

MINUTES

Regular Meeting of the Aurora City Council

Monday, April 12, 2021

1. **RECONVENE REGULAR MEETING OF MARCH 22, 2021 AND CALL TO ORDER**

Mayor Coffman reconvened the regular meeting of City Council at 6:30 p.m.

Call-in instructions were provided for the benefit of the public.

2. **ROLL CALL** - Kadee Rodriguez, City Clerk

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

3. **INVOCATION/MOMENT OF SILENCE**

Mayor Coffman called for a moment of silence for all those who have been lost to COVID or who are struggling to recover.

4. **PLEDGE OF ALLEGIANCE** (all standing)

Call-in instructions were provided for the benefit of the public by a Spanish interpreter.

5. **APPROVAL OF MINUTES**

5.a. - February 22, 2021

Motion by Berzins, second by Gruber, to approve the minutes of the meeting of February 22, 2021, as presented.

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

6. **EXECUTIVE SESSION UPDATE**

Mayor Pro Tem Bergan stated water issues and lawsuits were discussed at Executive Session.

7. **PROCLAMATIONS OR CEREMONIES**

7.a. National Youth Violence Prevention Week

Council Member Lawson read the proclamation declaring April 12 – 16, 2021 as National Youth Violence Prevention Week.

7.b. Child Abuse Prevention Month

Mayor Coffman read the proclamation declaring April 2021 as Child Abuse Prevention Month.

7.c. Aurora Arbor Week

Mayor Coffman read the proclamation declaring April 16 – 23, 2021 as Aurora Arbor Week.

8. **PUBLIC INVITED TO BE HEARD**

(non-agenda related issues only)

Council heard public testimony from the call-in line.

9. **ADOPTION OF THE AGENDA**

Mayor Coffman noted staff requested items 10a and 11c be removed and noted he would like item 21 to be moved ahead of item 20a.

Motion by Coombs, second by Johnston, to remove items 10a and 11c from the agenda and to move item 21 ahead of item 20a.

Mayor Pro Tem Bergan recalled Council changed procedures at the previous meeting to allow council members to speak after item 21, Public Invited to be Heard, in order to address any concerns.

Mayor Coffman stated he did not remember the change and restated the motion.

Council Member Marciano noted previous mayors allowed council members the privilege to respond without shuffling the agenda therefore it was at the Mayor's discretion to do so.

Mayor Coffman stated, out of deference to Public Invited to be Heard, his preference that the public speak prior to Council.

Voting Aye: Mayor Coffman, Coombs, Hiltz, Johnston, Lawson, Marciano, Murillo

Voting Nay: Bergan, Berzins, Gardner, Gruber

9.a. RECONSIDERATION OF RESOLUTION R2020-24 - to Suspend Certain Council Rules

Kadee Rodriguez, City Clerk / Dan Brotzman, City Attorney

Motion by Marciano, second by Coombs, to approve item 9a.

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

10. **CONSENT CALENDAR**

This portion of the agenda is a meeting management tool to allow the City Council to handle several routine items with one action. Any member of the Council may request an item to be removed from the Consent Calendar and considered separately. Any item removed will be considered immediately following the adoption of the remainder of the Consent Calendar.

10.a. Discussion of New Aurora Fire Rescue Fees Added to the 2021 Budget

Mathew Wasserburger, Assistant Director Fire Management Services / Isabelle Evans, Assistant City Attorney

10.b. Consideration to AWARD A COMPETITIVELY BID CONTRACT to Myers & Sons Construction, LLC, Sacramento, California in the amount of \$3,324,112.68 for the Tollgate and Sand Creek Interceptor Diversion Structures Rehabilitation Phase 2 Project, Project No. 5809A.

Andrea Long, Senior Engineer, Aurora Water / Dave Lathers, Senior Assistant City Attorney

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

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

Marshall Brown, Director, Aurora Water, did so.

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

10.c. Consideration to AMEND AN OPENLY SOLICITED CONTRACT with Populous Group LLC, Kansas City, Missouri in the amount of \$381,941.00 for additional architect & engineering services associated with the Southeast Recreation Center Project, R-1953.

