

## MINUTES

### Regular Meeting of the Aurora City Council Monday, March 28, 2022

1. **RECONVENE REGULAR MEETING OF MARCH 28, 2022, AND CALL TO ORDER**

Mayor Coffman reconvened the regular meeting of City Council for March 28, 2022, 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

*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. **EXECUTIVE SESSION UPDATE**

Mayor Coffman stated that during the executive session, council discussed security concerns, collective bargaining, cyber defense posture, and information security authority and responsibility.

Mayor Pro Tem Bergan explained that Mayor and Council received a security threat for the March 28, 2022 council meeting. They discussed possible precautions that could be made such as a restraining order against the person issuing the threats. However, the city attorney stated that there is not enough time to accomplish this. It was then decided to push through with the council meeting virtually. Conversely, this decision was reversed by some council members and it was then decided to hold the meeting in-person. Mayor Pro Tem Bergan explained that she is erring on the side of caution and chose to attend the meeting virtually instead of in-person.

6. **APPROVAL OF MINUTES**

6.a. February 28, 2022, Meeting Minutes

Motion by Zvonek, second by Jurinsky, to approve the minutes of the February 28, 2022, City Council meeting, as presented.

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

7. **PROCLAMATIONS OR CEREMONIES**

7.a. National Donate Life Month

Mayor Coffman proclaimed April as National Donate Life Month.

8. **PUBLIC INVITED TO BE HEARD**

(non-agenda related issues only)

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

8.a. **Public Invited to be Heard on the 2023 Budget**

Greg Hays, Budget Officer

No member of the public came forward to speak about item 8a.

9. **ADOPTION OF THE AGENDA**

Motion by Bergan to remove item 14b, add item 19g, and to allow the appellant for East Bank to speak under item 16a.

Amendment by Lawson to also move discussion of item 16a after 11e.

Bergan accepted the Lawson Amendment as a friendly amendment. Item 14b will be brought back by staff on April 11, 2022.

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

Voting Nay: Gardner

10. **CONSENT CALENDAR**

*This portion of the agenda is a meeting management tool to allow the City Council to handle several routine items with one action. Any member of the Council may request an item to be removed from the Consent Calendar and considered separately. Any item removed will be considered immediately following the adoption of the remainder of the Consent Calendar.*

10.a. **Griswold WPF Solids Handling System Improvements Cost Estimating Services**

Consideration to AWARD A COMPETITIVELY SOLICITED CONTRACT to Vanir Construction Management, Inc., Sacramento, California in the amount of \$193,620.00 for Cost Estimating Services for the Griswold Water Purification Facility (WPF) Solids Handling System Improvements Project, Project NO. R-2147.

Elizabeth Carter, Principal Engineer, Aurora Water / Dave Lathers, Senior Assistant City Attorney

- 10.b. **Consideration to AWARD A COMPETITIVELY BID CONTRACT to RN Civil Construction, LLC, Centennial, Colorado in the amount of \$2,354,000.00 for construction of the Stornia Springs PRV Station Improvements Project, Project No. 5862A.**

John Clark, Principal Engineer, Aurora Water / Dave Lathers, Senior Assistant City Attorney

- 10.c. **Consideration to AWARD CHANGE ORDER NO. 4 to a guaranteed maximum price contract to Saunders Construction, Inc., Centennial, Colorado in the amount of \$210,750.00 for the Southeast Recreation Center (SERC) Project, Project No. 5727A.**

John Perkins, Senior Project Manager / Dave Lathers, Senior Assistant City Attorney

- 10.d. **Consideration to EXTEND A COMPETITIVELY BID CONTRACT to Keesen Landscape Management, Inc., Englewood, Colorado in the not-to-exceed amount of \$250,000.00 for abatement services as required through March 31, 2023. (B-4543)**

Sandra Youngman, Manager of Code Enforcement / Dave Lathers, Senior Assistant City Attorney

- 10.e. **Consideration to AWARD A SOLE SOURCE CONTRACT to Motorola, Inc., Westminster, Colorado in the amount of \$726,655.50 for Annual support of the city's P25 radio system used by Public Safety and Public Works through December 31, 2022**

Scott Newman, Chief Information Officer / Dave Lathers, Senior Assistant City Attorney

Motion by Coombs, second by Marciano, to approve items 10a – 10e.

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

Voting Nay: Jurinsky

Mayor Coffman called for a brief recess of Council to allow staff to provide call-in instructions.

11. **RESOLUTIONS**

11.a. **Joint Wet Weather Monitoring and other Colorado Discharge Permit Activities Intergovernmental Agreement.**

R2022-66 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, APPROVING THE CONVEYANCE OF EASEMENT AREA CONTAINING APPROXIMATELY 0.009 ACRES OF CITY-OWNED LAND IN WELD COUNTY TO POUFRE VALLEY RURAL ELECTRIC ASSOCIATION (PVREA)

Tom Clark, Senior Real Estate Specialist, Public Works / Michelle Gardner, Senior Assistant City Attorney

11.b. **Nine Mile Bike and Pedestrian Bridge Amendment 1 to IGA**

R2022- 67 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, APPROVING THE FIRST AMENDMENT TO INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF AURORA AND THE COLORADO DEPARTMENT OF TRANSPORTATION (CDOT) FOR FUNDING OF THE NINE MILE BIKE AND PEDESTRIAN BRIDGE PROJECT

Matt Kozakowski, Transportation Project Delivery Manager / Michelle Gardner, Sr. Assistant City Attorney

11.c. **IGA with the Office of Alternate Defense Counsel for the Provision of Conflict Attorney Representation**

R2022-68 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, APPROVING THE INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF AURORA, COLORADO, AND THE STATE OF COLORADO OFFICE OF ALTERNATE DEFENSE COUNSEL REGARDING THE PROVISION OF ATTORNEY REPRESENTATION IN CASES WHERE THE MUNICIPAL COURT APPOINTS AN ATTORNEY OTHER THAN THE MUNICIPAL PUBLIC DEFENDER TO REPRESENT AN INDIGENT PERSON AT ANY STAGE OF THE PROCEEDINGS

Shawn Day, Presiding Judge / Angela Garcia, Senior Assistant City Attorney

Outside speaker: Kimberly Simmons, Municipal Court Coordinator, Office of Alternate Defense Counsel

11.d. **1033 Program MRAP Wheel and Tire Assembly Purchase**

R2022-69 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, EXPRESSING THE AURORA CITY COUNCIL'S SUPPORT FOR THE AURORA POLICE DEPARTMENT'S EFFORTS TO PROCURE FULL WHEEL AND TIRE ASSEMBLIES FOR THE MRAP TACTICAL VEHICLE THROUGH A FREE TRANSFER FROM THE DEPARTMENT OF DEFENSE 1033 PROGRAM

Waiver of reconsideration requested due to the submission deadline set by the 1033 Program.

