

MINUTES

Regular Meeting of the Aurora City Council Monday, December 20, 2021

1. **RECONVENE REGULAR MEETING OF DECEMBER 20, 2021, CALL TO ORDER**

Mayor Coffman reconvened the regular meeting of City Council for December 20, 2021, at 6:30 p.m.

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

COUNCIL MEMBERS PRESENT: Mayor Coffman, Bergan, Coombs, Gardner, Jurinsky, Lawson, Marcano, Medina, Murillo, Sundberg, Zvonek

Council Member Jurinsky had connection issues and could not be counted at the time.

Public call-in instructions were provided in both English and Spanish.

3. **INVOCATION/MOMENT OF SILENCE** – Mike Coffman, Mayor

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

5. **APPROVAL OF MINUTES**

5.a. December 6, 2021, Meeting Minutes

Motion by Gardner, second by Zvonek, to approve the minutes of the December 6, 2021, City Council meeting, as amended.

Voting Aye: Mayor Coffman, Bergan, Coombs, Gardner, Jurinsky, Lawson, Marcano, Medina, Murillo, Sundberg, Zvonek

6. **PROCLAMATIONS/CEREMONY**

None

7. **PUBLIC INVITED TO BE HEARD**

(non-agenda related issues only)

Council heard public call-in testimony on non-agenda related items.

Council Member Murillo asked staff to address the concerns raised by the speakers as there were ongoing programs in the City related to their concerns.

Mayor Coffman asked staff to obtain the contact information from the speakers and to address the issue at an upcoming study session.

Jason Batchelor, Deputy City Manager, agreed to do so.

8. **ADOPTION OF THE AGENDA**

Motion by Bergan, second by Coombs, to adopt the agenda as presented.

Voting Aye: Mayor Coffman, Bergan, Coombs, Gardner, Jurinsky, Lawson, Marcano, Medina, Murillo, Sundberg, Zvonek

9. **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.

- 9.a. Consideration to AWARD CHANGE ORDER NO. 1 to a guaranteed maximum price contract to Saunders Construction, Inc., Centennial, Colorado in the amount of \$185,710.00 for the Southeast Recreation Center (SERC) Project, Project No. 5727A.

John Perkins, Senior Project Manager / Brian Rulla, Assistant City Attorney

- 9.b. Consideration to AWARD CHANGE ORDER NO. 2 to a guaranteed maximum price contract to Saunders Construction, Inc., Centennial, Colorado in the amount of \$439,349.00 for the Southeast Recreation Center (SERC) Project, Project No. 5727A.

John Perkins, Senior Project Manager / Brian Rulla, Assistant City Attorney

- 9.c. Consideration to AMEND AN OPENLY SOLICITED CONTRACT with HDR Engineering, Denver, Colorado in the amount of \$171,800.00 for the Professional Engineering Services for the First Creek Interceptor Segments 1B, 1C & 1D.

Andrea Long, Senior Engineer, Aurora Water / Ian Best, Assistant City Attorney

◆ *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.*

- 9.d. Consideration to AUTHORIZE the Risk Manager to expend funds to for the City of Aurora's property and liability insurance policies and surety bond due on January 1, 2022, paid through insurance broker IMA, Inc., in an amount not to exceed \$3,700,000.

Waiver of Reconsideration is requested because coverage for the new insurance policies must be bound by 12/30/2021 as coverage renews on 1/1/2022. Premiums are due within 30 days of renewal, which is the end of January.

Renee Pettinato Mosley, Sr. Risk Manager / Kim Skaggs, Assistant City Attorney / Rachel Allen, Client Services Manager

- 9.e. Consideration to AWARD AN OPENLY SOLICITED CONTRACT to NORESKO LLC in the amount of \$102,631 for providing consulting services for the Aurora Water Solar Professional Services, Project No. R-2115.

Shiva Sapkota, Engineer, Aurora Water / Sarah Young, Deputy Director of Planning and Engineering, Aurora Water / Ian Best, Assistant City Attorney

- 9.f. Consideration to AWARD AN OPENLY SOLICITED CONTRACT to The Conflict Center, Denver, Colorado in the amount of \$106,436.00 for a Restorative Justice Program, R-2120.

Staff requests a Waiver of Reconsideration to allow for the contract to begin in 2022.

Jason Batchelor, Deputy City Manager / Ian Best, Assistant City Attorney

- 9.g. Consideration to AWARD A SOLE SOURCE CONTRACT to the 18th Judicial District Juvenile Assessment Center, Centennial, Colorado in the not-to-exceed amount of \$207,596.00.00 for services to delinquent and at-risk juveniles through December 31, 2022.

Darin Parker, Deputy Chief of Police / Ian Best, Assistant City Attorney

- 9.h. Municipal Treatment Equipment

Consideration to AWARD A SINGLE SOURCE CONTRACT to Municipal Treatment Equipment Inc., Golden, Colorado in the not-to-exceed amount of \$100,000.00 for Evoqua Water Technologies equipment, parts, and certified technical services for the annual upkeep of chlorine, chlorine dioxide and ammonia systems through November 30, 2022.