John Perkins – Senior Project Manager / Dave Lathers – Senior Assistant City Attorney

10.d. Consideration to AMEND AN OPENLY SOLICITED CONTRACT with Carollo Engineers, Inc., Englewood, Colorado in the amount of \$162,000.00 to provide additional engineering services during construction and construction inspection services for the Griswold Water Project.

Elizabeth Carter, Principal Engineer, Aurora Water / Dave Lathers, Senior Assistant City Attorney

- 10.e. Consideration to AWARD A SOLE SOURCE CONTRACT to Intergraph Corp., dba Hexagon Safety & Infrastructure, Madison, Alabama in the amount of \$395,804.30 for annual support of the Computer Aided Dispatch (CAD) software and interfaces through May 31, 2022.

Scott Newman, CIO, IT / Dave Lathers, Senior Assistant City Attorney

- 10.f. Consideration to AWARD A COMPETITIVELY BID CONTRACT to WESCO, Pueblo, CO in the total amount not to exceed \$75,000.00 to provide Eaton/Cutler Hammer Electrical Parts as required for Water Treatment and Pumping Repairs through April 2022. (B-4584)

Marena Lertch, Manager Water Service Operations, Aurora Water / Dave Lathers, Senior Assistant City Attorney

- 10.g. Consideration to AWARD A SINGLE SOURCE CONTRACT to BFI Tower Road Landfill (Republic Services), Commerce City, Colorado, in the not-to-exceed amount of \$73,300.00 for landfill services at the Tower and Foothills Landfill through April 30, 2022.

Lynne Center – Deputy Director PW Operations / Dave Lathers – Senior Assistant City Attorney

- 10.h. Consideration to AWARD A SINGLE SOURCE CONTRACT to Galls Inc., Denver, Colorado in the amount of \$500,000.00 for Police Uniforms and Tailoring Services as required through February 1, 2022.

Lt. Brian Kelly, Police Dept. / Dave Lathers, Senior Assistant City Attorney

- 10.i. Consideration to AWARD A SOLE SOURCE CONTRACT to Johnson Controls Inc., Littleton, Colorado in the amount of \$1,144,900.00 to replace HVAC Controls for the City's Metasys System at four sites.

Lynne Center, Deputy Director of Public Works Operations / Dave Lathers, Senior Assistant City Attorney

Motion by Coombs, second by Lawson, to approve items 10c – 10i.

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

- 10.j. Consideration to EXTEND A COMPETITIVELY BID CONTRACT to Brannan Sand and

Gravel Company, Denver, Colorado in the amount of \$14,100,077.88 for the 2021 Overlay Program, Project #5817A. (Original Bid #5771A)

Tom McMinimee – Streets Operations Manager / Dave Lathers – Senior Assistant City Attorney

Motion by Coombs, second by Bergan, to approve item 10j.

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

Tom McMinimee, Streets Operations Manager, did so.

Cindy Colip, Interim Director, Public Works, concurred.

Mayor Pro Tem Bergan asked if this item related to the overlay of major arterials in the City rather than residential streets. Mr. McMinimee answered affirmatively, noting the plan covered arterials and collectors in the City. Mayor Pro Tem Bergan stated she had an inquiry from one of her constituents regarding repair to the extensive damage of their neighborhood roads. She stated the response to the constituent was that the City could patch those areas but were unable to reconstruct them due to the Road Maintenance Program deficit.

Mr. McMinimee concurred.

Mayor Pro Tem Bergan stated she wanted to be sure the public understood the City did not have the funds to provide those repairs.

Council Member Gruber pointed out the City has been underfunding roads at approximately \$20M per year since 2008 and as a result, has realized a funding backlog that did not allow for the paving of neighborhood roads.

Mr. McMinimee concurred.

Council Member Gruber noted the problem was further exacerbated each time Council made a decision to divert dollars to anything other than roads.

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

Mayor Coffman called for a five-minute recess to allow staff to set up for public comment.

Call-in instructions were provided for the benefit of the public.

11. RESOLUTIONS

11.a. City of Aurora Debt Policy

R2021-21 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF

◆ *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.*

AURORA, COLORADO, ADOPTING A DEBT POLICY

Teresa Sedmak, City Treasurer / Hanosky Hernandez, Assistant City Attorney

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

Mayor Coffman asked if the City had any general obligation debt.

