

MINUTES

Regular Meeting of the Aurora City Council Monday, March 13, 2023

1. **CALL TO ORDER**

Mayor Coffman reconvened the regular meeting of the City Council for March 13, 2023, at 6:30 p.m.

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

COUNCIL MEMBERS PRESENT: Mayor Coffman, Gardner, Bergan, Coombs, 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 began the meeting with invocation, asking for guidance, safety, and unity in the community.

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

Mayor Coffman led the attendees in reciting the Pledge of Allegiance.

5. **EXECUTIVE SESSION UPDATE**

Mayor Coffman proceeded with an update on the executive session, where three items were discussed involving litigation and negotiation, and approval of minutes from February 27th, 2023. A motion is requested.

6. **APPROVAL OF MINUTES**

6.a. **February 27, 2023 Meeting Minutes**

Motion by Sundberg, second by Gardner, to approve the minutes of the February 27, 2023, City Council meeting.

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

7. **PROCLAMATIONS OR CEREMONIES**

7.a. **Swearing-in Ceremony of Fire Chief Alec Oughton**

Shawn Day, Presiding Judge

8. **PUBLIC INVITED TO BE HEARD**

(non-agenda related issues only)

Council heard in-person public testimonies on non-agenda-related items.

9. **ADOPTION OF THE AGENDA**

Motion by Gardner, second by Marcano to approve the adoption of the agenda with item 17.a. removed.

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

10. **CONSENT CALENDAR - MOTIONS**

Any member of Council may request an item be removed from Consent Calendar and considered separately. Removed items are considered immediately following the adoption of the Consent Calendar

10.a. **Motions**

- 10.a.1 **Consideration to AWARD A SINGLE SOURCE CONTRACT to MHC Kenworth Denver, Denver, CO in the Not-to-Exceed Amount of \$60,000.00 for Allison and Cummins Parts and Service as Required for Fleet Services Through February 28, 2024**

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

- 10.a.2. **Consideration to AWARD A COMPETITIVELY BID CONTRACT to Martin Marietta Materials, Inc., Lakewood CO in the Amount of \$35,976,194.47 for the 2023 Overlay Program; 5921A**

Waiver of Reconsideration is requested due to the length of the project and sensitivity to weather conditions that can cause delays.

Nicholas Johnson, Engineering Supervisor, Public Works / Dave Lathers, Senior Assistant City Attorney

- 10.a.3. **Consideration to AWARD A SOLE SOURCE CONTRACT to Infor Public**

Sector, Inc., Alpharetta, GA in the Amount of \$206,949.66 for the Annual License / Maintenance Renewal of Asset Management Software for Water and Public Works Through April 11, 2024.

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

- 10.a.4. **Consideration to AWARD A SOLE SOURCE CONTRACT to Priority Dispatch, Salt Lake City, UT in the Amount of \$70,730.02 for Software System License Renewal for the City's 911 Answering System Through February 27, 2024**

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

- 10.a.5. **Change Order to IMA Purchase Order to Add Additional Funds for the City's Insurance Program**

A waiver of reconsideration is requested given that insurance premiums for these coverages are due for payment.

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

- 10.a.6. **Aurora Municipal Court Workload Study Proposal**

Candace Atkinson, Director of Courts and Detention / Angela Garcia, Senior Assistant City Attorney

Outside Speaker: Shannon Roth, Court Management Consultant, National Center for State Courts

10.b. Planning Matters

10.c. Appointments to Boards and Commissions

- 10.c.1. **Consideration to Reappoint One (1) Member to the Election**

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

- 10.c.2. **Consideration to Reappoint One (1) Member to the Career Service**

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

10.c.3. **Consideration to Appoint Two (2) Members and Reappoint One (1) Member to the Aurora Immigrant and Refugee Commission**

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

Motion by Gardner, Second by Bergan to approve the Consent Calendar items 10.a.1 through 10.c.3.

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

11. **CONSENT CALENDAR - RESOLUTIONS AND ORDINANCES**

Any member of Council may request an item be removed from Consent Calendar and considered separately. Removed items are considered immediately following the adoption of the Consent Calendar

11.a. **Resolutions**

11.a.1. **WETCO Farms Purchase and Sale Agreement**

R2023-26 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, APPROVING THE PURCHASE AND SALE AGREEMENT FOR WATER RIGHTS AND REAL PROPERTY BETWEEN THE CITY OF AURORA AND WETCO FARMS, INC.

Dawn Jewell, Water Resources Manager, Aurora Water / Ian Best, Assistant City Attorney

11.a.2. **IGA with CDOT for the Advanced Traffic Signal Controller Project**

R2023-27 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, APPROVING THE INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF AURORA AND THE COLORADO DEPARTMENT OF TRANSPORTATION (CDOT) FOR THE ADVANCED TRAFFIC CONTROLLER PROJECT

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

11.a.3 **IGA with E-470 for Jewell Ave Temporary Traffic Signals**

R2023-28 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, APPROVING THE INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF AURORA AND THE E-470 PUBLIC HIGHWAY AUTHORITY REGARDING TEMPORARY TRAFFIC SIGNALS AT JEWELL AVENUE AND E-470

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

11.a.4 **Rules of Order and Procedure: Voting Conflicts of Interest**

R2023-29 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 VOTING CONFLICTS OF INTERESTS
Sponsor: Ruben Medina, Council Member

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

Council heard public in-person testimony on agenda item.

