



# AGENDA

## Public Safety, Courts and Civil Service Policy Committee

October 14, 2021, 11:00 am

Council Member Dave Gruber, Chair  
Council Member Marsha Berzins, Vice Chair  
Council Member Curtis Gardner, Member

### Public Participant Dialing Instructions

Dial Access Number 408.418.9388

Event Number 2495 994 6423

Council Goal: Assure a safe community for people

---

|  | <b>Pages</b> |
|--|--------------|
| <b>1. Call to Order</b>  |              |
| <b>2. Approval of Minutes</b><br>September 16, 2021 Minutes  | 1            |
| <b>3. Consent Items</b>  |              |
| <b>3.a. Aurora Fire Rescue International Fire Code 2021 Adoption</b><br>Caine Hills, Deputy Fire Chief / Angela Garcia, Senior Assistant City Attorney                                       | 12           |
| <b>3.b. Regional Fire Code Board of Appeals IGA</b><br>Caine Hills, Deputy Fire Chief / Angela Garcia, Senior Assistant City Attorney  | 45           |
| <b>4. General Business</b>   |              |
| <b>4.a. September 2021 Crime and Police Attrition Data</b><br>Darin Parker, Deputy Chief of Police / Megan Platt, Assistant City Attorney (10 Minutes)                                       | 70           |
| <b>4.b. September 2021 Aurora Fire Rescue Attrition Data</b><br>Mathew Wasserburger, Assistant Director Fire Management Services / Angela Garcia, Senior Assistant City Attorney (5 Minutes) | 84           |
| <b>4.c. 2021 Judicial Performance Commission</b><br>Zelda M. DeBoyes, PhD / Angela Garcia, Senior Assistant City Attorney (30 Minutes)   | 87           |
| Outside Speakers: John Haien (Chair); Debbie Stafford (Vice Chair); Wesley Nicholson (Secretary); Kelli Malcolm  |              |

**4.d. Aurora Fire Rescue (AFR) Auto/Mutual Aid Procedures** 94  
Allen Robnett, Deputy Fire Chief / Angela Garcia, Senior Assistant City  
Attorney (20 Minutes)

**4.e. APD Mutual Aid Process and Procedures** 106  
Darin Parker, Deputy Police Chief / Megan Platt, Assistant City Attorney (20  
Minutes)

**5. Miscellaneous Matters for Consideration**

**6. Confirm Next Meeting**  
November 18, 2021 at 11am via WebEx

**7. Adjournment**



**Public Safety, Courts and Civil Service Committee**

**September 16, 2021**

Members Present            Dave Gruber, Chair  
                                     Marsha Berzins, Vice Chair  
                                     Curtis Gardner, Member  
                                     Juan Marcano, Council Member

Others Present            D. Carrel, F. Gray, B. Wesner, M. Longshore, S. Stowell, J. Batchelor,  
                                     A. Dickens, J. Bergeron, B. Shannon-Bannister, D. Parker, M. Beeman,  
                                     M. Hildebrand, W. Lippman, A. Robnett, A. Wood, M. Wasserburger,  
                                     M. Cain, S. Day, V. Wilson, C. Delena, M. Hays, M. Chapman, C. Juul,  
                                     I. Evans, M. Mrozinski, R. Weber, H. Johnson, J. Twombly, B. Gabrielli,  
                                     J. Moon, M. Nelson, T. Tobiassen, M. Ridder, C. McDonald, R. Lantz,  
                                     T. Buneta, C. Carlson, R. Pena, A. Garcia, C. Amparan, S. Wright, R.  
                                     Joy, D. Wilson, C. Amsler, C. Tassin, R. Jackson, J. Sones, L. Dalton,  
                                     M. Platt, J. Prosser, C. Canales, C. Hills

**1. Call to Order**

Meeting called to order at 11am.

**2. Approval of Minutes**

August 19, 2021 minutes approved.

**3. Consent Items**

**3.a Proposed Changes to AMC 134-38**

Lieutenant Colleen Delena provided a brief presentation of this proposed change. She explained the changes requested are related to the wording that goes out via postcard to the owners of vehicles that have been impounded. This item is approved for Study Session.

