

MINUTES

**Regular Meeting of the Aurora City Council
Monday, April 11, 2022**

1. **RECONVENE REGULAR MEETING OF APRIL 11, 2022, AND CALL TO ORDER**

Mayor Coffman reconvened the regular meeting of City Council for April 11, 2022 at 6:30 p.m.

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

COUNCIL MEMBERS PRESENT: Mayor Coffman, 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 litigation, acquisition issues and collective bargaining.

6. **APPROVAL OF MINUTES**

6.a. March 14, 2022, Meeting Minutes

Motion by Sundberg, second by Marcano, to approve the minutes of the March 14, 2022, City Council meeting, as presented.

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

7. **PROCLAMATIONS OR CEREMONIES**

7.a. Aurora Arbor Week

Mayor Coffman proclaimed April 15 to 22, 2022 as Aurora Arbor Week.

7.b. National Crime Victims' Rights Week

Mayor Coffman proclaimed April 24 to 30, 2022 as National Crime Victims' Rights Week.

7.c. National Public Safety Telecommunicators Week

Mayor Coffman proclaimed April 10 to 16, 2022 as National Public Safety Telecommunicators Week.

8. **PUBLIC INVITED TO BE HEARD**

(non-agenda related issues only)

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

9. **ADOPTION OF THE AGENDA**

Motion by Zvonek, second by Jurinsky to adopt the agenda as presented.

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

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. **Consideration to AMEND AN OPENLY SOLICITED CONTRACT to Olsson Associates, Inc., Denver, Colorado in the amount of \$81,233.00 for providing additional engineering services for Mississippi and Kenton Way Stormwater Improvements Project**

Tony Tran, Principal Engineer, Aurora Water / Dave Lathers, Senior Assistant City Attorney

10.b. **Consideration to AMEND AN OPENLY SOLICITED CONTRACT with Deere & Ault Consultants, Inc., Longmont, Colorado, in the amount of \$92,519.00 for additional engineering and construction support services for the Brantner Ditch Augmentation Structures Project**

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

10.c. **Ground Engineering Construction Management and Inspection Services**

Consideration to EXTEND AN OPENLY SOLICITED CONTRACT to Ground Engineering

Consultants, Inc., Denver, Colorado in the amount not-to-exceed \$1,000,000.00 for Construction Management/Construction Inspection Services and Materials Testing for the period through April 30, 2023, RFP R-2022

A Waiver of Reconsideration is being requested, to expedite approval so a new Purchase Order can be issued to Ground Engineering prior to May 1, 2022 so that inspection services can continue uninterrupted on Street Division - Capital Improvement Projects.

Lynne Center, Deputy Director of Operations, Public Works / David Lathers, Senior Assistant City Attorney

- 10.d. **Consideration to EXTEND A COMPETITIVELY BID CONTRACT to Brannan Sand and Gravel Company, Denver, Colorado in the amount of \$17,220,229.01 for the 2022 Overlay Program, Project #5872A (Original Bid #5771A)**

Staff requests a waiver of reconsideration due to the length of the project and sensitivity to weather conditions that can cause delays.

Lynne Center, Deputy Director of Public Works Operations / Dave Lathers, Senior Assistant City Attorney

- 10.e. **Consideration to EXTEND A COMPETITIVELY BID CONTRACT to A-1 Chipseal Co., Denver, Colorado in the amount of \$3,996,889.82 for the 2022 Surface Treatment Program, Project No. 5818A (First Year Extension)**

Staff requests waiver of reconsideration due to the length of project and sensitivity to weather conditions that can cause delays.

Lynne Center, Deputy Director of Public Works Operations / Dave Lathers, Senior Assistant City Attorney

- 10.f. **Consideration to AWARD A SOLE SOURCE CONTRACT to Infor Public Sector, Inc., Alpharetta, Georgia in the amount of \$212,132.87 for the annual subscription/maintenance of Asset Management software for Water and Public Works through April 2023**

Staff requests a waiver of reconsideration as the renewal is due on April 12th.

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

CM Jurinsky stated that items from the consent calendar from today's council meeting and previous council meetings with large contracts are for companies outside of Aurora. She expressed concern that there are no contracts awarded to Aurora businesses. CM Marcano stated that there are no companies large enough or with the qualifications in the city to award contracts locally. He stated he wants to see that change and they have an opportunity for local economic development.

