

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, AUGUST 17, 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: 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
4:00 p.m. – 5:45 p.m.

STUDY SESSION
(Open to the Public)
1st Floor Aurora Room
5:45 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

REGULAR MEETING OF THE BOARD OF DIRECTORS
OF GENERAL IMPROVEMENT DISTRICT 1-2007 (CHERRY CREEK RACQUET CLUB)

(Open to the Public)

To be held concurrently with the Regular Meeting of the Aurora City Council for the purpose of considering Item 12b

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, August 17, 2009
4:00 p.m.**

- | | | | |
|----|---|--------------------|---------|
| 1. | Negotiations concerning Property Acquisitions | Dave Chambers | 30 min. |
| 2. | Negotiations concerning Property Acquisitions | Nicholas/Sheffield | 40 min. |
| 3. | Legal Advice | Charlie Richardson | 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, August 17, 2009
5:45 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

2. CONSENT CALENDAR

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

- a. Appoint 3 members to the Aurora Fox Arts Center Board – J. Napper
- b. Appoint 1 member to the Judicial Performance Commission – J. Napper
- c. Appoint 2 members and Reappoint 1 member to the Arts in Public Places Commission – J. Napper
- d. Reappoint 1 member to the Historic Preservation Commission – J. Napper
- e. An Ordinance Amending Chapter 14 - Relating to Animals – Neighborhood Services Policy Committee – N. Sheffield
- f. Tallyn's Reach Medians IGA COA and TR Metro District-Main & Irrigation – Operations and Environmental Affairs Committee – T. Young

3. ITEMS FROM THE POLICY COMMITTEES

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

- a. Renewal of **IGA between APD and UCD Police Department** – Public Safety and Courts Policy Committee – K. Murphy (10/10)
- b. **GERP Actuarial Equivalent Definition Clarification** – Management and Finance Policy Committee – S. Evans (5/5)

4. ITEMS FROM THE MANAGER

(No Formal Action required at Regular Meeting Item 4a-b)

- a. **Impound Vehicle Initiative** – D. Johnson (5/10)
- b. **Smart Grid Demonstration** Grant Opportunity – K. Hancock (5/10)

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, August 17, 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 AUGUST 17, 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 JULY 27, 2009**

6. **CEREMONY**

- a. Swearing in of newly appointed Boards and Commission members – Presiding Judge Richard Weinberg

Name

Board or Commission

Ronda Bollwahn

Aurora Commission for Seniors

Steve Anderson

Local Licensing Authority

Kathy Groth

Library Board

Carol Anne Tarrant

Library Board

James Rogers

Open Space Board

Kelly Schilling

Parks and Recreation Advisory Board

Jack Messervey

Veterans' Affairs Commission

- b. Ceremony recognizing Kayla Radomski “**So You Think You Can Dance**” – Council Member Bob FitzGerald

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

8. **ADOPTION OF THE AGENDA**

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

General Business

- a. Consideration to AWARD A COMPETITIVELY BID CONTRACT to East Jordan Iron Works Inc., Commerce City, Colorado in the amount not to exceed \$79,791.45 to cover the cost of cast iron manhole covers and rings as required for the Aurora Water Wastewater and Stormwater divisions through March 31, 2010. (B3879). STAFF SOURCE: Dan Mikesell, Manager Water Operations, Aurora Water

8/14/2009

- ◆ *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

- ◆ b. Consideration of an ORDINANCE FOR FINAL of the City Council of the City of Aurora, Colorado, amending Article II of Chapter 126 of the City Code of the City of Aurora, Colorado, relating to Collector Streets in designated urban centers. STAFF SOURCE: Mindy Parnes, Planning Supervisor, Planning
- ◆ c. Consideration of an ORDINANCE FOR FINAL of the City Council of the City of Aurora, Colorado, amending portions of Articles 5, 6, 7,9,10 and 20 of Chapter 146 of the City Code of the City of Aurora, Colorado, relating to locating Ambulance Service Facilities. STAFF SOURCE: Michael Smyth, Planning Supervisor, Planning
- ◆ d. Consideration of an ORDINANCE FOR FINAL of the City Council of the City of Aurora, Colorado, amending Article 8 of Chapter 146 of the City Code of the City of Aurora, Colorado, by enacting Sections 146-886 through 146-892 relating to the Havana Street Overlay District. STAFF SOURCE: Michael Smyth, Planning Supervisor, Planning
- ◆ e. Consideration of an ORDINANCE FOR FINAL of the City Council of the City of Aurora, Colorado, amending and repealing various Articles and Sections in Chapter two of the City Code relating to City Departments and Divisions. STAFF SOURCE: Ronald Miller, City Manager

