

MINUTES

Regular Meeting of the Aurora City Council

Monday, November 27, 2023

1. **RECONVENE REGULAR MEETING OF NOVEMBER 27, 2023, AND CALL TO ORDER**

Mayor Coffman reconvened the regular meeting of the City Council for November 27, 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 November 27, 2023 Council Meeting.

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

5. **EXECUTIVE SESSION UPDATE**

Mayor Coffman provided an update on the Executive Session, where they discussed the status of litigation.

6. **APPROVAL OF MINUTES**

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

Motion by Sundberg, second by Lawson to approve the minutes of the November 13, 2023 as presented.

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

Abstain: Marcano

7. **PROCLAMATIONS OR CEREMONIES**

- ◆ *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.*

7.a. **National Co-Responder and Crisis Responder Recognition Week**

Mayor Coffman proclaimed the week of September 18-22, 2023 as National Co-Responder and Crisis Responder Recognition Week.

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**

CM Bergan asked to continue Item 10.c.1 through 10.c.4 until the second meeting in January, as they were re-evaluating their committees.

CM Coombs asked what the reconsideration was of the committees.

CM Bergan stated there was discussion to look at consolidating some of the committees that required a lot of staff resources and time. She said it would also give the new council member coming on board the opportunity to open the positions to the public for consideration.

CM Coombs said they did not think there was anything that would be completed by the second meeting in January to make the necessary changes and most committees would not be impacted outside of Cultural Affairs. CM Coombs noted that some of the committees are set by code for certain legally required purposes like the public defender commission that they are required to have in order to meet the legal requirement of independence. She expressed confusion about the idea of having significantly different committee structure by that time.

CM Bergan also stated they heard from some constituents that were interested in applying for commissions and boards and wanted to give more time to apply.

CM Coombs said the commissions had already interviewed and made recommendations, so they would have to redo that and that seemed unusual and not a great use of time.

Mayor called for the question on the Bergan amendment to the adoption of the agenda.

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

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

Motion by Sundberg, second by Zvonek to adopt the agenda as amended with items 10.c.1 – 10.c.4. continued to the second meeting in January.

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

Voting Nay: Gardner

10. **CONSENT CALENDAR – MOTIONS**

Any member of the Council may request an item to be removed from the Consent Calendar and considered separately. Any item removed will be considered immediately following the adoption of the remainder of the Consent Calendar.

10.a. **Motions**

- 10.a.1 **Consideration to AWARD A SOLE SOURCE CONTRACT to National Water Research Institute (NWRI), Fountain Valley, CA, in the Amount of \$85,328.00, to Facilitate an Independent Advisory Panel for Aurora Water’s Comprehensive Direct Potable Reuse Project**

Sarah Young, Assistant General Manager, Aurora Water / Hanosky Hernandez, Senior Assistant City Attorney

- 10.a.2 **Consideration to AWARD A COMPETITIVELY BID CONTRACT to Silva Construction, Inc., Brighton, CO in the Amount of \$2,541,472.00 for the Buckley and Iliff Intersection Improvements; Project 5957A**

Cathy Valencia, Project Delivery Services Manager, Public Works / Hanosky Hernandez, Senior Assistant City Attorney

- 10.a.3 **Consideration to AWARD A SINGLE SOURCE CONTRACT to Chief Petroleum, Colorado Springs, CO in the Not-to-Exceed Amount of \$5,100,000.00 to Lock in Fuel Prices for the Cost of Motor Vehicle Fuel as Required Citywide for Calendar Year 2025**

Ron Forrest, Fleet Manager, Public Works / Hanosky Hernandez, Senior Assistant City Attorney

- 10.a.4 **Consideration to AWARD A SOLE SOURCE CONTRACT to the Crime and Justice Institute (CJI), Boston, MA in the Amount of \$137,792.00 to Draft All New Use of Force Policies for the Aurora Police Department (APD)**

Chris Juul, Division Chief, Police / Hanosky Hernandez, Senior Assistant City Attorney

- 10.a.5 **Consideration to AWARD AN OPENLY SOLICITED CONTRACT to Alight Solutions LLC, Lincolnshire, IL in the Amount of \$1,955,259.00 for Workday Phase 2 (Procurement and Financials) Implementation**

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Services (R-2345)

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

10.a.6 **Homelessness Notice of Funding Opportunity Application Recommendations: Aurora Housing Authority Marijuana**

Emma Knight, Manager of Homeless Behavioral Health, Housing and Community Services / Tim Joyce, Assistant City Attorney

Emma Knight, Manager of Homeless Behavioral Health, provided a brief summary of the items.

