

MINUTES

Regular Meeting of the Aurora City Council

Monday, March 11, 2024

1. **RECONVENE REGULAR MEETING OF MARCH 11, 2024, AND CALL TO ORDER**

Mayor Coffman reconvened the regular meeting of the City Council for March 11, 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, Zvonek

COUNCIL MEMBERS ABSENT: None

3. **INVOCATION/MOMENT OF SILENCE**– Mike Coffman, Mayor

Mayor Coffman led the prayer for the March 11, 2024 Council Meeting.

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

Mayor Coffman read a land acknowledgement.

5. **EXECUTIVE SESSION UPDATE**

Mayor Coffman provided an update on the Executive Session including real estate and personnel matters.

6. **APPROVAL OF MINUTES**

6.a. **February 26, 2024 Meeting Minutes**

Motion by Sunberg, second by Hancock, to approve the minutes of the February 26, 2024 meeting.

CM Coombs made a motion to continue until the next meeting due to several amendments based on motions that were made to make sure they are all clarified. She stated it would be more respectful to her colleagues and the public to have those in writing in the packet instead of going through all of them right now.

Motion by Coombs, second by Gardner, to continue the minutes from February 26, 2024 to the next regular meeting.

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

7. **PROCLAMATIONS OR CEREMONIES**

7.a **Women’s History Month**

Mayor Coffman proclaimed the month of March 2024 as Women’s History Month.

7.b **128th Adwa Victory Day**

Mayor Coffman proclaimed March 2, 2024 as 128th Adwa Victory Day.

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 Bergan, second by Zvonek, to adopt the agenda.

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

10. **CONSENT CALENDAR - MOTIONS**

10.a. **Motions**

10.a.1 **Community Development Block Grant (CDBG) Subrecipient Agreement with Artaic Group for the Administration and Implementation of the Single-Family Minor Home Repair Program**

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

CM Bergan asked why they were only given a 69.6 as a rating.

Alicia Montoya, Community Development Manager, stated they had a review panel look it over and that was the original scoring, but did have additional meetings with them to clarify specific questions and concerns, including requirements. She said those were answered through interviews they had with them later on and they decided to make the recommendation.

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CM Bergan clarified if they had the contract before.

Ms. Montoya answered it was the first time they had a contract with them.

Motion by Bergan, second by Coombs , to approve 10.a.1.

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

10.b. Planning Matters

10.c. Appointments to Boards and Commissions

10.c.1 Consideration to Appoint One (1) Member to the Art in Public Places Commission

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

Motion by Gardner, second by Jurinsky, to approve 10.a.1 through 10.c.1.

CM Bergan stated she would like to pull 10.a.1.

Motion by Gardner, second by Jurinsky, to approve consent calendar for motions with 10.a.1 removed.

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

11. CONSENT CALENDAR - RESOLUTIONS AND ORDINANCES

11.a. Resolutions

11.a.1 Aurora Police and Buckley Space Force Intergovernmental Agreement (IGA)

R2024-20 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, APPROVING THE INTERGOVERNMENTAL AGREEMENT BETWEEN THE AURORA POLICE DEPARTMENT AND BUCKLEY SPACE FORCE BASE, COLORADO

Chris Juul, Police Division Chief / Megan Platt, Assistant City Attorney

11.a.2 An Intergovernmental Agreement (IGA) with Adams County for a Safety Action Plan Grant Project

R2024-21 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO FOR THE INTERGOVERNMENTAL AGREEMENT BETWEEN CITY OF AURORA, CITY OF ARVADA, CITY OF BRIGHTON, COMMERCE CITY, CITY OF FEDERAL HEIGHTS, CITY OF NORTHGLENN, CITY OF WESTMINSTER, AND THE COUNTY OF ADAMS TO PROVIDE ENGINEERING SERVICES TO CONDUCT THE

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ADAMS COUNTY COMPREHENSIVE SAFETY ACTION PLAN STUDY

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

11.a.3 An Intergovernmental Agreement (IGA) with the Colorado Department of Transportation (CDOT) for the 13th Avenue Multimodal Improvements Project

