
MINUTES

Regular Meeting of the Aurora City Council
Monday, November 28, 2022

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

Mayor Coffman reconvened the regular meeting of the City Council for November 28, 2022, at 6:30 p.m.

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

COUNCIL MEMBERS PRESENT: Mayor Coffman, Bergan, Coombs, Gardner, Jurinsky
Lawson, Marcano, Medina, Murillo, Sundberg, Zvonek

Public call-in instructions were provided in both English and Spanish.

3. **INVOCATION/MOMENT OF SILENCE**– Mike Coffman, Mayor

Mayor Coffman led the prayer for the Regular Meeting.

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

5. **EXECUTIVE SESSION UPDATE**

Mayor Coffman stated that during the executive session, the council discussed updates on the settlement conference and council appointee evaluation.

6. **APPROVAL OF MINUTES**

6.a. **November 14, 2022, Meeting Minutes**

Motion by Gardner, second by Lawson, to approve the minutes of November 14, 2022 as presented.

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

7. **PROCLAMATIONS OR CEREMONIES**

7.a. **Donate Life Community**

Mayor Coffman proclaimed the city of Aurora as a Donate Life Community.

7.b. **Judicial Vacancy - Appointment of New Associate Judge**

Judge Shawn Day presented the four recommendations for the New Associate Judge position.

CM Gardner asked what the learning curve for a first-time judge in an associate judge role is. S. Day said that they look at every individual's background and experience in the courtroom.

Discussion on Substitute Motion

CM Coombs said that Council has received letters of recommendation for Judge Lucero from the court and the community. The letters discussed his commitment to Aurora, to fairness, and to balancing addressing crime with rehabilitation.

Discussion on Original Motion

CM Gardner asked if another substitute motion could be made. D. Brotzman said only one could be made. CM Gardner expressed concern that Shelby Fyles has not previously served in a judge's role, while other candidates have served as associate or relief judges. He added that a relief judge position would be a good opportunity for S. Fyles to learn a courtroom. He mentioned that there are more qualified candidates and that the two new ordinances requiring mandatory minimums would likely increase the courtroom's caseload.

CM Jurinsky explained that the Adams County DA did not allow S. Fyles to serve in a judge position despite trying multiple times to be a relief judge. She mentioned that S. Fyles has been involved in prosecution of various criminal cases such as homicides, drug cases, sexual assaults, motor vehicle thefts, and traffic matters. CM Jurinsky emphasized that S. Fyles has enough courtroom experience to accept the position.

CM Marcano asked if there are restrictions for a judge around being related to someone serving in law enforcement. D. Brotzman said that there is no such restriction according to the Charter.

Motion by Jurinsky, second by Zvonek to appoint Shelby Fyles as the new Associate Judge.

SUBSTITUTE MOTION

Motion by Coombs, second by Marcano to appoint Jonathan Lucero as the new Associate Judge.

- ◆ **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 Aye: Coombs, Marcano, Medina, Murillo

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

VOTE ON ORIGINAL MOTION

Motion by Jurinsky, second by Zvonek to appoint Shelby Fyles as the new Associate Judge.

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

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

Mayor Coffman read the Land Acknowledgement.

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**

CM Gardner moved to remove items 10.j. through 10.af. from the agenda, stating he would like to see additional due diligence done and staff bring the items back in January. He explained that there have been several questions regarding several organizations. He stressed their responsibility to taxpayers.

Mayor Coffman asked if CM Gardner intends to table the items and continue at a different date. CM Gardner stated that he wants to table the items until the second Regular Meeting in January 2023. Mayor Coffman asked when the money is supposed to be dispersed. R. Venegas answered that they were dispersing it based on the urgency that the city has CARES and ARPA funding to be given out

Mayor Coffman asked what enhanced due diligence will entail. R. Venegas stated that they could meet with other council members to understand what they are specifically looking for. Mayor Coffman asked CM Gardner if the items should be delegated to a Study Session. CM Gardner agreed that they should discuss the items in the Study Session before the last regular meeting in January 2023.

Mayor Coffman asked if this provides staff with enough time. R. Venegas said yes. Mayor Coffman said that the best forum to share information would be at the Study Session. MPT Bergan commented that she had found some inconsistencies that were troubling. She said that she would provide her questions by email. Mayor Coffman encouraged other council members to send their concerns to Mr. Venegas and the information to be presented to the full Council at the Study Session.

