

MINUTES
Approved

Regular Meeting – Aurora City Council
Monday, September 14, 2020

1. **CONVENE REGULAR MEETING OF SEPTEMBER 14, 2020 AND CALL TO ORDER**

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

ROLL CALL

PRESIDING: Mayor Coffman
COUNCIL MEMBERS PRESENT: Bergan, Berzins, Coombs, Gardner, Gruber, Hiltz, Johnston, Lawson, Marcano, Murillo

COUNCIL MEMBERS ABSENT: None

OFFICIALS PRESENT: City Manager Twombly, City Attorney Brotzman, Interim City Clerk Barkman

COUNCIL MEMBERS ARRIVING AFTER ROLL CALL: None

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

CONSIDERATION TO RECESS FOR EXECUTIVE SESSION

Motion by Mayor Pro Tem Johnston, second by Council Member Berzins, to recess for executive session.

Voting Aye: Mayor Coffman, Council Members Bergan, Berzins, Coombs, Gardner, Gruber, Hiltz, Johnston, Lawson, Marcano, Murillo

Abstaining: None

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

2. **ROLL CALL** Susan Barkman, Interim City Clerk

COUNCIL MEMBERS PRESENT: Bergan, Berzins, Bergan, Coombs, Gardner, Gruber, Hiltz, Johnston, Lawson, Marcano, Murillo

3. **INVOCATION** Barbara Dahl, City Clerk Analyst

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

5. **APPROVAL OF THE MINUTES OF THE MEETING OF AUGUST 17, 2020**

Motion by Berzins, second by Gruber, to approve the minutes of the meeting of August 17, 2020, as amended.

Voting Aye: Mayor Coffman, Bergan, Berzins, Coombs, Gardner, Gruber, Hiltz, Johnston, Lawson, Marcano, Murillo

6. **CEREMONY**

No ceremony.

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

Susan Barkman, City Clerk, introduced speakers who spoke to City Council over the phone.

Council Member Coombs stated she was hearing from people who wanted to speak but were not placed in the queue.

Ms. Barkman pointed out the callers went through an operator and those in the queue planned to speak to items on Council's agenda.

Mayor Coffman noted this segment of the meeting was for the public to speak on non-agenda related items.

Council Member Bergan expressed appreciation to everyone who sent emails, messages and phone calls expressing concern regarding the recent protest at her home. She stated she was overwhelmed by the outpouring of support and kindness she received. She thanked Mayor Pro Tem Johnston and Council Members Gruber and Berzins for reaching out to her as well, noting she really appreciated their concern. She stated that while the protest of almost three hours was not violent, the Targeted Picketing Ordinance was not followed and the tactic of intimidation was not productive. She pointed out that even though she attempted to speak with the group, making demands was not a good way to expect real progress as instead constituents and neighbors were appalled. She reiterated her appreciation for the kindness extended to her by all those who reached out.

Ms. Barkman announced the call-in line number for those who wanted to speak was 855-695-3475 and *3 would reach an operator.

Mayor Coffman stated those who wished to speak either on agenda or non-agenda items could call in at (855)695-3355 *3 to be placed in the queue. He stated staff would introduce the speaker and they would have three minutes to speak. He stated individuals who would like to comment on public hearings or other agenda items have also been placed in a queue, the Clerk's office would call out the name of each individual when the appropriate agenda item was under consideration by Council. He stated speakers could continue to call 855-655-2475 *3 to speak on an agenda item up until the City Clerk called the title at which point no additional calls for that item would be anticipated. He apologized for not reading those directions prior to the agenda item being heard.

8. **ADOPTION OF THE AGENDA**

Mayor Coffman stated item 14b would be moved forward on the agenda to precede item 9a and item 12a would be moved to the October 5, 2020 City Council agenda at the request of the applicant.

Motion by Gruber, second by Berzins, to adopt the agenda as amended.

Voting Aye: Mayor Coffman, Bergan, Berzins, Coombs, Gardner, Gruber, Hiltz, Johnston, Lawson, Marcano, Murillo

9. **CONSENT CALENDAR**

General Business

- a. Consideration to AMEND AN OPENLY SOLICITED CONTRACT with Dewberry Engineers, Inc., Denver, Colorado in the amount of \$180,578.00 for providing

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additional design phase services for the 36-inch Gun Club Pipeline from E. 56th Ave. to E. 64th Ave. Project, R-1838.

