

MINUTES

Regular Meeting of the Aurora City Council

Monday, February 12, 2024

1. **RECONVENE REGULAR MEETING OF FEBRUARY 12, 2024, AND CALL TO ORDER**

Mayor Coffman reconvened the regular meeting of the City Council for February 12, 2024, at 6:30 p.m.

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

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

COUNCIL MEMBERS ABSENT: Zvonek

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 February 12, 2024 Council Meeting.

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

5. **EXECUTIVE SESSION UPDATE**

Mayor Coffman provided an update on the Executive Session.

6. **APPROVAL OF MINUTES**

6.a. **January 22, 2024 Meeting Minutes**

Motion by Gardner, second by Bergan, to approve the minutes of the January 22, 2024 meeting.

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

Abstain: Coombs

7. **PROCLAMATIONS OR CEREMONIES**

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7.a. Animal Services - Animal Showcase

7.b. Lunar New Year

Mayor Coffman proclaimed February 10, 2024 as Lunar New Year.

7.c. Amazing Auroran Award - Thoa Nguyen

Mayor Coffman read a land acknowledgment.

8. PUBLIC INVITED TO BE HEARD

(non-agenda-related issues only)

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

9. ADOPTION OF AGENDA

Motion by Coombs, second by Bergan, to adopt the agenda.

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

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.b. Planning Matters

10.c. Appointments to Boards and Commissions

10.c.1 Consideration to Appoint Three (3) Members of the Citizens Advisory Committee on Housing and Community Development

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

10.c.2 Consideration to Appoint One (1) Member to the Veterans Affairs

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

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

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

10.c.4 Consideration to Appoint One (1) Member and Reappoint Three (3) Members to the Citizens' Water Advisory Commission

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

10.c.5 Consideration to Appoint Three (3) Members to the Civic Engagement

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

Motion by Gardner, second by Sundberg, to approve the Consent Calendar - Motions.

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

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 Lloyd Land and Water Acquisition

R2024-08 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, APPROVING THE CONTRACT TO BUY AND SELL REAL ESTATE FOR LAND AND WATER RIGHTS BETWEEN THE CITY OF AURORA AND BRUCE LLOYD

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

11.a.2 Agricultural Lease with Buderus Farms in Weld County

R2024-09 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, APPROVING THE AGRICULTURAL LEASE BETWEEN THE CITY OF AURORA, COLORADO AND BUDERUS FARMS OF CERTAIN CITY-OWNED LAND IN WELD COUNTY

Tom Clark, Senior Real Estate Specialist, Public Works / Michelle Gardner, Senior Assistant City Attorney

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11.a.3 Agricultural and Grazing Lease with Jeffrey Will Richardson in Weld County

R2024-10 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, APPROVING THE FARM, GRAZING AND PROPERTY LEASE BETWEEN THE CITY OF AURORA, COLORADO AND JEFFREY "WILL" RICHARDSON OF CERTAIN CITY-OWNED LAND IN WELD COUNTY

Tom Clark, Senior Real Estate Specialist, Public Works / Michelle Gardner, Senior Assistant City Attorney

11.a.4 Conveyance of a Portion of Tract C, Green Valley Ranch Subdivision Filing No. 9, to Windler Operations Metropolitan District, a Quasi-Municipal Corporation and Political Subdivision of the State of Colorado

R2024-11 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, APPROVING THE CONVEYANCE OF CERTAIN CITY-OWNED PROPERTY CONTAINING 1,179 SQUARE FEET (0.027 ACRES) TO WINDLER OPERATIONS METROPOLITAN DISTRICT AS A DIRECT SALE TO LOGICAL POTENTIAL PURCHASER

Hector Reynoso, Real Property Services Manager / Michelle Gardner, Senior Assistant City Attorney

11.a.5 Supporting Modular Construction as Part of Affordable Housing

R2024-12 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, IN SUPPORT OF MODULAR CONSTRUCTION AS A SEPARATE HOUSING CATEGORY TO INCREASE ATTAINABLE HOUSING IN COLORADO

A waiver of reconsideration is being requested in order to timely address the State legislature on Proposition 123 - Colorado Affordable Housing Financing Fund.

