

MINUTES

Regular Meeting of the Aurora City Council

Monday, October 14, 2024

COUNCIL MEMBERS
PRESENT:

Mike Coffman
Françoise Bergan
Alison Coombs
Stephanie Hancock
Danielle Jurinsky

Angela Lawson
Crystal Murillo
Steve Sundberg
Dustin Zvonek

COUNCIL MEMBERS ABSENT: Curtis Gardner

Ruben Medina

1. CALL TO ORDER

Mayor Coffman reconvened the regular meeting of the City Council at 6:30 p.m.

2. ROLL CALL

Public call-in instructions were provided in both English and Spanish.

3. INVOCATION/MOMENT OF SILENCE

Mayor Coffman led in prayer for the October 14, 2024 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, stating litigation and negotiation were discussed.

6. APPROVAL OF MINUTES

6.a September 23, 2024 Meeting Minutes

Moved by: Steve Sundberg

Second by: Dustin Zvonek

Does Council wish to approve the minutes of the 09/23/2024 meeting?

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.

Voting Aye: (7): Mike Coffman, Françoise Bergan, Stephanie Hancock, Danielle Jurinsky, Angela Lawson, Steve Sundberg, and Dustin Zvonek

Abstain: (1): Alison Coombs

Absent: (3): Curtis Gardner, Ruben Medina, and Crystal Murillo

7. PROCLAMATIONS OR CEREMONIES

7.a Swearing-in Ceremony for City Attorney Peter Schulte

Shawn Day, Presiding Judge, Aurora Municipal Court

8. PUBLIC INVITED TO BE HEARD

(non-agenda related issues only)

Council heard public testimony on non-agenda related items.

Moved by: Alison Coombs

Second by: Danielle Jurinsky

Does council wish to extend the Public Invited to be Heard time limit?

*Requires 2/3 vote of members present (suspends Council Rules)

Voting Aye: (5): Alison Coombs, Danielle Jurinsky, Angela Lawson, Steve Sundberg, and Dustin Zvonek

Voting Nay: (3): Mike Coffman, Françoise Bergan, and Stephanie Hancock

Absent: (3): Curtis Gardner, Ruben Medina, and Crystal Murillo

9. ADOPTION OF THE AGENDA

Moved by: Danielle Jurinsky

Second by: Françoise Bergan

Does Council wish to adopt the agenda as presented?

Voting Aye: (8): Mike Coffman, Françoise Bergan, Alison Coombs, Stephanie Hancock, Danielle Jurinsky, Angela Lawson, Steve Sundberg, and Dustin Zvonek

Absent: (3): Curtis Gardner, Ruben Medina, and Crystal Murillo

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.

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Moved by: Dustin Zvonek

Second by: Angela Lawson

Does Council wish to approve the Motions Consent Calendar as presented?

Voting Aye: (8): Mike Coffman, Françoise Bergan, Alison Coombs, Stephanie Hancock, Danielle Jurinsky, Angela Lawson, Steve Sundberg, and Dustin Zvonek

Absent: (3): Curtis Gardner, Ruben Medina, and Crystal Murillo

10.a Motions

10.b Planning Matters

10.c Appointments to Boards and Commissions

10.c.1 Consideration to Appoint One (1) Member to the Citizens' Advisory Committee on Housing & Community Development

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

10.c.2 Consideration to Appoint Two (2) Members to the Career Service Commission

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

10.c.3 Consideration to Appoint One (1) Member to the Open Space Board

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

10.c.4 Consideration to Reappoint One (1) Member to the Cultural Affairs Commission

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

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.

Moved by: Dustin Zvonek

Second by: Angela Lawson

Does Council wish to approve the Resolutions and Ordinances Consent Calendar with Item 11.a.6 removed?

Voting Aye: (7): Françoise Bergan, Alison Coombs, Stephanie Hancock, Danielle Jurinsky, Angela Lawson, Steve Sundberg, and Dustin Zvonek

Absent: (3): Curtis Gardner, Ruben Medina, and Crystal Murillo

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11.a Resolutions

11.a.1 Restaurant Program Subrecipient Agreement Approval with Welsh Land and Cattle Company, for Latin Cuisine Empanada & Sandwich Restaurant (Ward 3)

R2024-124 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, EXPRESSING THE AURORA CITY COUNCIL'S SUPPORT TO USE ALLOCATED FUNDING FROM THE FOOD AND BEVERAGE REVITALIZATION PROGRAM TO FUND WELSH LAND AND CATTLE CO USING ARPA FUNDS

Sponsor: Ruben Medina, Council Member

Thomas Oldenburg, Project Manager, Planning & Business Development / Rachel Allen, Manager of Client Services, City Attorney

11.a.2 Intergovernmental Agreement with Denver Water Regarding Strontia Springs Deep Sediment Removal

R2024-125 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, EXPRESSING THE AURORA CITY COUNCIL'S SUPPORT OF AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF AURORA COLORADO ACTING BY AND THROUGH ITS UTILITY ENTERPRISE AND THE CITY AND COUNTY OF DENVER REGARDING THE STRONTIA SPRINGS DAM DEEP SEDIMENT REMOVAL PROJECT

