

MINUTES

Regular Meeting of the Aurora City Council

Monday, April 10, 2023

1. **RECONVENE REGULAR MEETING OF APRIL 10, 2023, AND CALL TO ORDER**

Mayor Coffman reconvened the regular meeting of the City Council for April 10, 2023, at 6:30 p.m.

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

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

COUNCIL MEMBERS ABSENT: Mayor Pro Tem Gardner

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 April 10th Council Meeting.

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

5. **EXECUTIVE SESSION UPDATE**

Mayor Coffman proceeded with an update on the executive session, where participants had discussed negotiations on contracts and legal advice on rulemaking.

6. **APPROVAL OF MINUTES**

6.a. **March 13, 2023 Meeting Minutes**

Motion by Sundberg, second by Bergan to approve March 13, 2023 meeting minutes.

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

6.b. **March 27, 2023 Meeting Minutes**

Motion by Sundberg, second by Bergan to approve March 27, 2023 meeting minutes.

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

7. **PROCLAMATIONS OR CEREMONIES**

7.a. **Genocide Awareness and Prevention Month**

Mayor Coffman proclaimed April 2023 as Genocide Awareness and Prevention Month, condemning all acts of genocide and crimes against humanity, and urging the community to embrace diversity, speak kindly, and treat everyone with kindness.

7.b. **Aurora Arbor Week**

Mayor Coffman proclaimed April 21st, 2023, as Aurora Arbor Week.

7.c. **Arab American Heritage Month**

CM Lawson read a proclamation declaring April 2023 as Arab American Heritage Month.

7.d. **Child Abuse Prevention Month**

CM Lawson read a proclamation declaring April 2023 as Child Abuse Prevention Month and invited citizens to raise awareness and increase prevention efforts.

8. **PUBLIC INVITED TO BE HEARD**

(Non-agenda-related issues only)

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

9. **ADOPTION OF THE AGENDA**

Motion by Marcano, second by Zvonek to adopt the agenda.

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

10. **CONSENT CALENDAR - MOTIONS**

10.a. **Motions**

10.a.1 **Consideration to EXTEND A COMPETITIVELY BID CONTRACT to Keesen Landscape Management, Inc., Englewood, CO in the Not-to-Exceed Amount of \$250,000.00 for Abatement Services as Required Through March 31, 2024. (B- 4543)**

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

Sandra Youngman, Manager of Code Enforcement, provided a summary of the item.

CM Sundberg asked if Keesen had been able to keep up with the daily demand for abatements and if they had enough crew to handle the job. Sandra Youngman, Manager of Code Enforcement in Housing and Community Services, confirmed that Keesen had been keeping up with code enforcement abatements.

CM Sundberg also inquired about Keesen's landscaping services and if they were related to homeless services and abatement. S. Youngman clarified that the contract with Keesen was specifically for weed, trash, and debris abatement, and they were not involved in cutting trees.

Motion by Sundberg, second by Lawson to approve item 10.a.1.

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

10.a.2 Channel Aggradation Study and Remediation Plan Phase 1 – Stantec Consulting Services – Amendment Nine

Consideration to AMEND AN OPENLY SOLICITED CONTRACT with Stantec Consulting Services, Inc., Fort Collins, Colorado in the Amount of \$35,000.00 to Add Required Survey and Letter of Map Revisions Submittal Process for the Channel Aggradation Study and Remediation Plan Phase 1 Project, R-1725.

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

10.a.3 Tetra Tech, Inc. Professional Engineering Services for Wild Horse Dam and Reservoir

Consideration to AMEND AN OPENLY SOLICITED CONTRACT to Tetra Tech, Inc., Denver, Colorado in the Amount of \$10,496,837.00 for Providing Professional Engineering Services for the Feasibility Design, and Permitting Support for Wild Horse Dam and Reservoir

John P. Clark, Principal Engineer, Aurora Water / Dave Lathers, Senior Assistant City Attorney

10.a.4 Consideration to APPROVE AN AMENDMENT TO AN OPENLY SOLICITED CONTRACT to Dewberry Engineers, Inc., Denver, Colorado in the Amount of \$970,308.00 for 30% Engineering Design for the Wild Horse Reservoir Pipelines, RFP R-2100