Sponsors: Mike Coffman, Mayor / Françoise Bergan, Council Member

Michelle Gardner, Senior Assistant City Attorney

CM Bergan explained that it did not go through committee after planning to do so due to the legislation moving so quickly and the importance of having it brought right to the floor. She said housing affordability was critical and she was working with staff and a developer of modular housing to see how they could reduce housing cost and increase supply without sacrificing quality standards. She thanked the city manager, mayor, deputy city manager and staff for looking at the duplicative costs they have in the inspection and permit fees and the plan review process. She

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expressed they wanted to reduce those costs and this resolution would be a model for the state and municipalities and asked council to support it. She said it also would help them all work together to bring affordable housing to the people of Colorado and significantly reduce the cost.

Mayor Coffman thanked CM Bergan for her work on it. He explained modular housing was largely assembled in a factory setting and much more efficient.

CM Hancock shared that she toured the factory and visited a modular home community and they were beautifully put together. She stated they brought housing down to affordability standards.

CM Lawson commented it would add an extra addition to the housing crisis they had in the city, but hoped they were not gobbled up by investors because affordability could then not be sustainable.

CM Bergan added that CM Hancock and CM Sundberg were able to tour the manufactory facility to see the actual product and encouraged others to do so.

Motion by Bergan, second by Hancock to approve the adoption of 11.a.5

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

11.b. Finalizing of Ordinances

CM Bergan asked to pull 11.a.5.

Motion by Gardner, second by Sundberg, to approve the Consent Calendar – Motions with item 11.a.5 removed.

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

12. PUBLIC HEARINGS

12.a. Iliff Station Rezone - Zoning Map Amendment

2024-01 A PUBLIC HEARING AND CONSIDERATION OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, FOR A ZONING MAP AMENDMENT TO REZONE APPROXIMATELY 0.87 ACRES OF LAND TO MEDIUM- DENSITY MULTIFAMILY DISTRICT (R-3), LOCATED AT THE NORTHWEST CORNER OF EAST WESLEY PLACE AND SOUTH DILLON STREET

Liz Fuselier, Planner, Planning and Development Services / Lena McClelland, Assistant City Attorney

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Mayor Coffman opened the public hearing.

Liz Fuselier presented a summary of the item.

CM Hancock stated they talked about it in the TAPS Committee and the idea of the project was to create affordability for young professionals in the police/nurse income bracket so they would be more affordable. She said they also discussed the traffic potential hazards there and concluded it would not cause any traffic pressure in the area.

Mayor Coffman closed the public hearing.

Motion by Sundberg, second by Gardner to adopt 12.a.

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

13. **INTRODUCTION OF ORDINANCES**

14. **FINALIZING OF ORDINANCES**

15. **ANNEXATIONS**

15.a. Allen Parcel Annexation Substantial Compliance

R2024-13 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO FINDING A PETITION FOR ANNEXATION OF A CERTAIN PARCEL OF LAND LOCATED IN THE SOUTHEAST QUARTER OF SECTION 2 AND THE NORTHEAST QUARTER OF SECTION 11, TOWNSHIP 4 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF ARAPAHOE, STATE OF COLORADO, TO BE IN SUBSTANTIAL COMPLIANCE WITH SECTION 31-12-107(1), C.R.S., AND GIVING NOTICE OF A PUBLIC HEARING ON THE PROPOSED ANNEXATION (Allen Annexation) 41.028 ACRES

Jacob Cox, Manager of Development Assistance / Brian Rulla, Assistant City Attorney

Jacob Cox presented a summary of the item.

Motion by Gardner, second by Hancock to approve 15.a.

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

16. **RECONSIDERATION AND CALL UPS**

CM Murillo stated she wanted to reconsider the ordinance from January 22nd regarding the rule changes on seating and asked the city attorney to advise on the correct way to reconsider the item.

Motion by Murillo, second by Medina, to approve motion to reconsider.

CM Murillo commented that after reviewing the minutes and conversation, she wanted to ask the city attorney if there were any issues related to that conversation.

City Attorney said he was happy to answer the question but should there be a reconsideration after a majority vote that would be heard at the next meeting. He said the single subject was considered for the two seating items and amendment to the sexual harassment and discrimination section of Appendix I and was done as an updating of the council rules, which was one subject.

