

MINUTES

Regular Meeting of the Aurora City Council

Monday, September 26, 2022

1. **RECONVENE REGULAR MEETING OF SEPTEMBER 26, 2022, AND CALL TO ORDER**

Mayor Coffman reconvened the regular meeting of the City Council for September 26, 2022, 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

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 September 26, 2022 Regular Meeting.

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

5. **EXECUTIVE SESSION UPDATE**

Mayor Coffman stated that during the executive session, council discussed negotiations for an incentive agreement.

6. **APPROVAL OF MINUTES**

6.a. **September 12, 2022, Meeting Minutes**

Motion by Bergan, second by Sundberg, to approve the minutes of the September 12, 2022 meeting as presented.

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

Abstain: Murillo

7. **PROCLAMATIONS OR CEREMONIES**

8. **PUBLIC INVITED TO BE HEARD**

(non-agenda-related issues only)

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

Mayor Coffman and CM Coombs requested the contact information of the individual that shared suggestions for the Council meetings and the individual that shared health and safety concerns in their apartment complex.

9. **ADOPTION OF THE AGENDA**

Motion by Bergan, second by Lawson to adopt the agenda as amended.

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

10. **CONSENT CALENDAR**

This portion of the agenda is a meeting management tool to allow the City Council to handle several routine items with one action. 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. **Consideration to AWARD A COMPETITIVELY BID CONTRACT to CED Denver, Denver, Colorado in the not-to-exceed amount of \$75,000.00 for the Eaton, Cutler Hammer Equipment and Parts for Aurora Water through October 1, 2023**

Marena Lertch, Manager of Water Services / Dave Lathers, Senior Assistant Attorney

10.b. **First Creek Interceptor Segments 1B, 1C, and 1D - Bid Package 2**

Consideration to AWARD A COMPETITIVELY BID CONTRACT to Reynolds Construction, LLC, Denver, CO in the amount of \$39,409,917.00 for the First Creek Interceptor Segments 1B, 1C, 1D Bid Package 2 Project, Project No. 5858B, with \$7,000,000.00 to be funded and awarded in 2022.

Andrea Long, Senior Engineer, Aurora Water / David Lathers, Senior Assistant City Attorney

10.c. **Consideration to AWARD A SOLE SOURCE CONTRACT to Accela, Inc., San Ramon, California in the amount of \$357,938.12 for 2022-2023 annual licensing and maintenance for the Accela workflow process software system through September 29, 2023.**

Laura Perry, Deputy City Manager / Christina McClelland, Grant Development Manager / Dave Lathers, Senior Assistant City Attorney

- 10.d. **Consideration to AWARD CHANGE ORDER NO. 2 to a competitively bid contract to Saunders Construction, Englewood, Colorado in the amount of \$825,000 for Work Package 3 of the Southeast Aurora Maintenance (SEAM) Facility, Project R-5661A**

Staff requests a waiver of reconsideration in order to have the renewal purchase order delivered to Accela prior to current license and maintenance expiration date of September 29, 2022.

Scott Newman, Chief Information Officer, Information Technology / Dave Lathers, Senior Assistant City Attorney

- 10.e. **Veterans Service Officer Position Intergovernmental Agreement**

Hannah Smith, Intergovernmental Relations Manager / Hanosky Hernandez Perez, Senior Assistant City Attorney

Motion by Bergan, second by Coombs to approve the consent calendar items 10a through 10e.

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

11. **RESOLUTIONS**

- 11.a. **Parker Road Multimodal Study**

R2022-172 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, APPROVING THE INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF AURORA AND THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF ARAPAHOE, STATE OF COLORADO FOR THE PARKER ROAD MULTIMODAL STUDY

Victor Rachael, Deputy Director of Public Works / Michelle Gardner, Senior Assistant City Attorney

Victor Rachael, Deputy Director of Public Works, provided a summary of the item.

Motion by Marcano, second by Sundberg to approve item 11a.

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

- 11.b. **High Line Canal Transportation Improvement Project (TIP) Maintenance IGA w CDOT**

R2022-173 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, APPROVING THE INTERGOVERNMENTAL AGREEMENT BETWEEN THE

CITY OF AURORA AND THE COLORADO DEPARTMENT OF TRANSPORTATION (CDOT)
REGARDING MAINTENANCE RESPONSIBILITIES FOR THE HIGH LINE CANAL TRAIL
(EAST COLFAX TO I-70) PROJECT

Staff is requesting a waiver of reconsideration. This IGA is for a DRCOG TIP Grant project which has CDOT oversight. Due to grant program time constraints, the IGA was developed concurrent with construction solicitation. The requested Waiver of Reconsideration will allow for the final execution of the IGA prior to submission of Concurrence to Award to CDOT. Approval of both items is necessary to allow construction award prior to bid expiration.

Matt Kozakowski, Transportation Project Delivery Manager / Michelle Gardner, Senior Assistant City Attorney

Matt Kozakowski, Transportation Project Delivery Manager, provided a summary of the item.

Mayor Pro Tem Bergan asked if the bids were due on August 12th. M. Kozakowski explained that the bids are currently in and the funding IGA for the project is already in place. He clarified that this IGA is for establishing maintenance responsibilities.

Motion by Sundberg, second by Coombs to approve item 11b.

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

11.c. **Mutual Aid Agreement between Aurora Fire Rescue and South Adams County Fire Protection District**

R2022-174 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, APPROVING THE INTERGOVERNMENTAL AGREEMENT FOR MUTUAL/AUTOMATIC AID BETWEEN THE CITY OF AURORA, COLORADO AND THE SOUTH ADAMS COUNTY FIRE PROTECTION DISTRICT, COLORADO

Rod Weber, Deputy Chief of Operations, Fire / Angela Garcia, Senior Assistant City Attorney

Allen Robnett, Interim Fire Chief, provided a summary of the item.

Motion by Bergan, second by Zvonek to approve item 11c.

