
MINUTES

Regular Meeting of the Aurora City Council

Monday, November 14, 2022

1. **RECONVENE REGULAR MEETING OF NOVEMBER 14, 2022, AND CALL TO ORDER**

Mayor Coffman reconvened the regular meeting of the City Council for November 14, 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 and followed by reading the Land Acknowledgement.

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

5. **EXECUTIVE SESSION UPDATE**

Mayor Coffman stated that during the executive session, the council discussed settlement negotiations and police chief recruitment.

6. **APPROVAL OF MINUTES**

6.a. **October 24, 2022, Meeting Minutes**

Motion by Bergan, second by Sundberg, to approve the minutes of October 24, 2022 as presented.

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

7. **PROCLAMATIONS OR CEREMONIES**

7.a. **National Homeless and Hunger Awareness Week**

◆ *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.*

Mayor Coffman proclaimed November 12th through 20th, 2022 as National Homeless and Hunger Awareness Week.

Mayor Coffman recognized the presence of Cub Scout Pack 11-27.

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**

9.a. **Grand Avenue Townhome Site Plan with an Adjustment (Item 13.a.)**

Applicant presentation: 15 minutes permitted under Council Rules

Appellant presentation: 15 minutes allowed if approved by Council

MPT Bergan explained that they normally approve the 15-minute presentations during the adoption of the agenda, and they will present at the beginning of the designated item. Mayor Coffman asked if they should move it to the end of the meeting since it would be lengthy.

CM Gardner expressed his opposition to the motion to move the item to the end of the agenda. CM Marcano mentioned that they previously had presentations during their designated slot, or they are moved earlier in the meeting.

CM Murillo expressed her opposition to moving the item to the end of the meeting but wants to approve the appellant's presentation. She offered a substitute motion.

Motion by Bergan, second by Lawson to adopt the agenda with the appellant presentation and move item 13a to the end of the agenda.

SUBSTITUTE MOTION

Motion by Murillo, second by Bergan to adopt the agenda with the appellant presentation.

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.

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- 10.a. **Consideration to EXTEND A SINGLE SOURCE CONTRACT with GolfNow, Chicago, Illinois in the Amount of \$69,000.00 for the Golf Course Point of Sale Software for the Points of Sale at the Five City of Aurora Owned Golf Courses through December 31, 2023**

Doug McNeil, Manager of Golf / Dave Lathers, Senior Assistant City Attorney

- 10.b. **Consideration to EXTEND A COMPETITIVELY BID CONTRACT to Republic Services of Denver, Commerce City, Colorado in the Amount of \$113,000.00 for Trash Collection – South Side of the City through August 31, 2023**

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

- 10.c. **Consideration to EXTEND A COMPETITIVELY BID CONTRACT to Republic Services of Denver, Commerce City, Colorado in the Amount of \$130,000.00 for Trash Collection – North Side of the City through August 31, 2023**

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

- 10.d. **ARPA Nonprofit Grant Agreements**

Christina McClelland, Grant Development Manager / Hanosky Hernandez, Senior Assistant City Attorney

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

MPT Bergan requested to make a motion to table item 10d until the next meeting to have more time to review it. CM Marcano mentioned that there had been frustration from some council members in the past for postponing items due to the inability to read through them all. He asked if there are specific items that MPT Bergan had questions about.

CM Gardner asked how the \$313,598 for East Colfax Community Collective would be used. N. Wishmeyer answered that it would be for legal services, the community navigator which will help residents and small businesses go through the application process for grant sources, and translation services. CM Coombs stated that she does not see a reason to delay already vetted grants since October 3rd when they've had over a month to review them, and they had larger grant awards. MPT Bergan said that they delayed the youth grant awards. She explained that she is asking to postpone to go more in-depth.

CM Marcano commented that he encountered a similar issue with the federal and state priorities that were readily available for comment and review weeks prior to the meeting. He mentioned that CM Lawson will be bringing forward a proposal to make being in Council a full-time paying job. He stressed that he does not like delaying city business since they were given ample opportunity to read through the items and check in with staff and other council members.

Motion by Bergan, second by Lawson to table the item to the next regular Council Meeting.

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

Voting Nay: Coombs, Marcano, Medina, Murillo

10.e. **Consideration to AWARD A SINGLE SOURCE CONTRACT to Innovest Portfolio Solutions LLC in the Amount of \$67,750 for Investment Advisory Services Associated with the City's 457 and 401(a) Plans through December 31, 2023**

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

10.f. **Consideration to EXTEND AN OPENLY SOLICITED CONTRACT to LOOMIS, Aurora, Colorado in the Amount Not-to-exceed \$65,000.00 for Armored Car Services. (RFP-1972)**

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

10.g. **Consideration to AWARD A SOLE SOURCE CONTRACT to MMLJ INC., Houston, Texas in the Amount of \$68,000.00 for the Purchase of a Portable Dustless Blasting System**

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

10.h. **Granular Activated Carbon for Binney Water Purification Facility**

Consideration to AWARD A COMPETITIVELY BID CONTRACT to Cabot Norit Americas, Inc., Marshall, Texas, in the Amount of \$480,240.00 for the Purchase of Granular Activated Carbon Water Treatment Media for the Binney Water Purification Facility, Invitation for Bid B-4667.

Bobby Oligo, Manager of Water Treatment, Aurora Water / Dave Lathers, Senior Assistant City Attorney

10.i. **Consideration to AWARD A COMPETITIVELY BID CONTRACT to American Civil Constructors, Inc., Littleton CO in the Amount of \$8,443,892.50 for the High Line Canal Trail Improvements; Project 5890A**

Waiver of reconsideration is requested to accommodate the completion of the award process before the expiration of construction bids. This project is a DRCOG TIP project and required multiple CDOT approvals before this award could be brought forward for Council's consideration resulting in a compressed award schedule.

Matt Kozakowski, Transportation Project Delivery Manager / David Lathers, Senior Assistant City Attorney

10.j. **First Creek Interceptor Connection to Prologis Lift Station Project, Project No. 5906A**

Consideration to AWARD A COMPETITIVELY BID CONTRACT to American West Construction LLC, Denver, CO, in the amount of \$2,394,100 for the First Creek Interceptor Connection to Prologis Lift Station Project, Project No. 5906A, with \$500,000 to be funded and awarded in 2022

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

10.k. **Consideration to AWARD AN OPENLY SOLICITED CONTRACT to Cumming Management Group, Inc., Englewood, CO in the Amount of \$300,000.00 for Staff Augmentation for Aurora Water Project Management Services, Project NO. R-2295**

Sarah Young, Deputy Director Planning and Engineering / Dave Lathers, Senior Assistant City Attorney

10.l. **Consideration to AWARD A COMPETITIVELY BID CONTRACT to Morton Electric, Inc., Pueblo, CO in the amount of \$2,419,708.30 for the 2022 Traffic Signal Construction; Project 5900A.**

Carlie Campuzano, Manager of Traffic, Public Works / Dave Lathers, Senior Assistant City Attorney

10.m. **Consideration to AWARD A SINGLE SOURCE CONTRACT to Flexential Corporation, Charlotte, NC in the Amount of \$234,306.00 for Hosted Datacenter Services.**

Waiver of reconsideration was requested to allow for a quicker transition to the new provider due to the critical services provided at the City datacenters.

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

10.n. **Consideration to AWARD A SOLE SOURCE CONTRACT to Cadre Research Labs, Evanston, IL in the Amount of \$130,900.00 for the Purchase of a Top Match-3D High Capacity Imaging and Analysis System.**

Tim Dufour, Lieutenant, Police / Dave Lathers, Senior Assistant City Attorney

10.o. **Consideration of a Professional Services Agreement with Capitol Capital in the amount of \$71,000 for the 2023 State Lobbying Contract**

Sponsor: Angela Lawson, Council Member

Roberto Venegas, Deputy City Manager

10.p. **Consideration of a Professional Services Agreement with Holland & Knight in the Amount of \$120,000 for the 2023 Federal Lobbying Contract**

Sponsor: Angela Lawson, Council Member

Roberto Venegas, Deputy City Manager

Motion by Bergan, second by Sundberg to approve the consent calendar items 10a through 10c, and 10e through 10p.

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

11. **RESOLUTIONS**

11.a. **Homeless Initiative**

R2022-195 A RESOLUTION FROM THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, EXPRESSING THE AURORA CITY COUNCIL'S DESIRE TO REDUCE THE NUMBER OF PEOPLE EXPERIENCING HOMELESSNESS THROUGH EMPLOYMENT-BASED PROGRAMMING AND CONDITIONS-BASED TRANSITIONAL HOUSING THAT LEADS TO SELF-SUFFICIENCY. THE CITY COUNCIL DIRECTS THE CITY MANAGER AND HIS STAFF TO SUPPORT THIS EFFORT BY DEVELOPING AND EXECUTING A COMPREHENSIVE APPROACH THAT ALIGNS WITH THE NECESSARY SUPPORT TO MEET THE NEEDS OF THE DIVERSE HOMELESS POPULATION IN AURORA

Sponsor: Mike Coffman, Mayor

Council heard public in-person testimony.

Mayor Mike Coffman provided a summary of the item.