**4. General Business**

**4.a Acknowledgement of the Supporters of the Aurora Armed Forces Treatment Court Resolution**

Councilmember Gruber is the sponsor of this item. He is bringing this resolution forward in support of those people that have put support behind the Armed Forces Treatment Court. There are a number of volunteer organizations that have come together to work with the Aurora Municipal Court to create this court. This resolution acknowledges and thanks them for their help to the City of Aurora and the veterans that will go in front of this court.

Outcome

Approved for Study Session.

Follow-up Action

None.

**4.b August 2021 Crime and Police Attrition Data**

Deputy Chief Darin Parker presented this item to the committee. Crimes statistics continue to trend in the same direction in all categories. It isn't surprising considering the limited resources that the department is faced with in regard to continued efforts to address the crime trends. Turnover year-to-date is 11.9%, total through August which is 89 people that have left the organization. In comparison, in 2018 there were 59, in 2019 there were 58, and 2020 was 87 separations. August separations reasons for leaving include retirements, law enforcement jobs somewhere else, termination, and death. To date, there have been 75 people added to the organization; 72 in the Basic Academy and 3 in the Lateral Academy. Looking at details of staffing, there are 744 people currently employed and that matches with the billets allowed. Of those, 70 are unavailable to work by themselves because they are still in training. This brings the trained, available officers down to 674. The biggest vacancies are sitting in patrol and street operations. Some officers are being redirected to patrol from their special assignments. There are also 43 officers on other than full duty status, which includes those on military leave, light duty, restricted duty, or not available for duty status for various reasons.

CM Gruber: I'd like to note, for the record, that there have been 50 murders in the last two years, over 2,500 major crimes this year indicating a 14% increase, over 10,000 major property crimes indicating a 28% increase, arrests have dropped to 6,000 indicating a decrease of 10%. Based on these numbers, major crimes have increased dramatically, and arrests have dropped. Those trends must be addressed. The AG didn't mention any of this in their report – I'm not pushing back on what was stated in the AG report but it's important to mention because he didn't address crime and attrition in his report so the city must recognize that. To talk about the police without talking about the increase of crime does a disservice to our community.

CM Berzins: There are 674 plus the 47 on light/restricted duty?

D. Parker: What I'm trying to show there is that we have an authorized staffing of 744. The 674 comes from taking out those that are not available to work on their own. They're not sworn in because they're in the Academy or, they are sworn in, but they're still going through training. I just wanted to point out what our numbers actually are with those impacts and the impacts of other than full duty status. Something to keep in mind for patrol is that of the 275 assigned, there are 17 that are specialists and are training the recruits. So, yes, they can respond to calls but they are not as effective because they're actually training people.

CM Berzins: We only had three laterals? I've been around for a while. We've always had many more laterals. What's going on? Three is not that many in the big scheme of things and actually, there was a lot of diversity that came in through the lateral program.

D. Parker: We support our lateral program. It gives us more flexibility because we're directly involved in the hiring process. I can only speculate on the reason for the drop off. We have been successful in the past and clearly we're struggling now. I don't think this is the time or place for me to speculate on the reasons.

V. Wilson: I don't mind speaking frankly on this issue. The officers that we have here in the organization – for 21 months have been in the spotlight. Some for our own doing – I'm not trying to defend any of the individuals that I've held accountable or terminated. It has been a very rough go to wear the Aurora Police patch. So, I want to thank the men and women that are out there right now, doing this job and protecting the city. As far as laterals are concerned, I'm not sure with the reputation, scrutiny, and the things we've been going through, if their friends and family would want them to come and have to go through that.

CM Gardner: It looks like we're getting an update on hiring and that process later. So, I think that's probably the key to this conversation. I think we all recognize that we have an issue with the data. I think we need to strategize a plan to help turn it around.

CM Gruber: Quick math is about 230 officers total in the last three years. It sounds like a 1/3 of the police force is in the process of turning over.

Outcome

Information Only.

Follow-up Action

None.

**4.c August 2021 Aurora Fire Rescue Attrition Data**

Assistant Director of Fire Management Services, Mathew Wasserburger, presented this item to the committee. Data provided is through September 1, 2021 and is only for civil FTE. Year-to-date there have been 13 separations. August did not have any attrition, so the numbers presented were the same as last month. Percentages for the year is 3.1% and 6.8% for the 3-year average.