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

- 9.i. Consideration to AMEND AN OPENLY SOLICITED CONTRACT with Dewberry Engineers, Inc., Denver, Colorado in the amount of \$331,819.00 for the Rampart Sliplining Program, Phase 1, Engineering Services During Construction Project, Project No. R-2073.

Dean Bedford, Principal Engineer, Aurora Water / Brian Rulla, Assistant City Attorney

- 9.j. Consideration to AWARD AN OPENLY SOLICITED contract to BT Construction, Inc., Henderson, Colorado in the amount of \$2,826,605.25 for Work Package No. 2 of the Rampart Pipeline Sliplining Program – Construction Services Phase 1 Project, Project No. R-5829A

Dean Bedford, Principal Engineer, Aurora Water / Brian Rulla, Assistant City Attorney

- 9.k. Consideration to AWARD A COMPETITIVELY BID CONTRACT to TechCon Infrastructure, LLC in the amount of \$1,120,410.00 for the 25th Ave. Pedestrian Blvd. Construction Project; Project No. 21050/5845A.

Carlie Campuzano, Public Works Traffic Manager / Brian Rulla, Assistant City Attorney

- 9.l. Clinton Street Reimbursement Agreement for Storm Sewer System

Consideration to APPROVE A REIMBURSEMENT AGREEMENT between DRI/Maple Clinton Street, LLC, Delaware limited partnership and the City of Aurora, acting by and through its Utility Enterprise for storm sewer improvements construction cost for Clinton Street #01 in the not to exceed amount of \$490,630.30.

Sarah Young, Deputy Director of Planning and Engineering, Aurora Water / Ian Best, Assistant City Attorney

- 9.m. Consideration to APPROVE AN AGREEMENT between the City of Aurora, acting by and through its Utility Enterprise and Piney Lake Trails, LLC, a Colorado limited liability company, for water and sewer services.

Sarah Young, Deputy Director of Planning and Engineering, Aurora Water / Ian Best, Assistant City Attorney

Motion by Bergan, second by Gardner, to approve items 9a – 9m with a waiver of reconsideration on item 9f.

Voting Aye: Mayor Coffman, Bergan, Coombs, Gardner, Jurinsky, Lawson, Marcano, Medina, Murillo, Sundberg, Zvonek

10. **RESOLUTIONS**

10.a. Parcel Purchase with Associated Easements

R2021-144 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, APPROVING THE ACQUISITION OF CERTAIN REAL PROPERTY FOR AURORA WATER Waiver of reconsideration requested due to the short time before closing.

Alexandra Davis, Deputy Director of Water Resources, Aurora Water / Ian Best, Assistant City Attorney

Alexandra Davis, Deputy Director of Water Resources, Aurora Water, gave a summary of the item.

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

Voting Aye: Bergan, Coombs, Gardner, Jurinsky, Lawson, Marcano, Medina, Murillo, Sundberg, Zvonek

10.b. Privately Funded Contract Position (PREP)

R2021-145 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, EXPRESSING THE AURORA CITY COUNCIL'S STRONG SUPPORT AND AUTHORIZATION FOR THE CREATION OF A PRIVATELY FUNDED CONTRACT POSITION TO ASSIST THE AURORA POLICE DEPARTMENT WITH ENHANCING DIVERSITY OF ITS ACADEMY CLASSES AND SWORN PERSONNEL

Mike Coffman, Mayor / Megan Platt, Assistant City Attorney

Outside Speaker: Pastor Eric Simms, Living Hope Bible Church

Chief Vanessa Wilson, Aurora Police, gave a summary of the item.

Pastor Eric Simms, Living Hope Bible Church, provided background on the item.

Mayor Pro Tem Bergan asked if the program would work with the consent decree.

Dan Brotzman, City Attorney, answered affirmatively. He stated he did not foresee any problems with the program moving forward.

Mayor Coffman pointed out the program was conceived prior to the consent decree and not in anticipation of it.

Mayor Pro Tem Bergan asked if the program could move forward before the consent decree monitor was on board. Mr. Brotzman answered affirmatively.

Council Member Coombs asked why there was a request for a closed-door meeting rather than a study session presentation. Mayor Coffman confirmed all meetings would be subject to open records according to State Statute.

Pastor Simms stated he was a corporate man who felt those who had the power to make things happen needed to come to an agreement and then bring it forward. He agreed to follow whatever format the City required.

Council Member Sundberg agreed solving a lot of City problems would require partnerships amongst the community. He asked which testing criteria people were most frequently failing and the specifics of the recruiting process that was different. Pastor Simms stated the failures were in the physical, background and intellectual areas on the test and he suggested tutorials could be provided to make a difference in that regard.

Mayor Coffman stated this would authorize the Police Department to go forward with one grant-funded full-time employee (FTE) that was brought in who would be responsible to help people of color navigate the selection process. He stated there were many other tools in place to promote diversity in the department, but this item related to the one grant-funded position only.

Council Member Zvonek stated he was inclined to move forward with the item as it was a privately funded position. He felt Pastor Simms would need help to be effective as he stated he did not have access to specific challenges.

