

NOTE: The City Council has a responsibility to advise its citizens of its meetings and the topics it proposes to discuss. The following agenda shows the proposed format for tonight's set of meetings. The first meeting is held for the sole purpose of determining whether Council will adjourn into executive session, a non-public meeting, at which only permissible topics can be discussed. After this decision is made, Council will adjourn its regular Council meeting until 7:30 p.m. Council will consider the business listed on the agendas below at the times indicated. *In the event that a City Council meeting is cancelled, items from this agenda may be postponed to the next City Council meeting or a future City Council meeting. You may contact the City Clerk's Office for further details or visit our web site at www.auroragov.org.*

AGENDA
City of Aurora, Colorado
MONDAY, SEPTEMBER 8, 2008

REGULAR MEETING OF THE AURORA CITY COUNCIL

(Open to the Public)
5th Floor Mt. Elbert Room
4:30 p.m.

CALL TO ORDER: Mayor Edward J. Tauer

ROLL CALL: Debra Johnson, City Clerk

ANNOUNCEMENT OF PROPOSED EXECUTIVE SESSION TOPICS: Janice Napper, Assistant City Manager for Mayor Edward J. Tauer

(Matters subject to consideration in Executive Session per Section 24-6-402(4) C.R.S.)

CONSIDERATION TO RECESS FOR EXECUTIVE SESSION:

EXECUTIVE SESSION
(Closed to the Public)
5th Floor Mt. Elbert Room
4:30 p.m. – 6:30 p.m.

AURORA URBAN RENEWAL EXECUTIVE SESSION

(Closed to the Public)
5th Floor Mt. Elbert Room
6:30 p.m. – 6:45 p.m.

STUDY SESSION
(Open to the Public)
1st Floor Aurora Room
6:45 p.m. - 7:15 p.m.

REGULAR MEETING OF THE AURORA CITY COUNCIL

(Open to the Public)
Reconvene at 7:30 p.m. - Council Chambers

Full agendas available in the City Clerk's Office or at www.auroragov.org.

CITY OF AURORA ACCESSIBILITY STATEMENT: The Aurora Municipal Center is wheelchair accessible with entry ramps and handicapped parking located on the west and east side of the building and on all levels of the parking garage. Ramp access from the parking garage is located on the Ground Floor and the 4th level of the garage. Council Chambers is equipped with a wheelchair lift for access to the front of Council Chambers. Hearing devices may be requested from the City Clerk prior to the Council meeting. Disabled individuals requiring other assistance must make their request known by NOON, the FRIDAY PRECEDING the Monday City Council meetings by contacting the City Clerk's Office at 303-739-7094, or calling the TTY TELEPHONE in ACCESS AURORA at 303-739-7469.

9/4/2008

AGENDA

**City Council Executive Session
(5th Floor Mt. Elbert Room - Closed to the Public)
Monday, September 8, 2008
4:30 p.m.**

- 1. Negotiations concerning Economic Development – Council Member Hogan/Council Member Wallace 45 min.
- 2. Negotiations concerning Agreements – Mayor Tauer 15 min
- 3. Legal Advice – Richardson 40 min

Note: Matters subject to consideration in Executive Session may include the following:

- a. Property Transactions, to wit: *The purchase, acquisition, lease, transfer, or sale of any real, personal, or other property interest; except for the purpose of concealing the fact that a member of the [City Council] has a personal interest in such purchase, acquisition, lease, transfer, or sale. C.R.S. §24-6-402(4)(a).*
- b. Legal Advice, to wit: *Conferences with an attorney for the [City Council] for the purposes of receiving legal advice on specific legal questions. C.R.S. §24-6-402(4)(b).*
- c. Confidential Matters, to wit: *Matters required to be kept confidential by a federal or state law, rule, or regulation. The specific statute or rule or regulation that is the basis for such confidentiality must be cited prior to the executive session. C.R.S. §24-6-402(4)(c).*
- d. Security Issues, to wit: *Specialized details of security arrangements or investigations. C.R.S. §24-6-402(d).*
- e. Negotiations, to wit: *Determining positions relative to matters that may be subject to negotiations; developing strategy for negotiations; and instructing negotiators. C.R.S. §24-6-402(e).*
- f. Personnel Matters (except if the employee who is the subject of the session has requested an open meeting, or, if the personnel matter involves more than one employee, all of the employees have requested an open meeting). C.R.S. §24-6-402(4)(f).
- g. Confidential Documents, to wit: *Consideration of any documents protected by the mandatory nondisclosure provisions of the Open Records Act. C.R.S. §24-6-402(4)(g).*

As the Mayor (or Mayor Pro Tem) of the City of Aurora, Colorado, and the Chair of this Regular Meeting of the Aurora City Council, I hereby certify that the discussion which took place in this executive session was limited to the topic or topics that are set forth hereinabove.