Motion by Marcano, second by Lawson to approve the consent calendar with waivers of reconsideration for items 10d, 10e and 10f.

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

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

11. **RESOLUTIONS**

11.a. **FEMA IPAWS Memorandum of Agreement**

R2022-71 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, APPROVING OF THE INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF AURORA AND THE FEDERAL EMERGENCY MANAGEMENT AGENCY WITHIN THE U.S. DEPARTMENT OF HOMELAND SECURITY FOR AURORA'S PARTICIPATION IN AND ACCESS TO THE INTEGRATED PUBLIC ALERT AND WARNING SYSTEM

Scott Newman, Chief Information Officer / Kim Skaggs, Assistant City Attorney

11.b. **IGA with CDOT for Revitalizing Main Street NW Aurora Grant**

R2022-72 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, APPROVING THE INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF AURORA AND THE COLORADO DEPARTMENT OF TRANSPORTATION (CDOT) FOR THE NW AURORA INTERSECTION PEDESTRIAN SAFETY ENHANCEMENTS PROJECT (DESIGN & CONSTRUCTION)

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

11.c. **CDOT for Funding of the Parker / Quincy / Smoky Hill Intersection Project**

R2022-73 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, APPROVING THE INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF AURORA AND THE COLORADO DEPARTMENT OF TRANSPORTATION (CDOT) FOR THE PARKER/QUINCY/SMOKY HILL INTERSECTION IMPROVEMENT PROJECT

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

Matt Kozakowski, Transportation Project Delivery Manager of the Public Works Department, provided a summary of the item.

CM Lawson stated that it is a good design, and it is needed. She asked about the plan for proactive messaging for the people living in the area and what the interruptions will be. M. Kozakowski explained that they require the contractor to have a public information officer that will establish an informational website and mailing list and will work with city communication staff to get information across the

city, on social media, and on messaging boards. CM Lawson asked how early they would be doing this. M. Kozakowski stated that the project will go through three public meetings and the third will be when the design is finalized.

CM Coombs asked what has been done to address the issue for residents in the Cherry Creek Racquet Club that only have one entrance and exit into their neighborhood. Carlie Campuzano, Traffic Manager, explained that they have looked into alternatives such as putting up signals, but there is nothing feasible without getting a significant amount of property or easements. She added that public feedback was also taken into consideration. Mayor Coffman mentioned that there are two points of egress. One is town-owned development and the second is the shopping center. He suggested reaching out to the shopping center on behalf of Cherry Creek Racquet Club to negotiate an egress. He added that this would increase traffic through the center which may be beneficial to businesses there. He cited the East Bank Shopping Center redevelopment as an example. C. Campuzano said that they will look into the suggestion in more detail.

Motion by Marcano, second by Lawson to approve item 11c.

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

11.d. IGA Between the City and CDOT for the Traffic Signal System Project

R2022-74 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, APPROVING THE INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF AURORA AND THE COLORADO DEPARTMENT OF TRANSPORTATION (CDOT) FOR THE TRAFFIC SIGNAL SYSTEM PROJECT

Carlie Campuzano, Traffic Manager / Michelle Gardner, Senior Assistant City Attorney

11.e. Painted Prairie Community Park Master Plan

R2022-75 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, EXPRESSING THE AURORA CITY COUNCIL'S APPROVAL OF THE PAINTED PRAIRIE COMMUNITY PARK MASTER PLAN

Michelle Teller, Senior Planner (PROS) / Tim Joyce, Assistant City Attorney

11.f. 2022 US Marshal Service Fugitive Task Force MOU

R2022-76 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO APPROVING THE 2022 MEMORANDUM OF UNDERSTANDING FOR THE UNITED STATES MARSHALS SERVICE FUGITIVE TASK FORCE FOR NON-FEDERAL AGENCIES

Christopher Juul, Acting Chief of Police / Megan Platt, Assistant City Attorney

Christopher Juul, Acting Chief of Police, provided a summary of the item.

