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 24, 2016

REGULAR MEETING OF THE AURORA CITY COUNCIL
(Open to the Public)
5th Floor Mt. Elbert Room
4:30 p.m.

CALL TO ORDER: Mayor Stephen D. Hogan

ROLL CALL: Janice Napper, Assistant City Manager/City Clerk

ANNOUNCEMENT OF PROPOSED EXECUTIVE SESSION TOPICS: Janice Napper, Assistant City Manager/City Clerk for Mayor Stephen D. Hogan

(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
4:30 p.m. – 5:15 p.m.

STUDY SESSION
(Open to the Public)
1st Floor Aurora Room
5:15 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.

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 Executive Session
(5th Flosed to the Public)
Monday, October 24, 2016
4:30 p.m.

1. Negotiations concerning Economic Development Incentive – Noe  15 min.
2. Legal Advice concerning resolution of potential litigation – M. Hyman  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.

__________________________________________________________
Stephen D. Hogan, Mayor

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, October 24, 2016
5:15 p.m.

1. **ITEMS FROM THE MAYOR**
   a. **Issue Update**
   b. Council Appointee Evaluation and Compensation Committee – Judicial Compensation – Mayor Hogan

2. **ITEMS FROM THE POLICY COMMITTEES**
   (The following item requires No formal action)
   a. Federal Update – Federal, State and Intergovernmental Relations Policy Committee – R. Venegas (10/10)
   (The following items require formal action)
   c. Liquor Licensing Hearing Officer Proposal – Management and Finance Policy Committee – T. Vaughn (10/20)
   (The following item requires No formal action)
   d. Animal Services Overview – Housing, Neighborhood Services, and Redevelopment Policy Committee – J. Shipman (5/5)

3. **ITEMS FROM THE CITY COUNCIL**
   a. Colorado Municipal League (CML) / National League of Cities (NLC)
   b. Legislative Update – Council Member Lawson
   c. Denver Regional Council of Governments (DRCOG) – Council Member Roth
   d. Fitzsimons Redevelopment Authority (FRA) Update – Council Member Mounier
   e. E-470 Update – Mayor Hogan
   f. Aurora Economic Development Council (AEDC) Update – Council Member Berzins
   g. Accelerate Colorado – Council Member Mounier
   h. Aurora Rail line Update / Parking Update – Council Member Berzins
   i. Visit Aurora – Council Member Pierce
   j. Sister Cities – Council Member Berzins

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

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

POLICY COMMITTEE MINUTES
AGENDA

Regular Meeting of the Aurora City Council
City Council Chambers
Monday, October 24, 2016
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 24, 2016 AND CALL TO ORDER

2. ROLL CALL
   Janice Napper, Assistant City Manager/City Clerk

3. INVOCATION
   Renie Peterson, Aurora City Council

4. PLEDGE OF ALLEGIANCE TO THE FLAG (all standing)

5. APPROVAL OF THE MINUTES OF THE MEETING OF OCTOBER 10, 2016

6. CEREMONY

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

8. ADOPTION OF THE AGENDA

9. CONSENT CALENDAR - 9a-h

General Business

a. Consideration to AWARD A SOLE SOURCE CONTRACT to West Safety Solutions Corp, Longmont, Colorado in the amount of $104,295.00 to implement the ACD and PowerOps capabilities for the City’s 911 Viper Call Handling System. STAFF SOURCE: Aleta Jeffress, Director, Information Technology

b. Consideration to AWARD CHANGE ORDER NUMBER THREE TO A COMPETITIVELY BID CONTRACT to Layne Heavy Civil, Inc., Denver, Colorado in the amount of $367,289.56 for additional construction services to complete the Sable City Center Improvements Phase II Project. STAFF SOURCE: Kelley Neumann, Deputy Director Water Planning/Engineering, Aurora Water

c. Consideration to AWARD AN OPENLY SOLICITED CONTRACT to Air Conditioning Associates Inc. (ACA), Englewood, Colorado in the not-to-exceed amount of $223,700.00 to perform scheduled maintenance and on-call repairs for HVAC systems in Water facilities through November 2017. (R-1797) STAFF SOURCE: Bobby Oligo, Manager of Water Treatment, Aurora Water

d. Consideration to AWARD A SINGLE SOURCE CONTRACT to Municipal Treatment Equipment Inc., Golden, Colorado in the not-to-exceed amount of $82,000.00 for Evoqua Water Technology (formally Siemens) equipment, parts, and certified technical services for the annual upkeep of chlorine, chlorine dioxide, and ammonia systems at the Griswold, Wemlinger, and Binney Water Purification Facilities as required from November 1, 2016, through October 31, 2017. STAFF SOURCE: Bobby Oligo, Manager of Water Treatment, Aurora Water

