

MINUTES

Regular Meeting – Aurora City Council Monday, February 24, 2020

CALL TO ORDER – REGULAR MEETING

Mayor Coffman convened the regular meeting of City Council at 4:00 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 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 FEBRUARY 24, 2020 AND CALL TO ORDER

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

2. ROLL CALL Stephen Ruger, City Clerk

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

COUNCIL MEMBERS ABSENT: Coombs, Johnston, Marcano

3. INVOCATION Pastor Amanda Shaw Newsome, Parkview Congregational Church

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

5. APPROVAL OF THE MINUTES

No minutes were available for approval.

6. CEREMONY

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

Speaker 1 – Cynthia Edwards AKA Sinbad for Real, discussed the homicide death of her brother 25 years ago and the Painting for Peace Aurora program that was created as a result. She spoke of the need for faith, peace and strength in the face of adversity.

Speaker 2 – Ken Van Loon discussed issues he was having with a home behind his home that was being used as a trash dump in the Lyn Knoll neighborhood.

Council Member Bergan asked which Ward Mr. Van Loon resided in. Council Member Berzins indicated Ward III.

Speaker 3 – Greg Hanson, a City employee speaking as a private citizen, echoed Mr. Loon's comments and provided a presentation on the trash dump that had taken over a home in his neighborhood. He requested City Council help in the situation as Code Enforcement could not serve the homeowner notice because the homeowner would not answer the door.

Speaker 4 – Ray Berdo echoed Mr. Van Loon and Mr. Hanson's comments as well and discussed the trash being collected at the corner of Parkview and Potomac and those in the Lyn Knoll neighborhood who were not shoveling their walkways.

Speaker 5 – Reverend Thomas discussed the plans Thomas Ministries had to aid those struggling financially by building low income townhomes in Aurora. He requested support from the City Council in that regard.

8. **ADOPTION OF THE AGENDA**

The agenda was adopted as presented.

9. **CONSENT CALENDAR**

General Business

- a. Consideration to AWARD A COMPETITIVELY BID CONTRACT to Reynolds Construction, LLC, Denver, Colorado in the amount of \$7,392,320.00 for the 36-Inch Gun Club Rd. Pipeline from E. 26th Ave. to E. 56th Ave. Project, Project No. 5754A. ***(Staff Requests a Waiver of Reconsideration)***
Presenter: Steven Fiori, Project Delivery Svcs Mgr, Aurora Water
- b. Consideration to AWARD A SINGLE SOURCE CONTRACT to Evoqua Water Technologies LLC, Sarasota, Florida in the amount not to exceed \$295,000.00 to cover the cost of Akta Klor 25 water treatment chemical (Sodium Chlorite) through February 2021.
Presenter: Bobby Oligo, Manager of Water Treatment, Aurora Water
- c. Consideration to AWARD A COMPETITIVELY BID CONTRACT to J.R. Filanc Construction Company, Inc., Northglenn, Colorado in the amount of \$401,000.00 for the construction of Wemlinger Water Purification Facility (WPF) Filter Rehabilitation (#1 and #6) Project, Project No. 5728A.
Presenter: Elizabeth Carter, Principal Engineer, Aurora Water
- d. Consideration to AWARD A SOLE SOURCE CONTRACT to Superior LLC, Lake Mary, Florida in the amount of \$100,292.20 for annual software support on the Water billing system through January 31, 2021.
Presenter: Jo Ann Giddings, D/D Water Financial Admin, Aurora Water

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- e. Consideration to AMEND AN OPENLY SOLICITED CONTRACT with Dewberry Engineers, Inc., Denver, Colorado in the amount of \$276,739.00 for providing construction phase services for the 36-inch Gun Club Pipeline from E. 26th Ave. to E. 56th Ave. Project, R-1838.
Presenter: Steven Fiori, Project Delivery Svcs Mgr, Aurora Water
- f. Consideration to AWARD CHANGE ORDER #1 TO THE COMPETITIVELY BID CONTRACT with Skyline Lighting & Electric, LLC, Denver, Colorado in the amount of \$18,891.09 for the Police District 1 and 3 Parking Lot Lighting Upgrade, Project No. 18-137.
Presenter: Katrina Rodriguez, Facilities Proj Delivery Mgr, Public Works
- g. Consideration to AMEND THE OPENLY SOLICITED CONTRACT with HDR, Inc., Denver, Colorado in the amount of in the amount of \$913,467.00 to include Design Services through 30% Design for the I-70/Picadilly Interchange NEPA Re-evaluation and Preliminary Design Services Project. R-1880
Presenter: Victor Rachael, Deputy Director PW Engineering, Public Works

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

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

Final Ordinances

- ♦ h. **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, Planning and Development Services

Motion by Bergan, second by Hiltz, to approve item 9h.

