

MINUTES

Regular Meeting of the Aurora City Council

Monday, November 13, 2023

1. **RECONVENE REGULAR MEETING OF NOVEMBER 13, 2023 AND CALL TO ORDER**

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

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

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

COUNCIL MEMBERS ABSENT: Marcano, Sundberg

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 November 13, 2023 Council Meeting.

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

5. **EXECUTIVE SESSION UPDATE**

No updates.

6. **APPROVAL OF MINUTES**

6.a. **October 23, 2023 Meeting Minutes**

Motion by Bergan, second by Zvonek, to approve the minutes of the October 23, 2023 as presented.

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

7. **PROCLAMATIONS OR CEREMONIES**

7.a. **National American Indian Heritage Month**

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◆ *The City Charter prescribes the Mayor may vote on resolutions and ordinances only to create or break a tie vote of Council Members present. The Mayor Pro-Tem is always permitted to vote on all items.*

Mayor Coffman proclaimed November 2023 as National American Indian Heritage Month.

7.b. **National Hunger and Homelessness Awareness Week**

Mayor Coffman proclaimed November 11-18, 2023 as National Hunger and Homelessness Awareness Week.

7.c. **All-Veterans Honor Guard**

Mayor Coffman recognized in honor of Veterans Day 2023, All-Veterans Honor Guard.

8. **PUBLIC INVITED TO BE HEARD**

(non-agenda-related issues only)

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

Mayor Coffman stated the City of Aurora acknowledged that they gather on the territories and ancestral homelands of the Cheyenne, Ute, Arapahoe, and Lakota people past and present and the 48 contemporary tribal nations that are historically tied to the lands that make up the state of Colorado. He stated indigenous people remained committed to the stewardship of this land over many centuries and their traditional homelands and vital place in the ecosystem are renewed and reaffirmed, and they are called to be better stewards of the land they inhabit as they continue to work to meet the needs of the entire community.

9. **ADOPTION OF THE AGENDA**

Motion by Bergan, second by Lawson to adopt the agenda with the removal of 12.c.

CM Bergan stated the appeal was requested to be removed by the appellant.

Voting Aye: Mayor Coffman, Bergan, Coombs, Gardner, Lawson, Murillo, Jurinsky, Medina, 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 COMPETITIVELY BID CONTRACT to CGRS, Inc. Fort Collins, CO in the Amount of \$70,920.91 for the Wemlinger**

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WPF Underground Storage Tank Removal Project, Project NO. 5951A

Swirvine Nyirenda, Manager of Project Delivery Services, Aurora Water/Hanosky Hernandez, Senior Assistant City Attorney

- 10.a.2 **Consideration to AWARD A COMPETITIVELY BID CONTRACT to T. Lowell Construction, Inc., Castle Rock, CO in the Amount of \$2,000,000.00 for the SC10 and SC11 Sanitary Sewer Upgrades Project, Project No. 5950A**

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

- 10.a.3 **Consideration to AWARD A SINGLE SOURCE CONTRACT in the Amount of \$549,4183.00 to Kimley-Horn and Associates, Inc., Greenwood Village, Colorado for the Picadilly Road and 26th Avenue Storm Sewer Project, Project No. R-2377**

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

- 10.a.4 **10.a.4 Wild Horse Construction and National Environmental Policy Act (NEPA) Support Services**

Consideration to AWARD A SINGLE SOURCE CONTRACT TO ERO Resources Corporation, Denver, Colorado in the Amount of \$1,194,500.00 for Providing National Environmental Policy Act (NEPA), 1041 Permitting and Resources Avoidance Support Services for the Wild Horse Reservoir Project

Richard Vidmar, Water Resources Manager, Aurora Water / Hanosky Hernandez, Senior Assistant City Attorney

- 10.a.5 **King's Point Interceptor – Schedule B**

Consideration to AWARD A CHANGE ORDER TO AN OPENLY SOLICITED CONTRACT with Mott MacDonald LLC, Lakewood, Colorado in the Amount of \$375,510.00 to Provide Final Design Phase Services for the King's Point Interceptor - Schedule B

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

- 10.a.6 **Consideration to AWARD AN OPENLY SOLICITED CONTRACT to Agilent Technologies, Wilmington, DE in the Total Amount of \$76,751.67 to Purchase a Gas Chromatogram with Electron Capture Detector**

