

**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](http://www.auroragov.org).*

**AGENDA**  
**City of Aurora, Colorado**  
**MONDAY, FEBRUARY 2, 2009**

**REGULAR MEETING OF THE AURORA CITY COUNCIL**

*(Open to the Public)*  
5th Floor Mt. Elbert Room  
4:45 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  
4:45 p.m. – 6:30 p.m.

**STUDY SESSION**  
*(Open to the Public)*  
1st Floor Aurora Room  
6:30 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](http://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 4<sup>th</sup> 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  
(5<sup>th</sup> Floor Mt. Elbert Room - Closed to the Public)  
Monday, February 2, 2009  
4:45 p.m.**

- |    |  |         |
|----|--|---------|
| 1. | Negotiations concerning a Contract - Stuart    | 30 min. |
| 2. | Negotiations concerning Property – Mayor Tauer | 20 min. |
| 3. | Personnel Matters – Mayor Tauer                | 50 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).*

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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, February 2, 2009  
6:30 p.m.**

### ITEMS FROM THE CITY COUNCIL

1. **Issue Update**
2. Colorado Municipal League/National League of Cities - Council Member Pierce
3. **Legislative Update** - Council Member Peterson
4. Denver Regional Council of Governments (**DRCOG**) - Council Member Broom

### ITEMS FROM THE POLICY COMMITTEES

*(Formal Action required at Regular Meeting Item 5)*

5. **General Employees' Retirement Plan** Interest Rate Decrease – Connell (5/5)

### 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, February 2, 2009  
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 FEBRUARY 2, 2009 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 JANUARY 26, 2009**
6. **CEREMONY**
  - a. Proclamation declaring February as Black History Month – 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 EXTEND AN OPENLY SOLICITED CONTRACT to Keesen Enterprises Inc, Englewood, Colorado in the amount not to exceed \$320,000.00 for weed mowing and trash removal services, per Request for Proposals R-1336. STAFF SOURCE: Ron Moore, Manager Neighborhood Support, Neighborhood Services Department
- b. Consideration to EXTEND A SOLE SOURCE CONTRACT to Positron, Montreal, Quebec in the amount of \$106,423.94 for annual renewal of maintenance on the City's 911 answering system through February 9, 2010. STAFF SOURCE: Dave Lawless, Public Safety Systems Manager, Information Technology Department
- c. Consideration to AWARD A SOLE SOURCE CONTRACT to Siemens Water Technologies Corp., Vineland, New Jersey in the amount not to exceed \$250,000.00 to cover the cost of water treatment chemicals (Sodium Chlorite) through February 2010. STAFF SOURCE: Tim Smith, Treatment Division Manager, Aurora Water
- d. Consideration to APPROVE LAND PURCHASE AND SALE AGREEMENT for a parcel of land situated in the SW ¼ of Section 4, Township 5 South, Range 65 West of the 6<sup>th</sup> Principal Meridian, Arapahoe County, Colorado containing 38.79 acres, more or less (Murphy). STAFF SOURCE: Lyman Ho, Land Acquisition Manager, Prairie Waters Project

1/30/2009

- ◆ *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.*

### Final Ordinances

- ◆ e. Consideration of an ORDINANCE FOR FINAL of the City Council of the City of Aurora, Colorado, amending Chapter 102 of the City Code of the City of Aurora, Colorado relating to 2008 Tax Compliance for the Elected Officials and Executive Personnel Defined Benefit Plan. STAFF SOURCE: Stacie Glass Evans, Assistant City Attorney
- ◆ f. Consideration of an ORDINANCE FOR FINAL of the City Council of the City of Aurora, Colorado amending Sections 142 and 149 of Chapter 102 of the City Code of the City of Aurora, Colorado relating to the General Employees' Retirement Plan. STAFF SOURCE: Stacie Glass Evans, Assistant City Attorney
- ◆ g. Consideration of an ORDINANCE FOR FINAL of the City Council of the City of Aurora, Colorado amending Chapter 102 of the City Code of the City of Aurora, Colorado relating to 2008 Tax Compliance for the "Old Hire" Firefighters' and "Old Hire" Police retirement systems. STAFF SOURCE: Stacie Glass Evans, Assistant City Attorney
- ◆ h. Consideration of an ORDINANCE FOR FINAL of the City Council of the City of Aurora, Colorado, amending Section 146-1002 of the City Code of the City of Aurora, Colorado, and adopting new Section 146-1266 for addition to the City Code of the City of Aurora, Colorado relating to Electrical Substations within the Northeast Plains Zoning District. STAFF SOURCE: William Davidson, Planning
- ◆ i. Consideration of an ORDINANCE FOR FINAL of the City Council of the City of Aurora, Colorado, approving a Development Agreement between the City of Aurora, Colorado, and Fitzsimons Redevelopment Authority creating a Vested Property Right pursuant to Article 68 of Title 24, C.R.S for certain lands located in Section 36, Township 3 South, Range 67 West of the 6th Principal Meridian, County of Adams, State of Colorado (184 acres more or less). STAFF SOURCE: Scott VanGenderen, Office of Development Services

### 10. RESOLUTIONS

- ◆ a. Consideration to APPROVE A RESOLUTION of the City Council of the City of Aurora, Colorado, ordering that a Public Hearing be conducted regarding the designation of the proposed City Center II Urban Renewal Area as a blighted area appropriate for urban renewal. STAFF SOURCE: Moria Dungan, Development Services Department

### 11. ORDINANCES FOR INTRODUCTION

- ◆ a. Consideration of an ORDINANCE OF INTRODUCTION of the City Council of the City of Aurora, Colorado, amending various provisions of the City Code of the City of Aurora, Colorado, regarding the establishment of fees for alcoholic beverage, cabaret, and massage therapy licenses. STAFF SOURCE: Robin Peterson, Finance Department

### 12. ORDINANCES FOR FINAL

***Staff requests this item be deferred to the February 23, 2009 City Council meeting.***

- ◆ a. Consideration of an ORDINANCE FOR FINAL of the City Council of the City of Aurora, Colorado, adopting the 2009 Ward Map. ***Ordinance 2008-80, Introduced 5-4 (Hogan, Markert, Peterson, Wallace voting no) at the December 15, 2008 City Council meeting. Deferred from the January 12, 2009 City Council meeting.*** STAFF SOURCE: Debra Johnson, City Clerk

1/30/2009

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13. **RECONSIDERATIONS AND CALL-UPS**

14. **GENERAL BUSINESS**

15. **REPORTS**

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

16. **PUBLIC INVITED TO BE HEARD**

17. **ADJOURNMENT**

1/30/2009

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