

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, OCTOBER 13, 2008

REGULAR MEETING OF THE AURORA CITY COUNCIL

(Open to the Public)
5th Floor Mt. Elbert Room
4:00 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
4:00 p.m. – 5:15 p.m.

STUDY SESSION
(Open to the Public)
1st Floor Aurora Room
5:15 p.m. - 7:00 p.m.

RECEPTION FOR LIGHTS ON AFTER SCHOOL

Lobby - Aurora Municipal Center
7:00 p.m. - 7:30 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.

AGENDA

**City Council Executive Session
(5th Floor Mt. Elbert Room - Closed to the Public)
Monday, October 13, 2008
4:00 p.m.**

- 1. Negotiations concerning Water - Pifher 45 min.
- 2. Negotiations concerning Development Agreement – Irvin/Watkins/Young 30 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

**City Council Study Session
(1st Floor Aurora Room)
Monday, October 13, 2008
5:15 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

CONSENT CALENDAR

(Formal Action required at Regular Meeting Item 4-11)

4. Reappoint one member to a three-year term on the Civil Service Commission - Napper
5. **Fancier's Permit** amendments – Code Enforcement Policy Committee - Sheffield
- 6.. **Handicapped Parking Fines** – Public Safety & Courts Policy Committee - Weinberg
7. **Traffic Definitions** – Public Safety & Courts Policy Committee - Zierk
8. **Fuel Surcharge** – Public Safety & Courts Policy Committee - Zierk
9. **Southlands Murphy Creek Storm Drainage** Cost Reimbursement Agreement – Aurora Water Policy Committee - Wingert
10. **Cornerstar Metro District** Property Inclusion - VanGenderen
11. **Bus Bench and Shelter Franchise Agreement** – Code Enforcement Policy Committee – Avgerinos

ITEMS FROM THE POLICY COMMITTEES

(Formal Action required at Regular Meeting Item 12-13)

12. **2009 Water Budget, Water Rates & Rampart Parallel Pipeline** - Water Policy Committee – Pifher (30/45)
13. **Constructing I-225 Light Rail Transit Line** - Aurora's Position – Transportation & Airports Policy Committee – Callison (5/10)

CALL-UPS OF COUNCIL POLICY COMMITTEE ITEMS

MISCELLANEOUS ITEMS

ITEMS REMOVED FROM THE AGENDA, IF ANY

**RECEPTION FOR LIGHTS ON AFTER SCHOOL
Lobby - Aurora Municipal Center
7:00 p.m. - 7:30 p.m.**

AGENDA

**Regular Meeting of the Aurora City Council
City Council Chambers
Monday, October 13, 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 OCTOBER 6, 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 SEPTEMBER 15, 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>
Brian Barney	Aurora Fox Arts Center Board
Dexter Harding	Planning and Zoning Commission
Paul Rosenberg	Business Advisory Board
Viola Nathan	Human Relations Commission
Lisa Thomas	Parks and Recreation Board
JulieMarie Shepherd	Human Relations Commission
Keith Singer	Planning and Zoning Commission
Mark Lindstone	Citizens Water Advisory Committee

- b. National Lights On After School Ceremony – Mayor Tauer

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

8. **ADOPTION OF THE AGENDA**

9. **CONSENT CALENDAR - 9a-i**

General Business

- a. Consideration to AWARD AN OPENLY SOLICITED CONTRACT to Foray Technologies, San Diego, CA in the total amount of \$52,499.00 for the purchase of a Digital Media Management System required for the Police Department. (R1367). STAFF SOURCE: Dave Lawless, Public Safety Systems Manager, Information Technology

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- b. Consideration to AWARD AN OPENLY SOLICITED CONTRACT to Visual Statement Inc., Kamloops, British Columbia in the total amount of \$81,695.00 to purchase an Automated Traffic Accident Reporting and E-Commerce software system for the Aurora Police Department. (R1369). STAFF SOURCE: Dave Lawless, Public Safety Systems Manager, Information Technology
- c. Consideration to AWARD A SOLE SOURCE CONTRACT to M/A-COM Inc., Greenwood Village, CO in the amount of \$60,000.00 for the annual renewal of software maintenance for the Public Safety Radio System through September, 2009. STAFF SOURCE: Dave Lawless, Public Safety Systems Manager, Information Technology
- d. Consideration to AWARD A SOLE SOURCE CONTRACT to Sungard Bi-Tech Inc., Chico, California in the amount of \$58,354.33 for annual support of IFAS through June 30, 2009. STAFF SOURCE: Russ Pulling, Software Applications Manager, Information Technology
- e. Consideration to AWARD A COMPETITIVELY BID CONTRACT to Scott Contracting, Inc., Henderson, Colorado in the amount of \$1,533,458.00 for construction of the 2008 Waterline Replacement Project, Project Number 08032. STAFF SOURCE: Larry Catalano, Manager, Capital Projects Division, Aurora Water
- f. Consideration to AWARD A COMPETITIVELY BID CONTRACT to American Infrastructure, Inc., Franktown, Colorado in the amount of \$1,857,800.00 for construction of the Cherry Creek Lift Station No. 15 Forcemain Project, Project Number 5128A. STAFF SOURCE: Larry Catalano, Manager, Capital Projects Division, Aurora Water
- g. Consideration to AWARD A COMPETITIVELY BID CONTRACT to Gray Oil, Fort Lupton, Colorado in the not to exceed amount of \$3,500,000 to cover the cost of motor vehicle fuel as required citywide in 2009. STAFF SOURCE: Mark Hinterreiter, Manager of Fleet Services, Internal Services