Discussion on the Bergan Amendment

Mayor Coffman asked G. Koumantakis to speak to Mayor Pro Tem Bergan's previous amendment. G. Koumantakis explained that Mayor Pro Tem Bergan's previous amendment requires the campus to be operated by a nonprofit organization but does not allow the use of general fund revenues for construction, maintenance, or operations. G. Koumantakis said that Mayor Coffman wants to change this into the city being responsible for maintaining the facility and reimbursing the operator for the cost of the low-barrier emergency shelter. Mayor Pro Tem Bergan asked if the city would only be responsible for maintenance but not operations. Mayor Coffman confirmed this. He explained that Colorado Springs Rescue Mission was reimbursed by the city for the first phase. They raised money from foundations, grants, and CDBG money, but not general funds for Colorado Springs to provide programming and transitional housing, and work. Rescue Mission also mentioned that Aurora may not need general fund revenue to support the low-barrier emergency shelter.

Mayor Pro Tem Bergan asked for confirmation if the language states that they would maintain the shelter versus they "might." Mayor Coffman explained that they are referring to the mechanical parts of the facility such as the roof. Mayor Pro Tem Bergan expressed concern about possible high-cost facility maintenance. She said that she does not want taxpayers to be responsible for a building that they are not constructing. Mayor Coffman said that they are. Mayor Pro Tem Bergan said that they are constructing using money from the state. Mayor Coffman said that they have a commitment from Adams and Arapahoe County in addition to the money that they are applying for from the state. He added that they are using the city's ARPA dollars dedicated to capital construction. He explained that it will be a city-owned facility that will be operated by a nonprofit contractor.

CM Coombs pointed out that they don't have commitments from Adams and Arapahoe Counties and that the state grant applications are competitive. J. Prosser explained that they don't have a formal written commitment. However, the item has gone before both Board of County Commissioners through Study Session. Arapahoe County has already agreed. Adams County would have to go back to the County Commissioners on December 6th. CM Coombs asked what the counties are supporting. J. Prosser answered that they presented a concept plan for the Navigation Campus to include an emergency shelter, transitional housing, and a day center that would include navigation services such as mental health, medical, laundry, and food. A commitment to those participating in funding the facility would be part of the RFP and selection process for an operator wherein the specifics of the operations would be discussed. CM Coombs pointed out that they did not say that they were on board with what is in the resolution, but they approve of having a say in the operator and operations if they give their funds. J. Prosser reiterated that they presented a conceptual plan but the discussion on operations would come later. Mayor Coffman said that this provides a direction in terms of how the campus will operate programmatically. He said that the state and the counties will come on board.

MPT offered a different change to her amendment to remove the language regarding funding but retain that the campus will be operated by a nonprofit. Mayor Coffman considered this a friendly amendment.

Discussion on Marcano Amendment (self-reliance)

CM Marcano mentioned that some of his amendments were adopted in the Whereas clauses, but the bulk was unaddressed. He said that he does not believe that the County partners would support a Treatment or Work-First program. He mentioned that the commissioners and the state are looking for evidence-based solutions that are not exclusive to Housing-First and other best practices.

CM Marcano presented his first amendment to strike "self-sufficiency" throughout the text and replace it with "self-reliance". He explained that self-reliance empowers people to have control over their decision-making. However, self-sufficiency means depending on nobody else but yourself. Mayor Coffman urged a no vote and stated that self-sufficiency is an aspirational goal.

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Discussion on Marcano Amendment (4th Whereas Clause)

CM Marcano presented his next amendment to replace “include employment-based programming and conditions-based transitional housing to increase the number of people who exit homelessness on an annual basis” with “that empower individuals experiencing homelessness to choose for themselves their path to self-reliance, to include mental and physical health care, job training, educational assistance, and low-barrier housing” in the 4th Whereas Clause.

Mayor Coffman urged a no vote and said that it waters down the program. He reiterated that the people opt to participate and are given a navigation plan by a case manager. Mayor Pro Tem Bergan urged a no-vote and said that people should have a plan.

CM Marcano reiterated that the project was meant to be a regional campus and they are trying to get state support. He said that it would be unlikely to get support if they are insistent on a narrow work-first scope of programming. He added that they must set themselves up for success and serve as many people as possible. He mentioned that they have niche programs such as Bridge House that are workforce focused. But people must be of sound mind, willing, able, and sober to participate in the program. However, a percentage of the unhoused population is not. He stressed that they should not be tailoring a large project to a niche population since it would not make them attractive for grants and it would not be as effective. He urged a yes vote. Mayor Pro Tem Bergan asked if those on the low barrier would still be receiving services. Mayor Coffman said yes.

Discussion on Marcano Amendment 8

CM Marcano presented his amendment which adds another bullet to Section 1.

Mayor Coffman stated that this contradicts other parts of the resolution that states they are not going to accept federal funds if it compromises the program. He said this is not the direction they want to go with the program. He stressed the outcome they want is for people to get back on their feet, get job training, and acquire jobs. CM Lawson said that intergovernmental collaboration will be important if they are seeking funding. Mayor Coffman said the language is unnecessary because the resolution already speaks to working with other entities and establishing IGAs. He mentioned that permanent supportive housing is successful for those who cannot work. He expressed concern that the amendment might be interpreted as Aurora negotiating its approach with everybody. He said they should show the state and counties that this is what Aurora wants to do and they can either come along or not. Mayor Coffman said he believes that the Governor would be in support of the program.

CM Coombs pointed out that the language may only either be unnecessary because it is implied or it is contradictory, but it cannot be both. She pointed to the program in Houston that showed leadership in regional collaboration. She stressed that they are relying on other jurisdictions’ money as well and they should show leadership by working together and recognizing each other as equals. Mayor Pro Tem Bergan said they do not know what the development of necessary infrastructure implies. She

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pointed out that the amendment is unnecessary since they already do work with federal, state, and local governments.

CM Zvonek expressed concerns about the amendment potentially tying them to the federal government's preferred Housing-First Policy which only works for a small segment of the unhoused population who are unable to reach self-reliance. He stated that they should encourage regional and state partners to do differently, take an all-of-the-above approach, and not treat everything with a one-size-fits-all policy such as Housing-First which does not work. He expressed his opposition to the amendment. CM Zvonek mentioned the official position of the city to request a waiver or a block grant from the federal government to give cities and the state more flexibility on how to spend funding for homelessness. He mentioned that they have an opportunity to help people with behavioral, mental, or addiction issues who are being left untreated unless they want to. Through this resolution, they can encourage these people and incentivize them to become self-reliant. He stressed that if this ultimately leads to not getting funding, then they should still do something differently rather than going down the same failed path as Housing First.

Mayor Pro Tem Bergan asked if there is expected funding from philanthropic organizations. Mayor Coffman said that it would be for the operations but not for the construction.

CM Marcano stressed that Housing First is the most effective approach that they can take to solve homelessness. He mentioned that they could secure once-in-a-lifetime funding for Aurora through intergovernmental collaboration. He stated that narrowly tailoring the resolution against the best evidence available is setting Aurora and the state up for failure. He encouraged other council members to rethink their approach and lean into cooperation. CM Coombs pointed out that they are presenting a rhetoric that Aurora does not care about others' input on the project. She said that this kind of thinking results in different entities using resources and pulling in different directions rather than putting all resources together in the same direction.

CM Gardner asked if they could still collaborate with other jurisdictions and governmental agencies if the amendment would not be added. G. Koumantakis said that there is language present in the resolution.

Discussion on Marcano Amendment 9

CM Marcano presented his amendment which revises "co-locate necessary services" to "co-locate necessary services to the maximum extent possible" in Section 1.

Mayor Coffman expressed his support for the amendment and said that it was already expressed in the language but reinforcing it would not be a problem. He further stated that their goal is to have partner agencies for mental health, addiction recovery, and job training on campus.

CM Lawson commented on why they did not approve of reinforcing collaboration with federal, state, and local partners.

CM Marcano explained that he is forwarding this amendment because it is important to stress that they are doing these to the maximum extent possible and not send a message to staff or partners that all services must be co-located. He wanted to demonstrate flexibility in the spirit of cooperation. Mayor Coffman added that it reinforces the spirit of the proposal. However, the prior amendment would cause the city to negotiate or compromise the direction that they want to take.

Discussion on Marcano Amendment 10

CM Marcano presented his amendment which revises the word "arranged" to "sought" in Section 1 which states "Provide a navigation center to offer short-term bridge housing along with supportive services while long-term housing is being arranged."

Mayor Coffman said that the amendment is unnecessary, and people are going to be participating in programs. He stressed the importance of people going through the programs, so they do not go back on the street. He expressed concern that this amendment would swerve the resolution into a different approach and would take people into housing instead of going through case management and participating in addiction recovery and job training. CM Coombs clarified that the amendment more broadly encompasses what people would get at the Navigation Center since it includes case management and other supportive services. She explained that the only difference is that the amendment says that the Navigation Center would offer short-term bridge housing, which is also the intent of providing transitional housing.

CM Coombs offered an amendment to change "short-term bridge housing" into "transitional housing." Mayor Coffman said that transitional housing is in the latter phase. CM Marcano considered this as a friendly amendment. CM Marcano pointed out that the Navigation Center programs do not preclude case management. He stressed that any program addressing homelessness requires case management. He explained that the amendment adds clarity, and it specified that the Navigation Center is not simply a rebranded congregant shelter. It bridges the unhoused population to move towards self-reliance and independence.

Discussion on Marcano Amendment 11

Mayor Pro Tem Bergan commented that the resolution should be fairly simple, but they are discussing numerous amendments. Mayor Coffman responded that the resolution sets a direction for the campus. CM Coombs mentioned that they did not finish discussing all the amendments last time because some council members requested the mayor to revise the resolution and bring it back. However, the Mayor did not participate in further discussions before bringing it to the floor again. Mayor Pro Tem Bergan said that they don't have to do several amendments to a resolution. Mayor Coffman explained that he had the amendments before him and added some to the resolution, including ones that passed during the previous Regular Meeting.