Presenter: Fiori, Steven - Project Delivery Svcs Mgr - Aurora Water/Lathers, David, Senior Asst City Attorney

- b. Consideration to AWARD A SINGLE SOURCE CONTRACT to Fast Hosting Services LLC., Centennial, CO in the amount of \$585,000.00 for the annual subscription on the Tax Management Software System for the Finance Department through September 2021.
Presenter: Vaughn, Trevor - Manager Of Tax And Licensing – Finance/Lathers, David, Senior Asst City Attorney
- c. Consideration to AWARD AN OPENLY SOLICITED CONTRACT to Willdan Financial Services, Temecula, California in the total amount of \$74,940.00 for consulting services to provide a Full Cost Allocation Plan and Comprehensive User Fee Study to the Finance Department. (R2016)
Presenter: Lawson, Michael - Manager Of Special Projects - Finance/Lathers, David, Senior Asst City Attorney
- d. Consideration to AWARD A COMPETITIVELY BID CONTRACT to Velocity Constructors, Englewood, Colorado in the amount of \$81,684.00 for the Binney WPF Pilot Plant Plumbing Project, Project No. 5784A.
Presenter: Carter, Elizabeth - Principal Engineer- Aurora Water/Lathers, David, Senior Asst City Attorney
- e. Department of Local Affairs Peace Officer Mental Health Support Grant Program
Presenter: Cernich, David - Police Lieutenant/Hernandez Perez, Hans, Assistant City Attorney II Civil

Motion by Gruber, second by Coombs, to approve items 9a – 9e.

Voting Aye: Bergan, Berzins, Coombs, Gardner, Gruber, Hiltz, Johnston, Lawson, Marcano, Murillo

Final Ordinances

- ◆ f. **2020-32** Consideration of AN ORDINANCE FOR ADOPTION of the City Council of the City of Aurora, Colorado, rezoning 3 acres more or less in the vicinity of I-225 to the East, E. 17th Place to the North, and Colfax Avenue to the South, from residential low-density single family district (R-1) and business/tech district (I-1) to mixed-use transit-oriented development district (MUTOD) and amending the zoning map accordingly (FITZSIMONS VA LIGHTRAIL DEVELOPMENT ZONING MAP AMENDMENT)
Presenter: Stephen E Rodriguez, Planning Supervisor - Planning & Development Service/Daniel Money, Senior Asst City Attorney
- ◆ g. **2020-33** Consideration of AN ORDINANCE FOR ADOPTION of the City Council of the City of Aurora, Colorado, to amend the Saddle Rock East General Development Plan to allow indoor recreation as a permitted use within the plan (Achieve Sports Center Saddle Rock East GDP Amendment)
Presenter: Liz Fuselier, Planner - Planning & Development Service/Daniel Money, Senior Asst City Attorney

Motion by Berzins, second by Coombs, to approve items 9f and 9g.

Voting Aye: Bergan, Berzins, Coombs, Gardner, Gruber, Hiltz, Johnston, Lawson, Marcano, Murillo

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Council Member Gruber called for a point of order and expressed concerns that the previous two items were combined.

Mayor Coffman pointed out both were approved unanimously upon introduction.

Daniel Brotzman, City Attorney, concurred, noting Council rules indicated items may be grouped together if they were approved unanimously upon introduction.

10. **RESOLUTIONS**

- ◆ a. **R2020-92** Consideration of a Resolution of the City Council of the City of Aurora, Colorado, Expressing the Aurora City Council's Support of a Prohibition on the Use of Ketamine by Aurora Fire Rescue and City Contractors ***(Due to this item being dual listed, the backup is included in 5a item of the Study Session Packet.)***
Presenter: Council Member Gardner /Evans, Isabelle - Assistant City Attorney II
Civil - City Attorney
Sponsor: Council Member Gardner

Susan Barkman, Interim City Clerk, introduced the speaker on the item.

Motion by Gardner, second by Johnston, to approve item 10a.

Council Member Gardner discussed why he felt it was important to do this now. He pointed out there were currently several different investigations going on but specifically, Council hired an outside firm that included a medical expert who would conduct a review into the use of ketamine and the protocols around the City's use of ketamine. He stated it was really important to make sure the City was giving the right tools to their firefighters and paramedics to do their job and also clear direction on what tools Council wanted them to use. He stated Council would take the review results and make a more permanent decision. He noted it was important in the interim to take a pause and wait for the medical review to happen. He mentioned, for the benefit of the public, that the Colorado Society of Anesthesiologists recently requested the state issue a moratorium on the use of ketamine because the state was also conducting its own review of the ketamine process. He noted several people in the medical field have weighed-in with a similar ask and he noted that in developing this resolution, he spent a lot of time meeting with people to ensure that while one tool was being removed, it was replaced with another available tool. He stated he felt comfortable that it was and he clarified the moratorium would go into effect once the protocols were updated. He noted Aurora Firefighters would have to be trained in the new protocols so both of those things would have to happen and then the moratorium would expire 30-days after the delivery of the independent investigation report. He thought that was key because it did not make sense for Council to state they would review the drug and its safety as well as the City's protocol and then continue to use it. He stated his hope that he would have the support of his colleagues in this regard.

Mayor Coffman stated his support of the item until or if and when it was determined to be safe. He pointed out the City of Aurora has engaged an outside medical expert in this regard and the Colorado Department of Public Health and Environment was doing its own investigation into the efficacy and safety of ketamine so he felt it was only right to suspend the use of it until or if and when it was determined to be safe.