The Council heard public testimony on the agenda item.

CM Coombs moved to make an amendment to increase the amount of funding from \$100,00 to \$200,000 and discussed the funding sources available, such as \$294,000 remaining from ARPA funds that were set aside for vaccination, \$38,737 set aside for ARPA essential workers for a program no longer operational, \$1,659,054 in ARPA reserves needed to be spent before expiration, \$800,000 in general fund revenues unallocated in 2024 and 2025 after accounting for projected shortfall, and \$845,000 of the 3 million presented to Council for priorities that were unallocated. CM Coombs suggested taking funds from ARPA since they had to be spent before expiration.

Motion by Coombs, second by Marcano, to approve Item 10.a.6 with the amendment to increase funding to \$200,000.

Mayor Coffman asked staff to explain the program. Staff stated it was mostly landlord mediation, rental assistance, case management.

CM Jurinsky offered an amendment to also add \$100,000 for Bridge House.

CM Coombs supported the funding for Bridge House and asked staff for comments on adding Bridge House and Family Tree back into the ARPA funding.

Staff stated for any recommendations or agreements not currently on the agenda, Council would need to make a recommendation and they could bring it back on a later agenda with the full agreement put together.

Mayor Coffman asked if the ARPA dollars had any impact on the 2024 budget and developing the campus to consolidate homeless services. Staff answered no, that they had dedicated ARPA funds for the homeless navigation campus.

MPT Gardner said they had a capital needs and project needs list a billion dollars long, including old firehouses, HVAC systems not working, sheets over doors, fourth police district in the city. He said it was disingenuous to say they have all this money but ignore all other needs in the city. MPT Gardner noted they had so many needs in the city to address and said they had ignored capital projects, which was why the needs list was so long.

CM Bergan said she heard what MPT Gardner was saying and said if they were going to make amendments to each agenda item they were going to spend all the money. She said she was okay with the rental assistance but hesitant going forward to go through each one that had been pulled to end up with an amount they could not sustain with capital needs. She asked staff if ARPA money could be used on other things like fire station renovations.

Staff said Council did set aside funding for fire station renovations and was an allowable use under ARPA. Staff also noted if they were going to add ARPA funds, they would have to come back with a separate agreement for ARPA funds because they had a different set of requirements and restrictions.

Mayor Coffman said it felt late in the budget year for partners that assisted them on homeless programs. He said he understood other priorities, but it felt like they were creating havoc in the budget and needed to put them on notice that the money would not be there in the following budget year.

CM Zvonek recommended going forward with staff recommendations as laid out, because they knew the marijuana revenue was diminishing and setting a bad precedent by giving them one-time dollars to get them through another year. He said there was a good amount of ARPA funds already allocated and it would be more appropriate to come back in the new year and tell the organizations to spend the budget as staff recommended and come back to them if they were going over their budget. He said that would give them time to go back and see the ARPA funds allocated but not spent all of and look at using it to supplement budgets as needed.

CM Bergan stated she was concerned they would be spending money they might need for other uses, so she concurred with CM Zvonek to approve the staff recommendations tonight and come back with an analysis of all the ARPA dollars to see where they could be spent. She said she was in favor of giving to Aurora at Home, but wanted to make sure they did it the right way.

CM Coombs said they understood the capital needs issues but did not think they had appropriate conversations with their service providers about what kinds of cuts they were going to have to make. CM Coombs said it was one time gap funding to ensure that people could have shelter as well as effective programs like Goals and Ready to Work that were helping people to get onto their feet and stay stable after the programs. CM Coombs stated if they could not use ARPA funds today, then they should not go through the whole

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discussion but would like to have it brought back to the next meeting. CM Coombs indicated that she will be withdrawing her amendment.

Mayor Coffman called for the question on the adoption of 10.a.6.