Edward J. Tauer, Mayor

Date

As the City Attorney (or Deputy City Attorney) of the City of Aurora I was in attendance at this executive session, and it is my opinion that those portions of the discussion which were not recorded, if any, constitute privileged attorney-client communications under applicable law.

City Attorney

Date

AGENDA

**Aurora Urban Renewal Authority Executive Session
(5th Floor Mt. Elbert Room - Closed to the Public)
Monday, September 8, 2008
6:30 p.m.**

1. Negotiations concerning Development Agreement - Amonick 15 min.

Note: Matters subject to consideration in Executive Session may include the following:

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- b. Legal Advice, to wit: *Conferences with an attorney for the [City Council] for the purposes of receiving legal advice on specific legal questions. C.R.S. §24-6-402(4)(b).*
- c. Confidential Matters, to wit: *Matters required to be kept confidential by a federal or state law, rule, or regulation. The specific statute or rule or regulation that is the basis for such confidentiality must be cited prior to the executive session. C.R.S. §24-6-402(4)(c).*
- d. Security Issues, to wit: *Specialized details of security arrangements or investigations. C.R.S. §24-6-402(d).*
- f. Negotiations, to wit: *Determining positions relative to matters that may be subject to negotiations; developing strategy for negotiations; and instructing negotiators. C.R.S. §24-6-402(e).*
- f. Personnel Matters (except if the employee who is the subject of the session has requested an open meeting, or, if the personnel matter involves more than one employee, all of the employees have requested an open meeting). C.R.S. §24-6-402(4)(f).
- g. Confidential Documents, to wit: *Consideration of any documents protected by the mandatory nondisclosure provisions of the Open Records Act. C.R.S. §24-6-402(4)(g).*

As the Mayor (or Mayor Pro Tem) of the City of Aurora, Colorado, and the Chair of this Regular Meeting of the Aurora City Council, I hereby certify that the discussion which took place in this executive session was limited to the topic or topics that are set forth hereinabove.

Edward J. Tauer, Chairman

Date

As the City Attorney (or Deputy City Attorney) of the City of Aurora I was in attendance at this executive session, and it is my opinion that those portions of the discussion which were not recorded, if any, constitute privileged attorney-client communications under applicable law.

Attorney

Date

AGENDA

**City Council Study Session
(1st Floor Aurora Room)
Monday, September 8, 2008
6:45 p.m.**

ITEMS FROM THE CITY COUNCIL

1. **Issue Update**
2. Colorado Municipal League/National League of Cities - Council Member Pierce
3. Denver Regional Council of Governments (**DRCOG**) - Council Member Broom
4. Reschedule date for **Special Study Session** – Council Member Pierce (5)
5. Visitor's & Promotions Advisory Board report –**Call up by Council Member Beer** (10)

CONSENT CALENDAR

(Formal Action required at Regular Meeting Item 4-12)

6. Consideration to appoint one member to a three-year term on the Aurora Commission for Seniors - Napper
7. Consideration to appoint one member to a three-year term on the Parks and Recreation Advisory Board - Napper
8. Consideration to appoint one member to a three-year term on the Veterans' Affairs Commission - Napper
9. Consideration to reappoint one member to a three-year term on the Aurora Fox Arts Center Board - Napper
10. Consideration to appoint one member to a three-year term on the Citizens' Water Advisory Committee - Napper
11. Consideration to reappoint five incumbents to a two-year term on the Metropolitan Wastewater Reclamation District Board - Napper
12. Consideration to reappoint one member to a three-year term on the Cultural Affairs Commission - Napper

CALL-UPS OF COUNCIL POLICY COMMITTEE ITEMS

MISCELLANEOUS ITEMS

ITEMS REMOVED FROM THE AGENDA, IF ANY

AGENDA

**Regular Meeting of the Aurora City Council
City Council Chambers
Monday, September 8, 2008
7:30 p.m.**

NOTE: Interested citizens wishing to address City Council should complete a SPEAKER SLIP and present it to the City Clerk stationed near the Council dais. Speaker Slips are located on the table by the Council Chambers entrance. Speakers on items not related to the agenda are allowed three minutes to speak. Council does not engage in discussion during this time.