CM Gruber: I'm pleased to see your numbers are following the trends of previous years.

Outcome

Information Only

Follow-up Action

None.

**4.d Aurora Fire Community Health Program Update**

Fire Lieutenant Shannon Hardi presented this item to the committee. Community health is a vital part of AFR. They respond not only to calls for service, they also take a proactive approach to meeting the needs of the community. The Community Health Program includes five initiatives; High Utilizer program, Car Seat program, Shots for Tots/Teens, CPR Pulse Point, and assisting the Community Engagement Manager. The High Utilizer program targets users that call 911 leading to strain on

city resources and staff for non-emergent assistance. These users require special resources and long-term help. To address this, AFR has partnered with other agencies in Aurora to develop a unique response model. This model requires in-person site visits and phone calls to create an individual program for each person. CPR/PulsePoint is an application that is community-wide. The goal is to not only respond to emergencies but improve outcomes. AFR teaches CPR and provides equipment to various organization or people within the community. PulsePoint allows community members to download the app and respond to calls for help in public places in order to provide life-saving aid. AFR responded to over 2,700 auto accidents in 202 and data has shown that they perform complex auto extrication every 3 days. Ensuring child safety is one of their top priorities. The Car Seat program takes a proactive approach by providing free car seats to community members. They also host regular car seat installation training events when community members request them. There are currently 24 car seat technicians and AFR is in the process of certifying two car seat instructors. Once that happens, they will teach all future academy classes. They also partner with Child Protective Services to provide car seat education and resources to new guardians of abused children. AFR has partnered with various area hospitals for the Shots for Tots/Teens. They provide various immunizations to the community for free. COVID-19 has temporarily suspended this program but they hope to get it up and running again soon. The Community Health Program is staffed by 1 full-time Lieutenant that rotates out every two years, one temporary cadet, and various personnel who are temporarily assigned while healing from an injury. The community health team has a high turnover rate and would benefit from a long-term stable staffing model. When all staffing needs are met, the team can adequately operate with four people out of two vehicles to cover the whole city. Using limited duty personnel is not a sustainable staffing model. The team requires two vehicles, two licensed clinicians, two full-time paramedics, and one case worker. This alternative response model is great and necessary for the overall health and success of the community.

CM Gruber: How do you make the decision that the High Utilizer team will respond versus the Crisis Response Teams or the Housing Team?

S. Hardi: I partner with the Crisis Response Team and utilize them as a resource, but I don't request their response. As far as the other resources, they are included through the assessments when we do our site visits. We determine if they meet the criteria to get other agencies involved.

CM Gruber: You talked about the organization we set up under Housing. Where is the decision made as to which one of the elements responds to a 911 call? Typically, you only have a few minutes to make that decision.

DCM Batchelor: Lt. Hardi, are you dispatched by 911 or are you doing an analysis of high utilizers and doing outreach? You are not dispatched through 911, correct?

F. Gray: Mr. Batchelor is exactly on point. The High Utilizer program is a proactive approach. What we do is we take data, or we take referrals from our members, not through the 911 system, to address some of the challenges that Lt. Hardi has described here. The program through Housing, that can be dispatched through the 911 system. What we're talking about today is a more proactive approach to conduct outreach to citizens to make sure their needs are being met.

CM Gruber: The manpower request, will that be included in our FTE and full-time employee updates at the upcoming workshop?

DCM Batchelor: I don't think this request was funded. It's certainly something council can discuss as part of that budget process.

Outcome

Information Only

Follow-up Action

None.

