

MINUTES

**Regular Meeting – Aurora City Council
Monday, February 10, 2020**

CALL TO ORDER – REGULAR MEETING

Mayor Coffman convened the regular meeting of City Council at 5:00 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, City Clerk Ruger
COUNCIL MEMBERS ARRIVING AFTER ROLL CALL:	None

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

CONSIDERATION TO RECESS FOR EXECUTIVE SESSION

Motion by Gruber, second by Gardner, to recess for executive session.

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

Abstaining: None

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

1. **RECONVENE SPECIAL MEETING OF FEBRUARY 10, 2020 AND CALL TO ORDER**

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

2. **ROLL CALL** Stephen Ruger, City Clerk

COUNCIL MEMBERS PRESENT:	Mayor Coffman, Bergan, Berzins, Coombs, Gardner, Gruber, Hiltz, Johnston, Lawson, Marcano, Murillo
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COUNCIL MEMBERS ABSENT:	None
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3. **INVOCATION** Barb Dahl, City Clerk Analyst

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

5. **APPROVAL OF THE MINUTES**

Motion by Bergan, second by Coombs, to approve the minutes of the meeting of January 6, 2020 as presented.

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

Abstaining: None

Motion by Berzins, second by Bergan, to approve the minutes of the meeting of January 13, 2020 as presented.

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

Abstaining: None

6. **CEREMONY**

- Aurora Animal Shelter Pet Profile

Mayor Coffman invited Anthony Youngblood, Animal Services Director, City of Aurora, to introduce a pet who was available for adoption at the Aurora Animal Shelter.

Mr. Youngblood introduced Penelope, a ten-month old Retriever mix.

Nicole Robbins, Community Outreach Coordinator, Aurora Animal Shelter, discussed the Animal Services Division and pet adoption process.

- Black History Month – Mayor Coffman

Mayor Coffman invited Eric Nelson, Aurora Community of Faith; Shawntasia Miller, Secretary, NAACP; Johnny Watson, Economic Development Committee; Leeanne Morning, NAACP; Lee Steed, NAACP; Dr. Barbara Shannon-Bannister, NAACP; Omar Montgomery, President, Aurora-NAACP; Regina Edmonson, Chair, NAACP; Janice Napper, NAACP, Diversity, Equity & Inclusion Officer, City of Aurora; AJ McDonald, NAACP; Keith Parker, NAACP, Parker Stokes Mental Health Foundation; Chanelle Reed, NAACP, Black Employees for a Better Aurora; Dr. Thomas Mayes, NAACP, Living Waters Christian Center and Angela Lawson, NAACP, to come forward to accept the proclamation declaring February 2020 as Black History Month. Mr. Montgomery expressed appreciation for the proclamation.

- Arab American Heritage Month – Mayor Coffman

Mayor Coffman invited those involved in the proclamation to come forward and read the proclamation declaring April as Arab American Heritage Month.

- Presentation to the Aurora Youth Leadership Delegation to Korea – Mayor Coffman

Mayor Coffman invited Grant Derose; Eliza Dickson; Rosa Lee; Ellie White; Rowan Lindsay; Hannah Burhana; Alecia Burress; Seneca Lampier; Samarit Kopesa; and Iman Benavas, to come forward to accept the recognition.

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

<u>Name</u>	<u>Board or Commission</u>
Mary Mollicone	Art in Public Places
Sunny Banka	Citizens Advisory Budget Committee
Mustafa Abdulla	Citizens Advisory Budget Committee

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Steven Kennedy

Open Space Board

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

Speaker 1 - Janelle Pottoff, Moms Demand Action for Gun Sense in America, discussed Gun Violence Survivors Week and asked for Council's support in recognizing survivors of this health crisis.

Speaker 2 - A Moms Demand Action for Gun Sense in America representative discussed Gun Violence Survivors Week and provided statistics on gun violence in Aurora.

Speaker 3 - Abby Reznociak, Moms Demand Action for Gun Sense in America, provided statistics on gun violence in America and discussed the US gunfire problem.

Speaker 4 - Macy Turner discussed her personal Soul Box experience.

8. **ADOPTION OF THE AGENDA**

The agenda was adopted as presented with moving ordinances 1, 2 & 3 to the February 24, 2020 meeting due to notice requirements.

