scottsdale, Arizona in the amount of \$100,931.62 for the purchase of ninety-five (95) Taser brand taser units, one hundred (100) battery packs, and ninety (90) holsters for the Aurora Police Department. STAFF SOURCE: Lieutenant Joseph D'Agosta, Police
- d. Consideration to AWARD A SOLE SOURCE CONTRACT to BullEx, Albany, New York in the total amount of \$73,906.00 to purchase fire training systems for the Aurora Fire Department. STAFF SOURCE: Commander Hunter Hackbarth, Fire
- e. Consideration to AWARD A SOLE SOURCE CONTRACT to Hach Company, Loveland, Colorado in the not-to-exceed amount of \$195,000.00 for the purchase of water quality monitoring equipment and supplies for the Water Department as required through August 31, 2017. STAFF SOURCE: Thomas Ries, Manager of Water Operations and Maintenance, Aurora Water
- f. Consideration to AWARD A SINGLE SOURCE AWARD to Stantec Consulting Services, Inc., Denver, Colorado in the amount of \$74,086.00 for traffic modeling services associated with the Aurora Line/I-225 Rail. STAFF SOURCE: Cindy Colip, Transportation Project Delivery Manager, Public Works

Motion by Roth, second by Peterson, to approve items 9c – 9f.

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

Final Ordinances

- ◆ g. **2016-37**
Consideration for ADOPTION OF AN ORDINANCE of the City Council of the City of Aurora, Colorado, authorizing the acquisition by eminent domain of fee and easement interests in real property situated in the County of Arapahoe, State of Colorado, for the purpose of constructing the 6th Avenue Parkway extension. STAFF SOURCE: Kevin Wegener, Deputy Director Public Works Engineering, Public Works
- ◆ h. **2016-38**
Consideration for ADOPTION OF AN ORDINANCE of the City Council of the City of Aurora, Colorado, rezoning 4.5 acres more or less at 1901 South Chambers Road, City of Aurora, County of Arapahoe, State of Colorado, from AOD (Administrative Office
- ◆ ***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.***

District) to B-1 (Retail Business District), and amending the zoning map accordingly (Nick's Garden Center Rezone) STAFF SOURCE: Anthony Avery, Planner I, Planning & Development Services

Motion by Roth, second by Lawson, to approve items 9g – 9h.

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

10. **RESOLUTIONS**

- ◆ a. **R2016-61**
Consideration to APPROVE A RESOLUTION of the City Council of the City of Aurora, Colorado, approving the Intergovernmental Agreement between the City of Aurora, Colorado, by and through its utility enterprise, and the Urban Drainage And Flood Control District, regarding Funding of Flood Hazard Area Delineation for Westerly Creek from Westerly Creek Dam to the Confluence with Sand Creek. STAFF SOURCE: Sarah Young, Water Planning Services Manager, Aurora Water

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

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

- ◆ b. **R2016-62**
Consideration to APPROVE A RESOLUTION of the City Council of the City of Aurora, Colorado, approving an Intergovernmental Agreement between the City of Aurora, Colorado, acting by and through its Utility Enterprise, and the West Greeley Conservation District for Delivery of Reusable Raw Water. STAFF SOURCE: Lisa Darling, Regional River Basin Program Manager, Aurora Water

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

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

- ◆ c. **R2016-63**
Consideration to APPROVE A RESOLUTION of the City Council of the City of Aurora, Colorado, declaring the official intent of the City of Aurora, Colorado, to reimburse itself with the proceeds of a municipal lease or bond financing for capital expenditures related to the second phase of the expansion and improvements of the Aurora Police Department District 2 Station, identifying such capital expenditures, and providing other matters in connection therewith. STAFF SOURCE: Mike Shannon, Debt and Financing Administrator, Finance

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

Council Member Richardson asked if a mutually agreeable arrangement was worked out with the Aurora Federal Credit Union regarding their continued occupancy of the facility.

Skip Noe, City Manager, answered affirmatively.

Council Member Richardson asked staff if the permitting process could be expedited in this case because something good was being done with a particularly challenging site.