**4.e NLADA Assessment Report of Aurora Public Defender's Office**

Chief Public Defender, Doug Wilson introduced the National Legal Aid and Defender Association team to the committee. Marea Beeman, Rosalie Joy, and Michael Mrozinski from the NLADA conducted this assessment. The report was provided in backup for review prior to the presentation. The assessment began in February 2021 as part of the US Department of Justice, Bureau of Justice Assistance, Sixth Amendment Initiative. They work with jurisdictions to help them uphold their obligations under the 6<sup>th</sup> Amendment. They were able to conduct this assessment while working remotely due to the advent of virtual court hearings. The evaluation takes a snapshot of the program at a moment in time. That snapshot offers reflections on its current operations and makes suggestions for improvement both in internal practices and processes and in external relations. National standards and best practices are applied to Aurora's Public Defender system. This assessment was a review of system performance, not individuals, nor a caseload study. The fact-finding phase including interviews, court observations, and desk review of key materials provided by system stakeholders across Aurora. Interviews of 39 individuals included judges, court staff, public defender attorneys and staff, public defender commissioners, city attorneys, city police, city human resources, and other city staff as well as experts outside city government. Remote observation included arraignment bond returns, trial status checks, trials, and the wellness court program. A report was generated from all of this data and includes 23 findings and 22 recommendations to improve the city's public defense system. Overall, Aurora is doing what it is supposed to be doing and the public defender program is a national model for other municipal public defender programs. Council members and other stakeholders should be proud to have such an outstanding public defense system in the city. It should be noted that developing and maintaining such an outstanding system is attributable not just to the public defender's office and the public defender commission, but to all Aurora criminal legal system, stakeholders whose collaboration is vital to the functional and sustainability of the system. That said, any system has room for improvement. The full report addresses a broad scope of topics. This presentation will focus on four; Defender independence, pay parity and resource adequacy, workload standards, and strengthening system collaboration. Public Defender independence is rooted in the 6<sup>th</sup> Amendment. If counsel isn't free to make decisions that are in the best interest of their clients, then they cannot provide effective representation. The structure of independence in Aurora is strong and is a national model. Defender Independence in Aurora is strong because it has a Public Defender Commission that is charged with the hiring and firing the Chief Public Defender and staff. They are responsible for the oversight of the Public

Defender’s Office and ensure the citizens are receiving effective assistance of counsel. An area of improvement noted is that other Aurora criminal legal system stakeholders understand and acknowledge defender independence. The recommendation is that the public defender and the Public Defender Commission and share knowledge across the agencies and cultivate opportunities to ensure there is the most effective and strong system of governance in Aurora. Pay parity and resource advocacy. City Council’s action in May brought the public defender pay parity closer to the city attorneys. This was a positive step toward improving the city’s public defense system and its criminal legal system. The NLDA urges council to follow through to ensure public defenders received pay parity with other city attorneys and comparable defenders in Denver. Pay parity matters for attracting and retaining talented attorneys, thereby preventing turnover and also ensures the offices’ needs are being met. Holistic defense is becoming the blueprint for maturation of effective public defense practices nationwide. In this practice model a defense attorney advocates for all of the client's needs, including in the criminal, civil, immigration, housing, and employment context among others, instead of just providing representation in the criminal case. The Aurora Public Defender’s Offices current staffing levels are not adequate to deliver holistic services as the office does not employ a single social worker that could help clients address problems and needs outside the criminal case. Addressing resource advocacy also requires understanding the public defender’s workload. One of the tools to determining adequate resource needs of the public defender’s office is to apply evidence-based workload standard to the projected caseload. Workload standards establish how many cases a public defender should be able to handle, assuming the attorney has sufficient supports from non-attorney staff. The NLADA recommends the Aurora Public Defender undertake a professional case-weighting study to establish a workload standard that is appropriate to the varying types of cases. Caseload is different from workload. Caseload standards take into consideration the complexity of cases handled and the availability of support services such as investigators, social workers, and paralegals. Attorneys aren’t only responsible for case work, they also have to undertake administrative tasks. Workload standards consider the number of cases an attorney is assigned, the time that cases of different complexities take to handle, and the time required for other tasks that the attorneys responsible for. Historically, the public defender office has not had its own manual or electronic case tracking system. The office has been supplied with caseload data maintained by court administration. That data was shared in counts of charges, not cases, despite the requirement to develop the public defender office budget around the figure of 125 active cases per attorney. Criminal cases commonly involve more than one charge. The public defender office recently introduced an electronic case management system called Legal Server that is increasing data and analytics maturity. With that, it now has a sophisticated ability to track cases, detect activities undertaken, assess performance, and even identify patterns of practice. It’s still important that the court, city attorney, and the public defender be able to apply a uniform definition of case to the cases on which they collectively work when determining resource needs. The NLADA recommends that Aurora’s criminal legal system become better poised to assess system practice and performance and identify ways that the system can best serve citizens of Aurora. It is recommended that Aurora create a broader-based criminal justice coordinating committee, as many other state and local jurisdictions across the country have done. The committee should have at least one dedicated staffing person to assist with a range of tasks such as data collection, meeting logistics, and detail management.