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(GC/ECD) for the Quality Control (QC) Laboratory

Todd Brewer, Deputy Director of Water Quality and Treatment, Aurora Water / Hanosky Hernandez, Senior Assistant City Attorney

- 10.a.7 **Consideration to APPROVE A PROFESSIONAL SERVICES AGREEMENT in the Amount of \$120,000 in 2024 Between the City of Aurora, and Aurora Sister Cities International**

Ricardo Gambetta, Manager of the Office of International and Immigrant Affairs / Hanosky Hernandez, Senior Assistant City Attorney

Outside Speaker: Karlyn Shorb, Executive Director, Aurora Sister Cities International

- 10.a.8 **Consideration to EXTEND A COMPETITIVELY BID CONTRACT to Ferguson, Aurora, Colorado in the Amount of \$140,000.00 for Plumbing Supplies and Material through August 31, 2024 B-4607**

Lynne Center, Deputy Director of Operations, Public Works / Hanosky Hernandez, Senior Assistant City Attorney

- 10.a.9 **Consideration to AWARD A SINGLE SOURCE CONTRACT to Faro Technologies, Marylake, FL in the Amount of \$52,456.75 for Police 3D Scanners and Accessories with a 5-Year Care Package**

Christopher Amsler, Police Lieutenant, Police / Hanosky Hernandez, Senior Assistant City Attorney

- 10.a.10 **Consideration to AWARD A SOLE SOURCE CONTRACT to Global Intelligence Inc, Fredericton, New Brunswick in the Amount of \$120,000.00 for Cybercheck Case Software for Law Enforcement and Intelligence Agencies**

- 10.a.11 **Consideration to AWARD A SOLE SOURCE CONTRACT to the 18th Judicial District Juvenile Assessment Center, Centennial, Colorado in the Not-to-Exceed Amount of \$219,080.00 for Services to Delinquent and at Risk Juveniles through December 31, 2024**

Heather Morris, Interim Deputy Police Chief / Hanosky Hernandez, Senior Assistant City Attorney

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10.a.12 **International Council of Shopping Centers (ICSC) Aurora Booth**

Consideration to AWARD AN OPENLY SOLICITED CONTRACT to Condit, Denver, CO in the Total Amount of \$77,135.00 to Provide a Booth Design, Build and Ancillary Services for the City of Aurora for the International Council of Shopping Centers (ICSC) Convention in Las Vegas

Andrea Amonick, Manager of Development Services, Planning and Development Services / Hanosky Hernandez, Senior Assistant City Attorney

10.a.13 **Consideration to AWARD A SINGLE SOURCE CONTRACT to Splashtacular, LLC, Paola, KS in the Amount of \$259,684.00 for a Water Slide and Associated Tower for the Utah Indoor Pool**

Staff is requesting a waiver of reconsideration to ensure the associated contract can be executed by December 31, 2023 and have funding encumbered.

Brooke Bell, Director of Parks, Recreation, and Open Space / Hanosky Hernandez, Senior Assistant City Attorney

10.a.14 **Consideration to AWARD A SINGLE SOURCE CONTRACT to ImageTrend, Inc., Lakeville, MN in the Amount of \$107,738.50 for EMS and Community Health Software for Aurora Fire Rescue**

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

10.a.15 **Letter of Intent – Buckley Space Force Base and Aurora911 – Shared 911 Infrastructure**

Tina Buneta, Director of Emergency Communications / Angela Garcia, Senior Assistant City Attorney

10.a.16 **2023 Summer Community Investment Financing Round**

Alicia Montoya, Community Development Manager, Housing and Community Services / Tim Joyce, 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 Open Space Advisory Board**

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

Motion by Gardner, second by Coombs to approve the Consent Calendar – Motions.