CM Marcano expressed support for the MOU. He mentioned that he has questions from constituents. He asked what the changes are between the proposed MOU and the previous ones. Chief Juul mentioned that he is not aware of the changes. Staff clarified the difference. CM Marcano asked if there is a problem using this authority to track immigrants who do not have a violent criminal charge against them. Chief Juul stated that the boundaries of the type of people they go after are strict which include people charged with violent drug charges, felonies, crimes against persons involving weapons, failure to register as a sexual offender, among others. CM Marcano asked for clarification regarding reimbursed expenses. Chief Juul stated that the costs incurred would be reimbursed through the Marshal Service. CM Marcano asked for further information regarding use of force and asked if the MOU complies with any and all updated Aurora and Colorado requirements. Chief Juul confirmed that the MOU requires officers to adhere to the use of force policy.

Motion by Marcano, second by Zvonek to approve item 11f.

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

11.g. Water Supply Agreement Between the City of Aurora and Public Service Company of Colorado

R2022-77 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, EXPRESSING THE AURORA CITY COUNCIL'S SUPPORT OF THE WATER SUPPLY AGREEMENT BETWEEN THE CITY OF AURORA COLORADO ACTING BY AND THROUGH ITS UTILITY ENTERPRISE AND THE PUBLIC SERVICE COMPANY OF COLORADO

Lauren Maggert, Water Resources Project Manager, Aurora Water / Ian Best, Assistant City Attorney

11.h. Funding to Restore Ghost Trolley Public Art Sculpture

R2022-78 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, EXPRESSING THE AURORA CITY COUNCIL'S APPROVAL OF THE FUNDING AGREEMENT TO RESTORE THE GHOST TROLLEY ARTWORK

Roberta Bloom, Public Art Supervisor / Tim Joyce, Assistant City Attorney

Motion by Marcano, second by Lawson to approve items 11a through 11h with exception of 11c and 11f.

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

11.i. Rules of Order and Procedure Amendment: Council Calendar

R2022-79 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, TO AMEND THE RULES OF ORDER AND PROCEDURE FOR THE AURORA, COLORADO, CITY COUNCIL REGARDING THE COUNCIL CALENDAR

Dan Brotzman, City Attorney

Dan Brotzman, City Attorney, provided a summary of the item.

Motion by Marcano, second by Coombs to approve item 11i.

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

Voting Nay: Jurinsky

11.j. Pioneer Hills Metro District First Amendment to an Intergovernmental Agreement

R2022-80 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, EXPRESSING THE AURORA CITY COUNCIL'S SUPPORT OF THE FIRST AMENDMENT TO THE INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF AURORA COLORADO ACTING BY AND THROUGH ITS UTILITY ENTERPRISE AND PIONEER HILLS METROPOLITAN DISTRICT

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

Sarah Young, Deputy Director, provided a summary of the item.

Motion by Coombs, second by Sundberg to approve item 11j.

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

11.k. Resolution Addressing All Appointees Following Security Protocol

R2022-81 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, EXPRESSING COUNCIL'S INTENTION THAT ALL COUNCIL APPOINTEES, WHETHER DEPARTMENT HEADS OR MEMBERS OF BOARDS OR COMMISSIONS SHALL BE RESPONSIBLE FOR COMPLYING WITH ALL CIT BUSINESS POLICY MEMORANDA PERTAINING TO: THE USE AND HANDLING OF ELECTRONIC DATA IN ANY FORM, TO INCLUDE BUT NOT LIMITED TO REGULATED DATA, SUCH AS PERSONAL IDENTIFYING INFORMATION, CRIMINAL JUSTICE INFORMATION, PROTECTED HEALTH INFORMATION, OR PAYMENT CARD INFORMATION, AND THE PROCUREMENT, USE AND MANAGEMENT OF TECHNOLOGY FOR CITY BUSINESS. ALL COUNCIL APPOINTEES SHALL COMPLY WITH SECURITY POLICIES, DIRECTIVES OR ALERTS PROMULGATED BY THE CITY'S CHIEF INFORMATION SECURITY OFFICER AND SHALL ENSURE COMPLIANCE BY THEIR RESPECTIVE DIVISIONS.

Scott Newman, Director of IT / Dave Lathers, Senior Assistant City Attorney

Scott Newman, Chief Information Officer, provided a summary of the item.

