

**Federal, State and Intergovernmental Relations (FSIR)
Meeting
April 3, 2020
1:00 PM
WebEx Meeting**

**Council Member Angela Lawson, Chair
Council Member Allison Hiltz, Vice Chair
Council Member Crystal Murillo, Member**

Serve as leaders and partner with other governments and jurisdictions

1. Consent Items (None)
2. Federal Legislative Update Hettinger
3. State Legislative Update O'Keefe/Palmisano
4. Water Update Kitzmann
5. US Census Update Hancock
6. Miscellaneous Matters for Consideration

Next meeting – April 17, 2020

Federal, State and Intergovernmental Relations (FSIR) Meeting
March 6, 2020

Members Present: Council Member Angela Lawson, Chair; Council Member Allison Hiltz, Vice-Chair; Council Member Crystal Murillo, Member (Via phone)

Others Present: Roberto Venegas, Luke Palmisano, Nancy Rodgers, Natasha Campbell, Kathy Kitzmann, Cammie Grant, Peggi O'Keefe, Karen Hancock, Doug Wilson, Mac Callison, Kim Stuart, George Adams, Kim Skaggs, Fernando Pineda, Alicia Santos, Jack Becker

1. **APPROVAL OF MINUTES:** February 21, 2020 minutes were approved as written.
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2. **CONSENT ITEMS:** None.
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3. **Welcome and Introductions:**

Summary of Issue and Discussion: Chair CM Angela Lawson welcomed the committee and introductions were made. CM Murillo joined the meeting via phone.

Outcome: Information only.

Follow-up Action: None.

4. **FEDERAL LEGISLATIVE UPDATE:**

Summary of Issue and Discussion: Luke Palmisano called Federal Lobbyist Laurie Hettinger to give an update on the 2020 Priorities. L. Hettinger said that in D.C. everything is about the coronavirus. They passed a Nature Supplemental and there are some resources for local government which could be helpful to the city if they need to use it. The Small Business Administration has also offered a disaster loan to help small businesses and non-profits who are impacted by the coronavirus.

L. Hettinger said she has been working on the city's appropriation requests that are due next week. Congress is hoping to get the appropriation bills done before they go on recess in August. CM Murillo asked in regards to the local funds available to the city, is that something that is being communicated to the constituents? CM Murillo went on to say that those most vulnerable constituents were very concerned at her last town hall about what the city was doing. Are we communicating to them on how those federal dollars will trickle down to them. L. Palmisano said he has received some updates from L. Hettinger that he would be happy to share and council members can pass that on to constituents. K. Stuart, Communications Director, said the communications department has been sharing information that they are getting from TriCounty Health, the State Department and the CDC. The best option for the city is to share links to those

sites because they are being monitored and updated daily. Other more specific information as it relates to the city can be linked in to those communications as they get them from L. Hettinger and L. Palmisano. CM Lawson can that be sent to all council? K. Stuart said yes it has been sent out to all of council and they will continue to update everyone.

L. Hettinger said has been working on scheduling meetings for the upcoming Lobbying trip. There are meetings set with both Senator Garner and Senator Bennett as well as Congressman Crow and Congressman Neguse. As well as HUD, White House Intergovernmental, the Pentagon and we check in with our Airforce liaison for any updates on Buckley Airforce Base. There is also a new program called the Defense Community Infrastructure Grant Program that allows for first time municipalities to have grants to work on infrastructure outside of the base. CM Lawson asked if there were any meeting scheduled regarding transportation. L. Hettinger said the city just got the Build Grant but there are no other requests at this point.

Outcome: Information only.

Follow-up Action: None.

5. STATE LEGISLATIVE UPDATE

Summary of Issue and Discussion: L. Palmisano gave an update of the current state legislative issues.

Non-substantive Emails and Open Meetings Law: HB20-1308

This Bill offers some guidance or direction as to when electronic communications (e-mails) begins implicating the Open Meetings law. The bill will be heard on March 10th by the House Transportation and Local Government Committee. City Staff recommend an active support position.

The Bill clarifies that scheduling e-mails and e-mails forwarding backup for future meetings are not the types of e-mails which implicate the Open Meetings law. Such e-mails can be broadcast e-mails copying multiple parties.

CM Hiltz asked if it only applies when a council member is responding to a constituent or does it apply if you are replying to multiple council members? N. Rodger, Deputy City Attorney, said the bill focuses more on the substance of the email, if it is only about scheduling but does not mention any opinion or issue then it will not be subject to Open Meetings law. Committee unanimously agreed to take a position to actively support bill.

Consumer and Employee Dispute Resolution Fairness: SB20-093

This bill updates the guidelines surrounding arbitration of construction defects lawsuits. The bill passed second reading on the Senate floor on February 7th but has been laid over on third reading. City staff recommend an active oppose position.

This bill could make arbitration more difficult which could prolong judgement in construction defects lawsuits and stunt for sale condo construction.

CM Murillo said she still has an issue with the active oppose position, because she would like for the consumer to have those protections. She asked if the city could take the pursue changes through bill sponsor position instead. Would that allow the city to still have a seat at the table? L. Palmisano said taking that position would still give the city a seat at the table, lobbyist could start

working on this. CM Lawson said this is the bill that she did not agree with CML on and she would not like to take the active oppose position on this bill either. Is there a way of getting to a neutral position? CM Hiltz said forced arbitration is generally not helpful for consumer protection. She said she is not sold on the actively oppose position either. L. Palmisano said the position of pursuing changes through bill sponsor will still allow staff to continue working on this and they can follow CML's amendment process and have the lobbyist work on and then bring the bill back to committee for an update. Committee unanimously agreed to pursue changes through bill sponsor on SB20-093.

Administration of the RTD Regional Transportation District: SB20-151

This bill makes several changes to the Regional Transportation District Act including providing factors for the district to consider in making decisions about services, route planning, and rates. The bill was passed by the Senate Transportation & Energy Committee on March 4th and will be heard next by the Senate Judiciary Committee. No hearing date has been set. City staff recommend a pursue changes through bill sponsor.

Section 2 of this bill creates new rights of action in which an individual plaintiff can bring a lawsuit alleging discrimination and states these new rights are not subject to the Colorado Governmental Immunity Act setting a dangerous precedent.

CM Lawson said she spoke with Sen. Todd and she said there were 18 amendments to this bill. And her opinion was that the city should be careful to not rush through this bill. The committee unanimously agreed to recommend to pursue changes though bill sponsor.

Expand Authority for Regional Transportation Improvements: HB20-1151

The bill authorizes a transportation planning authority to exercise the powers of a regional transportation authority. The bill will be heard by the House Transportation and Local Government Committee on March 11th. City Staff recommend an active support position.

This bill can aid in funding municipal transportation improvements. Mac Callison, Planning Supervisor, said this bill enables legislation, provides another tool in the funding shortfall. Staff is enthusiastically supporting this bill. The committee agreed to actively support the bill.

L. Palmisano gave an update on the following bills for informational purposed only.

Prohibit Housing Discrimination Source of Income: HB20-1332

The bill adds discrimination based on source of income as a type of unfair housing practice.