CM Marcano forwarded his amendment that adds "Provide Rapid Re-Housing (RRH) services to ensure a quick exit from homelessness for low-acuity individuals and families" to Section 1. He explained that this is for people who are down on their luck

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and do not need to be on campus. This reiterates to partners that it is a priority for Aurora to ensure that no one falls through.

Mayor Pro Tem Bergan asked if the city does rapid rehousing. J. Prosser said that they currently offer rapid rehousing through different service providers and some federal funding. CM Zvonek asked if anyone could go into rapid rehousing and if there are conditions. J. Prosser said it would be people that can afford their rent or a portion of it. The program has a two-year time limit and comes with case management. CM Zvonek asked if they could avail of the program for any reason that they're experiencing homelessness. J. Prosser said that people can apply regardless of the reason why they are unhoused. CM Coombs clarified that there are conditions to this. She mentioned that she referred people to the program but have not qualified.

Mayor Pro Tem Bergan said that there must be conditions for not bringing drugs into pallet homes. J. Prosser clarified that pallet homes are not considered rapid rehousing but bridge or transitional housing. She added that those in pallet shelters may eventually qualify for rapid rehousing.

Mayor Coffman asked if there were directions to have partner nonprofits deal with families and not have families on the campus. G. Koumantakis said that there is a warehouse clause stating that the city shall be responsible for identifying an alternative location to provide for the needs of homeless families while providing emergency shelter until a transfer can occur. Mayor Coffman asked if this is done out of the Day Resource Center. J. Prosser answered that rapid rehousing is done out of partner agencies like Mile-High and the Salvation Army. It is partially funded through federal funds like HUD, HOME, and ESG. It is also funded through the city's Flex Fund which is a one-time assistance.

Mayor Coffman clarified that even though off-campus partner agencies would deal with family issues, the resolution states that they will relocate them under emergency purposes. Mayor Coffman expressed his support for the amendment. He asked if this is current policy. J. Prosser said yes. G. Koumantakis clarified that he was only explaining that the resolution also has something in place for families.

CM Medina asked what the availability of rapid rehousing is. J. Prosser answered that the funds are limited. She added that she will get back to the Council on the exact number of families and individuals that utilize the program yearly. Mayor Pro Tem Bergan suggested changing the language from "provide" to "if possible." CM Marciano explained that using "provide" shows a commitment to the strategy and emphasizes Aurora's priorities. He stressed the importance of collaboration and consolidating resources.

Mayor Coffman expressed concerns about other funds being diverted from the supportive services to rapid rehousing. J. Prosser explained that the funding from HUD for rapid rehousing could not be used for addiction recovery since it is specific that a certain portion must go to sheltering. She added that this would be worked out in the operations agreement with the partners and operator. CM Coombs clarified that organizations that provide supportive services use different sources of funding from

housing funds. She stressed that they are different buckets of money and that funds would not be diverted to rapid rehousing from supportive services.

Discussion on Marcano Amendment 13

CM Marcano presented Amendment 13 which replaces "offer workforce development opportunities" with "provide opportunities for workforce development through job training and educational assistance in coordination with case management."

Mayor Coffman said that it is unnecessary language and could be interpreted in a way that is contrary to the intent of the proposal. He added that educational assistance will be broad and that earning degrees does not necessarily lead to jobs that pay a living wage.

CM Jurinsky expressed her disappointment regarding all the unnecessary amendments despite the Mayor and CM Marcano being requested to hash out the resolution before bringing it back. CM Marcano explained that he also would have preferred sitting down with the Mayor, and revising it, but it did not happen. He added that the resolution did not even go to a policy committee. Mayor Coffman urged a no vote on the amendment.

Discussion on Marcano Amendment 14

CM Marcano presented his amendment that replaces "Continuously measure success by more than meals served and beds provided and instead centered around the number of people who reach self-sufficiency," with:

Continuously measure, for everyone enrolled in the program, the efficacy of the program as follows:

- Their utilization of supportive services.
- Their utilization of workforce development opportunities.
- Their housing status and income sources for 36 months beginning from their move-in date.
- Their employment status and income level for 36 months beginning from their move-in date.

Mayor Coffman said that it is unnecessary since these issues will be in the RFP.

Discussion on Marcano Amendment 15

CM Marcano presented his amendment that replaces "Reliance on community support (individuals, business community, and foundations) rather than federal support if it comes with inflexible requirements," with:

Develop an initiative to supplement Federal funding and City staffing and funding by generating financial and volunteer support from:

- Individuals

- Private businesses
- Non-Governmental Organizations
- Philanthropic Foundations

Mayor Coffman stated that it is unnecessary.

Discussion on Marcano Amendment 17

CM Marcano presented his amendment that adds "Develop a strategy to reach out to jurisdictions throughout the metropolitan region with the goal of building consensus on a shared regional strategy utilizing evidence-based best practices to reduce homelessness, sharing resources, and eliminating redundancies where appropriate to maximize the effectiveness of our collective efforts," to Section 1.

Mayor Coffman said that the resolution already has language on working with surrounding jurisdictions and developing IGAs.

Discussion on Marcano Amendment 12

CM Marcano presented his amendment which replaces "Incentivize participation in supportive services and require conditions for transitional housing," with "Provide Permanent Supportive Housing (PSH) services to ensure stability and supported recovery for individuals and families for whom Rapid Re-Housing alone would not be enough to prevent homelessness," in Section 1.

CM Marcano explained that this is a "yes, and..." He reiterated the importance of regional collaboration on projects where federal dollars and other jurisdictions are involved. He mentioned that Aurora is an outlier in its opposition to Permanent Supportive Housing. Mayor Coffman said that this is unnecessary and that other organizations are doing Permanent Supportive Housing.

Discussion on the Resolution

CM Marcano expressed his disappointment with the continuous abuse of calling for the question. He said that they should be as clear as possible with their intent when crafting resolutions. They need to signal to partners that they are willing to collaborate and that they have a clear idea of the potential of the Campus. He expressed his opposition to the resolution as it is not a wise use of resources, and they will not be able to garner regional support. He mentioned that this is signaling that they are opposed to following successful policy and utilizing evidence to address issues in the city.

CM Jurinsky commented on being accused of abuse by someone joining the meeting virtually while other Council members showed up in City Hall. CM Marcano explained that he is recovering from surgery.

Mayor Pro Tem Bergan commented that they have had amendments to resolutions, but not this many. CM Marcano said that the resolution should have been brought to a

policy committee or Mayor Coffman could have accepted his multiple offers to meet up and discuss the resolution.

Mayor Coffman explained that he was able to review CM Marcano's amendments beforehand and added in ones that he agreed with. He said that the resolution is a major policy initiative, and it allows Aurora to lead in a different direction than previous failed attempts. He added that it will be a tough-love approach in moving people into self-sufficiency through work and dealing with addiction and mental health challenges. He mentioned that not all people experiencing homelessness are in encampments, and some are couch surfing or do not have stable housing. He highlighted that this would move Aurora in a different direction and become a leader in addressing homelessness. He urged a yes vote on the resolution.

CM Coombs expressed her opposition to the resolution and stated that they should start within Aurora if they want to lead.

Motion by Bergan, second by Coffman to approve the Bergan amendment which adds "it would be operated by a non-profit."

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

Motion by Marcano, second by Coombs to approve the Marcano Amendment which replaces self-sufficiency with self-reliance.

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

Voting Nay: Gardner, Jurinsky, Sundberg, Zvonek

Motion by Marcano, second by Coombs to approve the Marcano amendment which revises the 4th Whereas Clause.

Voting Aye: Coombs, Marcano, Medina, Murillo

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

Motion by Marcano, second by Coombs to approve Marcano Amendment 8 which adds "foster and strengthen intergovernmental collaboration with the Federal government, the State government, County governments, as well as other Municipal governments, in the

development of the necessary infrastructure to address homelessness as expeditiously and effectively as possible," to Section 1.

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

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

Motion by Marcano, second by Coombs to approve Marcano Amendment 9 which revises "co-locate necessary services" to "co-locate necessary services to the maximum extent possible" in Section 1.

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

Voting Nay: Sundberg

Motion by Marcano, second by Coombs to approve Marcano Amendment 10 which revises "provide a navigation center to offer short-term bridge housing along with supportive services while long-term housing is being arranged" to "provide a navigation center to offer transitional housing along with supportive services while long-term housing is being arranged being sought" in Section 1.

Voting Aye: Coombs, Marcano, Medina, Murillo

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

Motion by Marcano, second by Coombs to approve the Marcano Amendment 11 that adds "provide Rapid Re-Housing (RRH) services to ensure a quick exit from homelessness for low-acuity individuals and families," to Section 1.

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

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

Motion by Jurinsky, second by Bergan to end debate on Marcano Amendment 13.

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

Voting Nay: Coombs, Medina, Murillo

Motion by Marcano, second by Coombs to approve the Marcano Amendment 13 that replaces "offer workforce development opportunities" with "provide opportunities for workforce development through job training and educational assistance in coordination with case management," in Section 1.

Voting Aye: Coombs, Marcano, Medina, Murillo

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

Motion by Coffman, second by Zvonek to end debate on Marcano Amendment 14.