9. **CONSENT CALENDAR**

- a. Consideration to AWARD A SOLE SOURCE CONTRACT to Innovative Interfaces Inc., Emeryville, California in the amount not-to-exceed \$182,290.88 for the annual subscription fees on the Sierra Integrated Library and related software systems used by all Aurora libraries.
Presenter: Rae Schneider, Library Supervisor, Library & Cultural Services
- b. Consideration to AMEND AN OPENLY SOLICITED CONTRACT with Dewberry Engineers, Inc., Denver, Colorado in the amount of \$485,815.00 for providing construction phase services for the 24-inch E. 56th Ave. Pipeline from Picadilly Rd. to Harvest Rd. and final design services for the 36-inch Gun Club Pipeline from E. 56th Ave. to E. 64th Ave. Project, R-1838.
Presenter: Steven Fiori, Project Delivery Svcs Mgr, Aurora Water
- c. Consideration to AMEND AN OPENLY SOLICITED CONTRACT with Black & Veatch Corporation, Denver, Colorado in the amount of \$468,979.00 to add Services During Construction for the Gun Club Road Pump Station Preliminary Design Service Project R-1859.
Presenter: Dean Bedford, Principal Engineer, Aurora Water
- d. Consideration to AWARD WORK PACKAGE NO. 4 of the Fitzsimons Peoria Stormwater Outfall, Project No. R-5623A, to BT Construction, Inc., Henderson, Colorado in the amount of \$10,644,717.78
Presenter: Swirvine Nyirenda, Principal Engineer, Aurora Water
- e. Consideration to AWARD A SOLE SOURCE CONTRACT to Life Technologies Corporation, a division of Thermo Fisher Scientific, Grand Island, New York in the not-to-exceed amount of \$232,716.00 for the purchase of AmpFISTR (amplification-short tandem repeat) kits as well as all reagents, software, capillaries, and related consumables for the Unified Metropolitan Forensic Crime Lab as required through February 28, 2021.
Presenter: Timothy Dufour, Police Lieutenant, Police

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- f. Consideration to AWARD A SOLE SOURCE CONTRACT to Kronos Inc., Lowell, MA in the amount of \$54,642.66 for annual maintenance on the Telestaff personnel scheduling software used by the Aurora Police and Fire Departments.
Presenter: Aleta Jeffress, Chief Info & Strategy Officer, Information Technology
- g. Consideration to AWARD A SOLE SOURCE CONTRACT to Axon Enterprises, Inc. of Scottsdale, Arizona in the not-to-exceed amount of \$200,000.00 for the purchase of Taser brand taser units and accessories through March 31, 2021 for the Aurora Police Department.
Presenter: Lieutenant Brian J Kelly, Police
- h. Consideration to AWARD A SINGLE SOURCE CONTRACT to Innovest Portfolio Solutions LLC, Denver, Colorado in the amount of \$64,500.00 for consulting services associated with the City's 457 Deferred Compensation Plan and the 401(a) Executive Money Purchase Plan through December 31, 2020.
Presenter: Nancy Wishmeyer, Controller, Finance
- i. Consideration to AWARD A SINGLE SOURCE CONTRACT to Mike Naughton Ford, Inc., Aurora, Colorado, in the not-to-exceed amount of \$150,000.00 for the purchase of Ford OEM vehicle parts and repair services as required through February 28, 2021.
Presenter: Ron Forrest, Manager Level 2, Public Works
- j. Consideration to AWARD A SINGLE SOURCE CONTRACT to Wagner Equipment Company, Aurora, Colorado in the not-to-exceed amount of \$100,000.00 for the purchase of parts and repair services for Caterpillar and other miscellaneous heavy equipment as required by Fleet Services through February 28, 2021.
Presenter: Ron Forrest, Manager Level 2, Public Works
- k. Consideration to AWARD A SOLE SOURCE CONTRACT to Emergency One, Inc., Ocala, Florida in the not-to-exceed amount of \$260,000.00 for OEM repair parts as required for the City's Emergency One fire apparatus through February 28, 2021.
Presenter: Ron Forrest, Manager Level 2, Public Works
- l. Consideration to AWARD A SINGLE SOURCE CONTRACT to AM Signal, Inc., Littleton, Colorado in the amount of \$286,026.60 for the purchase of sixty (60) TrafiSense2 Thermal Sensors and Video Detectors and related components.
Presenter: Carlie Campuzano, Traffic Manager, Public Works

Motion by Gardner, second by Gruber, to approve items 9a – 9l.

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

Final Ordinances

DUE TO THE CANCELLATION OF THE FEBRUARY 3, 2020, MEETING, ORDINANCES 2020-01 AND 2020-02 WILL HAVE THEIR FINAL READING ON FEBRUARY 24, 2020 DUE TO NOTICE REQUIREMENTS

- ◆ m. **2020-01**
Consideration of AN ORDINANCE FOR ADOPTION of the City Council of the City of Aurora, Colorado, amending Chapter 146-4.3.1.c relating to Plat Exceptions for the sale or transfer of land in the city and amending the definitions of final plats, preliminary plats and plats under Chapter 146-6.2
Presenter: Karen Hancock, Planning Supervisor
- ◆ n. **2020-02**
Consideration of AN ORDINANCE FOR ADOPTION of the City Council of the City
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of Aurora, Colorado, amending the City's zoning map in order to address needed adjustments following the adoption of the UDO and the legislative rezoning of the City (2019 ZONING MAP AMENDMENT)

Presenter: Karen Hancock, Planning Supervisor

10. **RESOLUTIONS**

◆ a. **R2020-03**

Consideration to APPROVE A RESOLUTION of the City Council of the City of Aurora, Colorado, authorizing the execution of an Economic Development Incentive Agreement between the City of Aurora, Colorado, and Karcher, North America, Inc.