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CM Marcano said that he finds the rehashing of business to be highly irregular. He said that they had these items in the backup for several council meetings and the scope of the program was discussed in January 2022. However, any flags were not raised until the last minute. He mentioned that current concerns have not been made known to other council members. MPT Bergan said that the information to be disclosed may be found embarrassing to the organization. She said that she would want additional information from staff to verify what she found. CM Gardner stressed that he will not apologize for advocating for taxpayers until the last minute. He added that some of the information did not come up until recently.

CM Marcano agreed that they should do right by their residents. He asked for examples of their concerns and discoveries that warrant the tabling. CM Gardner said that there is a bathroom upgrade at a private residence. MPT Bergan mentioned the company out of Florida with the mother of the applicant who owns the home, and the applicant lives in the same home asking for funding to renovate a bathroom. She added that the applicant appears to no longer be a practicing counselor. CM Lawson mentioned that there are a few organizations that are once again asking for money but have already been provided with funding from the Youth Violence Prevention Program. She asked for further data on these organizations. CM Sundberg mentioned that one individual who founded one of the organizations that will be provided funding wants to put the money on hold since they are in a transitional phase and are in no position to accept funds.

CM Murillo asked if there are individuals that signed up to speak on the ARPA awards. K. Rodriguez said that there are 8 individuals who signed up to speak on item 10q. CM Murillo expressed her opposition to delaying. She mentioned that it would have been helpful to know in advance the specific items with concerns. She said that there are some reasonable requests, however, there are smaller nonprofits that rely on the funding to set their budgets for 2023. She requested to make the process as quick as possible.

CM Coombs asked why they are delaying all items when there are only specific ones that they have concerns about. CM Gardner explained that he no longer has confidence in the due diligence and background checks done on any of the items.

CM Coombs mentioned that they only have one study session in January per the proposed calendar. K. Rodriguez confirmed this. CM Coombs asked if there are other items that they are looking at possibly delaying to allow items 10j through 10af to be included in the Study Session. Mayor Coffman clarified that is not the motion.

Mayor Coffman apologized to the individuals who came to provide testimony on specific non-profits that were tabled. He explained that the delay will provide them an opportunity to reach out to council members and be able to accept or reject the findings of the due diligence that will be brought forward.

Motion by Gardner, second by Bergan to adopt the agenda as amended and remove items 10j through 10af and table until the last Study Session in January 2023.

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

Voting Nay: Murillo

10. **CONSENT CALENDAR**

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

- 10.a. **Consideration to AWARD AN OPENLY SOLICITED CONTRACT to HB&A LLC, Colorado Springs, Colorado in the amount of \$494,883.60 for Architectural/Engineer Services for Aurora Fire Station Projects; R-2287.**

Elly Watson, Manager of Business Services, Public Works / Dave Lathers, Senior Assistant City Attorney

- 10.b. **Consideration to AMEND AN OPENLY SOLICITED CONTRACT with Carollo Engineers, Inc., Broomfield, Colorado in the amount of \$877,346.00 for engineering services during construction for the North Campus Horizontal Well Pilot Project, Project NO. R-2052.**

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

- 10.c. **Consideration to award a SINGLE SOURCE contract to High Country Hydrology Inc, Boulder, Colorado in the amount of \$360,200.00 for Water Resources Technical Support in the Colorado and Arkansas River Basins**

Alexandra Davis, Deputy Director of Water Resources, Aurora Water / Dave Lathers, Senior Assistant City Attorney

- 10.d. **Consideration to AWARD A CHANGE ORDER TO A COMPETITIVELY BID CONTRACT with J.R. Filanc Construction Company, Inc., Denver, Colorado in the amount of \$414,565.40 for the Large Valve Rehabilitation Project, Project No. 5790A**

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

- 10.e. **Consideration to AWARD A COMPETITIVELY BID CONTRACT to White Construction Group, Englewood, CO in the amount of \$3,790,523.00 for the AMC Parking Garage Security and Maint. Upgrades; Project 5895AB**

Haven Cassidy, Principal Engineer, Public Works / Dave Lathers, Senior Assistant City Attorney