Voting Aye: Mayor Coffman, Bergan, Coombs, Gardner, Jurinsky, Lawson, Medina, Murillo, 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 **Amendment for Flood Control Improvements for First Creek Upstream of I-70**

R2023-128 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, EXPRESSING THE AURORA CITY COUNCIL'S SUPPORT OF THE FOURTEENTH AMENDMENT TO AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF AURORA COLORADO ACTING BY AND THROUGH ITS UTILITY ENTERPRISE AND THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT, d/b/a MILE HIGH FLOOD DISTRICT REGARDING DESIGN AND CONSTRUCTION OF DRAINAGE AND FLOOD CONTROL IMPROVEMENTS FOR FIRST CREEK DETENTION UPSTREAM OF I-70

James DeHerrera, Planning Services Manager, Aurora Water / Ian Best, Assistant City Attorney

11.a.2 **ROOK Memorandum of Understanding (MOU) with Douglas County Sheriff's Office**

R2023-129 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, APPROVING THE INTERGOVERNMENTAL AGREEMENT BETWEEN THE AURORA POLICE DEPARTMENT AND DOUGLAS COUNTY SHERIFF'S OFFICE

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(DCSO) FOR THE USE OF THE ROOK ARMORED CRITICAL INCIDENT VEHICLE ("THE ROOK")

Heather R. Morris, Deputy Chief of Police / Megan Platt, Assistant City Attorney

11.a.3 **Great Outdoors Colorado (GOCO) Centennial Grant Application for the High Line Canal Conservancy**

R2023-130 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, SUPPORTING AN APPLICATION FOR A GRANT BY THE HIGH LINE CANAL CONSERVANCY TO THE STATE BOARD OF THE GREAT OUTDOORS COLORADO TRUST FUND FOR SEVERAL PROJECTS

A waiver of reconsideration is requested in order for the High Line Canal Conservancy to meet the grant deadline of December 1, 2023.

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

11.a.4 **Argenta Stormwater Reimbursement Agreement**

R2023-131 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, EXPRESSING THE AURORA CITY COUNCIL'S APPROVAL OF A REGIONAL UTILITY COST REIMBURSEMENT AGREEMENT BETWEEN THE CITY OF AURORA, ACTING BY AND THROUGH ITS UTILITY ENTERPRISE AND ARGENTA, LLC

Sarah Young, Assistant General Manager of Planning and Engineering, Aurora Water / Ian Best, Assistant City Attorney

11.a.5 **United States Forest Service Collection Agreement for the Tennessee Creek and Twin Lakes Forest Treatment**

R2023-132 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, EXPRESSING THE AURORA CITY COUNCIL'S APPROVAL OF THE COLLECTION AGREEMENT BETWEEN THE CITY OF AURORA, COLORADO, ACTING BY AND THROUGH ITS UTILITY ENTERPRISE AND THE UNITED STATES DEPARTMENT OF AGRICULTURE, U.S. FOREST SERVICE, ROCKY MOUNTAIN REGION FOR FOREST HEALTH TREATMENTS IN THE SUGARLOAF MOUNTAIN AREA SURROUNDING TURQUOISE RESERVOIR

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Alexandra Davis, Assistant General Manager of Water Supply and Demand,
Aurora Water / Ian Best, Assistant City Attorney

11.a.6 **United States Forest Service Box Creek Land Exchange**

R2023-133 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 AND THE UNITED STATES DEPARTMENT OF AGRICULTURE, U.S. FOREST SERVICE REGARDING A BOX CREEK LAND EXCHANGE FEASIBILITY ANALYSIS

Alexandra Davis, Assistant General Manager of Water Supply and Demand,
Aurora Water / Ian Best, Assistant City Attorney

11.a.7 **Stewardship West Memorandum of Understanding (MOU)**

R2023-134 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, EXPRESSING APPROVAL AND SUPPORT OF AN AGREEMENT BETWEEN AURORA WATER AND STEWARDSHIP WEST FOR WATERSHED HEALTH ACTIVITIES

Alexandra Davis, Assistant General Manager of Water Supply and Demand,
Aurora Water / Ian Best, Assistant City Attorney

11.a.8 **Eagle River Watershed Council Memorandum of Understanding (MOU)**

R2023-135 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, EXPRESSING THE AURORA CITY COUNCIL'S APPROVAL OF THE AGREEMENT BETWEEN EAGLE RIVER WATERSHED COUNCIL AND AURORA WATER REGARDING THE HOMESTAKE CULVERT PROJECT

Alexandra Davis, Assistant General Manager of Water Supply and Demand,
Aurora Water / Ian Best, Assistant City Attorney