Final Ordinances

- ◆ h. Consideration of an ORDINANCE FOR FINAL 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
- ◆ i. Consideration of an ORDINANCE FOR FINAL 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. STAFF SOURCE: Kim Kreimeyer, Planning

10. **RESOLUTIONS**

- ◆ a. Consideration to APPROVE A RESOLUTION of the City Council of the City of Aurora, Colorado, approving a name change from its current designation to the new designation "Aurora Court" for that portion of Ursula Street which runs north from Colfax Avenue to the south side of its intersection with 17th Avenue. STAFF SOURCE: Dan Bartholomew, Planning
- ◆ *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 A RESOLUTION of the City Council of the City of Aurora, Colorado, expressing support for the renovation of City Park and authorizing the submission of an application to the Great Outdoors Colorado Trust Fund for a grant to assist with the renovation of the park. STAFF SOURCE: Tracy Young, Manager, Parks Planning, Design and Construction
- ◆ c. Consideration to APPROVE A RESOLUTION of the City Council of the City of Aurora, Colorado, approving an Intergovernmental Agreement between the City of Aurora, Colorado, acting by and through its Utility Enterprise and the Urban Drainage and Flood Control District, and Southeast Metro Storm Water Authority regarding funding for major drainage planning and flood hazard delineation for East Toll Gate Creek (Upper). STAFF SOURCE: Larry Catalano, Manager, Capital Projects Division, Aurora Water

11. **ORDINANCES FOR INTRODUCTION**

- ◆ a. Consideration of an ORDINANCE FOR INTRODUCTION of the City Council of the City of Aurora, Colorado, authorizing the issuance of a Golf Revenue Note by the City's Golf Enterprise in the principal amount of \$4,680,000 for the purpose of constructing and equipping a Public Golf Course and attendant facilities; providing for the application of golf rates, fees, and charges to pay the note and interest thereon; and prescribing other details in connection therewith. STAFF SOURCE: Mike Shannon, Debt and Financing Administrator, Finance Department
- ◆ b. Consideration of an ORDINANCE FOR INTRODUCTION of the City Council of the City of Aurora, Colorado, authorizing the issuance and sale of the City of Aurora, Colorado, Hospital Revenue Refunding Bonds (The Children's Hospital Association) Series 2008C, in an aggregate principal amount not to exceed \$72 Million, to refund existing bonds issued by the City for the Hospital; and authorizing the execution and delivery by the City of various document in connection therewith. STAFF SOURCE: Michael Shannon, Debt and Financing Administrator
- ◆ c. Consideration of an ORDINANCE FOR INTRODUCTION of the City Council of the City of Aurora, Colorado, establishing the Tax Levy on all taxable property within the corporate limits of the City of Aurora, Colorado, for the tax collection year beginning January 1, 2009, and ending December 31, 2009. STAFF SOURCE: Jason Batchelor, Budget Officer
- ◆ d. Consideration of an ORDINANCE FOR INTRODUCTION of the City Council of the City of Aurora, Colorado, adopting an Operating and Capital Improvements Projects Budget for all funds of the City, except for the Water and Wastewater Funds, for the Fiscal Year Beginning January 1, 2009, and Ending December 31, 2009. STAFF SOURCE: Jason Batchelor, Budget Officer
- ◆ e. Consideration of an ORDINANCE FOR INTRODUCTION of the City Council of the City of Aurora, Colorado, appropriating Sums of Money to Defray Expenses and Liabilities, for all funds of the City, except for the Water and Wastewater Funds, for the Fiscal Year Beginning January 1, 2009, and Ending December 31, 2009. STAFF SOURCE: Jason Batchelor, Budget Officer

12. **PLANNING MATTERS**

- ◆ a. PUBLIC HEARING and consideration of an ORDINANCE FOR INTRODUCTION of the City Council of the City of Aurora, Colorado, amending the Fairfield Village at Quincy
- ◆ *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.*

Reservoir General Development Plan to add fueling station to the list of permitted uses in Area "A" of that General Development Plan. STAFF SOURCE: Ed Arnold, Planning

