

MINUTES

Regular Meeting of the Aurora City Council

Monday, August 22, 2022

1. **RECONVENE REGULAR MEETING OF AUGUST 22, 2022, AND CALL TO ORDER**

Mayor Coffman reconvened the regular meeting of the City Council for August 22, 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

Mayor Coffman led the prayer for the August 22nd Council Meeting.

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

5. **EXECUTIVE SESSION UPDATE**

6. **APPROVAL OF MINUTES**

6.a. **August 8, 2022, Meeting Minutes**

CM Murillo offered amendments to the meeting minutes. She explained that she had technical difficulties and sent her vote on items 12b and 12c through the chat. She noted that she votes no for 12b and yes for 12c. City Attorney D. Brotzman confirmed that this is appropriate.

Motion by Sundberg, second by Bergan, to approve the minutes of the August 8, 2022 as presented.

SUBSTITUTE MOTION

Motion by Murillo, second by Marcano, to approve the minutes of the August 8, 2022, City Council meeting as amended.

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

7. **PROCLAMATIONS OR CEREMONIES**

7.a. **Swearing-in Ceremony of Assistant City Attorneys**

Judge Shawn Day swore in Steve Hahn as Assistant City Attorney.

7.b. **Animal Services - Animal Showcase**

Animal Services announced that they have an adoption special in coordination with CM Jurinsky. All dogs and cats over six months will have half-priced adoption fees.

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.

Mayor Coffman requested information from the independent business owner that spoke on issues regarding dealing with other departments in the city.

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

Council heard public in-person and call-in testimony on the 2023 Budget.

9. **ADOPTION OF THE AGENDA**

CM Jurinsky requested to remove item 14a from the agenda. She recognized the importance of addressing retail theft in Aurora. She stressed that she would bring forward a more comprehensive ordinance to the Public Safety Policy Committee on September 8th. The ordinance will then go straight to full Council.

Motion by Zvonek, second by Sundberg to adopt the agenda as amended.

Voting Aye: Mayor Coffman, Bergan, 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 award WORK PACKAGE NUMBER FIVE to Garney Companies, Inc., Littleton, Colorado in the amount of \$205,994.00 for the Aurora Reservoir Pump Station, Security and Aeration Panels Project, Project Number 5448A.**

Dean Bedford, Principal Engineer / Dave Lathers, Senior Assistant City Attorney

- 10.b. **Consideration to AWARD A SINGLE SOURCE CONTRACT to Epic Recruiting of Phoenix LLC, Scottsdale, Arizona in the amount of \$95,000.00 for a recruiting campaign for the Aurora Police Department.**

Waiver of reconsideration is requested due to the Police Department's immediate need to recruit lateral officers and new recruits.

Jason Batchelor, Deputy City Manager / Hanosky Hernandez, Senior Assistant City Attorney

- 10.c. **Consideration to AWARD AN OPENLY SOLICITED CONTRACT to JHB Group, Inc., Lake Hills, Illinois in the amount of \$137,769.37 for a custom build arson investigation trailer for use by Aurora Fire Rescue. R-2260**

Mathew Wasserburger, Manager of Business Services, Fire / Dave Lathers, Senior Assistant City Attorney

- 10.d. **Fire Apparatus**

Consideration to AWARD A SINGLE SOURCE CONTRACT to H&E Equipment Exchange LLC, Henderson, Colorado, in the not-to-exceed amount of \$1,599,897.00 for the purchase of one (1) Emergency One (E-One) 3000 Gallon Tanker/Tender and one (1) E-One CR100 Aerial Ladder.

Ron Forrest, Fleet Manager, Public Works / Dave Lathers, Senior Assistant City Attorney

- 10.e. **Consideration to AWARD AN OPENLY SOLICITED CONTRACT to Sage Truck Driving Schools, Henderson, Colorado in the not-to-exceed amount of \$495,600.00 for CDL training as required for city employees.**

Waiver of Reconsideration: The contract needs to be executed soon in order to get new drivers trained and licensed before winter snow season starts. The City is already down a significant number of drivers and getting new ones ready for winter is critical to operations.