Matthew Brukbacher, Police Lieutenant / Megan Platt, Assistant City Attorney

Matthew Brukbacher, Police Lieutenant and Pete Shields, Manager of the City Attorney's Office provided a summary of the item.

CM Jurinsky asked for clarification whether the tires would be at no cost to the city. P. Shields explained they will be coming from the Department of Defense.

CM Jurinsky asked when the APD would have been able to order the tires should the resolution not be in place. Lieutenant Brukbacher stated that he could have gotten the tires last week. However, the ordinance states that he is not allowed to request for tires without Council's approval. CM Jurinsky asked for the exact ordinance. P. Shields said that it is under Section 2-672 Paragraph C of the City Code. CM Sundberg asked about the condition of the current tires of the APD. M. Brukbacher explained that the tires are still serviceable. They were replaced once five years ago; however, should there be a failure, the APD does not have back up or spares.

Motion by Marcano, second by Zvonek, to approve items 11a – 11d.

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

**11.e. Comprehensive Crime Strategy**

Waiver of Reconsideration requested due to urgency of the issues in the Resolution

Sponsor: Councilmember Dustin Zvonek

Jason Batchelor, Deputy City Manager / Pete Schulte, Public Safety Client Group Manager

Council Member Zvonek provided a summary of the item.

Mayor Coffman opened the public hearing on the item.

Council heard public testimony on the item.

CM Marcano stated that he appreciates the intent behind the resolution, however, these are things Council and staff are already doing. He presented four amendments to the resolution. He also asked to vote on the amendments separately. CM Marcano explained that the original second whereas clause is leading towards untruth. He added that there have been changes in criminal behavior globally and is not an issue unique to Aurora. He stated that his second amendment is being proactive in the approach to public safety instead of continuing to be reactive. He mentioned there are multiple studies that show children benefit from pre-K and early childhood education and lead stable to more successful lives, thus reducing the potential for criminal justice involvement. He added that this is something that the city should invest in and work with nonprofits and school districts. CM Marcano stated that testimonies from the panelist at the Village Exchange Center and members of the gang unit showed that parents are more needed at home. He explained that when

children come home to empty houses, they have more likelihood to engage with the wrong crowd and could lead to more antisocial behavior. He added that through his proposed amendments, the city can start to create a comprehensive approach to public safety. CM Zvonek did not consider any of the Marcano Amendments as friendly amendments.

*Discussion on the 1<sup>st</sup> Proposed Marcano Amendment*

CM Coombs mentioned that the original second whereas clause is attacking state legislative partners wrongly and saying that they are not doing anything or that they are doing bad things in relation to public safety. She pointed out that state legislature passed 33 bills in relation to public safety from 2019 to 2021. In addition, they are also working on bills in 2022 to prioritize public safety. CM Coombs added the city should be working with partners rather than be antagonists. She stressed resolutions are for the purpose of making policy statements and not political attacks. CM Sundberg stated that calling crime a global issue is sweeping it under the rug. He pointed out that people in the city are frustrated that police have a 40-minute response time and cannot write traffic tickets or issue DUIs. He added that citizens are affected negatively by crime and are calling for action. Mayor Coffman reiterated CM Sundberg's argument that calling a rise in crime a global phenomenon is saying that it is not a big deal given that it happens to everybody else. He stressed what is happening in Aurora is the Council's responsibility.

CM Marcano agreed with CM Sundberg and Mayor Coffman. He explained that crime is also a local issue but what was written on the original second whereas clause is a politically motivated attack on state legislature. He added that he agrees there is a shortage of officers and urged Council to make use of evidence-based solutions. He stated staff is already doing what is stated in the resolution. CM Marcano urged Council to act and solve the issues at the local level. CM Zvonek explained the second whereas clause is a recognition that legislature, from both parties, supported bills that failed the state. He cited the decriminalization of the possession of fentanyl as an example and stated that 1,000 Coloradans have lost their lives to the drug in 2021. He cited more examples such as the expansion of categories of felons allowed to possess firearms, the failure to reform PR bonds, the failure of address the homeless issue, and the elimination of qualified immunity. He stressed the state legislature should step up.

CM Coombs stated that the state legislature passed HB21-1106, SB 21-078, and SB 21-1298 that address gun violence. She added criminalization does not address drug use and drug abuse given that further criminalization would drive the people further underground making it harder for the city to respond in evidence-based practices such as harm reduction to overdose deaths. CM Coombs added that legislature passed the bill that increased availability of funding for mental health peer support for law enforcement officers. She cited more laws that dealt with victims and victim rights. CM Coombs stressed that state legislature has been doing a lot. CM Murillo stated the resolution is an attack on the Democratic State Legislature from a supposedly nonpartisan council. She reiterated what is on the proposed resolution are things that staff is already doing. She added that a rise in crime is a national situation and it is not good policy to blame this issue on someone else knowing it is

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not the case. CM Murillo stated the resolution is problematic in the way it was written and expressed her support to the proposed amendment.

CM Jurinsky clarified the resolution is not an attack but an action plan. She stated constituents want action and highlighted that if the plan in the resolution is something that staff and State Legislature is already doing, then it is failing. CM Jurinsky added that the Council's focus should be on the citizens of Aurora and the problems in the city such as homelessness, gangs, and crime. CM Marcano agreed with CM Jurinsky and restated the resolution is not taking action but is just restating what is already being done. He clarified that his proposed amendments highlight actions the city is not yet doing but should be doing for public safety.