Chief Wilson stated she would direct Pastor Simms to the Civil Service Commission because they had that information. She discussed the outside recruiting agency that was hired to review all aspects of recruiting and how the department could do better and diversify the force.

Council Member Zvonek stated it was a great program and he wanted to make sure it would be successful.

Mayor Pro Tem Bergan stated they were offering \$100k for the program and asked how many applicants could be helped with those funds. She stated not giving access to everyone put some at an advantage and asked if the City could get sued if it was not equitable. Mayor Coffman stated it put another tool in place to try and achieve diversity in the department. Mayor Pro Tem Bergan asked how many people could apply for the program.

Pastor Simms stated the money was for the recruiter at this point and the money for the tutorials and other support was another budget.

Mayor Coffman asked Chief Wilson to respond to the Mayor Pro Tem's questions pertaining to the specific resolution. Chief Wilson did so, noting her understanding the \$100k was the Program Coordinator's salary and then staff hours would be used for practice tests and to fund 500 tests.

Joshua Nicholas, Interim Chief, Community Relations, confirmed the Memorandum of Understanding draft had 500 scholarships available for testing.

Mayor Pro Tem Bergan stated her understanding it was not available for everyone. She stated she was confused as she thought the item related to recruiting and not test prep and now it included 500 scholarships for test prepping.

Mayor Coffman confirmed it was for test prepping and there was a separate agreement for recruiting.

Mayor Pro Tem Bergan asked if Council was voting on the contract position only. Mayor Coffman answered affirmatively.

Chief Wilson stated the \$100k included the Program Coordinator position and scholarships.

Mr. Nicholas stated it was \$75k for salary and \$25k for testing.

Mayor Coffman asked if the bank holding company signed off on that. Mr. Nichols answered no. Mayor Coffman stated his intent to defer the item to the next meeting so that a clearer picture could be provided. He stated his understanding was the \$100k was for the grant-funded position and he was not aware of the \$25,000 in scholarships. He pointed out the bank holding company has not signed off on that and therefore it should not come back before Council until they did. He expressed appreciation to Pastor Simms and Chief Wilson for their efforts in this regard. He asked if there was any objection to withdrawing the item at this time.

Council Member Coombs stated she did not object but wondered if Council could also have more backup material when they reconvened on the issue.

Mayor Coffman concurred. He apologized for pushing the item forward, noting he thought it was ready and therefore time sensitive to be moved forward.

Council Member Lawson requested additional information be provided on the scholarship application piece as well.

Pastor Simms asked who was responsible for answering the question. Mayor Coffman stated meetings would be held to determine that information as the item would not be resolved currently. Pastor Simms addressed Mayor Coffman and reiterated the President and Vice-President of the bank wanted to meet with him, the City Manager and City Attorney in this regard.

Mayor Coffman stated they would proceed in that direction.

Mr. Brotzman stated the date certain for the item to be heard again was Monday, January 10, 2022.

Mayor Coffman asked if there was any objection to deferring the item to January 10, 2022.

Council Member Marcano suggested the Item be moved to a study session instead.

Mayor Coffman agreed that was a good idea. He asked staff if a date certain for the study session was required when they were uncertain of when all the data would be available. Mr. Brotzman stated the item could be republished and re-noticed when it came back so the Mayor's announcement that it would be moved to the next study session once it was finalized was appropriate. Mayor Coffman asked if there were any objections to doing so and hearing none, announced that was the action Council would take on the item.

10.c. Historic Landmark Nomination – Aurora Fire Station No. 5 – 1339 N. Airport Boulevard

R2021-146 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, TO APPROVE DESIGNATING AURORA FIRE STATION NO. 5, LOCATED AT 1339 AIRPORT BOULEVARD, AURORA, COLORADO, AS A LOCAL HISTORIC LANDMARK

Drake Brownfield, Historic Preservation Specialist / Tim Joyce, Assistant City Attorney

Drake Brownfield, Historic Preservation Specialist, provided a summary of the item.

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

Mayor Pro Tem Bergan stated the building was built in the 1970s and she was uncertain if that fit landmark designation. She asked if the building could be purchased by the Fire Union and then be designated as a historic landmark because she was concerned the space that was currently being used would be lost. Mr. Brownfield stated the title would transfer with the sale of the building so the sale would not be affected by the designation itself. Mayor Pro Tem Bergan asked if designating it now would make it unusable for other uses because the designation had specific criteria. Mr. Brownfield answered no. Mayor Pro Tem Bergan asked if the building could be sold for other uses if it was designated historic. Mr. Brownfield answered affirmatively. He stated the designation was for the exterior of the building, noting there were currently buildings in the City that were landmarked that have been modified for adaptive reuse.

Mayor Coffman stated his understanding the City was limited to what could be done to the exterior of the building.

Mr. Brownfield agreed an additional step would be required to do so but noted ultimately, the City Council retained full control over the building's use and changes.

Mayor Coffman stated it would not be governed by State Statute, or the Historical Society and Council could reverse itself at any time.

Mr. Brownfield concurred.