Council Member Marcano expressed appreciation to Council Member Gardner for bringing the emergency resolution forward. He agreed it was a topic of great interest to many. He clarified another ordinance that addressed the use of sedatives by law enforcement was

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making its way through the Public Safety Committee that would be heard at a future date. He stated he looked forward to having that discussion at that time.

Mayor Pro Tem Johnston stated her support for the item and noted her appreciation of Council Member Gardner's in-depth outreach in that regard. She noted she reached out to the Colorado Department of Public Health and Emergency's Colorado Emergency Medical Council, which was a team of physicians that granted waivers to municipalities to administer ketamine, and asked them to suspend that program. She stated it was currently under review at the state level. She expressed her hope the state would put a moratorium in place in this regard because this policy should not just be up to the City and Council behind it. She stated that was not happening and this was a way to state a study was happening and that the City was going to pause while the review was being conducted and the results reviewed. She stated this did not determine how the City would proceed after the study results were reviewed. She noted she had her own opinions about the use of ketamine in these situations and she looked forward to that robust discussion once the study was completed. She stated this was a reasonable decision in the meantime and there were alternatives for Aurora Fire Rescue to use in the meantime.

Council Member Hiltz stated her support for the item because it made sense to have a moratorium while the issue was being studied. She stated these conversations would continue in the Public Safety Committee. She stated her belief that Council Member Marciano's ketamine ordinance was scheduled for October.

Voting Aye: Bergan, Berzins, Coombs, Gardner, Gruber, Hiltz, Johnston, Lawson, Marciano, Murillo

- ◆ b. **R2020-81** Consideration to APPROVE A RESOLUTION of the City Council of the City of Aurora, Colorado, approving the Intergovernmental Agreement between the Board of County Commissioners of the County of Arapahoe, State of Colorado and the City of Aurora, Colorado regarding High Plains Trail (E-470 Trail) Maintenance
Presenter: Patricia Schuler, Manager of OS & Natural Res Op/Angela Garcia, Assistant City Attorney II Civil

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

Voting Aye: Bergan, Berzins, Coombs, Gardner, Gruber, Hiltz, Johnston, Lawson, Marciano, Murillo

- ◆ c. **R2020-82** Consideration to APPROVE A RESOLUTION of the City Council of the City of Aurora, Colorado, authorizing the execution and delivery of the Water Connection Fee Incentive Agreement between the City of Aurora, Colorado, acting by and through its utility enterprise, and Catalina Development Company, LLC.
Presenter: Jennifer Orozco, Project Manager/McKenney, Christine, Client Group Manager

Motion by Coombs, second by Marciano, to approve item 10c.

Council Member Bergan requested a staff presentation on the item.

Jennifer Orozco, Project Manager/McKenney, Christine, Client Group Manager, did so.

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Council Member Murillo asked if the developer would move forward with the project without the incentive. Ms. Orozco stated the \$1M represented less than one percent of their total project cost, but it was significant in the sense that they would be paying \$4M+ in tap fees. Council Member Murillo asked if there were any income qualified or affordable units in the project. Ms. Orozco stated this was a market grade project comparable to others in the area. Council Member Murillo stated she wanted to support mixed-use innovative projects such as this one and noted she did like that a new option was being brought to the area but she felt more should be asked for in return when considering the incentive. She stated she did not support offsetting the developer's costs unless they were willing to support affordability.

Council Member Berzins stated she was on City Council in 2013 when the item was set up and noted it was set up for something just like this therefore, she supported using the money for it because that was what it was set up for. She pointed out it was a huge building that would bring a lot of housing to the area across from the Fitzsimons campus where a variety of people would be looking for housing.

Council Member Gruber stated his support for the item. He pointed out the offer was made to the business community in 2013 from the City that the City would allow them to have a tap fee if they could bring something exciting and special to the City that would allow the City to activate Transit Oriented Development near metro stations. He noted that was the deal the developer was asking the City to honor. He agreed the City should have more less-than-market-rate building because the Aurora Urban Renewal Authority had projects specifically designed to support less-than-market-rate going in very near to this area. He asked City Council to honor the deal.

Mayor Pro Tem Johnston raised the topic of traffic and roads, and her understanding that those concerns were worked out during the site plan phase. She pointed out a lot has changed since 2013 when many of these items were agreed upon and discussed the importance of outreach in this regard. She expressed concerns related to incentives being involved where the City agreed to provide additional funding without any community benefit.

Council Member Marcano echoed Mayor Pro Tem Johnston's comments and noted, because of that, he would not support the item.