11.a.5 **Civil Service Commission Hiring Update**

R2023-30 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, DIRECTING THE CITY MANAGER TO MOVE ALL BACKGROUND INVESTIGATOR POSITIONS FROM THE CIVIL SERVICE COMMISSION TO THE DEPARTMENT OF HUMAN RESOURCES UTILIZING THE SPRING BUDGET SUPPLEMENTAL ORDINANCE AND TO REITERATE THE COUNCIL'S DIRECTION TO THE CIVIL SERVICE COMMISSION FOR THE COMMISSION TO AMEND THE COMMISSION'S RULES AND REGULATIONS TO COMPLY WITH THE MANDATES OF THE CONSENT DECREE

Jason Batchelor, Deputy City Manager / Pete Schulte, Public Safety Client Services Manager, City Attorney

Council heard public in-person testimony on agenda item.

CM Bergan requested more information on the consent decree and asked why they're contemplating moving hiring to human resources. P. Schulte provides clarification.

CM Bergan asked if from a legal perspective, does the language in the Charter allow them to do what is being proposed. P. Schulte responded.

Mayor Pro-Tem Gardner asked multiple questions regarding statements made by public speaker, C. Richardson, during public speaker comments on agenda items. C. Richardson is called up and provided responses.

CM Coombs requested information from staff on what the 1290 proposal was. J.

Batchelor provided clarification for the proposal and why it was declined. P. Schulte weighs in. CM Coombs asks if there is any concern that the citizens on the panel might not have access to information that would allow them to address a background that may be completed. P. Schulte responds.

Motion by Zvonek, Second by Marcano to approve item 11.a.5.

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

Voting Nay: Coombs

11.b. **Finalizing of Ordinances**

Ordinances approved unanimously at first reading

11.b.1. Civil Service Commissioners Classification and Compensation

2023-04 FOR AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, AMENDING SECTION 102-69 OF THE CITY CODE PERTAINING TO COMPENSATION OF MEMBERS OF THE CIVIL SERVICE COMMISSION

Ryan Lantz, Director of Human Resources / Kim Skaggs, Assistant City Attorney

11.b.2 Painted Prairie N. Orleans St. ROW Vacation

2023-05 FOR AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, VACATING A PORTION OF THE PUBLIC RIGHT- OF WAY FOR N. ORLEANS ST., LOCATED WITHIN SECTION 11, TOWNSHIP 3 SOUTH, RANGE 66 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY OF AURORA, COUNTY OF ADAMS, STATE OF COLORADO (PAINTED PRAIRIE N. ORLEANS ST. RIGHT-OF-WAY VACATION)

Aja Tibbs, Senior Planner, Planning and Development Services / Daniel L. Money, Senior Assistant City Attorney

Motion by Coombs, Second by Gardner to approve the Consent Calendar Resolutions and Ordinance with item 11.a.5. removed.

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

12. **PUBLIC HEARINGS**

Public hearings with or without related ordinances

12.a. **Kings Point South PA 1-4 Zoning Map Amendment**

2023-06 A PUBLIC HEARING AND CONSIDERATION OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, REZONING TWO PARCELS OF LAND MEASURING 33-ACRES, MORE OR LESS, LOCATED NORTH OF E-470 AND COTTONWOOD DRIVE, CITY OF AURORA, COUNTY OF DOUGLAS, STATE OF COLORADO, FROM MEDIUM- DENSITY RESIDENTIAL ZONE DISTRICT (R-2) TO LOW-DENSITY SINGLE-FAMILY ZONE DISTRICT (R-1) AND AMENDING THE ZONING MAP ACCORDINGLY (KINGS POINT SOUTH PA 1-4 ZONING MAP AMENDMENT)

Erik Gates, Planner, Planning and Development Services / Daniel Money, Senior Assistant City Attorney

Erik Gates, Planner, provided a brief presentation on item.

CM Marcano requested information from staff on lowering the density where this parcel is.

CM Bergan noted that the proposed lower density for the site is unusual but favorable to the residents in Ward Six due to the adjacent properties.

CM Coombs inquired about the possibility of mixed-use or walkability for the site, but the staff clarified that neither R1 nor R2 zoning districts allow mixed-use, and the area is primarily residential with limited commercial off of e-470.

Motion by Bergan, Second by Gardner to approve item 12.a.

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

12.b. **Northeast Aurora Planning and Annexation Boundary Expansion Comprehensive Plan Amendment**

2023-07 A PUBLIC HEARING AND CONSIDERATION OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, AMENDING THE 2018 COMPREHENSIVE PLAN TO ENLARGE THE PLANNING AND ANNEXATION BOUNDARY LOCATED IN THE NORTHEAST SECTION OF THE CITY AND DESIGNATING A PLACETYPE OF INDUSTRIAL HUB TO THE AREA (NORTHEAST PLANNING AND ANNEXATION BOUNDARY EXPANSION COMPREHENSIVE PLAN AMENDMENT)

Daniel Krzyzanowski, Planning Supervisor, Planning and Development Services / Daniel Money, Senior Assistant City Attorney

Presentation on item was heard.

