



AGENDA

Regular Meeting of the Aurora City Council

Monday, September 26, 2022

6:30 p.m.

City Council Chamber
15151 E. Alameda Parkway
Aurora, CO 80012

1. CALL TO ORDER
2. ROLL CALL
3. INVOCATION/MOMENT OF SILENCE
4. PLEDGE OF ALLEGIANCE
5. EXECUTIVE SESSION UPDATE
6. APPROVAL OF MINUTES
 - 6.a. September 12, 2022 Meeting Minutes
7. PROCLAMATIONS OR CEREMONIES
8. PUBLIC INVITED TO BE HEARD
(non-agenda related issues only)
9. ADOPTION OF THE AGENDA
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 A COMPETITIVELY BID CONTRACT to CED Denver, Denver, Colorado in the not-to-exceed amount of \$75,000.00 for the Eaton, Cutler Hammer Equipment and Parts for Aurora Water through October 1, 2023**

Marena Lertch, Manager of Water Services / Dave Lathers, Senior Assistant Attorney

- 10.b. First Creek Interceptor Segments 1B, 1C, and 1D - Bid Package 2**

Consideration to AWARD A COMPETITIVELY BID CONTRACT to Reynolds Construction, LLC, Denver, CO in the amount of \$39,409,917.00 for the First Creek Interceptor Segments 1B, 1C, 1D Bid Package 2 Project, Project No. 5858B, with \$7,000,000.00 to be funded and awarded in 2022.

Andrea Long, Senior Engineer, Aurora Water / David Lathers, Senior Assistant City Attorney

- 10.c. Consideration to AWARD A SOLE SOURCE CONTRACT to Accela, Inc., San Ramon, California in the amount of \$357,938.12 for 2022-2023 annual licensing and maintenance for the Accela workflow process software system through September 29, 2023.**

Staff requests a waiver of reconsideration in order to have the renewal purchase order delivered to Accela prior to current license and maintenance expiration date of September 29, 2022.

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

- 10.d. Consideration to AWARD CHANGE ORDER NO. 6 to a guaranteed maximum price contract to Saunders Construction, Inc., Centennial, Colorado in the amount of \$147,964.00.00 for the Southeast Recreation Center (SERC) Project, Project No. 5727A.**

Kelli Arnold, Senior Project Manager / Dave Lathers, Senior Assistant City Attorney

- 10.e. Veterans Service Officer Position Intergovernmental Agreement**

Hannah Smith, Intergovernmental Relations Manager / Hanosky Hernandez Perez, Senior Assistant City Attorney

11. RESOLUTIONS

11.a. Parker Road Multimodal Study

R2022-172 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, APPROVING THE INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF AURORA AND THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF ARAPAHOE, STATE OF COLORADO FOR THE PARKER ROAD MULTIMODAL STUDY

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

11.b. High Line Canal Transportation Improvement Project (TIP) Maintenance IGA w CDOT

R2022-173 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) REGARDING MAINTENANCE RESPONSIBILITIES FOR THE HIGH LINE CANAL TRAIL (EAST COLFAX TO I-70) PROJECT

Staff is requesting a waiver of reconsideration. This IGA is for a DRCOG TIP Grant project which has CDOT oversight. Due to grant program time constraints, the IGA was developed concurrent with construction solicitation. The requested Waiver of Reconsideration will allow for the final execution of the IGA prior to submission of Concurrence to Award to CDOT. Approval of both items is necessary to allow construction award prior to bid expiration.

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

11.c. Mutual Aid Agreement between Aurora Fire Rescue and South Adams County Fire Protection District

R2022-174 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, APPROVING THE INTERGOVERNMENTAL AGREEMENT FOR MUTUAL/AUTOMATIC AID BETWEEN THE CITY OF AURORA, COLORADO AND THE SOUTH ADAMS COUNTY FIRE PROTECTION DISTRICT, COLORADO

Rod Weber, Deputy Chief of Operations, Fire / Angela Garcia, Senior Assistant City Attorney

11.d. Intergovernmental Agreement Regarding Funding of Major Drainageway Planning for Four Square Mile Outfall Systems Plan

R2022-175 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, THE CITY AND COUNTY OF DENVER, AND SOUTHEAST METRO STORMWATER AUTHORITY REGARDING MAJOR DRAINAGEWAY PLANNING FOR FOUR SQUARE MILE OUTFALL SYSTEM PLAN

Swirvine Nyirenda, Planning and Engineering Services Manager, Aurora Water / Ian Best, Assistant City Attorney

11.e. Moral Obligation Resolution – Hyatt Conference Center and Parking Garage

R2022-176 A RESOLUTION CONCERNING THE TAX-EXEMPT DIRECT LOAN TO BE OBTAINED BY THE AURORA URBAN RENEWAL AUTHORITY, AND THE INITIAL FUNDING AND REPLENISHMENT OF THE DEBT SERVICE RESERVE FUND THEREFOR, AND AUTHORIZING CERTAIN OTHER ACTIONS IN CONNECTION WITH SUCH LOAN

Bond council recommends a waiver of reconsideration in order that staff has clear authority to act between the meeting and the closing of the loan.