Final Ordinances

e. 2016-47
   Consideration for ADOPTION OF AN ORDINANCE of the City Council of the City of Aurora, Colorado, approving the First Amendment to a Development Agreement between the City of Aurora, Colorado, and LNR CPI High Point, LLC, containing
provisions for a vested property right pursuant to Article 68 of Title 24, C.R.S. for certain lands located in Sections 1, 2, 3, 10 and 12 Township 3 South, Range 66 West, and Section 7, Township 3 South, Range 65 West of the 6th principal meridian, City of Aurora, County of Adams, State of Colorado (Highpoint) 1200 acres more or less. STAFF SOURCE: Vinessa Irvin, Manager of Development Assistance, General Management

The following items 9f-g are 2017 Budget related Ordinances

♦ f. 2016-49
Consideration for ADOPTION OF AN ORDINANCE 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, 2017, and ending December 31, 2017. STAFF SOURCE: Greg Hays, Budget Officer, Finance

♦ g. 2016-53
Consideration for ADOPTION OF AN ORDINANCE of the City Council of the City of Aurora, Colorado, creating the parking and mobility fund. STAFF SOURCE: Nancy Wishmeyer, Controller, Finance

For purposes of considering the following item 9h, the City Council will be acting ex officio as the Board of Directors of the Aurora Conference Center 2-2011, respectively.

♦ h. 2016-58
Consideration for ADOPTION OF AN ORDINANCE of the City Council of the City of Aurora, Colorado, of General Improvement District 2-2011 (Aurora Conference Center) adopting an operating budget, establishing the tax levy, and appropriating sums of money to defray expenses and liabilities for the fiscal year beginning January 1, 2017, and ending December 31, 2017. STAFF SOURCE: Mike Shannon, Debt & Treasury Manager, Finance

10. RESOLUTIONS

♦ a. R2016-78
Consideration to APPROVE A RESOLUTION of the City Council of the City of Aurora, Colorado, approving an addendum to an Agreement between the City of Aurora and Arapahoe County, Colorado, for the Quincy Avenue/E-470 Ramp Reconfiguration Study - Funding of Project Work. STAFF SOURCE: Cindy Colip, Transportation Projects Delivery Manager

♦ b. R2016-79
Consideration to APPROVE A RESOLUTION of the City Council of the City of Aurora, Colorado, Acting by and Through Its Utility Enterprise Approving the Water Management Plan. STAFF SOURCE: Gregory Baker, Manager Aurora Water Public Relations, Aurora Water

11. PUBLIC HEARING WITH RELATED ORDINANCE

♦ a. 2016-61
PUBLIC HEARING AND INTRODUCTION OF AN ORDINANCE of the City Council of the City of Aurora, Colorado, rezoning a parcel of land from O (Open Zone District) to M-2 (Medium Industrial District) and amending the zoning map accordingly (17050 East Smith Road - Tower Pointe Rezone) Case Number 2016-2011-00. Planning Commission recommended approval by a unanimous vote at the September 28, 2016 Planning Commission meeting. STAFF SOURCE: Jonathan Woodward, Planner II - Planning & Development Services

12. ORDINANCES FOR FINAL

The following items 12a-d are 2017 Budget related Ordinances

♦ a. 2016-48
Consideration for ADOPTION OF AN ORDINANCE 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, 2017, and ending December 31, 2017.
Ordinance 2016-48, Introduced 9-1 (Peterson voting no) at the October 10, 2016 City Council meeting. STAFF SOURCE: Greg Hays, Budget Officer, Finance

b. 2016-50
Consideration for ADOPTION OF AN ORDINANCE 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, 2017 and ending December 31 2017. Ordinance 2016-50, Introduced 9-1 (Peterson voting no) at the October 10, 2016 City Council meeting. STAFF SOURCE: Greg Hays, Budget Officer, Finance