R2024-22 A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, FOR THE INTERGOVERNMENTAL AGREEMENT BETWEEN CITY OF AURORA AND COLORADO DEPARTMENT OF TRANSPORTATION FOR THE 13TH AVENUE MULTIMODAL IMPROVEMENTS PROJECT

Cathy Valencia, Project Delivery Services Manager, Public Works / Michelle Gardner, Senior Assistant City Attorney

11.a.4 An Intergovernmental Agreement (IGA) with the Colorado Department of Transportation (CDOT) for the Alameda Avenue Bridge Replacement over I-225 Project

R2024-23 A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, FOR THE INTERGOVERNMENTAL AGREEMENT BETWEEN CITY OF AURORA AND COLORADO DEPARTMENT OF TRANSPORTATION FOR THE ALAMEDA AVENUE BRIDGE REPLACEMENT OVER I-225 PROJECT

Cathy Valencia, Project Delivery Services Manager, Public Works / Michelle Gardner, Senior Assistant City Attorney

11.a.5 An Intergovernmental Agreement (IGA) with the Colorado Department of Transportation (CDOT) for the Gun Club Multimodal Improvements Project

R2024-24 A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, FOR THE INTERGOVERNMENTAL AGREEMENT BETWEEN CITY OF AURORA AND COLORADO DEPARTMENT OF TRANSPORTATION FOR THE GUN CLUB MULTIMODAL IMPROVEMENTS PROJECT

Cathy Valencia, Project Delivery Services Manager, Public Works / Michelle Gardner, Senior Assistant City Attorney

11.a.6 An Intergovernmental Agreement (IGA) with the Colorado Department of Transportation (CDOT) for the Peoria Bridge Replacement over Sand Creek Project

R2024-25 A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF AURORA FOR THE INTERGOVERNMENTAL AGREEMENT BETWEEN CITY OF AURORA AND COLORADO DEPARTMENT OF TRANSPORTATION FOR THE PEORIA BRIDGE REPLACEMENT OVER SAND CREEK PROJECT

Cathy Valencia, Project Delivery Services Manager, Public Works / Michelle Gardner, Senior Assistant City Attorney

11.a.7 First Amendment to Drainage and Flood Control Improvements for Unnamed Creek Upstream of S. Jericho Way

R2024-26 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, EXPRESSING THE AURORA CITY COUNCIL'S SUPPORT OF AN AMENDMENT TO THE 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 CONSTRUCTION OF DRAINAGE AND FLOOD CONTROL IMPROVEMENTS FOR UNNAMED CREEK UPSTREAM OF SOUTH JERICHO WAY

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

11.a.8 Prairie Waters Pipeline Common Use Agreement Amendment

R2024-27 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, EXPRESSING THE AURORA CITY COUNCIL'S APPROVAL OF THE FIRST AMENDMENT TO THE COMMON USE AGREEMENT BETWEEN THE E-470 PUBLIC HIGHWAY AUTHORITY AND THE CITY OF AURORA, ACTING BY AND THROUGH ITS UTILITY ENTERPRISE

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

11.a.9 Water Rights and Land C and A Acquisition

R2024-28 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, EXPRESSING THE AURORA CITY COUNCIL'S APPROVAL OF THE PURCHASE AND SALE AGREEMENT FOR WATER RIGHTS AND REAL PROPERTY WITH AGRICULTURAL LEASE BETWEEN THE CITY OF AURORA ACTING BY AND THROUGH ITS UTILITY ENTERPRISE AND C&A HOLDING COMPANY, INC.

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

11.a.10 Rules of Order and Procedure: Amend Council Rule F(2) International Issues or Concerns

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R2024-29 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 CONCERNING POLICY STATEMENTS REGARDING INTERNATIONAL ISSUES OR CONCERNS

Sponsor: Curtis Gardner, Council Member / Mike Coffman, Mayor

Andrea Wood, Assistant City Attorney

Andrea Wood, Assistant City Attorney, gave a brief presentation on the item.