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

11.d. **Intergovernmental Agreement Regarding Funding of Major Drainageway Planning for Four Square Mile Outfall Systems Plan**

R2022-175 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, EXPRESSING THE AURORA CITY COUNCIL'S SUPPORT OF THE INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF AURORA COLORADO ACTING BY AND THROUGH ITS UTILITY ENTERPRISE, THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT, d/b/a MILE HIGH FLOOD DISTRICT, THE CITY AND COUNTY OF DENVER, AND SOUTHEAST METRO STORMWATER AUTHORITY REGARDING MAJOR DRAINAGEWAY PLANNING FOR FOUR SQUARE MILE OUTFALL SYSTEM PLAN

Swirvine Nyirenda, Planning and Engineering Services Manager, Aurora Water / Ian Best, Assistant City Attorney

Sarah Young, Deputy Director of Aurora Water, provided a summary of the item.

Motion by Sundberg, second by Coombs to approve item 11d.

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

11.e. **Moral Obligation Resolution – Hyatt Conference Center and Parking Garage**

R2022-176 A RESOLUTION CONCERNING THE TAX-EXEMPT DIRECT LOAN TO BE OBTAINED BY THE AURORA URBAN RENEWAL AUTHORITY, AND THE INITIAL FUNDING AND REPLENISHMENT OF THE DEBT SERVICE RESERVE FUND THEREFORE, AND AUTHORIZING CERTAIN OTHER ACTIONS IN CONNECTION WITH SUCH LOAN

Bond council recommends a waiver of reconsideration in order that staff has clear authority to act between the meeting and the closing of the loan.

Sponsor name: Curtis Gardner, Council Member

Teresa Sedmak, City Treasurer / Hanosky Hernandez, Senior Assistant City Attorney

Teresa Sedmak, City Treasurer, provided a summary of the item.

CM Jurinsky expressed her opposition to the resolution. She stressed that this would be over \$1,000,000 in interest being accrued and forced on the taxpayers. Mayor Pro Tem Bergan asked what the consequences would be if this is not financed. T. Sedmak clarified that the loan is financed through revenues and taxes, not the general fund. If the loan is not financed, it would be an event of default which expires in 2024. Should this not continue, it would look poorly on the city and affect credit.

Mayor Coffman said that the decision was made by a previous council, and they are the ones that entered into debt to finance the project. He asked what the city's current credit rating is. T. Sedmak said that they have an A1 credit rating from Moody's, which is the highest if it's not a general obligation of the city. The city

also has strong credit ratings. Mayor Coffman asked what the probable rating would be if there was a default. T. Sedmak said that she could not answer this question now.

Mayor Coffman asked if it is essentially a revenue bond. T. Sedmak said that it is backed by the revenues of the tax increment. Mayor Coffman asked if it impacts the credit rating of general obligation debt. T. Sedmak said that the city doesn't have any. Mayor Coffman asked if it would impact water infrastructure debt. T. Sedmak said no.

Mayor Coffman asked why they could not pay it off by 2024. T. Sedmak said that there are tax increment revenues to pay it off at this point. The original loan was entered into as a construction credit and it was always the intent that the revenues from the project and the tax increment area would repay the debt once the project was constructed. She explained that the tax increment area and the funds would run through 2039 and the proposal is to extend the loan to match the timing. She said that AURA does not have the revenue to repay this.

CM Jurinsky asked T. Sedmak to confirm that this would be at least \$1,000,000 in interest to the taxpayers. T. Sedmak said that it is more than \$1 million, however, it is not to the Aurora residents since it is within the tax increment area. She explained that tax increment areas are established to create economic development within an area and it is not a general obligation of the taxpayer base of the city.

CM Zvonek asked if COVID influenced the loss of revenue or the revenue becoming insufficient. T. Sedmak clarified that the tax increment area has revenues spanning 25 years. Those revenues will be repaying the debt associated with the project, but this only went to 2024.

CM Zvonek mentioned that the only way that they could avoid the default would be to use the general fund revenue to backfill. He said that this would be on the taxpayers. T. Sedmak said yes since AURA would not be able to repay that obligation. Mayor Pro Tem Bergan asked if the reason why they had a balloon payment was that it was a construction loan. T. Sedmak confirmed this and added that it was intended to be refinanced. CM Coombs added that the construction loan would have a balloon payment in 2024. T. Sedmak said yes. She mentioned that they are trying to refinance it now since the industry has recovered from the impacts of COVID and they want to avoid rising interest rates or a potential economic downturn.

Motion by Coombs, second by Medina to approve item 11e.

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

Voting Nay: Jurinsky

11.f. **City of Aurora Community Investment Funding Recommendation for 2021 Round – Eagle Meadows Homes**

R2022-177 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, EXPRESSING THE AURORA CITY COUNCIL’S SUPPORT TO FUND AURORA HOUSING CORPORATION’S EAGLE MEADOW HOUSING PROJECT WITH HOME FUNDS

Martha “Alicia” Montoya, Housing & Community Development Manager / Sarah Carroll, Supervisor of Housing Development / Tim Joyce, Assistant City Attorney

Alicia Montoya, Housing & Community Development Manager, provided a summary of items 11f through 11k.

Motion by Coombs, second by Sundberg to approve item 11f.

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

11.g. **City of Aurora Community Investment Funding Recommendation for Winter 2022 Round – Emporia Duplex**

R2022-178 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, EXPRESSING THE AURORA CITY COUNCIL’S SUPPORT TO FUND ELEVATION COMMUNITY LAND TRUST IN PROVIDING AFFORDABLE HOUSING UNITS AT THE EMPORIA DUPLEX HOUSING PROJECT WITH HOME FUNDS

Martha “Alicia” Montoya, Housing & Community Development Manager / Sarah Carroll, Supervisor of Housing Development / Tim Joyce, Assistant City Attorney

Mayor Pro Tem Bergan asked who can get loans from the Elevation Community Land Trust Company. She mentioned an article that stated that Hispanics are excluded from the loans. A. Montoya said that she will follow up on this. However, she clarified that anyone could apply for the loans. Mayor Pro Tem Bergan mentioned that it was on the Denver Gazette. She suggested delaying the vote until further information comes to light. She stressed that it will be discriminatory if they were excluded from the application.

