

MINUTES

Regular Meeting of the Aurora City Council

Monday, October 23, 2023

1. **RECONVENE REGULAR MEETING OF OCTOBER 23, 2023 AND CALL TO ORDER**

Mayor Coffman reconvened the regular meeting of the City Council for October 23, 2023, 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

COUNCIL MEMBERS ABSENT: None

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 October 23, 2023 Council Meeting.

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

5. **EXECUTIVE SESSION UPDATE**

No updates.

6. **APPROVAL OF MINUTES**

10.a **October 09, 2023 Meeting Minutes**

CM Murillo motioned to strike the last sentence.

Motion by Sundberg, second by Gardner, to approve the minutes of the October 09, 2023 Council meeting with the last sentence stricken.

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

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7. PROCLAMATIONS OR CEREMONIES

10.a Veterans Day 11:00 a.m. Minute of Silent Remembrance

Mayor Coffman proclaimed November 11, 2023, 11 a.m., as Veterans Day, Minute of Silent Remembrance.

8. PUBLIC INVITED TO BE HEARD

(non-agenda-related issues only)

Council heard public testimony on non-agenda-related items.

9. ADOPTION OF THE AGENDA

9.a. Approval to Add Resolution R2023-127 to the Agenda for Consideration

Motion by Coombs, second by Medina to adopt the agenda with 11a.7 added.

Voting Aye: Medina, Marcano, Coombs, Murillo

Voting Nay: Mayor Coffman, Bergan, Gardner, Lawson, Sundberg, Jurinsky, 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 in the Amount of \$277,636.50 to Insituform Technologies, LLC, Delaware, for the Urgent Stormwater Pipe Repairs at Heather Ridge, Yampa and Wheeling Project

Andrea Long, Principal Engineer, Aurora Water/Hanosky Hernandez, Senior Assistant City Attorney

10.a.2 10.a.2 Consideration to AWARD A SINGLE SOURCE CONTRACT to Niquito's, Aurora, Colorado in the Not-to-Exceed Amount of \$90,000.00 for Delivery of Prepared Food and Other Food Items to the Aurora Detention Center through December 31, 2024

Alexander Lance, Chief of Detention, Court Administration / Hanosky

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Hernandez, Senior Assistant City Attorney

- 10.a.3 Consideration to EXTEND AN OPENLY SOLICITED CONTRACT to PerfectMind, Inc., British Columbia, Canada in the Amount of \$108,900.00 for the Parks, Recreation and Open Space (PROS) Registration Management Software System through December 2024 (R-1826)**

Scott Newman, Chief Information Officer / Hanosky Hernandez, Senior Assistant Attorney

- 10.a.4 Consideration to AWARD A SINGLE SOURCE CONTRACT to Smarsh, Carol Stream, IL in the Amount of \$74,867.50 for the City's Social Media and Text Messaging Archive Service Subscription Renewal through September 2024**

A waiver of reconsideration is requested to ensure services are not suspended pending the authorization of the renewal as a result of several key reasons listed in the commentary.

Scott Newman, Chief Information Officer / Hanosky Hernandez, Senior Assistant Attorney

- 10.a.5 Consideration to AWARD A SINGLE SOURCE CONTRACT to AM Signal LLC, Littleton, CO in the Amount of \$218,735.00 for the Purchase of One Hundred (100) Encom E-Lite Radios as Required by Public Works Traffic**

Carlie Campuzano, Traffic Manager, Public Works / Hanosky Hernandez, Senior Assistant City Attorney

- 10.a.6 Consideration to AWARD A COMPETITIVELY BID CONTRACT to Brannan Sand and Gravel Company, Denver, CO in the Amount of \$408,660.00 for the 2023 Speed Cushion Installation Services; Project 5948A**

A waiver of reconsideration is requested to allow for the construction of speed cushions before winter weather begins and asphalt plants shut down for the season.

Carl Harline, Engineering Supervisor, Public Works / Hanosky Hernandez, Senior Assistant City Attorney

- 10.a.7 Consideration to AWARD AN OPENLY SOLICITED DESIGN-BUILD CONTRACT to DaVinci Sign Systems, Inc., Windsor, CO in the Amount**

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of \$120,364.56 for the Design and Construction of the Fox Theater Neon Sign Rehabilitation Project, R-5949A

A waiver of reconsideration is requested to expedite the award to ensure grant monies are spent by the deadline.

