

**MINUTES**

**Regular Meeting – Aurora City Council  
Monday, January 13, 2020**

**CALL TO ORDER – REGULAR MEETING**

Mayor LeGare convened the regular meeting of City Council at 5:16 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 Coombs, 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 REGULAR MEETING OF JANUARY 13, 2020 AND CALL TO ORDER**

Mayor Coffman reconvened the regular meeting of City Council at 7:39 p.m.

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

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

COUNCIL MEMBERS ABSENT:	None
-------------------------	------

3. **INVOCATION** Pastor Ed Belzer, Tower Community Fellowship Church

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

5. **APPROVAL OF THE MINUTES OF THE MEETING OF JANUARY 6, 2020**

Approval of the minutes of the meeting of January 6, 2020 was deferred to the February 3, 2020 meeting.

♦ *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.*

6. **CEREMONY**

- Aurora Animal Shelter Pet Profile

Jim Twombly, City Manager, 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 Peaches, a five-year old Golden Retriever.

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

Council Member Berzins asked what donation items were needed at the shelter. Mr. Youngblood stated clean towels, blankets, t-shirts, sheets and anything that could be used for the animals.

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

Barbara Lilly discussed reusable grocery bags and their negative impact on the health of Aurora citizens. She related her personal and professional experience with the bags and their exposure to germs and other contaminants, discussed her research and shared her plan to meet with a Denver City Council person in that regard.

Ellen Woo discussed her view that the City Council was accountable to their constituents and not special interest groups. She stated there were those on City Council who have chosen greed over people, who have demonstrated their ability to deprive people of their First Amendment rights, and who have accepted money from GEO, National Rifle Association (NRA) and the Oil & Gas industry. She stated some on Council, in GEO and the Chamber of Commerce were enablers. She referenced the December 2, 2019 meeting where the Mayor and two council members did not denounce racism and as of today, still have not denounced racism. She stated the need for accountability and a change of culture, noting the voices of the people needed to be heard and positive actions taken by the City Council as a result. She quoted Martin Luther King, Jr. and Confucius.

Council Member stated Ms. Lilly, the first speaker, could email the City Council so they could follow up with her.

Daniel Dawson discussed his experience with Aurora Police on April 4, 2019 where an officer demonstrated a reckless disregard for the truth by lying under oath. He stated he had additional information he could provide the Council in that regard.

Pat Dunn, What the Frack Arapahoe, discussed the City's operator agreements with Extraction and Conoco Phillips Oil & Gas. She requested the City Council investigate the financial viability of Extraction and take the necessary actions to protect the City of Aurora and its people. She proposed Mayor Coffman or a designee report newly approved oil and gas wells in their exact location at the Council study sessions so that residents could be made aware.

Randee Webb, What the Frack Arapahoe, discussed the Crestone Oil & Gas operator agreement and Creston's negative health and safety practices and financial issues. She requested the City Council work on making all operator agreements null and void.

Council Member Hiltz announced the audio feed for Auroratv went silent.

- ◆ ***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.***

8. **ADOPTION OF THE AGENDA**

The agenda was adopted as presented.

9. **CONSENT CALENDAR - 9a-b**

**General Business**

a. Consideration to AWARD A SINGLE SOURCE CONTRACT to John Elway Chevrolet, Englewood, Colorado in the amount of \$987,662.00 for the purchase of twenty-six (26) 2020 Chevy Tahoe Police Pursuit Vehicles (PPV's) for the Police Department.

**Presenter:** Ron Forrest, Fleet Manager

b. Consideration to AWARD A CHANGE ORDER TO THE COMPETITIVELY BID CONTRACT with Mark Young Construction, Inc., Longmont, Colorado in the amount of \$107,996.00, for the Police Headquarters Remodel Project, Project No. 5685A.

**Presenter:** Elly Watson, Manager of Business Services, Public Works

Motion by Gardner, second by Bergan, to approve items 9a - 9b.