Mike Shannon, Debt and Financing Administrator, Finance, answered affirmatively, noting it depended on the architectural team submitting and implementing plans in a timely manner.

- ◆ ***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, Peterson, Pierce, Richardson, Roth

- ◆ d. **R2016-65**
Consideration to APPROVE A RESOLUTION of the City Council of the City of Aurora, Colorado, approving the First Amendment to the Amended and Restated Intergovernmental Agreement between the City of Aurora and the Conservatory Metropolitan District regarding water quality/detention ponds. STAFF SOURCE: Vinessa Irvin, Manager of Development Assist, General Management

Motion by Peterson, second by Cleland, to approve item 10d.

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

11. **ORDINANCES FOR INTRODUCTION**

- ◆ a. **2016-23**
Consideration for INTRODUCTION OF AN ORDINANCE of the City Council of the City of Aurora, Colorado, vacating the existing Millbrook Way right-of-way North of the intersection of South Millbrook Way and Davies Drive, City of Aurora, County of Arapahoe, State of Colorado, and reserving a trail and a utility easement therein (Serenity Ridge Commercial- Street Vacation) STAFF SOURCE: Libby Tart Schoenfelder, Senior Planner II, Planning & Development Service

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

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

- ◆ b. **2016-40**
Consideration for INTRODUCTION OF AN ORDINANCE of the City Council of the City of Aurora, amending the 2009 Aurora Comprehensive Plan by including the Fitzsimons Station Area Plan and changing all references to Montview Station to Fitzsimons Station accordingly. STAFF SOURCE: Chad Argentar, Economic and Business Development Supervisor

Motion by Berzins, second by Lawson, to introduce item 11b.

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

12. **PUBLIC HEARING WITH RELATED ORDINANCE**

- ◆ a. **2016-41**
Public Hearing and Consideration for INTRODUCTION OF AN ORDINANCE of the City Council of the City of Aurora, amending the Fitzsimons Army Medical Center General Development Plan, to allow for residential uses, incorporate transit-oriented development strategies, and respond to the new light rail location along Fitzsimons Parkway, City of Aurora, County of Adams, State of Colorado (Fitzsimons Innovation Campus, General Development Plan Amendment No. 6) STAFF SOURCE: Mindy Parnes, Manager of Planning, Planning & Development Services

Mayor Hogan opened the public hearing on the item.

Mindy Parnes, Manager of Planning, Planning & Development Services, gave a presentation on the item, noting it related to the Fitzsimons Redevelopment Authority (FRA) proposal to amend the General Development Plan (GDP) to incorporate the new Transit Oriented Development (TOD) strategies.

- ◆ *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.*

Council Member Richardson asked staff to confirm this item was not related to the demolition of the adjacent mobile home park. Ms. Parnes stated the item related to a separate property and had no impact on the mobile home park. Council Member Richardson asked staff to provide an update on the mobile home park. Ms. Parnes did so, noting staff continued to and would continue to make attempts to reach the attorney representing that site.

John Shaw, representing the applicant, gave a presentation on the item.

Glenn Ressemeyer, Aurora, Colorado, spoke in opposition to the item, noting there was currently too much development going on in the area that could not be supported.

John Paul Bell, Aurora, Colorado, spoke in opposition to the item, noting the golf course should be saved and maintained as open space for the Veterans Golf Club at Fitzsimons.

Paula Boltz, Aurora, Colorado, spoke in opposition to the item, noting it should remain and be maintained as open space.

Mayor Hogan closed the public hearing on the item.

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

Mayor Pro Tem Peterson stated she would not support the item because the traffic implications from Fitzsimons and the redesign of the light rail have negatively impacted the Morris Heights neighborhood.

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

Voting Nay: Peterson

b. **2016-42**

Public Hearing and Consideration for INTRODUCTION OF AN ORDINANCE of the City Council of the City of Aurora, to amend the Eagle Bend General Development Plan to establish phasing of public improvements over parcels described as C4A, C4B, and C4C, in the City of Aurora, County of Arapahoe, State of Colorado (Eagle Bend GDP)
STAFF SOURCE: Libby Tart Schoenfelder, Senior Planner II, Planning & Development Service

Mayor Hogan opened the public hearing on the item.