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

Voting Nay: Coombs, Medina, Marcano, Murillo

Motion by Marcano, second by Coombs to approve the Marcano Amendment 14 which replaces "Continuously measure success by more than meals served and beds provided and instead centered around the number of people who reach self-sufficiency," with "Continuously measure, for everyone enrolled in the program, the efficacy of the program as follows: their utilization of supportive services, their utilization of workforce development opportunities, their housing status and income sources for 36 months beginning from their move-in date, and their employment status and income level for 36 months beginning from their move-in date," in Section 1.

Voting Aye: Coombs, Marcano, Medina, Murillo

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

Motion by Coffman, second by Zvonek to end debate on Marcano Amendment 15.

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

Voting Nay: Coombs, Medina, Murillo

Motion by Marcano, second by Coombs to approve the Marcano Amendment 15 which replaces "Reliance on community support (individuals, business community, and foundations) rather than federal support if it comes with inflexible requirements," with "Develop an initiative to supplement Federal funding and City staffing and funding by generating financial and volunteer support from individuals, private businesses, non-governmental organizations, and philanthropic foundations," in Section 1.

Voting Aye: Coombs, Marcano, Medina, Murillo

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

Motion by Coffman, second by Jursinky to end debate on Marcano Amendment 17.

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

Voting Nay: Coombs, Medina, Marcano, Murillo

Motion by Marcano, second by Coombs to approve the Marcano Amendment 17 which adds "Develop a strategy to reach out to jurisdictions throughout the metropolitan region with the goal of building consensus on a shared regional strategy utilizing evidence-based best practices to reduce homelessness, sharing resources, and eliminating redundancies where appropriate to maximize the effectiveness of our collective efforts," to Section 1.

Voting Aye: Coombs, Marcano, Medina, Murillo

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

Motion by Coffman, second by Jursinky to end debate on Marcano Amendment 12.

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

Voting Nay: Coombs, Medina, Marcano, Murillo

Motion by Marcano, second by Coombs to approve the Marcano Amendment 12 which replaces "Incentivize participation in supportive services and require conditions for transitional housing," with "Provide Permanent Supportive Housing (PSH) services to ensure stability and supported recovery for individuals and families for whom Rapid Re-Housing alone would not be enough to prevent homelessness," in Section 1.

Voting Aye: Coombs, Marcano, Medina, Murillo

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

Motion by Coffman, second by Zvonek to approve item 11a.

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

- ◆ ***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.***

Voting Nay: Coombs, Marcano, Murillo

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

11.b. Citadel on Colfax BID 2023 Operating Plan and Budget

R2022-200 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, APPROVING THE 2023 OPERATING PLAN AND BUDGET FOR THE CITADEL ON COLFAX BUSINESS IMPROVEMENT DISTRICT

Carol Toth, Manager of Accounting / Hanosky Hernandez, Senior Assistant City Attorney

Carol Toth, Manager of Accounting, provided a summary of the item.

Motion by Sundberg, second by Medina to approve item 11b.

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

Absent: Coombs, Gardner, Marcano

11.c. Painted Prairie No. 1 BID 2023 Operating Plan and Budget

R2022-201 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, APPROVING THE 2023 OPERATING PLAN AND BUDGET FOR THE PAINTED PRAIRIE BUSINESS IMPROVEMENT DISTRICT NUMBER ONE

Carol Toth, Manager of Accounting / Hanosky Hernandez, Senior Assistant City Attorney

Carol Toth, Manager of Accounting, provided a summary of the item.

Motion by Sundberg, second by Medina to approve item 11c.

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

Absent: Coombs, Gardner

11.d. Painted Prairie No. 2 BID 2023 Operating Plan and Budget

R2022-202 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, APPROVING THE 2023 OPERATING PLAN AND BUDGET FOR THE PAINTED PRAIRIE BUSINESS IMPROVEMENT DISTRICT NUMBER TWO

Carol Toth, Manager of Accounting / Hanosky Hernandez, Senior Assistant City Attorney

Carol Toth, Manager of Accounting, provided a summary of the item.

◆ *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.*

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

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

11.e. **Porteos BID 2023 Operating Plan and Budget**

R2022-203 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, APPROVING THE 2023 OPERATING PLAN AND BUDGET FOR THE PORTEOS BUSINESS IMPROVEMENT DISTRICT

Carol Toth, Manager of Accounting / Hanosky Hernandez, Senior Assistant City Attorney

Carol Toth, Manager of Accounting, provided a summary of the item.

Council heard public in-person testimony.

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

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

CM Coombs made a motion to move item 13a ahead. Mayor Pro Tem Bergan commented that they are only doing this because they had to vote on several amendments in item 11a. CM Gardner expressed his opposition. He mentioned that he previously brought forward an item to address the issue of dealing with perfunctory resolutions.

Motion by Coombs, second by Murillo to move item 13a after 11e.

Voting Aye: Mayor Coffman, Coombs, Medina, Murillo, Zvonek

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

11.f. **Tower BID 2023 Operating Plan and Budget**

R2022-204 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, APPROVING THE 2023 OPERATING PLAN AND BUDGET FOR THE TOWER BUSINESS IMPROVEMENT DISTRICT

Carol Toth, Manager of Accounting / Hanosky Hernandez, Senior Assistant City Attorney

Carol Toth, Manager of Accounting, provided a summary of the item.

CM Coombs called for a point of order. She asked if all the remaining resolutions may be taken in a single vote since they all moved unanimously out of the Study Session. K. Rodriguez said that they were advised to vote on the items separately since they are budget items.

◆ *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.*

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

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

11.g. **Windler No. 1 BID 2023 Operating Plan and Budget**

R2022-205 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, APPROVING THE 2023 OPERATING PLAN AND BUDGET FOR THE WINDLER BUSINESS IMPROVEMENT DISTRICT NO.1

Carol Toth, Manager of Accounting / Hanosky Hernandez, Senior Assistant City Attorney

Carol Toth, Manager of Accounting, provided a summary of the item.

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

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

11.h. **Windler No. 2 BID 2023 Operating Plan and Budget**

R2022-206 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, APPROVING THE 2023 OPERATING PLAN AND BUDGET FOR THE WINDLER BUSINESS IMPROVEMENT DISTRICT NO.2

Carol Toth, Manager of Accounting / Hanosky Hernandez, Senior Assistant City Attorney

Carol Toth, Manager of Accounting, provided a summary of the item.

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

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

11.i. **Fitzsimons Business Improvement District - Operation Plan and Budget**

R2022-207 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, APPROVING THE 2023 OPERATING PLAN AND BUDGET FOR THE FITZSIMONS BUSINESS IMPROVEMENT DISTRICT

Chad Argentar, Senior Development Project Manager / Hanosky Hernandez, Senior Assistant City Attorney

Chad Argentar, Senior Development Project Manager, provided a summary of the item.

Motion by Medina, second by Jurinsky to approve item 11i.

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

11.j. **Fitzsimons Business Improvement District – New Board Member Appointment**

R2022-208 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, APPOINTING A MEMBER OF THE BOARD OF DIRECTORS OF THE FITZSIMONS BUSINESS IMPROVEMENT DISTRICT

Chad Argentar, Senior Development Project Manager / Hanosky Hernandez, Senior Assistant City Attorney

Chad Argentar, Senior Development Project Manager, provided a summary of the item.

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

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

11.k. **Havana Business Improvement District - Operation Plan and Budget**

R2022-209 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, APPROVING THE 2023 OPERATING PLAN AND BUDGET FOR THE HAVANA BUSINESS IMPROVEMENT DISTRICT

Chad Argentar, Senior Development Project Manager / Hanosky Hernandez, Senior Assistant City Attorney

Chad Argentar, Senior Development Project Manager, provided a summary of the item.

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

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

11.l. **Parkside at City Centre BID 2023 Operating Plan and Budget**

R2022-210 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, APPROVING THE 2023 OPERATING PLAN AND BUDGET FOR THE PARKSIDE AT CITY CENTRE BUSINESS IMPROVEMENT DISTRICT

Jennifer Orozco, Development Project Manager / Hanosky Hernandez, Senior Assistant City Attorney

Jennifer Orozco, Development Project Manager, provided a summary of the item.

CM Coombs asked if the funds being used for maintenance will be directed toward repairing any damage caused. She mentioned that the explosion caused damage to

other infrastructure and not just the utility room. J. Orozco said that the operating budget is small and is already spoken for budget audit and snowplow maintenance. She mentioned that the Metro District might provide additional funding.

Motion by Bergan, second by Gardner to approve item 11l.

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

11.m. **First Amendment to Drainage and Flood Control Improvements for Cherry Creek Restoration at Arapahoe Road**

R2022-211 CONSIDERATION OF THE CITY COUNCIL TO APPROVE A RESOLUTION FOR THE FIRST AMENDMENT TO AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF AURORA ACTING BY AND THROUGH ITS UTILITY ENTERPRISE, THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT, D/B/A MILE HIGH FLOOD DISTRICT, SOUTHEAST METRO STORMWATER AUTHORITY, THE CHERRY CREEK BASIN WATER QUALITY AUTHORITY, AND ARAPAHOE COUNTY REGARDING DESIGN AND CONSTRUCTION OF DRAINAGE AND FLOOD CONTROL IMPROVEMENTS FOR CHERRY CREEK RESTORATION AT ARAPAHOE ROAD

Swirvine Nyirenda, Planning Services Manager / Ian Best, Assistant City Attorney

Vern Adam, Engineering Services Manager of Aurora Water, provided a summary of the item.