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

10. **RESOLUTIONS**

- ◆ a. **R2020-03**  
Consideration to APPROVE A RESOLUTION by the City Council of the City of Aurora, Colorado, consenting to continued initial resettlement of refugees.  
**Presenter:** Ricardo Gambetta-Alvarado, Manager of Int'l and Immigrant Affairs  
**Outside speaker:** Jenifer Wilson, International Rescue Committee in Denver

*ORIGINAL MOTION*

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

Council Member Berzins asked if each refugee family member received a one-time allocation of \$2000.

Ricardo Gambetta-Alvarado, Manager of Int'l and Immigrant Affairs, answered affirmatively.

Council Member Berzins noted that money was supposed to last them three months and asked if the sponsoring group would take \$1000 of the money per person. Mr. Gambetta-Alvarado answered affirmatively, noting the families would receive training, English classes and other kinds of support as a result. Council Member Berzins stated those families came to the United States with nothing and then their sponsor took 47 percent of their money. She stated there was a lot of money involved that was not going to refugees.

Mr. Gambetta-Alvarado stated a formula was used for calculation and pointed out funding came from different organizations across the country and each organization would get a different amount of funding.

Council Member Berzins stated her understanding this was just a summary of what might happen but not necessarily what would happen.

Jenifer Wilson, International Rescue Committee in Denver, concurred and clarified the initial grant was \$2125. She stated the grant was structured by the Department of State for \$1000 of it to go

- ◆ ***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.***

towards administrative and program services for resettlement agencies and the remainder went to refugees. She further discussed the services offered for the \$1000 and other supplemental funds noting it was not the total sum of what was provided.

Council Member Berzins concurred.

Mayor Coffman asked if the United States was under International Treaty obligations to accept some level of refugees. Ms. Wilson answered affirmatively. Mayor Coffman stated each county under the treaty could choose the level.

Ms. Wilson concurred.

Mayor Coffman stated the United States was at a historically low level currently.

Ms. Wilson concurred.

Council Member Gruber stated Council had not seen the resolution prior to the meeting and discussed due diligence in this case.

#### *AMENDMENT I*

Motion by Gruber, second by Bergan, to amend item 10a to add *'whereas the City has determined the settlement of refugees in Aurora will not adversely impact City services, housing or public schools'* after *'whereas the City of Aurora is the most diverse city in Colorado and is currently the home of a large number of resettled refugees.'*

Ms. Wilson stated the International Rescue Committee was committed to working in partnership with the City of Aurora and other cities and counties that accepted refugees. She discussed data she discovered while researching the topic of impact on City services.

Council Member Gruber asked Ms. Wilson if she supported the resolution. Ms. Wilson answered affirmatively. Council Member Gruber asked if Ms. Wilson supported the amendment.

Mayor Coffman stated there was a short-term negative impact but a long-term positive impact.

Ms. Wilson concurred.

Council Member Bergan stated her understanding that Ms. Wilson was in agreement that there was a positive impact therefore she was stating there would not be a negative impact.

Ms. Wilson stated she did not have any reason to believe there would be a negative impact when looking at the net effect.

Council Member Bergan noted the amendment stated there would not be a negative impact overall.

Ms. Wilson stated that was what the data supported.

Mayor Pro Tem Johnston expressed concerns related to the use of the terms *'negative impacts'* and *'adversely impacted'* and asked for clarification on how those terms were defined.

- ◆ ***The City Charter prescribes the Mayor may vote on resolutions and ordinances only to create or break a tie vote of Council Members present. The Mayor Pro-Tem is always permitted to vote on all items.***

Council Member Gruber stated the term '*adversely impact*' was used during the question of due diligence and whether bringing in another group of refugees would adversely impact the residents of Aurora. He pointed out it was determined that schools would not be affected, that immigrants would bring in more revenue to the City than it would cost and housing would be the same for everyone. He noted that was why he was trying to clarify to the residents of Aurora that City Council has done their due diligence and have thought this issue through.

Council Member Coombs stated her objection to the amendment because there was a presumption of adverse impact when there was reason to believe that refugees have a positive impact. She stated her preference that any amendment about the impact should note the positive impact they would have to the City rather than the presumption of a negative impact that would have to be refuted if challenged.

Council Member Bergan asked if the amendment could be changed to state it would not negatively or adversely impact services.