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

- ♦ i. **2020-02**
Consideration of AN ORDINANCE FOR ADOPTION 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, Planning and Development Services

Motion by Bergan, second by Berzins, to approve item 9i.

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

10. **RESOLUTIONS**

- ♦ a. **R2020-11**
Consideration to APPROVE A RESOLUTION of the City Council of the City of Aurora, Colorado, approving the first amended, restated and combined intergovernmental agreement for water supply between the Roxborough Water and Sanitation District,

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acting by and through its Water Activity Enterprise, and the City of Aurora, acting by and through its Utility Enterprise.

Presenter: Alexandra Davis, Deputy Director/Water Resource, Aurora Water

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

Alexandra Davis, Deputy Director/Water Resource, Aurora Water, provided a brief summary of the item and discussed why water was being delivered through this agreement.

Council Member Berzins asked if Roxborough paid a higher rate than Aurora citizens.

Marshall Brown, Director, Water, answered affirmatively, noting this included raw water with no delivery and treatment.

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

- ◆ b. **R2020-12**
Consideration to APPROVE A RESOLUTION of the City Council of the City of Aurora, Colorado, for the Amended and Restated Intergovernmental Agreement between the City of Aurora and the Regional Transportation District (RTD) for the Initial Parking Management Plan for the Iliff Station Parking Garage.
Presenter: Scott Bauman, Parking Program Manager, Public Works

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

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

- ◆ c. **R2020-13**
Consideration to APPROVE A RESOLUTION of the City Council of the City of Aurora, Colorado, to modify the Rules of Order and Procedure for the Aurora, Colorado, City Council.
Presenter: Stephen Ruger, City Clerk, General Management

Motion by Hiltz, second by Murillo, to approve item 10c.

Council Member Berzins stated her support of the item because there had not been anything in writing related to maternity leave and that was a vital time. She noted it should not put pressure for those with a newborn to attend. She expressed concerns however that this allowed for executive meetings to take place outside of the closed room because they were not for public consumption.

Council Member Hiltz stated that issue would have to relate to all phone calls into the executive session in order to remain consistent.

Mayor Coffman asked staff if the confidentiality agreement for executive session applied to those speaking in person outside of the meeting and those on family leave who were phoning in within the hearing of others on a secure connection.

Staff confirmed it related to both situations.

AMENDMENT I

Motion by Hiltz, second by Gruber, to amend item 10c, Section 9, to strike the language 'protected leave.'

VOTE ON AMENDMENT I

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

Voting Nay: Berzins

VOTE ON ORIGINAL MOTION AS AMENDED

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

11. **PUBLIC HEARING WITH RELATED ORDINANCE**

- ◆ 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 Services

Motion by Murillo, second by Coombs, to open the public hearing on item 11a.

Liz Fuselier, Planner, Planning & Development Services, provided a brief summary of the item.

Will Kralovec President, JJK Places, BBC, representing the applicant, gave a presentation of the item.

Council Member Gruber expressed appreciation that the idea was brought forward and discussed the benefits of it to the City. He asked if the houses were compliant with the City's housing codes. Ms. Fuselier answered affirmatively.

Council Member Murillo asked for a confirmation of the location as the east side of I-225 and south of Montview which was northeast of the campus. Mr. Kralovec answered affirmatively. Council Member Murillo asked if there was a mobile home community in the area and asked if so, what the name was. Mr. Kralovec stated he was uncertain of the name but noted it was a large community located off Sable. Council Member Murillo asked how residents were determined. Mr. Kralovec stated Elevation Land Trust would pre-qualify buyers and discussed the purchase requirements. Council Member Murillo asked if the Trust worked with the Neighborhood Services Department as a feeder into that applicant pool. Mr. Kralovec stated he was an independent contractor that worked for Elevation so he was uncertain about that interaction.

Jason Batchelor, Deputy City Manager, stated Elevation had indicated their willingness to do so but he was uncertain if they were actually doing so at this time.

David Ogunsanya, Vice President of Real Estate, Elevation Community Land Trust, concurred and clarified they were working with Neighborhood Services to qualify and funnel potential homebuyers for all Elevation homes. He further discussed the application and qualification process.

Council Member Bergan stated she was happy the changes could be made in the Unified Development Ordinance (UDO) to accommodate this project in order to bring more affordability to the City.

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Council Member Lawson asked if recyclable materials were used for this project because it would lower the cost somewhat. Mr. Ogunsanya answered affirmatively and discussed the sustainability of the project.

Council Member Berzins asked the lifespan of the homes. Mr. Ogunsanya stated his hope was that they would last forever but noted maintenance was very important and that was a part of the education provided to the homeowners.

Mayor Coffman asked if these were an attached product. Mr. Ogunsanya answered no.