Hanosky Hernandez, Assistant City Attorney, answered no.

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

Teresa Sedmak, City Treasurer, did so.

Mayor Pro Tem Bergan asked if the interest rates swap was based on a call date. Ms. Sedmak stated the City has not used interest rate swaps much and they would not be used typically except in specific circumstances where it protected the City from risks associated with interest rates. Mayor Pro Tem Bergan asked if the City would swap interest rates to reduce their interest rates so as to pay off debt earlier. Ms. Sedmak answered no.

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

11.b. THE AURORA CITY COUNCIL'S SUPPORT THAT HOUSING IS A HUMAN RIGHT

R2021-22 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, EXPRESSING THE AURORA CITY COUNCIL'S SUPPORT THAT HOUSING IS A HUMAN RIGHT

R2021-22 RESOLUCIÓN DEL CONCEJO MUNICIPAL DE LA CIUDAD DE AURORA, COLORADO, EXPRESANDO EL APOYO DEL CONCEJO MUNICIPAL DE LA CIUDAD DE AURORA AL CONCEPTO DE VIVIENDA COMO DERECHO HUMANO

Sponsor: Council Member Crystal Murillo

Staff: Jessica Prosser, Director of Housing and Community Services / Tim Joyce, Assistant Attorney

City Council heard public call-in testimony on the item.

Motion by Murillo, second by Marcano, to approve item 11b.

Council Member Murillo clarified this was a resolution that served as a statement of support. She stated it was an aspiration of the City to value and to move policies forward that centered on people and housing as a right. She stated it came after three years of actively commissioning studies and needs assessment on housing and inventory stock which led to the Affordable Housing Study that passed last December and this was moving right along in those conversations. She stated this centered Council's conversations on equitable outcomes that they would be voting on actual policy in that regard moving forward. She

stated the Housing Study was like a roadmap that outlined housing policies and a Housing as a Human Right resolution was complementary to that. She offered kudos to City staff for working through the translation and technological issues of the meeting. She stated this was not a new concept and people were angry and she understood that. She expressed her hope that those frustrations could be channeled into productive conversations moving forward. She urged her colleagues to vote in favor of the resolution as well as any upcoming housing legislation.

Council Member Coombs stated the concept of human rights was about guaranteeing the preconditions for freedom and thriving for people. She expressed her hope that, after hearing the testimony of those who called in, Council could acknowledge and recognize that the situations were lacking in those preconditions of both freedom and thriving because people could not make free choices in these circumstances. She pointed out other preconditions for freedom and thriving like education and health were also undermined by the lack of access to adequate housing. She expressed her hope that it was made clear that people could not be secure in those preconditions for freedom and thriving when they lived in the conditions they described within the City.

Council Member Berzins agreed the testimony was heartbreaking, noting she was reminded of the mobile home park residents' testimony from a few years ago. She expressed her confusion however because she did not feel the speakers understood this was a resolution that would not result in free or public housing. She stated resolutions meant nothing more than being a lot of words on a piece of paper. She pointed out the Housing Study showed Aurora had some of the most affordable housing in the metro area and had many builders who were ready to build but were getting held up for one reason or another. She stated Council would help move that process along if they could because new inventory meant people moved into those houses and others moved into their vacated houses and so on. She pointed out a lot more needed to be done to make housing affordable such as insurance, property taxes, water, and electricity and she did not see any of those items going down. She stated she also did not see Aurora having the money to build free homes. She stated the necessity of working together rather than pointing fingers in that regard. She stated she was in favor of lower housing but she could not support the item because she did not think it was up to Council to state what was a right and what was not.

Council Member Murillo expressed her hope that Council could remain consistent in how they treated resolutions because resolutions such as those that opposed hate crimes against the Asian Pacific Islanders community were not meaningless verbiage. She stated the Housing Study was comprised of many specific outcomes that would be discussed as the year progressed. She reiterated the item was meant to be a statement of support and value. She agreed human rights were not constitutional rights but rather were rights because people were humans who deserved to live and exist. She clarified the people she has been working with were clear on what the resolution did or did not do and she could not mandate whatever their hopes or aspirations for it were. She noted it was their First Amendment opinion and right to exercise their hope so she would not speak to their individual comments. She expressed appreciation to everyone who called in to speak on the item, noting she did not agree with everything that was stated and pointed out that just

because some of the speakers spoke Spanish did not mean they were incapable of understanding what the resolution was.

