

## **MINUTES**

### **Regular Meeting of the Aurora City Council**

Monday, May 24, 2021

1. **RECONVENE REGULAR MEETING OF MAY 24, 2021 AND CALL TO ORDER**

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

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 died from COVID-19 and all those who continued to suffer with it.

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

Call-in instructions were provided for the benefit of the public in both English and Spanish.

5. **EXECUTIVE SESSION UPDATE**

Mayor Coffman stated personnel matters and litigation updates were discussed in Executive Session.

6. **APPROVAL OF MINUTES**

6.a. March 22, 2021

Motion by Marcano, second by Bergan, to approve the minutes of the meeting of March 22, 2021, as amended.

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

7. **PROCLAMATIONS OR CEREMONIES**

7.a. Mental Health Awareness Month

Council Member Berzins read the proclamation declaring May 2021 as Mental Health Awareness Month.

8. **PUBLIC INVITED TO BE HEARD**

(non-agenda related issues only)

None

9. **ADOPTION OF THE AGENDA**

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

Kadee Rodriguez, City Clerk / Dan Brotzman, City Attorney

Motion by Marcano, second by Bergan, to approve item 9a.

Council Member Gruber noted the time was near for the City to go back to normal operations and requested staff provide a plan for doing so.

Council Member Johnston requested staff also provide research on whether doing so was a good idea.

Mayor Coffman asked staff to provide three scenarios for moving forward and to incorporate all public health concerns of each scenario.

Mayor Pro Tem Bergan agreed with both points.

Jim Twombly, City Manager, stated staff would like to talk with council members to gain their points of view on returning in person and what that would look like.

Mayor Coffman concurred.

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

Mayor Coffman stated his understanding Item 12b would be moved to the June 14, 2021 City Council agenda. He asked if there were any objections and upon hearing none, did so.

Motion by Marcano, second by Coombs, to adopt the agenda as amended.

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. Consideration to AMEND AN OPENLY SOLICITED CONTRACT with Enginuity Engineering Solutions LLC, Littleton, Colorado in the amount of \$147,092.55 for providing additional design scope and services during construction for the Havana Park Detention Pond and De

10.b. Consideration to AMEND AN OPENLY SOLICITED CONTRACT with Jacobs, Englewood, Colorado in the amount of \$152,523.00 for providing engineering services during construction for the Griswold Water Purification Facility (WPF) Filter Improvements Project, R-1991.

Elizabeth Carter, Principal Engineer, Aurora Water / Ian Best, Assistant City Attorney

10.c. Consideration to AMEND AN OPENLY SOLICITED CONTRACT with CH2M Hill Engineers, Inc., Englewood, Colorado in the amount of \$218,434.00 to add final design and engineering services during construction for the Quincy Reservoir Intertie & Aeration System Impro

Motion by Gruber, second by Coombs, to approve items 10a – 10c.

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

10.d. Consideration to AWARD AN OPENLY SOLICITED CONTRACT to Axon Enterprise Inc. (formerly Viewu), Scottsdale, AZ in the amount of \$1,048,038.00 to provide new Body Worn Camera hardware and software for the Aurora Police Department and Housing & Community Service

Motion by Gruber, second by Bergan, to approve item 10d with a waiver of reconsideration.

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

Division Chief Chris Juul, Aurora Police, did so.

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

10.e. Consideration to AWARD A COMPETITIVELY BID CONTRACT to NORM Services LLC, Aurora, Colorado 80016 in the not-to-exceed amount of \$83,706.00 for removal and disposal of residual material from the Griswold Water Purification Facility Lagoon #2, Invitation fo

Bobby Oligo, Manager of Water Treatment, Aurora Water / Ian Best, Assistant City Attorney

10.f. Consideration to AWARD A SOLE SOURCE CONTRACT to Selectron Technologies, Inc., Portland, Oregon in the amount of \$182,530.00 for the City's Water Customer Billing IVR system.

10.g. Second Amendment to King Ranch Annexation Agreement

Jacob Cox, Manager of Development Assistance / Brian Rulla, Assistant City Attorney

Motion by Gruber, second by Coombs, to approve items 10e – 10g.

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

Council Member Johnston asked Chief Juul to speak to the waiver of reconsideration and time sensitivity of the item and why Council supported the waiver. Chief Juul did so.

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

Mayor Coffman called for a brief recess to allow for call-in instructions to be provided for the benefit of the public.