CM Gruber: The report is very thorough. This was pretty much embargoed until it was released in the read-ahead package so I'm not certain that staff and other parts of the city government have had time to go into great detail on it. I do want to thank you for the thoroughness of the report, the amount of time and the amount of effort you spent putting this together.

CM Gardner: Thank you for the work on this. It goes without saying the importance of the 6<sup>th</sup> Amendment and the right to an attorney is a key portion of that. Recommendations #4 and #5 was coming up with a plan to communicate why independence is important. Can you talk a little bit more about that? Maybe specifically what shortcomings you see currently that need to be improved as it pertains to independence.

R. Joy: Independence is functioning well in the city. We did not find any evidence that there is any political interference or interference in any other way in regard to D. Wilson's ability to run the office. However, it was noted that not all agencies across the city understand why a public defender has to be independent. I would start by saying, if you had to hire a lawyer for a loved one or yourself, you found yourself facing an allegation of wrong-doing and you stand to lose your liberty if convicted. If you don't have a lawyer standing by your side who you can 100% trust to make decision and advise you about what your options are – If you can't trust that the lawyer is going to have your best interest in mind, and not pleasing a judge or pleasing a prosecutor, the public defender has to be free to represent their client in the best way that they can as it relates to the needs of the client. From those in city government that we found did not necessarily understand that concept. The way it's being translated is in feeling like there's a bit of resentment for the public defender's office because it is believed that they don't report to anyone and therefore don't receive as many city resources. For us, that signals a misunderstanding about what independence is. As I was listening to the presentation from AFR about the Community Health liaison, I thought it would be great to know how many times a high utilizer was taken to jail, or how many nights they may have spent in jail, and what the cost was to the city to process that case. If you knew those things, then at some point you begin to see where there's a relationship between services and you can begin to identify how to strategize the delivery of services that reduces cost and can meet the needs of the people going through the system. So that's the real benefit of understanding the independence. We don't want the public defender's office to be alienated or left out of those collaborative processes within the city because they have a big value and skill set to offer.

CM Gardner: I guess what my question is, the recommendation is to make sure that the public defender's office is communicating the importance of independence back to the rest of the city. That's essentially what the recommendation is, right?

R. Joy: The recommendation is not just really about independence, but it is about independence. We want agencies to understand that independent independence doesn't mean that the city of Aurora public defender's office can't also be a collaborative partner. That they indeed should be at those tables to support the common goals and objectives of the city to effectively provide services to all the citizens. Because of that misunderstanding about independence, public defender's office and the city are missing opportunities to be stronger together.

CM Gardner: Tell me how best practices are developed. If we are one of the leaders in municipal public defenders' offices, then, tell me who we're being compared against, or what systems were being compared against, to develop best practices.

R. Joy: You are being compared against offices across the nation. The way you're being compared is by way of measuring the health of the 10 principles of a public defense delivery system. Most, if not all, effective delivery systems are meeting the 10 principles on some level. So, they're accomplishing independence, but they're also accomplishing incorporating and supporting holistic services through the reports.

CM Berzins: I want to thank your group, your board, and Tobiasson for volunteering. I know this takes a lot of time, so I appreciate that. It's nice to hear something positive about this city. It's a very in-depth study and it's positive for Aurora and we need to hear that right now. Thank you to all of you and I'm sure we'll go over this more.

CM Gruber: I echo the comments of the other committee members. The next steps on this will be for staff, the courts, the court administrator to review, come together with the public defender and determine which recommendations to implement and how best to do that.

D. Wilson: I have already talked to Mr. Twombly about part of the communication issue around independence. I have not done a very good job about reporting back to council or the city manager's office. We are going to set up quarterly meetings with the city administration. I would like to make annual presentations to council about our office to keep everyone informed. If you have some ideas as to whether it's through this committee or council in general, I would be happy to do that.

CM Gruber: I would recommend you forward the entire report to the entire council now. The meetings that I spoke about earlier should be held to determine what agreements can be negotiated, bring that back to this committee and then bring that to the entire council at a study session to explain progress being made.