CM Zvonek stated that rebuilding and ensuring the city had a fully staffed and fully funded APD was not a priority of the Council. He added that ensuring the Crisis Response Team is expanded and the Camping Ban is consistently enforced are new actions. He highlighted the difference between the proposed camping ban in Aurora versus Denver's is consistent enforcement. The resolution also requires city management to give a regular monthly update to the Public Safety Committee on all actions plans. CM Zvonek further stated that the bills the legislature have run to address crime are a result of polling numbers showing that they will fail in November due to concerns from people about crime and offender-friendly legislation that were passed. He stressed certain drugs such as fentanyl are deadly and dangerous and should be illegal to possess. He stated anyone who disagrees with that is wrong.

CM Coombs clarified that plans are already set in place to fund the crisis response team. She stated additional non-police health response and the prioritization of having a fully staffed and fully funded APD were done before CM Zvonek was on Council. She highlighted APD took the smallest COVID cut out of all departments and was restored as quickly as possible. She added that previous council also approved additional training classes for APD and stressed APD has not been defunded. She stated the staffing issue is not due to a lack of effort. CM Coombs also added that the Public Safety Committee already receives updates about crime and measures being taken to address it. She further stated the camping ban is new, ill-advised, will not fix the problem, and will only cost the city a lot of money.

#### *Discussion on the 2<sup>nd</sup> Proposed Marcano Amendment*

CM Marcano stated there is ample evidence showing stable housing is a foundational element in people's lives and people with stable housing are less likely to become criminal justice involved and unhoused.

#### *Discussion on the 3<sup>rd</sup> Proposed Marcano Amendment*

CM Marcano shared that the State is working to fund universal pre-Kinder, however, it would only be for 10 hours a week. He stated there are more hours in the day needed to ensure the youth is supervised and being educated. He suggested to partner with the State and other providers to ensure that the city has a fully funded, non means tested form of universal early childhood education. He added this is a foundation for long term success of the youth.

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CM Sundberg agreed that education of children is an important topic and asked if it would be better to have it on a separate resolution and have a separate discussion. CM Marciano stated it is part of ensuring long-term public safety and should also be included in this resolution. He clarified he wants to add to the resolution's five points, given that the points mentioned are reactive instead of proactive. CM Medina stated he is part of a cooperative called UBU which retrofitted buses to be used as classrooms and traveled to communities that don't have programs. He shared that the bus in one of the Section 8 housings has been instrumental in engaging the community and getting the youth educated. He expressed he could see the benefit of that program should it be replicated.

*Discussion on the 4<sup>th</sup> Proposed Marciano Amendment*

CM Marciano stated having one job, most of the time, is not enough to support a family and that is a policy decision from city hall which the Council can undo locally. He stressed the importance of having parents as positive role models to children to ensure latchkey kids would not be at risk to falling in with antisocial behavior and gangs. He stated the city must ensure they are creating a local economy wherein residents can thrive and raise whole families. CM Jurinsky stressed the first step to creating a thriving economy is to create a safe environment. CM Marciano clarified that the 4<sup>th</sup> proposed amendment will generate the desired outcome. He highlighted there is ample evidence to justify the amendment.

Motion by Marciano, second by Coombs to approve the Marciano 1<sup>st</sup> Amendment.

Voting Aye: Coombs, Marciano, Medina, Murillo

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

Motion by Marciano, second by Murillo to approve the Marciano 2<sup>nd</sup> Amendment.

Voting Aye: Coombs, Marciano, Medina, Murillo

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

Motion by Marciano, second by Coombs to approve the Marciano 3<sup>rd</sup> Amendment.

Voting Aye: Coombs, Marciano, Medina, Murillo

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

Motion by Marciano, second by Murillo to approve the Marciano 4<sup>th</sup> Amendment.

Voting Aye: Coombs, Marciano, Medina, Murillo

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

Motion by Jurinsky, second by Zvonek to approve item 11e.

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

Voting Nay: Coombs, Marciano, Medina, Murillo

12. **PUBLIC HEARING WITH RELATED ORDINANCE**

13. **PUBLIC HEARING WITHOUT RELATED ORDINANCE**

14. **INTRODUCTION OF ORDINANCES**

14.a. **Diaper Products Sales Tax Exemption**

**2022-16 FOR AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, AMENDING ARTICLE II OF SECTION 130 OF THE CITY CODE EXEMPTING DIAPERS FROM SALES AND USE TAX**

Sponsor: Curtis Gardner, Council Member

Trevor Vaughn, Manager of Tax and Licensing / Hanosky Hernandez, Assistant City Attorney

Council Member Gardner provided a summary of the item.

CM Zvonek presented a substitute motion to replace the ordinance with a resolution to direct the City Manager to identify nonprofits that provide free diapers to low-income families and direct the \$50,000 a year for the next two years out of the ARPA funds allocated to go to nonprofits.

CM Gardner expressed his disappointment that a colleague would not give a heads up when they plan to bring forward items that is in direct opposition to what another colleague will present. He stated this is very unprofessional from CM Zvonek. He stressed that government must reduce taxes and reduce the burden on families in the city. With the Zvonek substitute motion, \$100,000 of taxpayer money will be spent on programs instead of allowing the residents to decide the best way to spend their money. He stated he does not consider CM Zvonek's substitute motion as a friendly amendment. He urged other Council Members to vote no.

CM Zvonek explained he and CM Gardner had a conversation about this topic and that he would much rather see an amendment like the one he has presented. He agrees the tax burden must be addressed; however, the inflationary or hidden tax is going to outpace the tax cut being proposed. He added he would be willing to work on a broad-based tax cut that would have a broader impact on the residents. CM Zvonek stated this ordinance is playing politics with the tax code. He stressed his

proposal addresses the issue being faced given it would directly pay for the diapers needed. He mentioned he hopes Council could work on a comprehensive tax plan that will reduce the tax burden to all residents as opposed to just families with kids and diapers. CM Gardner clarified it also applies to incontinence products, which they will more than likely use once they reach an advanced age, and not just diapers for babies and toddlers.

