

**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).*

**REVISED AGENDA**  
**City of Aurora, Colorado**  
**MONDAY, MAY 04, 2009**

**REGULAR MEETING OF THE AURORA CITY COUNCIL**

*(Open to the Public)*  
5th Floor Mt. Elbert Room  
7:30 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  
5:15 p.m. – 6:15 p.m.

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

**RECEPTION FOR AURORA'S 118TH ANNIVERSARY**  
Lobby - Aurora Municipal Center  
7:15 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](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, May 4, 2009  
5:15 p.m.**

- 1. Negotiations concerning Property Acquisitions – Cravens/Wegener 20 min.
- 2. Negotiations concerning Property Acquisitions – Cravens/Barrett 15 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, May 04, 2009  
6:15 p.m.**

**1. ITEMS FROM THE CITY COUNCIL**

- a. Issue Update
  - 1. Old Hire Police Pension Board – Council Member Broom
- 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 Beer

**2. CONSENT CALENDAR**

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

- a. Consideration to appoint one member to a three-year term on the Human Relations Commission. – Napper
- b. Consideration to appoint five members to a three-year term on the Library Board. – Napper
- c. Consideration to reappoint two members to a three-year term on the Open Space Board. - Napper
- d. Forestry Division City Code Amendments. – Wesolowski

**3. ITEMS FROM THE POLICY COMMITTEES**

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

- a. **Waiver of Investment** Policy Mandated Sale of Downgraded Securities – Management and Finance Policy Committee – Frost (5/10)
- b. **Market Based Revenue** Opportunities Policy Review. – Byer (5/10)
- c. **Court Fees** – Public Safety and Courts Policy Committee – DeBoyes (5/10)

**CALL-UPS OF COUNCIL POLICY COMMITTEE ITEMS**

**MISCELLANEOUS ITEMS**

**ITEMS REMOVED FROM THE AGENDA, IF ANY**

**RECEPTION FOR AURORA'S 118TH ANNIVERSARY  
Lobby - Aurora Municipal Center  
7:15 p.m. - 7:30 p.m.**

**AGENDA**

**Regular Meeting of the Aurora City Council  
City Council Chambers  
Monday, May 04, 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 MAY 04, 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 APRIL 13, 2009**

6. **CEREMONY**

- a. Rocky Ford School Foundation presentation to City Council – Mayor Tauer
- b. Swearing in of newly appointed Boards and Commission members – Presiding Judge Richard Weinberg

<u>Name</u>	<u>Board or Commission</u>
Jamie March	Historic Preservation Commission
William Moran	Citizens’ Advisory Committee on Housing and Community Development
Marques Ivey	Citizens’ Advisory Committee on Housing and Community Development
Carol Wilkins	Cultural Affairs Commission
Lynn Sutton	Human Relations Commission

- c. Public Works Department Accreditation from the American Public Works Association – Ron Miller, City Manager

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

8. **ADOPTION OF THE AGENDA**

9. **CONSENT CALENDAR - 9a-j**

**General Business**

- a. Consideration to AWARD A SOLE SOURCE CONTRACT to Applied Knowledge, Inc. (AKI), Santa Ana, California in the amount of \$64,377.00 for software maintenance for the Tax and Licensing (T&L) computer system through December 31, 2009. STAFF SOURCE: Russ Pulling, Information Technology

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- b. Consideration to AWARD A SOLE SOURCE CONTRACT to Hansen Information Technologies, Rancho Cordova, California in the amount of \$215,165.00 for additional Hansen software licenses for Aurora Water. STAFF SOURCE: Dan Mikesell, Manager Water Operations
- c. Consideration to AWARD A SOLE SOURCE CONTRACT to Hansen Information Technologies, Rancho Cordova, California in the amount of \$191,500.00 for an upgrade of Hansen software licenses to Hansen version 8 for Aurora Water. STAFF SOURCE: Dan Mikesell, Manager Water Operations
- d. Consideration to EXTEND AN OPENLY SOLICITED CONTRACT to Loomis, Denver, Colorado for armored car service as required through April 30, 2010 in an amount not to exceed \$70,448.00, RFP R-1339. STAFF SOURCE: Ted Frost, Treasury Administrator
- e. Consideration to AWARD COMPETITIVELY BID CONTRACTS to select vendors in the combined total not to exceed amount of \$1,500,000.00 to cover the cost of asphalt mixes as required through December 31, 2009 (Bid #B-3866). STAFF SOURCE: Chris Carnahan, Manager Public Works
- f. Consideration to AWARD A COMPETITIVELY BID CONTRACT to Urban Farmer, Thornton, Colorado in the amount of \$599,769.71 for the construction of Homestead Neighborhood Park, Project Number B-5149A. STAFF SOURCE: Tracy Young, Manager Parks & Open Space
- g. Consideration to AMEND AN OPENLY SOLICITED CONTRACT to Camp Dresser & McKee, Inc., Denver, Colorado in the amount not to exceed \$99,932.00 for providing professional engineer design support services during the construction phase of the Wastewater Collection and Westerly Creek Sanitary Sewer Realignment projects, RFP R-1279. STAFF SOURCE: Larry Catalano, Manager Aurora Water
- h. Consideration to AWARD A COMPETITIVELY BID CONTRACT to Wildcat Construction Company, Inc., Kiowa, Colorado in the not to exceed amount of \$4,999,500.00 for construction of the 2009 Cured in Place Pipe Project, Project Number 5176A. STAFF SOURCE: Larry Catalano, Manager Aurora Water
- i. Consideration to AWARD A SOLE SOURCE CONTRACT to Gades Sales Co. Inc., Denver, Colorado in the not to exceed amount of \$120,000.00 to purchase Traffic Signal Controllers through March 31, 2010. STAFF SOURCE: Anna Bunce, Public Works