- 10.f. **Consideration to Award Competitively Solicited Contract to Huffman Engineering, Inc.**

Consideration to AWARD COMPETITIVELY SOLICITED CONTRACT to Huffman Engineering, Inc., Englewood, Colorado in the amount of \$63,590.00 for installation and programming services for the Programmable Logic Controller at the Aurora Sports Park, Project NO. R-2154

Thomas Tully, Manager of Business Services / Dave Lathers, Senior Assistant City Attorney

- 10.g. **Consideration to Extend a Competitively Bid Contract to Veritiv Operating Company, Denver, Colorado in the not-to-exceed amount of \$100,000.00 for print shop paper, envelopes, and supplies as required through July 31, 2023.**

Kim Stuart, Director of Communications and Marketing / Dave Lathers, Senior Assistant City Attorney

- 10.h. **Consideration to AWARD A SINGLE SOURCE CONTRACT to Stone Security LLC, Salt Lake City, UT in the amount of \$103,978.05 for replacement video recording servers.**

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

- 10.i. **Consideration to AWARD AN OPENLY SOLICITED DESIGN/BUILD CONTRACT to Lawrence Construction Company, Littleton, CO, with a Guaranteed Maximum Price of \$69,985,300.00 for the design and construction of I70 Picadilly project; R-2069**

Matt Kozakowski, Transportation Project Delivery Manager, Public Works / Dave Lathers, Senior Assistant City Attorney

- 10.j. **ARPA Nonprofit Grant Agreement – Metro Community Provider Network**

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

- 10.k. **ARPA Nonprofit Grant Agreement - Aurora Public Schools Foundation**

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

- 10.l. **ARPA Nonprofit Grant Agreement – Rocky Mountain Welcome Center**

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

- 10.m. **ARPA Nonprofit Grant Agreement – Caring Voices**

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

10.n. **ARPA Nonprofit Grant Agreement – Colorado Alliance for Health Equity and Practice**

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

10.o. **ARPA Nonprofit Grant Agreement – Mi Casa Resource Center**

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

10.p. **ARPA Nonprofit Grant Agreement – RISE Colorado**

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

10.q. **ARPA Nonprofit Grant Agreement – East Colfax Community Collective**

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

10.r. **ARPA Nonprofit Grant Agreement – Rocky Mountain Youth Medical and Nursing Consultants**

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

10.s. **ARPA Nonprofit Grant Agreement – A Little Help**

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

10.t. **ARPA Nonprofit Grant Agreement – New American College**

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

10.u. **ARPA Nonprofit Grant Agreement – Brothers Redevelopment Inc**

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

10.v. **ARPA Nonprofit Grant Agreement – Mosaic Unlimited Inc**

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

- 10.w. **ARPA Nonprofit Grant Agreement – Tigray Ethiopian Community Association in Colorado**
Christina McClelland, Grant Development Manager / Hanosky Hernandez, Senior Assistant City Attorney
- 10.x. **ARPA Nonprofit Grant Agreement – African Chamber of Commerce Colorado USA**
Christina McClelland, Grant Development Manager / Hanosky Hernandez, Senior Assistant City Attorney
- 10.y. **ARPA Nonprofit Grant Agreement – Aurora Community Connection**
Christina McClelland, Grant Development Manager / Hanosky Hernandez, Senior Assistant City Attorney
- 10.z. **ARPA Nonprofit Grant Agreement – You be You Early Learning**
Christina McClelland, Grant Development Manager / Hanosky Hernandez, Senior Assistant City Attorney
- 10.aa. **ARPA Nonprofit Grant Agreement – Boys Hope Girls Hope of Colorado**
Christina McClelland, Grant Development Manager / Hanosky Hernandez, Senior Assistant City Attorney
- 10.ab. **ARPA Interchurch Task Force Inc Nonprofit Grant Agreement – Aurora**
Christina McClelland, Grant Development Manager / Hanosky Hernandez, Senior Assistant City Attorney
- 10.ac. **ARPA Nonprofit Grant Agreement – DAWN**
Christina McClelland, Grant Development Manager / Hanosky Hernandez, Senior Assistant City Attorney
- 10.ad. **ARPA Nonprofit Grant Agreement – Community Enterprise Development Services**
Christina McClelland, Grant Development Manager / Hanosky Hernandez, Senior Assistant City Attorney
- 10.ae. **ARPA Nonprofit Grant Agreement – Downtown Aurora Visual Arts**
Christina McClelland, Grant Development Manager / Hanosky Hernandez, Senior Assistant City Attorney
- 10.af. **ARPA Nonprofit Grant Agreement – Issues of Life Church Ministries Aurora**

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

Motion by Sundberg, second by Bergan to approve the consent calendar items 10a through 10i.