Sponsor name: Curtis Gardner, Council Member

Teresa Sedmak, City Treasurer / Hanosky Hernandez, Senior Assistant City Attorney

11.f. City of Aurora Community Investment Funding Recommendation for 2021 Round – Eagle Meadows Homes

R2022-177 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, EXPRESSING THE AURORA CITY COUNCIL’S SUPPORT TO FUND AURORA HOUSING CORPORATION’S EAGLE MEADOW HOUSING PROJECT WITH HOME FUNDS

Martha “Alicia” Montoya, Housing & Community Development Manager / Sarah Carroll, Supervisor of Housing Development / Tim Joyce, Assistant City Attorney

- 11.g. City of Aurora Community Investment Funding Recommendation for Winter 2022 Round – Emporia Duplex**
- R2022-178** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, EXPRESSING THE AURORA CITY COUNCIL’S SUPPORT TO FUND ELEVATION COMMUNITY LAND TRUST IN PROVIDING AFFORDABLE HOUSING UNITS AT THE EMPORIA DUPLEX HOUSING PROJECT WITH HOME FUNDS
- Martha “Alicia” Montoya, Housing & Community Development Manager / Sarah Carroll, Supervisor of Housing Development / Tim Joyce, Assistant City Attorney
- 11.h. City of Aurora Community Investment Funding Recommendation for Spring 2022 Round – Jewell Apartments**
- R2022-179** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, EXPRESSING THE AURORA CITY COUNCIL’S SUPPORT TO FUND COMMUNITY HOUSING DEVELOPMENT ASSOCIATION, INC.’S JEWELL APARTMENTS WITH HOME FUNDS
- Martha “Alicia” Montoya, Housing & Community Development Manager / Sarah Carroll, Supervisor of Housing Development / Tim Joyce, Assistant City Attorney
- 11.i. City of Aurora Community Investment Funding Recommendation for 2020 Round – Jewell Apartments**
- R2022-180** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, EXPRESSING THE AURORA CITY COUNCIL’S SUPPORT TO FUND COMMUNITY HOUSING DEVELOPMENT ASSOCIATION, INC.’S REPAYMENT OF A PORTION OF THE LAND ACQUISITION LOAN FOR THE JEWELL APARTMENTS WITH HOME FUNDS
- Martha “Alicia” Montoya, Housing & Community Development Manager / Sarah Carroll, Supervisor of Housing Development / Tim Joyce, Assistant City Attorney
- 11.j. City of Aurora Community Investment Funding Recommendation for Summer 2021 Round – Peoria Crossing II / Aurora Housing Authority**
- R2022-181** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, EXPRESSING THE AURORA CITY COUNCIL’S SUPPORT TO FUND THE HOUSING AUTHORITY OF THE CITY OF AURORA’S PHASE II OF PEORIA CROSSINGS PROJECT WITH HOME FUNDS
- Martha “Alicia” Montoya, Housing & Community Development Manager / Sarah Carroll, Supervisor of Housing Development / Tim Joyce, Assistant City Attorney

11.k. City of Aurora Community Investment Funding Recommendation for Summer 2022 Round – Peoria Crossing II / Aurora Housing Authority

R2022-182 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, EXPRESSING THE AURORA CITY COUNCIL’S SUPPORT TO FUND THE HOUSING AUTHORITY OF THE CITY OF AURORA’S PHASE II OF PEORIA CROSSINGS PROJECT WITH HOME FUNDS

Martha “Alicia” Montoya, Housing & Community Development Manager / Sarah Carroll, Supervisor of Housing Development / Tim Joyce, Assistant City Attorney

11.l. King's Point Lease Agreement Amendment

R2022-183 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, EXPRESSING THE AURORA CITY COUNCIL’S SUPPORT OF THE AMENDED AND RESTATED WATER LEASE AND DEVELOPMENT AGREEMENT

Waiver of reconsideration requested due to the urgency of the matter.

Marshall Brown, Aurora Water General Manager / Jack Bajorek, Deputy City Attorney

11.m. Real Property for the Affordable Housing Land Bank Project

R2022-184 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, AUTHORIZING THE EXPENDITURE FOR THE ACQUISITION OF REAL PROPERTY FOR THE AFFORDABLE HOUSING LAND BANK PROJECT

Jessica Prosser, Director of Housing and Community Services / Hector Reynoso, Real Property Services Manager / Michelle Gardner, Senior Assistant City Attorney

12. PUBLIC HEARING WITH RELATED ORDINANCE

13. PUBLIC HEARING WITHOUT RELATED ORDINANCE

13.a. Decline Participation in the Family and Medical Leave Insurance (FAMLI) Program

