

**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 18, 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. – 5:30 p.m.

**AURORA URBAN RENEWAL AUTHORITY EXECUTIVE SESSION**

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

**STUDY SESSION**  
*(Open to the Public)*  
1st Floor Aurora Room  
6:15 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, May 18, 2009  
4:45 p.m.**

- 1. Negotiations concerning Police - Wolfe/Shuman 45 min.
- 2. Negotiations regarding contract matter - Mayor Tauer 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**

**Aurora Urban Renewal Authority Executive Session  
(5<sup>th</sup> Floor Mt. Elbert Room - Closed to the Public)  
Monday, May 18, 2009  
5:30 p.m.**

1. Negotiations concerning Metro Center – Amonick 45 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).*
- 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, May 18, 2009  
6:15 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 Beer

### **2. CONSENT CALENDAR**

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

- a. Consideration to reappoint one member to a three-year term on the Local Licensing Authority. – Napper
- b. IGA with CDOT for 9 Mile Station Pedestrian Bridge. – Chambers
- c. IGA with CDOT for Mississippi Avenue improvements, Potomac to I-225. – Wegener
- d. Parker Road Corridor Study Funding IGA. – McCormick

### **3. ITEMS FROM THE POLICY COMMITTEES**

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

- a. **Amendment to ACLC Swaps.** – Management and Finance Policy Committee
- b. **Investment Policy Change.** – Management and Finance Policy Committee – ***(Both of these items also appear on the May 18, 2009 Regular agenda)*** – Gross (10/10)

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

### **MISCELLANEOUS ITEMS**

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

## **REVISED AGENDA**

### **Regular Meeting of the Aurora City Council City Council Chambers Monday, May 18, 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 18, 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 MAY 4, 2009**
6. **CEREMONY**
  - a. Proclamation declaring the month of May Mental Health Month - Mayor Edward J. Tauer
  - b. Proclamation declaring May 17 - 23, 2009 as Emergency Management Services Week – Mayor Edward J. Tauer
7. **PUBLIC INVITED TO BE HEARD (non-agenda related issues only)**
8. **ADOPTION OF THE AGENDA**
9. **CONSENT CALENDAR - 9a-c**

#### **General Business**

- a. Consideration to AWARD A COMPETITIVELY BID CONTRACT to Ironwood Earthcare, Inc., Aurora, Colorado in the not to exceed amount of \$51,300.00 for the Tree Pruning, Removal & Recycling Services through Tree Abatement program, Project #5178A. STAFF SOURCE: John Wesolowski, Urban Forestry Manager, Parks & Open Space
- b. Consideration to AWARD AN OPENLY SOLICITED CONTRACT to Portable Computer Systems, Denver, Colorado in the not to exceed amount of \$315,000.00 for the purchase and installation of replacement mobile data computers for the Police and Fire Departments through December 2009. (RFP #R-1408). STAFF SOURCE: Dave Lawless, Public Safety Systems Manager, Information Technology
- c. Consideration to AWARD A COMPETITIVELY BID CONTRACT to Gray Oil, Fort Lupton, Colorado in the not to exceed amount of \$2,400,000.00 to cover the cost of motor vehicle fuel as required citywide in 2010. STAFF SOURCE: Mark Hinterreiter, Fleet Services Manager, Public Works

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- ◆ *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.*

- d. **Consideration to REMOVE one member from the Board of Adjustments and Appeals. STAFF SOURCE: Debra Johnson, City Clerk**

10. **RESOLUTIONS**

- ◆ a. 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 Colorado Department of Transportation for the Phase 1 construction of the I-225/Colfax/17th Place Split Diamond Interchange. STAFF SOURCE: Dave Chambers, Public Works Director
- ◆ b. Consideration to APPROVE A RESOLUTION of the City Council of the City of Aurora, Colorado, authorizing an exception to the City Investment Policy. **Staff requests a Waiver of Reconsideration.** STAFF SOURCE: Ted Frost, Finance Treasury Administrator, Finance
- ◆ c. Consideration to APPROVE A RESOLUTION of the City Council of the City of Aurora, Colorado, authorizing the taking of action and the execution and delivery of documents in connection with the Certificates of Participation, Series 2008A, issued in connection with the lease purchase agreement dated as of June 1, 1994, as amended, between the City and Aurora Capital Leasing Corporation. **Staff requests a Waiver of Reconsideration. (This item also appears on the May 18, 2009 Study Session agenda)** STAFF SOURCE: John Gross, Finance Director
- ◆ d. Consideration to APPROVE A RESOLUTION of the City Council of the City of Aurora, Colorado, adopting a Revised Investment Policy. **Staff requests a Waiver of Reconsideration. (This item also appears on the May 18, 2009 Study Session agenda)** STAFF SOURCE: John Gross, Finance Director
- ◆ e. Consideration to APPROVE A RESOLUTION of the City Council of the City of Aurora, Colorado, terminating the Urban Renewal Plan for the City Center Urban Renewal Area. STAFF SOURCE: Moira Dungan, Development Services

11. **PUBLIC HEARING WITHOUT RELATED ORDINANCE**

- ◆ a. PUBLIC HEARING and consideration to APPROVE A RESOLUTION of the City Council of the City of Aurora, Colorado, adopting an Urban Renewal Plan for the Redevelopment of the City Center II Urban Renewal Area. STAFF SOURCE: Moira Dungan, Development Services

12. **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 Sections 2-351,142-33,142-40, and 142-81 of the City code of the City of Aurora, Colorado, regarding trees and shrubs. STAFF SOURCE: John Wesolowski, Urban Forestry Manager, Parks & Open Space

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- ◆ **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.**

- ◆ c. Consideration of an ORDINANCE FOR INTRODUCTION of the City Council of the City of Aurora, Colorado, amending Subsections 50-34(c), 50-252(5) and 50- 255(a)(l) of the City Code of the City of Aurora, Colorado relating to court fees. STAFF SOURCE: Zelda DeBoyes, Court Administrator
- ◆ d. Consideration of an ORDINANCE FOR INTRODUCTION of the City Council of the City of Aurora, Colorado authorizing the acquisition by eminent domain of fee and easement interests in real property situated in the County of Adams, State of Colorado, for the purpose of constructing the I-225/Colfax/17th Place Interchange. STAFF SOURCE: Joani Cravens, Real Property Services Manager, Public Works

13. **RECONSIDERATIONS AND CALL-UPS**

14. **GENERAL BUSINESS**

- a. Consideration to appoint one member to a three-year term on the Human Relations Commission. STAFF SOURCE: Janice Napper, Assistant City Manager
- b. Consideration to appoint five members to a three-year term on the Library Board. STAFF SOURCE: Janice Napper, Assistant City Manager
- c. Consideration to reappoint two members to a three-year term on the Open Space Board. 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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