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

11. **RESOLUTIONS**

11.a. **2022 Intergovernmental Agreement with the Community College of Aurora**

R2022-229 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, APPROVING THE INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF AURORA, COLORADO AND THE COMMUNITY COLLEGE OF AURORA ESTABLISHING A CURRICULUM TO QUALIFY AURORA FIRE RESCUE STUDENTS FOR ENROLLMENT IN THE COMMUNITY COLLEGE FOR COLLEGE CREDITS

Mark Hays, Commander, Aurora Fire / Angela Garcia, Senior Assistant City Attorney

Mark Hays, Commander of Aurora Fire provided a summary of the item.

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

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

11.b. **Funding of the Aurora Aerotropolis / I-70 Corridor Transportation Demand Management (TDM) Program Development and Implementation Project**

R2022-230 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, FOR THE INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF AURORA AND THE COLORADO DEPARTMENT OF TRANSPORTATION (CDOT) FOR FUNDING OF THE AURORA AEROTROPOLIS / I-70 CORRIDOR TDM PROGRAM DEVELOPMENT AND IMPLEMENTATION PROJECT

Tom Worker-Braddock, Senior Transportation Planner / Michelle Gardner, Senior Assistant City Attorney

Tom Worker-Braddock, Senior Transportation Planner, provided a summary of the item.

CM Coombs asked for further information on the services provided through a transportation demand management project. T. Worker-Braddock explained that the TDM Program will provide a combination of education to employees about the availability of services they could use. It would also develop an organization that would easily enter contracts with businesses providing shuttle or other transportation services.

Each business would write a check to the DM organization which would manage the contract instead of writing several small checks to shuttle companies.

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

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

11.c. **2022 Medians**

R2022-231 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, EXPRESSING THE AURORA CITY COUNCIL'S APPROVAL OF THE RECOMMENDED LIST OF MEDIAN IMPROVEMENT PROJECTS

Nicole Ankeney, Planning, Design, and Construction Manager of Parks, Recreation and Open Space / Tim Joyce, Assistant City Attorney

Nicole Ankeney, Planning, Design, and Construction Manager of PROS provided a summary of the item.

MPT Bergan commented that the Smoky Hill Road median is in dire need of completion. Staff will provide her with more information on costs and options in February.

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

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

11.d. **Green Valley Ranch East Neighborhood Park Name**

R2022-232 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, EXPRESSING THE AURORA CITY COUNCIL'S APPROVAL OF NAMING A NEIGHBORHOOD PARK IN GREEN VALLEY RANCH EAST "WINDY PLUMES PARK"

Curt Bish, Planning Supervisor, Parks, Recreation and Open Space / Tim Joyce, Assistant City Attorney

Curt Bish, Planning Supervisor of PROS provided a summary of the item.

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

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

11.e. **2022 Clean the World Global Agreement**

R2022-233 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, EXPRESSING THE AURORA CITY COUNCIL'S APPROVAL OF THE

AMENDMENT TO THE SERVICE AGREEMENT BETWEEN THE CITY AND CLEAN THE
WORLD GLOBAL LLC FOR MOBILE SHOWERS

Emma Knight, Manager of Homelessness Program / Tim Joyce, Assistant City Attorney

Emma Knight, Manager of Homelessness Program, provided a summary of the item.

MPT Bergan thanked E. Knight for providing her with additional information.

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

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

11.f. **Colorado Opioids Settlement Memorandum of Understanding**

R2022-234 A RESOLUTION BY THE CITY COUNCIL OF AURORA, COLORADO, TO
APPROVE THE COLORADO REGION 8 OPIOID INTERGOVERNMENTAL AGREEMENT

Kerstin Claspell, Budget Program Manager / Kendall Koca, Manager of Special Projects /
Isabelle Evans, Litigation Manager

Kendall Koca, Manager of Special Projects, provided a summary of the item.