CM Coombs mentioned that a constituent is concerned that this resolution will interfere with the release of information under CORA and might prevent transparency in a local government. S. Newman stated that the resolution will not limit the

obligation of the city under CORA or CCJRA but will ensure compliance with those laws through a uniform approach.

Motion by Marcano, second by Coombs to approve item 11k.

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

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

12. **PUBLIC HEARING WITH RELATED ORDINANCE**

13. **PUBLIC HEARING WITHOUT RELATED ORDINANCE**

14. **INTRODUCTION OF ORDINANCES**

14.a. **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 L. Money, Senior Assistant City Attorney

Brandon Cammarata, Planning Manager, provided a summary of the item.

Mayor Coffman opened the public hearing on the item.

Council heard public testimony on the item.

CM Marcano asked for clarification on the distance required from oil and gas activity for new wells from residential developments. Colin Brown, Senior Planner, stated that there is not a setback distance listed in the Oil and Gas Manual that refers to the Colorado Oil and Gas Conservation Commission (COGCC) rules. CM Marcano asked him for the distance. C. Brown mentioned that new well sites need to be a minimum of 2,000 feet away from residential units, schools, and hospitals.

Mayor Coffman closed the public hearing on the item.

CM Marcano moved to amend the setback to be 2,000 feet from 150 feet.

Discussion on the Marcano Amendment

Mayor Coffman asked if that would be possible given the operator agreement. C. Brown stated that this is a reverse setback. He explained that it relates to residential development encroaching on existing oil and gas facilities. He added that it would be the prerogative of the City Council to adjust the number in the UDO.

CM Jurinsky asked for staff's thoughts on the adjustment. C. Brown did so. Mayor Coffman said that he stands corrected and mentioned that it only affects homebuilders and potential developers but not operators in the oil and gas industry. He asked if it only affects residential and not commercial. B. Cammarata stated that it would only affect residential.

CM Zvonek stated that going from 150 to 2,000 would be devastating to developers. He mentioned that throwing the motion out there without having an idea of the impact would be a terrible idea. CM Coombs stated that there has been extensive discussion and research about the impacts of oil and gas on people's health and safety, which is the purpose of the Marcano Amendment. She asked if the 150 feet in the UDO starts from the well pad site or the drilling location. B. Cammarata answered that it is measured from the equipment such as the wellhead, tank, or separator. It is not measured from the disturbance area.

Mayor Coffman asked if homebuilders that have purchased lots with the understanding that they will develop properties that they will no longer develop, would be able to build homes if the Marcano Amendment passes. D. Brotzman stated that the change from 150 to 2,000 is a health and safety issue and reduces the impact or litigation risk.

CM Marcano stated that he acknowledges that it is a large change. He pointed out that new wells are not allowed within 2,000 feet of existing homes for health and safety reasons, but new homes are allowed to be built within 150 feet of the existing wells. He said that he wants the rules to be consistent in the best interest of public health. CM Sundberg reiterated that the 2,000 feet requirement could be catastrophic to a lot of plans. He stressed that the topic needs to be further discussed with expert advice. Mayor Coffman asked CM Marcano if the amendment applies to both closed and active well sites. CM Marcano said that if it's safe to be within 150 feet of a closed site, he is happy to keep that there. However, he highlighted that his amendment gives focus on new wells. He added that it is to err on the side of caution and follow COGCC guidelines.

Mayor Coffman stressed that the item deserves further discussion during the study session given that the city is short of housing, and this is a decision that would impact new homes and multi-family developments.

CM Coombs proposed that the 150-foot requirement be measured from the disturbance area or well pad site rather than the drilling equipment. This is to increase the protectiveness of the setback requirement.

Discussion on the Coombs Amendment

Mayor Coffman stated that he would not like to make a decision without having a discussion during the Study Session on this item. He mentioned that he will set this as an agenda item for the next Study Session. He added that policies of this significance should be vetted more carefully.

CM Lawson asked Mayor Coffman what would go to study session if they are going to pass the whole of the ordinance. She added that there are sections that have issues

that they want to bring up as per the amendments. Mayor Coffman clarified that they would have a full discussion on the amendments or changes to the setback during the study session.