J. Batchelor explained that Mayor Pro Tem Bergan may be referring to an article on the Elevation Federal Credit Union which is a different entity. CM Jurinsky requested for Mayor Pro Tem Bergan to share the article.

Motion by Lawson, second by Coombs to approve item 11g.

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

Discussion on the Article in question and Reconsideration

Mayor Pro Tem Bergan stated that she re-read the article and it did indicate the Elevation Community Land Trust. CM Marcano mentioned that the article is an op-ed by the editorial board. Mayor Pro Tem Bergan mentioned that it may not be fact-checked.

D. Brotzman mentioned that a resolution only requires one reading instead of two. CM Coombs asked if they could reconsider the item if the article is found factual. D. Brotzman clarified that under Council Rules, members can bring back the item at the next meeting as well. Mayor Pro Tem Bergan stated that she wants to reconsider the item at the next regular meeting.

11.h. **City of Aurora Community Investment Funding Recommendation for Spring 2022 Round – Jewell Apartments**

R2022-179 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, EXPRESSING THE AURORA CITY COUNCIL’S SUPPORT TO FUND COMMUNITY HOUSING DEVELOPMENT ASSOCIATION, INC.’S JEWELL APARTMENTS WITH HOME FUNDS

Martha “Alicia” Montoya, Housing & Community Development Manager / Sarah Carroll, Supervisor of Housing Development / Tim Joyce, Assistant City Attorney

Motion by Marcano, second by Lawson to approve item 11h.

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

11.i. **City of Aurora Community Investment Funding Recommendation for 2020 Round – Jewell Apartments**

Hannah Smith, Intergovernmental Relations Manager / Hanosky Hernandez Perez, Senior Assistant City Attorney

R2022-180 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, EXPRESSING THE AURORA CITY COUNCIL’S SUPPORT TO FUND COMMUNITY HOUSING DEVELOPMENT ASSOCIATION, INC.’S REPAYMENT OF A PORTION OF THE LAND ACQUISITION LOAN FOR THE JEWELL APARTMENTS WITH HOME FUNDS

Martha “Alicia” Montoya, Housing & Community Development Manager / Sarah Carroll, Supervisor of Housing Development / Tim Joyce, Assistant City Attorney

Motion by Coombs, second by Marcano to approve item 11i.

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

11.j. **City of Aurora Community Investment Funding Recommendation for Summer 2021 Round – Peoria Crossing II / Aurora Housing Authority**

◆ *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.*

R2022-181 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, EXPRESSING THE AURORA CITY COUNCIL'S SUPPORT TO FUND THE HOUSING AUTHORITY OF THE CITY OF AURORA'S PHASE II OF PEORIA CROSSINGS PROJECT WITH HOME FUNDS

Martha "Alicia" Montoya, Housing & Community Development Manager / Sarah Carroll,

Supervisor of Housing Development / Tim Joyce, Assistant City Attorney

Motion by Coombs, second by Marcano to approve item 11j.

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

11.k. **City of Aurora Community Investment Funding Recommendation for Summer 2022 Round – Peoria Crossing II / Aurora Housing Authority**

R2022-182 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, EXPRESSING THE AURORA CITY COUNCIL'S SUPPORT TO FUND THE HOUSING AUTHORITY OF THE CITY OF AURORA'S PHASE II OF PEORIA CROSSINGS PROJECT WITH HOME FUNDS

Martha "Alicia" Montoya, Housing & Community Development Manager / Sarah Carroll, Supervisor of Housing Development / Tim Joyce, Assistant City Attorney

Motion by Marcano, second by Bergan to approve item 11k.

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

11.l. **King's Point Lease Agreement Amendment**

R2022-183 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, EXPRESSING THE AURORA CITY COUNCIL'S SUPPORT OF THE AMENDED AND RESTATED WATER LEASE AND DEVELOPMENT AGREEMENT

Waiver of reconsideration requested due to the urgency of the matter.

Marshall Brown, Aurora Water General Manager / Jack Bajorek, Deputy City Attorney

Marshall Brown, Aurora Water General Manager, provided a summary of the item.

CM Coombs asked how many households could use the 200-acre feet of water a year meant to be used by the golf course. M. Brown said that due to the new water conservation ordinance, one-acre foot of water will serve four households. In total, 250-acre-feet would serve 1,000 homes.

Mayor Coffman commended M. Brown for his efforts in meetings and mediations for this item.

CM Coombs commented that it is unfortunate that past councils saw it fit to pledge Aurora's groundwater despite knowing of the Colorado River Crisis. She mentioned, however, that this resolution is better than what it originally was. She asked for clarification regarding guaranteeing water sources in the future. M. Brown explained that they have a lot of uncertainty about when the groundwater will run out and the future golf situation.

Mayor Pro Tem Bergan thanked M. Brown for resolving the issues. She mentioned that the development is building a golf course because they were required by neighboring communities based on their annexation agreement. M. Brown confirmed this. He added that Chenango, at the time of annexation, supported the requirement of the golf course. Mayor Pro Tem Bergan said that under the new turf ordinance, no new golf courses will be allowed in the city. M. Brown clarified that there could still be warm-season golf courses or alternative golf courses, but none for the cool season.

Mayor Coffman asked how a community that was unincorporated in Arapahoe County has the authority to create a requirement on the annexation agreement. J. Bajorek explained that they have a recorded covenant on the property that was annexed.

Motion by Sundberg, second by Bergan to approve item 11l.

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

11.m. **Real Property for the Affordable Housing Land Bank Project**

R2022-184 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, AUTHORIZING THE EXPENDITURE FOR THE ACQUISITION OF REAL PROPERTY FOR THE AFFORDABLE HOUSING LAND BANK PROJECT

Jessica Prosser, Director of Housing and Community Services / Hector Reynoso, Real Property Services Manager / Michelle Gardner, Senior Assistant City Attorney

Jessica Prosser and Hector Reynoso provided a summary of the item.

Motion by Marcano, second by Medina to approve item 11m.

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

Mayor Coffman called for a brief recess of Council to allow staff to provide call-in instructions.