Council heard public in-person testimony on agenda item.

CM Coombs opposed the expansion due to the potential costs involved, including the infrastructure deficit, and increasing water costs. She believed that annexations can be done on a case-by-case basis without expanding the entire boundary.

CM Marcano saw potential in the region but wanted to see changes to impact fee structure and aggressive efforts to cut back on existing water use. He feared that expansion could fuel land speculation and make future development more expensive.

CM Bergan supported the expansion as it doesn't cost anything currently and believed that it can lead to potential economic development opportunities. She was worried that doing annexations one by one could cause the city to miss out on a larger opportunity.

Motion by Jurinsky, Second by Gardner to approve item 12.b.

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

Voting Nay: Coombs, Marcano, Medina, Murillo

13. **INTRODUCTION OF ORDINANCES**

14. **FINALIZING OF ORDINANCES**

Ordinances not approved unanimously at first reading

15. **ANNEXATIONS**

16. **RECONSIDERATIONS AND CALL UPS**

17. **GENERAL BUSINESS**

17.a. **Consideration to Appoint a Member to the Civil Service Commission**

◆ *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.*

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

17.b. **City Council Appointment of Jason Batchelor as Interim City Manager**

Sponsor: City Council

Ryan Lantz, Director of Human Resources / Dan Brotzman, City Attorney

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

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

18. **REPORTS**

18.a. **Report by the Mayor**

Mayor has no report.

18.b. **Reports by the Council**

CM Coombs asked if comp plan amendments require seven votes, and Mayor Coffman clarified that it only applies to second reading.

CM Lawson reported on the city's projects for congressionally directed spending and the progress on legislative sessions to Federal elected. She stated they are halfway through the Colorado Legislative Session and the City has taken priorities on 26 Bills.

Mayor Pro Tem Gardner stated he has received several calls from residents regarding water and expressed frustration over the city's water situation and its impact on residents. He wondered why Denver Water was not in the same situation and stated they either have better storage or different science. He stated that until things get better, he will continue asking questions and hopes his colleagues will as well. Gardner stated he had an opportunity to read to a group of kids during Readers are Leaders week.

CM Jurinsky echoed the Gardner's sentiment and that they put up a fight against putting the city in a drought and raising water rates. She was sorry their efforts fell short. She can't figure out why the city's neighbors aren't in a drought. She encouraged residents to speak out. She stated she got to read to several different classrooms over the past week and had a great time. She was amazed to see kids interact the way they did. Jurinsky announced that the At-Large town hall meeting is on March 29th.

CM Murillo announced her upcoming town hall meeting regarding small businesses on March 23rd in-person at the Moorhead Recreation Center.

CM Sundberg stated he enjoyed Readers are Leaders at a preschool class. He reported on Sergeant Tim Jeffries' retirement who spent nearly 36 years on the force and the need for more police officers.

CM Marcano announced his upcoming ward meeting at 6:30 p.m. on April 13th at Colorado Early Colleges and the feature presentation and Q&A on the 2023 budget. He stated appetizers will be served from Nile Ethiopia.

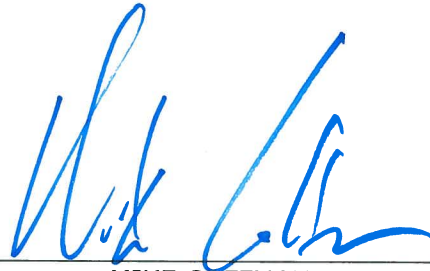
CM Coombs announced her upcoming town hall meeting on March 21st at 6:00 p.m. at Heather Gardens. There will be a presentation on Aurora Water as well as a Q&A stage 1 drought condition and other items of interest.

CM Bergan announced her upcoming town hall meeting at the Heritage Eagle Bend Club House. There will be presentations on parks and rec, Xcel Energy tips on saving on energy costs, and updates on the snow and the drought. She mentioned a memo that was received describing the water basins. She stated it's not what the news is reporting. She hopes the information can help individuals understand the conditions the city is in with the reservoirs being below the standard. She understands the impact, but they are trying to be responsible.

CM Zvonek and Medina did not have a report.

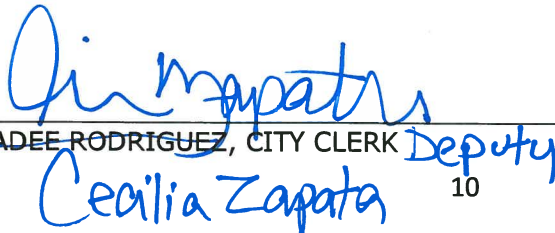
19. **ADJOURNMENT**

Meeting adjourned at 7:39 PM.



MIKE COFFMAN, MAYOR

ATTEST:



KADEE RODRIGUEZ, CITY CLERK Deputy

Cecilia Zapata 10



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