Council Member Gruber asked staff for clarification on the reference to the Housing as a Human Right Act.

Tim Joyce, Assistant Attorney, did so.

Council Member Gruber stated his understanding it was draft act that was not voted on by either body or signed by the President.

Mr. Joyce concurred.

Council Member Gruber expressed concerns related to that information not being addressed in the resolution. He referenced the resolution language related to Council's support for the concepts and principals of Housing as a Human Right and asked where those concepts and principals were outlined. Mr. Joyce stated those that were available have been presented to his knowledge. Council Member Gruber noted those items were also not specifically stated or defined in the resolution and he could therefore not support voting on something that was nothing other than a title. He noted additionally, there were those who called in to speak who appeared to be under the impression that the City would somehow solve their housing issues with this resolution. He apologized to those who believed this resolution would do that for them.

Council Member Marcano stated resolutions were not meaningless but rather were statements of value and vision to the public to let them know their concerns were heard. He noted this resolution recognized the reality of the struggle of many families in Aurora to afford and maintain dignified housing. He referenced the right to housing called out in the Bill of Rights and listed other entities that have Right to Housing laws in place. He stated his support for the item.

Council Member Murillo clarified she has received messages from those who spoke stating their understanding of what the resolution did and did not do. She noted the Housing as a Human Right Act referred to the name of the legislation which was a proper noun meant to be capitalized and not based on legislation that has passed. She stated the United Nations Declaration on Human Rights with housing as a part of it lent credibility to the process as did the US government having an active bill supporting housing as a human right. She stated the importance that it be supported on a local level. She encouraged her colleagues to not make inferences about what people did and did not understand just because they spoke a different language and were not present to defend themselves. She stated doing so was wholly inappropriate and insulting. She reiterated her belief that housing was a human right and this resolution should be visionary and aspirational for the City of Aurora.

Council Member Gruber reiterated his previous comments related to the Human Rights Act not being voted on or signed by the President and that the principals and concepts were undefined in the resolution. He stated the interpretation of the Spanish speakers as well as the English speakers made it sound as though the resolution would solve the problems the speakers identified.

Council Member Coombs pointed out the UN Declaration on Human Rights was discussed in study session and reiterated what Housing as a Human Rights meant in that regard.

Council Member Murillo reiterated her previous comments related to this being a visionary statement of values of the City that housing was a human right. She stated she was uncertain as to why it was necessary to define human rights when it was a pretty common understanding. She noted stating this was not clear was incorrect as multiple bodies of legislation have identified human rights. She stated any issues with the phrasing in the resolution should have been addressed prior to the item coming before Council for approval.

Mayor Pro Tem Bergan expressed concerns related to Section 1 of the resolution where it stated Council's resolution to support the concepts and principals of housing as a human right. She noted the UN Declaration spelled out a lot of conditions in that regard and she took an oath to support the United States Constitution and not the United Nations Constitution. She stated her respect for the United Nations but noted the resolution talked about the City supporting concepts that the United Nations put forth. She added her concerns related to Section 2 where it called out rescinding any resolutions in the City that were in conflict to the item. She asked staff if there were any City resolutions that were in conflict with this resolution. Mr. Joyce stated that was standard language in all City resolutions. Mayor Pro Tem Bergan stated that was problematic because Council was unaware of possible conflicts. She stated she understood the intent behind the resolution and noted the City has done a lot to try to solve some of the housing issues. She stated it was very complex and there were a lot of questions to contemplate in that regard. She stated her heart went out to the speakers who called in but she could not support the resolution as it was written.