Presenter: Chad Argentar, Project Manager, Planning & Development Services

Outside Speaker: Yuriy Gorlov, AEDC

Chad Argentar, Project Manager, Planning & Development Services, provided a brief summary of the item.

Council Member Gruber asked if the builder incurred any additional costs to meet the City's requirements. Mr. Argentar answered affirmatively. Council Member Gruber asked if this would be the first international headquarters for this business in Aurora. Mr. Argentar answered affirmatively.

Mayor Pro Tem Johnston asked staff to speak to the 'clawback' provision. Mr. Argentar did so, noting it was based on the number of years and the number of jobs provided.

Council Member Gruber stated his understanding that the incentive related to the fact that the company indicated interest in going elsewhere, that they incurred additional costs to meet Aurora's requirements and that while the clawback gave some back, Aurora would realize millions of dollars in tax revenues along with hundreds of jobs. He asked staff to speak to the incentives. Mr. Argentar did so by reiterating Council Member Gruber's comments.

Andrea Amonick, Development Services/AURA Manager, stated the incentive would not be provided until a yearly report stating the jobs have been created and maintained was provided.

Council Member Bergan asked if the company's total investment was \$23M. Mr. Argentar stated it was closer to \$35M.

Council Member Coombs pointed out the project was mostly completed and asked why the City Council received the item at such a late juncture considering the company had been contemplating going elsewhere. Ms. Amonick stated the incentive was negotiated with the previous Council prior to the company's decision to build in Aurora and was then reworked to gain more jobs prior to coming forward to the new Council.

Mr. Argentar confirmed the initial presentation was made to City Council in August 2018.

Council Member Marcano stated his understanding that City Council was being asked to provide an incentive that was partially negotiated but not formally agreed upon by a prior Council for a company that had already relocated to Aurora.

Mr. Argentar concurred.

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Ms. Amonick reiterated the company had not committed to coming to Aurora when the initial proposal was negotiated.

Council Member Marcano noted his general skepticism of these types of deals. He stated the company was already in Aurora which was a good choice because Aurora was a great city to do business with however he did not see the rationale of giving money away when the company was already in Aurora and Aurora did not make a formal commitment to do so.

Mr. Argentar reiterated when the City proceeded with negotiating under the terms of the incentives, the companies make a good faith determination of waiting to have it finalized prior to making the investment. He pointed out they did so with the expectation that the City would not backtrack due to timing issues.

Council Member Marcano asked for clarification on the timing issue.

Yuriy Gorlov, Aurora Economic Development Council (AEDC), stated staff at the company transitioned in and out twice in the timeframe so those handling the agreements could not do so until new staff came on board.

Council Member Murillo commended staff on their efforts in negotiating jobs and the average annual salaries in the prior incentive agreement and requested that if possible, a wider range of salaries be provided moving forward because while she appreciated the higher-paying jobs, she wanted to be aware of her constituents' level of economic mobility and what jobs were accessible to them. She stated her hope they could qualify for the highest possible salaries but wanted to be discerning in that regard.

Ms. Amonick pointed out the jobs schedule denoted the average salary therefore jobs were generated at either end of that average.

Council Member Murillo suggested a tally of how many jobs within certain tiers of salaries be provided.

Mayor Coffman confirmed he too would like to see salaries called out by categories from minimum wage up to provide a better idea of what jobs were being created.

Council Member Murillo concurred.

Council Member Coombs pointed out City Council requested that information but it was not provided in the backup material. She requested staff keep Council abreast of where they were with those types of requests moving forward.

Mr. Gorlov stated 55 percent of the jobs were much above the reported average and 45 percent paid below the average.

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

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

Voting Nay: Coombs, Marcano

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- ◆ b. **R2020-04**
Consideration to APPROVE A RESOLUTION of the City Council of the City of Aurora, Colorado, to continue to fund Comitis Crisis Center, Inc. with Nexus funds for the year 2020.
Presenter: Shelley McKittrick, Homelessness Prog Director, Neighborhood Services

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

Shelley McKittrick, Homelessness Program Director, Neighborhood Services, provided a brief summary of the item.