1. **RECONVENE REGULAR MEETING OF SEPTEMBER 8, 2008 AND CALL TO ORDER**

2. **ROLL CALL** Debra Johnson, City Clerk

3. **MOMENT OF SILENCE**

4. **PLEDGE OF ALLEGIANCE TO THE FLAG** (all standing)

5. **APPROVAL OF THE MINUTES OF THE MEETING OF AUGUST 25, 2008**

6. **CEREMONY**

- a. Swearing in of newly appointed Boards and Commission members – Presiding Judge Richard Weinberg

<u>Name</u>	<u>Board or Commission</u>
Terri Gehler	Art in Public Places Commission
Cheryl Twesme	Business Advisory Board
LaSheita Sayer	Judicial Performance Commission
Christine Law	Judicial Performance Commission
Karen Howard	Cultural Affairs Commission
Lovia Dixon	Aurora Youth Commission
Dorothy Hajovsky	Aurora Commission for Seniors

7. **PUBLIC INVITED TO BE HEARD (non-agenda related issues only)**

- a. PUBLIC HEARING on the 2009 Budget. STAFF SOURCE: Greg Hays, Acting Budget Officer

8. **ADOPTION OF THE AGENDA**

9. **CONSENT CALENDAR - 9a-h**

General Business

- a. Consideration to AWARD A CONTRACT to IKON, Centennial, Colorado in the amount of \$108,000.00 for rental of a re-manufactured Canon production copier for a twelve month period through March 31, 2009. STAFF SOURCE: Christy Romano, Manager, Printing and Mailing Services

9/4/2008

- ♦ *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.*

- b. Consideration to APPROVE THE PURCHASE of 1.125 Shares of Platteville Irrigating & Milling Company Stock for the amount of \$4,754,100.00, by the City of Aurora acting by and through its Utility Enterprise. STAFF SOURCE: Mark Pifher, Director, Aurora Water
- c. Consideration to AMEND AN OPENLY SOLICITED CONTRACT to Brown and Caldwell, Golden, Colorado in an amount not to exceed \$1,352,770.00 to provide design engineering services during construction and construction management services associated with the construction of the Robertsdale Tank and Pump Station for the Prairie Waters Project, Bid Package N. R-1304. STAFF SOURCE: Darrell Hogan, Program Director, Prairie Waters Project.
- d. Consideration to AWARD A COMPETITIVELY BID CONTRACT to Garney Construction, Littleton, Colorado in the amount of \$14,788,597.50 for the construction of Robertsdale Tank and Pump Station for the Prairie Waters Project, Bid Package N. Project Number 1098 N1. STAFF SOURCE: Darrell Hogan, Program Director, Prairie Waters Project.
- e. Consideration to EXTEND A PROFESSIONAL SERVICES CONTRACT to Piper Jaffray & Co. for financial advisory services in an amount of \$50,000 plus possible contingencies of thirty cents (\$0.30) per one thousand dollars (\$1,000) of bonds issued. STAFF SOURCE: Mike Shannon, Debt and Financing Administrator, Finance Department

Final Ordinances

- ◆ f. Consideration of an ORDINANCE FOR FINAL of the City Council of the City of Aurora, Colorado, reawarding the bus bench and bus shelter franchise from September 23, 2008 through December 31, 2008 to CBS Outdoor. STAFF SOURCE: Mary Avegerinos, Neighborhood Services
- ◆ g. Consideration of an ORDINANCE FOR FINAL of the City Council of the City of Aurora, Colorado, amending Sections 130-4, 130-266, and 130-267 of the City Code of the City of Aurora, Colorado, regarding the use of tax increment financing in urban renewal areas and the terms of tax incentive agreements. STAFF SOURCE: Mike Hyman, Assistant City Attorney
- ◆ h. Consideration of an ORDINANCE FOR FINAL of the City Council of the City of Aurora, Colorado, amending Section 130-4 of the City code of the City of Aurora, Colorado, regarding tax increment financing in Urban Renewal Areas. STAFF SOURCE: Andrea Amonick, Urban Renewal Manager