John P. Clark, Principal Engineer, Aurora Water / Dave Lathers, Senior Assistant City Attorney

10.a.5 Consideration to AWARD A COMPETITIVELY BID CONTRACT with US Distributing, Inc. Denver, Colorado in the Amount of \$90,000.00 for AC Delco OEM Parts as Required by Fleet Through March 31, 2024. (B-4687)

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

10.a.6 Consideration to AWARD A SINGLE SOURCE CONTRACT to Iron Code Technologies, Denver, CO in the Amount of \$225,000.00 for a Municipal Court Case Management System

Due to the workload of the City Prosecutors, the risk of sanctions from the Courts, and the time required to implement the solution, staff request a waiver of reconsideration so work can commence as soon as possible.

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

10.b. Planning Matters

10.c. Appointments to Boards and Commissions

10.c.1 Consideration to Appoint One (1) Member to the Veterans Affairs Commission

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

10.c.2 Consideration to Appoint One (1) Member to the Open Space Advisory Board

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

10.c.3 Consideration to Appoint Three (3) Members to the Golf Course Advisory Committee

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

Motion by Bergan, second by Marcano to approve the Consent Calendar – Motions with item 10.a.1 removed.

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

11. CONSENT CALENDAR - RESOLUTIONS AND ORDINANCES

11.a. Resolutions

11.a.1 Joint Wet Weather Monitoring and Other Colorado Discharge Permit Activities Intergovernmental Agreement

R2023-37 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA,

◆ *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.*

COLORADO, EXPRESSING THE AURORA CITY COUNCIL'S SUPPORT OF AN INTERGOVERNMENTAL AGREEMENT AMONG THE CITY OF AURORA, COLORADO, BY AND THROUGH ITS UTILITY ENTERPRISE, THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT, d/b/a MILE HIGH FLOOD DISTRICT, THE CITY AND COUNTY OF DENVER, AND THE CITY OF LAKEWOOD REGARDING FUNDING OF JOINT WET WEATHER MONITORING AND OTHER COLORADO DISCHARGE PERMIT ACTIVITIES

Sherry Scaggiari, Manager of Environmental Permitting, Aurora Water / Ian Best, Assistant City Attorney

11.a.2 Daniel P. Mikesell Water Operations Facility Dedication Plaque

R2023-38 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, EXPRESSING THE AURORA CITY COUNCIL'S SUPPORT FOR THE DEDICATION PLAQUE TO BE PLACED IN THE DANIEL P. MIKESSELL WATER OPERATIONS FACILITY

Greg Baker, Manager of Water Public Relations, Aurora Water / Ian Best, Assistant City Attorney

11.a.3 Intergovernmental Agreement for Voter Service Polling Centers (VSPC) and Ballot Drop Box Locations

R2023-39 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, APPROVING THE INTERGOVERNMENTAL AGREEMENT BETWEEN ARAPAHOE COUNTY AND THE CITY OF AURORA FOR THE COORDINATED ELECTIONS TO BE HELD NOVEMBER 7, 2023 AND NOVEMBER 5, 2024

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

11.b. Finalizing of Ordinances

Ordinances approved unanimously at first reading.

11.b.1 Consideration to Update City Code that Governs Purchasing - City Code Chapter 2 Administration, Article VI Purchases and Contracts

2023-08 FOR AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, AMENDING IN ITS ENTIRETY ARTICLE VI OF CHAPTER 2 OF THE CITY CODE PERTAINING TO CONTRACTS AND PURCHASING TO ACCOMMODATE AND INCORPORATE CURRENT CITY ORGANIZATIONAL CHART POSITION TITLES, TO CONFORM TO LONGSTANDING CITY PURCHASING PRACTICES AS REFLECTED IN ADOPTED PURCHASING PROCEDURE LETTERS AND TO REFLECT ADOPTED CITY BUSINESS PRACTICES MEMORANDA, AND REMOVING REFERENCES TO DISCARDED PURCHASING PRACTICES, AND GENERALLY CLARIFYING THE LANGUAGE OF THE ARTICLE

Bryn Fillingner, Manager of Purchasing Services, Finance / Dave Lathers, Senior Assistant City Attorney

Motion by Bergan, second by Lawson to approve the Consent Calendar - Resolutions and Ordinances.