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

- ◆ c. **R2020-05**
Consideration to APPROVE A RESOLUTION of the City Council of the City of Aurora, Colorado, to continue to fund Aurora Comprehensive Community Mental Health Center, Inc. with Nexus funds to operate Aurora Mental Health Center, Inc.'s Social Detox operations for the year 2020.
Presenter: Shelley McKittrick, Homelessness Prog Director, Neighborhood Services

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

Shelley McKittrick, Homelessness Program Director, Neighborhood Services, provided a brief summary of the item.

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

- ◆ d. **R2020-06**
Consideration to APPROVE A RESOLUTION of the City Council of the City of Aurora, Colorado, to continue to fund Children's Advocacy and Family Resources, Inc. with Nexus Funds to operate Sungatekids for the year 2020.
Presenter: Shelley McKittrick, Homelessness Prog Director, Neighborhood Services

Motion by Hiltz, second by Gardner, to approve item 10d.

Shelley McKittrick, Homelessness Program Director, Neighborhood Services, provided a brief summary of the item.

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

- ◆ e. **R2020-07**
Consideration to APPROVE A RESOLUTION of the City Council of the City of Aurora, Colorado, to continue to fund Aurora/Arapahoe Battered Women's Shelter, Inc. with Nexus Funds to operate Gateway Battered Women's Services for the year 2020.
Presenter: Shelley McKittrick, Homelessness Prog Director, Neighborhood Services

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

Shelley McKittrick, Homelessness Program Director, Neighborhood Services, provided a brief summary of the item.

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

- ◆ f. **R2020-08**
Consideration to APPROVE A RESOLUTION of the City Council of the City of Aurora, Colorado, to continue to fund Aurora Comprehensive Community Mental Health Center, Inc. with Nexus funds to operate Aurora Mental Health Center, Inc., Crisis Intervention Raining, the Cold-Weather Outreach Team, and the Crisis Response Team Programs for the year 2020.
Presenter: Shelley McKittrick, Homelessness Prog Director, Neighborhood Services

Motion by Marcano, second by Gruber, to approve item 10f.

Shelley McKittrick, Homelessness Program Director, Neighborhood Services, provided a brief summary of the item.

Council Member Hiltz stated her support of the item.

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

- ◆ g. **R2020-09**
Consideration to approve a resolution of the City Council of the City of Aurora, Colorado, creating a police community task force for the purpose of studying and adopting solutions to address police operations and community and police relations within the City
Sponsor: Mayor Pro-Tem Johnston
Staff Source: Jason Batchelor, Deputy City Manager

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

Mayor Pro Tem Johnston asked if the public could be allowed to speak on the item prior to the staff presentation because of inclement weather. Mayor Coffman answered affirmatively.

Kevin Cox, Vice-President, Aurora Public Schools Board of Education, spoke in support of the item and discussed the importance of not allowing perfection to be the enemy of the good and of the importance of holding the police accountable.

Jonathan McMillan spoke in support of the item and discussed the importance of independent oversight.

Thomas Mayes spoke in support of the item and discussed the importance of holding the police accountable to their oath and to the community.

Jason Batchelor, Deputy City Manager, provided a summary of the item.

Mayor Pro Tem Johnston provided a presentation on the item.

Council Member Gardner expressed appreciation to Mayor Pro Tem Johnston for her efforts in this regard. He discussed the increase in violent crime in Aurora and in the metro area over the last 45 – 60 days.

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AMENDMENT I

Motion by Gardner, second by Gruber, to amend item 10g by inserting the following language between the third and fourth whereas, *'whereas, recent incidents of violence, youth violence and other violent crimes demonstrate the importance of reviewing the effectiveness of various anti-gang prevention programs in conjunction with various community stakeholders and in finding the necessary resources for these programs; and.'*

Council Member Lawson stated she would not support the amendment because these were tasks that diluted the intent and purpose of the resolution.

Council Member Coombs stated she would not support the amendment because the youth and gang violence issue did not fall within the charge of the task force. She noted she did however support addressing those robust issues in a different manner.

Council Member Bergan stated the amendment fit into community and police relations and with being open and honest about how to work on those issues with faith-based organizations and school districts because they were a part of the membership.

Council Member Hiltz stated she would not support the amendment because it was a separate issue that would take more time than this resolution would allow to address. She pointed out the irony that those who wanted to address the issue in study session were the same that did not want to send a message of police policy to the immigrant community in study session. She stated it was disingenuous to separate populations to send messages to and noted it was something the public should pay attention to. She agreed the violence issue, particularly youth violence, was an issue that needed to be addressed in a separate task force.

Council Member Gardner stated he did not understand the intimation that the amendment 'diluted' the purpose of the task force, when it actually recognized there was a violence issue that needed to be addressed. He stated it was redundant and a poor use of City resources to bring another task force forward to study it.

Council Member Lawson agreed violence was an important issue that needed to be addressed in the community. She reiterated there was an intent behind the resolution of community and police relations and the amendment called out action items that could be addressed by the task force which distracted from the intent.