Renee Pettinato Mosley, Manager of Risk, Human Resources / Dave Lathers, Senior Assistant City Attorney

- 10.f. **Municipal Treatment Equipment for Evoqua Water Tech for annual upkeep of chemical feed systems**

Consideration to AWARD A SINGLE SOURCE CONTRACT to Municipal Treatment Equipment Inc., Golden, Colorado in the not-to-exceed amount of \$120,000.00 for Evoqua Water Technologies equipment, parts, and certified technical services for the annual upkeep of chemical feed systems as required by Aurora Water through July 31, 2023.

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

Motion by Gardner, second by Bergan to approve the consent calendar items 10a through 10f.

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

11. **RESOLUTIONS**

11.a. **An Intergovernmental Agreement regarding Major Drainageway Planning for Prairie Dog Draw and its Tributaries**

R2022-158 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, EXPRESSING THE AURORA CITY COUNCIL'S SUPPORT OF THE INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF AURORA COLORADO ACTING BY AND THROUGH ITS UTILITY ENTERPRISE AND THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT, d/b/a MILE HIGH FLOOD DISTRICT REGARDING MAJOR DRAINAGE WAY PLANNING AND FLOOD HAZARD DELINEATION FOR PRAIRIE DOG DRAW AND TRIBUTARIES

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

Swirvine Nyirenda, Planning Services Manager, provided a summary of the item.

MPT Bergan said she thought the agreement is for \$350,000, not \$200,000. S. Nyirenda clarified that it should be \$200,000.

Motion by Jurinsky, second by Lawson to approve item 11a.

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

11.b. **Intergovernmental Agreement regarding Major Drainageway Planning for West Toll Gate**

R2022-159 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, EXPRESSING THE AURORA CITY COUNCIL'S SUPPORT OF THE INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF AURORA COLORADO ACTING BY AND THROUGH ITS UTILITY ENTERPRISE, THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT, d/b/a MILE HIGH FLOOD DISTRICT, AND THE

- ◆ *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.*

SOUTHEAST STORMWATER METRO AUTHORITY REGARDING MAJOR DRAINAGEWAY
PLANNING FOR WEST TOLL GATE CREEK TRIBUTARIES

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

Swirvine Nyirenda, Planning Services Manager, provided a summary of the item.

MPT Bergan asked if the initial study indicated potential problems resulting in the
need for this follow-up study. S. Nyirenda explained that they sometimes execute
projects exactly based on the study, and other times optimize projects during the
design phase.

Motion by Bergan, second by Coombs to approve item 11b.

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

11.c. Strontia Springs Watershed Sediment Management Program

R2022-160 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA,
COLORADO, EXPRESSING THE AURORA CITY COUNCIL'S SUPPORT OF AN
INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF AURORA COLORADO
ACTING BY AND THROUGH ITS UTILITY ENTERPRISE AND THE CITY AND COUNTY OF
DENVER REGARDING THE STRONTIA SPRINGS WATERSHED SEDIMENT
MANAGEMENT PROGRAM

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

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

Motion by Coombs, second by Murillo to approve item 11c.

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

**11.d. Intergovernmental Agreement for the Use and Benefit of Colorado State
Forest Service**

R2022-161 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA,
COLORADO, EXPRESSING THE AURORA CITY COUNCIL'S APPROVAL OF THE
INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF AURORA ACTING BY AND
THROUGH ITS UTILITY ENTERPRISE, THE UNITED STATES DEPARTMENT OF
AGRICULTURE, FOREST SERVICE, ROCKY MOUNTAIN REGION AND THE BOARD OF
GOVERNORS OF THE COLORADO STATE UNIVERSITY SYSTEM ACTING BY AND
THROUGH COLORADO STATE UNIVERSITY FOR THE USE AND BENEFIT OF THE
COLORADO STATE FOREST SERVICE

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

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

Motion by Lawson, second by Sundberg to approve item 11d.