11.a.9 **2023-2024 Employee Pay Table and Classification**

- ◆ *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.*

R2023-136 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, APPROVING THE 2024 EMPLOYEE PAY TABLE AND CLASSIFICATIONS

Tawny Kemerling, Compensation Manager, Human Resources / George Koumantakis, Client Services Manager, City Attorney

11.a.10 **Intergovernmental Agreement (IGA) Between the City of Aurora Youth Violence Prevention Program and Aurora Public Schools for Data Sharing**

R2023-137 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, APPROVING THE INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF AURORA, COLORADO, YOUTH VIOLENCE PREVENTION PROGRAM AND AURORA PUBLIC SCHOOL DISTRICT NO. 5 FOR THE PURPOSE OF SHARING STUDENT DATA AND INFORMATION TO REDUCE AND PREVENT YOUTH VIOLENCE

Joseph DeHerrera, Youth Violence Prevention Program Manager, Housing and Community Services / Angela Garcia, Senior Assistant City Attorney

11.b. **Finalizing of Ordinances**

11.b.1 **2024 Adopting Budget**

2023-51 FOR 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

Council heard public testimony on the agenda item.

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CM Coombs clarified from the summary that the funds from the 2022 budget were requested to be appropriated for additional attorney positions for the Public Defender's Office and were allocated to non-departmental and the same was aside for 2023 rather than being allocated to the Public Defender's Office for FTEs.

G. Hays confirmed.

CM Coombs stated instead of being paid FTEs, the funding was being depleted more rapidly by the hiring of contractors being paid at an hourly rate set by the State, which is about twice as high as the hourly rate for public defenders. CM Coombs said it was to make sure they were not wasting money while the discussion was underway.

Mayor Coffman said when calculating hourly cost compared to employee versus contract, that did not include the employee cost of workers comp, healthcare benefits, etc. He asked what the figure would be if that was added in.

G. Hays answered that typically they added somewhere around 30% cost including the benefits.

CM Coombs expressed currently they were paying 100% more per hour when they could be paying just the 30% more.

MPT Gardner asked if they set the money aside in 2022 why weren't the positions hired.

G. Hays stated they were part of the 2023 amendments in the 2023 budget. He said they were pulled out by Council and set aside in non-departmental while awaiting the results of studies.

CM Zvonek added that in 2022 at the budget workshop, they asked the city manager to do a cost analysis of moving away from having the public defenders in house on a contract basis, but that was not done. He said he

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believed that is why the money was there from '22 to '23. He explained he believed the interim city manager was working on that and had an RFP ready to determine whether there would be significant enough cost savings to provide all the same services and save Aurora taxpayers money. He said they would get the results and make a decision on whether or not they would allocate additional resources or change the way they delivered that service.

CM Coombs asked Ms. Cadiz what the hourly rate under the chief justice directive from Colorado was for public defense.

E. Cadiz said the hourly rate was \$95 an hour as of 2023, with various caps based on the type of case set by the Colorado Supreme Court, with an expected rate of \$100 an hour next year. She noted they did an internal workload study last year based on case management time tracking and used that to support the request for two additional FTE attorneys and a third for weekend court. E. Cadiz stated the total ask was \$326,000 for this year and moved into non-departmental at the workshop. She said they were led to believe the cost benefit analysis would be taken care of by the workload study.

CM Jurinsky stated it was being made into a constitutional rights violation that they were trying to do with public defenders. She said multiple cities had private public defense. She also said they asked for this right after they got on council, and it was only an RFP to see if it could potentially be a million-dollar savings to the taxpayers per year according to what the study showed.

Motion by Jurinsky, second by Bergan, for a motion to call for the question.

CM called for point of order regarding stating information that was not factual.

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

Voting Nay: Medina, Coombs, Murillo, Gardner

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Motion by Coombs, second by Murillo, to make an amendment to the adoption of the 2024 budget to move the non-departmental funds into the 2024 budget for the three FTEs requested by the Public Defender's Office.

Voting Aye: Medina, Coombs, Murillo

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

CM Coombs stated there had not been a study showing privatizing the public defender office that would save a million dollars and stated they would not be voting in support of the budget. CM Coombs said it was a conversation about not spending twice as much per hour on contract attorneys than they would pay on staff attorneys within the city.

Motion by Coombs, second by Medina, to approve Item 11.b.1.