Motion by Coombs, second by Jurinsky, to approve Item 10.a.6.

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

10.a.7 **Homelessness Notice of Funding Opportunity Application**
Recommendations: Aurora Housing Authority HOME - Tenant Based Rental Assistance

Emma Knight, Manager of Homelessness Behavioral Health, Housing and Community Services / Tim Joyce, Assistant City Attorney

10.a.8 **Homelessness Notice of Funding Opportunity Application**
Recommendations: Aurora Mental Health and Recovery Emergency Solutions Grant

Emma Knight, Manager of Homelessness Behavioral Health, Housing and Community Services / Tim Joyce, Assistant City Attorney

10.a.9 **Homelessness Notice of Funding Opportunity Application**
Recommendations: Aurora Mental Health and Recovery Marijuana

Emma Knight, Manager of Homeless Behavioral Health, Housing and Community Services / Tim Joyce, Assistant City Attorney

CM Coombs highlighted that the shortfall for Aurora Mental Health and Recovery is \$95,000 to provide flat funding from the prior year.

Motion by Bergan, second by Coombs to approve Item 10.a.9.

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

10.a.10 **Homelessness Notice of Funding Opportunity Application**
Recommendations: Aurora Mental Health and Recovery Public Safety

Emma Knight, Manager of Homelessness Behavioral Health, Housing and Community Services / Tim Joyce, Assistant City Attorney

10.a.11 **Homelessness Notice of Funding Opportunity Application**

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Recommendations: Colorado Safe Parking Initiative Marijuana

Emma Knight, Manager of Homelessness Behavioral Health, Housing and Community Services / Tim Joyce, Assistant City Attorney

10.a.12 **Homelessness Notice of Funding Opportunity Application
Recommendations: Gateway Domestic Violence Emergency Solutions Grant**

Emma Knight, Manager of Homelessness Behavioral Health, Housing and Community Services / Tim Joyce, Assistant City Attorney

10.a.13 **Homelessness Notice of Funding Opportunity Application
Recommendations: Gateway Domestic Violence Marijuana**

Emma Knight, Manager of Homelessness Behavioral Health, Housing and Community Services / Tim Joyce, Assistant City Attorney

CM Coombs stated the shortfall from this for flat funding from 2023 was \$115,000.

CM Bergan asked if the shortfall from last year what was funded versus what was requested.

CM Coombs said they were giving just what was funded last year versus what was funding this year.

Motion by Coombs second by Lawson to approve Item 10.a.13.

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

10.a.14 **Homelessness Notice of Funding Opportunity Application
Recommendations: Mile High Behavioral Health Care Cold Weather Activation Marijuana**

Emma Knight, Manager of Homelessness Behavioral Health, Housing and Community Services / Tim Joyce, Assistant City Attorney

10.a.15 **Homelessness Notice of Funding Opportunity Application
Recommendations: Mile High Behavioral Health Care Aurora Day Resource Center Marijuana**

Emma Knight, Manager of Homelessness Behavioral Health, Housing and Community Services / Tim Joyce, Assistant City Attorney

CM Coombs said when they accounted for the \$250,000 additional dollars for

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cold weather sheltering added in a separate agreement, the shortfall would be \$369,078.

Motion by Bergan, second by Coombs to approve Item 10.a.15.

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

**10.a.16 Homelessness Notice of Funding Opportunity Application
Recommendations: Mile High Behavioral Health Care Colfax
Community Network Marijuana**

Emma Knight, Manager of Homelessness Behavioral Health, Housing and Community Services / Tim Joyce, Assistant City Attorney

CM Coombs said the shortfall in funding between last year and this was \$245,000.

CM Bergan asked staff if it was not funded because it did not meet the criteria for homeless services.

Staff explained they were prioritizing emergency services like overnight shelter and rental assistance, and this did not meet the qualifications but still saw it as important.

Motion by Bergan, second by Coombs to approve Item 10.a.16.

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

**10.a.17 Homelessness Notice of Funding Opportunity Application
Recommendations: Mile High Behavioral Health Care Comitis Marijuana**

Emma Knight, Manager of Homelessness Behavioral Health, Housing and Community Services / Tim Joyce, Assistant City Attorney

CM Coombs stated what was requested because it was lower than last year funding, which is \$200,00 between what was requested and what was granted.