Katrina Rodriguez, Manager of Project Delivery Services, Public Works / Hanosky Hernandez, Senior Assistant City Attorney

10.a.8 Change Order for Landfill Services at Denver Arapahoe Disposal Site (DADS)

Consideration to AWARD A CHANGE ORDER TO A SINGLE SOURCE CONTRACT to Waste Management Corporate Services, Incorporated, Greenwood Village, Colorado in the Not-To-Exceed Amount of \$112,202.49 for Landfill Services at the Denver Arapahoe Disposal Site (DADS) for Public Works

Nicholas Johnson, Engineering Supervisor, Public Works / Hanosky Hernandez, Senior Assistant City Attorney

MPT Gardner stated he would be abstaining due to financial conflict of interest.

Motion by Sundberg, second by Coombs to approve item 10.a.8.

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

Abstain: Gardner

10.a.9 2023 Aurora Mental Health and Recovery ARPA Construction Agreement

Jessica Prosser, Director of Housing and Community Services / Tim Joyce, Assistant City Attorney

Outside Speaker: Kathie Snell, Chief Strategy and Operations Officer, Aurora Mental Health and Recovery

10.b Planning Matters

10.c Appointments to Boards and Commissions

- ◆ *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.*

10.c.1 **Consideration to Appoint One (1) Member to the Board of Adjustment and Appeals**

Kadee Rodriguez, City Clerk / Lena McClelland, Assistant City Attorney

Motion by Bergan, second by Sundberg to approve the Consent Calendar – Motions with item 10.a.8 removed.

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 **Comprehensive Emergency Management Plan**

R2023-121 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, ADOPTING THE 2024-2027 COMPREHENSIVE EMERGENCY MANAGEMENT PLAN

Matt Chapman, Fire Battalion Chief, Aurora Fire / Angela Garcia, Senior Assistant City Attorney

11.a.2 **Intergovernmental Agreement for Arapahoe Countywide Transit and Micromobility Study**

R2023-122 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, APPROVING THE INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY AND ARAPAHOE COUNTY FOR THE COUNTYWIDE TRANSIT AND MICROMOBILITY STUDY

Tom Worker-Braddock, Senior Transportation Planner, Planning and Development Services / Michelle Gardner, Senior Assistant City Attorney

11.a.3 **Small Solar System Facilities - Reduced Setbacks**

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R2023-123 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, EXPRESSING THE AURORA CITY COUNCIL'S SUPPORT FOR REDUCED SETBACKS FOR THE SMALL SOLAR SYSTEM FACILITIES ADJACENT TO THE PLAINS CONSERVATION CENTER

Sponsor: Steve Sundberg, Council Member

Brooke Bell, Director of Parks, Recreation and Open Space / Tim Joyce, Assistant City Attorney

Outside Speaker: Nicole Affleck, Project Developer, US Solar

11.a.4 **Strontia Springs Access Improvement Project**

R2023-124 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 COLORADO ACTING BY AND THROUGH ITS UTILITY ENTERPRISE AND THE CITY AND COUNTY OF DENVER REGARDING THE STRONTIA SPRINGS DAM ACCESS IMPROVEMENT PROJECT

Sponsor: Steve Sundberg, Council Member

Bobby Oligo, Manager of Water Treatment, Aurora Water / Ian Best, Assistant City Attorney

11.a.5 **Support for the People of Israel**

R2023-125 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, EXPRESSING THE AURORA CITY COUNCIL'S ABIDING SUPPORT OF THE PEOPLE OF ISRAEL

A waiver of reconsideration is requested because of the current and ongoing nature of what is happening. Council Member Bergan would like to show their immediate support, rather than it potentially being delayed by having it reconsidered.

Sponsor: Françoise Bergan, Council Member

Andrea Wood, Assistant City Attorney

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Council heard public testimony on the agenda item.

Mayor Coffman asked for a 30-minute recess to calm the chamber.

CM Coombs stated the Council moved to overrule the Chair on a 30-minute recess, but did ask people to observe the rules of the quorum to include no booing, clapping, shouting, etc.

CM Jurinsky asked everyone in the room to allow every speaker their 3 minutes to speak without interference.

CM Bergan echoed the same sentiment to respect everyone and not chant and scream.

Motion by CM Coombs, second by CM Murillo to overrule the Mayor's ruling for recess.

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

Council heard continued public testimony on the agenda item.