T. Tobiasson: I appreciate hearing the presentation on your assessment. We're very pleased that we got this assessment done. It's very important to have an independent, outside organization take a look at the public defender's office and see what we are doing and where we can improve. Based on one of the recommendations, I feel like I could do a better job of going to council town meetings from time to time and brief the citizens on the public defender's office. Perhaps some of the other commissioners might do that also.

#### Outcome

Information Only.

#### Follow-up Action

Staff will review and schedule meetings to discuss recommendations and implementation of those identified.

#### **4.f Updates on Police Hiring and Discipline Processes**

Deputy City Manager Jason Batchelor lead the conversation of this item as a follow-up to the request by CM Gardner. Both, the 21CP and the AG's report note areas to be addressed within the Civil Service Commission. The AG's report

specifically calls for an outside assessment of the processes and procedures. Discussions have started with Matt Cain, HR and some others. M. Cain has taken those back to the Civil Service Commission to look at potential changes. M. Cain has also sent council an update of some changes they've made and some thing they're considering. M. Cain confirmed that was a good summary of actions taken in the last month. He explained the Civil Service Commission is interested in collaborative dialogue on what next steps could be in response to the reports. The Commission welcomes being part of the Consent Decree discussions as well. The email provided to council listed the efforts made over the past three years to respond to the concerns and efforts related to hiring the best recruits for police and fire. The Commission and staff have hired 80 entry level recruits so far this year with another 20 hopefully by the end of October. M. Cain thanks the police department, and Chief Wilson, for efforts on the training at the academy by having five entry level academies this year. This has helped keep pace as best as possible with the attrition rate in the department. There are four entry level academies planned for next year with a possible fifth in addition to possibly 20 lateral hires that are currently projected. Now is a critical time to address the reports and the discussions and in the inclusion of the Civil Service Commission will help to shape what the future of the hiring process will look like for Aurora.

CM Gruber: Matt, I can't overemphasize the urgency needed within the commission to address the items identified in, both, the 21 CP report and the Attorney General's report. Many of the items within the report are directly tied to the civil service commission. Of course, the commission doesn't work for the city, it works for city council. I know that the city management is urgently addressing, these items to ensure that we have the best police and fire. We will resolve the deficiencies that AG identified and that 21CP brought to our attention. But, within the Civil Service Commission, since you are not part of the city, and you're an independent organization working for city council, working these out sooner rather than later is vital. the city is watching and, in this case, the entire state is watching to see how we perform. So, calling these meetings together, identifying the deficiencies, coming up a solution, voting on those within your own commission, and bringing those to city council is crucial to us and the entire city moving forward. I heard you said, what you've done over the last 3 years and the plan is. But what I didn't hear and what I was specifically listening for was based on these two reports we are going to accelerate our efforts by doing a, b, and c. I'm not going to tell you what those things are other than the fact that I am looking for much more activity to deal with this. I will speak for myself, but I think the entire council is very anxious for your success in negotiating improvements and bringing those improvements to us sooner rather than later, to include a requiring Charter changes that the council will sponsor and take to the citizens to ask for those changes to made. My bottom line, urgency is the key word here.

CM Gardner: I echo what CM Gruber said. Along those lines, I also just want to say thank you to our current civil service commissioners and even the past ones. It's a relatively thankless position. Our current commissioners have really faced a lot of scrutiny these last several months. In a lot of cases, for the action of either commissioners in the past or the way the system is designed. So, I just want to recognize my appreciation for what they do. We've received several presentations now over the last couple years about some either deficiencies or differences in our civil service process, or whatever word you want to use to describe where we

appeared to be outliers. I want to make sure that if there's improvements that we can make that we are making those in a timely manner and making sure that that's a priority. I look forward to figuring out what can we do within our current charter structure and then what might need a charter change. And, of course, there's the AG's report and potential consent decree and some of that might become legally binding. At the same time, I hope we keep in mind what's going to be most effective and efficient for the city and not just take action just for the sake of taking action. So, I look forward to hearing from the commission and from our staff, and what improvements we can make and how we can accomplish those.

CM Berzins: Thank you to our Civil Service Commission and the past commissions. They do face a lot of scrutiny and sometimes it's a lose-lose situation for them, but you do persevere and thank you so much.