Motion by Marcano, second by Coombs to amend the setback to coincide with COGCC rules.

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

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

Motion by Coombs, second by Marcano to amend the setback to include the well pad site.

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

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

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

Voting Aye: Gardner, Jurinsky, Lawson, Marcano, Medina, Sundberg, Zvonek

Voting Nay: Coombs, Murillo

14.b. The Aurora Highlands Gun Club Road Right-of-Way Street Vacations

2022-18 FOR AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, VACATING TWO PORTIONS OF THE PUBLIC RIGHT-OF-WAY FOR GUN CLUB ROAD, LOCATED BETWEEN EAST 26TH AVENUE AND EAST 38TH AVENUE, AND BETWEEN EAST 38TH PLACE AND EAST 42ND AVENUE, CITY OF AURORA, COUNTY OF ADAMS, STATE OF COLORADO (GUN CLUB ROAD RIGHTS-OF-WAY VACATIONS)

Deborah Bickmire, Senior Planner / Daniel L. Money, Senior Assistant City Attorney

Deborah Bickmire, Senior Planner, provided a summary of the item.

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

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

14.c. Parkside at City Centre Business Improvement District Petition for Exclusion of Property

2022-19 FOR AN ORDINANCE OF THE CITY OF AURORA, COLORADO, EXCLUDING CERTAIN PROPERTY FROM THE BOUNDARIES OF PARKSIDE AT CITY CENTRE BUSINESS IMPROVEMENT DISTRICT

Nancy Wishmeyer, Controller / Hanosky Hernandez, Assistant City Attorney II

Outside speaker: Nicole R. Peykov, Attorney, Spencer Fane LLP

Nancy Wishmeyer, Controller, provided a summary of the item.

Motion by Marcano, second by Lawson to approve item 14c.

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

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 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. **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 heard public testimony on the item.

CM Gardner presented a summary of the item.

CM Zvonek stated that it is understandable to want to try and help residents struggling with higher costs. He mentioned that housing costs have gone up and were made worse by the largest tax increase in Colorado passing. He added that costs of food, housing, goods, services, and utilities have risen due to inflation. He hopes to create a comprehensive across-the-board tax reduction instead of another carve-out in the tax code. He mentioned that if the sales tax rate across the board is lower than the city's neighbors, it would be better for businesses, employees, and the city. He added that the resolution is good politics but is bad policy. He urged a no vote on the ordinance. CM Sundberg provided a list of items that already have tax cuts such as recreation services, food for home consumption, menstrual care products, prescription drugs, newspapers, and internet access, among others. He mentioned that the resolution could cost the city nearly \$600,000 a year. He added that non-profits see diapers as an item of value that's given out with food.

CM Marcano stated that according to Recycle, a charity dealing with diapers, they believe that the ordinance would help their ability to provide more diapers to the city. They are excited and supportive of the ordinance. CM Marcano also expressed his

support for the ordinance and stated that it is a form of harm reduction. He highlighted that he wants to address the issues on the cost of living within the city by ensuring that people who work in Aurora earn enough money to cover their expenses. CM Jurinsky stated that what CM Sundberg listed, there is more of a reason to stop cherry-picking line items for a tax-exempt but work towards a broad-based tax cut that will benefit all Aurora residents.

CM Gardner stated that he is flabbergasted that the fiscal conservatives on the Council do not want to support a tax cut that will benefit everyone in the city. He reiterated that there are already a few sales tax carve-outs in the city as per CM Sundberg. He added that this will pass statewide which will force the city to vote to opt out. He mentioned that at that point, Council will vote to increase taxes because otherwise, it will be exempted statewide. He pointed out that costs continue to rise, and other items are already tax-exempt, yet the line is being drawn at diapers that infants and those that experience or will eventually experience incontinence will use. CM Gardner mentioned that if it were a tax cut for developers, it would be passed in no time. He stressed that the previous council passed the exemption on menstrual products on a unanimous 10-0 vote.