Council Member Jurinsky stated she really appreciated Chief Fernando Gray's, Aurora Fire, letter which discussed a 1900s fire station in Dallas, Texas that was converted into a fire museum and asked if there was a plan to turn this building into a fire museum.

Jason Batchelor, Deputy City Manager, answered no.

Council Member Jurinsky asked if not, then what was the need to have the designation at this time. Mr. Brownfield stated doing so would physically preserve Fire Station #5 and honor firefighter history.

Council Member Sundberg asked if there was a concern something would happen to the building if it were not to be designated historic. Mr. Batchelor stated there were not any current plans to alter or change the building as it was actively being used by the Parks, Recreation & Open Space department. (PROS)

Council Member Marcano stated there were many historic buildings in cities all over the country that preserved a lot of the original character of urban and suburban environments. He stated he was seen buildings that have been adapted for modern conveniences while still preserving the original structure. He felt the same could be done for Fire Station #5 and noted he would love to see it become a museum in the future once the City had a surplus of space for other City operations. He stated his support for historic designations and thanked staff for their efforts in bringing the item forward.

Council Member Coombs warned against the thinking that only very old things were historic or held value for ensuring the preservation of City history. She stated, while the 1970s might not seem historic now, it would be for those in the future. She felt it was important to take a long view of how those buildings and landmarks would have historic impact for those who came after even though they might seem particularly historic now.

Council Member Jurinsky stated she could not support the item because it was not so much that the building was not as old as the one in Dallas or others with historic designation, but rather she would like a fire museum to go into the building. She stated she did not see an immediate need for the historic designation without a plan to make it into something other than historic.

Voting Aye: Coombs, Lawson, Marcano, Medina, Murillo

Voting Nay: Mayor Coffman, Bergan, Gardner, Jurinsky, Sundberg, Zvonek

10.d. Central Colorado Mountain River Basin (CCMRB) Weather Modification Program

R2021-147 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, APPROVING THE CENTRAL COLORADO MOUNTAINS RIVER BASIN WEATHER MODIFICATION PROGRAM COST-SHARING AGREEMENT

Abba Ahmed, Water Resources Project Manager, Aurora Water / Christine McKenney, Manager of Client Services, City Attorney

Alexandra Davis, Deputy Director of Water Resources, Aurora Water, gave a summary of the item.

Motion by Bergan, second by Gardner, to approve Item 10d.

Voting Aye: Bergan, Coombs, Gardner, Jurinsky, Lawson, Marcano, Medina, Murillo, Sundberg, Zvonek

10.e. Support to Create a Business Safety and Security Update Grant Program

R2021-148 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, EXPRESSING THE AURORA CITY COUNCIL'S SUPPORT TO CREATE A BUSINESS SAFETY & SECURITY UPGRADE GRANT PROGRAM

Curtis Gardner, Council Member / Tim Joyce, Assistant City Attorney

Council heard public call-in testimony on the item.

Council Member Gardner provided an overview of the item.

Motion by Gardner, second by Zvonek, to approve item 10e.

Council Member Jurinsky stated her support for the item. She expressed concerns that bigger corporations with multiple locations in the City would have their multiple locations approved in one application ahead of the single operator owners and asked for verbiage to that effect be added to the resolution. Council Member Gardner stated he intentionally left the resolution generic because he felt the purpose of a resolution was to give policy direction to staff. He stated he would like to see City staff create an implementation program and bring it to Council for review of those specifics. He stated he would be supportive of that language, but he did not want to be overly prescriptive in the policy direction.

Mayor Coffman pointed out Council was voting on policy now so that was a problem.

Council Member Lawson stated she was interested in making sure the program was equitable and wanted to know who in City staff would be approving the applications.

Council Member Marcano echoed Council Member Lawson's equity point. He noted Council agreed to push American Rescue Plan Act (ARPA) discussions to the upcoming workshop. He noted these programs have been used in other cities with historically higher rates of crime in shopping districts and they have not done anything to stop that activity. He felt the City would be better served by addressing the root causes of the activity rather than increasing the panopticon of surveillance. He asked staff if this use was justified for ARPA funds.

Tim Joyce, Assistant City Attorney, answered affirmatively, noting ARPA funds could be used for public safety expenses and evidenced based community violence and intervention programs to prevent violence and mitigate the increase of violence due to the pandemic.

Council Member Coombs expressed concerns regarding the large number of requests for ARPA funds currently. She stated while it was important to discuss whether they fit the funding guidelines, continuing to take funds out for short term projects negated the big picture conversation Council planned to have at the workshop. She stated Council agreed to look at short-, medium- and long-term projects altogether. She stated the City was found to be eligible for a significant amount of revenue replacement which allowed the money to be spent with very few strings attached. She stated the use under the funding was unlikely to prevent the City from using the funds, but she felt it was important for Council to look at all the items together in a strategic way as was agreed upon.

Council Member Jurinsky stated she was fine with City staff putting something together and bringing it back to Council, but she would also like them to reach out for input because she wanted to ensure the complications that were realized previously with the small business grant program staff put together were not repeated.