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

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

11.n. **First Amendment to Drainage and Flood Control Improvements for Westerly Creek at Alameda and Dakota Avenue**

R2022-212 CONSIDERATION TO APPROVE A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA FOR AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF AURORA ACTING BY AND THROUGH ITS UTILITY ENTERPRISE AND THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT D/B/A MILE-HIGH FLOOD DISTRICT REGARDING FINAL DESIGN AND CONSTRUCTION OF DRAINAGE AND FLOOD CONTROL IMPROVEMENTS FOR WESTERLY CREEK AT ALAMEDA AND DAKOTA AVENUE.

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

Vern Adam, Engineering Services Manager of Aurora Water, provided a summary of the item.

CM Sundberg asked how many entities will be sharing the \$600,000 cost. V. Adam said that it would only be Mile High and the city of Aurora.

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

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

11.o. **Joint Water Authority Second Amendment to a Water Transmission Agreement**

R2022-213 CONSIDERATION TO APPROVE A RESOLUTION OF THE CITY COUNCIL FOR THE SECOND AMENDMENT TO EXTEND THE FIRST REVISED WATER TRANSMISSION SERVICE CONTRACT AMOUNT THE AURORA AND COLORADO SPRINGS JOINT WATER AUTHORITY

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 Sundberg, second by Coombs to approve item 11o.

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

11.p. **Colfax Sable Metropolitan District Board of Directors Appointment**

R2022-214 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO APPOINTING DIRECTORS TO THE BOARD OF DIRECTORS OF THE COLFAX SABLE METROPOLITAN DISTRICT

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

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

Motion by Coombs, second by Lawson to approve item 11p.

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

11.q. **The Point Metropolitan District Director Disqualification and Appointment**

R2022-215 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO APPOINTING DIRECTORS TO THE BOARD OF DIRECTORS OF THE POINT METROPOLITAN DISTRICT

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

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

Mayor Pro Tem Bergan asked if vacancies occurred due to disqualifications. C. Dancy said that there was a property transfer in 2019 and they were inadvertently disqualified. Council for the Metro District just saw the error recently.

Motion by Bergan, second by Marcano to approve item 11q.

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

11.r. **Windler Business Improvement District No. 1 Board of Directors Appointments**

R2022-216 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, APPOINTING A MEMBER OF THE BOARD OF DIRECTORS OF THE WINDLER BUSINESS IMPROVEMENT DISTRICT NO 1

Cesarina Dancy, Senior Development Project Manager, Office of Development Assistance / Hanosky Hernandez, Senior Assistant City Attorney

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

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

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

11.s. **Windler Business Improvement District No. 2 Board of Directors Appointments**

R2022-217 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, APPOINTING A MEMBER OF THE BOARD OF DIRECTORS OF THE WINDLER BUSINESS IMPROVEMENT DISTRICT NO 2

Cesarina Dancy, Senior Development Project Manager, Office of Development Assistance / Hanosky Hernandez, Senior Assistant City Attorney

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

Motion by Sundberg, second by Medina to approve item 11s.

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

11.t. **Cherry Creek School District and Aurora Police Department Intergovernmental Agreement**

R2022-218 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, APPROVING THE INTERGOVERNMENTAL AGREEMENT BETWEEN THE CHERRY CREEK SCHOOL DISTRICT AND THE CITY OF AURORA REGARDING SCHOOL RESOURCE OFFICERS

Daniel J. Oates, Interim Chief of Police / Megan Platt, Assistant City Attorney

Megan Platt, Assistant City Attorney, provided a summary of the item.

MPT asked how many school resource officers would be allocated between different schools. M. Platt answered that there will be eight in high schools, and as-needed services would be available for middle schools.

Motion by Bergan, second by Lawson to approve item 11t.

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

11.u. **Intergovernmental Agreement with the City and County of Denver for the Colfax Bus Rapid Transit Project**

R2022-219 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, APPROVING THE INTERGOVERNMENTAL AGREEMENT BETWEEN DENVER AND AURORA REGARDING FUNDING, DESIGN AND PRECONSTRUCTION OF THE EAST COLFAX AVENUE BUS RAPID TRANSIT PROJECT

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

Carlie Campuzano, Traffic Manager, provided a summary of the item.

Motion by Gardner, second by Coombs to approve item 11u.

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

11.v. **Peoria Crossing Bridge Maintenance Intergovernmental Agreement**

R2022-220 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, APPROVING THE INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF AURORA AND THE CITY AND COUNTY OF DENVER REGARDING THE OWNERSHIP AND MAINTENANCE RESPONSIBILITIES FOR THE PEORIA CROSSING PROJECT

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

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

Mayor Pro Tem Bergan asked if the maintenance would include snow removal and trash services. M. Kozakowski confirmed this. He said that Denver is currently plowing the bridge and Aurora is conducting the street-sweeping.

Motion by Coombs, second by Medina to approve item 11v.

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

11.w. Rockinghorse Reimbursement Agreement

R2022-221 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, EXPRESSING THE AURORA CITY COUNCIL'S APPROVAL OF A REIMBURSEMENT AGREEMENT BETWEEN THE CITY OF AURORA ACTING BY AND THROUGH ITS UTILITY ENTERPRISE AND NASH INSPIRATION, LLC

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

Vern Adam, Engineering Services Manager of Aurora Water, provided a summary of the item.

Motion by Sundberg, second by Bergan to approve item 11w.

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

11.x. Colorado State Forest Service Funding Agreement

R2022-222 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 ACTING BY AND THROUGH ITS UTILITY ENTERPRISE 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 at Aurora Water, provided a summary of the item.

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

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

11.y. **Stewardship West Memorandum of Understanding**

R2022-223 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, EXPRESSING THE AURORA CITY COUNCIL'S SUPPORT OF AN AGREEMENT BETWEEN THE CITY OF AURORA COLORADO ACTING BY AND THROUGH ITS UTILITY ENTERPRISE AND STEWARDSHIP WEST

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

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

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

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

11.z. **Water Lease Intergovernmental Agreement with Board of Water Works of Pueblo**

R2022-224 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, EXPRESSING THE AURORA CITY COUNCIL'S SUPPORT OF AN INTERGOVERNMENTAL WATER LEASE AGREEMENT BETWEEN THE CITY OF AURORA COLORADO ACTING BY AND THROUGH ITS UTILITY ENTERPRISE AND THE BOARD OF WATER WORKS OF PUEBLO COLORADO

Alexandra Davis, Deputy Director of Water Resources, Aurora Water / Stephen Cann, Senior Assistant City Attorney

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

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

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

11.aa. **Creation of Ad Hoc Citizen's Charter Review Task Force**

R2022-225 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, EXPRESSING CITY COUNCIL'S DIRECTION TO THE CITY MANAGER TO HAVE APPROPRIATE CITY STAFF CREATE AN AD HOC CITIZEN'S CHARTER REVIEW TASK FORCE, EXISTING FOR FOUR MONTHS, WITH THE PURPOSE OF THE TASK FORCE BEING DETERMINING WHETHER ANY PROPOSED CHANGES TO THE CITY

CHARTER SHOULD BE RECOMMENDED TO THE AD HOC CHARTER REVIEW COMMITTEE OF CITY COUNCIL AND TO REVIEW AND PROVIDE FEEDBACK, IN A WRITTEN REPORT, TO THE AD HOC CHARTER REVIEW COMMITTEE OF CITY COUNCIL ON ANY PROPOSED CHARTER AMENDMENTS RECOMMENDED BY THAT TASK FORCE

Sponsor: Alison Coombs, Council Member

Dave Lathers, Senior Assistant City Attorney / George Koumantakis, Manager of Client Services, City Attorney

Councilmember Alison Coombs provided a summary of the item.

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

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

11.ab. Dedicate the City Council Chambers in the Name of Former Mayor Paul Tauer, Sr.

R2022-226 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA,

COLORADO, CHANGING THE OFFICIAL NAME DESIGNATION OF THE "AURORA CITY COUNCIL CHAMBERS" TO THE "PAUL TAUER AURORA CITY COUNCIL CHAMBERS" AND DIRECTING THE CITY MANAGER TO PREPARE AN APPROPRIATE DEDICATION PLAQUE FOR DISPLAY IN THE CHAMBERS AS WELL AS CHANGING CITY SIGNAGE AND DOCUMENTS TO REFLECT THE NEW DESIGNATION OF THE CHAMBERS. THIS RESOLUTION SUPERSEDES RESOLUTION R93-37 PERTAINING TO NAMING OF CITY PARKS AND BUILDINGS, BUT IN THIS INSTANCE ONLY

Sponsor: Curtis Gardner, Council Member Dave Lathers, Senior Assistant City Attorney

Councilmember Curtis Gardner provided a summary of the item.

Motion by Gardner, second by Sundberg to approve item 11ab.

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

11.ac. Rules of Order and Procedure: Backup Material For Council Member Sponsored Items

R2022-227 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 BACKUP MATERIAL FOR COUNCIL MEMBER SPONSORED ITEMS

Sponsored: Danielle Jurinsky, Council Member

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

Councilmember Danielle Jurinsky provided a summary of the item.

Gardner Amendment

CM Gardner presented an amendment. CM Jurinsky considered this as a friendly amendment.

Discussion on the Resolution

CM Murillo expressed her support. She asked if there were anything in the resolution that would preclude staff from providing input regarding their concerns. CM Jurinsky said that they can circle back with staff if they feel that staff has not been able to fully explain something. J. Twombly said that the resolution does not present any issues for staff.

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

Motion by Jurinsky, second by Gardner to approve the Gardner Amendment which requires any information or presentations presented at Study Session or Regular City Council Meetings be included in the backup packet to be provided before the meeting.