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

11.e. **Support of Enhanced Design Guidelines for Chase Drains**

R2022-162 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA,
COLORADO, IN SUPPORT OF ENHANCED DESIGN GUIDELINES FOR INSTALLATION
OF CHASE DRAINS AS A PART OF NEW DEVELOPMENT IN AURORA

Sponsor: Françoise Bergan, Mayor Pro Tem

Victor Rachael, Deputy Director of Public Works Engineering / Michelle Gardner,
Senior Assistant City Attorney

Council heard public call-in testimony.

Mayor Pro Tem Bergan provided a summary of the item.

Motion by Bergan, second by Coombs to approve item 11e.

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

11.f. **IGA to Coordinate with Arapahoe County for November 2022 Special
Municipal Election**

R2022-163 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA,
COLORADO, APPROVING THE INTERGOVERNMENTAL AGREEMENT BETWEEN
ARAPAHOE COUNTY AND THE CITY OF AURORA FOR THE COORDINATED ELECTION
TO BE HELD NOVEMBER 8, 2022

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

Kadee Rodriguez, City Clerk, provided a summary of items 11f through 11h.

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

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

11.g. **IGA to Coordinate with Adams County for November 2022 Special Municipal
Election**

R2022-164 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, APPROVING THE INTERGOVERNMENTAL AGREEMENT BETWEEN ADAMS COUNTY AND THE CITY OF AURORA FOR THE COORDINATED ELECTION TO BE HELD NOVEMBER 8, 2022

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

Motion by Gardner, second by Jurinsky to approve item 11g.

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

11.h. **IGA to Coordinate with Douglas County for November 2022 Special Municipal Election**

R2022-165 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, APPROVING THE INTERGOVERNMENTAL AGREEMENT BETWEEN DOUGLAS COUNTY AND THE CITY OF AURORA FOR THE COORDINATED ELECTION TO BE HELD NOVEMBER 8, 2022

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

Motion by Gardner, second by Jurinsky to approve item 11h.

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

11.i. **Public Education Campaign Regarding Panhandling**

R2022-166 A RESOLUTION FROM THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, EXPRESSING THE AURORA CITY COUNCIL'S DESIRE TO INITIATE A PUBLIC EDUCATION CAMPAIGN TO STOP PANHANDLING BY ENCOURAGING DONATIONS TO LOCAL CHARITIES INSTEAD OF DONATING MONEY TO PEOPLE ON THE STREET

Sponsor: Steve Sundberg, Council Member / Angela Lawson, Council Member

Kim Stuart, Director of Communications and Marketing / George Koumantakis, Client Group Manager, Attorney

Council heard public in-person and call-in testimony.

Council Members Sundberg and Lawson provided a summary of the item.

CM Coombs suggested having signs that address safety issues versus panhandling. Rather than the signs having people go to a website to donate, they can have signs encouraging people to keep intersections clear. CM Sundberg said there is a city ordinance restricting people from standing in medians. G. Koumantakis said police officers focus more on educating individuals doing panhandling instead of issuing summonses.

MPT Bergan asked if people are allowed to be in the median. G. Koumantakis said there is an ordinance that prohibits them from being there. However, due to case law and First Amendment rights, APD is prevented from issuing summonses.

MPT Bergan expressed her support. She highlighted it is an educational campaign and not a mandate. She said it would address safety issues regarding distraction for drivers and the safety of panhandlers. She added that the best way to help them is to offer resources, which city staff offer.

CM Coombs asked if Spirit of Aurora has been approached regarding this resolution. CM Sundberg confirmed this. He added that he contacted Heather Dearman, CM Medina, and Jessica Prosser. He said they are soon ready to accept donations.

CM Zvonek thanked the sponsors for bringing the resolution forward. He reiterated that giving to somebody can change their situation for a moment but giving to an organization will change their life. He said this is what the resolution aims to do.

Mayor Coffman said giving to panhandlers only enables their behavior. But giving through organizations will help those individuals transition into housing stability.

CM Murillo said she appreciates the proposed intention of the resolution, but it's not a wise use of city resources. She stressed they have established that it will not end panhandling. She added that she doesn't see the connection of how safety issues will be reduced through this resolution.