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 State of Colorado for the use and benefit of the Colorado Department of Transportation regarding Highway Maintenance on portions of Colfax Avenue, 6th Avenue and Havana Street. STAFF SOURCE: Chris Carnahan, Operations Manager, Public Works
- ◆ b. Consideration to APPROVE A RESOLUTION of the City Council of the City of Aurora, Colorado, approving an Intergovernmental Agreement with the State of Colorado Department of Transportation for Operation and Maintenance of Traffic Control Devices. STAFF SOURCE: Dave Chambers, Director, Public Works

11. ORDINANCES FOR INTRODUCTION

- ◆ a. Consideration of an ORDINANCE FOR INTRODUCTION of the City Council of the City of Aurora, Colorado, amending Section 146-707 of the City Code of the City of Aurora, Colorado, relating to Waiver of City Center Development Requirements. STAFF SOURCE: Charlie Richardson, City Attorney

12. ORDINANCES FOR FINAL

- ◆ a. Consideration of an ORDINANCE FOR FINAL of the City Council of the City of Aurora, Colorado, 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. **Ordinance 2009-30, Introduced 6-2 (Wallace, Peterson voting no) at the July 13, 2009 City Council meeting. Failed 5-2 (Frasier, Peterson voting no) at the July 27, 2009 City Council meeting. Reconsidered (8-0) at the July 27, 2009 City Council meeting.** STAFF SOURCE: Charlie Richardson, City Attorney

8/14/2009

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For purposes of considering the following item, the City Council will be acting ex officio as the Board of Directors of General Improvement District 1-2007.

- ◆ b. Consideration of an ORDINANCE FOR FINAL of the City Council of the City of Aurora, Colorado, providing for the issuance of General Improvement District 1-2007 general obligation limited tax bonds, Series 2009, in an aggregate principal amount not exceeding \$706,000 to finance the cost of masonry fence improvements; Authorizing the execution and delivery by the district of the Series 2009 bonds and related documents; and making determinations as to other matters related to the Series 2009 bonds. (Cherry Creek Fence) ***Ordinance 2009-34, Introduced 8-1 (Peterson voting no) at the July 13, 2009 City Council meeting.*** STAFF SOURCE: Michael Shannon, Debt and Financing Administrator, Finance

- ◆ c. Consideration of an ORDINANCE FOR FINAL of the City Council of the City of Aurora, Colorado, submitting to a vote of the registered electors of proposed General Improvement District No. 3-2009 (Carriage Place) at the regular municipal election of November 3, 2009, a question authorizing the organization of the district, the issuance of district bonds to construct and install a masonry fence, and the levy of property taxes to fund debt service on such bonds and the maintenance of such fence. ***Ordinance 2009-37, Introduced 8-1 (Peterson voting no) at the July 13, 2009 City Council meeting. Deferred from the July 27, 2009 City Council meeting.*** STAFF SOURCE: Margee Cannon, Neighborhood Liaison Coordinator, Neighborhood Services

13. **PLANNING MATTERS**

- a. PUBLIC HEARING to consider an APPEAL of the Planning Commission's decision to deny a Site Plan Amendment for a 7,765-square-foot addition to the Texaco Express Lube building at 3420 S. Tower Road. (Seven Hills Veterinary Clinic at Seven Hills Plaza). (Case Number 1983- 6087-32) ***Denied at the May 13, 2009 Planning Commission Meeting (Dodds, Singer, Wiggins and Witt voting no and Jones absent). Deferred from the July 27, 2009 City Council meeting.*** STAFF SOURCE: Michael Smyth, Planning Supervisor, Planning

14. **RECONSIDERATIONS AND CALL-UPS**

15. **GENERAL BUSINESS**

16. **REPORTS**

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

17. **PUBLIC INVITED TO BE HEARD**

18. **ADJOURNMENT**

8/14/2009

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