12. **PUBLIC HEARING WITH RELATED ORDINANCE**

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

13. **PUBLIC HEARING WITHOUT RELATED ORDINANCE**

13.a. **Decline Participation in the Family and Medical Leave Insurance (FAMLI) Program**

R2022-185 A PUBLIC HEARING FOR A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, DECLINING THE CITY OF AURORA'S PARTICIPATION IN THE STATE OF COLORADO'S PAID FAMILY AND MEDICAL LEAVE INSURANCE PROGRAM PURSUANT TO C.R.S. § 8-13.3-522

Sponsor: Curtis Gardner, Council Member

Jennifer Lorenzen, Deputy Director of Human Resources / Kimberly Skaggs, Assistant City Attorney

Mayor Coffman opened the public hearing.

Jennifer Lorenzen, Deputy Director of Human Resources, provided a summary of the item.

CM Gardner requested clarification regarding employees being able to opt-in individually. J. Lorenzen explained that if the city does opt out, employees have an option to opt in on an individual basis. They must create an account with the state and pay their portion of the fees. She added that the city would not pay a portion.

Mayor Pro Tem Bergan asked why an employee would choose to opt in despite the city providing a better benefits program. J. Lorenzen clarified that it would be a personal decision based on their anticipated needs, surgeries, time off, etc. She said that it would be add-in protection and would allow them to receive payments from the state-funded program.

CM Coombs asked if an employee will still have job protection if they use FAMLI benefits despite it being different from the paid benefits being offered by the city. J. Lorenzen confirmed this and said that if they are on job-protected city-approved leave, then the employee would have protection.

Mayor Coffman closed the public hearing.

Motion by Gardner, second by Zvonek to approve item 13a.

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

14. **INTRODUCTION OF ORDINANCES**

14.a. **Define Catalytic Converters as Secondhand Property**

2022-49 FOR AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AURORA,
COLORADO AMENDING CHAPTER 86 RELATING TO SECONDHAND PROPERTY TO
INCLUDE CATALYTIC CONVERTERS AND GIFT CARDS

Sponsor: Curtis Gardner, Council Member

Trevor Vaughn, Manager of Licensing / Hanosky Hernandez, Senior Assistant City Attorney

Council heard public in-person testimony.

Trevor Vaughn, Manager of Licensing, provided a summary of the item.

CM Gardner commented that it would be up to Congress to enact this effort nationwide. He added that the ordinance will act as a deterrent and is something enforceable. With Aurora's size and influence, other municipalities may follow suit to deter criminals from stealing catalytic converters in Aurora and selling them in a neighboring city.

Mayor Pro Tem Bergan asked for further explanation regarding gift cards being considered secondhand property. T. Vaughn said that gift cards are frequently used in criminal activity and are considered secondhand property due to their identifying marks. Gift card purchases are now required to be licensed and reported. This was added to the ordinance for further clarification.

T. Vaughn mentioned that the state did not require the reporting to the electronic system, but Denver did. Mayor Pro Tem Bergan asked if this would aid police officers in finding patterns. T. Vaughn said yes given that the data on the transaction would be readily available in the nationwide database.

Mayor Coffman asked if this fits within the single-subject rule. Staff from the City Attorney's Office confirmed this.

CM Marcano thanked CM Gardner for sponsoring this. He mentioned that they have run out of supplies for the family safety checks. He asked for an update on the restock of supplies and etching. J. Batchelor said that the resupply was primarily for steering wheel locking mechanisms. He said that the etching kits are something done through the state, and he will get a status update on this for Council.

CM Lawson asked how they will enforce the recording of data onto the LeadsOnline system. T. Vaughn mentioned that this is also a concern. He mentioned that there was an incident wherein an individual was selling phones to a store that was known to not record information. APD then went into the store and found other stolen materials. Through these inspections, criminal and administrative actions will be taken against those found to not comply. CM Murillo pointed out that that the steering wheel locks and etching will also complement the ordinance.

Motion by Gardner, second by Marcano to approve item 14a.

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

14.b. **Authorizing Eminent Domain for Acquisition of Certain Property Interests Necessary for the Homestake Project**

2022-50 AN ORDINANCE AUTHORIZING THE CITY OF AURORA, COLORADO, TO EXERCISE THE POWER OF EMINENT DOMAIN FOR ACQUISITION OF CERTAIN PROPERTY INTERESTS NECESSARY FOR THE HOMESTAKE PROJECT

Alexandra Davis, Deputy Director of Water Resources, Aurora Water / Michelle Gardner, Senior Assistant City Attorney

Alexandra Davis, Deputy Director of Water Resources, provided a summary of the item.

Mayor Pro Tem Bergan said that they do not try to use eminent domain unless absolutely necessary. She said that this is vital to the water supply. She asked if the property owner will still get reimbursed if it goes into eminent domain. A. Davis said that according to the appraisal, the property owner will get the market value for the easement.

CM Sundberg asked how long the pipe has been there. A. Davis said that the Homestake Project was originally constructed in the 1950s or 1960s. CM Sundberg asked if the same landowner has been there. A. Davis said that they may have come along later, but she will look this up. CM Sundberg asked if they offered more than market value. A. Davis said that they offered the appraised value. However, Colorado Springs is the one leading the negotiations. CM Sundberg asked if the offer is at an exorbitant amount or if the landowner is simply refusing to sell. A. Davis said that there is a lack of responsiveness and that there was around a \$60,000 to 70,000 difference between the appraised value and what the owner was seeking.

CM Sundberg asked how many people rely on the water source through the pipeline. A. Davis said that there are approximately 600,000 people benefiting from this in Colorado Springs. She stressed that it is a significant pipeline that is important to the infrastructure.

CM Coombs asked if there are other potential consequences of not having the easement besides not having access for repairs. Staff said that the topography of where the pipe is cannot safely be moved outside of the existing easement.

Motion by Bergan, second by Sundberg to approve item 14b.