CM Marcano expressed appreciation for the intent of the sponsors. He said the comparable program out of Salt Lake City raised \$5,000 a year which is not enough to house one person. It would then take more than six years to recoup the costs that are to be spent on the signs. He added there are people that already do not trust charities and would rather give directly. People who want to give will keep on giving. He stressed that the resolution will not change the dynamic. He added that he worked at the 16th Street Mall and panhandling was not reduced and remained a daily occurrence. CM Marcano stated that he shares concerns about people being on medians and in traffic, but this resolution will not address it.

CM Jurinsky expressed her support for the resolution and thanked the sponsors. She mentioned she has been seeing the same people panhandling but changing their signs to depict different situations. She said people in need can approach city staff, charities, and other resources for help. She said that giving money will enable the people and their behavior.

CM Coombs stressed that calling experiencing homelessness and asking for help while homeless bad behavior is stigmatizing. She acknowledged the intent of the resolution is not to stigmatize, but their discussion is producing greater stigma. She added that she was approached by Spirit of Aurora which indicated that they have not been approached regarding the resolution. CM Coombs mentioned the resolution also did not go to Committee and that staff only had a week to put together the backup. She expressed concern regarding not having enough data to support the resolution. CM Coombs expressed her opposition.

CM Sundberg told a story of an individual he put to work but eventually resorted to panhandling. The individual eventually died of a heroin overdose. CM Sundberg said that if the resolution went through Committee, it would not have a good chance of getting out and going to the Study Session. He added that it does not need a study to determine whether an action is unsafe. He stated that he reached out to Heather Dearman of Spirit of Aurora, CM Medina, and Jessica Prosser.

CM Marcano said that he empathizes with CM Sundberg on the person who died from a drug overdose. He stated the resolution may be well-intentioned, but it would not help people significantly or at all. He added that the amount of money to be spent on signs could put two people through permanent supportive housing for a year.

CM Murillo called for a point of order. She mentioned that personal attacks are not allowed as per Council Rules. She asked if CM Sundberg's comments constitute personal attacks. Mayor Coffman said that the Rules prohibit attacking an individual personally, which CM Sundberg did not do.

Motion by Coffman, second by Jurinsky to end debate.

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

Voting Nay: Marcano, Medina, Murillo

Motion by Sundberg, second by Lawson to approve item 11i.

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

Voting Nay: Coombs, Marcano, Medina, Murillo

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. **Retail Theft Ordinance**

2022-47 FOR AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, AMENDING SECTIONS OF THE CITY CODE PERTAINING TO MANDATORY MINIMUM SENTENCES FOR "RETAIL THEFT" IN THE AURORA MUNICIPAL CODE TO COMBAT THE INCREASE IN ORGANIZED RETAIL THEFT AND RELATED OFFENSES

◆ *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.*

Sponsor: Danielle Jurinsky, Council Member

Cassidee Carlson, Division Chief, Police / Pete Schulte, Public Safety Client Group Manager

Item was pulled from the agenda.

14.b. **Keeping of Domesticated Ducks in Residential Areas**

2022-48 FOR AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, AMENDING SECTIONS 14-134 AND 14-135 OF THE CITY CODE PERTAINING TO THE KEEPING OF DUCKS IN RESIDENTIAL AREAS

Augusta Allen, Field Supervisor of Animal Services / Angela Garcia, Senior Assistant City Attorney

Augusta Allen, Field Supervisor of Animal Services, provided a summary of the item.

CM Zvonek asked if this ordinance contradicts the water conservation ordinance. A. Allen said that the ducks would not need much more water than any other pet. M. Coffman said that it would not contradict since the water for ducks is not considered ornamental water features.

MPT Bergan asked if it is from April to October that the ducks would need 30 gallons of water. A. Youngblood confirmed this. MPT Bergan asked how they currently do inspections. A. Youngblood said that the plan for the coop set-up, building, and site will be checked by the Planning Department. If there are calls from neighbors regarding the animals, Animal Services would deal with these on a case-to-case basis. MPT Bergan asked if there have been many violations. A. Youngblood said that they have had some, but not many.