Matthew Allsopp, Source of Supply Superintendent, Aurora Water / Ian Best, Assistant City Attorney

11.a.3 Intergovernmental Agreement with Denver Water Regarding the Strontia Springs Rockfall Mitigation Project

R2024-126 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, EXPRESSING THE AURORA CITY COUNCIL'S SUPPORT OF AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF AURORA COLORADO ACTING BY AND THROUGH ITS UTILITY ENTERPRISE AND THE CITY AND COUNTY OF DENVER REGARDING THE STRONTIA SPRINGS ROCKFALL MITIGATION PROJECT

Matthew Allsopp, Source of Supply Superintendent, Aurora Water / Ian Best, Assistant City Attorney

11.a.4 Intergovernmental Agreement with Denver Water Regarding the Strontia Springs Outlet Works Refurbishment

R2024-127 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, EXPRESSING THE AURORA CITY COUNCIL'S SUPPORT OF AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF AURORA COLORADO ACTING BY AND THROUGH ITS UTILITY ENTERPRISE AND THE CITY AND COUNTY OF DENVER REGARDING

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THE STRONTIA SPRINGS DAM OUTLET WORKS REFURBISHMENT
PROJECT

Matthew Allsopp, Source Supply Superintendent, Aurora Water / Ian
Best, Assistant City Attorney

11.a.5 ATEC Comprehensive Plan Amendment

R2024-128 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, EXPRESSING THE AURORA CITY COUNCIL'S STRONG SUPPORT FOR AND DIRECTING THE CITY MANAGER TO INITIATE AN AMENDMENT TO THE AURORA PLACES COMPREHENSIVE PLAN FOR A PARCEL LOCATED AT THE SOUTHEAST CORNER OF POWHATON ROAD AND 40TH AVENUE (ATEC COMPREHENSIVE PLAN AMENDMENT)

Sponsor Name: Steve Sundberg, Council Member

Jeannine Rustad, Director of Planning & Business Development / Lena
McClelland, Assistant City Attorney

11.a.6 2024 Non-Profit Funding Investigation

R2024-129 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, DIRECTING THE CITY MANAGER TO PROVIDE A REPORT OF COMMUNITY ORGANIZATIONS THAT HAVE RECEIVED AID TO SERVE IMMIGRANTS WITHIN THE CITY AND OTHER RELATED MATTERS

Sponsor: Danielle Jurinsky, Council Member

Jason Batchelor, City Manager / Hanosky Hernandez, Senior Assistant
City Attorney

Staff gave a brief summary of the item.

CM Jurinsky commented that the people of Aurora have the right to know what happened.

CM Sundberg said that in partnership they can get things done. He stated they do not have control over Aurora's southern border or that Denver boasts that they're a sanctuary city. He expressed that some nonprofits placed people in Aurora irresponsibly with no case management.

CM Coombs asked if they would be asking for protected identifying information on who was placed here and how or are they just looking at what organizations have received funding. She is concerned if some of the information and mechanisms with this are legal. She suggested making responsible policies to prevent these conditions instead of using the role to scapegoat and target people.

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Staff stated they would be utilizing the Colorado Open Records Act to get information. He explained they are not focused on the nonprofits, but how neighboring jurisdictions have placed people in Aurora.

CM Jurinsky shared that it was supposed to have been a HUD requirement that the properties were inspected before placing people into them. She said she wanted to find out if those were done.

CM Murillo voiced concern that some organizations will be put into this, the Council will deny funding for them in the future. She asked what the purpose of getting this information is if it is not to withhold funding in the future.

CM Jurinsky said there is one nonprofit she knows that does good work in the City and have good case management, but she does not know about the other organizations. Her stance is that they should not be funding any nonprofits or picking or choosing which ones to fund.

Mayor Coffman commented that they do not know what challenges are in front of them and do not know how many people were moved into Aurora or what benefits they received. He said they really need to understand what was done.

CM Murillo said she is confused on if they do or do not know anything about the issue. She said denying funds in the future for these organizations makes her uncomfortable.

Moved by: Danielle Jurinsky

Second by: Stephanie Hancock

Does the City Council wish to approve the resolution directing the City Manager to investigate the funding of non-profits in Aurora and provide a report to the City Council?

Voting Aye: (6): Françoise Bergan, Stephanie Hancock, Danielle Jurinsky, Angela Lawson, Steve Sundberg, and Dustin Zvonek

Voting Nay: (2): Alison Coombs, and Crystal Murillo

Absent: (2): Curtis Gardner, and Ruben Medina

11.b Finalizing of Ordinances

Ordinances approved unanimously at first reading.

12. PUBLIC HEARINGS

Public hearings with or without related ordinances.

13. INTRODUCTION OF ORDINANCES

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.

13.a Aurora Missing Sidewalks Gap Improvements Project

2024-66 AN ORDINANCE AUTHORIZING THE CITY OF AURORA, COLORADO, TO EXERCISE THE POWER OF EMINENT DOMAIN FOR ACQUISITION OF CERTAIN PROPERTY INTERESTS NECESSARY FOR THE AURORA MISSING SIDEWALKS PROGRAM PROJECT

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

Staff gave a brief presentation on the item.