Council Member Gardner noted there was a statement in the resolution that addressed the change suggested by Council Member Coombs.

Council Member Coombs stated adding in a statement that there were not negative impacts when it addressed positive impacts was redundant and unnecessarily presumptuous.

Council Member Gardner disagreed, noting the purpose of the amendment was to state that City Council has reviewed the amendment from a budgetary financial perspective and have subsequently determined that it would be a net positive to Aurora to continue to accept refugees. He stated the statement currently in the resolution addressed social and cultural concerns. He stated his understanding that the purpose of the amendment was to drill home that Aurora has housing and that there was a positive contribution to the revenue for the City of Aurora.

Council Member Hiltz clarified for the public that the resolution was included in the January 6, 2020 City Council backup packet therefore this was not the first time Council has seen the item. She suggested the '*whereas*' called out by Council Member Gardner addressed the local economy and stated it could be added in the same line that there was a positive fiscal impact to the City.

*VOTE ON AMENDMENT I*

Voting Aye: Bergan, Berzins, Gardner, Gruber

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

*VOTE ON ORIGINAL MOTION*

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

11. **ORDINANCES FOR INTRODUCTION**

- ◆ a. **2020-01**  
Consideration of AN ORDINANCE FOR INTRODUCTION 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
  
- ◆ ***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.***

Karen Hancock, Planning Supervisor, provided a brief summary of the item, stating the City had meant to accept a sale or transfer of property from the requirement to get a plat in the Unified Development Ordinance (UDO) and the language in the code was removed to include that exception so that the property owners would understand exactly what they did and did not have to do.

Motion by Coombs, second by Bergan, to introduce item 11a.

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

- ◆ b. **2020-02**  
Consideration of AN ORDINANCE FOR INTRODUCTION of the City Council of the City 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

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

Karen Hancock, Planning Supervisor, provided a brief summary of the item, stating that during the conversion of 66 zone districts to 19 streamlined zone districts in the UDO, specific properties did not convert correctly. She noted property owners and staff identified the areas to already zoning entitled areas so this would simply change the map accordingly.

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

## 12. **RECONSIDERATIONS AND CALL-UPS**

None

## 13. **GENERAL BUSINESS**

- a. Appoint one (1) member to the Open Space Board  
**Presenter:** Steve Ruger, City Clerk

Motion by Bergan, second by Berzins, to appoint Stephen Kennedy to the Open Space Board.

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

- b. Appoint one (1) member to the General Employees Retirement Plan  
**Presenter:** Steve Ruger, City Clerk

Motion by Gruber, second by Bergan, to appoint Tom Tobiassen to the General Employees Retirement Plan board.

Steve Shanks, Pension Plan Administrator, General Employees Retirement Plan (GERP), City of Aurora, discussed why Tom Tobiassen was recommended by the board as the best candidate.

Mayor Coffman raised the topic of concern shared previously by Council Member Coombs regarding the number of boards and commissions Mr. Tobiassen served on. He stated he shared

- ◆ ***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.***

her concern not just because of the workload but also because it denied opportunities for others. He stated the GERP board was one of the top three of all City boards and he was reluctant to turn down someone who was recommended by the board itself. He stated his support of the appointment and suggested perhaps Mr. Tobiassen could re-evaluate and consider stepping down from another board.

Council Member Coombs withdrew her alternate nomination of Linda Armes and reiterated the need for City Council to pursue a broader representation of the entire community on City boards and commissions.

Council Member Hiltz pointed out that was a good conversation to have at a study session and suggested changing notifications of how the City did public outreach for boards and commission and perhaps getting and providing regular updates on those openings. She noted doing so put the onus on City Council. She stated she would support Mr. Tobiassen's appointment as well because while she too had concerns related to one person serving on multiple boards, she agreed this was the perfect place for Mr. Tobiassen to be.

Council Member Bergan stated her support of Mr. Tobiassen's appointment as he was very qualified for the board. She noted it was important to consider when discussing putting limits on numbers of boards people could serve on that some of the boards took up considerable time and that was why many retirees sat on them. She suggested a review of the person's quality of time devoted to the board, their contributions to the board and experience should be the considerations.