CM Jurinsky asked how staff will deal with ducks flying into people's yards. She mentioned that once Animal Services gets there, the ducks may have already been collected by the owners. A. Youngblood said that the residents can take pictures that will be used as evidence in court. If an owner has had habitual offenses of the duck or animal running at-large ordinance, they then will be taken to court to have the judge decide if they are the right owner for the animals.

CM Jurinsky asked if the Animal Shelter is prepared to keep seized ducks. A. Youngblood said that they can house ducks for a short period. In the summer months, they will be outdoors. For winter, they have rooms available.

CM Coombs asked if there are rescues or other entities that they refer out for shelter in case they run into capacity issues. A. Youngblood explained that the animals are kept throughout a stray period to ensure that it is not owned. After this period, they cannot be reclaimed. He mentioned that they are lucky with having livestock such as ducks, chickens, and roosters being taken to a farm not located in Aurora.

MPT Bergan expressed concern about quackery. A. Youngblood said that ducks are noisier than chickens and people need to be aware. CM Sundberg asked a question

regarding the consumption of the animal after expiration. A. Youngblood explained that if the animal died naturally, they are allowed to consume the animal. However, they are not allowed to butcher the animal on city property.

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

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

Voting Nay: Gardner

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. **Green Valley Ranch East Metropolitan District Nos. 6-14**

2022-43 FOR AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO APPROVING THE CONSOLIDATED SECOND AMENDED AND RESTATED SERVICE PLAN FOR GREEN VALLEY RANCH EAST METROPOLITAN DISTRICT NOS. 6-14 AND AUTHORIZING THE EXECUTION OF AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF AURORA, COLORADO AND THE DISTRICTS

Cesarina Dancy, Senior Development Project Manager, Office of Development Assistance / Brian Rulla, Assistant City Attorney

Cesarina Dancy, Senior Development Project Manager, provided a summary of the item.

CM Coombs mentioned that this goes to a 50-year debt service term which is beyond the service plan and \$36 billion to give flexibility to the developer. She stressed that there are no clear financial plans and clear inclusion areas. CM Coombs expressed her opposition to the ordinance.

MPT Bergan said the city's service plan has a 50 mill levy cap adjuster for Gallagher. She said the homeowner would not be assessed higher than this. J. Cox confirmed this. MPT Bergan said that even if it is authorized for 50 years, it could be shorter. She asked if this allows for refinancing opportunities. J. Cox said it does.

CM Coombs asked if they could vote to override the 50 mills. J. Cox said yes. MPT Bergan asked if this has happened and if it would be the homeowner's vote. J. Cox said it would typically be the resident vote. MPT Bergan added that the debt also includes infrastructure such as water and sewer lines and homes. She mentioned that it is part of ARTA for regional improvement.

CM Zvonek said that if they were to raise the mills, it would then require a mill levy override elections. This would be a TABOR election which would indicate that taxes will be raised. He asked if this is correct. J. Cox confirmed this. CM Zvonek stated that the taxpayer would know that their taxes will be raised as it is in the first sentence of the language as per TABOR.

CM Coombs said that it would be helpful to have information regarding the turnout of Metro District Elections and the number of districts within Aurora that exceeded the 50-mill cap.

Motion by Bergan, second by Jurinsky to approve item 15a.

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

Voting Nay: Coombs, Marcano, Medina, Murillo

15.b. Gun Club at Windler Street Vacation

2022-44 FOR AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, VACATING THE PUBLIC RIGHT-OF-WAY FOR A PORTION OF GUN CLUB ROAD, WHICH RUNS SOUTH TO NORTH THROUGH SECTION 18, TOWNSHIP 3 SOUTH, RANGE 65 WEST, CITY OF AURORA, COUNTY OF ADAMS, STATE OF COLORADO (GUN CLUB ROAD AT WINDLER RIGHT-OF-WAY VACATION)

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

15.c. Sales and Use Tax Exemption Direct Government Fees

2022-45 FOR AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, AMENDING ARTICLE II OF SECTION 130 OF THE CITY CODE EXEMPTING CERTAIN FEES FROM SALES AND USE TAX

Sponsor: Dustin Zvonek, Council Member

Jeffrey Edwards, Manager of Tax / Hanosky Hernandez, Senior Assistant City Attorney

Motion by Gardner, second by Marcano to approve items 15b through 15c.