Council Member Murillo pointed out the needs of her constituents and what was being implemented did not line up. She stated the City should use their limited resources judiciously and she noted she would be very hard when it came to what the City received in return for those incentives. She pointed out density did not bring in economic growth, and the trickle-down argument did not reach people especially service workers. She noted discussions about raising the minimum wage were ongoing and some on Council did not support that so if minimum wage was not raised, then as rents increased and wages did not, the City would be creating an exclusive place to live. She stated she has always heard from the building community that time was money and she had no doubt they would move quickly and efficiently should the item be approved but she pointed out wages and median income would not rise quickly. She stated that translated to people who have a median income not benefitting from these amenities. She reiterated she was about process and change but noted it had to be done in the right and equitable way and this project was not that.

Council Member Coombs concurred, noting affordability in terms of income-qualified and subsidized and the lack of affordable housing in the City was an issue. She stated that

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meant housing that was affordable to working people that might not income-qualify for programmatic housing. She stated a project like this was not affordable to people in the workforce. She stated there was a huge gap in that area, and she could not support the City giving \$1M to the project when the developers were not offering housing that filled in that workforce housing gap.

Council Member Berzins reiterated this deal was already set up and the \$1M was out of \$125M. She stated the lack of money would not stop the project but she felt not honoring the agreement would set a bad precedent for Council. She stated she would not fight it if Council Member Murillo did not want the project in Ward I but she reminded everyone that this was a beautiful project and the program was already set up and the project met the requirements of the program. She pointed out developers would not come back to Aurora if the City put all the strings on them.

Council Member Murillo stated she would rather incentivize other projects that actually provided a tangible benefit. She clarified she never stated she did not like the project, only that she had a hard time spending taxpayer dollars by incentivizing a project where people who already lived there and who paid into that tax base could not afford to live. She stated developers were well aware there were elections every four years and to pretend they were not aware of those changes was not right because a lot of things have changed from 2013 to 2020 and that was a really long time to make a promise and to not check in with Council to determine their priorities. She reiterated she wanted to support and incentivize development and agreed she did like parts of the project and that it could have positive to come out of it but she wanted to see the tangible parts of how it would be positive, and to her that was in affordability.

Council Member Hiltz concurred, noting there were developers across the City who were recognizing and have recognized that affordability was a big problem in the City, and while 100 percent of the solution could not be put on them, they have come to the table and asked what they could do to mitigate that concern. She stated that was in part because the Council was asking these questions and a lot of developers want to have the conversation. She stated that was not happening in this instance and it was something that has been going on for years. She stated she did not support the item with the incentive agreement because she agreed with Council Member Murillo that in today's day and age, to not have those conversations about an area that was rapidly increasing and at the top tier on a national rate of increase was poor planning.

Council Member Gruber mentioned the area in question was a vacant field that was located directly across the street from multiple hospitals and the medical people who worked in those hospitals had nowhere to live in Aurora. He stated they currently traveled in and out of the City every day therefore having housing across the street where professional people could live would increase the number of professionals in the area which was defined as a need in the City's housing needs. He pointed out the City said yes to the deal and promised the business community they would adhere to it if they followed the rules and by not doing so, the City was stating any deal they had prior to the last election no longer counted. He noted the City already had a reputation of being a bad business community because of the decisions the Council makes. He added this would be a major benefit to the City and noted that even if the developer put it up on his own without the City's incentive, the bad feelings that it would create would be shameful.

Council Member Marcano stated his doubts that the project would fall through for less than a percentage of the total overall cost. He noted elections did have consequences, noting he

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was on Council because he campaigned on a platform of affordable housing and on stopping the handing away of benefits on market rate projects.

Council Member Bergan stated there was a lot of discussion around Aurora not having a lot of housing in their market and she pointed out more housing would help in terms of affordability because decreasing the housing market made the prices rise. She stated it was a beautiful development that was perfect for this area. She stated the City was not operating on good faith if they did not honor the agreement they made. She stated it should be honored and that she supported the item.

Council Member Lawson stated this area of the City was intriguing because it had such a diversity of income and noted that while the hospitals were touted as the crown jewel, there should also be affordability. She did not agree with the incentive but agreed the project was nice but also that affordability was key to the area therefore she would not support the item.

Voting Aye: Bergan, Berzins, Gardner, Gruber

Voting Nay: Coombs, Hiltz, Johnston, Lawson, Marcano, Murillo

- ◆ d. **R2020-83** Consideration to APPROVE A RESOLUTION of the City Council of the City of Aurora, Colorado, for the Intergovernmental Agreement between the City of Aurora and the South Aurora Regional Improvement Authority (SARIA) Regarding Quincy Avenue Lane Additions Improvement Project
Presenter: Matthew Kozakowski, Transportation Project Delivery Manager/
Michelle Gardner, Senior Asst City Attorney

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

Council Member Bergan stated her understanding that the item related to funding and asked if SARIA would be responsible for the design or construction.

Matthew Kozakowski, Transportation Project Delivery Manager, stated the SARIA funds would be used by the City for design and construction.

