

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, OCTOBER 26, 2009

STUDY SESSION
(Open to the Public)
1st Floor Aurora Room
4:45 p.m. – 7:00 p.m.

REGULAR MEETING OF THE AURORA URBAN RENEWAL AUTHORITY
(Open to the Public)
Council Chambers
7:00 p.m. – 7:15p.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

AGENDA

**City Council Study Session
(1st Floor Aurora Room)
Monday, October 26, 2009
4:45 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
- d. Consideration of a Change to the **Mayoral Pension** – Management and Finance Policy Committee – Council Member Hogan
- e. **Elect a Mayor Pro Tem** to a One Year Term – Assistant City Manager, Janice Napper
- f. Issues regarding **AMC Security** – Council Member S. Hogan

2. CONSENT CALENDAR

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

- a. Appoint 1 member to the Public Defender Commission – J. Napper
- b. Southlands Exclusion from ECCV Water and Sanitation District – S. VanGenderen
- c. RTD Eagle Project Utility Relocation Agreement – J. Wingert

3. ITEMS FROM THE POLICY COMMITTEES

(No Formal Action required at Regular Meeting Item 3a)

- a. **2010 Nexus Funding** Recommendations – Public Safety and Courts Policy Committee – M. Avgerinos (10/10)

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

- b. IGA between the City and County of Denver and the City of Aurora for the **Urban Area Security Initiative (UASI)** – Public Safety and Courts Policy Committee – D. Criswell (5/5)
- c. **Exemption of sales** made for the benefit of a school – Management and Finance Policy Committee – R. Peterson (5/5)
- d. Consolidated **Water Exchange** Agreement – Water Policy Committee – J. Stibrich (5/5)

4. ITEMS FROM THE MANAGER

(Formal Action required at Regular Meeting Item 4a)

- a. Fall Funding Recommendations from the VPAB in Excess of \$25,000 – J. Greer (5/10)

CALL-UPS OF COUNCIL POLICY COMMITTEE ITEMS

MISCELLANEOUS ITEMS

ITEMS REMOVED FROM THE AGENDA, IF ANY

AGENDA

MEETING OF THE AURORA URBAN RENEWAL AUTHORITY
Aurora Room
Monday, October 26, 2009
7:00 p.m.

1. **CALL TO ORDER:** Chairman Edward J. Tauer
2. **ROLL CALL:** Debra Johnson, City Clerk
3. **APPROVAL OF THE MINUTES OF THE MEETING OF AUGUST 31, 2009**
4. **BILLS AND COMMUNICATIONS**
 - a. Consideration to APPROVE A RESOLUTION of the Board of Commissioners of the Aurora Urban Renewal Authority authorizing the execution of a Loan Agreement between the Authority and Lighthouse Properties, LLC. STAFF SOURCE: Andrea Amonick, Development Services Manager
5. **ADJOURNMENT**

AGENDA

**Regular Meeting of the Aurora City Council
City Council Chambers
Monday, October 26, 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 OCTOBER 26, 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 OCTOBER 12, 2009**
6. **CEREMONY**
 - a. Proclamation declaring the month of November 2009 as Veterans' Recognition Month – Mayor Edward J. Tauer
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 SOLE SOURCE CONTRACT to Foster & Freeman USA Inc., Sterling, Virginia in the amount of \$87,597.17 to purchase a Video Spectral Comparator instrument for the Aurora Police Department. STAFF SOURCE: Lt. Timothy Dufour, Crime Lab Director, Police
 - b. Consideration to AWARD A COMPETITIVELY BID CONTRACT to Concrete Works of Colorado, Lafayette, Colorado in the amount of \$1,250,230.70 for the construction of I-225/Colfax Interchange Phase 1, Project Number 09060. **Staff requests a Waiver of Reconsideration.** STAFF SOURCE: Kevin Wegener, City Engineer, Public Works

