

**HOUSING, NEIGHBORHOOD SERVICES & REDEVELOPMENT POLICY COMMITTEE**

November 12, 2020

Members Present:        *Council Member Crystal Murillo- Chair*  
                                  *Council Member Francoise Bergan*  
                                  *Council Member Alison Coombs*

Others Present:         Council Member Juan Marcano, George Adams, Andrea Amonick, Liz Fuselier, Linda Garnett, Lindsay Hammond, Karen Hancock, Chance Horiuchi, Tim Joyce, Daniel Krzyzanowski, Candy Larue, Craig Maraschky, Lucas Palmisano, Mindy Parnes, Jessica Prosser, Roberto Venegas, Sandra Youngman, Cecilia Zapata

**WELCOME AND INTRODUCTIONS**

Council Member Murillo welcomed everyone to the meeting.

**MINUTES**

Council Members Coombs and Murillo approved the minutes for the October 7, 2020 meeting.

**ANNOUNCEMENTS**

Jessica Prosser, director of Housing and Community Services announced the virtual grand openings of two new affordable housing developments in Aurora:

- Peoria Crossing
- Vets at Fitzsimmons project in conjunction with Colorado Coalition for the Homeless on November 13, 2020

**NEW ITEMS****REGULATION ADOPTING STATE TENANT RELIEF****Summary of Issue and Discussion**

On July 20, 2020, the city of Aurora declared a state of disaster due to the public health incident related to COVID-19 to preserve and protect the public health, safety, and welfare of the inhabitants of the city. Under Aurora Municipal Ordinance 38-33(d), during a declared state of disaster, the city manager may promulgate regulations necessary to protect life and property and preserve critical resources. At this time, the city manager has determined that an exercise of that authority is necessary to protect the citizens of the city of Aurora and to facilitate statewide efforts to stop the spread of COVID-19. Therefore, the following regulations are hereby adopted:

1. The city of Aurora hereby adopts the restrictions promulgated by State Executive Order D 2020-101, dated June 13, 2020 (“State Relief for Tenants Order”) as it may be amended from time to time pertaining to prohibiting landlords from charging any late fees or penalties for any breach of the terms of a lease or rental agreement due to nonpayment that were incurred from May 1, 2020 through the duration of the state declared state of epidemic disaster by extending the termination date of the Executive Order D 2020-101 by multiple successive Executive Orders.
2. The city manager hereby delegates enforcement authority for State Relief for Tenants Order to the director of Housing and Community Services and the director of Finance. Such directors may delegate enforcement duties to personnel within their respective departments.
3. This regulation shall remain in place so long as Executive Order D 2020-101 is extended by additional Executive Orders, or until the city manager determines that such regulation is no longer necessary to protect life and property in the city of Aurora.

Council Member Marcano reported on the status of an initiative to prohibit late fees on rent in residential and commercial property. The city attorneys have established that the structure of Aurora's charter does not allow the creation of an ordinance similar to the one in Brighton that inspired the initiative. However, Council can pass a temporary resolution effective for the duration of Covid-19 that would allow the city manager to accomplish the same thing under the disaster declaration currently in effect. CM Marcano spoke of the benefits to Aurora's residents and small businesses who rent spaces and miss payments due to a COVID related hardship. He explained this would be a complaint driven process, but staff would not be asked to actively enforce. If someone is charged a late fee on their rent, the individual would contact Housing and Community Services or Tax and Licensing to have the concern addressed.

#### Questions/Comments

Jessica Prosser commented more broadly on financial relief and stated the intention is to continue with rental assistance through the first of the year using CARES Act funds. Once those funds are depleted, Aurora will make use of CDBG funds allowing relief to applicants who meet income guidelines. Relief options for mortgage assistance and utilities are also being explored. She noted that switching funding sources changes the eligibility criteria.

CM Marcano stated the intent was to move the item to study session, and possibly dual list the item to get it in place quickly. He stated it was a matter of timeliness and expected the Governor to extend the emergency order; which would allow the city to carry this through the end of the year and continue it into next year if the order did get extended.

CM Bergan asked what the end date is for the proposed prohibition on late fees for rent. CM Marcano responded that it piggy-backs with the Governor's order expiring 12/31/2020. The city manager can opt in for as long as the Governor's order is in effect. The end date for CM Marcano's proposal is unknown but speculated to extend into 2021 as the pandemic continues. CM Bergan asked if it was for late fees only and CM Marcano confirmed it was.

CM Coombs commented that adding late fees on top of what people are already struggling with at this time will cause them to dig deeper and deeper just to get by. She stated it seemed like a "no-brainer" to not allow late fees to be added, due to the pandemic.

CM Murillo asked for clarification on whether this was just for late fees added for rent and not other bills. CM Marcano confirmed it was specifically for late fees on rent. CM Bergan asked if commercial leases were getting any government support in terms of reimbursement. She stated she wanted to make sure the city didn't exempt the late fees if there's a mechanism for them to be charged but not assessed to the lease. CM Marcano stated he wasn't sure and explained this didn't deal with landlords specifically, but instead meant to aid the tenant. Andrea Amonick stated the city's AOE 3 Program does allow for rent payments for small businesses, particularly if they are behind, and offered to give statistics on how many have been processed so far. CM Bergan commented that businesses would not be getting a late fee because they would be receiving assistance to pay their rent.

#### Outcome

Committee members unanimously supported moving the item to study session as a dual listed item.