Mayor Coffman agreed he did not want to see the funds going to large corporations but rather to small businesses in Aurora that were struggling. He stated he wanted to vote on the criteria before it was authorized. He asked Council Member Gardner if he was willing to delay the item to allow time for staff to better determine the eligibility process. Council Member Gardner suggested the term 'large businesses' be defined. Mayor Coffman stated the item should be deferred until Council Member Gardner came up with the definition as it was his item.

Council Member Gardner pointed out Mayor Coffman wanted the change and asked why he could not come up with the definition. Mayor Coffman stated there was certain criteria in the previous item which allocated money to businesses, and he agreed to deliberate on the criteria for the item if it were deferred. Council Member Gardner stated he was happy to do that, but noted he was disappointed that Council would pick winners and losers because there were businesses of all sizes in Aurora that needed help.

Mayor Coffman stated it would not have his vote.

Mayor Pro Tem Bergan stated her understanding the item did have criteria and asked Council Member Gardner if there was also a security process item in place. Council Member Gardner answered affirmatively, noting an environmental review process was included. Mayor Pro Tem Bergan stated businesses needed security upgrades now which lent a sense of urgency to the item.

Council Member Jurinsky concurred. She agreed Council should not pick winners and losers, but her point was she did not want to see big corporations such as Walgreens or Starbucks, with multiple locations in Aurora to have their one application approved for all their locations and suggested it could initially limit it to two locations per application for large corporations.

Council Member Marcano suggested a distinction be made between corporations and franchises thereby perhaps allowing franchises to be treated independently.

Council Member Gardner expressed appreciation to Council Member Marcano for bringing up that point because that discussion arose last year with CARES ACT funding and independently owned and operated businesses that were a part of corporate chain.

Council Member Murillo agreed with prioritizing small businesses. She stated her hope the item could be plugged into current City efforts such as the Northwest Aurora Forum because doing so would ensure efforts were aligned and staff resources were not wasted. She stated an existing structure was in place to have this ongoing conversation and noted the importance of having the staff input piece and the outside contactor plugged into those existing efforts. She addressed Council Member Gardner and asked if he would consider a friendly amendment to change the language to be businesses, nonprofit and community groups. Council Member Gardner answered affirmatively.

SUBSTITUTE MOTION

Motion by Murillo, second by Marcano, to change the item language to include businesses, nonprofit and community groups.

SUBSTITUTE MOTION

Motion by Gardner, second by Bergan, to continue the item until the next regular City Council meeting so that improvements could be made.

Voting Aye: Mayor Coffman, Bergan, Coombs, Gardner, Jurinsky, Lawson, Marcano, Medina, Murillo, Sundberg, Zvonek

10.f. Retention Bonus to all Uniformed Officers of the Aurora Police Department

R2021-149 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA,
COLORADO, EXPRESSING THE AURORA CITY COUNCIL'S SUPPORT TO USE
AMERICAN RESCUE PLAN ACT FUNDS TO PAY A PREMIUM PAYMENT FOR RETENTION
TO ALL UNIFORMED OFFICERS OF THE AURORA POLICE DEPARTMENT

Jason Batchelor, Deputy City Manager / Rachel Allen, Client Group Manager

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

Motion by Zvonek, second by Jurinsky, to approve item 10f.

Council Member Marcano asked Mr. Batchelor to speak to the research that was done that demonstrated a retention bonus strictly for Aurora Police would cure what ailed the City. Mr. Batchelor stated it was a tool that was a part of a larger strategy plan that the bargaining partners stated would be effective in addressing morale. Council Member Marcano asked what would prevent officers from receiving the bonus and then leaving. Mr. Batchelor stated there was nothing preventing that and that was why the payments would be staggered over time with the goal of retention as well as items to be included in the next contract. Council Member Marcano stated rather than appropriating a large sum of money with no metrics attached for success, he would like to see a fully fleshed out retention program brought forward that could be tied into the consent decree. He expressed further concerns related to allocating money that did not include Aurora Fire Rescue as well as giving it to those who agreed with the sentiments of the Aurora Police Association (APA) Union as he would like to see the opposite and have them leave.

Council Member Coombs echoed Council Member Marcano's comments in terms of a fully fleshed out retention plan and the inclusion of Aurora Fire. She felt it was harmful to Aurora staff overall to state Aurora Police should receive a bonus five times that of every other City employee. She pointed out there was flexibility in ARPA funds, but it was intended for COVID impacts and the police were not the most exposed to COVID. She stated Aurora Fire and wastewater workers were the most impacted. She pointed out there were those on Council who did not believe COVID was the reason for increased crime and violence in Aurora, so this type of distribution made it appear as though the ARPA funds were a piggy bank to be used for political aims rather than looking at the funding for City-wide needs across the board as a way to ensure a well-managed City.

Council Member Jurinsky stated a well-managed City started at the top. She stated multiple business owners called in begging Council to prioritize public safety. She felt this was a public safety crisis and the resolution would boost morale and retain experienced officers. She stated it was not a case of Police versus Fire. She addressed Council Member Coombs and stated she could call it a political win or whatever she wanted because all of Council was aware of her sentiments about the Aurora Police Department and she would see it as a political win were it not to pass.