## 11. **RESOLUTIONS**

11.a. Funding Archway Housing & Services, Inc. Resolution

R2021-36 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, EXPRESSING THE AURORA CITY COUNCIL'S SUPPORT OF THE CITY OF AURORA, COLORADO FUNDING ARCHWAY HOUSING &

SERVICES, INC. WITH COMMUNITY DEVELOPMENT BLOCK GRANT  
COVID-19 FUNDING TO PROVIDE COUNSELING AND MEAL ACTIVITIES FOR THE  
YEAR 2021.

Rodney M. Milton, Manager of Community Development / Tim Joyce, Assistant City  
Attorney

Rodney M. Milton, Manager of Community Development, provided a brief presentation on  
the item for the benefit of the public.

Motion by Coombs, second by Johnston, to approve items 11a.

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

11.b. Funding SecorCares with Community Development Block Grant COVID-19  
Funding to Provide Meal Activities Resolution

R2021-37 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
AURORA, COLORADO, EXPRESSING THE AURORA CITY COUNCIL'S  
SUPPORT OF THE CITY OF AURORA, COLORADO FUNDING  
SECORCARES WITH COMMUNITY DEVELOPMENT BLOCK GRANT  
COVID-19 FUNDING TO PROVIDE MEAL ACTIVITIES FOR THE YEAR 2021.

Rodney M. Milton, Manager of Community Development / Tim Joyce, Assistant City  
Attorney

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

Rodney M. Milton, Manager of Community Development, provided a brief presentation on  
the item for the benefit of the public.

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

11.c. Funding Rocky Mountain Welcome Center with Community Development  
Block Grant COVID-19 Resolution

R2021-38 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
AURORA, COLORADO, EXPRESSING THE AURORA CITY COUNCIL'S  
SUPPORT OF THE CITY OF AURORA, COLORADO FUNDING ROCKY  
MOUNTAIN WELCOME CENTER WITH COMMUNITY DEVELOPMENT  
BLOCK GRANT COVID-19 FUNDING TO PROVIDE MEAL ACTIVITIES FOR THE YEAR  
2021

Rodney M. Milton, Manager of Community Development / Tim Joyce, Assistant City Attorney

Motion by Marcano, second by Coombs, to approve item 11c.

Rodney M. Milton, Manager of Community Development, provided a brief presentation on the item for the benefit of the public.

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

Mayor Coffman called for a brief recess to allow for call-in instructions to be provided for the benefit of the public.

12. **PUBLIC HEARING WITH RELATED ORDINANCE**

12.a. Ordinance Amending and Repealing Sections of the UDO Pertaining to Oil and Gas

2021-15 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, CREATING CHAPTER 135 OF THE CITY CODE PERTAINING TO OIL AND GAS AND REPEALING CERTAIN SECTIONS OF THE UNIFIED DEVELOPMENT ORDINANCE

Jeffrey Moore, Oil & Gas Division Manager / Ian Best, Assistant City Attorney

Mayor Coffman opened the public hearing on the item.

Jeffrey Moore, Oil & Gas Division Manager, provided a presentation on the item.

Council Member Berzins asked if there was a stakeholder requirement to amend an approved permit. Mr. Moore stated the amendment would go through the variance request process. Council Member Berzins asked who did the variance request. Mr. Moore stated the operator would apply to the Oil & Gas Commission.

Mayor Pro Tem Bergan asked if the City was mirroring other jurisdictions with the new requirements. Mr. Moore answered affirmatively. Mayor Pro Tem Bergan asked Mr. Moore to speak to how a variance would be approved. Mr. Moore did so. Mayor Pro Tem Bergan asked if there was something within City code that required a minor change to go through the variance process. Mr. Moore described what qualified as minor and major changes in this regard, noting determining whether there was a net positive impact to the environment was something that would be strongly considered in approving a variance request.

Council Member Berzins clarified she was previously referring to future amendments to the Oil & Gas Regulations and asked Mr. Moore to speak to that process. Mr. Moore did so. Council Member Berzins asked if the City would change their rules according to a new commission who made new rules. Mr. Moore agreed the City updated their rules and regulations as the Colorado Oil and Gas Conservation Commission (COGCC), noting the City followed the most restrictive regulations.

Council Member Marcano asked Mr. Moore to speak to how future homeowners would be notified of the oil and gas locations. Mr. Moore did so.

Council heard call-in testimony on the item.

Mr. Moore provided commentary on the callers' comments and questions.

Elizabeth Paranhos, Attorney, outside Oil & Gas counsel, did as well.

Mayor Coffman closed the public hearing on the item.