10. **RESOLUTIONS**

- ◆ a. Consideration of a RESOLUTION of the City Council of the City of Aurora, Colorado, approving an Intergovernmental Agreement between the City of Aurora and Arapahoe County for the reimbursement for traffic signal costs at the intersection of Gun Club Road and Belleview Avenue (Project A) and traffic signals at the intersection of Hampden Avenue and Himalaya Street/Jericho Way (Project B).. STAFF SOURCE: Dick Havercamp, Manger of Traffic Services, Public Works
- ◆ b. Consideration of a RESOLUTION of the City Council of the City of Aurora, Colorado, approving a Memorandum of Understanding among Metro Denver's Cities and Counties promoting policies and programs and pursuing environmental changes that encourage healthy eating and promote active living. SOURCE: Mayor Edward J. Tauer

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- ◆ c. Consideration of a RESOLUTION of the City Council of the City of Aurora, Colorado, approving the acceptance of conveyance of a Parcel of Land by warranty deed from US Home Corporation to the City of Aurora, Colorado. STAFF SOURCE: Joani Cravens, Manager Real Property Services, Public Works
- ◆ d. Consideration of a RESOLUTION of the City Council of the City of Aurora, Colorado, authorizing the execution of the first amendment to the amended and restated Intergovernmental Agreement between the City and East Plains Metropolitan District, High Plains Metropolitan District, and Beacon Point Metropolitan District. STAFF SOURCE: Scott VanGenderen, Office of Development Services
- ◆ e. Consideration of a RESOLUTION of the City Council of the City of Aurora, Colorado, authorizing the execution of the First Amended and Restated Intergovernmental Agreements between the City and Colorado Science and Technology Park Metropolitan District Nos. 1, 2, and 3. STAFF SOURCE: Scott VanGenderen, Office of Development Assistance.

11. **ORDINANCES FOR INTRODUCTION**

- ◆ a. Consideration of an ORDINANCE FOR INTRODUCTION of the City Council of the City of Aurora, Colorado, amending Chapter 146 of the City Code of the City of Aurora, Colorado, regarding the levy and assessment of Capital Impact Fees on residential development in the city. STAFF SOURCE: John Gross, Finance Director

12. **PLANNING MATTERS**

- ◆ a. PUBLIC HEARING and consideration of an ORDINANCE FOR INTRODUCTION of the City Council of the City of Aurora, Colorado, rezoning a parcel of land generally located on the northwest corner of Chambers Road and 38th Avenue from M-1, Light Industrial, to B-3, Highway Service District, and amending the Aurora Zoning Map accordingly, (Majestic Realty) 4.57 acres more or less. ***Approved 5-0 (Dickinson and Singer absent) at the August 13, 2008 Planning Commission Meeting.*** (Case Number 2008-2003-00) STAFF SOURCE: Kim Kreimeyer, Planning
- b. PUBLIC HEARING and consideration of an APPEAL of the Planning Director's decision to approve a Site Plan Extension for a 400 unit independent living project generally located south of Aurora Parkway and west of Gartrell Road. Case Number 2004-4030-00 (Carefree at Eagle Bend) STAFF SOURCE: Edward Arnold, Planning

13. **RECONSIDERATIONS AND CALL-UPS**

14. **GENERAL BUSINESS**

- a. Consideration to appoint two new members to a three-year term on the Human Relations Commission. STAFF SOURCE: Janice Napper, Assistant City Manager
- b. Consideration to appoint one member to a three-year term on the Art in Public Places Commission. STAFF SOURCE: Janice Napper, Assistant City Manager
- c. Consideration to appoint two new members to a four-year term on the Citizens' Advisory Committee on Housing and Community Development. STAFF SOURCE: Janice Napper, Assistant City Manager

9/4/2008

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15. **REPORTS**
 - a. Report by the Mayor
 - b. Reports by the Council
16. **PUBLIC INVITED TO BE HEARD**
17. **ADJOURNMENT**

9/4/2008

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