CM Gardner said they are a local government body and deal with land use, public safety, and water, and have a policy committee to take positions on state and federal legislation, but performative statements on world events are not the purview of the City Council and not their role.

CM Jurinsky asked if CM Gardner would accept a friendly amendment, because she sees the slippery slope this will start and things will be coming through as proclamations instead of resolutions. She recommended it be any agenda item that is not pertinent to the City of Aurora.

Mayor Coffman expressed they just did a proclamation today for the Ethiopian community and thinks that is appropriate and they do them all the time, so he would feel uncomfortable doing that.

CM Murillo stated they have seen discussions of the past couple months on international affairs and did not necessarily agree they should not address those and limit what a council member can bring for a resolution.

CM Coombs commented that this body has passed a resolution regarding an international issue, so it was interesting it was now flipped to we are not going to do that. She noted there were potentially unintended consequences and other ways for those issues to end up being discussed by council and members of the public and would more likely limit people from bringing issues that may be relevant.

CM Bergan expressed she thinks this started with her, after she brought forth a resolution to condemn Hamas and support Israel. She explained that she appreciates everyone's right to free speech but it turned into a very disruptive situation. She said that the mayor had brought forward this resolution before and at the time she voted to not support it. She clarified that now she was in support of it, because previous resolutions have created so much disruption and division in their city and that is not healthy, and they need to be focused on what is important to the residents in the City of Aurora. She stated the mayor and mayor pro tem have to make a decision whether to allow a proclamation to go forward at their discretion.

CM Gardner agreed it did start with a resolution back in October, and that was a mistake, and they should not have done that at the time. He said he did not regret the position he took but did regret that this body weighed in on that, because it was not the role of local government. He also stated to keep it as is for now and not do any amendments and he will work with CM Jurinsky to address proclamations and other things in the future.

Motion by Gardner, second by Jurinsky, to approve 11.a.10.

Voting Aye: Bergan, Gardner, Hancock, Jurinsky, Lawson, Medina, Sundberg, Zvonek.

Voting Nay: Coombs, Murillo

11.a.11 Supporting the Passage of SB24-106 Right to Remedy Construction Defects

R2024-30 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, SUPPORTING SB 24-106, RIGHT TO REMEDY CONSTRUCTION DEFECTS

Sponsor: Angela Lawson, Council Member

Liz Rogers, Intergovernmental Relations Manager / George Koumantakis, Client Services Manager, Office of the City Attorney

CM Lawson expressed she pulled this for information only, because it did not go through a policy committee and wanted to give information to the public so they are aware of it. She stated housing affordability remains one of the most impacting issues for people in businesses in Aurora. She said Senate 24-106, construction defects, and one of the city's priorities and positions they take, can make a difference and seeks to amend the state's Construction Defect Action Reform Act to give homeowners opportunities to pursue timely and effective remedies for construction claims, repairs, and allow builders and contractors the ability to make those repairs and ensure homeowners can resolve disputes and construction claims in an efficient, timely manner. She added they need more housing at affordable prices and need it now, and asked her colleagues to support this resolution.

A motion was made by CM Lawson and second by MPT Zvonek, to approve 11.a.11.

CM Coombs explained there was an alternative bill coming forward to clarify whether construction defect litigation is the cause of the shortage in for sale attached housing products, and one of the issues with the bill is it actually states that as long as the contractors present an option for remedying a construction defect, then the homeowner has to accept it whether they want to or not. She said it did not give them more power, but takes away their power. She also stated if there were other issues

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discovered in the process, they do not get addressed, because once the defect is cured, it is done, and also increases the threshold of the number of owners that have to agree to litigation in order to litigate, and there is a significant problem of condos have a high number of renters and not being able to get the buy in from owners to participate in that litigation. CM Coombs added there was a study that indicated Colorado has one of the most friendly construction defect litigation in the country and they are seeing a decrease in building comparable to other city and states. She expressed charging people rent is more profitable than allowing people to own their homes and would not be supporting the resolution.