CM Coombs added people with disabilities also use incontinence products and these people have the lowest income in the city. She expressed her support for the ordinance and stated this will impact the ability of the city to continue to undertake operations and it also provides a benefit to many residents. CM Marcano stated if the goal is to provide support and relief to working families, they must ensure wages are increased. He stated charities are great but are not substitute for systemic policy solutions. He added CM Gardner's ordinance will allow residents to figure out what products they want to get and how to spend their money. He stated the Zvonek Amendment will only add another bureaucratic process to distribute diapers and it will overcomplicate a simple issue. CM Marcano encouraged other Council Members to vote no on the amendment and yes on the original proposal.

Mayor Pro Tem Bergan expressed her support on the Zvonek amendment and cited the state legislature passed \$5 million for diaper distribution in 2021. She stated if a person could not afford the 3.75% tax on diapers, then they could not afford the diapers. She added that with the Zvonek amendment, it could easily be rolled out with help from staff. CM Jurinsky mentioned there are people in the city who do not need to buy diapers. She stressed she would like to see a broad-based tax cut for the city and stated what might be considered necessary products to some, may not be to others.

CM Gardner explained his proposed ordinance will cut taxes for people with young kids and everyone who will eventually use incontinence products. He pointed out the Zvonek proposal will lead to spending more government money on an unnecessary program instead of giving back the money to the residents. He highlighted some council members do not want to pass the ordinance saying that it does not benefit everybody yet is willing to pass the amendment that will spend money on something that does not benefit everybody. He added the focus should be cutting taxes for the residents. CM Gardner stated there is logical inconsistency with the argument of not passing his ordinance but is in favor of spending \$100,000 of taxpayer money on a program that, to other council members' argument, do not benefit everybody.

CM Marcano asked if ARPA funds could be used for this purpose. City Manager Jim Twombly explained there is a formula used to determine lost revenue due to COVID and that freed up ARPA funds for multiple uses. CM Murillo stated it is ironic Council put up a committee to remove red tape yet is talking about doing the opposite. CM Sundberg asked how many items have been exempted from sales tax in the city. Trevor Vaughn stated there are several exemptions put into place including food for domestic home consumption and menstrual products. He stated he could create a list and get back to CM Sundberg on this.

CM Gardner asked where the text of the amendment is given that CM Zvonek presented a substitute amendment. D. Brotzman clarified that CM Zvonek's motion would replace the ordinance with a resolution and would give direction to management rather than enacting legislation. He added resolutions only undergo one reading. CM Gardner asked where the text of the resolution is. CM Zvonek stated that he just mentioned it. CM Gardner said he brought up a sentence, while a resolution that contains whereas clauses was not presented. Mayor Coffman stated the substitute to an ordinance should have also been an ordinance.

CM Zvonek stated he clarified this through the City Attorney, and he was given direction that he can forward his substitute amendment this way. D. Brotzman stated this is simply substituting a direction to the manager for an ordinance and that Council needs to be clear on what the language of the resolution says. CM Zvonek then withdrew his motion. Mayor Pro Tem Bergan asked why CM Zvonek would drop the motion given that it will offer assistance to the people. CM Murillo stated she is glad that CM Zvonek withdrew the amendment given that Council would have to vote on legislation that they have not seen. She added the process would be problematic.

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

*SUBSTITUTE MOTION*

Motion by Zvonek, second by Bergan to approve the Zvonek Substitute Amendment to change the Gardner Ordinance into a Resolution.

Zvonek withdrew his motion.

*VOTE ON ORIGINAL MOTION*

Voting Aye: Coombs, Gardner, Marcano, Medina, Murillo, Sundberg

Voting Nay: Bergan, Jurinsky, Lawson, Zvonek

**14.b. UDO Text Amendment Ordinance for Additional Allowances, Corrections, and Clarifications**

**2022-17 FOR AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, AMENDING CHAPTER 146 OF THE CITY CODE RELATED TO TEXT AMENDMENTS TO THE UNIFIED DEVELOPMENT ORDINANCE (UDO) THAT ADDRESS TYPOGRAPHICAL ERRORS, CORRECTIONS AND CLARIFICATIONS**

Brandon Cammarata, Planning Manager / Daniel Money, Senior Assistant City Attorney

Item removed from the agenda.

**15. 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*

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*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.*

**15.a. 1671 Altura Blvd - Zoning Map Amendment**

**2022-13** FOR AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, REZONING A PARCEL OF LAND MEASURING 4.5 ACRES MORE OR LESS AT 1671 N ALTURA BLVD FROM MEDIUM-DENSITY RESIDENTIAL DISTRICT (R-2) TO HIGH-DENSITY RESIDENTIAL DISTRICT (R-4) AND AMENDING THE ZONING MAP ACCORDINGLY (1671 ALTURA BOULEVARD ZONING MAP AMENDMENT)

Sarah Wile, Senior Planner / Daniel L. Money, Senior Assistant City Attorney

**15.b. Traffic Signal Escrow**

**2022-14** FOR AN ORDINANCE AMENDING CHAPTER 126 OF THE CITY CODE OF THE CITY OF AURORA, COLORADO, RELATING TO PAYMENT FOR TRAFFIC SIGNALS

Carlie Campuzano, Traffic Manager / Michelle Gardner, Sr. Assistant City Attorney

**15.c. Repeal Obsolete License Provisions**

**2022-15** FOR AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, REPEALING OBSOLETE LICENSE PROVISIONS IN CHAPTER 86

Trevor Vaughn, Manager of Tax and Licensing / Hanosky Hernandez, Assistant City Attorney

Motion by Bergan, second by Marcano, to approve items 15a – 11c.

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

**15.d. Unauthorized Camping Abatement Ordinance**

Sponsor: Mike Coffman, Mayor

Tim Joyce, Assistant City Attorney

Mayor Pro Tem Bergan opened the public hearing on the item.

Council heard public testimony on the item.

Mayor Coffman provided a summary of the item.