Council Member Marcano expressed appreciation to everyone who reached out to help craft these comments over the last several months. He commended Mr. Moore on his efforts in this regard.

Council Member Johnston discussed the process and stated it was a good example of taking the appropriate amount of time to get it right. She stated it was good policy and Mr. Moore's technical expertise elevated it.

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

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

12.b. Buckley Yard Rezone

2021-16 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, REZONING TWO SEPARATE PARCELS OF LAND MEASURING 44.343 ACRES MORE OR LESS AT THE NORTHEAST CORNER OF SOUTH AIRPORT BOULEVARD AND EAST ALAMEDA PARKWAY FROM BUSINESS TECH DISTRICT (I-1) TO MIXED-USE CORRIDOR DISTRICT (MU-C) AND MEDIUM DENSITY RESIDENTIAL DISTRICT (R-2) AND AMENDING THE ZONING MAP ACCORDINGLY (BUCKLEY YARD REZONE)

Todd Hager, Planner II / Dan Money, Assistant City Attorney

13. **PUBLIC HEARING WITHOUT RELATED ORDINANCE**

- ◆ *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.*

None

14. **INTRODUCTION OF ORDINANCES**

14.a. CREATION AND COMPOSITION OF THE VETERAN'S AFFAIRS COMMISSION ORDINANCE

2021-19 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, AMENDING SECTION 2-851 OF THE CITY CODE PERTAINING TO THE CREATION AND COMPOSITION OF THE VETERAN'S AFFAIRS COMMISSION

Jamie Laduke, Aurora Learn Supervisor / David Lathers, Senior Assistant City Attorney

Jamie Laduke, Aurora Learn Supervisor, Human Resources, provided a brief summary of the item for the benefit of the public.

Motion by Gruber, second by Marcano, to introduce item 14a.

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

15. **FINALIZING OF ORDINANCES**

15.a. 2021 SPRING SUPPLEMENTAL

2021-17 AN ORDINANCE OF THE CITY OF AURORA, COLORADO APPROPRIATING SUMS OF MONEY IN ADDITION TO THOSE APPROPRIATED IN ORDINANCE NOS. 2019-82, 2020-44, AND 2020-68 FOR THE 2020 FISCAL YEAR AND ORDINANCE NO. 2020-53 FOR THE 2021 FISCAL YEAR

Kerstin Claspell, Lead Financial Analyst / Hanosky Hernandez Perez, Assistant City Attorney

Kerstin Claspell, Lead Financial Analyst, Budget, provided a brief presentation on the item for the benefit of the public.

Motion by Coombs, second by Marcano, to approve item 15a.

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

15.b. Aurora Commission for Seniors Name Change Request

2021-18 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, AMENDING SECTIONS 2-765, 2-811, 2-812, AND 2-815 OF THE CITY CODE PERTAINING TO CHANGING THE NAME OF THE COMMISSION FOR SENIORS TO THE COMMISSION FOR OLDER ADULTS

Brooke Bell, Director of Pks, Rec & Open Space / Angela Garcia, Senior Assistant City Attorney

Brooke Bell, Director of Pks, Rec & Open Space, provided a brief summary of the item for the benefit of the public.

Motion by Coombs, second by Marcano, to approve item 15b.

Voting Aye: Bergan, Berzins, Coombs, Gardner, Gruber, Hiltz, Johnston, Lawson, Marcano, 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 / Evans, Isabelle, Assistant City Attorney

Jim Twombly, City Manager, provided a brief summary of the item and requested the item be approved one final time.

Motion by Marcano, second by Bergan, to approve item 18a.

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

19. **GENERAL BUSINESS**

19.a. Consideration to appoint one (1) member to the Homestake Steering Committee.

Dan Mikesell, Director of Operations, Aurora Water / Dave Lathers, Senior Assistant City Attorney

Motion by Coombs, second by Marcano, to appoint Sarah Young to the Homestake Steering Committee.

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

19.b. Consideration to reappoint one (1) member to the Election Commission

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

Motion by Coombs, second by Bergan, to reappoint Scott Irvin to the Election Commission.

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

19.c. Consideration to appoint one (1) member to the Joint Water Authority

Dan Mikesell, Director of Operations, Aurora Water / Dave Lathers, Senior Assistant City Attorney

Motion by Coombs, second by Gruber, to appoint Sarah Young to the Joint Water Authority.