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

Voting Nay: Medina, Coombs, Murillo

11.b.2 **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 Jurinsky, second by Bergan to approve Item 11.b.2.

CM Coombs stated the appropriations specifically included the same mismanagement of city funds and would be voting in opposition.

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

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Voting Nay: Coombs, Medina, Murillo

11.b.3. **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 Coombs, second by Bergan to approve of the Consent Calendar for Resolutions and Ordinances with items 11.b.1 and 11.b.2 removed.

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

12. PUBLIC HEARINGS

Public hearings with or without related ordinances

12.a. **Amended and Restated Consolidated Service Plan for Aspen Business 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

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Mayor Coffman opened the public hearing.

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

Mayor Coffman closed the public hearing.

Motion by Bergan, second by Coombs, to approve 12.a.

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

12.b. **Zara Draft House Conditional Use After Hours Appeal**

A PUBLIC HEARING WITHOUT RELATED ORDINANCE TO CONSIDER AN APPEAL BY THE APPLICANT OF THE PLANNING AND ZONING COMMISSION DECISION OF DENIAL OF THE ZARA DRAFT AFTER HOURS CONDITIONAL USE

Ariana Muca, Planner, Planning and Development Services / Lena McClelland, Senior Assistant City Attorney

Outside Speaker: Rudolf Brown "RV Brown," Agent

Mayor Coffman opened the public hearing.

Ariana Muca, Planner, presented a summary of the item.

Rudolf Brown, Architect, gave a brief presentation on the item.

CM Jurinsky asked to hear from Trevor Vaughn on his concerns.

T. Vaughn provided clarification.

CM Jurinsky asked why they had a midnight cutoff.

T. Vaughn responded.

CM Jurinsky asked if the applicant was in a position to obtain a liquor license or if there were any concerns. She also inquired about if there was any specificity on how much of the sales would be in food.

T. Vaughn answered.

CM Jurinsky asked if other bars in the area had to close at midnight.

T. Vaughn clarified his concern was the original conditional use and was asking for postponement to evaluate further, but it was approved regardless.

CM Bergan asked for clarification if they concurred with the planning commission and denied the DJ until 2 a.m. if they could still stay open servicing liquor until 2 a.m.

T. Vaughn answered yes.

CM Jurinsky asked who would be affected by the DJ playing until 1:30 a.m.

T. Vaughn stated he did not have an opinion on the DJ and it was a minor issue. He said the confusion was the planning commission intended to limit the hours but denied the second use.

CM Lawson said she did not understand why the DJ would be denied for an extra house because the bar would not be around anything.

T. Vaughn said there were no residential comments opposing it, but it required a conditional use approval for bar tavern and after hours entertainment.

CM Lawson said what was being stated did not seem to be matching with what he was saying. She wanted to know why it would be denied when other bars that were around other things were able to keep entertainment after hours.

T. Vaughn responded.

CM Murillo said the letter was not related to the appeal and was ready to vote.

Mayor Coffman closed the public hearing.

Motion by MPT Gardner, second by Murillo, to reverse Planning and Zoning Commission's denial of the afterhours club for entertainment conditional use.

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

12.c. **Prairie Point Site Plan No. 2 Site Plan Appeal**

A PUBLIC HEARING WITHOUT RELATED ORDINANCE TO CONSIDER AN APPEAL BY AN ADJACENT PROPERTY OWNER OF THE PLANNING AND ZONING COMMISSION DECISION OF APPROVAL OF THE PRAIRIE POINT SITE PLAN NO. 2 SITE PLAN

Erik Gates, Planner, Planning and Development Services / Lena McClelland, Assistant City Attorney

12.d. **Comcast Cable Franchise Agreement**

2023-54 A PUBLIC HEARING AND CONSIDERATION OF AN ORDINANCE APPROVING THE

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GRANT OF A CABLE FRANCHISE TO COMCAST COLORADO IX, LLC, THROUGH A CABLE FRANCHISE AGREEMENT BETWEEN COMCAST COLORADO IX, LLC, AND THE CITY OF AURORA, COLORADO

Kim Stuart, Director of Communications and Marketing / Kimberly Skaggs, Assistant City Attorney

Outside Speaker: Ken Fellman, Esq., Kissinger & Fellman, LLC

Mayor Coffman opened the public hearing.