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

Voting Nay: Bergan, Berzins, Gardner, Gruber

11.c. 2021 RTD IGA Resolution

R2021-23 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, APPROVING THE INTERGOVERNMENTAL AGREEMENT BETWEEN THE REGIONAL TRANSPORTATION DISTRICT AND THE CITY OF AURORA REGARDING SAFETY AND SECURITY SERVICES

Jim Lesnansky, Police Lieutenant / Megan Platt, Police Legal Advisor

11.d. IGA Between Buckley AFB and the Aurora History Museum

R2021-24 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, EXPRESSING THE AURORA CITY COUNCIL'S APPROVAL OF THE INTERGOVERNMENTAL AGREEMENT BETWEEN THE UNITED STATES AIR FORCE BUCKLEY AIR FORCE BASE AND THE CITY OF AURORA'S AURORA HISTORY MUSEUM AND HISTORIC SITES DIVISION.

Scott Williams, Museum Supervisor / Tim Joyce, Assistant Attorney

Motion by Gruber, second by Coombs, to approve item 11d.

Council Member Coombs expressed appreciation to staff for their efforts in this regard.

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

11.e. Resolution Redistricting

R2021-25 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, EXPRESSING THE AURORA CITY COUNCIL'S SUPPORT OF THE COLORADO CONGRESSIONAL REDISTRICTING COMMISSION'S AND COLORADO LEGISLATIVE REDISTRICTING COMMISSION'S EFFORTS TO PROMOTE MUNICIPAL INTEGRITY

Sponsor: Council Member Angela Lawson

Luke Palmisano, Intergovernmental Relations Manager/Rachel Allen, Client Group Manager

Motion by Lawson, second by Gruber, to approve item 11e.

Council Member Lawson stated the item urged the Redistricting Commission to keep Aurora whole in a single district and not divide its communities and neighborhoods. She noted this was a citizen initiative that was brought to FSIR and she expressed her hope that her colleagues would vote to approve it.

Council Member Murillo expressed appreciation to Council Member Lawson for bringing the item forward. She stated it was a good concept but given the many issues related to how census data was collected and how many of the commissions have been delayed moving forward, she felt a discussion around redistricting felt premature at this time therefore she would not be voting in support of it.

Council Member Gruber pointed out he was supporting the item because it ensured the State representatives who were voted in represented the City of Aurora and had a vested interest in the City of Aurora.

Council Member Lawson concurred. She disagreed that it was premature as this made a statement while the legislature was in the redistricting process.

Mayor Pro Tem Bergan asked if the resolution precluded better representation. Council Member Lawson stated this made sure Aurora remained whole and would not be districted out. Mayor Pro Tem Bergan asked if this related to State and Congressional districts. Council Member Lawson answered affirmatively.

Council Member Murillo clarified she did not mean it was premature of Council Member Lawson to bring the item forward, but rather she felt she was unable to make a decision

when there were so many questions and concerns out there regarding how the process of data collection worked.

Mayor Coffman pointed out this had little to do with the census. He noted it related more to sending a message to maximize Aurora's representation in both the General Assembly and in Congress.

Council Member Murillo disagreed, noting census data was used to determine representation.

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

Voting Nay: Murillo

11.f. DECLARING THE MONTH OF APRIL EACH YEAR AS SECOND CHANCE MONTH

R2021-26 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, DECLARING THE MONTH OF APRIL EACH YEAR AS SECOND CHANCE MONTH IN THE CITY OF AURORA

Sponsor: Council Member Curtis Gardner

Staff: Rachel Allen, Client Manager – City Attorney's Office

Motion by Gardner, second by Hiltz, to approve item 11f.

Council Member Gardner provided information on why he brought the item forward.

Council Member Coombs expressed appreciation to Council Member Gardner for bringing the item forward. She stated restrictions to housing and employment have devastating impacts on people's lives and it was inhumane to recriminalize and undermine them by limiting access to basic needs and rights. She understood the resolution did not change the law but rather provided Council with the opportunity to reflect on that fact and to decide if they had the will to act to ensure full political participation was restored to people with past convictions.

Council Member Gruber stated his support of the item. He pointed out Victims' Rights Week was April 18 – 24, noting there were 3000+ victims of major crimes in Aurora. He agreed someone who has gone through the system should be treated fairly but noted there were caveats and limitations as well.

Mayor Pro Tem Bergan clarified the resolution did not take any other actions other than declaring the month of April as Second Chance Month each year.

Council Member Gardner concurred.

Council Member Berzins stated her support for the item and asked if there was a resolution in the works related to Victims' Rights. Mayor Pro Tem Bergan confirmed a Victims' Rights Proclamation was coming forward at the next Council meeting.

