

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, JUNE 22, 2009

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: Steve Wasiecko, Acting 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. – 4:45 p.m.

AURORA URBAN RENEWAL AUTHORITY EXECUTIVE SESSION
(Closed to the Public)
5th Floor Mt. Elbert Room
4:45 p.m. – 5:20 p.m.

STUDY SESSION
(Open to the Public)
1st Floor Aurora Room
5:20 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

REGULAR MEETING OF THE AURORA URBAN RENEWAL AUTHORITY
(Open to the Public)
Council Chambers
Immediately after Aurora City Council Meeting

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.

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AGENDA

**City Council Executive Session
(5th Floor Mt. Elbert Room - Closed to the Public)
Monday, June 22, 2009
4:00 p.m.**

- 1. Negotiations concerning water acquisition – M. Pifher 20 min.
- 2. Negotiations concerning economic incentive proposal – Mayor Tauer 20 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

**Aurora Urban Renewal Authority Executive Session
(5th Floor Mt. Elbert Room - Closed to the Public)
Monday, June 22, 2009
4:45 p.m.**

1. Development Negotiations – Fitzsimons Urban Renewal Area – A. Amonick 20 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 Chairman of the Aurora Urban Renewal Authority, 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, June 22, 2009
5:20 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. Denver Regional Council of Governments (**DRCOG**) - Council Member Beer
- d. Consideration of a **motion to amend City Council rules** – C. Richardson, City Attorney
- e. Consideration of an Ordinance submitting to a vote of the registered electors of the City of Aurora, Colorado, at the Regular Municipal Election of November 3, 2009, an Amendment to Section 3-6 of the City Charter Increasing the **Base Salary of the Mayor** – C. Richardson, City Attorney
- f. Consideration of an Ordinance submitting to a Vote of the registered electors of the City of Aurora, Colorado, at the Regular Municipal Election of November 3, 2009, an Amendment to Section 3-5(b) of the City Charter concerning **Terms of City Council Members** – C. Richardson, City Attorney

2. CONSENT CALENDAR

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

- a. Reappoint 1 member to the Golf Course Advisory Committee – J. Napper
- b. Appoint 1 member to the Historic Preservation Commission – J. Napper
- c. Appoint 1 member to the Local Licensing Authority – J. Napper
- d. Appoint 1 member to the Veterans' Affairs Commission – J. Napper
- e. Appoint 1 member to the Citizens' Water Advisory Committee – J. Napper
- f. Park Property Naming – Operations and Environmental Affairs Committee – T. Barrett
- g. Termination of Interest Rate Swaps – Management and Finance Policy Committee – M. Shannon
- h. Refunding of Series 2008A COPs – Management and Finance Policy Committee – M. Shannon
- i. Refunding of Series 2002 COPs – Management and Finance Policy Committee – M. Shannon
- j. Ambulance Service District Zoning Code Changes – Planning, Economic Development and Redevelopment Policy Committee – M. Smyth
- k. Northeast Greenway Corridor – Operations and Environmental Affairs Committee – P. Schuler

(No Formal Action required at Regular Meeting Item 2l)

- l. Cherry Creek Fence Financing – Management and Finance Policy Committee – M. Shannon