Kim Stuart, Director of Communications and Marketing, presented a brief summary on the item.

Mayor Coffman closed the public hearing.

Motion by MPT Gardner, second by Lawson, to approve Item 12.d

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

13. INTRODUCTION OF ORDINANCES

13.a. 2024 Water and Sewer Fees

2023-55 FOR AN ORDINANCE AMENDING CERTAIN SECTIONS OF CHAPTER 138 OF THE CITY CODE OF THE CITY OF AURORA, COLORADO, RELATING TO SERVICES FOR THE PROVISION OF WATER

Cat Olukotun, Deputy Director of Business Services, Aurora Water / Ian Best, Assistant City Attorney

Cat Olukotun, Deputy Director of Business Services, presented a brief summary on the item.

Motion by Bergan, second by Coombs, to approve item 13.a.

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

13.b. General Improvement District 2-2011 (Aurora Conference Center) 2024 Operating Budget

2023-56 AN ORDINANCE OF THE AURORA CONFERENCE CENTER GENERAL IMPROVEMENT DISTRICT (NO. 2-2011) ADOPTING AN OPERATING BUDGET, ESTABLISHING THE TAX LEVY, AND APPROPRIATING SUMS OF MONEY TO DEFRAY

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EXPENSES AND LIABILITIES FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2024,
AND ENDING DECEMBER 31, 2024

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

Motion by Bergan, second by MPT Gardner, to approve item 13.b.

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

13.c. **General Improvement District 1-2007 (Cherry Creek Racquet Club) 2024
Operating Budget**

2023-57 AN ORDINANCE OF GENERAL IMPROVEMENT DISTRICT 1-2007 (CHERRY
CREEK RACQUET CLUB) ADOPTING AN OPERATING BUDGET, ESTABLISHING THE
TAX LEVY, AND APPROPRIATING SUMS OF MONEY TO DEFRA Y EXPENSES AND
LIABILITIES FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2024, AND ENDING
DECEMBER 31, 2024

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

Motion by Zvonek, second by Medina, to approve item 13.c.

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

13.d. **Cobblewood General Improvement District 1-2016 2024 Operating Budget**

2023-58 AN ORDINANCE OF COBBLEWOOD GENERAL IMPROVEMENT DISTRICT 1-
2016 (COBBLEWOOD GENERAL IMPROVEMENT DISTRICT) ADOPTING AN
OPERATING BUDGET, ESTABLISHING THE TAX LEVY, AND APPROPRIATING SUMS OF
MONEY TO DEFRA Y EXPENSES AND LIABILITIES FOR THE FISCAL YEAR BEGINNING
JANUARY 1, 2024, AND ENDING DECEMBER 31, 2024

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

Motion by MPT Gardner, second by Lawson, to approve item 13.d.

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

13.e. **General Improvement District 3-2008 (Meadow Hills Country Club) 2024
Operating Budget**

2023-59 AN ORDINANCE OF GENERAL IMPROVEMENT DISTRICT 3-2008 (MEADOW
HILLS COUNTRY CLUB) ADOPTING AN OPERATING BUDGET, ESTABLISHING THE TAX

- ◆ *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.*

LEVY, AND APPROPRIATING SUMS OF MONEY TO DEFRAY EXPENSES AND LIABILITIES FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2024, AND ENDING DECEMBER 31, 2024

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

Motion by Coombs, second by MPT Gardner, to approve item 13.e.

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

13.f. General Improvement District 1-2008 (Peoria Park) 2024 Operating Budget

2023-60 AN ORDINANCE OF GENERAL IMPROVEMENT DISTRICT 1-2008 (PEORIA PARK) ADOPTING AN OPERATING BUDGET, ESTABLISHING THE TAX LEVY, AND APPROPRIATING SUMS OF MONEY TO DEFRAY EXPENSES AND LIABILITIES FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2024, AND ENDING DECEMBER 31, 2024

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

Motion by MPT Gardner, second by Bergan, to approve item 13.f.

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

13.g. Pier Point 7 General Improvement District 2-2009 2024 Operating Budget

2023-61 AN ORDINANCE OF PIER POINT 7 GENERAL IMPROVEMENT DISTRICT 2-2009 ADOPTING AN OPERATING BUDGET, ESTABLISHING THE TAX LEVY, AND APPROPRIATING SUMS OF MONEY TO DEFRAY EXPENSES AND LIABILITIES FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2024, AND ENDING DECEMBER 31, 2024

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

Andrew Jamison, Debt and Treasury Supervisor, presented a summary of Items 13.b through 13.g.