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

15.d. Enacting Section 138-191 of the City Code Pertaining to the Use of Turf and Ornamental Water Features

2022-46 FOR AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, ENACTING SECTION 138-191 OF THE CITY CODE PERTAINING TO THE USE OF TURF AND ORNAMENTAL WATER FEATURES

Sponsor: Mike Coffman, Mayor

◆ *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.*

Marshall Brown, General Manager, Aurora Water / Ian Best, Assistant City Attorney

Marshall Brown, Aurora Water General Manager, provided a summary of the item.

Mayor Coffman applauded Council for passing the ordinance. He stressed the importance of conserving water for a sustainable future.

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

Motion by Coffman, second by Gardner to approve the presented amendment.

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

Motion by Coffman, second by Coombs to approve item 15d as amended.

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

16. **PLANNING MATTERS**

17. **ANNEXATIONS**

17.a. **21861 E. 26th Avenue Annexation**

R2022-167 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, FINDING A PETITION FOR ANNEXATION OF A CERTAIN PARCEL OF LAND LOCATED IN THE SOUTHWEST QUARTER OF SECTION 25, TOWNSHIP 3 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF ADAMS, STATE OF COLORADO, TO BE IN SUBSTANTIAL COMPLIANCE WITH SECTION 31-12-107(1), C.R.S., AND GIVING NOTICE OF A PUBLIC HEARING ON THE PROPOSED ANNEXATION (21861 E. 26TH AVENUE ANNEXATION) 5 ACRES

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

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

Motion by Gardner, second by Sundberg to approve item 17a.

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

17.b. **Harvest Road Property Annexation Parcel A**

R2022-168 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, FINDING A PETITION FOR ANNEXATION OF A CERTAIN PARCEL OF LAND LOCATED IN THE WEST HALF AND THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 32, TOWNSHIP 3 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF ADAMS, STATE OF COLORADO, TO BE IN SUBSTANTIAL COMPLIANCE WITH SECTION 31-12-107(1), C.R.S., AND GIVING

NOTICE OF A PUBLIC HEARING ON THE PROPOSED ANNEXATION (HARVEST ROAD PARCEL A ANNEXATION) 161.090 ACRES

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

Outside Speaker: Blair Lichtenfels, Brownstein Hyatt Farber Schreck, LLP

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

MPT Bergan asked if the public hearing would include a fiscal analysis. J. Cox explained that the fiscal analysis is not part of the annexation process. However, there is a fiscal analysis being done in the Northeast Area to amend the city's comprehensive annexation boundary.

Motion by Gardner, second by Bergan to approve item 17b.

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

17.c. **Harvest Road Property Annexation Parcel B**

R2022-169 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, FINDING A PETITION FOR ANNEXATION OF A CERTAIN PARCEL OF LAND LOCATED IN THE WEST HALF AND THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 32, TOWNSHIP 3 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF ADAMS, STATE OF COLORADO, TO BE IN SUBSTANTIAL COMPLIANCE WITH SECTION 31-12-107(1), C.R.S., AND GIVING NOTICE OF A PUBLIC HEARING ON THE PROPOSED ANNEXATION (HARVEST ROAD PARCEL B ANNEXATION) 147.506 ACRES

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

Outside Speaker: Blair Lichtenfels, Brownstein Hyatt Farber Schreck, LLP

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

Motion by Gardner, second by Coombs to approve item 17c.

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

18. **RECONSIDERATIONS AND CALL UPS**

19. **GENERAL BUSINESS**

19.a. **Consideration to Appoint Five (5) Members and Reappoint Two (2) Members to the Citizens Advisory Committee for Housing and Community Development**

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

Motion by Coombs, second by Medina to appoint Joshua Dieker, Richard Berge, Erica Ponder, Rose Armstrong, and Christopher Boyd to the Citizens Advisory Committee for Housing and Community Development.

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

20. **REPORTS**

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

Mayor Coffman thanked the International Office of Immigrant and Refugee Affairs and PROS staff for the Global Fest. He applauded the CRT Team and CIT-trained Officer Joe Valdez of District II who responded to a call regarding an individual having a mental health crisis and exhibiting threatening behavior. The team was able to connect and show compassion and empathy to the individual. The individual eventually laid down their weapon and was apprehended.