Council Member Zvonek agreed it was not about Police versus other departments but rather was about the needs of the community. He pointed out Council did not represent the police

or fire departments; they represented the people of Aurora. He noted there was no greater challenge the City was facing than public safety. He pointed out these retention bonuses were not a comprehensive strategy but were a first step toward that strategy by stopping officers from leaving. He stated Council needed to stop talking about public safety like it was politics because the community deserved better.

Mayor Pro Tem Bergan stated her support of the Item because she constantly heard from her constituents about escalating crime, and she was responsible to her constituents. She stated they were scared and wanted to sell their homes because of it. She stated public safety was Council's number one priority and they had a responsibility to residents and businesses to make sure they were safe, so Council needed to make sure they retained officers. She agreed accountability and reform were necessary but so was public safety.

Council Member Jurinsky reminded Council of the consent decree that obliged Council to meet the two officers per thousand requirement that the City has yet to meet. She pointed out this resolution would stop officers from leaving and would put the focus on retaining.

Council Member Coombs clarified there have been changes to the consent decree that the City has been meeting without hitting the two per thousand mark. She stated this would only temporarily stop them from leaving. She reiterated this put five times more value on the police than everyone else on staff which would be demoralizing for other departments that were also working overtime due to inadequate staffing. She did not think telling the public that the police were five times more important than the rest of the City employees was the right message.

Council Member Sundberg stated this was about the safety of the citizens of Aurora. He shared his experience on the campaign trail where he spoke with thousands of people who were concerned about crime. He noted Council was signaling to the police that they were valued which was a change from the Council of a year ago when they were demonized and devalued. He stated Council was putting their money where their mouth was because while others would love a raise, a swimming pool could be closed, but people needed to feel safe. He stated crime was up across the board and this was one actionable step Council could take to support the police department. He stated there were deep issues with the department and officers wanted to leave because of police leadership at the top.

Council Member Jurinsky pointed out the Seattle Police Department offered a \$30k hiring bonus. She agreed the two per thousand was watered down and Aurora still could not meet it. She stated she could not imagine watering down public safety for Aurora. She echoed Council Member Sundberg's comment that it was a temporary fix and agreed a serious look should be taken at police leadership in the department but also at the top of City leadership to the City Manager.

Council Member Medina stated accountability had to be a part of this distribution and as a former firefighter, he felt this told the firefighters they did not deserve as much as the police. He asked what would happen once the firefighters started exiting. He stated both

should be considered in Aurora's public safety. He supported giving the money to police but felt it should also go to fire.

Council Member Marcano clarified the \$6M would not go to improving public safety but rather to retaining officers and those who wanted to leave would still leave. He stated his support for a retention program for both departments. He understood many officers left because they disagreed with leadership, but it was the community that provided feedback of what needed to be changed in the department and that was what the current chief and City leadership were doing to the best of their ability. He stated it appeared there were those who wanted the Police Chief and City Manager fired. He discussed the importance of looking at the long-term effects and root causes of rising crime because these bonuses would not make the City safer. He stated what kept everyone safe was ensuring people's needs were met which meant addressing inequity in the City. He stated Aurorans deserved much better.

Council Member Jurinsky stated she did not appreciate words being put in her mouth as she did not state she wanted to see the Police Chief leave. She stated her understanding Chief Wilson wanted to speak out to defend officers in some circumstances and specifically about the consent decree but was told not to by Jim Twombly, City Manager. She stated she wanted the Police Chief to have a voice.

Council Member Murillo stated all City employees were getting a bonus and going above and beyond that amount felt like grandstanding. She stated she did not support the item especially considering the last two years. She asked if the City had just forgotten and ignored the national spotlight and what happened to Elijah McClain. She pointed out none of this was tied to performance or meeting the consent decree. She noted she too was just off the campaign trail and while people did talk about crime, no one stated the police should receive a bonus on top of the bonus everyone received. She expressed frustration at the premise of the request. She stated given the discussion about unions and the Police Chief, she foresaw a push to fire the City Manager who was directly responsible for hiring and firing the Chief. She pointed out the Chief has been implementing reform and she felt there was an underlying message that gave her pause. She discussed how power and those dynamics worked and noted everyone should be concerned.

Council Member Zvonek stated the matter at hand and Council's top priority was the safety of the community. He stated there was always a risk when giving retention bonuses but even if the officers stayed for the eight months, it would allow the City to continue to build back the police force and would slow down their leaving. He agreed it would not solve the problem, but felt it was a necessary first step to prioritize public safety and he encouraged everyone to support it.

Voting Aye: Bergan, Gardner, Jurinsky, Lawson, Sundberg, Zvonek

Voting Nay: Coombs, Marcano, Medina, Murillo

Mayor Coffman called for recess of Council.

11. **PUBLIC HEARING WITH RELATED ORDINANCE**

None

12. **PUBLIC HEARING WITHOUT RELATED ORDINANCE**

None

13. **INTRODUCTION OF ORDINANCES**

13.a. Metropolitan District Model Service Plan Updates

2021-69 FOR AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, AMENDING SECTION 122-30 OF THE CITY CODE PERTAINING TO SPECIAL DISTRICTS

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

Jacob Cox, Manager, Office of Development Assistance, provided a presentation on the item.