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

14.c. **An Ordinance Authorizing Eminent Domain To Acquire Real Property for the Affordable Housing Land Bank Project**

2022-51 AN ORDINANCE AUTHORIZING THE CITY OF AURORA, COLORADO, TO EXERCISE THE POWER OF EMINENT DOMAIN FOR ACQUISITION OF CERTAIN PROPERTY INTERESTS NECESSARY FOR THE AFFORDABLE HOUSING LAND BANK PROJECT

Jessica Prosser, Director of Housing and Community Services / Hector Reynoso, Real Property Services Manager / Michelle Gardner, Senior Assistant City Attorney

Hector Reynoso, Real Property Services Manager, provided a summary of the item.

Mayor Pro Tem Bergan said that they already passed this under item 11m. H. Reynoso explained that the resolution in item 11m authorized the acquisition or expenditure of funds over \$500,000. However, this ordinance authorizes eminent domain in the event that amicable negotiations are unsuccessful.

Motion by Marcano, second by Coombs to approve item 14c.

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

14.d. **Rules of Order and Procedure Amendment: Mandate Fiscal Note for Council**

2022-52 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, ADDING SECTION 2-597 TO THE CITY CODE OF THE CITY OF AURORA REGARDING CONSIDERATION OF FISCAL IMPACTS FOR ITEMS BEING PRESENTED TO COUNCIL FOR CONSIDERATION

Sponsor: Alison Coombs, Council Member / Juan Marcano, Council Member

Jack Bajorek, Deputy City Attorney

Jack Bajorek and Mayor Coffman provided a summary and background of the item.

Mayor Pro Tem Bergan asked if FTEs would also be considered part of the fiscal note requirement. J. Bajorek said yes since the fiscal note requires the consideration and identification of the assumptions. If additional staff is added, it would be one of the assumptions.

CM Zvonek expressed his support for having a fiscal note and PYGO requirement. He asked if there is a reasonable timeline to be required of staff to come back. He suggested putting a clause wherein staff is required to provide information within 72 hours. Should it take longer, then they must go back to the member. Mayor Coffman mentioned that the culture will change when staff gets used to the format of delivering a fiscal note on a timely basis. He said that there is adequate time from the introduction of a proposal to when it reaches the floor for a vote to develop the fiscal note.

CM Coombs commented that the original resolution did not specify the timeframe for staff. She mentioned that it is enough time to develop a fiscal note while an item is

moving through policy committees, study session, then to regular council meetings. She added that this is something that staff has done historically. J. Twombly agreed that they have adequate time if an item goes through the normal process. Should they need an extension, then they can go to the sponsor.

CM Coombs mentioned that council rules allow a member to bring items straight to the floor instead of going through the normal process. She asked if there is a recommended timeline for this. J. Twombly said that the timeline discussed is seven days. When an ordinance is being created, seven (7) days will be needed to analyze it before it comes to the floor.

CM Coombs suggested adding this to Section B. Mayor Coffman said that they should not put any deadlines on it given that they do not yet have history or experience on this. He mentioned that staff will move reflective of how urgent a matter is. For non-emergency issues, then a council member must wait for a reasonable time. Mayor Pro Tem Bergan echoed this and said that it is up to council members to be responsible and go through the right process. She said that there is ample time available from when an ordinance is being drafted until it comes to a city council meeting.

CM Coombs thanked Mayor Coffman, CM Marcano, and staff for working to put this provision in place. She stressed that they will not always be in a good revenue position, and they should be thoughtful in ensuring the provision of services.

Motion by Coombs, second by Marcano to approve item 14d.

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

15. **FINALIZING OF ORDINANCES**

Ordinances on final reading which were introduced by unanimous vote of those present on the first reading may be taken under consideration and voted upon as a single item. Related ordinances may be acted upon as one item after the titles are read in series by the City Clerk. Any member of the Council may request an item to be considered separately. Any item removed will be considered immediately following the adoption of the remainder of the Finalizing of Ordinances.

15.a. Retail Theft Ordinance

2022-47 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 "RETAIL THEFT" IN THE AURORA MUNICIPAL CODE TO COMBAT THE INCREASE IN ORGANIZED RETAIL THEFT AND RELATED OFFENSES

Sponsor: Danielle Jurinsky, Council Member

Cassidee Carlson, Division Chief, Police / Pete Schulte, Public Safety Client Group Manager

Council heard public in-person testimony.

Pete Schulte and CM Jurinsky provided a summary of the item.

CM Coombs asked for Aurora's numbers for theft and shoplifting compared to the national numbers. P. Schulte mentioned that the record management system at APD indicates the number of cases closed out as shoplifting. However, they do not have statistics at the municipal courts since they do not have a way to differentiate between regular theft and shoplifting. Division Chief C. Carlson that they made 59 physical arrests in 2019, 12 in 2020, 3 in 2021, and 11 in 2022 so far. For summons above the \$300 threshold, there were 118 in 2019, 86 in 2020, 60 in 2021, and 27 in 2022 so far. This gives a total of 177 for 2019, 98 for 2020, 63 for 2021, and 38 for 2022.

Mayor Coffman mentioned that a lot of shoplifting is not recorded since some retailers are not pressing charges until they hit a certain amount that will fit under a felony. He asked if this ordinance would drive more interest in retailers to pursue charges. C. Carlson confirmed that shoplifting is unreported given that police may not arrive in time and retailers have different thresholds depending on their policy. She added that based on their engagement with retailers, they are encouraging them to report and APD has had successes in putting cases together. Mayor Coffman stressed the importance of the APD and retailers working together to pursue cases given the new substantive sanctions. P. Schulte mentioned that retailers are cooperating for anything over \$300 given that they are required to send their loss prevention officers to court. He added that they have heard previous concerns about the lack of penalty or sanctions for retail theft.

CM Lawson asked if the numbers presented were per incident or if there are people committing multiple offenses. C. Carlson said that she will check on this but stated that the numbers would be per incident. CM Marcano asked what the rate is for apprehending suspects of theft. C. Carlson said that she would have to pull up calls for service and will get back to CM Marcano on this.

CM Medina requested the statistics concerning youth committing theft. P. Schulte said that juveniles go to the county for juvenile detention. C. Carlson said that for over the \$300 threshold, there were 2 detained in 2019 and none in the last three years. For summons over the threshold, there were 41 in 2019, 16 in 2020, 4 in 2021, and 1 in 2022 so far.