Voting Aye: Bergan, Berzins, Coombs, Gardner, Gruber, Hiltz, Johnston, Lawson, Marcano, Murillo

- ◆ e. **R2020-84** Consideration to APPROVE A RESOLUTION of the City Council of the City of Aurora, Colorado, for the Intergovernmental Agreement between City of Aurora and RTD for Certain Maintenance Contribution for the I-225 Light Rail Project
Presenter: Matthew Kozakowski, Transportation Project Delivery Manager/
Michelle Gardner, Senior Asst City Attorney

Motion by Coombs, second by Marcano, to approve item 10e.

Voting Aye: Bergan, Berzins, Coombs, Gardner, Gruber, Hiltz, Johnston, Lawson, Marcano, Murillo

- ◆ f. **R2020-85** Consideration to APPROVE A RESOLUTION of the City Council of the City of Aurora, Colorado, authorizing the submission of an application to Great Outdoors Colorado for a three-year grant to fund Outdoor Environmental Education and Passive Recreational Programs.

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Presenter: Patricia Schuler, Manager of OS & Natural Res Op/ Angela Garcia, Assistant City Attorney II Civil

Motion by Hiltz, second by Murillo, to approve item 10f.

Voting Aye: Bergan, Berzins, Coombs, Gardner, Gruber, Hiltz, Johnston, Lawson, Marciano, Murillo

- ◆ g. **R2020-86** Consideration to APPROVE A RESOLUTION of the City Council of the City of Aurora, Colorado, approving an Intergovernmental Agreement No. 20-01.48 for Westerly Creek Drainage and Flood Control Improvements at Kenton Way between the City of Aurora, acting by and through its Utility Enterprise and the Urban Drainage and Flood Control District D/B/A Mile High Flood District.
Presenter: Sarah Young, Deputy Director Water Plan/Engin/ Christine McKenney, Client Group Manager

Motion by Coombs, second by Johnston, to approve item 10g.

Voting Aye: Bergan, Berzins, Coombs, Gardner, Gruber, Hiltz, Johnston, Lawson, Marciano, Murillo

- ◆ h. **R2020-87** Consideration to APPROVE A RESOLUTION of the City Council of the City of Aurora, Colorado, approving intergovernmental agreement NO. 20-01.47 regarding funding of Westerly Creek - Easterly Creek at 11th Avenue and Havana between the City of Aurora, Colorado, acting by and through its Utility Enterprise, and The Urban Drainage and Flood Control District D/B/A mile High Flood District.
Presenter: Sarah Young, Deputy Director Water Plan/Engin/ Christine McKenney, Client Group Manager

Motion by Coombs, second by Marciano, to approve item 10h.

Council Member Coombs requested a brief presentation by staff for the benefit of the public.

Sarah Young, Deputy Director Water Plan/Engin, did so.

Voting Aye: Bergan, Berzins, Coombs, Gardner, Gruber, Hiltz, Johnston, Lawson, Marciano, Murillo

- ◆ i. **R2020-88** 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 Metro Wastewater Reclamation District regarding interim Wastewater Treatment Facilities for Transport property in Box Elder Creek.
Presenter: Sarah Young, Deputy Director Water Plan/Engin/ Christine McKenney, Client Group Manager

Motion by Berzins, second by Coombs, to approve item 10i.

Voting Aye: Bergan, Berzins, Coombs, Gardner, Gruber, Hiltz, Johnston, Lawson, Marciano, Murillo

- ◆ j. **R2020-89** Consideration to APPROVE A RESOLUTION of the City Council of the City of Aurora, Colorado, Approving the Intergovernmental Agreement Between the City of Aurora and the Colorado Department of Transportation for Operation and

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Maintenance of Traffic Control Devices **(Due to this item being dual listed, the backup is included in item 3b of the Study Session Packet.)**

Presenter: Center, Lynne Deputy Director PW Operations/Gardner, Michelle, Senior Asst City Attorney

Sponsor:

Motion by Marcano, second by Murillo, to approve item 10j.

Voting Aye: Bergan, Berzins, Coombs, Gardner, Gruber, Hiltz, Johnston, Lawson, Marcano, Murillo

- ◆ k. **R2020-90** Consideration to APPROVE A RESOLUTION by the City Council of the City of Aurora, Colorado, approving the Contract for Purchase and Sale of Godfrey Ditch company Shares. **(Staff Requests a Waiver of Reconsideration)**
Presenter: Davis, Alexandra - Deputy Director Water Resources/Neitzel, Stephanie, Assistant City Attorney II Civil

Motion by Gardner, second by Berzins, to approve item 10k with a waiver of reconsideration.

Council Member Coombs requested a brief presentation by staff for the benefit of the public.

Alexandra Davis, Deputy Director Water Resources, did so.

Council Member Gruber asked if there would be any issues with water court or would the City own it free and clear. Ms. Davis stated the latter.