Moved by: Danielle Jurinsky

Second by: Steve Sundberg

Does Council wish to support an ordinance authorizing the use of eminent domain, pursuant to Aurora City Code Section 12-12, to acquire the necessary property interests for the construction of the Aurora Missing Sidewalks Gap Improvements Project?

Voting Aye: (8): Françoise Bergan, Alison Coombs, Stephanie Hancock, Danielle Jurinsky, Angela Lawson, Crystal Murillo, Steve Sundberg, and Dustin Zvonek

Absent: (2): Curtis Gardner, and Ruben Medina

13.b DUAL LISTING: Employee Occupational Privilege Tax

2024-67 A BILL FOR AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, REPEALING ORDINANCE 2022-77 RELATED TO ARTICLE V "EMPLOYER OCCUPATIONAL PRIVILEGE TAX" AND ARTICLE VI "EMPLOYEE OCCUPATIONAL PRIVILEGE TAX" OF CHAPTER 130 OF THE CITY CODE OF THE CITY OF AURORA, AND OTHER RELATED MATTERS

Sponsor: Françoise Bergan, Council Member / Curtis Gardner, Council Member

Jason Batchelor, City Manager / Hans Hernandez, Senior Assistant City Attorney

CM Bergan explained this is a repeal of the repeal of the occupational privileged tax for the purposes of a resolution to direct funds for two fire stations and the balance of the funds going to any police operations.

MPT Zvonek offered an amendment to this ordinance for a compromise to appease both sides of the argument. He explained that the amendment to the ordinance would delay the appeal from January 1, 2025 to June 1, 2025. He said the companion result would direct the city manager to ensure there is a work section at the Spring Workshop for Council to offer options to backfill the pending loss of OPT.

CM Bergan accepted that as a friendly amendment to have a robust discussion on how to fund these very needed fire stations.

CM Jurinsky suggested that if they push this back until June 1st, a newsletter need to go out quickly, because it has been communicated for the past two years to businesses that this tax is ending December 31st.

Moved by: Françoise Bergan

Second by: Alison Coombs

Does the city council approve this ordinance cancelling the proposed repeal of the Occupational Privilege Tax with friendly amendment to delay repeal from January 1, 2025 to June 1, 2025?

Voting Aye: (8): Françoise Bergan, Alison Coombs, Stephanie Hancock, Danielle Jurinsky, Angela Lawson, Crystal Murillo, Steve Sundberg, and Dustin Zvonek

Absent: (2): Curtis Gardner, and Ruben Medina

14. FINALIZING OF ORDINANCES

Ordinances not approved unanimously at first reading.

15. ANNEXATIONS

16. RECONSIDERATIONS AND CALL UPS

17. GENERAL BUSINESS

17.a Discussion and Possible Action Regarding Future In-Person or Virtual Council Meetings

Peter Schulte, City Attorney / Jack Bajorek, Interim City Attorney

Mayor Coffman asked if there is any desire to go virtual for a period of time.

CM Bergan does not want to go virtual, but all the disruptions can make it where they cannot conduct their business. She said that respect is a two-way street and she does not feel the Council has been respected by some people.

CM Lawson noted they already give the option to go virtual, but they need to be in the face of the community through the good, bad, and the ugly.

18. REPORTS

18.a Mayor

18.b Council

MPT Zvonek resigned effective the end of October 2024.

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CM Jurinsky called out to the governor to call her over some video footage she has viewed and is in possession of. She warned that if she is not called, the videos will come out.

CM Coombs felt they need to address the issue of the police recruiting unit attending a rally for President Trump.

CM Murillo announced her Town Hall will be October 17th. She attended the grand opening of the History of Colorado Chinatown Exhibit and the October meeting for the Highline Canal. She echoed the concerns on uniformed police officers recruiting at a political event.

CM Sundberg announced a Town Hall for October 24th. He thanked MPT Zvonek for his service.

CM Hancock thanked everyone who joined her virtual town hall and hopes her quarterly town halls will be in person. She also thanked MPT Zvonek for his service.

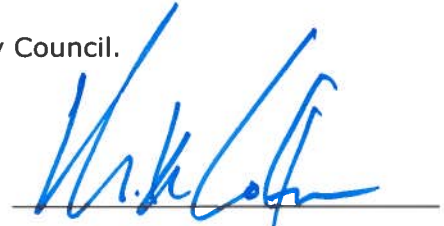
CM Lawson thanked everyone who attend her meeting at Heather Gardens. Her next town hall is October 15th, at the Central Rec Center. She also thanked MPT Zvonek for his support and service.

CM Bergan thanked MPT Zvonek for his time on Council.

CM Medina and CM Gardner were absent.

19. ADJOURNMENT

Mayor Coffman adjourned the regular meeting of City Council.



MIKE COFFMAN, MAYOR

ATTEST:



KADEE RODRIGUEZ, CITY CLERK

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