Council Member Berzins suggested there should be a Victims' Rights resolution as well.

Council Member Gardner pointed out the resolution had nothing to do with victims but was rather a statement that once individuals have been punished for their crimes, they were allowed to reenter society.

Council Member Murillo stated she sat on the State Advisory Board for Juvenile Justice and Delinquency Prevention and because of her experience doing so, she expressed her appreciation to Council Member Gardner for elevating this and youth in the system as a part of the conversation. She stated the importance of reaffirming this value for the LBGTQ+ youth and all youth in detention facilities.

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

11.g. ARTA Boundary Expansion

R2021-27 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, IN SUPPORT OF THE FIRST SUPPLEMENT TO INTERGOVERNMENTAL AGREEMENT AMONG THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF ADAMS (THE "COUNTY"), THE CITY OF AURORA (THE "CITY") AND THE AEROTROPOLIS AREA COORDINATING METROPOLITAN DISTRICT ("AACMD") ESTABLISHING THE AEROTROPOLIS REGIONAL TRANSPORTATION AUTHORITY (Inclusion of ATEC and GVRE Properties into Authority Boundaries)

Jason Batchelor, Deputy City Manager / Michelle Gardner, Senior Assistant City Attorney

Motion by Gardner, second by Gruber, to approve item 11g.

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

Mayor Coffman called for a five-minute recess to allow staff the opportunity to provide directions to the public for the call-in line.

12. PUBLIC HEARING WITH RELATED ORDINANCE

12.a. Smoky Hill Coffee Shop Zoning Map Amendment

2021-14 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, REZONING 14.39 ACRES MORE OR LESS AT THE SOUTHEAST CORNER OF SMOKY HILL ROAD AND EAST OTTAWA PLACE FROM R-1 LOW DENSITY SINGLE-FAMILY DISTRICT TO MUC MIXED-USE CORRIDOR DISTRICT AND AMENDING THE ZONING MAP ACCORDINGLY.

Claire Dalby, Planner II / Daniel L. Money, Senior Assistant City Attorney

Mayor Coffman opened the public hearing on the item.

Claire Dalby, Planning & Development Services, provided a brief presentation on the item.

Mayor Pro Tem Bergan clarified the item related to rezoning from residential to mixed-use commercial.

Ms. Dalby concurred.

Mayor Pro Tem Bergan asked if that land was also the parcel where Eastern Hills Community Church was located. Ms. Dalby answered affirmatively.

Clint Jameson, representing the applicant, stated he was available to answer any questions.

Mayor Pro Tem Bergan asked if the applicant had conversations with Eastern Hills Community Church in this regard. Mr. Jameson answered affirmatively, noting Eastern Hills was selling the applicant the property. Mayor Pro Tem Bergan asked if Eastern Hills was selling the land but not vacating it. Mr. Jameson answered affirmatively, noting the church was selling the applicant approximately one acre of land but the entire property had to be rezoned in order to add the coffee shop on the corner.

Mayor Coffman closed the public hearing on the item.

Mayor Pro Tem Bergan stated her support of the item.

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

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

13. PUBLIC HEARING WITHOUT RELATED ORDINANCE

None

14. INTRODUCTION OF ORDINANCES

14.a. Amendment to Section 126-170 of the City Code Pertaining to Insurance

2021-13 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AURORA,
COLORADO, AMENDING SECTION 126-170 OF THE CITY CODE PERTAINING TO
INSURANCE

Renee Pettinato Mosley, Risk Manager / Michelle Gardner, Senior Assistant City
Attorney

Motion by Gruber, second by Bergan, to approve item 14a.