CM Murillo stated the purpose was defined as focusing on who can and cannot be on the dais and an amicable decision to swap seats, but she was concerned that conversation started to focus on one particular council member and their child. She asked if there was any liability or concerns they should be considering on that.

Mayor Coffman said first was the motion to reconsider and then they would have the discussion at the next regular meeting.

CM Bergan asked about the details on the reconsideration process.

City Attorney noted reconsiderations were under B5 of the council rules and the member needed to be on the prevailing side and get a majority vote.

CM Bergan asked what qualified reconsideration. She said she knew they had to have new information that had not been presented but wanted to know if there was anything else.

City Attorney stated it had to be new information and had to be made at the appropriate time.

CM Bergan asked if there was new information to give on the subject.

CM Murillo said she wanted a legal opinion from the city attorney to address the concerns on the scope of what it said on paper versus the dialogue that occurred. She was concerned they were opening themselves up to legal liability focusing on one council member.

Mayor Coffman expressed it was ambiguous what was new information, but CM Murillo was on the prevailing side and has the ability to offer a motion of reconsideration.

CM Jurinsky urged her colleagues to vote no on a reconsideration.

CM Murillo inquired if they could get a legal opinion on the risk of how that conversation unfolded.

City Attorney explained they could do it as part of the motion for reconsideration, but any council member also had a right to ask for a legal opinion even if the motion did not pass.

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CM Bergan expressed it was something to discuss with the city attorney to make sure they were within legal standing, but not part of new information for reconsideration.

CM Gardner commented that the discussions were moving outside of the motion to reconsider and now going beyond the question of reconsideration.

Voting Aye: Mayor Coffman, Coombs, Medina, Murillo

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

17. **GENERAL BUSINESS**

17.a. Determination of Final Candidates to be Interviewed for the Planning and Zoning Commission

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

CM Gardner proposed reopening the application period and do additional outreach to get more applicants. He said they only had two so far.

CM Bergan agreed it would be better to have more outreach.

Motion by Gardner, second by Murillo, to continue receiving applicants until March 11th.

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

18. **REPORTS**

18.a. Report by the Mayor

Mayor Coffman stated he had a conversation with the governor concerning Buckley and there was no plan right now to replace the aircraft, which would cause the runway to close. He explained to the governor it was an issue of statewide concern and when the space command issue came up they were in support and enlisted to do certain things, but he did not see the effort on the issue. He said the governor vowed to incorporate them in some type of plan and hopes he follows through with that. Mayor Coffman also spoke about the Fitzimmons Innovation Committee and said the executive director for the Anschutz Medical Campus would be resigning at the end of the year. He said he had been in conversations with the city manager about how to move a study forward to ask if they needed look at a public-private partnership to move bioscience along in the campus.

18.b. Reports by the Council

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CM Jurinsky announced the Waterwise Event would be on May 18th at the Waterwise Garden. She said there would be many vendors at the event with many landscaping companies and hoped to see a lot of Aurorans at the event.

CM Murillo announced the Ward 1 Town Hall on February 22nd at Moorhead Rec Center.

CM Medina announced his Town Hall is February 13th, 6:30-8pm, at the Central Library where they will be having presentations by PROS, Parks and Recreation, and Art in Public Places.

CM Hancock appointed Michael A. Hancock to the BAC.

CM Lawson stated the FSIR Committee met twice since the Colorado Legislative Session began and have taken positions on 17 bills. She said the City was supporting federal legislation on finding innovative ways to address street racing. She hoped people would tune into the next FSIR meeting, February 16th. She announced two Ward 5 Town Halls, one on February 24th from 10 to 11:30am at Heather Gardens and the other on February 27th from 6:30 to 8pm at the Central Rec Center.

CM Bergan said she was continuing to work on the Opioid Governance Committee and the Walk In Crisis Center and Detox Subcommittee. She stated they opened up the executive direction search regarding E-470 and finance director search. She also extended support to CM Jurinsky's court date.

Council members Gardner, Coombs, and Sundberg did not have a report.

19. **ADJOURNMENT**

Mayor Coffman adjourned the regular meeting of the City Council.



MIKE COFFMAN, MAYOR

ATTEST:



KADEE RODRIGUEZ, CITY CLERK



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