Motion by Coombs, second by Marcano to approve Item 10.a.17.

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

10.a.18 Homelessness Notice of Funding Opportunity Application

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Recommendations: Mile High Behavioral Health Care Comitis Public Safety

Emma Knight, Manager of Homelessness Behavioral Health, Housing and Community Services / Tim Joyce, Assistant City Attorney

10.a.19 **Homelessness Notice of Funding Opportunity Application Recommendations Mile High Behavioral HealthCare Comitis Emergency Solutions Grant**

Emma Knight, Manager of Homelessness Behavioral Health, Housing and Community Services / Tim Joyce, Assistant City Attorney

10.a.20 **Homelessness Notice of Funding Opportunity Application Recommendations: Restoration Christian Ministries Marijuana**

Emma Knight, Manager of Homelessness Behavioral Health, Housing and Community Services / Tim Joyce, Assistant City Attorney

CM Coombs stated the gap in funding was \$25,000.

Motion by Coombs, second by Lawson to approve Item 10.a.20.

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

Emma Knight, Manager of Homelessness Behavioral Health, Housing and Community Services / Tim Joyce, Assistant City Attorney

10.a.21 **Homelessness Notice of Funding Opportunity Application Recommendations: The Salvation Army Safe Outdoor Space (Peoria) Marijuana**

Emma Knight, Manager of Homelessness Behavioral Health, Housing and Community Services / Tim Joyce, Assistant City Attorney

CM Coombs stated the shortfall between 2023 and 2024 funding was \$35,000.

Motion by Coombs, second by Marcano to approve Item 10.a.21.

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

10.a.22 **Homelessness Notice of Funding Opportunity Application Recommendations: The Salvation Army Safe Outdoor Space**

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(Chambers) Marijuana

Emma Knight, Manager of Homelessness Behavioral Health, Housing and Community Services / Tim Joyce, Assistant City Attorney

CM Coombs stated the gap was \$35,000.

Motion by Coombs, second by Lawson to approve Item 10.a.22.

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

10.a.23 **Homelessness Notice of Funding Opportunity Application
Recommendations: The Salvation Army Housing Now Emergency
Solutions Grant**

Emma Knight, Manager of Homelessness Behavioral Health, Housing and Community Services / Tim Joyce, Assistant City Attorney

10.a.24 **Homelessness Notice of Funding Opportunity Application
Recommendations: Sungate Kids Public Safety**

Emma Knight, Manager of Homelessness Behavioral Health, Housing and Community Services / Tim Joyce, Assistant City Attorney

10.a.25 **Community Development Block Grant (CDBG) Acquisition Agreement –
Aurora Housing Authority (Stanley 98)**

Alicia Montoya, Community Development Manager, Housing and Community Services / Tim Joyce, Assistant City Attorney

Outside Speaker: Martin Petrov, Aurora Housing Authority

10.b. **Planning Matters**

10.c. **Appointments to Boards and Commissions**

10.c.1 **Consideration to Reappoint Three (3) Members to the Board of
Adjustment & Appeals**

Kadee Rodriguez, City Clerk / Tim Joyce, Assistant City Attorney

10.c.2 **Consideration to Reappoint One (1) Member to the Cultural Affairs
Commission**

Kadee Rodriguez, City Clerk, / Tim Joyce, Assistant City Attorney

10.c.3 **Consideration to Appoint One (1) Member and Reappoint Three (3) Members to the Public Defender’s Commission**

Kadee Rodriguez, City Clerk / Tim Joyce, Assistant City Attorney

10.c.4 **Consideration to Appoint One (1) Member to the Aurora Fox Arts Center Advisory Board**

Kadee Rodriguez, City Clerk / Tim Joyce, Assistant City Attorney

Motion by Coombs, second by Medina, to adopt the consent agenda with items 10.a.6, 10.a.9, 10.a.13, 10.a.15, 10.a.16, 10.a.17, 10.a.20, 10.a.21 and 10.a.22 removed.

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

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

Any member of the Council may request an item to be removed from the Consent Calendar and considered separately. Any item removed will be considered immediately following the adoption of the remainder of the Consent Calendar.