CM Marcano said that they need to find a way to deter this behavior and hold people accountable since research shows that punishment does not serve as a deterrent in these cases. He mentioned that they have given grants to businesses to make improvements and upgrade their security systems. He added that putting people in

jail would be an additional cost to the taxpayers instead of using the resources to help the victims. He pointed out the ordinance also does not apply to juveniles in the city. P. Schulte said that juveniles go to youth detention facilities. CM Marcano clarified that he wants to put resources into additional prevention and change the accountability process to restitution or restoration to apply to juveniles and adults. He stressed that putting people in jail does not change outcomes, but it may make them better criminals. CM Marcano requested CM Jurinsky to work together on alternatives.

CM Jurinsky said that there will be no impact from the judicial. The Court administration mentioned that it would cost roughly \$75 a night. She mentioned that ankle monitors, which CM Marcano previously suggested, cost the person \$11 a day and a \$123 hook-up fee, totaling \$200 a week. Any sentence of 15 days or less is charged \$288 a week and they are also capable of alcohol monitoring. However, this needs to be paid upfront and most defendants do not have this money. If they do not pay it at the time of sentencing, they will go to jail. In addition, the individual must go to the provider to install the ankle monitor. CM Jurinsky stressed that this is worse than spending three days in jail. She clarified that restitution is already being ordered in the cases and that a fine is being issued. She highlighted that being issued a fine on top of the ankle monitor fees would be more burdensome. Moreover, the courts can also issue petty theft courses that cost \$75. CM Jurinsky mentioned that the ordinance has a sunset provision that they can look at and re-evaluate in a year. She mentioned that she fears that the threshold might need to be lowered to \$100.

Mayor Pro Tem Bergan expressed her support for the ordinance and said that jail is a deterrent. She added that there is also a tremendous loss to businesses and business owners and she appreciates the grant program for security cameras. However, she mentioned that this will not go far with the number of businesses in the city and all they have to do to prevent crime. CM Marcano stressed that data shows that jail is not a deterrent. He mentioned that he is already aware of the costs presented by CM Jurinsky. He added that he does not buy that there are no impacts on the courts when there are impacts on both the prosecution and the public defenders. He added that he wants to know the overall cost and impact on small business owners since it seems that retail theft mostly impacts big box stores. He asked what the outcomes would look like for Aurora in the long term. He stressed that with this ordinance, public resources are being spent to punish people, but it will not address the problem nor change the behavior.

CM Marcano said that they can address the problem with effective intervention and it is cheaper to do this by raising the minimum wage or investing in housing. He stated that these will address the root causes of the behavior. He mentioned that he wants to know the total cost compared to paying for the classes and monitoring. He added that the programs are done before a trial is set. He said that they are saving on court fees since there are pretrial pleas that will get you into the programs. He added that there are savings by utilizing the programs as opposed to going through the

process of a trial. Mayor Pro Tem Bergan said that the National Institute of Justice found evidence that jail time is a deterrent to low-level crimes.

CM Zvonek expressed his support for the ordinance. He reiterated that retail theft is underreported. He mentioned that businesses have expressed that they do not report instances due to the lack of certainty of penalty for lower levels of theft and it takes time to report when there is no weapon involved. He highlighted that with the presence of a penalty, there will be more reports. CM Zvonek stressed that retailers not coming to Aurora or leaving the city due to not feeling safe will have a big significant economic impact. CM Sundberg mentioned that San Francisco now has numerous people leaving, with tourism affected and 50% of residents impacted by crime. He stressed that overly permissive allowance or coddling of criminal attitudes lead to the fall of major cities.

CM Coombs mentioned that the upfront requirement of the cost of the monitor may also not be effective. However, if someone lost their job for not being able to show up due to being incarcerated would cost more than \$350. She said that although there may be an issue with the cost of diversion programs, it is not comparable to the cost of losing employment.

Mayor Coffman mentioned that retailers have expressed concern that thieves are becoming more aggressive given that they know that there is no accountability. He pointed out that when you deal with lower-level crime, you are potentially dealing with higher-level crime. Mayor Coffman expressed support for the ordinance.

CM Coombs questioned the idea that there is an overly permissive environment with Aurora's current laws. She asked if judges are currently not charging people arrested for crimes. P. Schulte said that the numbers in 2020 and 2021 are less because of jails not being able to take individuals into custody. He mentioned that if the ordinance passes, they will get more data since jails are open at the counties and detention facilities. He added that shoplifters would get a summons and then a warrant if they don't show up. Following this, APD would have to serve the warrant as well.

CM Coombs pointed out that if people are in court on a summons, they could be fined up to \$2,650 for almost any crime. She asked if they are fining people at a level that could be considered a deterrent. She asked if the judges are using their authority to provide fines and other remedies to conviction. P. Schulte said that those arrested for shoplifting most likely get out on a bond. With this ordinance, the judges are allowed to let the individual choose when they would serve the three days. This would allow ample time for the individuals to inform their workplace. P. Schulte added that 52% of cases get dismissed because of a lack of witnesses.

CM Jurinsky commended T. Vaughn for putting together email communication that mirrored what the state does to communicate with business owners.

Motion by Jurinsky, second by Sundberg to approve item 15a.

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

Voting Nay: Coombs, Marcano, Medina, Murillo

16. **PLANNING MATTERS**

17. **ANNEXATIONS**

17.a. **Harvest Road Property Annexation Parcel A - Findings of Fact**

R2022-186 PUBLIC HEARING AND CONSIDERATION TO APPROVE A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, MAKING CERTAIN FINDINGS OF FACT REGARDING THE PROPOSED ANNEXATION OF A PARCEL OF LAND LOCATED IN THE WEST HALF AND THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 32, TOWNSHIP 3 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF ADAMS, STATE OF COLORADO (HARVEST ROAD PARCEL A ANNEXATION) 161.090 ACRES

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

Outside Speaker: Blair Lichtenfels, Brownstein Hyatt Farber Schreck, LLP

Mayor Coffman opened the public hearing.