R2022-185 A PUBLIC HEARING FOR A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, DECLINING THE CITY OF AURORA’S PARTICIPATION IN THE STATE OF COLORADO’S PAID FAMILY AND MEDICAL LEAVE INSURANCE PROGRAM PURSUANT TO C.R.S. § 8-13.3-522

Sponsor: Curtis Gardner, Council Member

Jennifer Lorenzen, Deputy Director of Human Resources / Kimberly Skaggs, Assistant City Attorney

14. INTRODUCTION OF ORDINANCES

14.a. Define Catalytic Converters as Secondhand Property

2022-49 FOR AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO AMENDING CHAPTER 86 RELATING TO SECONDHAND PROPERTY TO INCLUDE CATALYTIC CONVERTERS AND GIFT CARDS

Sponsor: Curtis Gardner, Council Member

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

14.b. Authorizing Eminent Domain for Acquisition of Certain Property Interests Necessary for the Homestake Project

2022-50 AN ORDINANCE AUTHORIZING THE CITY OF AURORA, COLORADO, TO EXERCISE THE POWER OF EMINENT DOMAIN FOR ACQUISITION OF CERTAIN PROPERTY INTERESTS NECESSARY FOR THE HOMESTAKE PROJECT

Alexandra Davis, Deputy Director of Water Resources, Aurora Water / Michelle Gardner, Senior Assistant City Attorney

14.c. An Ordinance Authorizing Eminent Domain To Acquire Real Property for the Affordable Housing Land Bank Project

2022-51 AN ORDINANCE AUTHORIZING THE CITY OF AURORA, COLORADO, TO EXERCISE THE POWER OF EMINENT DOMAIN FOR ACQUISITION OF CERTAIN PROPERTY INTERESTS NECESSARY FOR THE AFFORDABLE HOUSING LAND BANK PROJECT

Jessica Prosser, Director of Housing and Community Services / Hector Reynoso, Real Property Services Manager / Michelle Gardner, Senior Assistant City Attorney

14.d. Rules of Order and Procedure Amendment: Mandate Fiscal Note for Council

2022-52 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, ADDING SECTION 2-597 TO THE CITY CODE OF THE CITY OF AURORA REGARDING CONSIDERATION OF FISCAL IMPACTS FOR ITEMS BEING PRESENTED TO COUNCIL FOR CONSIDERATION

Sponsor: Alison Coombs, Council Member / Juan Marciano, Council Member

Jack Bajorek, Deputy City Attorney

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. 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

Sponsor: Danielle Jurinsky, Council Member

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

16. PLANNING MATTERS

17. ANNEXATIONS

17.a. Harvest Road Property Annexation Parcel A - Findings of Fact

R2022-186 PUBLIC HEARING AND CONSIDERATION TO APPROVE 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 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 (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

17.b. Harvest Road Property Annexation Parcel A

2022-53 CONSIDERATION OF AN ORDINANCE ANNEXING A 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 (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

17.c. Harvest Road Property Annexation Parcel B - Findings of Fact

R2022-187 PUBLIC HEARING AND CONSIDERATION TO APPROVE 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 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 (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

17.d. Harvest Road Property Annexation Parcel B

2022-54 CONSIDERATION OF AN ORDINANCE ANNEXING A 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 (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

17.e. 21861 E. 26th Avenue Annexation

R2022-188 PUBLIC HEARING AND CONSIDERATION TO APPROVE 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 SOUTHWEST QUARTER OF SECTION 25, TOWNSHIP 3 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF ADAMS, STATE OF COLORADO (21861 E. 26TH AVENUE ANNEXATION) 5 ACRES

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

17.f. 21861 E. 26th Avenue Annexation

2022-55 CONSIDERATION OF AN ORDINANCE ANNEXING A 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 (21861 E. 26TH AVENUE ANNEXATION) 5 ACRES

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

18. RECONSIDERATIONS AND CALL UPS

19. GENERAL BUSINESS

19.a. Consideration to Reappoint Three (3) Members to the Citizens Advisory Committee for Housing and Community Development

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

19.b. Consideration to Appoint One (1) Member to the Aurora Fox Arts Center Board

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

19.c. Consideration to Appoint One (1) Member and Reappoint One (1) Member to the Oil and Gas Advisory Committee

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

19.d. Consideration to Reappoint One (1) Member to the Cultural Affairs Commission

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

19.e. Consideration to Appoint One (1) Member to the Arts in Public Places Commission

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

19.f. Consideration to Reappoint One (1) Member to the Homestake Steering Committee

Marshall Brown, General Manager, Aurora Water / Rachel Allen, Client Group Manager,
Attorney

19.g. Consideration to Reappoint One (1) Member to the Joint Water Authority

Marshall Brown, General Manager, Aurora Water / Rachel Allen, Client Group Manager,
Attorney

20. REPORTS

20.a. Report by the Mayor

20.b. Reports by the Council

21. ADJOURNMENT