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

Motion by Jurinsky, second by Zvonek to end debate.

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

Voting Nay: Coombs, Murillo

Motion by Jurinsky, second by Gardner to approve item 11ac as amended.

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

11.ad. **Resolution to Establish a Fitzsimons Innovation Community Subcommittee to Update the Master Plan and GDP**

- ◆ *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.*

R2022-228 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, APPOINTING MEMBERS TO THE FITZSIMONS INNOVATION COMMUNITY MASTER PLAN AND GENERAL DEVELOPMENT PLAN SUBCOMMITTEE

Sponsor: Dustin Zvonek, Council Member

Brian Rulla, Assistant City Attorney / Rachel Allen, Client Group Manager, City Attorney

Councilmember Dustin Zvonek provided a summary of the item.

Mayor Pro Tem Bergan asks if the subcommittees would then come back to Council for information only when it concludes. CM Zvonek explained that it is highly likely that the recommendations for the updated master plan and mobility plan will require changes to the GDP that will need approval.

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

Voting Aye: Bergan, 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**

12.a. **Standards for Other Types of Signs**

2022-71 FOR AN ORDINANCE AMENDING CHAPTER 146 OF THE CITY CODE OF THE CITY OF AURORA, COLORADO, RELATING TO STANDARDS FOR OTHER TYPES OF SIGNS

Brandon Cammarata, Planning Manager / George Koumantakis, Manager of Client Services, City Attorney

Mayor Coffman opened the public hearing.

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

Mayor Coffman closed the public hearing.

CM Zvonek explained that the City Code requires pennants to have a permit, have a limitation on how long they could be hung, and must be in good condition. Having these requirements, other than pennants being in good condition, is an undue burden on businesses. He mentioned that the pennants oftentimes are used to advertise sales and events. He added that they have received complaints from constituents regarding the need for code enforcement and having these requirements in place takes time away from code enforcement for other pressing matters. CM Coombs expressed her support. She commented that constituents expressed concerns regarding code changes that

would take code enforcement away from other issues that may seem trivial but are big concerns of residents like the placement of trash cans.

Motion by Zvonek, second by Jurinsky to approve item 12a.

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

13. **PUBLIC HEARING WITHOUT RELATED ORDINANCE**

13.a. **Public Hearing and Appeal of the October 12, 2022, Planning Commission's Approval of the Grand Avenue Townhome Site Plan with an Adjustment**

Stephen Rodriguez, Planning Supervisor / Daniel L. Money, Senior Assistant City

Attorney Outside Speaker: Nathan Adams, CEO of redT Homes

Mayor Coffman opened the public hearing.

Stephen Rodriguez, Planning Supervisor, provided a summary of the item.

CEO of redT Homes Nathan Adams and Project Manager Joshua Botts discussed the background of redT Homes and how the development met all the necessary criteria for application in Aurora.

The appellants expressed concerns regarding the high cost of homes provided by the development which could not be attained by low-income families, including the immigrant and refugee population, within the community. They stressed the importance of building affordable housing.

Council heard public in-person testimony.

Mayor Pro Tem Bergan asked if the applicant conducted their market studies and what their investment is in construction costs. She asked if they could lower the price point. N. Adams said that the total investment will be over \$20 million to build 53 townhomes. He added that they spent \$200,000 per door on land, architecture, tap fees, and infrastructure before they were able to build vertically. He said that the land cost was around \$57,000 per door. If the price moves lower, they need construction costs to come down. Mayor Pro Tem Bergan asked if anybody showed interest in the vacant lot prior to redT Homes. S. Rodriguez said that they were not aware of any. N. Adams mentioned that the property was on the market for some time, and they were the only ones interested.

CM Gardner highlighted that the development meets all the criteria of the comprehensive plan. He asked if they have a legal requirement to approve it and what the potential liabilities would be if it were denied. D. Money explained that the Council must review the appeal based on the standards and criteria of the UDO, and the decision of the planning commission, and ensure that the development is compatible

with the neighborhood. He added that the zoning district in question is mixed-use and is designed for a diversity of housing types for a diversity of income. It is Council's role and prerogative how to apply the standards of the UDO. He further explained that the land is use-by-right, and if the city says that they cannot build on or use it, then it would set the city up for a potential lawsuit. This would have to be litigated in court and determined if the government did a takings.

CM Marcano asked what the estimated HOA dues would be. N. Adams said that they will intentionally be kept low, around \$70 to \$100 a month. He added that it may be on the lower end since they have an obligation to put one water line to each property. This fee includes snow removal and landscape maintenance. He stressed that the project has no swimming pools, gyms, or fitness centers. CM Marcano asked if they estimated the impact the development might have on comparable rent in the area or on property taxes. N. Adams said no since they are a for-sale development and are not looking at rents. He explained that they are adding inventory on the site. He added that they did not look at taxes since policymakers are the ones that set them.

CM Coombs mentioned that the cost of parking requirements often increases the cost of development. She asked for the estimated amount of cost per home and the cost to develop in line with the parking requirements of the city. N. Adams said that they are building a one-car garage and additional off-street space for most of the units to keep the cost down. Constructing a one-car garage costs \$12,000. Some properties would have two-car garages. He explained that the only they could do to bring the cost lower is to build it to a LEED gold certification standard, which is non-negotiable for the company.

CM Coombs asked about the density of the site as it relates to parking requirements. N. Adams said that there are exactly two spaces per unit, totaling 106 parking spaces. He highlighted that this would seem to be the right amount for three and four-bedroom units. He added that they were intentional about adding multi-bedroom townhomes to appeal to people that are currently in the neighborhood.

CM Coombs pointed out that the area has more access to transit than the rest of the city. She asked if the developer looked at transit-oriented development and the impact that may have on parking requirements. N. Adams reiterated that they do not set the policy and only follow the parking requirement of the city. He said that they would love to see more people taking public transportation, but there are not a lot of people waiting for the bus on Colfax. CM Coombs said that people are using the bus along Colfax. She mentioned that they can get waivers associated with TOD, which the development would qualify for. Therefore, if they are looking for ways to encourage transit use, there is a policy in place to enable this and bring down the cost of development.

CM Coombs asked if the city looked at the site for land banking. J. Twombly said no. CM Coombs commented that this is an opportunity that would be beneficial for the city moving forward. She asked if they are permitted to utilize the housing plan in deciding whether to approve or deny the proposal. C. Money said that the judge would strictly go by code and other adopted city regulations, which this developed complies with and

where the housing plan would be taken into account. They would also decide based on conditions specifically applied to the development by the Planning and Zoning Commission or City Council and a prior decision affecting the property. He explained that it would depend on how it would be interpreted.

CMM Coombs mentioned that if they have data demonstrating a compelling government interest, then they could use this as an argument against being found to have engaged in illegal regulatory takings. The conducted housing study has demonstrated a cost burden for housing for the community, including this area. She asked if this could be used as a defense against any potential takings claim. D. Money said they would use all they can as a defense, should they go to court. He explained that if the government takes land or prevents its use, then the government must pay for it. The payment would be either through a lawsuit that has higher damages or through buying the land.

CM Gardner asked how removing all parking would impact the ability to obtain financing. N. Adams said that it would be difficult, but not impossible. He explained that they must raise equity and produce an economically viable project with a high probability of selling to get financing. He added that they are only near buses, but not light rail. CM Marcano mentioned that the Colfax Corridor has the most heavily utilized bus in the network. The Corridor is also about to become a Bus Rapid Transit (BRT) corridor, which will be a big asset to the city and the project. He asked if the developers currently own the land. N. Adams said yes.

CM Marcano asked if they are aware of how long previous owners owned it. N. Adams said they do not know, and it was not relevant to whether it made sense to develop on the site. CM Marcano explained that he wants to know if the previous owners were intending to develop the land or if they were hoping to sell it to development that would increase the cost in the community. N. Adams said that they do not have any insight. CM Marcano asked staff for records of the property. B. Cammarata said that the County Assessor would have the information.

Mayor Coffman mentioned that residents in the area expressed concern regarding four boarded-up homes that were continually broken into and were nests for illegal activity. They wanted something done with the property for their safety. Mayor Coffman pointed out that they are not tearing down low-income property and replacing it with higher income. They are simply redeveloping a vacant parcel that is crime infested. CM Sundberg requested the spreadsheet on the work done by Mr. Green on providing \$3 million in rental assistance. He mentioned that Aurora has 20 affordable housing projects in the pipeline including Weatherstone, Elevate Aurora, etc. He pointed to a testimony from an apartment complex manager indicating that there is not a big disparity between current homes there that could sell for over \$500,000. CM Sundberg mentioned testimonies indicating that the project could improve lighting, safety, speeding, and drug use in the area. He stressed that these improvements were also indicated by the developer. He thanked the developer for providing a service to the city.

Mayor Coffman closed the public hearing.

Mayor Pro Tem Bergan thanked the individuals that shared testimonies. She mentioned that she sat on a hearing for a developer trying to bring in affordable housing to CHFA to get state grants. However, these grants are few and far between and there are only so many per year that a developer can apply for across the state. She said that there are ways to work on getting affordable housing and reducing construction costs on some standards in the city. She stressed that the property is currently on vacant land with no interest from other developers to provide affordable housing. She said that it is heartbreaking to hear stories from residents, but it is a good project that will improve the neighborhood.