"Source of income" is defined to include any source of money paid directly, indirectly, or on behalf of a person, including income from any lawful profession or from any government or private assistance, grant, or loan program. CM Hiltz said she has been working on this issue on a local level and because there is a bill on the state level and that is why she asked for this bill to be brought up here in FSIR. She would like the committee to take a position on the bill and then take it to the full council and if they would adopt a position of support then we can testify at the meeting on the 17th. L. Palmisano said staff did not take a position on this bill because it does not directly affect the city, but that does not preclude council from taking a position. The committee unanimously agreed to move this bill to full council meeting on March 16, 2020.

Modify Pension Plans Administered by FPPA Fire And Police Pension Association: HB20-1044

The bill modifies various plans administered by the fire and police pension association (FPPA) to increase employer contributions. HB20-1044 passed on third reading in the Senate on Wednesday, March 4th. City Council adopted an active oppose position. Staff is continuing to work on this bill with the Governor who will be meeting with the city on March 9, 2020. This issue will be on the agenda.

Basic Life Functions in Public Spaces: HB20-1233

The bill would prohibit the city from restricting any person from conducting basic life functions in a public space unless the government entity can offer alternative adequate shelter to the person and the person denies the alternative adequate shelter; and from occupying a motor vehicle, provided that the motor vehicle is legally parked on public property or parked on private property with the permission of the property owner. The bill was postponed indefinitely by the House Transportation and Local Government Committee on February 26th. FSIR Committee adopted an active oppose position.

Radio Communications Policies of Gov Entities: HB20-1282

The bill requires each entity of the government of each city that encrypts all of its radio communications to enact an encryption policy. The bill was postponed indefinitely by the House Transportation and Local Government Committee on March 4th. FSIR Committee adopted an active oppose position.

Colorado Rights Act: HB20-1287

Concerning enforcement of Colorado constitutional rights in Colorado state courts. The bill allows a person who has a right, privilege, or immunity secured by the Colorado constitution that is infringed upon to bring a civil action for the violation. The bill was postponed indefinitely by the House Judiciary Committee on March 5th. FSIR Committee adopted an active oppose position.

Robotic Device Deliver Cargo: SB20-092

Concerning the regulation of self-propelled devices used to deliver cargo, and, in connection therewith, specifying standards for the operation of robotic devices within pedestrian areas and on highways. The bill was postponed indefinitely in the Senate Business, Labor, and Technology Committee on February 26th. FSIR had taken a position to pursue changes through the bill sponsor.

Outcome: The committee unanimously agreed to move HB20-1332 bill to full council.

Follow-up Action: Move HB20-1332, Prohibit Housing Discrimination Source of Income, to Council meeting on March 16, 2020.

6. 2020 CENSUS UPDATE

Summary of Issue and Discussion: Karen Hancock, Planning Supervisor, introduced the city's census team. Jack Becker and Fernando Pineda of CREA Results gave an update on the census. Alicia Santos, Sr. Communications and Marketing Specialist, gave an update on the city's efforts to engage communities in taking the census.

CM Lawson asked if the city census workers will know once a person has filled out their census online. K. Hancock said the census will. CM Lawson asked if census workers will keep coming to the door even after the census has been filled out? K. Hancock said that visits are part of schedule. But the census will provide the city with a map of all the tracks and we will be able to see where we are getting a low response. We would like to come back to the committee with updates on how the census is going. And we would like to take this presentation to full council on March 16, 2020. CM Lawson asked if a person can help their parents or other elderly people fill out the census online? K. Hancock said census staff cannot help people but they can provide resources such as phone support. J. Becker said that a federal census worker is allowed to help people fill out the census because they are bound by confidentiality where other staff that may not be true. But as far as helping your own parents it is not a problem to help them out. CM Lawson suggested FSIR get an update regarding the census in May. K. Stuart asked if the committee would want this presentation to go to full council study session. The committee unanimously agreed to move the census presentation to study session on March 16, 2020.

Outcome: The committee unanimously agreed to move the census presentation to study session on March 16, 2020.

Follow-up Action: Move the census presentation to study session on March 16, 2020.

7. WATER

Summary of Issue and Discussion: Kathy Kitzmann, Water Resources Principal, gave an update on bills regarding water.

1. Federal legislation H.R.6057 Stop the Spread of Invasive Mussels Act was introduced this week as a companion bill to Senator Bennet's S.2975 Stop the Spread of Invasive Mussels Act. The Water Department requested approval to provide a support letter and request Representative Crow to sign on as a co-sponsor.
2. An update on federal legislation S.241 / H.R. 823 Colorado Outdoor Recreation and Economy Act was provided. The Water Department has ongoing discussions with the offices of Senator Bennet and Representative Neguse on Camp Hale National Historic Landscape legislative language revisions. We are continuing to work toward language that will be compatible with our water rights development.
3. An update on state legislation HB20-1164 Housing Authority Exemptions from Water Fees was provided. Water is actively opposed to this bill and we are hearing that this bill is on pathway to be postponed indefinitely.
4. An update on state legislation HB20-1215 Sunset Water Wastewater Facility Operators Certification Board. The bill is up for hearing on Thursday, March 12th and Water may testify to request the legislation re-insert deleted language for the exclusion of "facilities designed to operate for less than one year or facilities with in-situ discharge".

Outcome: Information only.

Follow-up Action: None.

8. MISCELLANEOUS MATTERS FOR CONSIDERATION

None.

9. CONFIRM NEXT MEETING

The next meeting is scheduled for March 20, 2020, 1:00 PM in the Mt. Elbert conference room.

Approved:

Angela Lawson Date
Committee Chair

Intergovernmental Relations Update, Thursday, March 26, 2020

Federal Updates

- **Coronavirus Aid, Relief, and Economic Security Act (“CARES Act”)** – The CARES Act passed the Senate unanimously yesterday evening. The House will take up the bill on Friday. A list of Small Business Assistance/Workforce Support, Housing/Homelessness, State and local funding opportunities, and health care/PPE are below. A more complete list of what is included in the bill can be found [here](#).
 - **Small Business Assistance/Workforce Support**
 - The Emergency Food Assistance Program (TEFAP) – The bill provides \$450 million for the TEFAP program. With many communities suffering from job losses, food banks have seen increased needs. These funds are critical so food banks can continue to assist those Americans most in need.
 - Economic Development Administration (EDA) – The bill provides \$1.5 billion for economic adjustment assistance, which can be used to help rebuild impacted industries such as tourism or manufacturing supply chains, capitalize local funds to provide low-interest loans to businesses of all sizes, and support other locally-identified priorities for economic recovery.
 - Support for Manufacturing –\$50 million is provided for the Manufacturing Extension Partnership to help small- and medium-sized manufacturers recover.
 - Community Services Block Grant (CSBG) –\$1 billion for CSBG to help communities address the consequences of increasing unemployment and economic disruption.
 - The bill includes \$360 million for the Department of Labor to invest in programs that provide training and supportive services for dislocated workers, seniors, migrant farmworkers, and homeless veterans. This also includes funding for DOL agencies to ensure new Paid Leave and UI benefits are implemented swiftly and effectively.
 - Economic Injury Disaster Loans - The bill provides \$562 million to ensure that SBA has the resources to provide Economic Injury Disaster Loans (EIDL) to businesses that need financial support during this difficult time. SBA has signed emergency declarations for all 50 states, the District of Columbia, Puerto Rico, and the U.S. Virgin Islands, so the EIDL program will be available to assist small businesses across the country that have been adversely impacted by COVID-19. This funding is in addition to the significant assistance provided in the Keeping American Workers Employed and Paid Act, which authorizes \$350 billion worth of 100 percent guaranteed SBA loans, a portion of which SBA will forgive based on allowable expenses for the borrower. This small business package also includes \$10 billion in direct grants for businesses that do not qualify for the EIDL program, and \$17 billion to have SBA step in and make six months of principle and interest payments for all SBA backed business loans.
 - **Housing/Homelessness**
 - Low Income Home Energy Assistance Program (LIHEAP) –\$900 million to help lower income households heat and cool their homes.
 - Homeless Assistance Grants – \$4 billion. These funds will enable state and local governments to address coronavirus among the homeless population. These grants, in combination with additional waiver authority, will provide effective,

targeted assistance to contain the spread of coronavirus among homeless individuals. These grants will also provide state and local governments with homelessness prevention funding for individuals and families who would otherwise become homeless due to coronavirus. Distribution of Funds, as follows:

- \$2 billion allocated through the regular program formula to all grantees that received funding in FY20
- HUD must allocate the funds within 30 days of enactment of the bill
- \$2 billion allocated to states and local governments to areas with the greatest need via a formula to be developed by HUD (risk of transmission of coronavirus, high numbers or rates of sheltered homeless, and economic and market conditions)
- Very low-income individuals and families (30% or less of AMI) at risk of homelessness are eligible for homelessness prevention assistance
- HUD must allocate the funds within 90 days
- Allows recipients to deviate from regular procurement standards when procuring goods and services to prevent, prepare for, and respond to the coronavirus
- Recipients can use up to 10 percent of the allocation for administrative purposes. In addition to the 10% for admin, these funds can be used to provide hazard pay, including for time worked prior to the date of this bill, for staff working directly to prevent, prepare for, and respond to coronavirus among the homeless or persons at risk of homelessness.
- The funds are not subject to the citizen participation requirements
- No match requirement
- No cap on emergency shelter activities
- Funds can be used to provide temporary shelters (through leasing of existing property, temporary structures, or other means) to prevent, prepare for, and respond to the coronavirus
- Environmental review standards will not apply to these funds
- Tenant-Based Rental Assistance – \$1.25 billion. These funds will preserve Section 8 voucher rental assistance for seniors, the disabled, and low-income working families, who will experience loss of income from the coronavirus.
- Public Housing Operating Fund – \$685 million. These funds will provide Public Housing Agencies with additional operating assistance to make up for reduced tenant rent payments, as well as to help contain the spread of coronavirus in public housing properties.
- Rental Assistance Protections for Low-Income Americans – \$3 billion is included for housing providers to help more than 4.5 million low-income households made up of more than 9.6 million individuals currently assisted by HUD to safely remain in their homes or access temporary housing assistance in response to economic and housing disruptions caused by COVID-19. This includes:
 - \$1.935 billion to allow public housing agencies (PHAs) to keep over 3.2 million Section 8 voucher and public housing households stably housed;
 - \$1 billion to allow the continuation of housing assistance contracts with private landlords for over 1.2 million Project-Based Section 8 households;
 - \$65 million for housing for the elderly and persons with disabilities for rental assistance, service coordinators, and support services for the more

than 114,000 affordable households for the elderly and over 30,000 affordable households for low-income persons with disabilities; and

- \$65 million for Housing Opportunities for Persons with AIDS in order to maintain rental assistance and expand operational and administrative flexibilities for housing and supportive service providers to assist nearly 61,000 households. Given that this population is particularly vulnerable, the bill includes temporary relocation services to contain and prevent the spread of COVID-19 for these at-risk households.
 - Mortgage Assistance Programs - In the single family residential space, the loans that are insured or otherwise guaranteed by FHA, VA, USDA, Fannie Mae and Freddie Mac are prohibited from foreclosure actions for 60 days starting March 18th for borrowers who request it. Penalties and delinquency related fees may not be charged to the consumer if forbearance is requested. Borrowers may extend their forbearance for up to an additional 4 months if they can demonstrate a COVID-19 related hardship. This borrower-requested forbearance expires the earlier of December 31st or the termination of the emergency declaration.
 - Mortgage Assistance Programs - In the multi-family residential space, loans that are insured or otherwise guaranteed by FHA, VA, USDA, Fannie Mae or Freddie Mac or are part of HUD-assisted housing are eligible for a 90 day forbearance on mortgage and interest payments. Evictions are prohibited for borrowers who receive forbearance. This borrower-requested forbearance expires the earlier of December 31st or the termination of the emergency declaration.
 - Rental Assistance Programs - In the rental space (single and multi-family), landlords are subject to a 120 day moratorium on filing eviction proceedings for the non-payment of rent if the property is insured or guaranteed by FHA, VA, USDA, Fannie Mae or Freddie Mac or are part of HUD-assisted housing. Unpaid rent will still accrue, but landlords may not charge fees or assess other punitive charges during the 120 day period. Landlords are also prohibited from reporting the delinquency to the credit agencies, if they are a furnisher.
- State and Local Assistance
- Coronavirus Relief Fund - 55% go of the funds to states; 45% to localities with a population that exceeds 500,000. Guidelines are still being determined how localities with fewer than 500,000 population access funds allocated to states.
 - State Funds: Governors in each state will receive a share of \$3 billion to allocate at their discretion for emergency support grants to local educational agencies that the State educational agency deems have been most significantly impacted by coronavirus. These funds will support the ability of such local educational agencies to continue to provide educational services to their students and to support the on-going operations of the local educational agency; and provide emergency support through grants to institutions of higher education serving students within the State.
 - Independent Agencies Election Assistance Commission Election Security Grants –\$400,000,000, to states to prevent, prepare for, and respond to coronavirus, domestically or internationally, for the 2020 Federal election cycle.
 - Child Care Development Block Grant – The bill supports child care and early education programs by including \$3.5 billion (was \$3 billion) for the Child Care Development Block Grant. This funding will allow child care programs to maintain critical operations, including meeting emergency staffing needs and

ensuring first responders and health care workers can access child care while they respond to the pandemic.