Voting Aye: Bergan, Berzins, Coombs, Gardner, Gruber, Hiltz, Johnston, Lawson, Marcano, Murillo

- ◆ l. **R2020-91** Consideration to APPROVE A RESOLUTION by the City Council of the City of Aurora, Colorado, concerning the sharing, subject to annual appropriation, of certain City use taxes and lodgers taxes with the 64th Ave. ARI authority in support of improvements to 64th Avenue being undertaken by such authority, its member districts, the e-470 Public Highway Authority and Adams County, and authorizing the execution and delivery of a contribution agreement and certain other actions in connection therewith
Presenter: Velasquez, Terri - Director of Finance - Finance/Hernandez Perez, Hans, Assistant City Attorney II Civil

Motion by Gruber, second by Gardner, to approve item 10l.

Council Member Coombs requested staff provide information related to the community benefits the developer agreed to as a part of the plan.

Terri Velasquez, Director of Finance, did so.

Council Member Coombs asked if there was also infrastructure the developer would construct.

Mark Wakevich, representing the applicant, answered affirmatively, and discussed additional community benefits agreed to by the applicant.

Mayor Pro Tem Johnston stated her support of the item and the public/private partnership, noting it was not just an ask of the City but additional entities as well.

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Mr. Wakevich concurred, and further discussed the partnership related to the item.

Voting Aye: Bergan, Berzins, Coombs, Gardner, Gruber, Hiltz, Johnston, Lawson, Marcano, Murillo

- ◆ m. **R2020-93** Consideration to APPROVE A RESOLUTION of the City Council of the City of Aurora, Colorado, for the Intergovernmental Agreement between the City of Aurora and Colorado Department of Transportation (CDOT) regarding funding for the 13th Avenue Multimodal Corridor Study ***(Due to this item being dual listed, the backup is included in item 3d of the Study Session Packet.)***
Presenter: Worker-Braddock, Tom - Senior Planner - Planning & Development Service/Gardner, Michelle, Senior Asst City Attorney

Motion by Murillo, second by Coombs, to approve item 10m.

Voting Aye: Bergan, Berzins, Coombs, Gardner, Gruber, Hiltz, Johnston, Lawson, Marcano, Murillo

- ◆ n. **R2020-94** Consideration to APPROVE A RESOLUTION of the City Council of the City of Aurora, Colorado, appointing two members of the Board of Directors of the Havana Business Improvement District ***(Due to this item being dual listed, the backup is included in item 2a of the Study Session Packet.)***
Presenter: Argentar, Chad - Project Manager - Planning & Development Service/Hernandez Perez, Hans, Assistant City Attorney II Civil

Motion by Gruber, second by Coombs, to approve item 10n.

Voting Aye: Bergan, Berzins, Coombs, Gardner, Gruber, Hiltz, Johnston, Lawson, Marcano, Murillo

- ◆ o. **R2020-95** Consideration to APPROVE A RESOLUTION of the City Council of the City of Aurora, Colorado, to approve the Intergovernmental Agreement between the City and County of Denver, the Counties of Adams, Arapahoe and Jefferson, and the City pertaining to sharing the respite space operated by the City and County of Denver to house individuals experiencing symptoms of covid-19
Presenter: Prosser, Jessica - Manager of Community Development - Housing and Community Services/Joyce, Tim, Assistant City Attorney II Civil

Motion by Marcano, second by Coombs, to approve item 10o.

Voting Aye: Bergan, Berzins, Coombs, Gardner, Gruber, Hiltz, Johnston, Lawson, Marcano, Murillo

- p. **R2020-96** Consideration to APPROVE A RESOLUTION of the City Council of the City of Aurora, Colorado, authorizing the assignment of the City's private activity bond allocation for 2020 to the Aurora Housing Authority and providing other details in connection therewith ***(Due to this item being dual listed, the backup is included in item 2d of the Study Session Packet.)***
Presenter: Prosser, Jessica - Manager of Community Development - Housing and Community Services/Joyce, Tim, Assistant City Attorney II Civil

Motion by Bergan, second by Murillo, to approve item 10p.

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Voting Aye: Bergan, Berzins, Coombs, Gardner, Gruber, Hiltz, Johnston, Lawson, Marcano, Murillo

11. **PUBLIC HEARING WITH RELATED ORDINANCE**

- ◆ a. **2020-34** Public Hearing and Consideration of AN ORDINANCE FOR INTRODUCTION of the City Council of the City of Aurora, Colorado, zoning 25.65 acres of land, more or less, generally located West of Powhaton Road and between East 6th Avenue to the North and East Alameda Avenue to the South, within the County of Arapahoe, State of Colorado, to Residential – Medium Density District and amending the zoning map accordingly (XCEL/ADONEA INITIAL ZONING)
Presenter: Loomis, Ryan - Senior Planner - Planning & Development Service/
Money, Daniel, Senior Asst City Attorney

Mayor Coffman opened the public hearing on the item.

Daniel Money, Senior Asst City Attorney, provided a brief overview of the item.

Brandon Cammarata, Planning, Manager, concurred and further discussed the item.