CM Marcano stated the proposed ordinance will not get people out of the streets and is the opposite of a solution like the Comprehensive Crime Strategy that was presented. He stated the city should look at permanent supportive housing that will

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bring people off the streets into housing with a counselor, therapist, job placement services, etc. He cited Helsinki, Finland that effectively eliminated homelessness in their city and that the entire country followed suit, and Houston, Texas that reduced their unhoused population by 55% until they passed a camping ban. He further stated that through the camping ban, people will move closer to homes, creeks, and parks to get away from more obvious areas where they will be swept. It will also lead to mega camps just as in Denver. He stressed the problem would persist and will waste taxpayer dollars. CM Marcano urged other council members to join a fact-finding mission to Texas and see the real solutions Houston had put in place to address the problems relating to the unhoused population.

CM Sundberg mentioned the city has multiple for profit and nonprofit organizations surrounding those in need and unhoused. He stated there will be 60 units of supported housing, with walk-in services catering to health, dental care, mental health, and substance abuse through the Aurora Mental Health Acute Care Campus. The Ridgeview Recovery Campus provides sobriety and vocational Training. CM Sundberg also cited that two-hundred thirteen (213) Section 8 apartments are being renovated at \$55,000 each and will include lighting and security at Weatherstone. He also stated there is a \$51 million project that includes 130 units of affordable housing and job training through Elevate Aurora and 355 units of attainable housing at Anschutz Medical Campus. He stated there are other projects coming along in the pipeline.

CM Coombs stated it is important that the city is taking action on affordable housing and homelessness, however, she added that what the city is doing is not enough. She mentioned a 2017 study that showed that the city is 12,000 units short on affordable housing, 30% of residents are cost burdened, and 50% of them are cost burdened at more than half of their income. She added the average price of a home in Aurora has increased from \$400,000 to \$500,000. She added that CM Marcano's amendments to the resolution would make a difference. CM Coombs stressed the city should be implementing a housing strategy rather than using millions of dollars sweeping people around the city. She stressed it is more fiscally responsible to address the root causes of the issue and promote safety rather than passing the ordinance. She urged other council members to vote no on the unauthorized camping abatement ordinance.

CM Medina asked how many people could be housed in the Aurora Day Resource Center (ADRC) according to the current fire code. He also asked who would be liable should there be a fire and people got trapped because of obstacles. Jim Twombly stated they are looking at the capacity of the space and its interior configurations for overnight accommodations. He added that staff is working with AFR and Public Works.

Mayor Pro Tem Bergan asked how many have been housed at the ADRC during cold weather pre-COVID. Lana Dalton stated they capped the number of people at 75 for the last three years and up to 100 pre-COVID. Mayor Pro Tem Bergan stated the director told her they could cater to 150 people. L. Dalton stated that could have been possible prior to her time and prior to COVID. She added there should be another configuration set in place to make the ADRC safer. Mayor Pro Tem Bergan

pointed out there are cities such as Portland and Los Angeles that are enacting camping bans because of previous failed policies. She added that it is more compassionate to offer people alternative shelter than leaving them in an encampment that is neither safe nor sanitary. She highlighted that this ordinance is a step to make sure the city is providing resources to the unhoused population.

CM Murillo expressed her opposition to the proposed ordinance and stated it is surprising the solution they have come up with to end homelessness is not to provide permanent housing. She stated it is not compassionate to force people to abandon a place they have chosen to survive. CM Murillo reported they have not yet come to an agreement regarding how they would store people's valuables should they be abated. She added this ordinance will harm the relationship providers have built with people experiencing homelessness to get them into permanent supportive housing. She stressed if the people refuse to move out of the encampment, they will then be system involved and could be cited. CM Murillo states this will reduce the city's police capacity and force the APD to enforce something the Police Chief said they did not want to enforce. She highlighted there is no fiscal note presented. CM Murillo further stated people will find loopholes such as mega camps in order not to be abated and the city does not have enough shelter beds for the unhoused population. She mentioned during the last point-in-time count, there are 594 people experiencing homelessness and only 150 beds available. She stated this ordinance will be costly and she is looking forward to an annual review of how much this will cost enforcing as opposed to investing a strategic housing plan. CM Murillo further stated a strategic housing plan would lead to partnerships with different organizations, leveraging partners' resources to create housing at different price points, and strategic purchases of land. She agreed with council members who have opposed the camping ban.

CM Marcano stressed they should not simply follow other cities because they are implementing camping bans. He again highlighted municipalities that have successfully reduced their unhoused population. He stated the most empirical way to address the issue is permanent supportive housing. He mentioned that according to the International Building Code, the ADRC is required to have 15 square feet per occupant. If the place will be repurposed into a sleeping area, a 120 square foot requirement is needed per occupant. CM Marcano pointed out that would destroy the occupant load for the building and the building is not large enough to address the total unhoused population in the city. Should this be implemented many pallet shelters must be built. CM Marcano shared a story about a person in Florida that consulted with jurisdictions regarding a camping ban that turned out to be unsuccessful with no data presented as proof that what he was suggesting actually worked. CM Marcano also stressed that Denver's camping ban has not delivered anything to residents and anyone saying differently is telling untruths and the city should be demanding real results.

Motion by Marcano, second by Murillo to table the item indefinitely.

Voting Aye: Coombs, Marcano, Medina, Murillo

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

Motion by Coffman to call for the question on item 15d. No second. Motion failed.

Motion by Coffman, second by Zvonek to approve item 15d.

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

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

16. **PLANNING MATTERS**

16.a. **Public Hearing and Appeal of the January 12, 2022, Planning Commission's Approval of the East Bank Shopping Center Residential Site Plan with Adjustments**

Ariana Muca, Planner I – Case Manager / Daniel L. Money, Senior Assistant City Attorney

Outside Speaker: Marcus Pachner, The Pachner Company and Carolynne White, Brownstein Hyatt Farber Schrek

Dan Money and Ariana Muca provided a summary on the item.

Marcus Pachner, the applicant, presented the steps and changes they have made to the East Bank Shopping Center Residential Site Plan.

Bill van Sickle, the appellant, gave a presentation. He stated that the community initially was against the project. However, due to further discussion, they agreed that the area needs to be redone and the apartment complex is part of the redevelopment.

Mayor Coffman opened the public hearing on the item.

Council heard public testimony on the item.