- Disaster Relief Fund: The bill provides \$45 billion for the immediate needs of state, local, tribal, and territorial governments to protect citizens and help them recovery from the overwhelming effects of COVID-19. Reimbursable activities may include medical response, personal protective equipment, National Guard deployment, coordination of logistics, safety measures, and community services nationwide.
- Emergency Management Performance Grants: The bill provides \$100 million which focus on emergency preparedness
- Community Development Block Grant (CDBG) – \$5 billion. Distribution of Funds, as follows:
 - \$2 billion direct allocation to states and local governments through the regular program formula (all grantees that received a CDBG allocation in FY20 will receive this funding). HUD must allocate the funds within 30 days of enactment of the bill.
 - \$1 billion to states based on a new formula (public health needs, risk of transmission of coronavirus, number of coronavirus cases compared to the national average, economic and housing market disruptions, and other factors determined by HUD)
 - States will allocate the funds to entitlement/non entitlement communities
 - HUD must allocate the funds within 30 days of enactment of the bill
 - \$2 billion to be allocated directly to states and local governments via a new formula to be developed by HUD (prioritizing risk of transmission of coronavirus, number of coronavirus cases compared to the national average, and economic and housing market disruption resulting from coronavirus). The funds will be used to cover or reimburse allowable costs incurred by a state or locality regardless of the date on which the costs were incurred.
 - Allocations will be made on a rolling basis
 - Extends the deadline for submission of the FY19 and FY20 con plan/action plans. Due date is now August 16, 2021.
 - Suspends the 15% cap on public services
 - Suspends in-person public hearings; allows grantees the option of holding virtual hearings.
- Allows HUD to waive further program requirements (except for requirements related to fair housing, nondiscrimination, labor standards, and the environment).
- Byrne-JAG Grant Funding: The bill provides \$850 million in Byrne-JAG grant funding to be awarded pursuant to the formula allocation, adjusted in proportion to the relative amounts statutorily designated and used in FY 2019. The awards will not be subject to restrictions or special conditions that are the same as (or substantially similar to) those, imposed on awards under FY 2018, that forbid interference with Federal law enforcement.
- Health Care/PPE Provision
- Administration for Community Living (ACL) –\$955 million for ACL to support nutrition programs, home and community based services, support for family caregivers, and expand oversight and protections for seniors and individuals with disabilities.
- \$1.5 billion to support States, locals, territories, and tribes in their efforts to conduct public health activities, including: Purchase of personal protective equipment; surveillance for coronavirus; laboratory testing to detect positive cases; contact tracing to identify additional

cases; infection control and mitigation at the local level to prevent the spread of the virus; and other public health preparedness and response activities.

- \$1.5 billion in flexible funding to support CDC's continuing efforts to contain and combat the virus, including repatriation and quarantine efforts, purchase and distribution of diagnostic test kits (including for state and local public health agencies) and support for laboratory testing, workforce training programs, combating antimicrobial resistance and antibiotic resistant bacteria as a result of secondary infections related to COVID-19, and communicating with and informing public, state, local, and tribal governments and healthcare institutions.
- \$300 million for the Infectious Diseases Rapid Response Reserve Fund, which supports immediate response activities during outbreaks.
- \$100 billion for a new program to provide grants to hospitals, public entities, not-for-profit entities, and Medicare and Medicaid enrolled suppliers and institutional providers to cover unreimbursed health care related expenses or lost revenues attributable to the public health emergency resulting from the coronavirus.
- Centers for Medicare & Medicaid Services (CMS) – The bill includes \$200 million for CMS to assist nursing homes with infection control and support states' efforts to prevent the spread of coronavirus in nursing homes.
- Assistance to Firefighter Grants: The bill provides \$100 million for the purchase of personal protective equipment and related supplies, including reimbursements
- Unemployment Assistance
- Creates a temporary Pandemic Unemployment Assistance program beginning January 27, 2020 through December 31, 2020, to provide payment to those not traditionally eligible for unemployment benefits (self-employed, independent contractors, seeking part-time employment, gig economy workers, those with limited work history, and others) who are unable to work as a direct result of the coronavirus public health emergency.
- A covered individual is one who is not eligible for regular compensation or extended benefits under state or federal law, and self-certifies that he or she is otherwise able to work but is unable to do so for reasons related to the impacts of COVID-19 on the individual, the individual's family, the individual's place of work, movement restrictions, and more.
- Provides payment to states to reimburse nonprofits, government agencies, and Indian tribes for half of the costs they incur through December 31, 2020 to pay unemployment benefits.
- Provides an additional \$600 per week payment to each recipient of unemployment insurance or Pandemic Unemployment Assistance recipient for up to four months.
- Provides funding to pay the cost of the first week of unemployment benefits through December 31, 2020 for states that choose to pay recipients as soon as they become unemployed instead of waiting one week before the individual is eligible to receive unemployment benefits.
- Provides an additional 13 weeks of unemployment benefits through December 31, 2020 to help those who remain unemployed after weeks of state unemployment are no longer available.
- Provides funding to support "short-time compensation" programs, where employers reduce employee's hours instead of laying off workers and the employees with reduced hours receive a pro-rated unemployment benefit. This provision would pay 100 percent of the costs they incur in providing short-time compensation through December 31, 2020.
- Temporarily eliminates the 7-day waiting period for railroad unemployment insurance benefits through December 31, 2020 (to make this program consistent with the change made for states through the same period in an earlier section of this title).
- Gives the Secretary of Labor the ability to issue operating instructions or other guidance as necessary in order to implement this subtitle, as well as allows the Department of Labor to waive Paperwork Reduction Act requirements, speeding up their ability to gather necessary information from states.
 - Other

- The bill provides an extension for states to be REAL-ID compliant from October 1, 2020 to September 30, 2021.
- Transportation Security Agency (TSA) - \$100 million for the TSA for preparation and prevention activities, including cleaning and sanitizing at checkpoints and other airport common areas.
- \$350 million for Migration and Refugee Assistance under the Department of State.
- Payments to Individuals – U.S. residents with adjusted gross income up to \$75,000 (\$150,000 married), who are not a dependent of another taxpayer and have a work eligible social security number, are eligible for the full \$1,200 (\$2,400 married) rebate. In addition, they are eligible for an additional \$500 per child. This is true even for those who have no income, as well as those whose income comes entirely from non-taxable means-tested benefit programs, such as SSI benefits
- **Fourth Supplemental Bill** - U.S. House Speaker Nancy Pelosi said she foresees a fourth coronavirus legislative package focusing on recovery efforts, specifically job creation and U.S. infrastructure building.

State Updates

- **Gov. Polis issues statewide stay-at-home order for Colorado** - Gov. Jared Polis issued a statewide stay-at-home order, which went into effect Thursday, March 26 through April 11. Polis said this means the public needs to stay at home, only interacting with members of their household. Essential facilities will remain open, including grocery stores, liquor stores and cannabis dispensaries. Restaurants will also be allowed to continue offering takeout and pickup orders. But Polis said nonessential stores, many of which have been closed for days now, will continue to stay closed across the state. The governor said people can leave their home for the activities they need to live by. People can go out to obtain food and groceries, go to and from work if they are considered an essential employee, seek medical care, and are allowed to leave home to care for dependents, including relatives and pets. People are also allowed to participate in outdoor recreation at a legally-mandated safe distance of 6 feet or more from other parties.
- **State health department enacts public health order** - In accordance with Governor Jared Polis' executive order and because the transmission of COVID-19 is widespread throughout the state, the Colorado Department of Public Health and Environment (CDPHE) enacted a public health order requiring Coloradans to stay at home, except to do limited necessary activities as outlined in the order. The order is intended to slow the spread of COVID-19, saving people in Colorado from severe illness and death. The order minimizes contact between people, limiting exposure to the virus. The public health order requires people in Colorado to stay at home, except when doing necessary activities including: Obtaining food, medicine, other household supplies; Going to and from work if you are a critical employee; Seeking medical care; Caring for family, household members, and animals; Caring for a vulnerable person in another location; Participating in outdoor recreation at a legally-mandated safe distance of six feet or more from other people and by your home. The order went into effect at 6 a.m. on March 26, 2020, and ends at 11:59 p.m. on April 11, 2020. The order may be changed or extended. See the full public health order [here](#).