Mayor Coffman closed the public hearing on the item.

Motion by Gruber, second by Johnston, to approve item 11a.

Council Member Gruber stated the reason the annexation was necessary was to provide roads through the area.

Mr. Cammarata concurred.

Voting Aye: Bergan, Berzins, Coombs, Gardner, Gruber, Hiltz, Johnston, Lawson, Marcano, Murillo

12. **PUBLIC HEARING WITHOUT RELATED ORDINANCE**

- a. Public Hearing and Consideration of a Call up of a decision by the Planning and Zoning Commission which unanimously approved an Oil and Gas Location applied for by GMT Exploration Company.

The Council may approve the Oil and Gas Location and recommend vesting of property rights as per the Unified Development Ordinance Section 146-5.3.16, if:

1. The applicant has selected a location which is protective of public health, safety, welfare including protection of the environment and wildlife resources; and

2. The application complies with the Criteria for Approval:

a. the application complies with the applicable standards of the UDO and other adopted City regulations any approved Master Plan that includes the property, and any conditions specifically applied to development of the property by the Planning and Zoning Commission or City Council in a prior decision affecting the property;

b. the application is consistent with the Comprehensive Plan;

c. The size, scale, height, density, multi-modal traffic impacts, and hours of operation of the proposed use are compatible with existing and planned uses in the surrounding area;

d. The proposed use will not change the predominant character of the surrounding area;

e. The City's existing infrastructure and public improvements, including but not limited to its street, trail, and sidewalk systems have adequate capacity to serve the proposed development, and any burdens on those systems have been mitigated

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to the degree practicable; and

f. The application demonstrates that the change in zoning will not create significant dislocations of tenants or occupants of the property, or that any impacts are outweighed by other public benefits or progress toward other Comprehensive Plan goals that would be achieved by approval of the application; and

g. The application mitigates any adverse impacts on the surrounding area to the degree practicable.

3. The location complies with COGCC setback requirements (as verified by staff).

4. An alternative location analysis process for oil and gas locations or facilities was performed by the applicant.

Presenter: Jeffrey Moore, Oil & Gas Division Manager, General Management/Best, Ian, Assistant City Attorney I Civil

Applicant: Hans Schuster et al, GMT Exploration

13. ORDINANCES FOR INTRODUCTION

- ◆ a. **2020-35** Consideration of AN ORDINANCE FOR INTRODUCTION of the City Council of the City of Aurora, Colorado, amending Chapter 102 of the City Code of the City of Aurora, Colorado, relating to the General Employees' Retirement Plan
Presenter: Terri Velasquez, - Director of Finance/Hans Hernandez Perez, Assistant City Attorney II Civil
Outside Speaker: Steve Shanks, GERP Administrator

Motion by Gruber, second by Marcano, to approve item 13a.

Voting Aye: Bergan, Berzins, Coombs, Gardner, Gruber, Hiltz, Johnston, Lawson, Marcano, Murillo

14. RECONSIDERATIONS AND CALL-UPS

- a. RECONSIDERATION OF RESOLUTION R2020-22 – Concerning the Continuation of the City Manager's Disaster Declaration.
Staff Source: Jim Twombly, City Manager
Presenters: Matt Chapman, Fire Battalion Chief/Nancy Rogers, Deputy City Attorney/Rachel Allen, Client Group Manager/Isabelle Evans, Assistant City Attorney II

Motion by Coombs, second by Marcano, to approve item 14a.

Voting Aye: Bergan, Berzins, Coombs, Gardner, Gruber, Hiltz, Johnston, Lawson, Marcano, Murillo

- b. RECONSIDERATION OF RESOLUTION R2020-24 - to Suspend Certain Council Rules.
Staff Source: Susan Barkman, Interim City Clerk/Dan Brotzman, City Attorney

Motion by Berzins, second by Marcano, to approve item 14b.

Voting Aye: Mayor Coffman, Bergan, Berzins, Coombs, Gardner, Gruber, Hiltz, Johnston, Lawson, Marcano, Murillo

15. GENERAL BUSINESS

- a. Consideration to appoint two (2) members and to the Veterans Affairs Commission
Presenter: Susan Barkman, Interim City Clerk/David Lathers, Senior Asst City Attorney

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Motion by Bergan, second by Bergan, to appoint Charles Fox and Jeremy Lammon to the Veterans Affairs Commission.

Council Member Bergan stated both gentlemen would be assets to the commission and she was glad they applied.

Voting Aye: Mayor Coffman, Bergan, Berzins, Coombs, Gardner, Gruber, Hiltz, Johnston, Lawson, Marcano, Murillo

- b. Consideration to appoint two (2) members to the Aurora Fox Arts Center Board
Presenter: Susan Barkman, Interim City Clerk/David Lathers, Senior Asst City Attorney

Motion by Murillo, second by Coombs, to appoint Kelly Moran and Leon Duran to the Aurora Fox Arts Center Board.