CM Bergan stated they have not been able to have condos built for over a decade in all of Colorado because of the litigation, and did not understand what the issue is. She explained that if a contractor agrees to remedy a problem, fix the construction defect, then it's done and they have to do it in a timely basis. She said they hear all the time that people cannot afford to live in Colorado and Aurora, and this was a way to finally address a serious issue that has been going on forever for reform that is necessary.

Mayor Coffman expressed he supported the resolution and said the status quo did not work for Aurora. He spoke about coming home from the Marines, buying a condominium, building equity in that and eventually bought a family home, and that is denied to residents in Aurora right now that cannot afford a single family home.

CM Murillo agreed with the intent and overall premise of needing to address the issue so they can see more housing stock, but disagreed with the premise that it is because of construction defects. She said she supported the alternate bill investigating the root causes of these issues.

CM Zvonek respected that CM Murillo rejected the premise, but that was the builders reason, not their premise.

CM Murillo stated she disagreed with the premise and did not believe that was the root cause of the issue for profit developers. She noted she would rather support a more in depth wholistic investigation for her decision making purposes.

CM Jurinsky stated the CM Murillo was very proud for her first home and announced that she bought a condo and got it at a fair price. She said that everybody should be afforded that opportunity and condos are not being built except for the ones that are too high and nobody can afford it. She said she wanted to see more affordable housing and condos being built in their city and not just apartments.

Motion by Jurinsky, second by Lawson, to call for the question.

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

Voting Nay: Coombs, Medina, Murillo

Motion by Lawson, second by Zvonek, to approve 11.a.11.

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

Voting Nay: Coombs, Medina, Murillo

11.b. Finalizing of Ordinances

Motion by Gardner, second by Zvonek to approve the Consent Calendar – Resolutions and Ordinances with items 11.a.10 and 11.a.11 removed.

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

12. **PUBLIC HEARINGS**

13. **INTRODUCTION OF ORDINANCES**

13.a Station 60 Infrastructure Site Plan - Street Vacation

2024-06 FOR AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, VACATING A PORTION OF THE PUBLIC RIGHT-OF-WAY FOR NORFOLK STREET, LOCATED BETWEEN EAST COLFAX AVENUE AND EAST 17TH PLACE, CITY OF AURORA, COUNTY OF ADAMS, STATE OF COLORADO (NORFOLK STREET VACATION)

Stephen Gubrud, Planner, Planning and Development Services / Lena McClelland, Assistant City Attorney

Stephen Gubrud, Planner, gave a brief presentation of the item.

CM Sundberg thanked Station 60 and the storage people to the west working and coming together to make this happen.

Motion by Sundberg, second by Jurinsky, to approve 13.a

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

14. **FINALIZING OF ORDINANCES**

14.a. Retail Theft Repeat Offenders

2024-04 FOR AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, AMENDING SECTIONS OF THE CITY CODE PERTAINING TO MANDATORY

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MINIMUM SENTENCES FOR RETAIL THEFT IN THE AURORA MUNICIPAL CODE TO
CONTINUE TO COMBAT THEFTS IN THE CITY

Sponsor: Danielle Jurinsky, Council Member

Heather Morris, Police Chief / Megan Platt, Assistant City Attorney

The Council heard public comment on the agenda item.

Megan Platt, Assistant City Attorney, gave a brief presentation on the item.

CM Coombs stated what is in the packet still has the requirement that the three days be served in the Aurora Jail, and asked if that was going to be corrected.

Ms. Platt said that should have been corrected on a continuation page.

Motion by Jurinsky, second by Hancock, to approve Item 14.a.

CM Coombs asked the Public Defender's Office to speak about the cost impact to court prosecution and public defenders. She said she did not see anything about an increase of trials or people who would be represented by the Public Defender's Office since jail is now attached to offenses that otherwise would not have a sentence of jail. She stated they did not have a number of expected cases, expected charges that would be filed under the changes, and wanted to understand the workload per case they could expect and prosecution cost from the public defender.