M. Cain: I would like to note that a commissioner resigned last week, so we are down to four commissioners. There is also a planned vacancy when Chairperson Weeks' term expires in February of 2022.

CM Gruber: Has a process started to solicit the community for volunteers?

M. Cain: To my knowledge, the hiring process is at the discretion of city council. I believe communications put out a solicitation for eight boards and commissions recently. The Clerks Offices receives the applications and they would be able to speak to that. The Commission itself doesn't get involved in the selection process but can provide some feedback to council when evaluating potential applicants.

CM Gruber: Having a full commission is very important to the city. Bringing this through city council is very important, that urgency is dependent upon a fully staffed commission.

#### Outcome

Information Only

#### Follow-up Action

Staff will continue to work on changes and bring them forward to council.

### **5. Miscellaneous Matters for Consideration**

CM Gruber: I want to talk a little bit about the Attorney General's report that came out yesterday. The report followed along with many of the findings that were identified by 21CP. I know that the city is working on those changes. There are two important areas of the report. One involves a consent decree. I imagine the process on that will be that the city manager will come to council with a recommendation probably via a resolution and council will approve that. The second part includes changes to the general services committee that we're going to have to address as well. I want to move those forward as rapidly as we can to deal with the changes in the 21CP and AG's report. I'm not looking for a major discussion on the AG's report. I think the city manager is primarily responsible for most of the implementation. I would like just real quick comments from the committee members.

CM Gardner: I agree with what you outlined. I think my expectation, the city manager, internal legal counsel, or if we need to hire someone external, go through the process of negotiating what that consent decree will look like and ultimately bring it back to council to agree or not agree. I think that would be my advice or direction; ensure that we have competent legal counsel as we negotiate that because I don't want the city to be a position

where we agree to something without realizing what those long-term consequences might be. I think we need to be really careful as we proceed forward so we're not just turning over control of our fire and police departments to the Attorney General. I'd like to see a presentation from the Civil Service Commission. What their thoughts are on the presentation to Public Safety last year and on the reports that have come out. I think there's some changes that can be implemented within our current Charter structure. There are probably some changes that might be needed or Charter changes might be required to implement those changes. I think council should have a discussion about what we'd like to see changed and how that can be accomplished within our current structure.

CM Berzins: It hurts my heart to have someone paint our police and fire and first responders with a broad brush and call them all names. I was disappointed in that. They were hired to do a job and they hired the attorneys to do a job, and they did. It's like if you hire a code officer to come to your house to look for code violations, they're going to find them. I did notice they didn't say anything about how we can retain our police, how we can get crime down in the city. I'm really apprehensive that when we start implementing some of these that more of fire and police will leave and we'll be even shorter and crime will go up. Who do we call to fix that? If we have ten murders now and, after this is implemented, we have 25, who helps us? Is it the people that did 217, because this is what all this is coming out from? I'm really apprehensive what this is going to do to this city and crime. As council members we all know we all get emails and phone calls saying citizens call for police and no one came or three hours later they came. Is this going to make it worse? It has a lot of holes in it and I guess we'll just have to wait and see. It will be interesting to see what other cities do. I've heard that Boulder has a huge problem. Are they going to do Boulder? We just happened to be the first ones. You know, when you're first, sometimes things don't work out the way you wanted. Yes, there are problems – there's problems in any group. I honestly felt like that report – because we've been saying there's been some bad apples – they kinda made fun of us for saying it. I guess we'll have to wait and see what comes out of it. It just hurts my heart to paint people with a broad brush, cause that's not right.

CM Gruber: I think your points are spot on. As far as reducing crime, we must figure out how to – working with the AG – what can be done to reduce crime in Aurora.

**6. Confirm Next Meeting**

Next meeting moved from October 21 to October 14, 2021 at 11am via WebEx due to conflicts on two of the Committee members' schedules.