- **State of Colorado Activates 2-1-1 Colorado to Connect Coloradans with Human Services Resources During COVID-19 Pandemic** - Today, in partnership with Mile High United Way, the Colorado State Emergency Operations Center activated 2-1-1 Colorado to connect Coloradans with human service resources statewide. Coloradans can reach 2-1-1 Colorado online at 211Colorado.org, by dialing 2-1-1 or texting your Zip Code to 898-211. Do not call 911 for COVID-19 questions unless it is a medical emergency. 2-1-1 Colorado is a confidential and multilingual service connecting people across the state of Colorado to vital resources in their local community. 2-1-1 serves as one central location where people can access over 7,500 health and human service resources. Callers may experience long wait times, as demand for information is high. 2-1-1 Colorado is hiring in order to reduce wait times and meet Coloradans' needs. Coloradans can also reach 2-1-1 Colorado online at 211Colorado.org.
 - 2-1-1 provides navigation services to resources such as:
 - Housing, including shelters and transitional services
 - Rent and utility assistance
 - Applying for SNAP benefits by phone
 - Childcare
 - Food/meals
 - Transportation
 - Clothing/personal/household needs
 - Mental health and substance use disorders
 - Employment
 - Education
 - Medical clinics
 - Dental clinic
 - Other government/economic services
 - 2-1-1 will work in conjunction with The Colorado Health Emergency Line for the Public (CO HELP), a toll-free hotline for the latest public health information. If Coloradans are looking for general information about COVID-19, such as the number of cases in Colorado, the list of symptoms, or how you can protect yourself, they can call CO HELP by dialing 303-389-1687 or 1-877-462-2911.
- **Polis asks that Trump Administration Declare Colorado a Major Disaster Area** – Governor Polis has requested that President Donald Trump name Colorado a major disaster area. This opens the state for additional resources, when they are granted. That includes resources for medical care, housing, unemployment assistance, crisis counseling, hazard mitigation and more.
- **State testing Backlog Eliminated** - The Governor also announced that the state lab has eliminated its COVID-19 testing backlog and there will be new labs coming online at the University of Colorado, Colorado State University, University Hospital, and Children's Hospital Colorado.
- **State health department to distribute resources from Strategic National Stockpile** - The Colorado State Emergency Operations Center (EOC) and Colorado Department of Public Health and Environment (CDPHE) are distributing critical resources today to help communities respond to COVID-19. This week, Colorado received a second allotment from the Strategic National Stockpile, which it will begin distributing across the state today. The [Strategic National Stockpile](#) is “the nation’s largest supply of potentially life-

saving pharmaceuticals and medical supplies for use in a public health emergency severe enough to cause local supplies to run out.”

- This week Colorado received its second allotment, which included: 49,920 N95 masks, 117,500 surgical masks, 21,312 face shields, 20,820 surgical gowns, and 108,000 gloves. CDPHE estimates that these supplies are sufficient for approximately one full day of statewide operations under normal standards of care.
- The State Unified Command Group, which is part of the State EOC, will distribute these materials to every county health department and tribe throughout the state where they are needed most. The following factors were used to determine allocation: county population; portion of the population that is older than age 65 proportional to the state population; the number of nursing homes, assisted living facilities, and hospitals; and if the county or tribe has received supplies previously.

All county health departments and tribes in the state will receive supplies. CDPHE will work with regional staff to coordinate deliveries.

- **Innovation Response Team Adds Members** - There are two new members to the Innovation Response Team, the task force of private-sector leaders focused on innovation in testing, isolation compliance and other efforts to aid with the crisis.
- Lucy Sanders, CEO and co-founder of the National Center for Women & Information Technology, will head up Isolation Services. The objective of that is to provide people who are in self-isolation and quarantine with critical services like food and access to health care, as well as ancillary services to make the experience more comfortable.
- Tim Miller, chairman and CEO of Rally Software, will head the Software Development Team, the objective of which is to build applications and websites for the government and citizens to manage all aspects of the crisis and provide the state with key data.

Regional Updates

- **RTD approves service cuts due to COVID-19** - The Regional Transportation District's elected board members Tuesday night approved changes that will reduce the agency's bus, light rail and special services starting April 19 in an effort to combat COVID-19. The initial changes shift most bus service to a Saturday schedule and light rail service to a Sunday schedule, with the elimination of two light rail lines and several bus lines. The COVID-19 service plan motion passed unanimously. The changes will last until Sept. 20, RTD's next service change. In the proposal sent to board members this week, the agency reported a 70% decrease in ridership in the last few weeks due to COVID-19.

Local Updates

- **Gaylord Rockies Hotel to shut down temporarily** - Having already lost roughly \$42.5 million in revenue and nearly 69,000 group-room nights because of coronavirus fears and restrictions, the Gaylord Rockies Resort & Convention Center will shut down at the end of this week and remain closed through at least the end of April. As part of efforts to save money by delaying most companywide capital expenditures this year, the company also will defer the expansion of the 15-month-old property that was set to begin next month. The decision will mean temporary layoffs for most of the roughly 1,500 workers at the Gaylord. Part-time workers will get an extra two weeks of pay, full-time workers will

get paid through April 12 and all workers with health benefits will continue to receive them through the end of May.



American small businesses are facing an unprecedented economic disruption due to the novel coronavirus (COVID-19) outbreak, with reports of small businesses experiencing major difficulties. Due to the nature of this economic disruption, the existing disaster recovery programs for small businesses are insufficient. The CARES Act represents more than \$376 billion in relief for struggling small businesses, which falls into two main buckets: Access to Capital and Small Business Support.

Access to Capital

- \$349 billion for forgivable loans to small businesses to pay employees and keep them on the payroll.
 - These loans are open to most businesses under 500 employees, non-profits, the self-employed, startups, and cooperatives.
- \$17 billion for debt relief for current and new SBA borrowers. SBA will pay the principal and interest for the next 6-months on SBA-backed loans.
 - Today, that would help 320,000 small businesses and any new borrowers in the 7(a) or 504 programs.
- \$10 billion in immediate disaster grants. Using the current economic injury disaster loan program, SBA can provide up to \$10,000 to applicants within 3 days of applicants self-certifying they are eligible.

Small Business Support

- Requires SBA to provide additional language resources to ensure small business owners can access the resources they need as easily as possible.
- \$265 million in funding for resource partners, including Small Business Development Centers and Women’s Business Centers to provide training and counseling to businesses impacted by Coronavirus.
- A waiver of the WBC matching requirement to alleviate the need to fundraise during the emergency.
- \$10 million for Minority Business Development Agency grants to train and counsel minority-owned firms impacted by Coronavirus.
- \$675 million to provide SBA with the resources it needs to staff up and administer these new and enhanced programs.
- Finally, this will increase the number of small businesses that qualify for streamlined bankruptcy process, by nearly tripling the debt cap to \$7.5 million to help American small businesses that will need to reorganized due to the COVID-19 pandemic.

Paycheck Protection Program – Section 1102

The bill establishes a new guaranteed loan program at SBA for small businesses to cover payroll during the immediate crisis. The Paycheck Protection Program would:

- support \$349 billion in 100 percent guaranteed, low interest, no fee loans of up to \$10 million with repayment deferred for at least six months; and
- forgive up to 100% of the loan if the borrower has retained the same number of employees as when they received the loan.