3. ITEMS FROM THE POLICY COMMITTEES

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

- a. **Projects for Possible Property Tax Extension** Ballot Question – Management and Finance Policy Committee – J. Batchelor (5/30)
- b. **Consideration to Approve Art in Public Places Master Plan 2009 to 2013** – Community Partnership Policy Committee – D. Miller (5/5)
- c. **Fronting single family homes** on collector streets – Planning, Economic Development and Redevelopment Policy Committee – M. Parnes (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, June 22, 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 JUNE 22, 2009 AND CALL TO ORDER**
2. **ROLL CALL** Steve Wasiecko, Acting City Clerk
3. **MOMENT OF SILENCE**
POST THE COLORS - Civil Air Patrol Cadets of Mile High Squadron and Valkyrie Cadet Squadron
4. **PLEDGE OF ALLEGIANCE TO THE FLAG** (all standing)
5. **APPROVAL OF THE MINUTES OF THE MEETING OF April 06, 2009**
6. **CEREMONY**
7. **PUBLIC INVITED TO BE HEARD (non-agenda related issues only)**
8. **ADOPTION OF THE AGENDA**
9. **CONSENT CALENDAR - 9a-f**
General Business
 - a. Consideration to AWARD A SINGLE SOURCE CONTRACT to Johnson Controls, Inc., Littleton, Colorado, in the amount of \$97,328.00 to provide additional card reader security access controls on various doors and provide additional duress buttons at selected locations in the Aurora Municipal Center. STAFF SOURCE: Russ Grant, Manager of Facilities Management
 - b. Consideration to EXTEND AN OPENLY SOLICITED CONTRACT to Bart's Interiors, Incorporated, Aurora, Colorado, in the amount not to exceed \$85,000.00 for floor covering services on an as needed basis through June 30, 2010. STAFF SOURCE: Russ Grant, Manager of Facilities Management
 - c. Consideration to EXTEND AN OPENLY SOLICITED CONTRACT with Coating Management Services, Fort Collins, Colorado, in the not to exceed amount of \$95,000.00 for fire hydrant cleaning and painting services. R-1317. STAFF SOURCE: Dan Mikesell, Manager of Water Operations, Aurora Water
 - d. Consideration to AWARD A COMPETITIVELY BID CONTRACT to K.R. Swerdfeger Construction, Inc., Pueblo West, Colorado, in the amount of \$824,338.00 for construction of the Westerly Creek Sanitary Sewer Realignment Project, Project Number 5162A. STAFF SOURCE: Larry Catalano, Manager Capital Projects, Aurora Water

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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.*

- e. Consideration to AWARD A COMPETITIVELY BID CONTRACT to Edge Contracting, Inc., Golden, Colorado, in the amount of \$591,649.00 for construction of the Side Creek Erosion Abatement Project, Project Number 5177A. STAFF SOURCE: Larry Catalano, Manager Capital Projects, Aurora Water
- f. Consideration to AWARD A SOLE SOURCE CONTRACT to Sungard Public Sector Inc., Chico, California, in the amount of \$51,525.40 for annual support of IFAS software through June 30, 2010. STAFF SOURCE: Russ Pulling, Manager Software Applications, Information Technology

10. **RESOLUTIONS**

- ◆ a. Consideration to APPROVE RESOLUTION of the City Council of the City of Aurora, Colorado, approving an amendment to the Tax Increment Financing provision of the City Center II Urban Renewal Plan. STAFF SOURCE: Moira Dungan, Development Services
- ◆ b. Consideration to APPROVE A RESOLUTION by the City Council of the City of Aurora, Colorado, declaring the City's intent to continue to provide Fire Protection and Emergency Services to the property and persons of "Tyndall Green" should an order issue excluding the property from the Cunningham Fire Protection District. STAFF SOURCE: David Lathers, Assistant City Attorney
- ◆ c. Consideration to APPROVE A RESOLUTION of the City Council of the City of Aurora, Colorado, authorizing the execution of the First Amendment to the Intergovernmental Agreement between the City and Aurora High Point at DIA Metropolitan District (f/k/a Colorado International Center Metropolitan District No. 2). STAFF SOURCE: Scott VanGenderen, Development Project Manager, Office of Development Assistance
- ◆ d. Consideration to APPROVE A RESOLUTION of the City Council of the City of Aurora, Colorado, setting the date of a public hearing concerning the organization of Pier Point General Improvement District no. 2-2009 and ordering publication and mailing of the notice of hearing to Electors of the proposed District. STAFF SOURCE: Joe Wingert, Manager, Aurora Water Engineering, Aurora Water
- ◆ e. Consideration to APPROVE A RESOLUTION of the City Council of the City of Aurora, Colorado, setting the date of a public hearing concerning the organization of General Improvement District no. 3-2009 (Carriage Place) and ordering publication and mailing of the notice of hearing to electors of the proposed district. STAFF SOURCE: Margee Cannon, Neighborhood Services
- ◆ f. Consideration to APPROVE A RESOLUTION of the City Council of the City of Aurora, Colorado, authorizing the Director of Finance to cause the Termination of Interest Rate Hedge Facilities, or Swaps, and take related action in connection with the Certificates of Participation, series 2008A, in the lease purchase agreement dated as of June 1, 1994, as amended, between the City and Aurora Capital Leasing Corporation; and declaring the City's intention to reimburse itself from proceeds of additional Certificates of Participation for the costs of such termination. STAFF SOURCE: Mike Shannon, Debt and Financing Administrator, Finance