Mayor Coffman asked if the bill at the legislature would only apply to the state sales tax. Staff confirmed this and stated that it would not automatically apply to the city sales tax. CM Coombs stated this sales tax would result in a somewhat negligible revenue for the city compared to the larger sales tax already in place. She reiterated if the sales tax they are planning to exempt applies to businesses, it would be easier to cut that tax. She mentioned they are more willing to cut taxes that would diminish the city's ability to provide services rather than do something for families. She expressed her disappointment. CM Zvonek expressed that he is happy that there are many tax-cutters on the council that previously supported the largest tax increase in Colorado history. He pointed out this is a carve-out. He again suggested a broad-based tax cut that will help residents and make the city more competitive. This will be more equitable and would be more revenue neutral rather than cherry-picking tax cuts. CM Coombs pointed out that a broad-based tax cut would be more regressive and not equitable. She asked CM Zvonek to show her what will be cut out of the budget that is not going to harm the people in the city. She stressed the ordinance will help people who may be struggling and have particular needs that they need to cover.

Motion by Gardner, second by Marcano to approve item 16a.

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

Voting Nay: Jurinsky, Lawson, Zvonek

16. **PLANNING MATTERS**

17. **ANNEXATIONS**

17.a. **Aurora Highlands Hospital Annexation Resolution**

R2022-82 PUBLIC HEARING AND CONSIDERATION OF A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, MAKING CERTAIN FINDINGS OF FACT REGARDING THE PROPOSED ANNEXATION OF A PARCEL OF LAND LOCATED IN THE WEST HALF OF SECTION 30, TOWNSHIP 3 SOUTH, RANGE 65 WEST, AND THE EAST HALF OF SECTION 25, TOWNSHIP 3 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF ADAMS, STATE OF COLORADO (Aurora Highlands Hospital Annexation) 6.097 ACRES

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

Outside Speaker: Jack Reutzel, Attorney, Fairfield and Woods, PC

Mayor Coffman opened the public hearing on the item.

No member of the public presented testimony on the item.

Jacob Cox, Manager of Development Assistance, presented a summary of the item.

Mayor Coffman closed the public hearing on the item.

Motion by Zvonek, second by Jurinsky to approve item 17a.

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

17.b. Aurora Highlands Hospital Annexation Ordinance

2022-20 A BILL FOR AN ORDINANCE ANNEXING A PARCEL OF LAND LOCATED IN THE WEST HALF OF SECTION 30, TOWNSHIP 3 SOUTH, RANGE 65 WEST, AND THE EAST HALF OF SECTION 25, TOWNSHIP 3 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF ADAMS, STATE OF COLORADO (Aurora Highlands Hospital Annexation) 6.097 ACRES

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

Outside Speaker: Jack Reutzel, Attorney, Fairfield and Woods, PC

Jacob Cox, Manager of Development Assistance, presented a summary of the item.

Motion by Zvonek, second by Lawson to approve item 17b.

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

17.c. Aurora Highlands Western (Hospital) Annexation - Initial Zoning Ordinance

2022-21 PUBLIC HEARING AND CONSIDERATION OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, ZONING 6.097 ACRES OF LAND, MORE OR LESS, GENERALLY LOCATED ADJACENT TO THE EAST SIDE OF E-470 BETWEEN 26TH AVENUE AND 38TH AVENUE, WITHIN THE CITY OF AURORA, COUNTY OF ADAMS, STATE OF COLORADO, TO MIXED-USE REGIONAL DISTRICT

AND AMENDING THE ZONING MAP ACCORDINGLY (Aurora Highlands Western Annexation Initial Zoning)

Deborah Bickmire, Senior Planner / Daniel L Money, Senior Assistant City Attorney

Mayor Coffman opened the public hearing on the item.

Deborah Bickmire, Senior Planner, presented a summary of the item.

No member of the public provided testimony on the item.

Mayor Coffman closed the public hearing on the item.

Motion by Lawson, second by Medina to approve item 17c.

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

18. **RECONSIDERATIONS AND CALL UPS**

19. **GENERAL BUSINESS**

19.a. **Consideration to Appoint One (1) Member and Reappoint One (1) Member to the Parks and Recreation Advisory Board**

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

Motion by Marcano, second by Medina, to appoint Robert Armstrong and reappoint Bobbie McClure to the Parks and Recreation Advisory Board.