MPT Bergan asked if the set-up is like Region IX with Arapahoe County. K. Koca said it
is very similar. The biggest difference would be having a rotating member on the
council versus a permanent seat. MPT Bergan asked if the money would also differ. K.
Koca confirmed this.

Motion by Bergan, second by Jurinsky to approve item 11f.

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

11.g. **LGBTQIA+ Resolution of Support**

R2022-235 A RESOLUTION BY THE CITY COUNCIL OF AURORA, COLORADO,
CONDEMNING HATE CRIME ACTS COMMITTED AGAINST THE LGBTQIA+ COMMUNITY

Sponsor: Crystal Murillo, Council Member

Sara Valencich, Diversity, Equity, and Inclusion Officer / Angela Garcia, Senior Assistant
City Attorney

Councilmember Murillo provided a summary of the item.

CM Jurinsky expressed her support. She said that she wishes it were a resolution by the
City Council of Aurora condemning hate crimes against everyone. She mentioned that

the shooting in the club adds to a growing list of shootings in other areas like schools, movie theaters, and grocery stores that are supposed to be safe spaces. She stressed that attacks in safe spaces affect everyone. She said that this resolution only talks about hate committed against one group.

CM Coombs mentioned the recent proclamation condemning anti-Semitism. She stressed that members of the LGBTQIA+ community have been subject to an increasing amount of hateful rhetoric. She highlighted that places that are safe for a lot of people may not be safe spaces for the LGBTQIA+ community. However, the nightclub that was attacked was a safe space where these individuals are free to be themselves. CM Coombs stressed that the hate crime within their own safe space, in addition to discrimination in other spaces, communicates that there is no place for the LGBTQIA+ community. CM Coombs said that there is value in having the community stand in solidarity saying that these individuals should get to exist.

Mayor Coffman asked what the legal standard for a hate crime is. P. Schulte explained that a hate crime is when the actual offense of a criminal act was done because somebody was part of any of the protected classes. The hate crime component increases the penalty.

CM Jurinsky mentioned that five of the people that were killed in the tragedy were not part of the LGBTQIA+ community. She reiterated that these hate crimes affect more than just who is a member of that protected class. She expressed support for the resolution directing the City Manager to condemn hate crimes against the LGBTQIA+ community. However, hate crimes against multiple protected classes are still on the rise. She asked why instead they should not condemn all hate. She also asked why the resolution could not be made into a proclamation or a "Day of" instead. CM Coombs expressed support for condemning all hate. She stressed that the resolution is in light of the recent tragedy wherein an LGBTQIA+ safe space was attacked. She explained that the shooter went into the space with the intent of attacking the community and its allies.

Mayor Coffman expressed support for the resolution.

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

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. **6th Avenue and Airport Boulevard Zoning Map Amendment**

2022-74 PUBLIC HEARING AND CONSIDERATION OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, REZONING A PARCEL OF LAND

- ◆ *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.*

MEASURING 22-ACRES, MORE OR LESS, AT THE NORTHEAST CORNER OF 6TH AVENUE AND AIRPORT BOULEVARD FROM MIXED-USE CORRIDOR ZONE DISTRICT (MU-C) TO BUSINESS/TECH ZONE DISTRICT (I-1) AND AMENDING THE ZONING MAP ACCORDINGLY (6TH AVENUE AND AIRPORT BOULEVARD ZONING MAP AMENDMENT)

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

Mayor Coffman opened the public hearing.

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

MPT Bergan asked if there were any comments from Laredo Highland Community at the Planning Commission. B. Cammarata said there were no comments at the Planning Commission and he only received one inquiry call. MPT Bergan asked how the ordinance will change what could be in the parcel. B. Cammarata explained that the mixed-use corridor (MUC) is a commercial-oriented zone district that allows retail and multifamily. I1, on the other hand, is a light industrial zone district that fits in with the I1 district to the east and the APZ zone district to the north. MPT Bergan said that they do not have an actual application for what will go in the parcel. B. Cammarata confirmed this and added that a site plan would be required. MPT Bergan asked if the neighbors could still have input when the site plan comes forward. B. Cammarata said yes and that they notify adjacent landowners and post the property for a site plan.