Jacob Cox, Manager of Development Assistance, provided a summary for items 17a and 17b.

Mayor Pro Tem Bergan said that this is the second part of the annexation, and they are making sure that they are in compliance with the factors that allow annexation. J. Cox confirmed this. Mayor Pro Tem Bergan asked for an explanation regarding the requirement that the territory must be integrated with the city. J. Cox said that this pertains to its adjacency to existing city infrastructure. Mayor Pro Tem Bergan asked if this considers traffic. J. Cox said that it would happen in the master plan. Mayor Pro Tem Bergan said that the city must have a plan in place for the proposed area. J. Cox said yes and added that they have an existing development plan in the area.

Mayor Pro Tem Bergan asked if a fiscal impact study would be done once this goes to the third meeting. J. Cox said that the fiscal impact study is part of the city's process for expanding the annexation boundary. Annexations typically do not provide this. Mayor Pro Tem Bergan mentioned that there are residents upset about a proposed development. She added that there was a discussion about annexing land without knowing if there is proper infrastructure. She asked if they are not going to know until after a master plan is submitted. J. Cox said that the master plan is

concurrently in process with the annexation. However, they could not act on this unless the annexation is approved.

CM Lawson asked if they will look at the traffic and water before doing the master plans or proposing to annex land due to the new water conservation plan. She asked what annexations would look like moving forward. J. Cox said that they worked with Aurora Water in this annexation for four months and talked about its impacts. He added that they are ensuring that the plan is compliant with the comprehensive plan and any master studies such as the utilities for the city. Mayor Coffman pointed out that the city is required to have resources for 50,000 individuals prior to the conservation ordinance.

CM Coombs asked if commercial vs. residential use is taken into account in the assumptions made about the annexation boundaries. J. Cox said that they are.

Mayor Coffman closed the public hearing.

Motion by Sundberg, second by Gardner to approve item 17a.

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

17.b. Harvest Road Property Annexation Parcel A

2022-53 CONSIDERATION OF AN ORDINANCE ANNEXING A PARCEL OF LAND LOCATED IN THE WEST HALF AND THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 32, TOWNSHIP 3 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF ADAMS, STATE OF COLORADO (HARVEST ROAD PARCEL A ANNEXATION) 161.090 ACRES

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

Outside Speaker: Blair Lichtenfels, Brownstein Hyatt Farber Schreck, LLP

Motion by Sundberg, second by Gardner to approve item 17b.

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

17.c. Harvest Road Property Annexation Parcel B - Findings of Fact

R2022-187 PUBLIC HEARING AND CONSIDERATION TO APPROVE A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, MAKING CERTAIN FINDINGS OF FACT REGARDING THE PROPOSED ANNEXATION OF A PARCEL OF LAND LOCATED IN THE WEST HALF AND THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 32, TOWNSHIP 3 SOUTH, RANGE 66 WEST OF

THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF ADAMS, STATE OF COLORADO
(HARVEST ROAD PARCEL B ANNEXATION) 147.506 ACRES

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

Outside Speaker: Blair Lichtenfels, Brownstein Hyatt Farber Schreck, LLP

Mayor Coffman opened the public hearing.

Jacob Cox, Manager of Development Assistance, provided a summary for items 17c and 17d.

Mayor Coffman closed the public hearing.

Motion by Gardner, second by Sundberg to approve item 17c.

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

17.d. Harvest Road Property Annexation Parcel B

2022-54 CONSIDERATION OF AN ORDINANCE ANNEXING A PARCEL OF LAND LOCATED IN THE WEST HALF AND THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 32, TOWNSHIP 3 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF ADAMS, STATE OF COLORADO (HARVEST ROAD PARCEL B ANNEXATION) 147.506 ACRES

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

Outside Speaker: Blair Lichtenfels, Brownstein Hyatt Farber Schreck, LLP

Motion by Coombs, second by Bergan to approve item 17d.

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

17.e. 21861 E. 26th Avenue Annexation

R2022-188 PUBLIC HEARING AND CONSIDERATION TO APPROVE A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, MAKING CERTAIN FINDINGS OF FACT REGARDING THE PROPOSED ANNEXATION OF A PARCEL OF LAND LOCATED IN THE SOUTHWEST QUARTER OF SECTION 25, TOWNSHIP 3 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF ADAMS, STATE OF COLORADO (21861 E. 26TH AVENUE ANNEXATION) 5 ACRES

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

Mayor Coffman opened the public hearing.

Jacob Cox, Manager of Development Assistance, provided a summary for the item.

Mayor Coffman closed the public hearing.

Motion by Bergan, second by Coombs to approve item 17e.

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

17.f. **21861 E. 26th Avenue Annexation**

2022-55 CONSIDERATION OF AN ORDINANCE ANNEXING A PARCEL OF LAND
LOCATED IN THE SOUTHWEST QUARTER OF SECTION 25, TOWNSHIP 3 SOUTH,
RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF ADAMS, STATE
OF COLORADO (21861 E. 26TH AVENUE ANNEXATION) 5 ACRES

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

Jacob Cox, Manager of Development Assistance, provided a summary of the item.

Motion by Coombs, second by Sundberg to approve item 17f.

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

18. **RECONSIDERATIONS AND CALL UPS**

19. **GENERAL BUSINESS**

19.a. **Consideration to Reappoint Three (3) Members to the Citizens Advisory
Committee for Housing and Community Development**

Kadee Rodriguez, City Clerk / Dave Lathers, Senior Assistant City Attorney

Motion by Medina, second by Bergan to reappoint Lynn Bittel, Teri Marquantte, and Vince
Chowdhury to the Citizens Advisory Committee for Housing and Community Development

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

19.b. **Consideration to Appoint One (1) Member to the Aurora Fox Arts Center Board**

Kadee Rodriguez, City Clerk / Dave Lathers, Senior Assistant City Attorney

Motion by Coombs, second by Lawson to appoint Patricia Connor to the Aurora Fox Arts Center Board.