Council Member Marcano echoed the previous comments related to the amendment that further broadened an already broad mission for the task force. He stated he would like to see the task force focus in and provide recommendations on an oversight body. He stated he would however strongly support a task force that would address the gang and youth violence issue because it was a very important concern.

VOTE ON AMENDMENT I

Voting Aye: Bergan, Berzins, Gardner, Gruber,

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

Council Member Bergan expressed appreciation to Mayor Pro Tem Johnston for her efforts in this regard. She stated she heard from constituents that were not comfortable with having felons sit on the task force.

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AMENDMENT II

Motion by Bergan, second by Berzins, to amend item 10g, Section 4: Membership, to add '*members could not have a prior felony conviction.*'

Council Member Bergan pointed out the amendment did not exclude those from second chances that did really good work from being a participant but the task force related to law enforcement and law enforcement operations and she was not comfortable with those with felony convictions making decisions on law enforcement operations. She pointed out basically it could be said that they were put into the system by those to whom they were now making recommendations.

Mayor Pro Tem Johnston stated she would not support the amendment because she did not see this as a just police policing task force but rather as a community and policing task force that brought stakeholders together to work things out. She stated the stakeholders were those who had experience whether with law enforcement or those who were previously incarcerated. She pointed out her use of the term '*formerly incarcerated*' as opposed to felon was intentional because those who were formally incarcerated could have served their time, gone through a rehabilitative process and were integrating back into society. She stated her desire for feedback from police, someone who may have been previously incarcerated and everyone in between.

Council Member Bergan pointed out someone convicted of a felony could include someone who committed murder or rape. She wondered how someone who had done those things could sit on the task force. She pointed out these were felony acts and not misdemeanors.

Council Member Coombs pointed out felonies included other types of crimes besides murder and rape. She pointed out it was discussed in study session that those who served their time, served their time and if that were true, then those who were of good standing in the community should not be exempt from participating in these discussions. She noted her initial intent to bring an amendment forward that prohibited police from sitting on the task force and how she decided not to after hearing from labor and community leaders that the police brought a different perspective. She stated it was also true for those who have been through the incarceration process.

Council Member Marcano concurred.

Council Member Bergan agreed those who have served their time had the right to be a productive part of the community, to get a job and to serve on boards and commissions but she did not agree they should sit on a board that involved law enforcement.

Council Member Hiltz stated her opposition to the amendment, noting felonies could also include Driving Under the Influence (DUI), which would exclude a lot of people from serving on a task force. She stated the intent of the task force was to improve community relations and ensure police accountability and there were some police officers who she did not believe should be allowed to sit on the task force based on their inability to uphold their oath. She stated there would never be a perfect population and it was not the Council's job to recriminalize someone who had already gone through the system especially if the Council stood for law and order because that meant they supported the outcome of the criminal justice process. She pointed out the City Council was allowed a vote on who sat on the task force before a person was appointed and then they would be voting on an actual person and not a piece of paper.

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Council Member Bergan pointed out the police officer was removed from the second half of Part B which meant the police person involved was actually the union representation.

Council Member Gardner asked staff if any Aurora Police officers who were convicted felons served on the Aurora Police Force.

Nancy Rodgers, Deputy City Attorney, answered no.

VOTE ON AMENDMENT II

Voting Aye: Bergan, Berzins, Gardner, Gruber,

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

Mayor Pro Tem Johnston discussed the City Manager's response to reviewing critical police cases like that of Elijah McClain and confirmed that as a result, the task force would not be discussing specific cases.

AMENDMENT III

Motion by Johnston, second by Hiltz, to amend 10g, Section 2, which spoke about the City Council's ability to modify, amend, expand or change the task force's charge and added *'so long as the modification amendment expansion or change does not assign the review of a specific incident to this task force.'*

Mayor Pro Tem Johnston clarified the amendment did not mean the task force could not make a specific recommendation on addressing a specific critical incident because there was a mechanism in place to do that but rather that the task force would not spend time on the critical incident because there was so much to do.

Mayor Coffman stated the amendment did not require a vote and was adopted because it was made by the original motion-maker.

Council Member Berzins referenced A) membership and organizational representation and asked if they would be Aurora residents. Ms. Rodgers stated limiting residency to the organizational representation would limit the amount of representatives available. Council Member Berzins stated she was opposed to that.

Mayor Pro Tem Johnston clarified that related only to organizational representatives and not the other membership.

Council Member Bergan discussed the importance of the task force being provided the opportunity to participate in learning about police operations and asked if some type of mini condensed academy would be made available. Mayor Pro Tem Johnston answered affirmatively.

Jason Batchelor, Deputy City Manager, confirmed Interim Police Chief Vanessa Wilson was reviewing what materials and subject matters the board would review. He stated once determined, the background information and the opportunity to visit the training academy would be provided.