Mayor Coffman asked if this meets the height restrictions of the base. B. Cammarata said that the base was informed about this, and they did not have any concerns. He added that any site plan proposal is required to meet the height limitations of the zone district and the base.

CM Coombs mentioned that oftentimes when there is a rezone with a proposal, residents would not come forward with concerns. However, when a site plan is presented, Council has difficulty with non-approvals. She asked for clarification on what uses would be permitted in an I1 zone. B. Cammarata said that the I1 zone district includes self-storage, flex office, and warehousing-type uses.

MPT Bergan echoed that there are instances wherein residents were not aware of the rezoning or were not thoroughly briefed on what possible facilities would be present in the parcel. She asked if the change would produce less traffic and less height than a multifamily apartment complex. B. Cammarata confirmed this.

Mayor Coffman stated that everything to the east of the parcel is light industrial. He added that the base requires single-story low density due to issues of it being on or near the flight path.

CM Coombs asked if the surrounding areas have adequate amenities like grocery stores and restaurants that would otherwise be possible in the space. B. Cammarata said that the parcel has been vacant for a while and has not been able to develop commercially due to restrictions around the base and other dynamics in the area.

Mayor Coffman closed the public hearing.

Motion by Gardner, second by Lawson to approve item 12a.

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

12.b. Text Amendment to the UDO Regarding Zoning Designation of Data Centers

2022-75 PUBLIC HEARING AND CONSIDERATION OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, AMENDING CHAPTER 146 OF THE CITY CODE TO CREATE A DEFINITION FOR DATA CENTERS AND TO ALLOW DATA CENTERS AS A CONDITIONAL AND PERMITTED USE IN INDIVIDUAL INDUSTRIAL ZONING DISTRICTS

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

Mayor Coffman opened the public hearing.

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

Mayor Coffman stated that data centers use a lot of energy and water, have a big footprint, and have few employees. He added that it might not be the best use from an economic development standpoint. He asked if Aurora Water could review the issues in terms of water usage in any of the restrictions imposed on data centers. CM Coombs asked if they envisioned changes to the zoning code for data centers that would require them to abide by more stringent water use requirements for landscaping to offset their high water use from operations. B. Cammarata said that there are currently no proposed changes. CM Coombs asked if there are possible policies that could reduce data centers' water footprint. Mayor Coffman added that they would also be subject to the new water conservation ordinance.

M. Brown stated that they have disallowed evaporative cooling for data centers and required closed-loop cooling systems which minimize water usage to be like a single-family residential footprint.

MPT Bergan asked if data centers would be conditional use. B. Cammarata explained that it would be permitted use in most of the zone districts. MPT Bergan asked if this does not allow public input. B. Cammarata stated that APZ and most site plans go to public hearings depending on the scale and scope. Data centers would also go to a public hearing depending on scale.

Mayor Coffman closed the public hearing.

Motion by Gardner, second by Coombs to approve item 12a.

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

13. **PUBLIC HEARING WITHOUT RELATED ORDINANCE**

14. **INTRODUCTION OF ORDINANCES**

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. **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

15.b. **Gun Club Road Rights-Of-Way Vacation No. 2**

2022-72 FOR AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, VACATING TWO PORTIONS OF THE PUBLIC RIGHT-OF-WAY FOR GUN CLUB ROAD, LOCATED 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

15.c. **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

Motion by Bergan, second by Gardner to approve items 15a through 15c.

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 Citizens Advisory Committee on Housing and Community Development**

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

Motion by Coombs, second by Medina to appoint Judy Donovan & Mohammad Faisal to the Citizens Advisory Committee for Housing and Community Development.

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

19.b. **Consideration to Reappoint Two (2) Members to the Public Defenders Commission**

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

Motion by Coombs, second by Marcano to reappoint David Kaplan and Frances Smylie-Brown to the Public Defenders Commission.

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

19.c. **Consideration to Appoint One (1) Member and Reappoint Two (2) Members to the Aurora Youth Commission**

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

Motion by Coombs, second by Lawson to reappoint Advik Shrivastava and Mike Burke to the Aurora Youth Commission.

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

19.d. **Consideration to Reappoint Two (2) Members to the Planning & Zoning Commission**

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

Motion by Bergan, second by Gardner to reappoint Melvin Bush and Robert Gaiser to the Planning & Zoning Commission.