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## **HOUSING SURVEY RESULTS**

### Summary of Issue and Discussion

Aurora is experiencing housing conditions like many communities in the metro area. Low- and moderate-income households are struggling to keep up with rising housing costs. This has been amplified by job loss associated with the COVID-19 outbreak, and the supply of housing across the income spectrum is very limited. While the city has provided housing and community development programs to support the development of housing and housing services, additional options for funding and programs would expand the city's effectiveness in ensuring the current

and future housing needs of workforce, families, and residents across the age and income spectrum are met. This Aurora Housing Study focuses on the most effective, efficient and outcome-proven methods to expand housing options in the city, with a focus on:

- Increasing and leveraging existing resources to address housing needs;
- Setting housing goals and manage housing investments to achieve those goals;
- Preserving existing housing while increasing the supply of housing for households across the income spectrum;
- Improving regulatory processes as needed to reduce the cost of housing development.

In response to specific recommendations found within the Aurora Housing Study document, a survey was conducted to better understand the community's support for the policy and strategy recommendations. The provided feedback helps the City validate its recommendations and prioritize its actions toward addressing the housing issues facing Aurora.

At the Housing, Neighborhood Services and Redevelopment Policy Committee meeting on October 7, 2020, the Committee requested final survey results once the survey ended. Jessica Prosser, director of Housing and Community Services, along with Community Development staff gave a status update on the Housing Study and survey results with an aim toward moving the process from surveying to implementation. A presentation was shared that detailed the following topics:

- Project Overview
- Community Engagement
  - Survey Results
- Final Draft Priority
  - Action Items
- Proposed Adoption Schedule

#### Questions/Comments

Council Member Bergan noticed a zip code of 80045 on the presentation slide reflecting survey responses that were broken down by zip code. Dan Krzyzanowski explained it was the area code for Anschutz. Regarding the strategy recommendations, CM Murillo noticed that developing a recruitment strategy for executive ownership housing and high-end rental housing was last on the list. She asked if all the recommendations listed on the presentation were the same as those listed on the survey. Dan confirmed they were. CM Bergan asked why executive ownership was part of the survey that was about affordable housing. She stated she knows the city wants to encourage this type of housing and wants it to be available for those in executive positions moving into the city, but she didn't understand why it was included in the survey. Dan explained the study addressed the broader housing market, to include everyone from those experiencing homelessness, low-income, middle-income and high-income brackets, and special populations, seniors, etc. who have specific housing needs. He stated there's a lot of emphasis and acute need for affordable housing, but the entire housing spectrum was addressed.

CM Bergan asked if the assisted living facilities was specifically addressed. Dan stated staff reached out to the senior populations. The Senior Commission and local and state representatives from AARP were asked to participate in focus groups, and attendance was good. Jessica added that staff was also looking at a geographic distribution of housing, mixture of housing, and different areas of the city to determine where there are gaps with diversity.

CM Murillo asked if a housing trust fund was defined on the survey. Dan stated an explanation was provided, but not to include extensive details. Many of the listed strategies are complex financial tools and staff only scratched the surface. Emphasis was on local money and locally controlled money to address local housing needs.

The concluding slide proposed a timeline which moved to add the Housing Study to the December 7, 2020 City Council Study Session and for approval at the December 21, 2020 City Council Meeting.

CM Bergan requested the feedback received from the joint task force and the Aurora Realtors. Dan said he could make that feedback available in the study session packet. CM Bergan remarked on feedback she’s received from builders indicating lower-cost homes can be built but do not meet Aurora’s building standards. She mentioned the city has a standard for masonry and for density, among others. She asked if that was what staff was referring to when they proposed changes to the UDO. Dan confirmed it was and stated staff recommends taking a second look at additional amendments that support and enable more affordable housing.

CM Bergan requested an analysis by the city’s budget finance office indicating the effects on the city’s budget and where the money would come from to be included at study session for Council’s consideration. Jessica indicated that the work group includes representatives from Legal and Finance, and more information on each will be forthcoming.

CM Coombs asked how opposition against occupancy limits will be reconciled with the rental matching recommendation. Jessica responded that rental matching is the strategic approach not just to adding occupants, but actively matching with the occupancy limits in mind. *E.g.* families of four displaced by the recent fire are matched with an appropriate multi-family building opportunity.

Council Member Murillo added constructive feedback on improvements that can be made to Spanish versions of the study materials. The current translations may have been too formal to be inclusive of colloquial (everyday) Spanish-speakers. The materials themselves were translated later in the process which may have complicated feedback. Additionally, Spanish-speaking citizens expressed an interest in being included as members in focus groups. Jessica noted the feedback and acknowledged the importance of information being relevant and meaningful to engage the community as staff gets into the subset pieces.

Outcome

The Committee unanimously approved to move the Housing Survey Results forward to Council Study Session on December 7, 2020.

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**MISCELLANEOUS MATTERS FOR CONSIDERATION**

Council Member Murillo followed up on the committee scope and name agenda item from previous meetings. She stated it’s getting close to the end of the year and Council was wrapping up the Rules Committee. Jessica indicated staff would further develop the item for the policy committee’s December meeting. CM Murillo stated it didn’t necessarily need to come back to the housing committee, but when the Rules Committee conversation comes up to the full council, she asked staff to be prepared to talk about that charge. She mentioned part of the conversation has to do with the potential of consolidating committees.

Next meeting: The next meeting was scheduled on Wednesday, December 2, 2020 at 3:00 p.m., however due to a scheduling conflict, the date will be rescheduled.

Meeting adjourned at 3:48 p.m.

APPROVED:

Crystal Murillo Digitally signed by Crystal Murillo  
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Committee Chair, Crystal Murillo