Mayor Pro Tem Bergan asked if they are voting on the variance of the building length. Ariana Muca clarified they are voting on the site plan with the adjustment the Planning Commission unanimously approved. Mayor Pro Tem Bergan asked for clarification regarding the parking spaces on the site plan. Carolynne White, the applicant, stated they are exceeding the code regarding the parking spaces given the code requires one space per dwelling unit and an additional space per every five dwelling units for guest parking. The total parking spaces required are 374 and the applicants are providing 433. She added it was also proposed that the applicant would add an additional 30 parking spaces to the structure, and they can make a motion to accommodate those spaces. In addition to this, there will also be additional shared parking spaces in front of Casa Vallarta. M. Pachner added there are 155 parking spots available in addition to the number required by the code.

CM Marcano thanked the applicant and the community members for their presentations. He asked staff regarding the impact to traffic flow if the residential portion is elevated to allow for the easement suggestion by the appellant. He further asked if this would be feasible and how many units would be lost. Carlie Campuzano, Traffic Manager, stated the suggestion could be supported from staff perspective. CM Marcano further asked if that would still be private property or is the city taking ownership of that right of way. C. Campuzano clarified it would still be private.

CM Lawson asked if the service-oriented businesses have been offered an opportunity to stay. She further asked what the parking would look like for those businesses. M. Pachner explained there five sites will remain after the center is built creating opportunities for restaurants and other service-oriented businesses. He added that they will be adding more retail on the ground floor of the building. M. Pachner stated that the applicants will gladly talk to those businesses and try to extend their leases.

CM Coombs asked if putting the roadway would break up the retail center more than the apartment building already does. She asked the appellant if they would still want the aligned road if it meant an unwrapped parking garage. M. Pachner clarified the apartments would allow people to walk to the businesses.

CM Jurinsky expressed appreciation for Kim Co.'s efforts to make small businesses a priority, to designate \$25,000 for the HOA, and to provide additional parking spaces. She added that there are multiple HOAs and that the developers should think about how the budget would be divided among them. CM Jurinsky stated the worst thing they could do is nothing and given that the land is private owned, the owners have the right to build what they want. She also expressed appreciation for the efforts of the neighborhood. She added that the neighborhood's concerns should always be at the forefront. CM Jurinsky stated that the developers gave a great deal of thought and consideration to the city, small businesses, and to the neighborhood.

CM Marcano echoed CM Jurinsky's comments and stated the developers put in a lot of work considering the site is very challenging. He added there is a need for more housing in Aurora and he is excited to see the small businesses be preserved. He stated his interest to amend the UDO so that future developments will continue to preserve small businesses and existing small residents. He thanked the neighborhood for their strong testimony and engagement.

CM Coombs thanked Kim Co and Evergreen for being responsive and being thoughtful in the changes they have made. She expressed her appreciation for the applicants listing to the community and preserving small businesses. CM Coombs also pointed out issues that cannot be fixed. She stated that as the city implements the Parker-Quincy-Smokey Hill plan, there will be greater traffic and people will be blocked in their neighborhood. She mentioned the intended great separation of Parker and Quincy which is necessary for traffic but will limit the access of people into neighborhoods such as the Pierpoint neighborhoods and the Cherry Creek Racquet Club. She added the Cherry Creek Racquet Club only has one way to get in and out of their neighborhood. With the faster moving traffic, this will become more dangerous and difficult for them. Due to these reasons, CM Coombs explained she

will not be supporting the appeal. She stated, however, this will be a good example of how to implement a residential anchor in blighted strip centers. She added the architectural design is great and the attempts to make the space pedestrian friendly is admirable.

CM Lawson expressed her appreciation to Kim Co and the applicant for making adjustments. She stated the site is prime real estate and could be so much more with a compromise of lower residential numbers and other market. She stated she is concerned that other small businesses that have been in the site for a long time will not be given a space or lease agreements. With this reason, CM Lawson stated she will not be supporting the appeal.

Mayor Pro Tem Bergan thanked the appellant and the applicant. She stated the area has been a blighted retail strip for years. She added retailers said that there is lots of competition given that a lot of other retailers have gone online. Given this point, developers decide according to market demands. She again thanked the developers for supporting small businesses through lease agreements and giving a grant to the HOA. Mayor Pro Tem Bergan stated the city is in need of housing and that traffic is a valid concern.

CM Gardner thanked the residents for being engaged in the process. He also thanked the applicant and stated they have been exposed to unfair questions. He added that their request to adjust the length was already approved in other developments prior to this. CM Gardner added that the tenants in the building are not the business of the city council's but of the owners. He recognized the applicants made arrangements with businesses as they have promised. CM Gardner expressed his support of the redevelopment.

CM Jurinsky agreed there may have been questions asked throughout the process that would not have been before. She brought up that Second Chance Bicycle has paid \$0 in rent through their entire time of being a tenant. Knowing this renewed her faith in Kim Co. She added that small business is the Council's business and expressed her support for the project.

CM Murillo acknowledged that during her time in council, there was rarely a positive response when working with developers, but the changes made by the developers were huge and considered Aurora's best interests. She expressed she is excited to see the considerations for the businesses and parking and she is surprised to see the developments. She added this is a good example of a redevelopment compared to others that have gotten approved that did not consider community needs and the growth of the city.

Motion by Jurinsky, second by Zvonek to approve item 16a.

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

Voting Nay: Coombs, Lawson

## 17. **ANNEXATIONS**

17

- ◆ *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.*

18. **RECONSIDERATIONS AND CALL UPS**

19. **GENERAL BUSINESS**

19.a. **Consideration for Appointment of One (1) Member into the Aurora Youth Commission**

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

Motion by Coombs, second by Lawson, to appoint Barb Schneller to the Aurora Youth Commission.

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

19.b. **Consideration to Reappoint One (1) Member to the Aurora Immigrant and Refugee Commission**

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

Motion by Coombs, second by Murillo, to appoint Samuel GebreMichael to the Aurora Immigrant and Refugee Commission.

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

19.c. **Consideration to Reappoint Two (2) Members and Appoint One (1) Member to the Open Space Advisory Board**

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

Motion by Bergan, second by Medina, to appoint Jason Amaya and reappoint Brad Stratton and Mark Christopher to the Open Space Advisory Board.