Council Member Bergan asked if the task force members would have the opportunity to participate in the simulations. Mr. Batchelor stated the exact curriculum had not yet been

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determined but agreed it would utilize those types of scenarios. Council Member Bergan discussed her experience participating in the simulations and noted it was critical for the task force to do so as well. She asked if felons could participate in those scenarios. Mr. Batchelor stated a background check was required for the participation in the regular training but whatever training was proposed for the task force would be available for all. Council Member Bergan asked if background checks would be obtained.

Interim Chief Vanessa Wilson, Aurora Police, stated she was uncertain as to how background checks would be handled with the task force but confirmed no one with current warrants or deviant sex offenses would be allowed to participate. She stated anyone who was previously incarcerated could participate in any simulations provided.

Council Member Gruber expressed appreciation to Mayor Pro Tem Johnston for her efforts in this regard. He stated he would not support the item because while initially, it a really great idea; it had now become an organization that was targeted against the police. He referenced his understanding of the resolution language that basically stated *'since the police have done these things, we are therefore going to create the task force.'* He pointed out it was related to blame and how to address the blame. He discussed the recent violence in the City and pointed out how the group could address these issues instead. He pointed out that while there was a union representative, which meant a lower ranked police officer, on the task force, there was no one on the board representing the Aurora Police Department. He expressed concerns that it could become a platform for the anti-police rather than a measure for inclusive conversations and solutions as initially intended.

Council Member Murillo asked if the task force meetings would be open to the public. Mayor Pro Tem Johnston answered affirmatively. She confirmed the public Ward meetings would also allow for public comment. Council Member Murillo asked who determined who the subject matter experts were.

Mr. Batchelor stated the committee, Chief of Police, City Manager, and professional facilitator would make that determination.

Council Member Murillo asked if, similarly to the Mobile Home Task Force, the task force would be staffed by the Aurora Police Department. Mr. Batchelor answered affirmatively, noting that was addressed in Section 7. Council Member Murillo discussed her struggle with the particular charge, noting that while she agreed with the principle of having constructive conversation around community policing, particularly in light of recent events, she felt she would be remiss if she did not note that this felt prescriptive. She pointed out no one on the City Council was impacted in the same way as the people for whom the Council made decisions. She noted she took that very seriously and while it was meant to be very broad, as time went on, some of that would be narrowed down. She expressed appreciation to Mayor Pro Tem Johnston for her efforts in this regard and noted her support for the item. She discussed the importance of perspective and acknowledging that before this task force, community solutions did exist and suggested City Council be reflective on the kind of change that was being requested and the body that was requesting the change.

Council Member Hiltz stated her support of the item. She stated she did not think it was a fair assessment of those who inferred some council members were ignoring youth and gang violence in the City. She referenced the various ways those in Chief Wilson's office, City staff and many on the dais were working diligently around that concern and pointed out it was not fair to state that the conversation was not happening just because not everyone on the dais was participating in it. She noted the importance of the public being aware that

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just because something was not going into the task force did not mean that those issues were not being taken seriously or being addressed.

Council Member Bergan asked if background checks would be conducted on the task force members. Interim Chief Wilson stated not in the typical sense. She pointed out the task force members' backgrounds would be known in order to allow Council to make an informed decision. Council Member Bergan discussed her concerns related to felons being allowed to sit on the task force. She stated she could support the item if she knew background checks that would weed out those more violent and egregious felonious crimes were not being conducted. She asked if that information could be provided. Interim Chief Wilson stated what was checked would be done at Council's direction. She noted a waiver from the individuals would be required to do so.

Mayor Coffman stated the names came back before Council so providing that information was built into the process.

Council Member Gruber disagreed and stated his understanding that Interim Chief Wilson was stating the information would be provided at Council's request and if the person signed a waiver but that it would not otherwise be provided.

Interim Chief Wilson concurred.

Council Member Gruber raised the topic of juveniles involved with crime and asked if there had been multiple juveniles with extensive criminal records involved in both murders and other shootings in Aurora within the last 45 days. Interim Chief Wilson answered affirmatively. Council Member Gruber stated his assumption that those juveniles were not the ones attending the community meetings that council members were attending. He stated he would like to hear from the community on how best to deal with juveniles who understood they would not go to jail because they were juveniles. He stated the task force could offer community policing advice on these juveniles that would promote safety in the overall community.

Mayor Pro Tem Johnston clarified background checks would not be conducted on those who chose to apply for the task force. She stated City Council and staff would collect applications for review similar to the application process of every board and commission. She pointed out the importance of sending a message to the community through a strong vote that the City Council was building the relationship between the community and police. She requested flexibility from City Council to allow for a compromise so that the message could be sent. She discussed her and Council Member Lawson's work with gang and youth violence but noted it was a separate issue from the task force.