Voting Aye: Mayor Coffman, Bergan, Berzins, Coombs, Gardner, Gruber, Hiltz, Johnston, Lawson, Marcano, Murillo

- c. Consideration to appoint one (1) member of the Joint Water Authority
Presenter: Dan Mikesell, Aw Dir Of Operations/David Lathers, Senior Asst City Attorney

Motion by Gruber, second by Berzins, to appoint Dan Mikesell and Alexandra Davis of the Joint Water Authority.

Voting Aye: Mayor Coffman, Bergan, Berzins, Coombs, Gardner, Gruber, Hiltz, Johnston, Lawson, Marcano, Murillo

- d. Consideration to appoint one (1) member to the Homestake Steering Committee
Presenter: Mikesell, Dan - Aw Dir Of Operations/David Lathers, Senior Asst City Attorney

Council Member Berzins stated the one and only female mayor, Norma Walker, signed on the Homestake Steering Committee.

Motion by Berzins, second by Bergan, to appoint Steve Sciba to the Homestake Steering Committee.

Voting Aye: Mayor Coffman, Bergan, Berzins, Coombs, Gardner, Gruber, Hiltz, Johnston, Lawson, Marcano, Murillo

16. **REPORTS**

- a. Report by the Mayor

Mayor Coffman reminded everyone that the City of Aurora had a COVID-19 testing center located at the Aurora Sports Park, noting it was open from 8:00 a.m. to 4:00 p.m. and it was free and quick. He stated the results were expected within four days and he encouraged everyone with or without symptoms to consider getting tested if they have not.

- b. Reports by Council

Mayor Pro Tem Johnson announced the appointment of Patrice Traylor to the Citizens Advisory Budget Committee, and the cancellation of the Ward II Town Hall meeting for September.

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ATTEST:



Susan Barkman
Susan Barkman, Interim City Clerk

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Council Member Berzins discussed the success of the recent Ward III Town Hall meeting and announced the upcoming Ward III meeting was scheduled for Thursday, October 22, 2020 and would be held virtually at 7:30 a.m. She wished everyone a good week.

Council Member Lawson announced the upcoming 6th class of the Civic Engagement Academy which would be virtual this year. She stated applications were being accepted at this time.

Council Member Bergan announced the Ward VI Town Hall meeting was scheduled virtually on Wednesday, September 16, 2020 from 6:00 p.m. to 8:00 p.m. where the agenda would include Chief Wilson presenting on School Resource Officers (SRO) and Marshall Brown, Director, Aurora Water, presenting on the new water rate methodology.

Council Member Murillo announced the Ward I Town Hall meeting was scheduled virtually on Thursday, September 24, 2020 at 6:00 p.m. and she recognized September 15 through October 15 as National Hispanic Heritage Month.

Council Member Hiltz announced the Public Safety Committee meetings would go back to being held once a month and she expressed appreciation to staff for their support for when the meetings were being held once a week due to the large number of topics that needed to be discussed.

Council Member Gruber announced the upcoming metro district meeting was scheduled for Thursday, November 5, 2020, noting more information would be provided. He provided a Space Command update, noting Aurora was a candidate and they were in ongoing discussions with the Lieutenant Governor's office related to how a tour could be conducted for the final evaluation within the November timeframe.

Council Member Marcano announced the Ward IV Town Hall meeting was scheduled for Thursday, September 16, 2020 at 6:30 p.m., noting it would be digital and simulcast on Facebook Live. He stated a traffic presentation and an open Q & A would take place.

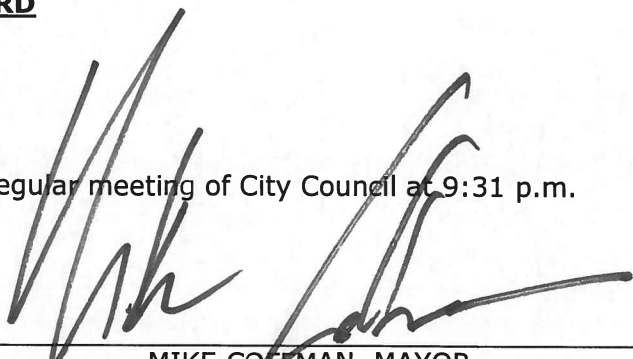
Council Member Coombs announced the appointment of Michelle Redding of Drydock Brewery to the Business Advisory Board and stated the Ward V Town Hall meeting was scheduled for Tuesday, September 15, 2020 at 6:30 p.m. where Greg Hayes, Budget, would provide a budget presentation, Public Safety representatives from Aurora Fire and Police would provide updates and an open Q & A were planned. She wished everyone a great night.

17. **PUBLIC INVITED TO BE HEARD**

None

18. **ADJOURNMENT**

Mayor Coffman adjourned the regular meeting of City Council at 9:31 p.m.



MIKE COFFMAN, MAYOR

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