

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, MARCH 23, 2009

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. – 5:30 p.m.

STUDY SESSION
(Open to the Public)
1st Floor Aurora Room
5:30 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.

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, March 23, 2009
4:30 p.m.**

- 1. Negotiations concerning Development Agreement – Irvin 30 min.
- 2. Negotiations concerning Water – Pifher 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, March 23, 2009
5:30 p.m.**

1. ITEMS FROM THE CITY COUNCIL

- a. **Issue Update**
- b. Colorado Municipal League (**CML**) / National League of Cities (**NLC**) - Council Member Pierce
- c. **Legislative Update** - Council Member Peterson
- d. Denver Regional Council of Governments (**DRCOG**) - Council Member Broom

2. CONSENT CALENDAR

(Formal Action required at Regular Meeting Item 2a-f)

- a. (GOCO) Great Outdoors Colorado Grant for Red-tailed Hawk Park – Operations & Environmental Affairs Committee – Young
- b. (GOCO) Great Outdoors Colorado Grant for City Park Renovation – Parks & Recreation Advisory Board – Young
- c. Consideration to Reappoint 1 member to the Cultural Affairs Commission – Napper
- d. Consideration to Appoint 1 member to the Veterans' Affairs Commission – Napper
- e. Consideration to Appoint 1 member to the Citizens' Advisory Committee on Housing and Community Development – Napper
- f. Consideration to Appoint 1 member to a three-year term on the Human Relations Commission. – Napper

3. ITEMS FROM THE POLICY COMMITTEES

(Formal Action required at Regular Meeting Item 3a-b)

- a. **Official name** of the (ARWPF) Aurora Reservoir Water Purification Facility – Aurora Water Policy Committee – Baker (5/5)
- b. **Capstone/Cornerstone** Ceremony at (ARWPF) Aurora Reservoir Water Purification Facility – Aurora Water Policy Committee – Baker (5/5)

(No Formal Action required Item 3c)

- c. **Capital Projects** Fund Balancing – Management and Finance Policy Committee – Batchelor (10/15)

4. ITEMS FROM THE MANAGER

(Formal Action required at Regular Meeting Item 4a)

- a. Visitors Promotion Advisory Board (VPAB) Funding in Excess of \$25,000 – Greer (5/10)
(No Formal Action required Item 4b)
- b. Visitors Promotion Advisory Board (VPAB) 2009 Budget – Greer (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, March 23, 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 MARCH 23, 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 MARCH 18, 2009**

6. **CEREMONY**

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

a. Budget Public Hearing

8. **ADOPTION OF THE AGENDA**

9. **CONSENT CALENDAR - 9a-e**

General Business

- a. Consideration to AWARD AN OPENLY SOLICITED CONTRACT to Niquitos, Aurora, Colorado, in the total amount not to exceed \$62,500.00 for food service required at the Aurora Detention Center through March 1, 2010, per solicitation B-3846. STAFF SOURCE: Zelda DeBoyes, Court Administrator
- b. Consideration to EXTEND A COMPETITIVELY BID CONTRACT to JCOR Mechanical, Inc., Golden, Colorado in the not to exceed amount of \$439,183.00 for the 3" - 6" Large Water Meter Replacement and Rehabilitation Program. STAFF SOURCE: Dana Ehlen, Deputy Director of Water Operations
- c. Consideration to AWARD A SINGLE SOURCE CONTRACT to Waste Management of Colorado, Incorporated, Englewood, Colorado in an amount not to exceed \$142,330.00 for landfill dumping fees through March 31, 2010. STAFF SOURCE: Chris Carnahan, Public Works
- d. Consideration to AWARD A SOLE SOURCE CONTRACT to Versaterm Systems, Ottawa, Ontario in the amount of \$201,284.00 for annual renewal of software maintenance on the Police Information Management System through March 31, 2010. STAFF SOURCE: Dave Lawless, Information Technology
- e. Consideration to APPROVE A WATER LEASE AGREEMENT for the City of Aurora, acting by and through its Utility Enterprise (Aurora), to lease up to 200 acre-feet of fully

3/20/2009

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consumable raw water annually for a period of ten years, at a base unit price of \$800 per acre-foot to be increased by 5 percent per year, with a single renewal term of an additional ten years at Aurora's discretion, to Nestle Waters North America Inc. for business operations in Chaffee County, Colorado. STAFF SOURCE: Joseph Stibrich, Aurora Water