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

19.d. Consideration to reappoint one (1) member and appoint two (2) new members to the Veterans Affairs Commission

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

Motion by Bergan, second by Coombs, to reappoint Cynthia Francis and appoint Nathaniel Graff and Michael Spatter to the Veterans Affairs Commission.

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

19.e. Consideration to appoint one (1) member and reappoint two (2) members to the Metropolitan Wastewater Reclamation District Board

Jo Ann Giddings, Deputy Director of Aurora Water Financial Administration / Dave Lathers, Senior Assistant City Attorney

Motion by Berzins, second by Gruber, to appoint Greg Baker and reappoint Joann Giddings and Nadine Caldwell to the Metropolitan Wastewater Reclamation District 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 announced the Memorial Day Colorado Remembers event scheduled for Saturday, May 29, 2021 at the Colorado Freedom Memorial honoring those who made the ultimate sacrifice for their country.

20.b. Reports by the Council

Council Member Lawson provided FSIR and RTD Reimagined updates.

Council Member Gruber encouraged those who have not yet visited the Colorado Freedom Memorial to do so.

Council Member Murillo announced the Ward I Town Hall meeting was scheduled for Thursday, May 27, 2021 at 6:00 p.m. via WebEx, where a budget presentation would be provided. She expressed her hope that an Oil & Gas presentation might also take place. She provided an RTD Accountability Committee update.

Council Member Johnston echoed Mayor Coffman's invitation to attend the Memorial Day Event at the Colorado Freedom Memorial and to visit the Memorial anytime. She commended Restoration Christian Fellowship Church and the City of Aurora for their efforts regarding the recent event demonstrating alternate sheltering options. She referenced Mayor Coffman's recent proposal to implement a camping ban and reminded everyone that Council voted on those type of policies and looked at best practices in that regard. She announced the Ward II Town Hall meeting was scheduled for Thursday, May 27, 2021 at 6:30 p.m., where Library and Cultural Services representatives would be present.

Council Member Berzins reminded everyone that Wards I, II and III were all neighbors. She announced the Ward III virtual meeting was scheduled for Wednesday, June 9, 2021 as well as the 10<sup>th</sup> Annual Ward III Picnic scheduled for Saturday, July 24, 2021 at Bicentennial Park for Ward III residents only.

Council Member Marcano echoed his colleagues' comments encouraging everyone to visit the Colorado Freedom Memorial. He provided a Sister Cities update and announced the City of Aurora's upcoming drive-through resource event scheduled for Saturday, June 5, 2021 at Overland High School. He announced the next Ward IV meeting was scheduled for Wednesday, July 14, 2021 at 6:30 p.m.

Council Member Coombs encouraged everyone to attend the upcoming Colorado Freedom Memorial Colorado Remembers event. She echoed Council Member Johnston's concerns regarding the recent Restoration Christian Fellowship Church's open house. She expressed appreciation to former council member Debbie Hunter-Holen for her efforts in organizing a walk along the Highland Canal. She discussed her plan to host an active shooter and community safety webinar on June 23, 2021 at 6:30 p.m. She announced the Ward V meeting was scheduled for Wednesday, June 2, 2021 at 6:30 p.m., where economic development including workforce development would be discussed by Community College of Aurora representatives and retail from Town Center Aurora. She provided DRCOG, Cherry Creek Basin Quality Authority and Visit Aurora updates.

Mayor Pro Tem Bergan wished everyone a happy Memorial Day, noting her plan to attend the Colorado Freedom Memorial event. She announced the Ward VI virtual Town Hall meeting was scheduled for Wednesday, May 26, 2021, where budget, trail systems and beautification grant process presentations would be provided. She provided E-470 and PRIDE board updates.

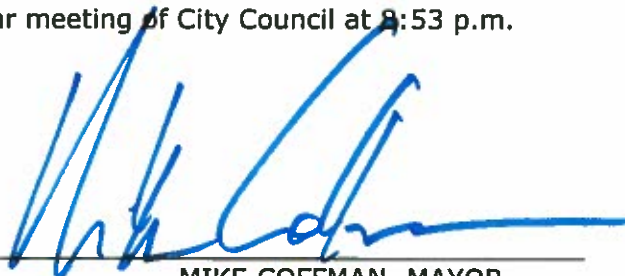
21. **PUBLIC INVITED TO BE HEARD**

(non-agenda related issues only)

Council heard call-in testimony from the public.


22. **ADJOURNMENT**

Mayor Coffman adjourned the regular meeting of City Council at 8:53 p.m.



MIKE COFFMAN, MAYOR

ATTEST:



Kadee Rodriguez, City Clerk