11.a. **Resolutions**

11.a.1 **Citadel on Colfax Business Improvement District (BID) 2024 Operating Plan and Budget**

R2023-138 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, APPROVING THE 2024 OPERATING PLAN AND BUDGET FOR THE CITADEL ON COLFAX BUSINESS IMPROVEMENT DISTRICT

Carol Toth, Manager of Accounting, Finance / Hanosky Hernandez, Senior Assistant City Attorney

11.a.2 **Painted Prairie No. 1 Business Improvement District (BID) 2024 Operating Plan and Budget**

R2023-139 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, APPROVING THE 2024 OPERATING PLAN AND BUDGET FOR THE PAINTED PRAIRIE BUSINESS IMPROVEMENT DISTRICT NUMBER ONE

Carol Toth, Manager of Accounting, Finance / Hanosky Hernandez, Senior Assistant City Attorney

11.a.3 **Painted Prairie No. 2 Business Improvement District (BID) 2024 Operating Plan and Budget**

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R2023-140 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, APPROVING THE 2024 OPERATING PLAN AND BUDGET FOR THE PAINTED PRAIRIE BUSINESS IMPROVEMENT DISTRICT NUMBER TWO

Carol Toth, Manager of Accounting, Finance / Hanosky Hernandez, Senior Assistant City Attorney

11.a.4 **Porteos Business Improvement District (BID) 2024 Operating Plan and Budget**

R2023-141 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, APPROVING THE 2024 OPERATING PLAN AND BUDGET FOR THE PORTEOS BUSINESS IMPROVEMENT DISTRICT

Carol Toth, Manager of Accounting, Finance / Hanosky Hernandez, Senior Assistant City Attorney

11.a.5 **Tower Business Improvement District (BID) 2024 Operating Plan and Budget**

R2023-142 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, APPROVING THE 2024 OPERATING PLAN AND BUDGET FOR THE TOWER BUSINESS IMPROVEMENT DISTRICT

Carol Toth, Manager of Accounting, Finance / Hanosky Hernandez, Senior Assistant City Attorney

11.a.6 **Windler No. 1 Business Improvement District (BID) 2024 Operating Plan and Budget**

R2023-143 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, APPROVING THE 2024 OPERATING PLAN AND BUDGET FOR THE WINDLER BUSINESS IMPROVEMENT DISTRICT NO.1

Carol Toth, Manager of Accounting, Finance / Hanosky Hernandez, Senior Assistant City Attorney

11.a.7 **Windler No. 2 Business Improvement District (BID) 2024 Operating Plan and Budget**

R2023-144 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, APPROVING THE 2023 OPERATING PLAN AND BUDGET FOR THE WINDLER BUSINESS IMPROVEMENT DISTRICT NO.2

Carol Toth, Manager of Accounting, Finance / Hanosky Hernandez, Senior Assistant City Attorney

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11.a.8 **Havana Business Improvement District (BID) 2024 Operating Plan and Budget**

R2023-145 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, APPROVING THE 2024 OPERATING PLAN AND BUDGET FOR THE HAVANA BUSINESS IMPROVEMENT DISTRICT

Chad Argentar, Senior Development Project Manager, Planning and Development Services / Hanosky Hernandez, Senior Assistant City Attorney

11.a.9 **Fitzsimons Business Improvement District (BID) 2024 Operating Plan and Budget**

R2023-146 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, APPROVING THE 2024 OPERATING PLAN AND BUDGET FOR THE FITZSIMONS BUSINESS IMPROVEMENT DISTRICT

Chad Argentar, Senior Development Project Manager, Planning and Development Services / Hanosky Hernandez, Senior Assistant City Attorney

11.a.10 **Parkside City Centre Business Improvement District (BID) 2024 Operating Plan and Budget**

R2023-147 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, APPROVING THE 2024 OPERATING PLAN AND BUDGET FOR THE PARKSIDE AT CITY CENTRE BUSINESS IMPROVEMENT DISTRICT

Jennifer Orozco, Development Project Manager, Planning and Development Services / Hanosky Hernandez, Senior Assistant City Attorney

11.a.11 **Direct Sale to a Logical Potential Purchaser**

R2023-148 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, FOR A PROPERTY CONVEYANCE TO THE TALLYN'S REACH AUTHORITY

A waiver of reconsideration is being requested to ensure that the Tallyn's Reach Authority will continue to maintain adjacent sidewalks and landscaping.