Mayor Coffman stated there would not be a vetting process.

Council Member Bergan asked why Civil Service Commissioners were required to have a background check.

Stephen Ruger, City Clerk, clarified City code did not require a specific background check for Civil Service Commissioners, instead background checks were conducted on those commissioners because they were paid members.

Council Member Bergan noted City Council members were not background checked and yet they were paid. She asked the Deputy City Manager to speak to that discrepancy. Mr.

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Batchelor noted the difference was that City Council members were also elected officers and the Civil Service Commissioners were considered to be similar to employees of the City who were paid for their time. Council Member Bergan stated her belief that council members should be background checked. She asked if police officers were the only City employees who were background checked. Mr. Batchelor answered no, noting all City employees went through a certain level of background check. Council Member Bergan stated she would not support the item because no one was willing to compromise on what the conviction was so that a determination could be made. She reiterated it would not rule out everyone with a conviction but would instead provide an understanding of which applicants had the more serious violent convictions.

Council Member Berzins expressed concerns related to the organizational representation. She stated people who were not Aurora residents should not make decisions and recommendations on what Aurora police officers should do. She pointed out this was an important task force and there should be equal representation.

Mayor Pro Tem Johnston addressed and listed the organizational representation.

Council Member Berzins pointed out those who belonged to an Aurora organization did not have to be Aurora residents

Council Member Marcano suggested City Council create a separate task force to address youth and gang violence rather than muddying the waters by including that issue in this one.

VOTE ON ORIGINAL MOTION

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

Voting Nay: Bergan, Berzins, Gruber,

11. **PUBLIC HEARING WITH RELATED ORDINANCE**

DUE TO THE CANCELLATION OF THE FEBRUARY 3, 2020, MEETING, ORDINANCE 2020-03 WILL BE INTRODUCED ON FEBRUARY 24, 2020 DUE TO NOTICE REQUIREMENTS

- ◆ a. **2020-03**
Public Hearing and Consideration of AN ORDINANCE FOR INTRODUCTION of the City Council of the City of Aurora, Colorado, rezoning .62 acres more or less at approximately 300 feet from the Intersection of Montview Boulevard and Blackhawk Street from Residential Rural District (R-R) to Residential Medium Density District (R-2) and amending the zoning map accordingly (SOLAR DECATHLON BLACKHAWK PROJECT ZONING MAP AMENDMENT)
Presenter: Liz Fuselier, Planner, Planning & Development Service

12. **ANNEXATIONS**

- ◆ a. **R2020-10**
Consideration to APPROVE A RESOLUTION of the City Council of the City of Aurora, Colorado, finding a petition for annexation of a parcel of land located in the Northeast Quarter of Section 11, Township 4 South, Range 66 West of the Sixth Principal Meridian, Arapahoe County, Colorado, to be in substantial compliance with Section 31-12-107(1), C.R.S., and giving notice of a public hearing on the proposed annexation (Colorado Christian Fellowship Annexation 9.2 acres)
- ◆ *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.*

Presenter: Jacob Cox, Senior Dev Project Manager, General Management

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

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

13. **RECONSIDERATIONS AND CALL-UPS**

Motion by Hiltz, second by Gardner, to call-up the Colorado Science & Technology Park Blight Study.

Dan Brotzman, City Attorney, clarified five council members were required to co-sponsor the call-up for it to move forward.

Council Member Murillo asked what happened if the item were called-up. Mr. Brotzman stated staff would send it through the entire publication process again. Council Member Murillo asked if it could still fail after it was reheard. Mr. Brotzman answered affirmatively.

Council Member Gruber asked if the Mayor could vote on the item. Mr. Brotzman answered affirmatively.

Council Member Murillo stated her support of the call-up because she had been working on generating a conversation in this regard since before she was elected.

Council Member Bergan asked Council Member Hiltz if she had new information on the item. Council Member Hiltz answered affirmatively and pointed out new information was not required when there were six co-sponsors. She discussed the list of commitments that have been made since the item was heard initially.

Mayor Coffman concurred.

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

14. **GENERAL BUSINESS**

- a. Consideration to reappoint one (1) member & appoint four (4) to the Citizens' Water Advisory Committee

Presenter: Stephen Ruger, City Clerk, General Management

Motion by Murillo, second by Bergan, to reappoint Tom Coker and appoint Richard Easton, David Patterson, Elizabeth Roberts and William Gondrez to the Citizens' Water Advisory Committee.

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

- b. Consideration to appoint four (4) members to the Civil Service Commission ***(This item also appears on the February 10, 2020 Study Session) (Due to this item being dual listed, the backup is included in item 4a of the Study Session Packet.)***

Staff Source: Stephen Ruger, City Clerk

Motion by Berzins, second by Bergan, to appoint Tim Ehgotz to the Civil Service Commission.