Motion by Coombs, second by Lawson, to approve item 13.g.

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

13.h. 2023 Fall Supplemental Ordinance

- ◆ *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.*

2023-62 FOR AN ORDINANCE OF THE CITY OF AURORA, COLORADO APPROPRIATING SUMS OF MONEY IN ADDITION TO THOSE APPROPRIATED IN ORDINANCE NOS. 2022-59, AND 2023-12 FOR THE 2023 FISCAL YEAR

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

Kirsten Claspell, Budget Program Manager, presented a summary of the item.

Motion by MPT Gardner, second by Medina, to approve item 13.h.

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

13.i. Protections and Rights for Victims of Domestic Violence

2023-63 FOR AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, ADOPTING SECTION 50-43 OF THE CITY CODE PERTAINING TO PROTECTIONS AND RIGHTS FOR VICTIMS OF DOMESTIC VIOLENCE

Shawn Day, Presiding Judge / Julie A. Heckman, Deputy City Attorney

Shawn Day, Presiding Judge, presented a summary of the item.

Motion by MPT Gardner, second by Coombs, to approve item 13.i.

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

13.j. Changing Article VI of Chapter 2 of the City Code Pertaining to Contracts and Purchasing and Other Related Matters

2023-64 FOR AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, ARTICLE VI OF CHAPTER 2 OF THE CITY CODE PERTAINING TO CONTRACTS AND PURCHASING AND OTHER RELATED MATTERS

Bryn Fillinger, Manager of Purchasing Services, Finance / Hanosky Hernandez, Senior Assistant City Attorney

Bryn Fillinger, Manager of Purchasing Services, presented a summary of 13. J.

Motion by MPT Gardner, second by Zvonek, to approve item 13.j.

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

14. FINALIZING OF ORDINANCES

Ordinances not approved unanimously at first reading

- ◆ *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.*

15. **ANNEXATIONS**

16. **RECONSIDERATION AND CALL UPS**

CM Coombs stated in the earlier vote they were in violation of Section 3-2 of the Charter, which stated the mayor should not be entitled to cast a vote upon any resolution or ordinance unless it was to create or break a tie vote. CM Coombs also said the Council Rules stated if an item died for lack of sixth vote, it must be scheduled for next regular meeting.

City Attorney stated the matter would come back in the next meeting.

Mayor Coffman asked the record to reflect that change.

17. **GENERAL BUSINESS**

18. **REPORTS**

18.a. **Mayor**

Mayor Coffman congratulated CM Coombs and MPT Gardner for winning at-large seats, Stephanie Hancock for winning Ward 4, CM Lawson for Ward 5, and CM Bergan for Ward 6. He stated CM Marcano did an extraordinary job in his service to the City.

18.b. **Council**

CM Lawson thanked the voters and looked forward to representing Ward 5.

CM Jurinsky reiterated a happy Veterans Day weekend and said it was so important to remember they were a military town. She stated she was the keynote speaker at her alma mater for the Veterans Day event and got to introduce CM Elect Hancock for Ward 4 and hoped more council members attended next year.

CM Zvonek congratulated colleagues on re-election and CM Elect Hancock. He said he joined the Eastern Hills Community Church and volunteers to pack Thanksgiving dinners and thanked For Aurora Program and the work they do.

CM Murillo congratulated newly elected council members. She announced her Town Hall was being pushed back to the 30th at the MLK Library. She said they would have a representative from Aurora Public School to speak.

CM Coombs thanked the voters for the at-large city council member vote and congratulated everyone else elected.

CM Bergan thanked the voters and gave a huge thank you to volunteers and donors. She announced her town hall would be Wednesday, 6 to 8, at the Tallyn's Reach Library with a presentation on youth violence and an update on roads from Public Works.

19. ADJOURNMENT

Mayor Coffman adjourned the regular meeting of the City Council.



MIKE COFFMAN, MAYOR



ATTEST:




KADEE RODRIGUEZ, CITY CLERK

Deputy

◆ *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.*