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

19.b. **Consideration to Amend the 2022 Council Meeting Calendar**

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

CM Coombs pointed out that they have voted to approve Proposal Number 1 during the study session.

Motion by Medina, second by Lawson, to approve item 19b.

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

19.c. **Determination of Final Candidates to be Interviewed for the Planning and Zoning Commission**

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

CM Jurinsky asked who the top 4 candidates are. K. Rodriguez stated that the top 4 candidates are Brian Matise, Garrett Ahern, Joshua Dieker, and Stephen Elkins.

Motion by Coombs, second by Murillo, to interview the top 4 candidates for the Planning and Zoning Commission vacancy.

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

20. **REPORTS**

20.a. **Report by the Mayor**

None.

20.b. **Reports by the Council**

CM Lawson announced that the At Large Council Town Hall will be held on May 5, 2022 at the Heather Gardens Clubhouse discussing budget and public safety updates. At the FSIR Committee Meeting, they discussed that there are only 30 days left in the 2022 session and that Aurora submitted two requests for the congressionally directed spending earmarks. Xcel and PUC will be at the FSIR Committee Meeting on April 22nd to talk about concerns from citizens regarding gas and electric rate hikes.

CM Gardner announced the 2nd of 8 Gun Buyback events were held last Saturday at the Aurora Day Labor Center and collected 124 guns. He shared testimonies from people that surrendered firearms like the child that found two guns by a middle school. He added that the next event will be on May 21st at the Platte Park Church in Denver.

CM Zvonek mentioned there was an audit presented to the Public Safety Meeting on the Colorado Criminal Justice Record Act which revealed issues in the record department. He highlighted that as a result of the delays in processing police reports, violent crimes reported to the police may not have been investigated for months, enabling suspects who might otherwise have been investigated and taken into custody to re-offend. He stressed when asked if it would be possible that serious criminal offenses in the queue were overlooked and not investigated, employees said yes. The study also revealed that administrative errors and failures have led to the mass murder and high school shooting that occurred, which would not have happened if law enforcement erred in the process of prior cases involving the suspects. CM Zvonek stressed the seriousness of the report and the backlog. He mentioned they need to demand more clarity. He urged the public to tune into the Public Safety Meeting on April 14th at 8:30 am.

CM Murillo thanked the Resident Leadership Council through the Anschutz Medical Campus for hosting a meeting at the Morehead Center together with CM Sundberg. They talked about youth violence and discussed questions from residents of Ward I and Ward II focusing on school district plans around violence and steps the city is taking to address youth violence.

CM Medina reported he had his Town Hall last Wednesday at the Adult Center where conversations were had around the unhoused, including a presentation from Jessica Prosser. His next Town Hall will be on May 3rd focusing on city budget priorities for Ward III.

CM Marcano thanked Erika for assisting in the traffic calming application at Havana Heights. He urged people that have observed speeding issues or unsafe driving issues in their area to ask him for help in gathering signatures necessary to get a traffic calming study. He reported that the next Ward IV meeting will be on April 14th at the Colorado Early Colleges. They will be discussing the budget with Greg Hays and the consequences and realities of the camping ban with Ren Echo.

CM Coombs announced her next Town Hall will be on April 19th at the Heather Gardens Clubhouse focusing on recycling, trash, and composting. The meeting will not be hybrid, but the subsequent meetings at the Central Rec Center will be. She reported that DRCOG had a board meeting and had conversations about the Accountable Health Communities programs through the Area Agency on Aging. They talked about the future of the program and expanding it to continue reducing ER admissions for aging adults. They also discussed strategic planning initiatives as well as what role DRCOG may have in addressing housing. It was pointed out that DRCOG provides local communities with resources and information to bring people together to have discussions about what each community is doing.

CM Jurinsky and CM Sundberg did not have reports.

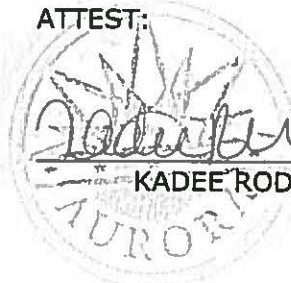
21. **ADJOURNMENT**

Mayor Coffman adjourned the regular meeting of City Council.



MIKE COFFMAN, MAYOR

ATTEST:




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.***