Sponsor: Françoise Bergan, Council Member

Brooke Bell, Director of Parks, Recreation and Open Space / George Koumantakis, Client Group Manager, City Attorney

11.a.12 **Intergovernmental Agreement Between City of Aurora and The Tallyn's Reach Authority for The Maintenance of Certain Real Property**

R2023-149 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA,

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COLORADO, APPROVING THE INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF AURORA AND THE TALLYN'S REACH AUTHORITY FOR THE MAINTENANCE OF CERTAIN REAL PROPERTY

A waiver of reconsideration is requested to finalize the agreement during the last regular meeting of the current City Council.

Sponsor: Françoise Bergan, Council Member

Brooke Bell, Director Parks Recreation and Open Space / Brian Rulla, Assistant City Attorney

11.a.13 **Intergovernmental Agreement with Denver for the Colfax Bus Rapid Transit (BRT) Project Construction**

R2023-150 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, APPROVING THE INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF AURORA AND THE CITY AND COUNTY OF DENVER FOR THE COLFAX BUS RAPID TRANSIT PROJECT (CONSTRUCTION PHASE)

A waiver of reconsideration is requested to meet the intergovernmental agreement execution deadline for the grant funding.

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

11.a.14 **FY23 Justice Assistance Grant (JAG) Intergovernmental Agreement (IGA)**

R2023-151 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, APPROVING THE INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF AURORA AND ARAPAHOE COUNTY, STATE OF COLORADO REGARDING THE 2023 EDWARD BYRNE JUSTICE ASSISTANCE GRANT

John Schneebeck, Business Services Division Manager, Police / Megan Platt, Assistant City Attorney

11.a.15 **North Central Colorado Regional Child Abduction Response Team Memorandum of Understanding (MOU)**

R2023-152 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, APPROVING THE MEMORANDUM OF UNDERSTANDING BETWEEN THE AURORA POLICE DEPARTMENT AND THE FIRST JUDICIAL DISTRICT ATTORNEY'S OFFICE, THE ARVADA POLICE DEPARTMENT, THE EDGEWATER POLICE DEPARTMENT, THE LAKEWOOD POLICE DEPARTMENT, THE WESTMINSTER POLICE DEPARTMENT, AND THE WHEAT RIDGE POLICE DEPARTMENT FOR PARTICIPATION THE JEFFERSON COUNTY REGIONAL CHILD

ABDUCTION RESPONSE TEAM

Chris Poppe, Police Lieutenant, Police / Megan Platt, Assistant City Attorney

11.a.16 **Intergovernmental Agreement (IGA) with Colorado Judicial Department for Provision of Jury List**

R2023-153 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, APPROVING THE INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF AURORA, COLORADO, AND THE COLORADO JUDICIAL DEPARTMENT FOR THE PROVISION OF THE JUROR LIST FOR YEARS 2024-2029

Candace Atkinson, Director of Courts and Detention / 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

Staff provided a brief summary of the item.

CM Coombs asked about the contract rate for attorneys being hired out of the non-departmental budget for the Public Defender's Office and prosecution and the hourly rate being paid to contract attorneys.

Staff answered they did not have the full answer yet.

CM Coombs asked staff to share the information they did have.

Staff gave information from the public defender, which was a contract for appeals, a \$2000 flat rate, a contract for weekend court for \$250/hr or \$1000 per weekend flat guaranteed rate, contract with a previous public defender for ongoing legal services at \$250/hr.

CM Coombs said they had various information suggesting the rate for public defenders who were FTEs was just over \$50/hr plus benefits at about 30% and were instead paying \$250/hr for that service, and would like to renew the motion to move the funds from the non-departmental budget into the public

defenders budget for FTEs and converting the hourly benefit employee in Aurora sustained the mental health program into an FTE.

Mayor Coffman requested severing the motions.

CM Zvonek said given the amount the public defender was spending, it sounded like they were on pace to be overbudget and wondered if staff knew how much the department was projected to be overbudget this year.