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

Council Member Coombs asked Mr. Cox to speak to how the changes protected the taxpayers. Mr. Cox did so. Council Member Coombs asked Mr. Cox if there was anything in place to protect homeowners when developments did not get built out and people paid out more than anticipated. Mr. Cox stated there were not any changes to address those concerns in the item but noted the basis in terms of what a homeowner would pay related to the property value.

Voting Aye: Bergan, Coombs, Gardner, Jurinsky, Lawson, Marcano, Medina, Murillo, Sundberg, Zvonek

14. **FINALIZING OF ORDINANCES**

Ordinances on final reading which were introduced by unanimous vote of those present on the first reading may be taken under consideration and voted upon as a single item. Related ordinances may be acted upon as one item after the titles are read in series by the City Clerk. Any member of the Council may request an item to be considered separately. Any item removed will be considered immediately following the adoption of the remainder of the Finalizing of Ordinances.

14.a. Battery Powered Electric Fence Ordinance

2021-67 FOR AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, ADDING SECTIONS 22-642, 66-37, AND 146-4.7.9.U, TO THE CITY CODE, AND AMENDING TABLE 3.2-1, SECTIONS 146-4.7.9.E.1, 146-4.7.9.M, AND 146-6.2 OF THE CITY CODE PERTAINING TO BATTERY- OPERATED ALARMED ELECTRIC FENCES

Jason Batchelor, Deputy City Manager / Tim Joyce, Assistant City Attorney

Sponsor: Council Member Gardner

Brandon Cammarata, Planning Department, gave a presentation on the item.

Motion by Gardner, second by Jurinsky, to approve item 14a.

Council Member Sundberg stated it was unfortunate that these high voltage fences were needed in the City and asked staff to speak to the plan for police and fire to approach them safely when they required quick access to a building. Council Member Gardner stated the ordinance contained considerations for both police and fire to deactivate the system via the Knox box and Knox key. He noted additionally they were actively monitored thereby allowing deactivation from a remote location for First Responders.

Voting Aye: Bergan, Coombs, Gardner, Jurinsky, Lawson, Marcano, Medina, Murillo, Sundberg, Zvonek

14.b. 2021 Fall Supplemental

2021-68 FOR AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, APPROPRIATING SUMS OF MONEY IN ADDITION TO THOSE APPROPRIATED IN ORDINANCE NOS. 2020-53, AND 2021-17 FOR THE 2021 FISCAL YEAR

Mike Franks, Budget and Finance Manager / Hanosky Hernandez, Assistant City Attorney

Mike Franks, Budget and Finance Manager, gave a summary of the item.

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

Voting Aye: Bergan, Coombs, Gardner, Jurinsky, Lawson, Marcano, Medina, Murillo, Sundberg, Zvonek

15. **PLANNING MATTERS**

◆ *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

16. **ANNEXATIONS**

None

17. **RECONSIDERATIONS AND CALL UPS**

None

18. **GENERAL BUSINESS**

18.a. Consideration to Approve the 2022 City Council Meeting Calendar

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

Kadee Rodriguez, City Clerk, provided a summary of the item.

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

Voting Aye: Mayor Coffman, Bergan, Coombs, Gardner, Jurinsky, Lawson, Marcano, Medina, Murillo, Sundberg, Zvonek

18.b. Appointment of Members to the Citizen Advisory Budget Committee

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

Kadee Rodriguez, City Clerk, provided appointment instruction for the item.

Mayor Pro Tem Bergan appointed James Mattson and Maxim Gimelshteyn to the Citizen Advisory Budget Committee.

Council Member Lawson appointed Reno Carollo and noted her plan to have a conversation with her other appointee related to attendance.

Ms. Rodriguez stated Council Member Lawson could bring it up during Reports by Council at the next Council meeting.

Council Member Gardner retained his appointees.

Council Member Zvonek reappointed David Rich and appointed Mike Senich.

Council Member Jurinsky appointed Marsha Berzins and Andres Berzins.

Council Member Murillo retained her appointees.

Council Member Sundberg reappointed Jono Scott and appointed Gretchen Dierks.

Council Member Medina reappointed Katrice Trayler and appointed Debra Johnson.

Council Member Marcano retained his appointees.

Council Member Coombs retained her appointees.

Mayor Coffman retained his appointees.

18.c. Consideration to Appoint one (1) Member and Reappoint One (1) Member to the Human Relations Commission

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

Motion by Coombs, second by Bergan, to appoint Jillian McNaughton and reappoint Amy Wiles to the Human Relations Commission.

Voting Aye: Mayor Coffman, Bergan, Coombs, Gardner, Jurinsky, Lawson, Marcano, Medina, Murillo, Sundberg, Zvonek

18.d. Consideration to Appoint One (1) Member to the Aurora Commission for Older Adults

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

Motion by Coombs, second by Marcano, to appoint Frankiemae Perry to the Aurora Commission for Older Adults.