CM Bergan commented it was highly unusual that a council member calls somebody else to speak on an item to either address staff or an applicant in a public hearing and did not think it was appropriate.

CM Coombs expressed the chief public defender was a member of their staff.

CM Jurinsky said she was tired of the dog and pony show that is going on with the Public Defender's Office and the relationship between city staff, the chief public defender, and CM Coombs. She added that whatever the cost is, they were going to pay it, because they are going to keep crime illegal in this city. She disagreed to any outside speakers and said they could have spoken on the agenda item beforehand.

Motion by Mayor Jurinsky, second by Sundberg, to call for the question.

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

Voting Nay: Coombs, Medina, Murillo

Motion by Jurinsky, second by Hancock, to approve Item 14.a.

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

Voting Nay: Coombs, Medina, Murillo

CM Coombs stated they passed a resolution requiring fiscal notes and neither had a fiscal note attached. She moved they both be continued until a fiscal note is provided at the next meeting.

Mayor Coffman explained that if they were cutting taxes you have to identify an offset, but in this sense, it is an unknown as to what it will increase in terms of cost.

City Attorney expressed all ordinances are required under Council rules to have a fiscal note provided by the City Manager's Office. He stated 14.a was adopted and the conversation is over unless you do a motion to reconsider 14.a, but otherwise that matter is settled, so they could talk about 14.b not having a fiscal note and wanting to continue for that reason.

CM Coombs said 14.a was changing that threshold.

Mayor Coffman asked staff what their instructions were in terms of fiscal note.

Staff stated they did not receive any instruction regarding the fiscal note. She said there was discussion during the Public Safety Committee regarding some of the items and the issue was the data required to collect information as to what the fiscal note would be was not available and could defer further to Chief Morris, as it related to the police data, but could not speak to the Public Defenders Office or to the criminal prosecution element.

Chief Morris expressed she did not have any specific data on the financial impact this would have.

Mayor Coffman asked the Chief Public Defender for her view.

Chief Public Defender said as to 14.a this will increase the number of jury trials significantly and will also increase the number of cases. She stated the court as a whole experienced a dramatic increase in the number of jury trials, which impacts resources. She mentioned they went from 67 jury trials in 2022 as a court to 194 in 2023, which delayed the life of a case from 159 days to 275 on average. She said the increases will need to support at least another four lawyers and additional staff.

Mayor Coffman asked to hear from the City Manager.

City Manager stated they did not have any reliable data as to how readily they would be able to enforce it. He explained the police will respond to these types of calls on 14.a and 14.b as resources allow for them to respond, and those costs are already borne by the city with no additional cost to enforce them. He said from the municipal side, there will be an increase in the workload and they will have to come to council to determine whether they can handle that workload within their existing resources or if they will require more resources to handle it, but they do not know what that will be yet. He commented that on the detention side, the cost would not change to the officers, but a small increase in additional prisoners, but did not have an accurate way to reflect the additional costs for that.

CM Coombs said at the federal and state level they prepare fiscal notes based on

assumptions, so it was not clear to her what they mean by a fiscal note if they do not put together some reasonable assumptions on what will happen and extrapolate the cost associated with it. She requested again that the items be continued to the next regular meeting pending analysis based on a reasonable set of assumptions regarding the cost.

CM Zvonek expressed he did not think the staff would have the ability to determine what they would save from the perspective of businesses not leaving or what they would gain by businesses coming here who might not otherwise with more permissive laws around it. He stated that was one of the problems with state and federal fiscal notes is that they are static, and did not think any sort of fiscal note would give them any clarity, but they could look back in a year or two to determine if there were costs associated with it.

CM Jurinsky stated they did clarify they were unsure of is how much they are paying for bed space at the county jails. She recalled Ms. Cadiz pointing out people were scared of going to county jail, which is why they expanded it to allow people to serve time at the county jail and were being charged nothing to send people to serve their three days there. She noted that they already passed this and was not sure why they were allowing the discussion to continue.