### **Final Ordinances**

- ◆ j. Consideration of an ORDINANCE FOR FINAL of the City Council of the City of Aurora, Colorado, appropriating sums of money in addition to those appropriated in Ordinance Nos. 2007-67, 2007-77, 2008-34, and 2008-75 for the 2008 fiscal year and Ordinance Nos. 2008-49 and 2008-63 for the 2009 fiscal year. STAFF SOURCE: Jason Batchelor, Budget Officer

### 10. **RESOLUTIONS**

- ◆ a. Consideration to APPROVE A RESOLUTION of the City Council of the City of Aurora, Colorado, Approving an amendment to an Intergovernmental Agreement between the City of Aurora, Colorado, and Aurora Public Schools (Joint District 28-j of the counties of Adams and Arapahoe) for the joint use of Murphy Creek K-8 School Playground,

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Playfield and City of Aurora Park. – STAFF SOURCE: Ron McCune, Manager Parks & Open Space

- ◆ b. Consideration to APPROVE A RESOLUTION of the City Council of the City of Aurora, Colorado, approving an amendment to the Water Sale Agreement dated April 8, 1998, between the Front Range Airport Authority and the City of Aurora, Colorado, by and through its Utility Enterprise, regarding the sale of water for use at Front Range Airport. STAFF SOURCE: Joe Stibrich, Director Aurora Water
- ◆ c. Consideration to APPROVE A RESOLUTION of the City Council of the City of Aurora, Colorado, approving the Front Range Airport Interim Facilities Agreement between the Front Range Airport Authority and the City of Aurora, Colorado, by and through its Utility Enterprise, regarding the Front Range Airport Interim Wastewater Treatment Plant STAFF SOURCE: Joe Stibrich, Director Aurora Water
- ◆ d. Consideration to APPROVE A RESOLUTION of the City Council of the City of Aurora, Colorado, approving an Intergovernmental Agreement between the City of Aurora, and the State of Colorado for the use and benefit of the Colorado Department of Transportation regarding Highway Maintenance of portions of Colfax Avenue and 6th Avenue. STAFF SOURCE: Chris Carnahan, Manager Public Works
- ◆ e. Consideration to APPROVE A RESOLUTION of the City Council of the City of Aurora, Colorado, naming the Prairie Waters Purification Facility Plant, the Peter D. Binney Water Purification Facility. STAFF SOURCE: Gregory Baker, Manager Aurora Water
- ◆ f. Consideration to APPROVE A RESOLUTION of the City Council of the City of Aurora, Colorado, approving an Intergovernmental Agreement by and between the Urban Drainage and Flood Control District ("District") and the City of Aurora, Colorado, acting by and through its Utility Enterprise ("Aurora") Joint Weather Monitoring and other NPDES permit activities. STAFF SOURCE: Jill Piatt-Kemper, Aurora Water

#### 11. ORDINANCES FOR INTRODUCTION

- ◆ a. Consideration of an ORDINANCE FOR INTRODUCTION of the City Council of the City of Aurora, Colorado amending section 102-238 of the city code of the City of Aurora, Colorado, relating to the composition of the police "Old Hire" pension board and adjusting the designation of a quorum – STAFF SOURCE: John Gross, Finance Director
- ◆ b. Consideration of an ORDINANCE FOR INTRODUCTION of the City Council of the City of Aurora, Colorado, Amending Section 50-170 (B) of the City Code of the City of Aurora, Colorado Relating to Public Defender Applications. STAFF SOURCE: Reyna Lopez, Public Defenders

#### 12. PLANNING MATTERS

- a. PUBLIC HEARING to consider an APPEAL of the Planning Commission's decision to deny a Conditional Use for a drive-through restaurant in the CCZD Fringe and the denial of a Site Plan Amendment with waiver for parking, generally located at the SW Corner of Alameda Avenue and Sable Boulevard (14400 E Alameda Ave) (Chick-Fil-A at City Center) ( Case Numbers 2008-6046-00, 2008-6004-02) **Denied at the March 25, 2009 Planning Commission Meeting ( Dodds, Hill, B Jones and Singer voting no)** STAFF SOURCE: Kim Kreimeyer, Planning

#### 13. RECONSIDERATIONS AND CALL-UPS

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14. **GENERAL BUSINESS**

- a. Consideration to reappoint one member to the Aurora Commission for Seniors. STAFF SOURCE: Janice Napper, Assistant City Manager
- b. Consideration to reappoint one member to the Citizens' Water Advisory Committee. 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**

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