Libby Tart Schoenfelder, Senior Planner II, Planning & Development Services, gave a presentation of the item, noting it related to the establishment of public improvements in three phases.

Richard Dean, representing the applicant, stated he was available to answer any questions posed by City Council.

Mayor Hogan closed the public hearing on the item.

Motion by Bergan, second by Richardson, to introduction item 12b.

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

13. **PUBLIC HEARING WITHOUT RELATED ORDINANCE**

◆ a. **R2016-64**

Public Hearing and Consideration to APPROVE A RESOLUTION of the City Council of the City of Aurora, Colorado, approving the Service Plan for the Point Metropolitan

- ◆ *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.*

District and authorizing the execution of an Intergovernmental Agreement between the City and the District. STAFF SOURCE: Mark Geyer, Development Project Manager, General Management

Mayor Hogan opened the public hearing on the item.

Mark Geyer, Development Project Manager, General Management, gave a presentation of the item, noting it related to the infrastructure needs of the Regatta Plaza Redevelopment project.

Eric Husted, representing the applicant, stated he was available to answer any questions posed by City Council.

Mayor Hogan closed the public hearing on the item.

Motion by Richardson, second by Roth, to approve item 13a.

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

14. **ORDINANCES FOR FINAL**

- ◆ a. **2016-36**
Consideration for ADOPTION OF AN ORDINANCE of the City Council of the City of Aurora, Colorado, amending Chapter 130 of the City Code of the City of Aurora, Colorado, by the addition of a new Article IX establishing an Infill Development Incentive Program for the city. STAFF SOURCE: Vinessa Irvin, Manager of Development Assistance, General Management

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

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

Voting Nay: Peterson

Abstaining: Berzins

15. **RECONSIDERATIONS AND CALL-UPS**

None

16. **GENERAL BUSINESS**

None

17. **REPORTS**

- a. Report by the Mayor

Mayor Hogan discussed the success of the recent Global Fest 2016.

- b. Reports by the Council

Council Member Lawson concurred with Mayor Hogan's comments regarding the success of Global Fest 2016, noting Aurora was a diverse city with unique cultures and Global Fest was an indication of that diversity.

- ◆ ***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.***

Council Member Berzins expressed appreciation to City staff for their efforts regarding Global Fest and to the Aurora Water staff for their efforts with the recent water tour. She congratulated Interim Presiding Judge Day on his appointment.

Council Member Pierce announced the latest exhibit at the Aurora History Museum, *Herblock: Highlights from a Political Cartoon Master*, which will run through Friday, September 16, 2016. He stated those interested could find more information at www.auroramuseum.org.

Council Member Cleland stated one of the unique things about the water tours was that she always learned something new. She discussed the success of the recent City and County of Denver's Plane Pull event at DIA where she received positive feedback about the Aurora Police Department.

Mayor Pro Tem Peterson invited all those interested in attending to the Ward II Town Hall meeting scheduled for Monday, September 29, 2016 at 7:00 p.m. in the Aurora Municipal Center Aurora Room where Parks and Open Space representatives would be present.

Council Member Roth announced the Ward V candidate forum scheduled for Tuesday, October 18, 2016 at the Heather Gardens Clubhouse at 6:30 p.m.

Council Member Bergan reminded everyone of the upcoming Ward VI Town Hall meeting scheduled for Wednesday, September 28, 2016 at the Tallyn's Reach Library at 6:30 p.m., noting the next Ward VI meeting was scheduled for Thursday, November 17, 2016 at the Mission Viejo Library. She discussed her attendance on the recent water tour and announced she and her husband recently moved their son to college out of state.

Council Member Richardson expressed appreciation to Empire Marketing, a corporate entity in the grocery industry, for their efforts in providing volunteers and food for the recent Night Out anti-crime event and also to Council Member Cleland for filling in for him with short notice at the recent Ward IV meeting.

18. **PUBLIC INVITED TO BE HEARD**

None

19. **ADJOURNMENT**

Mayor Hogan adjourned the regular meeting of City Council at 9:19 p.m.

STEPHEN D. HOGAN, Mayor

ATTEST:

JANICE NAPPER, 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.*