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

19.d. **Consideration to Appoint Two (2) Members and Reappoint (1) Member to the Aurora Commission for Older Adults**

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

Motion by Coombs, second by Lawson, to appoint Delfina Ashley-Baisden and Frances Dollard, and reappoint Cassandra Thomas to the Aurora Commission for Older Adults.

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

**19.e. Consideration to Appoint One (1) Member to the Election Commission**

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

CM Marcano stated Ms. Johnson is qualified with experience in the city and have served as Denver's clerk and recorder. He asked other Council Members why they would go against staff recommendation and appoint Molly Barrett instead of Debra Johnson. CM Coombs echoed Ms. Johnson has extensive experience as a clerk and recorder. She was hired by the city to consult on redrawing ward boundaries, making her expertise on the matter indispensable. CM Jurinsky stressed it is her right to appoint whoever she wants and appoint Molly Barrett as she is qualified. CM Marcano asked CM Jurinsky to elaborate on Ms. Barrett's qualifications and experience. CM Jurinsky called for the question to vote.

Motion by Jurinsky, second by Zvonek to call for the question on the appointment of Molly Barrett to the Election Commission.

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

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

Motion by Jurinsky, second by Sundberg, to appoint Molly Barrett to the Election Commission.

***SUBSTITUTE MOTION***

Motion by Marcano, second by Murillo to appoint Debra Johnson to the Election Commission.

***VOTE ON SUBSTITUTE MOTION***

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

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

***VOTE ON ORIGINAL MOTION***

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

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

**19.f. Motion to Approve the Stipulation and a Request for Payment of Attorney Fees**

Daniel L. Brotzman, City Attorney / Jack Bajorek, Deputy 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.*

CM Marcano expressed strong opposition to approve the stipulation and request for payment of CM Jurinsky's attorney fees. He stated the censure should have been a public process with facts presented to the public. He added there should have been an investigation and findings should have been presented. He stressed what transpired was a partisan display of corruption to protect bad actors. He asked the city attorney who chose the defense counsel and what the cost of the investigative counsel was. D. Brotzman answered the bills for the investigative counsel are not yet available but is assumed to be the same amount as the defense counsel. He added CM Jurinsky chose the defense counsel.

Mayor Pro Tem Bergan asked if it is under City Council rules the city will pay for attorney fees. D. Brotzman explained that if two-thirds of council did not vote in favor of it during a censure, it would require payment of fees. He added the stipulation will stop the process, stop the attorney's fees, and gives up the right to due process and a public hearing. This would also entail payment of CM Jurinsky's attorney's fees. CM Jurinsky clarified that no attorney, including outside counsel, stated she is in violation of any rule. She stated CM Marcano is the one wasting taxpayer dollars and it is not equitable that one set of attorneys are paid, and the other is not. CM Marcano pointed out that CM Jurinsky was the one that stopped the investigation during executive session and broke sunshine laws to protect herself from investigation. He stressed that CM Jurinsky wasted money the moment she went onto public airwaves and violate the city charter. He suggested CM Jurinsky read the charter. CM Jurinsky said she has. Mayor Coffman reminded them there should not be any back and forth as they are not to have a debate.

CM Marcano pointed out there are people saying that ongoing censure is a violation of First Amendment rights. He added that Justice Neil Gorsuch, writing for the Supreme Court, said elected bodies in this county have long exercised their power to censure their members and there was no evidence cited to suggest that a purely verbal censure is considered offensive to the First Amendment. He stated the censure process is used to protect bad actors and to protect charter violations on partisan lines. CM Jurinsky agreed and stated they are protecting bad actors because she hasn't filed her censure charges against CM Marcano. She highlighted the majority of council stopped the stipulation. She said CM Marcano is now part of the minority on the Council and has named called constituents in the past. She stated no attorney confirmed that she violated the charter, but CM Marcano walked out and admitted how many rules he violated.

CM Marcano rebutted by saying there is a difference between violating the charter and violating the council rules. He reiterated CM Jurinsky stopped the investigation and stressed it relates to partisan corruption. He suggested a change in the censure process to promote transparency and no council member must be involved once it begins. Mayor Coffman stated there will be a proposal to reform the censure process and leave the lawyers out. It will be like other jurisdictions wherein any member can offer a censure and it would require a two-third vote threshold to move forward. Lawyers will only be utilized to draft the censure resolution.

- ◆ ***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.***

CM Zvonek said the proposal will be brought forward from the Rules Committee. He stated CM Marcano thinks of himself as the 'Minister of Truth', however, he does not decide what is or is not a charter violation. The proposal will allow the public to hear the arguments brought forward during the censure charge. CM Marcano expressed agreement with CM Zvonek, which he called 'Minister of Propaganda.' He stressed he has never attacked a constituent but attacked the Republican Party. He stated the authoritarian and fascistic bent undertaken by the said party is dangerous for the city and the country.

CM Coombs expressed she is appalled by the partisan nature of how the censure process was conducted. She pointed out that council members are not supposed to go on the radio and say, "I told the Chief to fire this person." She stated the process did not go through public discussion and public vote because it was done through the executive session. CM Coombs mentioned there should have been public conversation to hear the information that was to be presented by the attorneys. She stressed only CM Jurinsky's attorneys talked about the censure because the attorneys the city hired were not permitted to share information. Mayor Coffman highlighted if the resolution for the process change passes, the censure will be completely public and open.

CM Murillo pointed out CM Jurinsky left the meeting. CM Murillo expressed her disappointment and stated that what CM Jurinsky did was highly unprofessional. She reiterated the current censure process happened behind closed doors. She stated that the retaliation that will be brought forward by CM Jurinsky by filing censure charges against CM Marcano will be an embarrassing process. She said she hopes the change in rules would not make it unfair for a pending censure charge. She welcomes the conversation about reforming the process but stressed it needs to be fair and will not punitively impact the pending charges.

Motion by Bergan, second by Jurinsky, to approve item 19f.