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

CM Lawson stated that the House and Senate are on recess until after Labor Day. They will reconvene in September to work on the fiscal year-end before the 2022 elections. City staff members are meeting with state delegations to build relationships and prepare for the 2023 session. Departments have submitted their proposed state and federal priorities to be presented to the FSIR Committee, then to full Council in the Fall.

CM Gardner congratulated Tina Buneta for receiving the Communications Center Director of the Year Award from the Association of Public-Safety Communications Officials (APCO). He encouraged the public to join Aurora911's team. He announced that the At-Large council members will have a Town Hall on August 25th at the Beck Recreation Center.

CM Jurinsky announced that the At-Large Town Hall will be at 6 PM at the Beck Recreation Center. She mentioned that she is working with Aurora Animal Shelter to reduce adoption fees to 50% for August. She said that the shelter can no longer accept surrendered or stray dogs until further notice due to the influx.

CM Zvonek said he met with business leaders in the Havana BID regarding retail theft and its impacts on businesses. He mentioned that APD presented a plan during the Public Safety Committee meeting to partner with businesses to identify and apprehend prolific thieves. He announced that CM Jurinsky will bring forward an ordinance to further crack down on retail theft. He encouraged the public to learn more about this ordinance during the September 8th Public Safety Committee Meeting at 8:30 AM.

CM Murillo commended the organizers of the Eco Fiesta. She announced that her Town Hall will be on Thursday at the Moorhead Recreation Center at 6 PM. There will be a virtual option.

CM Sundberg corrected the comment that the resolution on panhandling was put together in a week. He stated that G. Koumantakis and the legal department have done a lot of legal research on this matter and other cities. He also commended K. Stuart in Communications and the Graphics Art Department who created artwork for this resolution a few months ago. He announced that the Southeast Recreation Center is close to completion. He mentioned that he and CM Marcano saw the Walden 35 Housing Development, which is one of the 20 affordable housing projects underway in Aurora.

CM Medina announced that his Town Hall will be on September 7th at the Active Adult Center from 6:30 to 8 PM.

CM Marcano commended the successful Global Festival. He announced that the next Family Safety Check will be on August 27th from 11 AM to 3 PM at 12900 East Mississippi Avenue. The event will provide steering wheel locks, gun locks, prescription drug disposal bags, catalytic converter labels, and free ice cream for children while supplies last. The next Ward IV meeting will be on September 8th at the Colorado Early Colleges at 6:30 PM. The meeting will feature Erin Pilnyak and Jeff Schlanger from IntegrAssure, the city's consent decree monitor.

CM Coombs announced that DRCOG did not have its monthly meeting because they are accepting public comment on the changes to the Metro Vision Regional Transportation Plan to address the state greenhouse gas reduction goals. To know more about these changes and give public comment, the public can go to www.drcog.org. CM Coombs finished the Water Fluency Program with Water Education Colorado. She will follow up with CM Sundberg on a report on this program. The first Ward V Town Hall in August at Heather Gardens received feedback on how residents would like to see multimodal transportation. The second Ward V Town Hall at the Mission Viejo Library had a talk from Marshall Brown regarding water and the conservation ordinance. Also, there were conversations regarding state and local issues, and the upcoming rate increases in 2023. CM Coombs attended the Global Fest after the Town Hall Meeting.

Mayor Pro Tem Bergan thanked CM Sundberg for setting up the Southeast Recreation Center Tour. She is looking forward to its grand opening in early 2023. She attended the Colorado Opioid Abatement Conference last August 15th and 16th. She mentioned that she is on the Colorado Opioid Region IX Committee. Mayor Pro Tem Bergan congratulated Tina Buneta for her well-deserved award.

21. **ADJOURNMENT**

Mayor Coffman adjourned the regular meeting of the City Council.

- ◆ *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.*



MIKE COFFMAN, MAYOR

ATTEST:


KADEE RODRIGUEZ, CITY CLERK

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