13. **ANNEXATIONS**

- ◆ a. 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 Northeast Quarter of Section 13, Township 3 South, Range 66 West of the 6th Principal Meridian, County of Adams, State of Colorado - Green Valley Aurora LLC Parcel 1 (133 Acres). STAFF SOURCE: Scott VanGenderen, Office of Development Assistance.
 - ◆ b. Consideration of an ORDINANCE FOR INTRODUCTION of the City Council of the City of Aurora, Colorado, annexing a parcel of land located in the Northeast Quarter of Section 13, Township 3 South, Range 66 West of the 6th Principal Meridian, County of Adams, State of Colorado - Green Valley Aurora LLC Parcel 1 (133 Acres). STAFF SOURCE: Scott VanGenderen, Office of Development Assistance
 - ◆ c. Consideration of an ORDINANCE FOR INTRODUCTION of the City Council of the City of Aurora, Colorado, initially zoning a parcel of land generally located south of 56th Avenue and west of E-470 to E-470 Regional Activity Center Subarea and amending the Aurora Zoning Map accordingly (Green Valley Ranch) 133.196 acres more or less. Approved 4 – 2 (Hill, Witt voting no; Dickinson absent) at the August 27, 2008 Planning Commission Meeting. (Case Number 2005-2018-00) STAFF SOURCE: Mindy Parnes, Planning
 - ◆ d. 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 Southeast Quarter of Section 13, Township 3 South, Range 66 West of the 6th Principal Meridian, County of Adams State of Colorado - Green Valley Aurora LLC Parcel 2 (20.076 Acres). STAFF SOURCE: Scott VanGenderen, Office of Development Assistance
 - ◆ e. Consideration of an ORDINANCE FOR INTRODUCTION of the City Council of the City of Aurora, Colorado, annexing a parcel of land located in the Southeast Quarter of Section 13, Township 3 South, Range 66 West of the 6th Principal Meridian, County of Adams, State of Colorado - Green Valley Aurora LLC Parcel 2 (20.076 Acres). STAFF SOURCE: Scott VanGenderen, Office of Development Assistance
 - ◆ f. Consideration of an ORDINANCE FOR INTRODUCTION of the City Council of the City of Aurora, Colorado, initially zoning of a parcel of land generally located north of 48th Avenue and west of E-470 to Airport Corporate Subarea and amending the Aurora Zoning Map accordingly (Green Valley Ranch) 20.076 acres more or less. Approved 4 – 2 (Hill, Witt voting no; Dickinson absent) at the August 27, 2008 Planning Commission Meeting. (DA1662-01 CN 2005-2019-00) STAFF SOURCE: Mindy Parnes, Planning
 - ◆ g. 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 19, Township 3 South, Range 65 West of the 6th Principal Meridian, County of Adams, State of Colorado - Green Valley East LLC Parcel 3 (30.609 Acres). STAFF SOURCE: Scott VanGenderen, Office of Development Assistance
- ◆ ***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.***

- ◆ h. Consideration of an ORDINANCE FOR INTRODUCTION of the City Council of the City of Aurora, Colorado, annexing a parcel of land located in the Southwest Quarter of Section 19, Township 3 South, Range 65 West of the 6th Principal Meridian, County of Adams, State of Colorado - Green Valley East LLC Parcel 3 (30.609 Acres). STAFF SOURCE: Scott VanGenderen, Office of Development Assistance
- ◆ i. Consideration of an ORDINANCE FOR INTRODUCTION of the City Council of the City of Aurora, Colorado, initially zoning a parcel of land generally located South of 42nd Avenue and west of Harvest road to E-470 Medium Density Residential Subarea and amending the Aurora Zoning Map accordingly (Green Valley Ranch) 30.609 acres more or less. Approved 4-2 (Hill, Witt voting no; Dickinson absent) at the August 27, 2008 Planning Commission Meeting (Case Number 2005-2020-00). STAFF SOURCE: Mindy Parnes, Planning
- ◆ j. 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 13 and the Northwest Quarter of Section 24, Township 3 South, Range 66 West of the 6th Principal Meridian, County of Adams, State of Colorado - Green Valley Aurora LLC Parcel 4 (4.014 Acres). STAFF SOURCE: Scott VanGenderen, Office of Development Assistance
- ◆ k. Consideration of an ORDINANCE FOR INTRODUCTION of the City Council of the City of Aurora, Colorado, annexing a parcel of land located in the Southwest Quarter of Section 13 and the Northwest Quarter of Section 24, Township 3 South, Range 66 West of the 6th Principal Meridian, County of Adams, State of Colorado - Green Valley Aurora LLC Parcel 4 (4.014 Acres). STAFF SOURCE: Scott VanGenderen, Office of Development Assistance
- ◆ l. Consideration of an ORDINANCE FOR INTRODUCTION of the City Council of the City of Aurora, Colorado, initially zoning of a parcel of land generally located at 48th Avenue and east of Picadilly Road to E-470 Medium Density Residential Subarea and amending the Aurora Zoning Map accordingly. (Green Valley Ranch) 4.014 acres more or less. Approved 4 – 2 (Hill, Witt voting no; Dickinson absent) at the August 27, 2008 Planning Commission Meeting. (Case Number 2005-2029-00) STAFF SOURCE: Mindy Parnes, Planning

14. **RECONSIDERATIONS AND CALL-UPS**

15. **GENERAL BUSINESS**

16. **REPORTS**

- a. Report by the Mayor
- b. Reports by the Council

17. **PUBLIC INVITED TO BE HEARD**

18. **ADJOURNMENT**

- ◆ *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.*