Who is eligible?

Small and Medium sized businesses up to 500 employees, non-profits, independent contractors and the self-employed. This includes churches but only to cover payroll costs of an associated business, like a thrift store.

What about franchises and hotels?

The program temporarily waives SBA “affiliation rules” to allow businesses with multiple locations the normally are not considered small, to qualify. This is especially important for our restaurant and lodging sector. They are still limited to the same maximum loan size - \$10 million - as a business with one location.

How are loans made?

The SBA’s network of 2,500 7(a) lenders will be used to process these loans. There is also authority to fast track additional lenders to process and disburse these loans to reach as many small businesses as quickly as possible.

Are these grants?

Yes and No. The amount of the loan forgiven at the end of the year will be determined by how many employees were retained on the company’s payroll, up to 100 percent for full retention. There are safeguards built in to protect against employers gaming the program, as well as recognizing some employers will be forced to do temporary furloughs but bring their employees back on.

What is covered?

This bill allows firms to get a loan to cover up to 2.5 months of payroll and any new EIDL loan balances incurred because of Coronavirus but cannot exceed \$10 million.

How long does the program last?

The program is open until June 30, 2020, as it is intended for immediate payroll relief to ensure businesses do not do mass layoffs during this crisis.

How is this different from the House package?

It is nearly identical, we worked with the Senate to include more than just payroll in the loan amount. The CARES Act now includes amounts already disbursed under a new EIDL loan from SBA.

Entrepreneurial Development – Section 1103

SBA resource partners, including Small Business Development Centers (SBDCs), Women’s Business Centers (WBCs), provide vital mentorship, guidance and expertise to small businesses. These organizations will need to hire more staff to deal with the increasing number of small businesses that need their help to respond to COVID-19.

- The bill would provide \$265 million in additional funding.

How does this differ from the House package?

We worked closely with our Senate colleagues and are happy to report this provision was included in their package.

State Trade Expansion Program (STEP) Support – Section 1104

The State Trade Expansion Program (STEP) provides matching funds to states and territories to provide opportunities for small businesses to participate in trade missions, international marketing efforts, workshops, export trade show exhibits, and other promotional activities.

The bill would:

- reimburse States for financial losses resulting from the cancellation of foreign trade missions or trade show exhibition due to COVID-19;
- allow States to use unspent funds from FY 2018 and FY 2019 to cover losses due to COVID-19 outbreak through FY 2021.

How does this differ from the House package?

We worked closely with our Senate colleagues and are happy to report this provision was included in their package.

Women’s Business Center Matching Waiver – Section 1105

This section waives the requirement that WBC’s meet their 1:1 private match to SBA provided funding. This will help alleviate the need to fundraise during the Coronavirus crisis and allow them to continue receiving federal funding to help small businesses.

How does this differ from the House package?

We worked closely with our Senate colleagues and are happy to report this provision was included in their package.

Loan Forgiveness – Section 1106

This section lays out the process by which borrowers will be forgiven on loans taken out under the paycheck protection act

- The amount of the loan forgiven at the end of the covered period will be determined by how many employees were retained on the company's payroll.
- There are safeguards built in to protect against employers gaming the program, and well as recognizing some employers will be forced to do temporary furloughs but bring their employees back on.
- Allows forgiveness for additional wages paid to tipped workers.
- Forgiven amounts will not be considered income for tax purposes.
- Any amounts not forgiven will be covered in the ongoing loan for a term of 10 years, not to exceed 4% interest with the 100% guarantee.

Direct Appropriations – Section 1107

Provides appropriations for this title of the legislation, over \$376 Billion.

Minority Business Development Agency – Section 1108

The bill provides \$10 million for the Minority Business Development Agency grants to train and counsel minority-owned firms impacted by Coronavirus.

Emergency Economic Injury Grants – Section 1110

The bill creates a new \$10 billion grant program, leveraging SBA's Office of Disaster Assistance infrastructure, to provide small businesses with quick, much needed capital.

Small businesses, cooperative, ESOPS, private non-profits, independent contractors and the self-employed would be eligible to receive up to \$10,000 to cover immediate payroll, mortgage, rent, and other operating expenses while they wait for additional relief to be processed.

Who is eligible?

Independent contractors, the self-employed, private non-profits, and small businesses and medium sized businesses with up to 500 employees, including startups, cooperatives, and ESOPs.

What is a private non-profit?

Private non-profits include churches and private universities.

Churches are eligible?

Yes, but limited to business activities. The SBA will make the final determination which activities, like running a thrift shop, are eligible for a grant.

How quickly will grants be made?

The legislation requires SBA to disburse within 3 days of verifying the business's eligibility.

Are grant recipients eligible for other SBA programs?

Yes, businesses remain eligible for the paycheck protection program, disaster loans, and regular SBA-back loans.

How does this differ from the House Package?

We worked closely with our Senate counterpart to ensure their package included this grant program, which was funded at \$10 billion. It will provide up to 1 million small businesses with emergency relief. While not as high as the House package, now that the program is in place, we can push for additional resources in the future.

Increasing Access to SBA Through Multiple Language Support – Section 1111

Immigrant-owned small businesses are an essential part of our economy. In 2018, more than 3.1 million immigrants launched small businesses, employing more than 8 million people, generating more than \$1.3 trillion in sales, and paying more than \$4 billion in taxes.

- The bill would authorize \$25 million for small business resource material and services in the ten most commonly spoken languages.

Why is this needed?

Millions of impacted small business owners do not speak English as a first language but are eligible for SBA's lending and ED program. It is vital they can get the support they are entitled to as easily as possible through language support at SBA.

How does this differ from the House package?

We worked closely with our Senate colleagues and are happy to report this provision was included in their package.

6-months of Principal and Interest Relief - Section 1112

Small businesses in industries heavily impacted by coronavirus—such as travel, tourism, and hospitality—are experiencing dramatic cash flow problems. The government is ultimately responsible for guarantees on these loans and has a vested interest in averting mass defaults.

To provide immediate relief to small businesses with SBA-backed loans, the bill would:

- provide small businesses with relief from SBA loan payments, including principal, interest, and fees, for six months;
- encourage banks to provide further relief to small business borrowers by enabling them to extend the duration of current loans beyond existing limits; and
- This will provide \$17 billion in relief to SBA borrowers.

Who is covered?

Current and new 7(a) and 504 borrowers, under current SBA eligibility requirements. Those include small businesses, sole proprietors, cooperatives, and ESOPs.

Is eligibility expanded for this program?

No, this uses current, long-standing eligibility criteria.

How does it work?

The SBA will pay a borrower's principal and interest for the next 6 months on an SBA-backed loan.

How does this differ from the House package?

This language is the same as was included in the House package and was spearheaded by Senator Coons and Representative Delgado. This is significant relief for 320,000 current and prospective small business borrowers that will need access to capital in the next few months.

Small Business Bankruptcy Enhancement – Section 1113

This section will increase the number of small businesses that qualify for streamlined processes in the Bankruptcy Code we created last year via the Small Business Reorganization Act. As enacted, a small business could not have more than \$2.7 million in debt. Under this section, that number will increase to \$7.5 million to help American small businesses that will need to reorganized due to the COVID-19 pandemic.

How does this differ from the House package?

This provision was included in the House bill.