Council Member Berzins concurred and expressed appreciation to all of those who volunteered on City boards and commissions.

Council Member Marcano stated that while he understood that some of the boards took up more time than others, the point was that Aurora was a very diverse city that would benefit from diverse outcomes. He agreed it would be an important conversation for the Council to have.

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

- c. Appoint one (1) to the Aurora Youth Commission  
**Presenter:** Steve Ruger, City Clerk

Motion by Coombs, second by Johnston, to appoint Advik Shrivastaya to the Aurora Youth Commission.

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

#### 14. **REPORTS**

- A. Report by the Mayor

Mayor Coffman discussed his attendance at the recent annual Metro Mayors Caucus retreat where transportation, housing affordability and homelessness were the top three issues adopted by the Metro Mayors. He announced the Saturday Mayor's meeting for individuals and groups was scheduled for Saturday, January 25, 2020 at 9:00 a.m. He encouraged those interested in attending to go to [www.auroragov.org/meetwithmayor](http://www.auroragov.org/meetwithmayor) to sign up in advance which was required for all individuals and groups.

- ◆ *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.*

a. Reports by Council

Council Member Gardner announced the reappointment of Nosh Tarachand to the Business Advisory Board.

Council Member Murillo announced a special census meeting was scheduled for Saturday, February 1, 2020 to aid in educating people on the importance of the census.

Council Member Hiltz announced the At-Large joint meeting was scheduled for Thursday, January 16, 2020 at the Center for Active Adults at 6:30 p.m. where mental health services in the City and planned development would be discussed. She added the community police chief meeting was scheduled for Tuesday, January 14, 2020 in the Council Chambers at 6:30 p.m. where the Council would receive resident input on the hiring of a new police chief. She stated an online survey, which could be accessed through a link on the City's main webpage, could be taken by those who were unable to attend the meeting.

Jim Twombly, City Manager, stated the survey was up and live and located at [www.auroragov.org/policechiefsurvey](http://www.auroragov.org/policechiefsurvey).

Council Member Murillo encouraged everyone to fill out the survey or to attend the meeting. She pointed out additional meetings on the topic would be held as a candidate finalist process went along.

Council Member Lawson discussed her attendance at the recent MLK Youth Forum and expressed appreciation to all those who participated in and organized the event.

Council Member Berzins reminded everyone the Ward III meeting was scheduled for Wednesday, February 12, 2020 at the City building at 6:30 p.m.

Council Member Bergan announced the Ward VI meeting was scheduled for Wednesday, January 15, 2020 at the Tallyn's Reach Library at 6:00 p.m. where the topic of discussion would be Aurora City government 101.

Council Member Johnston expressed appreciation to Mayor Coffman for making himself accessible at the Saturday meetings with the mayor. She discussed the upcoming weeklong Dr. Martin Luther King, Jr. celebrations scheduled in the City and noted those interested could find more information at [www.auroragov.org](http://www.auroragov.org). She announced the community meeting hosted by the National Association for the Advancement of Colored People (NAACP) to discuss and provide an update on community and police issues was scheduled for Friday, January 17, 2020 at the Central Library at 6:30 pm. She noted the agenda was posted on social media.

Council Member Coombs encouraged everyone to attend the MLK Jr. celebrations and referenced the MLK Youth Forum, noting her hope that more youth could serve on other City commissions than just the Youth Commission. She announced the Ward V Town Hall was scheduled for Tuesday, January 21, 2020 at Heather Gardens Clubhouse at 6:30 p.m. and the Saturday Town Hall meeting would be held quarterly at the Meadowood Center where the census would be discussed at both.

Council Member Marcano wished his wife a happy anniversary and his sister a happy birthday. He announced the Ward IV meeting was scheduled for Thursday, January 16, 2020 at the Stampede at 6:30 p.m., noting the meeting agenda could be found at [www.marcanoforaurora.com](http://www.marcanoforaurora.com).

- ◆ ***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.***

15. **PUBLIC INVITED TO BE HEARD**

None

16. **ADJOURNMENT**

Mayor Coffman adjourned the regular meeting of City Council at 8:47 p.m.

---

MIKE COFFMAN, MAYOR

ATTEST:

---