CM Gardner thanked the residents that provided their testimonies. He expressed frustration that the developers have been put through a lot by organizations that are not in Aurora. He stressed that the developers have the right to build, and Council does not have the legal right to turn it down. He stated that those from Aurora that were urged to speak were lied to by organizations and used as pawns to push rent control. He added that this was not an argument regarding affordable housing, gentrification, or displacement; rather, it was how the project complies with the UDO and the city's comprehensive plan. He stated that they will continue to support affordable housing projects that are appropriate for the city but will not be bullied by organizations from Denver.

CM Jurinsky stressed that there is a housing shortage at every price point and there are people that could afford \$500,000 but have not been able to find a home due to bidding wars. She said that these new home builds would avoid these bidding wars. She mentioned that she received past criticism when she stood up to a developer who she felt was displacing people in businesses. However, she could not find how this project would displace anyone as it is a vacant lot. She expressed her support for the project.

CM Medina stressed how every change and development in the area, including The Stanley, affected people in the community. He referred to a study saying that The Stanley did not know how to reach out to the community and 90% of the people who lived a block away did not know that The Stanley existed. He stressed the importance of talking to the residents, including them in meetings, and reaching out to the immigrant and refugee populations. They should not assume that everybody speaks English, has access to a computer, or has time to go to meetings. He stated that he will look at ways to mitigate these issues in the future.

CM Jurinsky mentioned that they received an email stating that Nano has been involved with the developer for some time. Mayor Pro Tem Bergan said that the notice goes out to every neighborhood, registered neighborhood associations, residents within, and adjacent property owners. N. Adams said that they have engaged with Nano and Del Mar who were both previously in opposition. N. Adams met and compromised with them and changed their position to support them by allowing them to have a say in the development. He added that most of the people in opposition are from the East Colfax Collective, which is not a registered neighborhood organization. He mentioned that they refused to engage despite being given his direct contact details until they came into his office on Thursday of last week.

- ◆ ***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.***

Mayor Pro Tem Bergan asked if they attended the meetings. N. Adams said that ECC did not attend any meetings. But they started the development process in 2021. CM Gardner referred to the memo from the police chief stating that there has been a 60% decrease in crime events, a 75% reduction in drug crimes, and a 60% reduction in motor vehicle thefts since they increased focus on crime in the area. He highlighted that this development would continue to turn crime around and make residents feel safer.

CM Marcano said that the amenities of the project are great and would love to see this development all over the city but for a reasonable price. He mentioned that it may be a little over-parked given the proximity to the busiest transit corridor in the metro. He stated that the median income in Aurora is \$67,700 a year. To afford this, the minimum income required would be \$140,000. He stressed how this development in the most diverse and lowest-income part of town would lead to displacement by raising property values in the area. He added that they would then end up with a larger public safety issue by not addressing the root cause of crime. CM Marcano stated that they should prioritize people living in the community and work with developers that would provide a hood housing product at an affordable rate. He said that they should utilize this vacant lot for community benefit and deter crime, but not by building million-dollar townhomes in an area with a \$36,000 to \$40,000 median income. CM Marcano pointed to the UDO which requires the application to mitigate any adverse impacts on the surrounding area to the maximum degree possible. He mentioned how the developers did not study how the project will impact existing residents and property owners and how it may trigger displacement.

CM Coombs mentioned that the proposal was submitted for late submission approval and was specifically asked to be moved to today's meeting despite numerous resolutions. She said that the mayor is the one that asked for this and is the only person that sees and sets the agenda. She highlighted how this impacted people's ability to stay and participate. She suggested opening the agenda-setting process. She added that one of the organizations involved in speaking for the appellant was specifically called out during the ARPA Grant Item. CM Coombs said that she hopes that this was not an effort at intimidation. CM Coombs pointed out that the top five professions in the area cannot afford a cost of a home in this development. She highlighted that construction is one of the most lucrative jobs among those professions and is prevalent in wage theft. She mentioned the importance of actual attainable missing middle housing which this development is not. She suggested looking into the housing study to acknowledge the reality in the city.

CM Murillo expressed her appreciation for CM Coombs for calling out the delayed vote on ARPA dollars that have already been vetted by staff for projects. She mentioned that the organization, despite being from Denver, also has Aurora members. She expressed her disappointment to the applicant referring to the appellant's comments as straight-out lies despite their testimonies being rooted in the impact of the project and not directed at the business. CM Murillo pointed out the positives of the development including being near BRT and being LEED certified. She stressed the importance of acknowledging the housing plan, affordability, and the reality of the people living in the area. She highlighted that people are not against development and a safe community. However, they want to see development that will have long-term benefits. CM Murillo

- ◆ ***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.***

thanked the work of APD regarding the decrease in crime. However, she pointed out that these improvements were not due to housing development. She stressed the importance of pushing for safer communities regardless of the price of the homes. She thanked the organizations like the East Colfax Community Collective for empowering people and providing testimony.

Motion by Gardner, second by Zvonek to approve item 13a.

Motion by Sundberg, second by Jurinsky to end debate.

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

Voting Nay: Medina, Murillo

Motion by Gardner, second by Zvonek to approve item 13a.

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

Voting Nay: Coombs, Marcano, Medina, Murillo

14. **INTRODUCTION OF ORDINANCES**

14.a. **Gun Club Road Rights-Of-Way Vacation No. 2**

2022-72 INTRODUCTION OF 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 EAST OF E-470, BETWEEN EAST 38TH AVENUE AND EAST 48TH AVENUE, CITY OF AURORA, COUNTY OF ADAMS, STATE OF COLORADO (GUN CLUB ROAD RIGHTS-OF-WAY VACATIONS NO. 2)

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

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

Motion by Sundberg, second by Bergan to approve item 14a.

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

14.b. **2022 Fall Supplemental Ordinance**

2022-73 FOR AN ORDINANCE OF THE CITY OF AURORA, COLORADO APPROPRIATING SUMS OF MONEY IN ADDITION TO THOSE APPROPRIATED IN ORDINANCE NOS. 2021-56, AND 2022-24 FOR THE 2022 FISCAL YEAR

Jackie Ehmann, Budget Program Manager / Hanosky Hernandez, Senior Assistant City Attorney

Jackie Ehmann, Budget Program Manager, provided a summary of the item.

Motion by Gardner, second by Sundberg to approve item 14b.

Voting Aye: Bergan, 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 t Harvest Mile Initial Zoning 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. **Harvest Mile Initial Zoning**

2022-56 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, ZONING APPROXIMATELY 308.6 ACRES OF LAND, MORE OR LESS, GENERALLY LOCATED NORTH AND SOUTH OF SMITH ROAD AND WEST OF POWHATON ROAD, COUNTY OF ADAMS, STATE OF COLORADO, TO BUSINESS/TECH ZONE DISTRICT AND AMENDING THE ZONING MAP ACCORDINGLY (HARVEST MILE INITIAL ZONING)

Aja Tibbs, Senior Planner / Dan Money, Senior Assistant City Attorney

15.b. **Best Box Self Storage – 26th Ave. Initial Zoning**

2022-57 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, ZONING APPROXIMATELY FIVE- ACRES OF LAND, MORE OR LESS, GENERALLY LOCATED 400 FEET EAST OF THE NORTHEAST CORNER OF PICADILLY ROAD AND EAST 26TH AVENUE, COUNTY OF ADAMS, STATE OF COLORADO, TO BUSINESS/TECH ZONE DISTRICT AND AMENDING THE ZONING MAP ACCORDINGLY (26TH AVENUE INITIAL ZONING)

Erik Gates, Planner / Dan Money, Senior Assistant City Attorney

Outside speaker: Beau Reinberg, BCN Management Partners / Michael Cleary, Strategic Site Design LLC

15.c. **2023 Adopting Budget**

2022-58 AN ORDINANCE OF THE CITY OF AURORA, COLORADO, ADOPTING AN OPERATING AND CAPITAL IMPROVEMENTS PROJECTS BUDGET FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2023, AND ENDING DECEMBER 31, 2023

Greg Hays, Budget Officer / Hanosky Hernandez, Senior Assistant City Attorney

Greg Hays, Budget Officer, provided a summary of the item.

CM Coombs expressed her opposition. CM Murillo expressed her opposition due to decisions made regarding the DEI office and the independent monitor. CM Lawson mentioned that she will be supporting the budget for things made for the residents. However, she expressed her disappointment in having the independent monitor and DEI positions cut. CM Marcano expressed his opposition to the budget due to items that were cut.

Motion by Gardner, second by Sundberg to approve item 15c.

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

Voting Nay: Coombs, Marcano, Medina, Murillo

15.d. 2023 Budget Appropriations

2022-59 AN ORDINANCE OF THE CITY OF AURORA, COLORADO, APPROPRIATING SUMS OF MONEY TO DEFRAY EXPENSES AND LIABILITIES FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2023, AND ENDING DECEMBER 31, 2023

Greg Hays, Budget Officer / Hanosky Hernandez, Senior Assistant City Attorney

Greg Hays, Budget Officer, provided a summary of the item.