c. 2016-51
Consideration for ADOPTION OF AN ORDINANCE of the City Council of the City of Aurora, Colorado, amending certain Sections of Chapter 138 and Chapter 146 of the City Code of the City of Aurora, Colorado, relating to rates, fees, and services for the provision of water. Ordinance 2016-51, Introduced 6-4 (Berzins, Cleland, Mounier and Richardson voting no) at the October 10, 2016 City Council meeting. STAFF SOURCE: Jo Ann Giddings, D/D Water Financial Administrator, Aurora Water

d. 2016-52
Consideration for ADOPTION OF AN ORDINANCE of the City Council of the City of Aurora, Colorado, creating the marijuana tax revenue fund. Ordinance 2016-48, Introduced 9-1 (Cleland voting no) at the October 10, 2016 City Council meeting. STAFF SOURCE: Nancy Wishmeyer, Controller, Finance

For purposes of considering the following items 13e-h, the City Council will be acting ex officio as the Board of Directors of the General Improvement Districts 1-2007, 1-2008, 3-2008, Pier Point 7 2-2009 respectively.

e. 2016-54
Consideration for ADOPTION OF AN ORDINANCE of the City Council of the City of Aurora, Colorado, of general improvement district 1-2007 (Cherry Creek Racquet Club) adopting an operating budget, establishing the tax levy, and appropriating sums of money to defray expenses and liabilities for the fiscal year beginning January 1, 2017, and ending December 31, 2017. Ordinance 2016-54, Introduced 9-1 (Peterson voting no) at the October 10, 2016 City Council meeting. STAFF SOURCE: Mike Shannon, Debt & Treasury Manager, Finance

f. 2016-55
Consideration for ADOPTION OF AN ORDINANCE of the City Council of the City of Aurora, Colorado, of General Improvement District 1-2008 (Peoria Park) adopting an operating budget, establishing the tax levy, and appropriating sums of money to defray expenses and liabilities for the fiscal year beginning January 1, 2017, and ending December 31, 2017. Ordinance 2016-55, Introduced 9-1 (Peterson voting no) at the October 10, 2016 City Council meeting. STAFF SOURCE: Mike Shannon, Debt & Treasury Manager, Finance

g. 2016-56
Consideration for ADOPTION OF AN ORDINANCE of the City Council of the City of Aurora, Colorado, of General Improvement District 3-2008 (Meadow Hills Country Club) adopting an operating budget, establishing the tax levy, and appropriating sums of money to defray expenses and liabilities for the fiscal year beginning January 1, 2017, and ending December 31, 2017. Ordinance 2016-56, Introduced 9-1 (Peterson voting no) at the October 10, 2016 City Council meeting. STAFF SOURCE: Mike Shannon, Debt & Treasury Manager, Finance

h. 2016-57
Consideration for ADOPTION OF AN ORDINANCE of the City Council of the City of Aurora, Colorado, of Pier Point 7 General Improvement District 2-2009 adopting an operating budget, establishing the tax levy, and appropriating sums of money to defray expenses and liabilities for the fiscal year beginning January 1, 2017, and ending December 31, 2017. Ordinance 2016-57, Introduced 9-1 (Peterson voting no) at the October 10, 2016 City Council meeting. STAFF SOURCE: Mike Shannon, Debt & Treasury Manager, Finance

i. 2016-59
Consideration for ADOPTION OF AN ORDINANCE of the City Council of the City of Aurora, Colorado, amending Sections 130-158, 130-160, 130-161, 130-167, 130-196 and 130-199 of the City Code related to the sales and use tax on retail marijuana and retail marijuana products. Ordinance 2016-59, Introduced 7-3 (Bergan, Cleland
STAFF SOURCE: Terri Velasquez, Director, Finance

13. **RECONSIDERATIONS AND CALL-UPS**

14. **GENERAL BUSINESS**

   a. Consideration of the reappointment of one (1) member and the appointment of one (1) person to the Citizens Advisory Committee on Housing and Community Development – K. Goldman

   b. Consideration of the reappointment of one (1) member to the General Employees Retirement Plan Board – K. Goldman

   c. Consideration of the reappointment of five (5) members and the appointment of two (2) persons to the Human Relations Commission – K. Goldman

15. **REPORTS**

   a. Report by the Mayor

   b. Reports by the Council

16. **PUBLIC INVITED TO BE HEARD**

17. **ADJOURNMENT**