Staff answered they would not be over budget, stating the first few mentioned were including in their budget and the others were included in the non-departmental budget.

Motion by Coombs, second by Marcano to support ordinance 2023-51 with the amendment to move funds from the non-departmental budget into the public defender budget for FTEs.

Voting Aye: Coombs, Marcano, Medina

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

Motion by Coombs, second by Medina to convert the variable hour benefit eligible employee to an FTE, mental health professional.

CM Coombs stated there was general support for increasing the position at the budget workshop but did not see that was changed.

Staff said they added \$30,000 to increase the hours, so they made it a 30-hour to a variable hour 40-hour.

CM Coombs withdrew her amendment.

CM Coombs said they continued to not be able to support a budget where they were spending \$250/hr on positions they could be spending \$50/hr on.

Motion by Bergan, second by Zvonek to approve Item 11.b.1.

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

Voting Nay: Coombs, Marcano, Medina

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

- ◆ *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.*

31, 2024

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

Staff provided a brief summary on the item.

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

CM Combs continued to not support the item for the reason they should not be spending \$250/hr on something they could get for \$50/hr.

CM Zvonek pointed out that when they voted against it, they were voting against all the priorities set forth by the budget. He said it was a petty move to hold the entire budget for the City of Aurora hostage over this.

CM Marcano said they already knew the answer to how much outsourcing the service would cost and it was a tremendous amount of money. He reminded the public that it was done for vindictive reasons. He said it did not have anything to do with government, but political retribution. He said he supported CM Coombs on the matter.

CM Zvonek stated everyone was entitled to their own opinion but not their own set of facts. He said there was a presentation brought to Council by the CABC that showed significant potential cost savings, and they asked the city manager to do a cost analysis to determine whether or not the presentation was accurate. He said it was not done so they asked the interim city manager to issue an RFP to determine whether or not there could be significant cost savings. He said if it came back and showed that wasn't the case, they would not move forward with anything.

CM Coombs said the issue was not about the RFP, but about the money they were currently spending on contract defense.

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

Voting Nay: Coombs, Marcano, Medina

11.b.3 **Comcast Cable Franchise Agreement**

2023-54 CONSIDERATION OF AN ORDINANCE APPROVING THE 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

- ◆ *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.*

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

11.b.4 **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

11.b.5 **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 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

11.b.6 **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 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

11.b.7 **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 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,

- ◆ *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.*

Senior Assistant City Attorney

11.b.8 **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 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

11.b.9 **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

11.b.10 **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

11.b.11 **2023 Fall Supplemental Ordinance**

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

11.b.12 **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

11.b.13 **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

Motion by Bergan, second by Medina to approve the Consent Calendar - Resolutions and Ordinances 11.a.1 to 11.a.16, 11.b.3 to 11.b.13.

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

12. **PUBLIC HEARINGS**

13. **INTRODUCTION OF ORDINANCES**

14. **FINALIZING OF ORDINANCES**

15. **ANNEXATIONS**

16. **RECONSIDERATION AND CALL UPS**

17. **GENERAL BUSINESS**

17.a. **Council Appointee Selection and Appointment - City Manager**

Sponsor: Mayor, Mayor Pro Tem and Council Members

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

CM Marcano stated they could not have chosen a better person for the position and the City of Aurora was in good hands. He encouraged Council for a unanimous yes vote.

CM Bergan concurred and was happy to appoint the City Manager.

Motion by Bergan, second by Zvonek to approve item 17.a.

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

18. **REPORTS**

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

Mayor Coffman did not have a report.

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

CM Medina stated he attended the Ceremony of the Falck, Pros, Rangers, Fire Department and Dispatch at the Aurora Reservoir on how they worked together to save two citizens by utilizing skills with rescue.

CM Marcano said it was a pleasure and honor to represent Ward 4 over the last four years and wished good luck to the incoming Ward 4 Council Member.

19. **ADJOURNMENT**

Mayor Coffman adjourned the regular meeting of the City Council.



MIKE COFFMAN, MAYOR

ATTEST:

Cecilia Zapata
KADEE RODRIGUEZ, CITY CLERK Deputy
Cecilia Zapata



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