Final Ordinances

 - ◆ c. Consideration of an ORDINANCE FOR FINAL of the City Council of the City of Aurora, Colorado, adopting an Operating and Capital Improvements Projects budget for the fiscal year beginning January 1, 2010, and ending December 31, 2010. STAFF SOURCE: Jason Batchelor, Budget Officer, Finance
 - ◆ d. Consideration of an ORDINANCE FOR FINAL of the City Council of the City of Aurora, Colorado, establishing the tax levy on all taxable property within the corporate limits of the City of Aurora, Colorado, for the tax collection year beginning January 1, 2010, and ending December 31, 2010. STAFF SOURCE: Jason Batchelor, Budget Officer, Finance

10/22/2009

- ◆ ***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.***

- ◆ e. Consideration of an ORDINANCE FOR FINAL of the City Council of the City of Aurora, Colorado, appropriating sums of money to defray Expenses and Liabilities for the fiscal year beginning January 1, 2010 and ending December 31, 2010. STAFF SOURCE: Jason Batchelor, Budget Officer, Finance

10. **RESOLUTIONS**

- ◆ a. Consideration to APPROVE A RESOLUTION of the City Council of the City of Aurora, Colorado, recognizing the Centennial of the Founding of the NAACP, and Honoring its work for Civil Rights of all Persons. STAFF SOURCE: Bob Rogers, Deputy City Attorney
- ◆ b. Consideration to APPROVE A RESOLUTION of the City Council of the City of Aurora, Colorado, expressing support for the Aurora Healthy Baby Initiative. STAFF SOURCE: Bob Rogers, Deputy City Attorney
- ◆ c. Consideration to APPROVE A RESOLUTION of the City Council of the City of Aurora, Colorado, agreeing to act as a reviewing entity for the State House Income Tax Credit Program for qualifying rehabilitation projects under Colorado House Bill 90-1033 (C.R.S. § 39-22-514, as amended). STAFF SOURCE: Jeanne Ramsay, Program Specialist II, Library, Rec. & Cultural Services
- ◆ d. Consideration to APPROVE A RESOLUTION of the City Council of the City of Aurora, Colorado, approving an Amendment, Assignment and Assumption of Obligations under the Intergovernmental Agreement for Supplemental Irrigation and Golf Course Water Supply for East Plains Metropolitan District and Blackstone Country Club. STAFF SOURCE: Joe Wingert, Manager of Aurora Water Engineering, Water

11. **ORDINANCES FOR INTRODUCTION**

- ◆ a. Consideration of an ORDINANCE FOR INTRODUCTION of the City Council of the City of Aurora, Colorado, amending the Comprehensive Plan by appending the "Fitzsimons-Colfax and 13th Avenue Station Area Plan" to the Comprehensive Plan. STAFF SOURCE: Loretta Daniel, Principal Planner, Planning
- ◆ b. Consideration of an ORDINANCE FOR INTRODUCTION of the City Council of the City of Aurora, Colorado, amending the Comprehensive Plan by appending the "Peoria-Smith Station Area Plan" to the Comprehensive Plan. STAFF SOURCE: Loretta Daniel, Principal Planner, Planning

12. **PLANNING MATTERS**

- a. PUBLIC HEARING to consider an APPEAL of the Planning Commission's decision to approve a Site Plan for a 2,644-square-foot, fast food restaurant with drive-through, which is generally located at the southeast corner of S Havana St and S Parker Rd. (Burger King at 2560 S Havana St). (Case Number 2009-6009-00). **Approved (Dodds, Jones, and Witt voting no) at the August 26, 2009 Planning Commission meeting. Called-up by City Council at the August 31, 2009 Council Meeting. Deferred 6-4 (Beer, Broom, FitzGerald, Markert voting no) at the October 12, 2009 Council meeting.** STAFF SOURCE: Elizabeth "Libby" Tart - Senior Planner I, Planning

13. **RECONSIDERATIONS AND CALL-UPS**

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14. **GENERAL BUSINESS**

- a. Consideration to reappoint one member to a six-year term on the Career Service Commission. STAFF SOURCE: Janice Napper, Assistant City Manager
- b. Consideration to appoint one member to a three-year term on the Local Licensing Authority. 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**

10/22/2009

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