Emergency Rulemaking – Section 1114

This section requires SBA to issue emergency rulemakings within 15 days to implement these sections.

How does this differ from the House package?

Similar emergency rulemaking was required under the House bill to ensure relief is delivered in a timely fashion, and we are happy to see it included here.

SBA Staffing to Meet Demand

To execute these new programs swiftly, the SBA will need to hire more staff.

- This bill would provide \$675 million for SBA to hire employees to meet increased demand from small businesses impacted by COVID-19.

How does this differ from the House package?

We worked closely with our Senate colleagues and are happy to report this provision will provide \$675 million for salaries and expense of the Administration to carry out these programs.



Paycheck Protection Program FAQs for Small Businesses

Where can I apply for the Paycheck Protection Program?

You can apply for the Paycheck Protection Program (PPP) at any lending institution that is approved to participate in the program through the existing U.S. Small Business Administration (SBA) 7(a) lending program and additional lenders approved by the Department of Treasury. This could be the bank you already use, or a nearby bank. There are thousands of banks that already participate in the SBA's lending programs, including numerous community banks. You do not have to visit any government institution to apply for the program. You can call your bank or find SBA-approved lenders in your area through SBA's online [Lender Match](#) tool. You can call your local [Small Business Development Center](#) or [Women's Business Center](#) and they will provide free assistance and guide you to lenders.

Who is eligible for the loan?

You are eligible for a loan if you are a small business that employs 500 employees or fewer, or if your business is in an industry that has an [employee-based size standard through SBA](#) that is higher than 500 employees. In addition, if you are a restaurant, hotel, or a business that falls within the North American Industry Classification System (NAICS) code 72, "Accommodation and Food Services," and each of your locations has 500 employees or fewer, you are eligible. Tribal businesses, 501(c)(19) veteran organizations, and 501(c)(3) nonprofits, including religious organizations, will be eligible for the program. Nonprofit organizations are subject to [SBA's affiliation standards](#). Independently owned franchises with under 500 employees, who are approved by SBA, are also eligible. Eligible franchises can be found through [SBA's Franchise Directory](#).

I am an independent contractor or gig economy worker, am I eligible?

Yes. Sole proprietors, independent contractors, gig economy workers, and self-employed individuals are all eligible for the Paycheck Protection Program.

What is the maximum amount I can borrow?

The amount any small business is eligible to borrow is 250 percent of their average monthly payroll expenses, up to a total of \$10 million. This amount is intended to cover 8 weeks of payroll expenses and any additional amounts for making payments towards debt obligations. This 8 week period may be applied to any time frame between February 15, 2020 and June 30, 2020. Seasonal business expenses will be measured using a 12-week period beginning February 15, 2019, or March 1, 2019, whichever the seasonal employer chooses.

How can I use the money such that the loan will be forgiven?

The amount of principal that may be forgiven is equal to the sum of expenses for payroll, and existing interest payments on mortgages, rent payments, leases, and utility service agreements. Payroll costs include employee salaries (up to an annual rate of pay of \$100,000), hourly wages and cash tips, paid sick or medical leave, and group health insurance premiums. If you would like



to use the Paycheck Protection Program for other business-related expenses, like inventory, you can, but that portion of the loan will not be forgiven.

When is the loan forgiven?

The loan is forgiven at the end of the 8-week period after you take out the loan. Borrowers will work with lenders to verify covered expenses and the proper amount of forgiveness.

What is the covered period of the loan?

The covered period during which expenses can be forgiven extends from February 15, 2020 to June 30, 2020. Borrowers can choose which 8 weeks they want to count towards the covered period, which can start as early as February 15, 2020.

How much of my loan will be forgiven?

The purpose of the Paycheck Protection Program is to help you retain your employees, at their current base pay. If you keep all of your employees, the entirety of the loan will be forgiven. If you still lay off employees, the forgiveness will be reduced by the percent decrease in the number of employees. If your total payroll expenses on workers making less than \$100,000 annually decreases by more than 25 percent, loan forgiveness will be reduced by the same amount. If you have already laid off some employees, you can still be forgiven for the full amount of your payroll cost if you rehire your employees by June 30, 2020.

Am I responsible for interest on the forgiven loan amount?

No, if the full principal of the PPP loan is forgiven, the borrower is not responsible for the interest accrued in the 8-week covered period. The remainder of the loan that is not forgiven will operate according to the loan terms agreed upon by you and the lender.

What are the interest rate and terms for the loan amount that is not forgiven?

The terms of the loan not forgiven may differ on a case-by-case basis. However, the maximum terms of the loan feature a 10-year term with interest capped at 4 percent and a 100 percent loan guarantee by the SBA. You will not have to pay any fees on the loan, and collateral requirements and personal guarantees are waived. Loan payments will be deferred for at least six months and up to one year starting at the origination of the loan.

When is the application deadline for the Paycheck Protection Program?

Applicants are eligible to apply for the PPP loan until June 30th, 2020.

I took out a bridge loan through my state, am I eligible to apply for the Paycheck Protection Program?

Yes, you can take out a state bridge loan and are still be eligible for the PPP loan.



If I have applied for, or received an Economic Injury Disaster Loan (EIDL) related to COVID-19 before the Paycheck Protection Program became available, will I be able to refinance into a PPP loan?

Yes. If you received an EIDL loan related to COVID-19 between January 31, 2020 and the date at which the PPP becomes available, you would be able to refinance the EIDL into the PPP for loan forgiveness purposes. However, you may not take out an EIDL and a PPP for the same purposes. Remaining portions of the EIDL, for purposes other than those laid out in loan forgiveness terms for a PPP loan, would remain a loan. If you took advantage of an emergency EIDL grant award of up to \$10,000, that amount would be subtracted from the amount forgiven under PPP.



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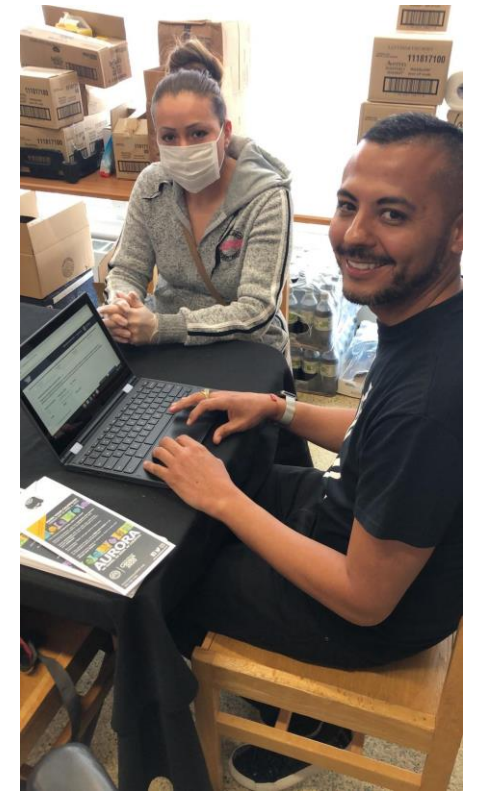


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2020 Census: COVID-19 Response

- Micro grants available to partner organizations to engage constituents during Shelter-In-Place Order
- Support Faith Weekend (March 29-April 1)
- Live Facebook events in Spanish