Mayor Coffman called for an 11-minute recess.

CM Marcano apologized to the residents for members of the Council dividing their city.

Mayor Coffman stated the council members could make a motion but not a speech.

CM Bergan suggested an amendment to add, "The City recognizes and mourns the loss of all innocent lives caught in the fighting between the IDF and Hamas," under Section 1.7.

CM Marcano continued his comment apologizing to the residents. He stated some of the Council were dividing the city when they should be bringing them closer together. He said some people were playing politics with human suffering and tragedy. He stated the residents deserved better than that. CM Marcano expressed that if they had to pass a resolution, that they supported the one developed with the input of directly impacted community members.

Mayor Coffman stated it was an exercise of what not to do in American government. He said their issues were reducing crime rate, homelessness, and housing affordability and not a debate on an issue they had no jurisdiction on. He said the amendment had some merit and discussed his time in Iraq in the

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Marine Corps. He said there were a lot of innocent Palestinians in the middle that suffered loss of life, wounds, lack of water, etc. Mayor Coffman explained the amendment recognized not just Palestinians but also Israelis. He stated he believed Hamas attacked with the understanding of what would occur but that did not change the fact that people were suffering.

CM Coombs said there was a resolution available that expressly supported Israelis and Palestinians both and suggested they should table the resolution and support the other resolution on the next Council agenda.

Mayor Coffman asked to continue for two weeks and see if they could come to an agreement on an amended version.

CM Bergan asked the Council not to table it. She stated the resolution had nothing negative about any Palestinian people and was done after the October 7th terrorist attack by Hamas and not about Muslim people or Palestinian people. She urged not to table it to avoid going through more hours of debate.

Motion by Marcano, second by Coombs to table the item indefinitely.

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

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

CM Jurinsky said there were many people in the room hurting and that had friends or family overseas that were either lost, fighting, or missing. She stated she never said the people of Gaza deserved that and did not think or believe that. She said there were Muslims, Jews, Palestinians, Israelis, Christians, and other faiths in the room, and everyone was heard. CM Jurinsky expressed she was impressed with the attendance and hoped to keep the same energy regarding the crime in Aurora and show up for all the lives lost in their city every day. She stated that CM Bergan brought the resolution forward in good faith to support Israel after the terrorist attack and did not try to exclude anyone. CM Jurinsky also expressed that if she could not win an election being herself, she did not want to win it at all. She noted that a separate resolution could have come forward in the study session to address Gaza, Palestinians, and Muslims as a whole, but that was not communicated by fellow council members. CM Jurinsky stated she heard the expression throughout the night that "all lives matter" and she agreed with that.

Motion by Bergan, second by Jurinsky to end the debate.

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

Voting Nay: Coombs, Marcano, Medina, Murrillo

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Motion by Bergan, second by Mayor Coffman to approve the resolution as amended.

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

Voting Nay: Coombs, Marcano, Medina, Murillo

11.a.6 **Rules of Order and Procedure: Amending the Procedure for Public Hearings and Appeals Before City Council**

R2023-126 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 THE PROCEDURE FOR PUBLIC HEARINGS AND APPEALS AT CITY COUNCIL MEETINGS

Rachel Allen, Client Group Manager, City Attorney

11.a.7 **Support for the People of Israel and Palestine**

R2023-127 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, EXPRESSING THE AURORA CITY COUNCIL'S ABIDING SUPPORT OF THE PEOPLE OF ISRAEL AND PALESTINE

Sponsor: Juan Marcano, Council Member

George Koumantakis, Client Services Manager, City Attorney

Item was not approved to be added to agenda.

11.b Finalizing of Ordinances

11.b.1 **Enforcement Provisions for Trailers, Semi-Trailers, and RVs**

2023-46 FOR AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, AMENDING SECTIONS 134-2(C)(4), 134-2(C)(5), 134-37(A)(20), 134-356, 134-358, AND 134-425(A)(7) OF THE CITY CODE, AND COLORADO MODEL TRAFFIC CODE SECTION 1204 AS ADOPTED BY THE CITY OF AURORA, PERTAINING TO THE REGULATION AND ENFORCEMENT OF THE PARKING OF VEHICLES IN THE CITY

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Sponsor: Mike Coffman, Mayor