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

19.c. **Consideration to Appoint One (1) Member and Reappoint One (1) Member to the Oil and Gas Advisory Committee**

Kadee Rodriguez, City Clerk / Dave Lathers, Senior Assistant City Attorney

Motion by Sundberg, second by Medina to appoint Greg Bloodworth and reappoint Tom Tobiassen to the Oil and Gas Advisory Committee.

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

19.d. **Consideration to Reappoint One (1) Member to the Cultural Affairs Commission**

Kadee Rodriguez, City Clerk / Dave Lathers, Senior Assistant City Attorney

Motion by Coombs, second by Marcano to reappoint Sethe Tucker to the Cultural Affairs Commission.

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

19.e. **Consideration to Appoint One (1) Member to the Arts in Public Places Commission**

Kadee Rodriguez, City Clerk / Dave Lathers, Senior Assistant City Attorney

Motion by Medina, second by Bergan to appoint Laura Keifer to the Arts in Public Places Commission.

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

19.f. **Consideration to Reappoint One (1) Member to the Homestake Steering Committee**

Marshall Brown, General Manager, Aurora Water / Rachel Allen, Client Group
Manager, Attorney

Motion by Bergan, second by Coombs to reappoint Alexandra Davis to the Homestake Steering Committee.

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

19.g. **Consideration to Reappoint One (1) Member to the Joint Water Authority**

Marshall Brown, General Manager, Aurora Water / Rachel Allen, Client Group
Manager, Attorney

Motion by Coombs, second by Marcano to reappoint Alexandra Davis to the Joint Water Authority Board.

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

20. **REPORTS**

20.a. **Report by the Mayor**

Mayor Coffman read the Land Acknowledgement.

20.b. **Reports by the Council**

CM Gardner announced that meetings with Dr. Hill, staff, and CM Jurinsky resulted in Dr. Hill postponing the introduction of Droperidol into the chemical sedative protocols used by Aurora Fire Rescue until the middle of November. CM Gardner mentioned that Elijah McClain's autopsy result was updated to change ketamine as the cause of death.

CM Jurinsky greeted the Jewish community and all those celebrating a happy new year. She announced that she attended the APS Annual Dinner and the Annual Police Awards Dinner. She mentioned that it was great to see APS staff and APD officers honored.

CM Zvonek mentioned that a delegation will be traveling to San Antonio to visit Haven for Hope and explore options addressing homelessness. Council aims to come up with a comprehensive plan that deals with the root cause of homelessness and change outcomes through changing and improving human lives. CM Zvonek said that he will present a report following the trip.

CM Lawson announced that Congress is currently working on a short-term continuing resolution (CR) to avoid a government shutdown on October 1st. This would fund the government through mid-December. Congress would then be in recess through the

midterm elections. Once they return, they will address the Omnibus Appropriations Bill. The Aurora Water and MLK Library projects are currently included in the House Appropriations package and will make it to the final bill. Interim Committees have started releasing draft bills. The FSIR Committee is meeting with state delegations in preparation for the 2023 session. The Committee has also approved the state and federal priorities for 2023 which will be received by council members for feedback before the October Study Session. CM Lawson also mentioned that she attended the APS Dinner and the Annual Police Awards Dinner.

CM Murillo commended the Inaugural Fall Food Justice Festival at the Fletcher Plaza which had representation from local food providers, urban gardens, and farmers' markets in the area.

CM Sundberg mentioned that he and CM Jurinsky did a town hall with the presence of cats and dogs, the EPA, etc. They discussed the plume, PFAS, and landfill. He thanked the Aurora Water staff. He announced that the Community College of Aurora conducted its groundbreaking for their Center for STEM power mechanics and applied technology. CM Sundberg road along with the abatement and outreach crew to see their procedures. He commended Brad van Sickle and Emma Knight for their professionalism in dealing with people. CM Sundberg mentioned that more than half of the people experiencing homelessness are in cars, campers, and RVs. He suggested looking into providing a safe parking area. CM Sundberg mentioned that there is an archeological site near the Aurora Reservoir as per the Historic Preservation Society. For the Metro Housing Coalition, Sustainability and Energy were the topics. CM Sundberg also attended the Aurora Police Awards and the Food Justice Festival. He will be doing a ride-along with AFR on Thursday and learning the fire department's opinions on chemical sedatives.

CM Medina attended the Highline Canal Event and Fundraiser. He thanked Councilmembers Murillo, Sundberg, and Marcano for attending the Food Justice Festival. CM Medina announced that his next town hall will be held on October 5th from 6:30 PM at the Active Adults Center to talk about budget and code.

CM Marcano announced that the last 2022 Ward IV meeting will be held on October 13th from 6:30 PM focusing on the Build-up Aurora Road Maintenance Plan, traffic calming strategies, and the upcoming restorative justice program.

CM Coombs announced that her next town hall will be on October 18th at the Heather Gardens Clubhouse to talk about the Build-up Aurora Program, and the Restorative Justice Program, and will involve an open forum. There will be two meetings in November, including the quarterly meeting and the Tuesday meeting. Visit Aurora has a board workshop from September 14th through 16th to talk about changes to the committee structure to make a more active and engaged board. The changes to the Metro Vision Regional Transportation Plan associated with greenhouse gas reductions were passed in the last DRCOG meeting. CM Coombs mentioned that the Mile High Behavioral Health Care Board will have a meeting on Tuesday. The Fashion Show benefiting the Miracles Program at the Pelican Bay at Cherry Creek on Thursday is sold out. This program supports women recovering from addiction.

Mayor Pro Tem Bergan announced that they had a CPR demonstration with Aurora Fire Rescue at her last town hall. They also discussed the AFR's roles in the city. Mayor Pro Tem Bergan attended the Southlands Wine Walk. She was also a speaker at the Windler Groundbreaking. She attended the APS Gala, Metro Housing Coalition, and Police Development Award. Mayor Pro Tem Bergan also attended the E470 Roadway Committee.

21. **ADJOURNMENT**

Mayor Coffman adjourned the regular meeting of the City Council.



MIKE COFFMAN, MAYOR

ATTEST:



KADEE RODRIGUEZ, CITY CLERK



- ◆ ***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.***