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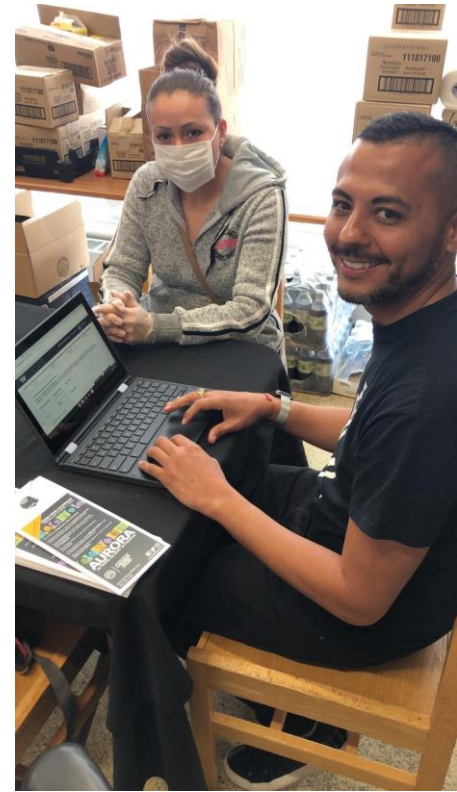


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2020 Census: COVID-19 Response

- Targeted Newsletters to 300k addresses (combined)
- Ads in popular video streaming services
- Social Media
- Spanish Radio
- APS: school computer distribution – flyers in bags
- Aurora TV segments and “Do the Census at home” message



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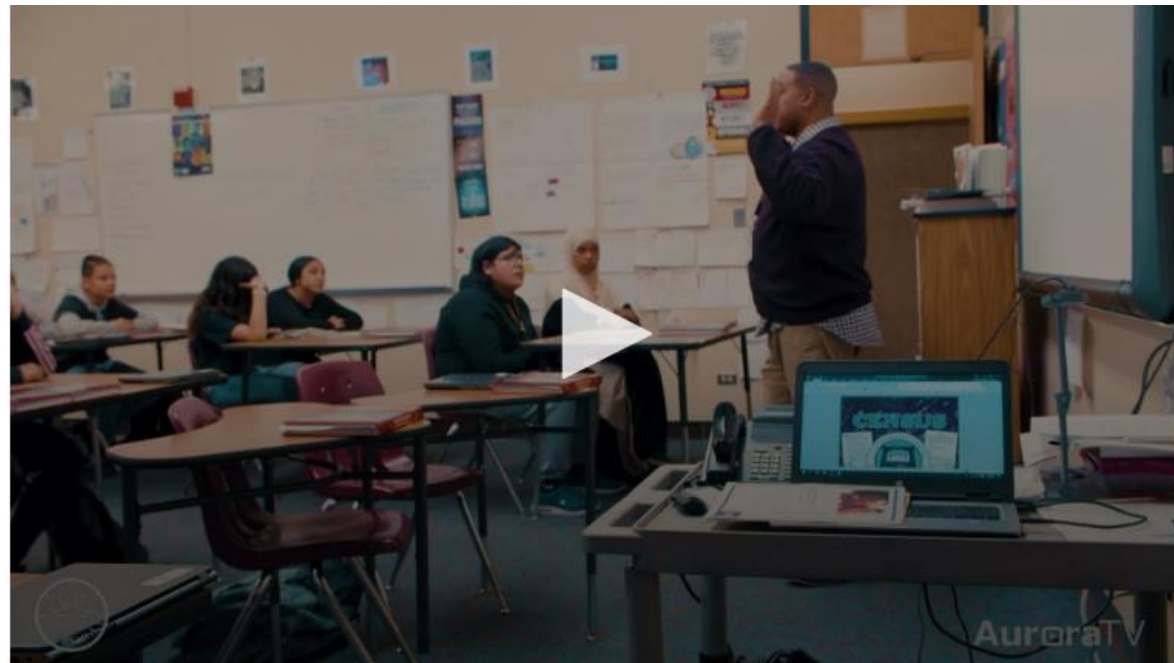


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2020 Census: COVID-19 Response

- Aurora TV segments and “Do the Census at home” message



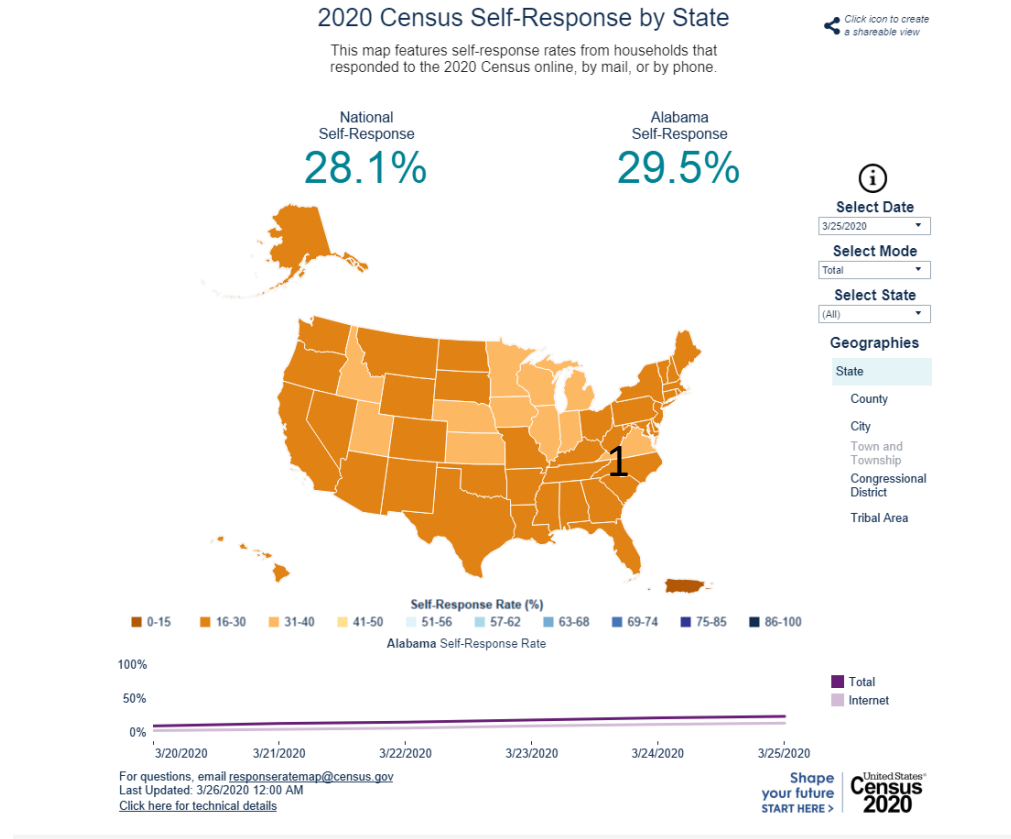
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2020 Census: Updated Timeline

- Mobile Questionnaire Assistance—Delayed (April 13-August 14)
- Early Non-Response Follow up—Delayed (May 7-August 14)
- Group Quarters Enumeration—Delayed (April 16-August 14)

[LINK TO FULL LIST OF CENSUS OPERATIONAL ADJUSTMENTS](#)

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2020 Census: Questions?

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