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

12. PUBLIC HEARINGS

12.a. Majestic Commercenter II as a Blighted Area Designation

2023-10 A PUBLIC HEARING AND INTRODUCTION OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, DESIGNATING THE PROPOSED MAJESTIC COMMERCENTER II URBAN RENEWAL AREA AS A BLIGHTED AREA APPROPRIATE FOR URBAN RENEWAL

Jennifer Orozco, Senior Development Project Manager, Planning and Development Services / Rachel Allen, Manager of Client Services, City Attorney

Mayor Coffman opened the public hearing.

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

CM Bergan asked about the minimum requirement for blighting factors. J. Orozco explained that at least four factors must be met for an urban renewal project, but in this case, with a single property owner, they could have as few as one factor of blight.

Mayor Coffman closed the public hearing.

Motion by Sundberg, second by Bergan to approve item number 12.a.

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

12.b. Majestic 5280 RV Storage Zoning Map Amendment

2023-11 A PUBLIC HEARING AND CONSIDERATION OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, REZONING A PARCEL OF LAND MEASURING 2.14 ACRES, MORE OR LESS, LOCATED AT THE SOUTHWEST CORNER OF SMITH ROAD AND SABLE BOULEVARD, CITY OF AURORA, COUNTY OF ADAMS, STATE OF COLORADO, FROM MIXED-USE CORRIDOR ZONE DISTRICT (MU-C) TO BUSINESS/TECH ZONE DISTRICT (I-1) AND AMENDING THE ZONING MAP ACCORDINGLY (5280 RV STORAGE ZONING MAP AMENDMENT)

Liz C Fuselier, Planner, Planning and Development Services / Dan Money, Senior Assistant City Attorney

Mayor Coffman opened the public hearing.

Liz Fuselier, Planner, provided a summary of the item.

Council heard public in-person testimony.

CM Murillo asked staff to address the concerns raised in the public testimony. L. Fuselier responded.

CM Murillo asked about the drainage issues mentioned in the public testimony. L. Fuselier responded that the drainage issues were reviewed by Public Works and have been approved by the city through the site plan.

CM Coombs asked for clarification regarding any additional drainage to address the concerns expressed. Jessica Melton with JL Melton Construction, representing the property owner, explained that a drainage study had been conducted and the drainage would comply with city regulations and requirements.

CM Murillo asked if there were other mixed-use zoned areas nearby and the reasoning behind the initial zoning. Liz Fuselier responded. CM Murillo expressed her concerns about the highest and best use for the property and asked about access to bus stations. Liz Fuselier confirmed there are bus stops on Sable and Smith Road and explained that infrastructure will be brought up to code.

CM Murillo sought clarification on whether the RV storage was the best and highest use for the property, as it is currently zoned for alternative development. L. Fuselier confirmed that the RV storage is a use permitted under I-1 zoning. J. Melton added additional information.

CM Marcano asked about the access points for the overall project. L. Fuselier mentioned that there would be access off of Sable Boulevard, and J. Melton provided a site plan.

CM Marcano then asked if there was a possibility to create a pedestrian path along the northern side of the property to address the concerns raised by the community members. J. Melton explained that it might not be realistic due to a small triangle of land owned by a separate party.

CM Marcano appreciated the new sidewalks but sought clarification on whether a pedestrian path could be incorporated along the perimeter of the property instead of cutting through it. J. Melton expressed concerns that creating such a path could potentially not be in the best interest of the area and the community.

CM Marcano asked for more details on the environmental concerns and why the area would be unsuitable for certain uses based on previous activity at or near the site. L. Fuselier responded.

CM Coombs asked if there was a reason why the area would not be suited for other types of commercial activities, such as retail services, that would benefit the neighborhood and community. L. Fuselier clarified that only two acres of the eight-acre parcel were zoned MU-C and that the development opportunity for that northeast corner would be just for MU-C. She confirmed that most of the parcel was already industrial, and they were trying to rezone the MU-C portion to match the rest of the area.