Reverend Thomas stated his support of the item and discussed Thomas Ministries' plans for affordable housing in Aurora.

Council Member Murillo expressed appreciation to Reverend Thomas for his attendance at the meeting and stated Thomas Ministries' intent to build a similar land trust-like product with affordable units but just not on this property.

Reverend Thomas concurred.

Mayor Coffman closed the public hearing on the item

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

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

12. **PUBLIC HEARING WITHOUT RELATED ORDINANCE**

- a. Public Hearing and Appeal of the December 31, 2019, Administrative Decision for a Preliminary Plat for 50 Single Family Detached Homes on a 9.47 acre lot. (Vista at Beacon Point Appeal)

This is an appeal to City Council of an Administrative Decision of the Planning Director. The City Council shall review the appeal based on the standards and criteria in the Unified Development Ordinance (UDO) and the record of decision and shall act to uphold, modify, or overturn the decision as necessary to bring the decision into compliance with the standards and criteria of this UDO. Code § 146-5.3.13(1) & (2).

A vote to uphold the Planning Director's decision confirms that 1) notice for the decision was proper, 2) that the Planning area for this development is in Subarea C, and 3) and that the traffic plan complies with traffic and roadway criteria of the City.
Presenter: Christopher Johnson, Planner, Planning & Development Services

Mayor Coffman opened the public hearing on the item.

Christopher Johnson, Planner, Planning & Development Services, gave a presentation on the item.

Council Member Bergan stated the item met the Framework Development Plan (FDP) requirements.

Mr. Johnson concurred.

Council Member Bergan asked staff to explain why an amendment to the FDP was requested. Mr. Johnson did so, noting the amendment was requested to change the land designation from school to residential. Council Member Bergan asked if there were any

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issues with the proposed road. Mr. Johnson answered no. Council Member Bergan discussed her attendance and experience at the community meetings for the item. She stated she could understand the resident's frustration but pointed out the applicant met all of the City requirements, had community outreach, addressed the traffic concerns and the density was less than what was allowed. She expressed concerns related to the Cherry Creek School District however. She stated it was a City requirement that a developer donate land for a future school or money to the school district when planning a project.

Mr. Johnson concurred.

Council Member Bergan pointed out because of that requirement those who purchased homes in the area thought a school would be built in the area but Cherry Creek School District deemed the land surplus. She stated her concerns related to the fact that the school district was able to take donated land to the open market to be developed at a profit for the school district. She asked if that could be addressed with school districts in the future. Mr. Johnson agreed staff also saw that as an issue and confirmed that was addressed in the current UDO in under Section 146-4.3.18.a.3, which stated donated land that was deemed surplus must be used for another public use. Council Member Bergan stated her support of that change.

Geoffrey Babbitt, representing the applicant, provided a brief summary of the item.

Council Member Bergan addressed Mr. Babbitt and noted she heard a lot from residents at the community meetings on the item where they provided suggestions of product and density. She stated the applicant made accommodation in terms of density and asked Mr. Babbitt to speak to those accommodations. Mr. Babbitt did so.

Mayor Coffman closed the public hearing and recognized the appellant who was present but did not wish to speak.

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

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

13. **ORDINANCES FOR INTRODUCTION**

- ◆ a. **2020-04**
Consideration of AN ORDINANCE FOR INTRODUCTION of the City Council of the City of Aurora, Colorado, authorizing the use Of Lease-Purchase Financing to acquire certain equipment during the 2020 fiscal year pursuant to the terms of an Equipment Lease-Purchase Agreement by and between the Aurora Capital Leasing Corporation, as lessor, and the City of Aurora, Colorado, as lessee; authorizing officials of the City to take all action necessary to carry out the transactions contemplated hereby; declaring the intent of the City to reimburse itself with the proceeds from such lease and related matters. (ROLLING STOCK)
Presenter: Mike Shannon, Debt and Financing Administrator, Finance

Motion by Gruber, second by Gardner, to introduce item 13a.

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

- ◆ b. **2020-05**
Consideration of AN ORDINANCE FOR INTRODUCTION of the City Council of the City

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of Aurora, Colorado, authorizing the use of Lease-Purchase Financing for the construction of a recreation center pursuant to the terms of a Lease-Purchase Agreement by and between the Aurora Capital Leasing Corporation, as lessor, and the City of Aurora, Colorado, as lessee; authorizing officials of the City to take all action necessary to carry out the transactions contemplated hereby; and related matters.

Presenter: Mike Shannon, Debt and Financing Administrator, Finance

Motion by Bergan, second by Gruber, to introduce item 13b.