Mayor Coffman expressed that to the city manager right now there was no discernable fiscal impact and that would be the decision.

14.b. Amending Sections Pertaining to Mandatory Minimum Sentences for Theft of Services

2024-05 FOR AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, AMENDING SECTIONS OF THE CITY CODE PERTAINING TO MANDATORY MINIMUM SENTENCES FOR THEFT OF SERVICES IN THE AURORA MUNICIPAL CODE TO COMBAT THE INCREASE IN "DINE AND DASH" THEFTS IN THE CITY

Sponsor: Danielle Jurinsky, Council Member

Heather Morris, Police Chief / Megan Platt, Assistant City Attorney

The Council heard public comment on the agenda item.

Megan Platt, Assistant City Attorney, gave a brief presentation on the item.

CM Bergan inquired if they would be able to do signage for the restaurant owners to state there is an ordinance to spend three days in jail if you dine and dash if it passes.

Ms. Platt said the onus would be on the business owners, but council could offer to do that.

CM Coombs asked if this would count as a similar offense to retail theft for the purposes of the repeat offenders section of 14.a.

Ms. Platt stated it would not.

A motion was made by Jurinsky and second by Sundberg to approve 14.b.

CM Coombs asked the record to reflect for this and the prior ordinance that they did receive communication from Arapahoe County that this cost to them is \$125 per day per person, so that would be \$375 for each of these offense, and the repeat offense would be around \$11,000 per inmate for the 90-day, and \$22,000 for the 180-day. She said they also indicated they would consider charging the City of Aurora for the additional jail capacity.

Mayor Coffman asked staff if the first 72 hours would be in their detention center.

Staff said no, it could be in either the Aurora Municipal or Arapahoe County.

Mayor Coffman asked if decision would be made in accordance to capacity and cost.

Staff stated that was correct and would depend on if the offender had other things to require them to be sent to another jurisdiction.

CM Zvonek explained part of the reason any fiscal note is speculative is because while they know it would increase costs if they were catching people and charging them, the hope with the increase in penalties is to create a deterrent so people do not want to steal in Aurora because they face jail time. He stated it sends a message to residents and businesses that they would do whatever they could to make their businesses safe, and it would be wise to look back a year from now to determine what those costs are.

Mayor Coffman expressed as it is an unknown to how many people are apprehended, it is known as to its impact on the economy when you have businesses that can operate without fear of thefts.

CM Jurinsky said she spoke to Sheriff Brown about this item and he said right now they do not pay for bed space, and said if they were getting 20-30 a month serving time for retail theft and have more serious crimes happening they may have to re-evaluate. She stated they were making an attempt in doing something about it.

CM Bergan commented she was in full support and no matter the cost, that they are making a statement to the public and business owners that they are going to have a deterrent for criminal behavior, and so be it if it costs more. She stated she thinks the residents are on their side when it comes to public safety and always the number one priority when talking to any constituent.

CM Coombs said on the point of deterrents, it is well documented that jail is not a deterrent to crime, and that when people go to jail 65% or more of them re-offend, so it does not prevent crime. She added it was also documented that mandatory minimums have a greater impact on African Americans and people of color than white people, so the policy will have disproportionate impacts of people of color in their city.

CM Hancock stated no, they are not going to use that, because she was so sick and tired of hearing this. She said stop using brown and black people to put forth this leftist ideology. She expressed she did not care what color you are, if you commit a crime, you

should go to jail. She explained they have standards and principles they must uphold and stealing from other people is wrong. CM Hancock explained she was insulted that was said.