Voting Aye: Mayor Coffman, Bergan, Coombs, Gardner, Lawson, Marcano, Medina, Murillo, Sundberg, Zvonek

Voting Nay: Jurinsky

18.e. Havana Business Improvement District New Member Appointments

Chad Argentar, Senior Project Manager / Hans Hernandez, Assistant City Attorney

Motion by Marcano, second by Sundberg, to approve item 18d.

Voting Aye: Bergan, Coombs, Gardner, Jurinsky, Lawson, Marcano, Medina, Murillo, Sundberg, Zvonek

19. **REPORTS**

a. Report by the Mayor

Mayor Coffman stated he was moving the Mayor Mike Live event to a once-a-month event scheduled for the fourth Thursday of every month for one hour.

b. Reports by the Council

Council Member Lawson discussed the success of the recent Colfax Network Community Holiday Party and wished everyone a Merry Christmas and happy new year and to be safe and healthy. She stated all her colleagues on Council looked forward to addressing concerns and issues in the coming year.

Council Member Gardner wished everyone a Merry Christmas and happy holidays and discussed the many opportunities to give back and volunteer during this time. He encouraged everyone to do that year-round also and to remember First Responders, those deployed, front line workers and those incarcerated as it could be a tough time of the year.

Council Member Zvonek expressed appreciation to everyone for their support of the Red Tape Roundup Commission and encouraged those on Council who were not on the commission to share ideas and input they might have specifically related to communication and reaching businesses. He expressed appreciation to City staff who have been helpful to him during the last few months of transition into his new role. He wished them a Merry Christmas and happy holidays and noted he looked forward to working with them to make Aurora a more safe and prosperous community for all residents.

Council Member Jurinsky recognized officers who responded to a dangerous situation involving a young woman and a baby where they came alongside Aurora Fire and got both to safety. She stated she and Council Member Sundberg had gift certificates to local restaurants for them. She expressed appreciation to those officers for their swift action that saved lives. She thanked all First Responders in the community and wished everyone a Merry Christmas.

Council Member Murillo announced the next Ward I Town Hall meeting was scheduled for Thursday, January 27, 2022, at 6:00 p.m. She wished everyone a happy holiday season, Merry Christmas and happy new year. She stated MLK Day was Monday, January 17, 2022, and a morning procession and wreath laying ceremony was planned and her brother would be handing out free meals at the library. She encouraged everyone to participate.

Council Member Sundberg discussed his recent visit to the Ridgeview Academy and discussed its potential uses as well as his attendance at a lighting ceremony and volunteering at the Interfaith Community Network. He reminded those feeling depressed that serving others was a good way to put things in perspective. He discussed the success of the recent Shop with a Cop event and noted he wished the media would cover more

positive events. He expressed appreciation to all the School Resource Officers (SRO) in the community and particularly those involved with the recent shootings. He wished everyone a Merry Christmas.

Council Member Medina wished everyone a wonderful holiday season with friends and family and expressed his hope that everyone was safe. He stated he looked forward to working with everyone in the new year.

Council Member Marcano announced the Ward IV meeting was scheduled for Thursday, January 14, 2022, at 6:30 p.m. at the Stampede where a presentation on youth violence and community conversation would be provided. He stated his interest in hearing what everyone wanted to prioritize in 2022. He wished everyone happy holidays, Merry Christmas, happy Festivus and a joyous new year.

Council Member Coombs wished everyone happy holidays and happy school break to all young people. She reminded everyone that free recreation center access as well as the FIVE-O Activity Trailer with the Aurora Police was provided during school breaks. She stated there was a Safe Zone shut-in starting at 7:00 p.m. at the Global Village Academy on Friday, December 31, 2021. She stated adult volunteers were still needed for the event and those interested should call 720-989-1238 and youth who were interested in attending should visit www.compassion4free.org to register for the event. She encouraged everyone to take advantage of those opportunities to make sure they have things to do and safe places to go during this time.

Mayor Pro Tem Bergan discussed the success of the recent Shop with a Cop event and agreed she would like the media to have been there also. She discussed her attendance at the recent Police Academy Graduation Ceremony and congratulated those graduates. She stated she was happy to hear the Colfax Community Network had a very successful holiday party. She announced the Ward VI Town Hall was scheduled for Wednesday, January 19, 2022, where traffic concerns would be discussed. She wished everyone a Merry Christmas, happy holidays, and a happy new year. She asked everyone to stay safe.

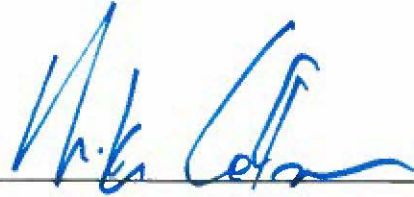
20. **PUBLIC INVITED TO BE HEARD**

(non-agenda related issues only)

None

21. **ADJOURNMENT**

Mayor Coffman adjourned the regular meeting of City Council at 9:07 p.m.



MIKE COFFMAN, MAYOR



KADEE RODRIGUEZ, CITY CLERK

- ◆ ***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.***