- ◆ *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, Coombs, Gardner, Gruber, Hiltz, Johnston, Lawson, Marcano, Murillo

15. FINALIZING OF ORDINANCES

15.a. Financing Ordinance Series 2021 First-Lien Water Revenue Bonds

2021-11 AN ORDINANCE AUTHORIZING THE ISSUANCE AND SALE BY THE CITY OF AURORA, COLORADO, ACTING BY AND THROUGH ITS UTILITY ENTERPRISE, OF FIRST-LIEN WATER REVENUE REFUNDING AND IMPROVEMENT BONDS, IN ONE OR MORE SERIES, IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$539,000,000, FOR THE PURPOSE OF FINANCING AND REFINANCING, IN WHOLE OR IN PART, THE COST OF ADDITIONS AND IMPROVEMENTS TO THE WATER SYSTEM OPERATED BY THE UTILITY ENTERPRISE, PLEDGING CERTAIN FUNDS AND REVENUES OF THE ENTERPRISE TO THE PAYMENT OF SUCH BONDS, PRESCRIBING THE FORM OF SUCH BONDS, AND PROVIDING OTHER DETAILS IN CONNECTION THEREWITH

Teresa Sedmak, City Treasurer / Hanosky Hernandez, Assistant City Attorney

Dual listed item - Item 3.a. at the March 22nd Study Session

Motion by Gardner, second by Gruber, to approve item 15a.

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

15.b. Financing Ordinance Series 2021 First-Lien Sewer Revenue Bonds

2021-12 AN ORDINANCE AUTHORIZING THE ISSUANCE AND SALE BY THE CITY OF AURORA, COLORADO, ACTING BY AND THROUGH ITS UTILITY ENTERPRISE, OF FIRST-LIEN SEWER REVENUE BONDS (SEAM FACILITY IMPROVEMENT PROJECT), SERIES 2021, IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$65,000,000, FOR THE PURPOSE OF FINANCING, IN WHOLE OR IN PART, THE COST OF ADDITIONS AND IMPROVEMENTS TO THE SEWER SYSTEM OPERATED BY THE UTILITY ENTERPRISE, PLEDGING CERTAIN FUNDS AND REVENUES OF THE ENTERPRISE TO THE PAYMENT OF SUCH BONDS, PRESCRIBING THE FORM OF SUCH BONDS, AND PROVIDING OTHER DETAILS IN CONNECTION THEREWITH

Teresa Sedmak, City Treasurer / Hanosky Hernandez, Assistant City Attorney

Dual listed item - Item 3.b. at the March 22nd Study Session

Motion by Gruber, second by Gardner, to approve item 15b.

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

15.c. 2021 Third Party Food Delivery Ordinance

2021-10 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AURORA,

COLORADO, AMENDING CHAPTER 26 ADDING ARTICLE III REFERRED TO AS
"TEMPORARY CAPS ON FEES FOR FOOD DELIVERY," AND OTHER RELATED
MATTERS

Sponsor: Council Member Curtis Gardner

Trevor Vaughn, Manager of Tax and Licensing / Hanosky Hernandez Perez,
Assistant City Attorney

Motion by Gardner, second by Marciano, to approve item 15c.

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

16. **PLANNING MATTERS**

None

17. **ANNEXATIONS**

None

18. **RECONSIDERATIONS AND CALL UPS**

18.a. RECONSIDERATION OF RESOLUTION 2020-22 – Review of the powers granted to the
City Manager by Resolution 2020-22.

Jim Twombly, City Manager / Isabelle Evans, Assistant City Attorney

Motion by Berzins, second by Marciano, to approve item 18a.

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

19. **GENERAL BUSINESS**

19.a. Consideration to appoint one (1) member to the Planning and Zoning Commission.

The following candidates were interviewed by Council on April 5, 2021: Jason
Schneider, Sondra Sunny Banka, Andrew Roberts, and Sarah Cassel

Kadee Rodriguez, City Clerk, General Management / Dave Lathers, Senior Assistant
Attorney

Council Members Coombs, Hiltz, Johnston, Marciano, and Murillo chose Jason
Schneider,

Mayor Coffman, Mayor Pro Tem Bergan, and Council Members Berzins, Gardner,
Gruber, and Lawson chose Sondra Sunny Banka.

Motion by Gruber, second by Bergan, to appoint Sondra Sunny Banka to the Planning and Zoning Commission.

Voting Aye: Mayor Coffman, Bergan, Berzins, Gardner, Gruber, Johnston, Lawson

Voting Nay: Coombs, Hiltz, Marcano, Murillo

19.b. Consideration to appoint one member to the Oil and Gas Advisory Committee

Kadee Rodriguez, City Clerk, General Management / Dave Lathers Senior Assistant City Attorney

Motion by Berzins, second by Gruber, to appoint David Carro to the Oil and Gas Advisory Committee.