Tim Joyce, Assistant City Attorney

11.b.2 **Judicial Performance Commission Attorney**

2023-49 FOR AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, AMENDING SECTIONS 50-101, 50-102, AND 50-104 AND ADDING SECTIONS 50-103 AND 50-105 TO THE CITY CODE PERTAINING TO THE JUDICIAL PERFORMANCE COMMISSION

Sponsor: Alison Coombs, Council Member

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

11.b.3 **Final Determination of the Citizen-Initiated Petition for the 2023 Proposed Charter Amendment**

2023-50 FOR AN ORDINANCE ACCEPTING THE FINAL DETERMINATION OF SUFFICIENCY OF THE CITIZEN-INITIATED PETITION FOR THE 2023 PROPOSED CHARTER AMENDMENT AND FINDING THE PETITION FAILED TO MEET THE TIMELINE FOR THE NOVEMBER 2023 ELECTION

Kadee Rodriguez, City Clerk / Jack Bajorek, Deputy City Attorney

Motion by Bergan, second MPT Gardner by approve the Consent Calendar - Resolutions and Ordinances 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 Amended and Restated Consolidated Service Plan for Aspen Business

10

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**Park Metropolitan District, Aurora Crossroads Metropolitan Districts
Nos. 1-2 and Crossroads East Metropolitan District**

R2023-111 A PUBLIC HEARING AND CONSIDERATION OF A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, APPROVING THE AMENDED AND RESTATED CONSOLIDATED SERVICE PLAN FOR ASPEN BUSINESS PARK METROPOLITAN DISTRICT, AURORA CROSSROADS METROPOLITAN DISTRICT NOS. 1-2, AND CROSSROADS EAST METROPOLITAN DISTRICT AND APPROVING AN AMENDED AND RESTATED INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF AURORA, COLORADO AND THE DISTRICTS

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

Mayor Pro Tem Gardner stated the applicant requested to continue the item until November 13, 2023.

Mayor Coffman opened the public hearing.

Cesarina Dancy, Senior Development Project Manager, requested a continuance to the November 13 Council Meeting on behalf of the applicant.

Motion by Gardner, second by Bergan to continue to the November 13, 2023 Council Meeting.

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

13. INTRODUCTION OF ORDINANCES

13.a 2024 Adopting Budget

2023-51 AN ORDINANCE OF THE CITY OF AURORA, COLORADO, ADOPTING AN OPERATING AND CAPITAL IMPROVEMENTS PROJECTS BUDGET FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2024, AND ENDING DECEMBER 31, 2024

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

Greg Hays, Budget Officer, gave a brief presentation on the item.

Motion by Sundberg, second by Marcano to approve item 13.a.

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

13.b 2024 Budget Appropriations

2023-52 FOR AN ORDINANCE OF THE CITY OF AURORA, COLORADO, APPROPRIATING SUMS OF MONEY TO DEFRAY EXPENSES AND LIABILITIES FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2024 AND ENDING DECEMBER 31, 2024

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

Motion by Gardner, second by Coombs to approve item 13.b.

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

13.c. 2024 Tax Levy

2023-53 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, 2024, AND ENDING DECEMBER 31, 2024, AND AUTHORIZING A TEMPORARY PROPERTY TAX CREDIT FOR 2024

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

Motion by Gardner, second by Marcano to approve item 13.c.

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

14. FINALIZING OF ORDINANCES

Ordinances not approved unanimously at first reading

15. ANNEXATIONS

16. RECONSIDERATION AND CALL UPS

17. GENERAL BUSINESS

18. REPORTS

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10.a Report by the Mayor

Mayor Coffman said he had a great town hall meeting and met with the Aurora Public School Superintendent to discuss how to be better partners between the City and the school district. He added he would be putting a rule forward to say unless an issue for a resolution had a nexus to local government it would not move forward.

10.a Reports by the Council

CM Murillo announced her Town Hall will be on October 26, 2023, at Moorhead Recreation Center at 6 p.m.

CM Medina discussed his last Town Hall will be November 01, 2023, at the AMC, and would have APS discuss about their plans for youth.

CM Marcano said 7 in 10 Aurorans did not participate in local elections. He reminded everyone to check out the Council forums on Auroratv.org and get ballots in by 7 p.m. on November 7th.

19. ADJOURNMENT

Mayor Coffman adjourned the regular meeting of the City Council.



MIKE COFFMAN, MAYOR

ATTEST:

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Kadee R

KADEE RODRIGUEZ, CITY CLERK



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