CM Bergan pointed out that there had been no desire from developers to develop that one corner for its current zoning, and L. Fuselier agreed, mentioning that they had received numerous pre-applications for the entire parcel that typically included requests for rezoning. CM Bergan noted that it made sense from a compatibility perspective to keep the zoning consistent, as having just one portion zoned as MU-C was odd.

Mayor Coffman closed the public hearing.

Motion by Jurinsky, second by Sundberg to approve item number 12.b.

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

Voting Nay: Coombs, Marcano, Medina, Murillo

12.c. **Crestone Peak Resources Operator Agreement Revisions to Exhibits A and B**

R2023-40 A PUBLIC HEARING AND CONSIDERATION OF A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, EXPRESSING THE AURORA CITY COUNCIL'S SUPPORT OF REVISIONS TO EXHIBITS A AND B OF THE CRESTONE PEAK RESOURCES OPERATOR AGREEMENT

Jeffrey S. Moore, Manager of Oil and Gas Division, Planning and Development Services / Ian Best, Assistant City Attorney

Outside speaker: Dan Harrington, Asset Development Lead, Civitas Resources

Mayor Coffman opened the public hearing.

Jeffrey Moore, Manager of Oil and Gas, and Dan Harrington, the Asset Development lead at Civitas Resources, provided a summary of the item.

Mayor Coffman closed the public hearing.

Motion by Sundberg, second by Zvonek to approve item number 12.c.

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

13. **INTRODUCTION OF ORDINANCES**

14. **FINALIZING OF ORDINANCES**

14.a. **Northeast Aurora Planning and Annexation Boundary Expansion Comprehensive Plan Amendment**

2023-07 FOR 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 L. Money, Senior Assistant City Attorney

Council heard public in-person testimony.

Daniel Krzyzanowski from the Planning and Development Services Department and Brian Gaffney, the Principal of EPS, provided a summary of the item.

CM Coombs expressed concerns about the 12-square mile area and leapfrog development, and asked if the staff had an analysis of a smaller area immediately adjacent to the current city annexation boundaries, including the Chelsea property. D. Krzyzanowski and B. Gaffney responded.

Mayor Coffman emphasized that the current discussion was only the first step and not an annexation itself. The Council would still have the ability to accept, or decline based on further analysis if the applicant decided to annex into the city.

CM Sundberg mentioned that there was a city-approved alternative smaller annexation plan that they received information on and suggested it might be a good alternative to consider as a substitute motion for the current discussion.

CM Coombs expressed her support for the substitute motion, citing that the concerns about leapfrog development are not applicable to this site since it is adjacent to the city and fills a small gap in the current planning and annexation boundary. She also noted that it is not speculative in nature for a significant portion of the site.

CM Marcano echoed CM Coombs' sentiments and expressed appreciation for the applicant demonstrating that the proposal is not speculative. He believes the proposed use makes sense given the industry in the area and is happy to support the smaller expansion.

Motion by Sundberg, second by Bergan to approve the substitute motion to 14.a.

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

14.b. **Ordinance to Amend A.M.C Section 134**

2023-09 FOR AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, AMENDING ARTICLE X CHAPTER 134 OF THE CITY CODE PERTAINING TO THE AURORA PARKING AND TRAFFIC ENFORCEMENT BUREAU AND AUTOMATED VEHICLE IDENTIFICATION SYSTEM CITATIONS

Carrigan Bennett, Police Lieutenant / Megan Platt, Assistant City Attorney

Lieutenant Carrigan Bennett provided a summary of the item.

Motion by Medina, second by Marcano to approve item number 14.b.

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

15. **ANNEXATIONS**

16. **RECONSIDERATIONS AND CALL UPS**

17. **GENERAL BUSINESS**

18. **REPORTS**

18.a. **Mayor**

Mayor Coffman announced that he would be hosting a Town Meeting on April 15th from 2:00 to 3:30 pm at the Central Library. The meeting would cover topics such as an update on the Consent Decree, homeless issues, and law enforcement issues, with Interim Chief Art Acevedo also presenting. The Mayor encouraged people to attend.