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

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

15.e. Transportation Maintenance Fund Creation

2022-60 FOR AN ORDINANCE OF THE CITY OF AURORA, COLORADO, CREATING THE TRANSPORTATION MAINTENANCE FUND

Greg Hays, Budget Officer / Hans Hernandez, Senior Assistant City Attorney

15.f. 2023 Tax Levy

2022-61 FOR AN ORDINANCE ESTABLISHING THE TAX LEVY ON ALL TAXABLE PROPERTY WITHIN THE CORPORATE LIMITS OF THE CITY OF AURORA, COLORADO,

FOR THE TAX COLLECTION YEAR BEGINNING JANUARY 1, 2023, AND ENDING
DECEMBER 31, 2023

Greg Hays, Budget Officer / Hanosky Hernandez, Senior Assistant City Attorney

15.g. **Water Rate Ordinance**

2022-62 CONSIDERATION OF THE CITY COUNCIL OF THE CITY OF AURORA TO APPROVE AN ORDINANCE AMENDING CERTAIN SECTIONS OF CHAPTER 138 OF THE CITY CODE OF THE CITY OF AURORA RELATING TO SERVICES FOR THE PROVISION OF WATER

Jo Ann Giddings, Deputy Director of Business Services, Aurora Water / Rachel Allen, Client Group Manager, City Attorney

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

CM Gardner expressed his opposition. Mayor Pro Tem Bergan asked what the consequences will be if they do not pass the water rate. M. Brown explained that they would rethink how to cover the operating costs and may cut into water reserves. They have to rethink operations that they do proactively to exceed regulatory requirements such as PFAS lead service line removals. He added that there would be consequences for the confidence of the public in the water system and they would have to send public notices out explaining the delay and deferral of some operations.

Mayor Pro Tem Bergan asked if they would still be required to raise rates next year by a higher amount. M. Brown confirmed this. He mentioned that the rate increases would compound the regulatory items. They could be delayed for a year or two, but they would eventually be required to comply which will destroy public confidence and still raise the rates. Mayor Pro Tem Bergan asked if the budget has been approved. M. Brown said yes.

Motion by Coombs, second by Marcano to approve item 15g.

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

Voting Nay: Gardner, Jurinsky, Lawson, Zvonek

15.h. **General Improvement District 3-2008 (Meadow Hills Country Club) 2023 Operating Budget**

2022-63 AN ORDINANCE OF GENERAL IMPROVEMENT DISTRICT 3-2008 (MEADOW HILLS COUNTRY CLUB) ADOPTING AN OPERATING BUDGET, ESTABLISHING THE TAX LEVY, AND APPROPRIATING SUMS OF MONEY TO DEFRAY EXPENSES AND LIABILITIES FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2023, AND ENDING DECEMBER 31, 2023

Andrew Jamison, Debt and Treasury Supervisor, Finance / Hanosky Hernandez, Senior Assistant City Attorney

15.i. **General Improvement District 2-2011 (Aurora Conference Center) 2023 Operating Budget**

2022-64 AN ORDINANCE OF THE AURORA CONFERENCE CENTER GENERAL IMPROVEMENT DISTRICT (NO. 2-2011) ADOPTING AN OPERATING BUDGET, ESTABLISHING THE TAX LEVY, AND APPROPRIATING SUMS OF MONEY TO DEFRAY EXPENSES AND LIABILITIES FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2023, AND ENDING DECEMBER 31, 2023

Andrew Jamison, Debt and Treasury Supervisor, Finance / Hanosky Hernandez, Senior Assistant City Attorney

15.j. **General Improvement District 1-2007 (Cherry Creek Racquet Club) 2023 Operating Budget**

2022-65 AN ORDINANCE OF GENERAL IMPROVEMENT DISTRICT 1-2007 (CHERRY CREEK RACQUET CLUB) ADOPTING AN OPERATING BUDGET, ESTABLISHING THE TAX LEVY, AND APPROPRIATING SUMS OF MONEY TO DEFRAY EXPENSES AND LIABILITIES FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2023, AND ENDING DECEMBER 31, 2023

Andrew Jamison, Debt and Treasury Supervisor, Finance / Hanosky Hernandez, Senior Assistant City Attorney

15.k. **Cobblewood General Improvement District 1-2016 2023 Operating Budget**

2022-66 AN ORDINANCE OF COBBLEWOOD GENERAL IMPROVEMENT DISTRICT 1-2016 (COBBLEWOOD GENERAL IMPROVEMENT DISTRICT) ADOPTING AN OPERATING BUDGET, ESTABLISHING THE TAX LEVY, AND APPROPRIATING SUMS OF MONEY TO DEFRAY EXPENSES AND LIABILITIES FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2023, AND ENDING DECEMBER 31, 2023

Andrew Jamison, Debt and Treasury Supervisor, Finance / Hanosky Hernandez, Senior Assistant City Attorney

15.l. **General Improvement District 1-2008 (Peoria Park) 2023 Operating Budget**

2022-67 AN ORDINANCE OF GENERAL IMPROVEMENT DISTRICT 1-2008 (PEORIA PARK) ADOPTING AN OPERATING BUDGET, ESTABLISHING THE TAX LEVY, AND APPROPRIATING SUMS OF MONEY TO DEFRAY EXPENSES AND LIABILITIES FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2023, AND ENDING DECEMBER 31, 2023

Andrew Jamison, Debt and Treasury Supervisor, Finance / Hanosky Hernandez, Senior Assistant City Attorney

15.m. **Pier Point 7 General Improvement District 2-2009 2023 Operating Budget**

2022-68 AN ORDINANCE OF PIER POINT 7 GENERAL IMPROVEMENT DISTRICT

2-2009 ADOPTING AN OPERATING BUDGET, ESTABLISHING THE TAX LEVY, AND APPROPRIATING SUMS OF MONEY TO DEFRAY EXPENSES AND LIABILITIES FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2023, AND ENDING DECEMBER 31, 2023

Andrew Jamison, Debt and Treasury Supervisor, Finance / Hanosky Hernandez, Senior Assistant City Attorney

15.n. **2023 Ward Redistricting**

2022-69 FOR AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, ADOPTING AN UPDATED MAP OF WARD BOUNDARIES PURSUANT TO THE MANDATE OF SECTION 54-5(B) OF THE CITY CODE

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

15.o. **Ward Realignment Recommendation Deadline**

2022-70 FOR AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, AMENDING SECTION 54-5 OF THE CITY CODE OF THE CITY OF AURORA, COLORADO, BY ADOPTING ADDITIONAL CLARIFYING LANGUAGE TO SUBSECTIONS (b) AND (c) TO DIRECT THE AURORA ELECTION COMMISSION TO COMPLETE ITS REVIEW OF WARD BOUNDARIES AND SUBSEQUENT RECOMMENDATIONS FOR REALIGNMENT OF WARD BOUNDARIES, IF ANY, AND TO TRANSMIT THE SAME TO CITY COUNCIL NO LATER THAN THE FIFTEENTH (15TH) DAY OF OCTOBER IN THE YEAR PRECEDING THE YEAR IN WHICH THE REALIGNMENT SHALL TAKE EFFECT, CURRENTLY IN CALENDAR YEARS ENDING IN "3" AND "9"

Sponsor: Juan Marcano, Council Member Dave Lathers, Senior Assistant City Attorney

Motion by Sundberg, second by Marcano to approve items 15a, 15b, 15e, 15f, 15h through 15o.

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

16. **PLANNING MATTERS**

17. **ANNEXATIONS**

18. **RECONSIDERATIONS AND CALL UPS**

19. **GENERAL BUSINESS**

19.a. **Consideration to Appoint Two (2) Members to the Aurora Immigrant and Refugee Commission**

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

Motion by Bergan, second by Sundberg to appoint Carlos Diaz and Coralie Betrand-Guerrero to the Aurora Immigrant and Refugee Commission

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

19.b. **Consideration to Appoint One (1) Member to the Library Board**

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

Motion by Coombs, second by Lawson to appoint Hannah Poertner to the Library Board.

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

19.c. **Consideration to Reappoint One (1) Member to the General Employees' Retirement Board**

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

Motion by Marcano, second by Bergan to reappoint Tom Tobiassen to the General Employees Retirement Board.

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

19.d. **Consideration to Appoint One (1) Member to the Joint Water Authority**

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

Motion by Coombs, second by Marcano to appoint Mathew Allsopp to the Joint Water Authority.

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

19.e. **Consideration to Appoint One (1) Member to the Homestake Steering Committee**

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

Motion by Coombs, second by Sundberg to appoint Mathew Allsopp to the Homestake Steering Committee.

Voting Aye: 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 gave her condolences to Dr. Jules Smith of the Rising Star Missionary Baptist Church and Mr. Ernie Clark.

CM Jurinsky also gave her condolences. She wished everyone a Happy Thanksgiving.

CM Murillo extended her condolences. She mentioned that one of AFR's family members also passed away. She announced that her town hall would be moved to December 1st at the Moorhead Recreation Center. She wished everyone a Happy Thanksgiving.

CM Marcano thanked the residents who voted in the elections and the candidates who ran. He congratulated the winners and is optimistic about the collaborative opportunities Aurora has in the coming years with new state and county-level partners. He announced that the next Ward IV meeting would be on January 12th at the Colorado Early Colleges from 6:30 PM. Arapahoe County District 4 Commissioner would be in attendance to discuss her role on the county commission and collaboration between Arapahoe County and Aurora.

CM Coombs echoed the condolences. She added that Mr. Ernie Clark's volunteers and daughters intend to continue his legacy of providing bikes for the community. She announced that the Ward V Town Hall would be on November 15th at the Central Recreation Center and WebEx.

Mayor Pro Tem expressed her condolences to Mr. Clark. She announced that her Town Hall would be on November 16th with topics on crime, motor vehicle theft, and prosecuting crime. She wished everyone a Happy Thanksgiving.

Councilmembers Gardner, Zvonek, Sundberg, and Medina did not have reports.

21. **ADJOURNMENT**

Mayor Coffman adjourned the regular meeting of the 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.*