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

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

Motion by Gardner, second by Bergan, to appoint Johnny Watson to the Civil Service Commission.

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

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

Motion by Hiltz, second by Coombs, to appoint Dr. Barbara Shannon-Banister to the Civil Service Commission.

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

Voting Nay: Bergan, Berzins, Gardner, Gruber

Motion by Murillo, second by Bergan, to appoint Adolf McDonald to the Civil Service Commission.

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

Voting Nay: Berzins

Motion by Bergan, second by Coombs, to appoint Pamela Turner to the Civil Service Commission.

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

Voting Nay: Marcano, Murillo

Stephen Ruger, City Clerk, confirmed Adolf McDonald, Pamela Turner and Dr. Barbara Shannon-Banister were appointed to the Civil Service Commission and one opening remained.

Council Member Bergan stated her disappointment that the City Council did not vote to reappoint Tim Ehtagotz as he had years of experience and was a fair commissioner with significant integrity.

15. **REPORTS**

a. Report by the Mayor

Mayor Coffman stated the next Saturday meeting was scheduled for Saturday, February 22, 2020 from 9:00 a.m. to 5:00 p.m. for individuals and groups. He noted those interested could sign up at www.auroragov.org/meetwithmayor. He announced he started a program of visiting with faith leaders throughout the City. He noted those interested in having the Mayor visit should visit the same link. He announced the appointment of Garrett Walls to the Business Advisory Board.

Council Member Murillo gave a shout-out to Delta Sigma Theta for partnering with her at the most recent Ward I Town Hall meeting where the census was the main topic of discussion.

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She announced the next Ward I Town Hall meeting was scheduled for Thursday, February 27, 2020 at the Moorhead Recreation City at 6:00 p.m. where Jim Twombly, Aurora City Manager, would be present to discuss the police chief hiring process.

Council Member Hiltz discussed the recently unveiled City's new 'Smart City Plan' and announced the success of the recent opening of Third Culture Bakery on Colfax and Mason's Dumplings Shop in Aurora.

Council Member Lawson announced the At-Large Town Hall meeting was scheduled for Monday, March 16, 2020 at the Moorhead Recreation Center at 6:00 p.m. where discussions on trash, affordable housing, the Aurora Urban Renewal Authority (AURA) and police and fire updates would take place.

Council Member Berzins invited all Ward II residents to attend the upcoming Ward II meeting scheduled for Wednesday, February 12, 2020 in the Aspen Room at the City building at 6:30 p.m. where Jim Twombly, Aurora City Manager, RTD representatives and Interim Police Chief Wilson would be present.

Council Member Gruber discussed how Aurora was starting to make an appearance on the international map for a number of different technologies and opportunities.

Mayor Pro Tem Johnston announced the community meeting with Interim Police Chief Wilson was scheduled for Tuesday, February 11, 2020 at 6:30 p.m. She noted the meeting would be televised in order to reach as many people as possible. She reminded everyone of the Building Bridges Beyond Trauma event scheduled for Saturday, February 15, 2020 at the Central Library as well as the Ward II Town Hall meeting scheduled for Thursday, February 20, 2020 at the Central Recreation Center where Jim Twombly, Aurora City Manager, and Interim Police Chief Wilson would be present to discuss the police chief hiring process.

Council Member Coombs announced the appointment of Tish Buford to the Citizens' Advisory Budget Committee and the withdrawal of the appointment of Nicodemus Gregario from the same committee. She discussed the success of the recent Ward V Town Hall meeting and expressed appreciation to both City and Meadowood Recreation Center staff for their efforts in that regard. She announced the next Ward V Town Hall meeting was scheduled for Tuesday, February 18, 2020 at the Central Recreation Center at 6:30 p.m. where an Animal Services representative and Jim Twombly, Aurora City Manager would be present. She discussed her attendance at a recent community event with the El Salvadoran Prime Minister and announced the grand opening of the L&L Hawaiian Mixplate restaurant in Aurora.

Council Member Marcano echoed Council Member Gruber's comments related to Aurora becoming an international city. He announced the Ward IV Town Hall meeting was scheduled for Thursday, February 20, 2020 at the Stampede and noted accessible seating would be made available. He stated the topic of discussion would be the 2020 Census, the RTD cuts and Jim Twombly, Aurora City Manager, would be present as well. He invited everyone to attend the upcoming Sister Cities fundraising event scheduled for Friday, February 28, 2020 at the Aurora History Museum.

16. **PUBLIC INVITED TO BE HEARD**

None

17. **ADJOURNMENT**

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Mayor Coffman adjourned the regular meeting of City Council at 10:03 p.m.

MIKE COFFMAN, MAYOR

ATTEST:

Stephen J. Ruger, City Clerk

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