18.b. **Council**

CM Lawson reported that the most significant issue currently being discussed by the FSIR Committee is Senate Bill 213, the Land Use Bill, which has many amendments being considered. She stated that she and CM Sundberg attended the End Veteran Suicide Gala organized by Warriors Now, which aimed to raise money and awareness for Veteran suicide prevention. The event was successful and raised close to \$40,000, which will be used for programs to support Veterans and help develop a wellness center.

CM Jurinsky announced that the next At-Large Town Hall will be held on June 15th at the People's Building on Colfax at 6:00 p.m., with all four At-Large Council Members in attendance.

CM Zvonek shared that DRCOG held a special board meeting to discuss Senate Bill 213, the Governor's Statewide Land Use Bill. The board voted to actively oppose the bill, as did several local jurisdictions, counties, cities, and CML. DRCOG will continue working to improve the bill but opposes it in its current state. Additionally, they discussed the EPA's Climate Pollution Reduction Grants and the possibility of DRCOG being the lead agency to facilitate them. CM Zvonek mentioned that he will circulate a letter to his colleagues suggesting their support and exploring ways for Aurora to apply for grants, particularly for equipment funding from the federal government.

CM Murillo attended several events over the weekend and expressed gratitude to Somos Dance Studio for their grand opening in Ward I. She highlighted the importance of supporting BIPOC-owned small businesses and building a local infrastructure for fun experiences. She also attended a charity event by the Heavy Hands, Heavy Hearts Foundation, supporting their Gloves Up, Guns Down initiative for youth violence prevention. Lastly, she announced her monthly Town Hall meeting scheduled for Thursday, April 27th at 6:00 p.m. at the MLK Library.

CM Sundberg shared his wife's experience as a survivor of the Rwandan genocide and the power of forgiveness. He mentioned being a court-appointed special advocate and encouraged others to volunteer. He talked about attending various events, including the End Veteran Suicide gala, Somos Dance Studio opening, and the Chamber Awards Event. He and Councilwoman Jurinsky are visiting an Adams 12 Law Enforcement Crime Scene Pathway Curriculum to learn how young people are being introduced to careers in law enforcement and crime scene investigation. Lastly, he announced the Ward II Town Hall on the 20th, where they will discuss alternative energy solutions, oil and gas, and other issues.

CM Medina mentioned hosting a Town Hall last week with a robust agenda that included open space, budget, and the Consent Decree. Many questions arose about the Consent Decree, and community members felt disconnected from the information. He plans to work on finding a better way to present and share information about the Consent Decree, as well as how it's being monitored in the community.

CM Marcano announced the final public hearing for the Charter Review Committee, which will take place on April 13th at 7:00 p.m. in the Council Chambers. He encouraged people to submit comments online or in person at the hearing. He also mentioned the upcoming Ward IV meeting on April 13th at 6:30 p.m. at Colorado Early Colleges, featuring an overview of the 2023 Budget and light appetizers from Nile Ethiopian.

CM Coombs mentioned that her next Ward Town Hall took place on Tuesday at 6:00 p.m. at Central Rec Center, with a hybrid format. The event featured a presentation on the Consent Decree and County Assessor PK Kaiser discussing property valuations and appeals for the upcoming property tax cycle. Representatives from the PAR Department and Fire Department were also present.

CM Bergan mentioned that those recommended for the Golf Commission, Veterans Commission, and Open Space Board had been approved as part of the consent calendar. Despite missing some evening events due to illness, she participated in virtual meetings, including the Region 9 opioid meeting. They finalized scopes of work for different subgroups, prepared to finalize the RFQ document and evaluation rubric, and planned to advertise the RFQ. After evaluating applications, they will allocate the opioid settlement money to help address the opioid addiction problem in the city and country. The settlement funds will continue for 18 years beyond this first phase.

Mayor Coffman mentioned that he participates in a public safety rotation. He recently went on a ride along with Officer Madison Burzynski from District 3, who is a three-year veteran of the Aurora Police Department. The week before, he observed operations at the detention facility. He clarified that he was observing and not in detention himself. Next weekend, he plans to observe the Marshals' interface with the weekend court.

19. **ADJOURNMENT**

Mayor Coffman adjourned the regular meeting of the City Council.


MIKE COFFMAN, MAYOR

ATTEST:


KADEE RODRIGUEZ, CITY CLERK



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