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

19.c. Consideration to appoint one member to the Aurora Fox Arts Center Board.

Kadee Rodriguez, City Clerk, General Management / Dave Lathers, Senior Assistant City Attorney

Motion by Coombs, second by Marcano, to appoint Lisa Hutchinson to the Aurora Fox Arts Center Board.

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

19.d. Consideration to appoint three (3) members to the Citizens Advisory Committee on Housing and Community Development.

Kadee Rodriguez, City Clerk, General Management / Dave Lathers, Senior Assistant City Attorney

Motion by Coombs, second by Marcano, to appoint Jaime Carvino, Laquina Baker and Brittney Noble, to the Citizens Advisory Committee on Housing and Community Development.

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

19.e. Consideration to appoint one (1) member to the Aurora Fox Arts Center Board.

Kadee Rodriguez, City Clerk, General Management / David Lather, Senior Assistant City Attorney

Motion by Bergan, second by Berzins, to appoint Jessica Johnson to the Aurora Fox Arts Center Board.

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

19.f. Consideration to appoint two (2) members to the Aurora Library Board.

Kadee Rodriguez, City Clerk, General Management / David Lathers, Senior Assistant City Attorney

Motion by Bergan, second by Coombs, to appoint Tamika Alford and Laura McIntyre to the Aurora Library Board.

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

19.g. Consideration to reappoint two (2) members to the Open Space Board.

Kadee Rodriguez, City Clerk, General Management / David Lather, Senior Assistant City Attorney

Motion by Gruber, second by Coombs, to reappoint Victoria Samuel and Wayne Gallagher to the Open Space Board.

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

20. **REPORTS**

20.a. Report by the Mayor

Mayor Coffman encouraged everyone to get their COVID vaccine.

20.b. Reports by the Council

Council Member Lawson provided FSIR and RTD Reimagined updates and expressed appreciation to Mayor Coffman; Jim Twombly, City Manager; Rachel Allen, City Attorney's Office and Kadee Rodriguez, City Clerk, for their participation in the Civic Engagement Academy. She requested Council schedule a time to speak to the group to provide their experiences.

Council Member Murillo addressed Council Member Lawson, noting she would be happy to participate in speaking to the Civic Engagement Academy group. She expressed appreciation to her colleagues for their support of the Housing is a Human Right resolution and noted she was excited to engage City residents in that regard. She provided updates on the RTD Accountability Committee and safety funding efforts for the City's Asian Pacific Islander community. She asked staff for direction on that funding request.

Jim Twombly, City Manager, stated the request could be made at the upcoming spring workshop.

Council Member Murillo asked if there was any way to make the request ahead of the spring supplemental. Mr. Twombly stated staff could check to see if there was any money in the overall Council budget.

Mayor Coffman asked if six members were required to move the request forward. Mr. Twombly answered affirmatively.

Council Member Johnston recognized military children in the community as April was the month of the Military Child and expressed appreciation to them for who they were and what they did.

Council Member Berzins announced the Ward III virtual meeting was scheduled for Wednesday, April 14, 2021 at 6:30 p.m. on WebEx, where the Aurora Police Chief, Fire Department and Neighborhood Services representatives would be present to answer questions.

Council Member Marcano announced the Ward IV meeting was scheduled for Wednesday April 14, 2021 at 6:30 p.m. on WebEx or Facebook Live, where vehicle thefts and break-ins and historic preservation in Aurora would be discussed.

Council Member Coombs acknowledged the killing of Daunte Wright, noting it continued to be an open wound in the community and expressed solidarity with Mr. Wright's community. She noted it should stand as a reminder that people could not falter in their commitment to making sure nobody else had to die needlessly at the hands of police.

Mayor Pro Tem Bergan provided an E-470 update.


21. **PUBLIC INVITED TO BE HEARD**

(non-agenda related issues only)

City Council heard public call-in testimony.

22. **ADJOURNMENT**

Mayor Coffman adjourned the regular meeting of City Council at 9:54 p.m.



MIKE COFFMAN, MAYOR

ATTEST: 



◆ *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.*