10. **RESOLUTIONS**

- ◆ a. Consideration to APPROVE A RESOLUTION of the City Council of the City of Aurora, Colorado, adopting a policy regarding the purchase, rehabilitation and sale, or demolition and redevelopment of abandoned or foreclosed residential properties under the federal Neighborhood Stabilization Program. STAFF SOURCE: Joseph Garcia, Neighborhood Services
- ◆ b. Consideration to APPROVE A RESOLUTION of the City Council of the City of Aurora, Colorado, approving the Aurora Water 2009 Water Management Plan. STAFF SOURCE: Greg Baker, Aurora Water, Kevin Reidy Aurora Water
- ◆ c. Consideration to APPROVE A RESOLUTION of the City Council of the City of Aurora, Colorado, authorizing an increase in the grant to Aurora Economic Development Council, Inc., in the amount of \$75,000. STAFF SOURCE: Kim Stuart, Communications Director

11. **ORDINANCES FOR INTRODUCTION**

- ◆ a. Consideration of an ORDINANCE FOR INTRODUCTION of the City Council of the City of Aurora, Colorado, amending Section 126-26 or the City Code of the City of Aurora, Colorado, relating to Street Requirements. STAFF SOURCE: Dave Chambers, Public Works Director
- ◆ b. Consideration of an ORDINANCE FOR INTRODUCTION of the City Council of the City of Aurora, Colorado, amending Section 126-36.5 of the City Code of the City of Aurora, Colorado, relating to Urban Street Standards in Transit Oriented Developments and Urban Centers. STAFF SOURCE: Dave Chambers, Public Works Director
- ◆ c. Consideration of an ORDINANCE FOR INTRODUCTION of the City Council of the City of Aurora, Colorado, amending Sections 138-221 and 138-326 of the City Code of the City of Aurora, Colorado, regarding transfer of funds for service connection fees. STAFF SOURCE: Mark Pifher, Director of Aurora Water
- ◆ d. Consideration of an ORDINANCE FOR INTRODUCTION of the City Council of the City of Aurora, Colorado, amending various Sections of Article 14, Chapter 146 of the City Code of the City of Aurora, Colorado, relating to Xeric landscape standards. STAFF SOURCE: Don Fecko, Planning Department
- ◆ e. Consideration of an ORDINANCE FOR INTRODUCTION of the City Council of the City of Aurora, Colorado, repealing and reenacting 94-110(5) of the City Code of the City of Aurora, Colorado, relating to general offenses. STAFF SOURCE: George Zierk, Deputy City Attorney
- ◆ f. Consideration of an ORDINANCE FOR INTRODUCTION of the City Council of the City of Aurora, Colorado, enacting Subsection 94-71 (d) of the City Code of the City of Aurora, Colorado relating to offenses relating to property rights. STAFF SOURCE: Nancy Sheffield, Director Neighborhood Services

3/20/2009

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- ◆ g. Consideration of an ORDINANCE FOR INTRODUCTION of the City Council of the City of Aurora, Colorado, amending the Comprehensive Plan by appending the "NINE MILE STATION AREA PLAN" to the Comprehensive Plan. STAFF SOURCE: Loretta Daniel, Planning Department

12. **ORDINANCES FOR FINAL**

- ◆ a. Consideration of an ORDINANCE FOR FINAL of the City Council of the City of Aurora, Colorado, amending Section 137 of Chapter 102 of the City Code of the City of Aurora, Colorado relating to the interest rate paid on Contribution Accumulations under the General Employees Retirement Plan. ***Ordinance 2009-11, Introduced 9-1 (Beer voting no) at the February 23, 2009 City Council meeting.*** STAFF SOURCE: Stacie Evans Assistant City Attorney

13. **RECONSIDERATIONS AND CALL-UPS**

14. **GENERAL BUSINESS**

- a. Consideration to APPOINT one member to a four-year term on the Citizens' Advisory Committee on Housing and Community Development. STAFF SOURCE: Janice Napper Assistant City Manager
- b. Consideration to APPOINT one member to a three-year term on the Historic Preservation Commission. STAFF SOURCE: Janice Napper, Assistant City Manager

15. **REPORTS**

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

16. **PUBLIC INVITED TO BE HEARD**

17. **ADJOURNMENT**

3/20/2009

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