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

- ◆ c. **2020-06**
Consideration of AN ORDINANCE FOR INTRODUCTION of the City Council of the City of Aurora, Colorado, amending Chapter 1 of the City Code of the City of Aurora, Colorado, by modifying Chapter 1, Article III Financial Disclosure for Elected Officials of the City.
Sponsors: Mayor Pro-Tem Johnston and Council Member Gardner
Presenter: Rachel Allen, Client Group Manager, City Attorney

Motion by Gardner, second by Gruber, to introduce item 13c.

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

14. **RECONSIDERATIONS AND CALL-UPS**

None

15. **GENERAL BUSINESS**

- a. Consideration to reappoint one (1) member and appoint (2) members to the Human Relations Commission
Staff Source: Stephen Ruger, City Clerk

Motion by Murillo, second by Bergan, to reappoint Lauren Piner and appoint Tanya Ilela and Reynaldo Mendoza to the Human Relations Commission.

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

- b. Consideration to appoint three (3) members and to reappoint one (1) member to the Veterans Affairs Commission
Staff Source: Stephen Ruger, City Clerk

Motion by Gruber, second by Gardner, to appoint Stanley Dallas, Melissa Sayouthasa and John Savage and reappoint Gregory Echols to the Veterans Affairs Commission.

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

- c. Consideration to AWARD AN OPENLY SOLICITED CONTRACT to The Welchert Company, Denver, Colorado in the total amount of \$193,500.00 for consulting services to engage the community regarding capital infrastructure improvements and funding options. (R2010)
Presenter: Terri Velasquez, Director of Finance, Finance

Motion by Hiltz, second by Lawson, to approve item 15c.

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Council Member Bergan stated her opinion that the item should go out to another Request for Proposal. (RFP)

Voting Aye: Mayor Coffman, Hiltz, Lawson,

Voting Nay: Bergan, Berzins, Gardner, Gruber, Murillo

16. **REPORTS**

a. Report by the Mayor

Mayor Coffman stated he recently held his monthly Saturday meeting where he met with individuals and groups and announced the next meeting was scheduled for Saturday, March 21, 2020 from 9:00 a.m. to 5:00 p.m. He discussed his Faith Outreach Program and noted those who were interested in either could visit www.auroragov.org/meetwithmayor to sign up. He encouraged everyone to attend the upcoming Regional Transportation District Plan meeting scheduled for Tuesday, February 25, 2020 at the Aurora Central Library at 6:00 p.m.

b. Reports by Council

Council Member Murillo announced the 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 recruitment and hiring process.

Council Member Hiltz discussed her attendance at the recent Bridges Beyond Trauma event hosted by Mayor Pro Tem Johnston, the City, the NAACP and Aurora Mental Health and noted anyone interested in a copy of the presentation should contact Aurora Mental Health. She discussed the success of the recent Black Employees for a Better Aurora luncheon. She announced the Know Your Rights Training scheduled for Saturday, February 29, 2020 at the Beck Recreation Center from 1:00 p.m. until 3:00 p.m., the Rocket Socket Community Drive also scheduled on Saturday, February 29, 2020 from 9:00 a.m. until 11:00 a.m. at the Summit Conference Center, the Sister City Celebration scheduled for Friday, February 28, 2020 at the Aurora History Museum at 5:30 p.m. and the At-Large Town Hall meeting scheduled for Wednesday, March 18, 2020 at Moorhead Recreation Center from 6:00 p.m. until 8:00 p.m., noting the events details could all be found on Facebook.

Council Member Lawson expressed appreciation to Webelo Cub Scout Troop #113 for coming to visit the City and to the Mayor for speaking with them.

Council Member Bergan announced the Ward VI Town Hall meeting was scheduled for Wednesday, March 11, 2020 at Heritage Eagle Bend from 6:00 p.m. to 8:00 p.m. where a very exciting presentation from the Southlands Mall General Manager and Marketing Manager was planned.

Council Member Gruber announced three meetings related to Metropolitan Districts would be held by the City in April and he recommended residents check their water bills for those important meeting dates.

17. **PUBLIC INVITED TO BE HEARD**

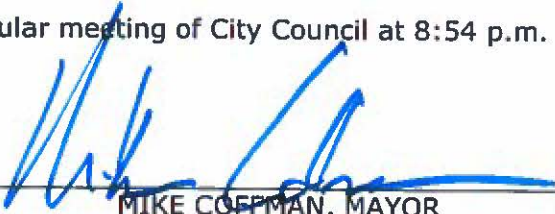
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Heather Ayers discussed the uses and dangers of electronic weapons and requested the City of Aurora either ban them from the City or make a licensing requirement to operate them.

Atora Doseman echoed Ms. Ayers' comments and request.

18. **ADJOURNMENT**

Mayor Coffman adjourned the regular meeting of City Council at 8:54 p.m.



MIKE COFFMAN, MAYOR

ATTEST:



Stephen J. Ruger, City Clerk

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