Voting Aye: Mayor Coffman, Bergan, Gardner, Lawson, Sundberg, Zvonek

Voting Nay: Coombs, Marcano, Medina, Murillo

**19.g. Consideration to Amend the 2022 Council Calendar**

Mayor Pro Tem Bergan provided a summary on this item.

Mayor Pro Tem Bergan explained she requested the Council, with permission from the city attorneys, to move the spring workshop from April 30<sup>th</sup> to June 4<sup>th</sup>, 2022. She stated she had a unanimous vote via email and asked if another unanimous vote during the meeting would be necessary. Dan Brotzman stated Mayor Pro Tem Bergan needs all of council members to vote aye. Mayor Coffman explained she must delay the vote for two weeks due to CM Jurinsky's absence. D. Brotzman explained all council members must be present in-person or virtually. He also stated they could do the vote on a special meeting. CM Marcano asked if the meeting can be done remotely. Mayor Pro Tem Bergan asked if a remote five-minute meeting could be done. D. Brotzman stated the council can call the meeting. CM Murillo asked for

clarification regarding the urgency of the vote and why can't the council vote on the next regular meeting instead of having a special meeting. Mayor Pro Tem Bergan stated she has non-refundable tickets on the original workshop date. CM Murillo stated she understands the situation but also pointed out that the Council will still vote unanimously to approve the consideration to amend the calendar during the next Council Meeting.

Motion by Bergan, second by Marcano, to delay the vote on changing the date of the workshop until the next Regular Council Meeting.

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

20. **REPORTS**

20.a.

20.b. **Report by the Mayor**

None.

20.c. **Reports by the Council**

CM Lawson stated that she wants to reappoint Alok Sarwal to the Business Advisory Commission. She reported the at-large town hall meeting will be held on May 5, 2022, at the Heathers Gardens at 6:00 p.m. CM Lawson narrated the FSIR Committee met on March 25<sup>th</sup> and have approved a letter to the Denver International Airport in support of their US Department of Transportation RAISE Grant Application. The letter will be brought to the full council on April 4, 2022. Staff will send out the FSIR Committee's positions on bills introduced and will provide an update on the status of bills that Council has previously actively supported or opposed.

CM Gardner reported the gun buyback event was held last March 19<sup>th</sup> in partnership with Denver Raw Tools and Denver Broncos. He thanked the Denver Broncos for their financial support. A total of 189 firearms were gathered. He shared anecdotes of a mother bringing in the gun her son used to commit suicide and an individual that surrendered his gun due to severe mental health issues and was concerned he will harm himself. He mentioned the next event will be held on April 9, 2022, at the Aurora Day Labor Center. He thanked Pastor Reid Hettich and the Mosaic Church for hosting.

CM Zvonek reported a presentation from Michele Crawford on an audit that was done within the Aurora Police Department on the Colorado Criminal Justice Records Act was given during the Public Safety Committee Meeting. The audit found the current department policies fail to meet the requirements of the state's Criminal Justice Records Act and the department is not always in compliance with those requirements. It also uncovered the need to improve accessibility and transparency and the lack of defined roles and responsibilities for the unit handling the records. He showed the department was resistant to feedback and stated these are indications of the gross mismanagement of the APD at all levels. He brought up the comprehensive

crime reduction plan that aims to fully fund and fully train the APD and stated that the city must ensure there is leadership capable of leading the department and the department has the community's interests at heart. He encouraged the public to tune into the Public Safety Committee Meetings held during the second Tuesday of the month at 8:30 a.m.

CM Murillo announced her next town hall will be on April 28, 2022, at the Moorhead Recreation Center from 6:00 p.m. to 7:30 p.m. She stated she hopes that a hybrid town hall structure could be done for the meeting.

CM Sundberg announced there was great discussion during his town hall where Carlie Campuzano and the APD were present to discuss traffic calming. Pros and cons of metro districts will be discussed during his May town hall.

CM Medina reported his next town hall will be on April 6, 2022, at the Active Adult Center at 6:30 pm discussing the unhoused population and available services.

CM Marcano stated he wants to appoint Katrina Zerilli to the Citizen's Advisory Budget Committee. He reported that Arapahoe County is creating the Arapahoe County Health Department due to the pending dissolution of tri-county health. He urged residents of Ward IV to go to [arapahoegov.com](http://arapahoegov.com) to read more information and fill out the weekly survey on what the citizens' priorities and expectations are for the new health agency. He explained the survey updates every Friday and citizens can go back once a week to answer it. He reported the next Ward IV Town Hall will be on April 14, 2022, at the Colorado Early Colleges from 6:30 p.m. discussing the impacts of the camping ban and the budget presentation by Greg Hays. The hybrid technology will be available along with the simulcast on Facebook live.

CM Coombs reported her next town hall for the month will be at Heather Garden and hybrid technology will not be available for that meeting. Greg Hays will be giving a presentation of the city's budget for the townhall. She pointed out that CM Zvonek seemed to pin the longstanding mismanagement of the records division on Chief Wilson which is an issue that predated her. She added the Chief of Police should be respected given that she has rebuilt community trust and is working through issues and was able to get the city to engage in a consent decree with the state rather than getting sued. She encouraged Council and the community to recognize the leadership, hard work, and improvements to the city done by Chief Wilson.

Mayor Pro Tem Bergan thanked Heather Lambourne for her presentation at the concluded town hall where she discussed developments happening in Ward VI. She stated there were questions during the town hall regarding a planning commission vote for an apartment complex in Ward VI and that there was a lack of proper notification to the residents regarding the vote. She reported her next town hall will be on May 18<sup>th</sup> with Visit Aurora. The APD will also be in attendance to discuss initiatives being taken to address crime. During the Roadway Committee for E-470 meeting, the Sable Boulevard Interchange IGA and the Toll Plaza Utility Relocation contract was discussed. Mayor Pro Tem Bergan also discussed updates from staff and Aurora Highlands were given during the ARTA board meeting in addition to approving financial contracts.


21. **ADJOURNMENT**

Mayor Coffman adjourned the regular meeting of City Council.

  
\_\_\_\_\_  
MIKE COFFMAN, MAYOR



ATTEST:

  
\_\_\_\_\_  
KADEE RODRIGUEZ, CITY CLERK

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