Motion by Jurinsky, second by Sundberg, to approve 14.b

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

Voting Nay: Coombs, Medina, Murillo

15. **ANNEXATIONS**

16. **RECONSIDERATION AND CALL UPS**

17. **GENERAL BUSINESS**

18. **REPORTS**

18.a. Report by the Mayor

Mayor Coffman stated he, CM Sundberg, CM Hancock, and CM Bergan attended a graduation ceremony last week for the policy academy with 29 graduates and were very proud of that. He visited Friends of Saint Andrew and went out last Saturday for a monthly ride along with APD Patrol at District 2 and will be at District 3 next month, with an officer who did an extraordinary job. He encouraged members to do the same. Mayor Coffman announced that there will be public hearings/townhall type meetings for people to be able to ask questions and attend a presentation from Housing and Community Services on the Aurora Regional Navigation Campus, the Crown Plaza Hotel conversion. The meeting for business owners will be held on Thursday, March 14 from 6-8pm in the Paul Tauer Aurora Council Chambers. The meeting for residents will be on Thursday, March 28 from 6-8pm.

18.b. Reports by the Council

CM Coombs attended the Aurora At Home collaborative on Friday where they discussed strategic planning, including planning for families, and will have a report at the HORNS Committee in March to discuss ideas to ensure they have shelter for families in the city.

CM Jurinsky expressed CM Hancock was her sister and she was proud of her and proud to have her on the council. She said they have an At-large Town Hall coming up on April 18th, at 6:30, at the Southeast Rec Center. She expressed she gets to graduate college in May, and gave a shoutout to one of her classmates in the audience.

CM Murillo announced her monthly Town Hall for March 28th, 6 to 7:30 p.m., at the Moorhead Recreation Center and will be touring the Fox Theater in April. She welcomed people to join them for the tour. She addressed some earlier comments and said she was disappointed her colleagues would not allow her to respond when her name was mentioned, and moving forward she hopes that is something she can give to her

colleagues and receive in return. She discussed construction defects, stating when she first got on the council, people were talking about horror stories they were put through by wealthy industry developers and landlords around construction defects laws, and said she told herself she would never support legislation that relaxed the protection of homeowners. CM Murillo supported addressing the issues and thinks they have a lot of missing middle housing, but it should not be at the expense of the individuals to get there. She added she could not imagine having to face a wealthy developer or landlord if something was wrong in her condo when the solution is to build it right the first time.

CM Lawson also spoke about the construction defect, and said they needed more availability of places and condos where people can purchase, and homeownership is important. She said she lives in a condo area that was built in 1984, and a lot of the people that live there are able to afford to live there, even though they were built long ago. She explained it gives people the ability to at least buy something they can afford and grow into the community as they are continuing to look for other housing. She stated she attended the ribbon cutting with Bellco Inc Credit Union in Ward 5 last Tuesday and said it will be a great addition to the Cornerstar Shopping Center. She announced the Ward 5 Town Hall meeting will be March 19th, at the Mission Viejo Library, at 6:30 with CM Jurinsky, to discuss medians, parks, crime state, have a Q&A, and a general update.

CM Sundberg expressed the graduation for police cadets was inspirational and they were well spoken. He said they needed condos built and they especially made sense for first time young homebuyers especially, but builders are scared to build them and get sued. He announced the Ward 2 Town Hall Meeting on the same night with the At-large people.

CM Medina announced his Town Hall is tomorrow, 6:30-8 at the Active Adult Center and will be discussed budget and affordable housing.

CM Bergan expressed she attended the graduation and was one of the best graduations and had a stellar video presentation. She congratulated them and said the next class was also a large class. She stated the Accelerate Board had a Transportation subcommittee she participated in and she had a subcommittee for the Opioid Governance called Detox Walk-in Center, with a presentation by Ridgeview on what their plans are for their campus. She toured some other modular homes in North Aurora from a small builder and said that was interesting. She announced her Town Hall is March 20th, from 6-8:00, at the Heritage Eagle Bend Clubhouse, with the main presentation on how retail happens in the City of Aurora and general updates.

Council members Gardner, Zvonek, and Hancock did not have a report.

19. **ADJOURNMENT**

Mayor Coffman adjourned the regular meeting of the City Council.

- ◆ *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.*


MIKE COFFMAN, MAYOR

ATTEST:


KADEE RODRIGUEZ, CITY CLERK



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