11. **ORDINANCES FOR INTRODUCTION**

- ◆ a. Consideration of an ORDINANCE FOR INTRODUCTION of the City Council of the City of Aurora, Colorado, amending provisions of Article 14 of Chapter 146 of the Aurora

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Municipal Code which article pertains to landscaping. STAFF SOURCE: Don Fecko, Planning

- ◆ b. Consideration of an ORDINANCE FOR INTRODUCTION of the City Council of the City of Aurora, Colorado, amending Section 138-439 of the City Code of the City of Aurora, Colorado, regarding prohibited Stormwater discharges. STAFF SOURCE: Joe Stibrich, Deputy Director, Water Resources, Aurora Water
- ◆ c. Consideration for an ORDINANCE FOR INTRODUCTION of the City Council of the City of Aurora, Colorado, concerning the Public Safety Lease Purchase Agreement dated as of May 1, 2002, as amended, between the City of Aurora, Colorado, as lessee, and Aurora Capital Leasing Corporation, as lessor; authorizing the execution of an amendment to the Lease Purchase Agreement; approving not to exceed \$8,000,000 principal amount of refunding certificates of participation, series 2009B in connection therewith; authorizing officials of the City to take all action necessary to carry out the transactions contemplated hereby; and related matters. STAFF SOURCE: Mike Shannon, Debt and Financing Administrator, Finance
- ◆ d. Consideration for an ORDINANCE FOR INTRODUCTION of the City Council of the City of Aurora, Colorado, concerning the Lease Purchase Agreement dated as of June 1, 1994, as amended, between the City of Aurora, Colorado, as lessee, and Aurora Capital Leasing Corporation, as lessor; authorizing the execution of an amendment to the Lease Purchase Agreement; approving not to exceed \$180,000,000 principal amount of refunding certificates of participation in connection therewith; authorizing officials of the City to take all action necessary to carry out the transactions contemplated hereby; and related matters. STAFF SOURCE: Mike Shannon, Debt and Financing Administrator, Finance

12. **RECONSIDERATIONS AND CALL-UPS**

13. **GENERAL BUSINESS**

- a. Consideration to reappoint one member to a three-year term on the Parks & Recreation Advisory Board. STAFF SOURCE: Janice Napper, Assistant City Manager
- b. Consideration to reappoint one member to a three-year term on the Public Defender Commission. STAFF SOURCE: Janice Napper, Assistant City Manager
- c. Consideration to appoint one member to a three-year term on the Aurora Commission for Seniors. STAFF SOURCE: Janice Napper, Assistant City Manager
- d. Consideration to appoint one member to a three-year term on the Library Board. STAFF SOURCE: Janice Napper, Assistant City Manager

14. **REPORTS**

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

15. **PUBLIC INVITED TO BE HEARD**

16. **ADJOURNMENT**

6/19/2009

- ◆ *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.*

AGENDA

**MEETING OF THE AURORA URBAN RENEWAL AUTHORITY
Council Chambers
Monday, June 22, 2009
*Immediately after Aurora City Council Meeting***

1. **CALL TO ORDER**: Chairman Edward J. Tauer
2. **ROLL CALL**: Steve Wasiecko, Acting City Clerk
3. **APPROVAL OF THE MINUTES OF THE MEETING OF April 06, 2008**
4. **BILLS AND COMMUNICATIONS**
 - a. A Resolution of the Board of Commissioners of the Aurora Urban Renewal Authority stating its intent with respect to the use of Tax Increment Revenues for future Urban Renewal Projects undertaken pursuant to the City Center II Urban Renewal Plan. STAFF SOURCE: Andrea Amonick, Interim Director of Development Services
 - b. A Resolution of the Board of Commissioners of the Aurora Urban Renewal Authority authorizing the Execution of the Public Finance and Redevelopment Agreement between the Authority, Citypoint Aurora LLC, and the Avenues Metropolitan District No1. STAFF SOURCE: Andrea Amonick, Interim Director of Development Services
5. **ADJOURNMENT**

6/19/2009

- ◆ *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.*