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

20. **REPORTS**

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

Mayor Coffman reported that the APD reached out to the Colorado Springs Chief of Police to offer resources. Mayor Coffman and the Council also sent a condolence letter to the people of Colorado Springs.

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

CM Lawson extended her condolences and prayers to Colorado Springs and wished nothing but healing to the families, community, and city. She reported that the Senate and Congress are back in session and negotiations are continuing over the final text of the 2023 Omnibus Package. Final figures have not yet been agreed upon. Should lawmakers be without a deal by the 16th of December, Congress must pass another Continuing Resolution (CR) to keep the government funded. Aurora's earmark requests are part of the package. Federal lobbyists will provide further updates.

CM Zvonek discussed that Aurora has been facing a road maintenance funding deficit for 14 years and is growing each year. This resulted in the deterioration of road conditions across the city. Over the next two years, Aurora will begin to improve road conditions without raising taxes through the recently passed Road Maintenance Plan. This will provide the one-time funding needed to address the backlog and create a road maintenance fund that will prevent this deficit in the future. The kickoff of the Build-up Aurora Projects will be on December 1st at Summer Valley Park. Information on impacted neighborhoods and future projects is on EngageAurora.org/BuildUpAurora.

CM Murillo announced that her last town hall of the year would be on December 1, 2022 at the Moorhead Recreation Center at 6 PM.

CM Sundberg met with Warrior Now and Arapahoe County Veterans Services to learn about their efforts in helping veterans out of addiction through peer-to-peer mentorship and providing a support network. He mentioned that problem in the Vista Peak neighborhood wherein teens were overrunning a park. PAR officers, the faculty of Vista Peak, and the APS School Board got involved to address these concerns. CM Sundberg's town hall was canceled due to a snowstorm.

CM Marcano wished everyone a great Thanksgiving. He announced that the next Ward IV meeting will be on January 12th at the Colorado Early Colleges at 6:30 PM.

In attendance would be APS Director Dr. Keke, Arapahoe County Commissioner-Elect Leslie Summey, and interim Chief of Police Art Acevedo.

CM Coombs announced that the DRCOG meeting was held on November 17th. The Finance and Budget Committee received a positive audit from CliftonLarsonAllen. They discussed the Transportation Improvement Plan and board comments on the greenhouse gas rulemaking. They received an initial presentation on state legislative priorities which will be followed up with CM Lawson and the FSIR Committee. She added that they had a meeting of the Highline Canal Conservancy Forum. CM Coombs explained that the Highline Canal is a 61-mile greenway from Waterton Canyon to Green Valley Ranch. Within Aurora is 17 miles of the canal. This then delegates Aurora with the responsibility of maintaining the canal as a recreational amenity and stormwater infrastructure. Aurora also has access to grants from DRCOG and the capital campaign to raise \$20 million to contribute. CM Coombs also spoke at the Meadowood Neighborhood Association Annual Meeting and fielded questions about what the Council is doing for the city as it relates to crime. She reported that her town hall had an extended discussion from the consent decree monitor who answered several questions from the community. CM Coombs thanked her colleagues for supporting the resolution which supports the LGBTQIA+ community. She extended her gratitude to the community and the solidarity shown. She thanked the NAACP, neighboring city councils, and the Community College of Aurora.

Mayor Pro Tem Bergan extended her condolences to the Colorado Springs Community and the families of the victims of the tragedy. She announced that she attended the Region 9 Governance meeting and reviewed and prioritized projects. Another meeting will be held tomorrow for the finalization of projects to be funded. The RFP process will take place in January or February 2023. In E-470, they approved a contract for the central maintenance facility and are only waiting on building permits. E-470 Authority allocated \$1.2 million for signals for the intersection at Jewell Avenue. Due to supply chain issues, completion is anticipated to be Fall of 2024. She attended her last meeting for the Mile High Flood District as Mayor Pro Tem. They adopted the floodplain maps and certified tax levies and the five-year Capital Plan. MPT Bergan thanked DA John Kellner and Commander Flanagan for attending her town hall and presenting on criminal prosecution.

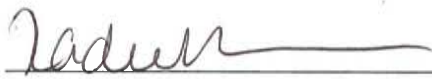
Councilmembers Gardner, Jurinsky, and Medina had no reports.

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.*