**7. Adjournment**

Meeting adjourned at 12:45pm

APPROVED: \_\_\_\_\_

Dave Gruber, Chair



# CITY OF AURORA

## Council Agenda Commentary

|  |
|--|
| <b>Item Title:</b> Aurora Fire Rescue International Fire Code 2021 Adoption Ordinance                            |
| <b>Item Initiator:</b> Steven Wright, Fire Commander   |
| <b>Staff Source/Legal Source:</b> Caine Hills, Deputy Fire Chief / Angela Garcia, Senior Assistant City Attorney |
| <b>Outside Speaker:</b> N/A  |
| <b>Council Goal:</b> 2012: 1.0--Assure a safe community for people   |

### COUNCIL MEETING DATES:

**Study Session:** 11/1/2021

**Regular Meeting:** 11/22/2021

### ITEM DETAILS:

Aurora Fire Recue will provide a 20 minute presentation informing Council of the 2021 International Fire Code (IFC) changes and recommendations for adoption.

---

### ACTIONS(S) PROPOSED *(Check all appropriate actions)*

- |   |  |
|---|--|
| <input checked="" type="checkbox"/> Approve Item and Move Forward to Study Session  | <input type="checkbox"/> Approve Item as proposed at Study Session   |
| <input type="checkbox"/> Approve Item and Move Forward to Regular Meeting   | <input type="checkbox"/> Approve Item as proposed at Regular Meeting |
| <input type="checkbox"/> Information Only   |  |
| <input type="checkbox"/> Approve Item with Waiver of Reconsideration<br>Reason for waiver is described in the Item Details field. |  |

---

### PREVIOUS ACTIONS OR REVIEWS:

**Policy Committee Name:** N/A

**Policy Committee Date:** N/A

### Action Taken/Follow-up: *(Check all that apply)*

- |   |   |
|---|---|
| <input type="checkbox"/> Recommends Approval              | <input type="checkbox"/> Does Not Recommend Approval    |
| <input type="checkbox"/> Forwarded Without Recommendation | <input type="checkbox"/> Recommendation Report Attached |
| <input type="checkbox"/> Minutes Attached                 | <input type="checkbox"/> Minutes Not Available          |

---

**HISTORY** *(Dates reviewed by City council, Policy Committees, Boards and Commissions, or Staff. Summarize pertinent comments. ATTACH MINUTES OF COUNCIL MEETINGS, POLICY COMMITTEES AND BOARDS AND COMMISSIONS.)*

N/A

---

**ITEM SUMMARY** *(Brief description of item, discussion, key points, recommendations, etc.)*

Presentation of the Ordinance adopting the 2021 Edition of the International Fire Code (IFC)

---

**QUESTIONS FOR COUNCIL**

Does Council approve moving the Ordinance adopting the 2021 IFC forward to Study Session?

---

**LEGAL COMMENTS**

City Council has the power to make and publish from time to time ordinances not inconsistent with the laws of the state for carrying into effect or discharging the powers and duties conferred by the state constitution, statute or city Charter and such as it shall deem necessary and proper to provide for the safety; preserve the health; promote the prosperity; and improve the morals, order, comfort and convenience of the city and the inhabitants thereof. (City Code, Section 2-32 and C.R.S. § 31-15-103) (Garcia)

---

**PUBLIC FINANCIAL IMPACT**

YES       NO

**If yes, explain:** N/A

---

**PRIVATE FISCAL IMPACT**

Not Applicable       Significant       Nominal

**If Significant or Nominal, explain:** N/A

# 2021 INTERNATIONAL FIRE CODE ADOPTION OVERVIEW

Aurora Fire Rescue  
Inspections and Investigations Division





# CORE 4 VALUES

- Respect
- Integrity
- Professionalism
- Customer Service



# FIRE INSPECTIONS UNIT MISSION

THE MISSION OF THE FIRE INSPECTIONS UNIT IS TO PROTECT THE LIVES AND PROPERTY OF THE CITIZENS AND VISITORS TO THE CITY OF AURORA FROM PREVENTABLE FIRE. AS WELL AS ENSURING THE SAFEST ENVIRONMENT BY UPHOLDING THE INTERNATIONAL FIRE CODE.



# CURRENT STAFFING

The Fire Inspections Bureau is comprised of a Fire Marshal (Deputy Chief), a Commander, Lieutenant, and six Fire Inspectors (including one lead inspector).



# OUR VISION

Adoption of the 2021 IFC with the proposed amendments will enable Aurora Fire Rescue to provide the greatest level of fire prevention and life safety for the citizens and visitors to the City of Aurora.



# INTERNAL/EXTERNAL STAKEHOLDER COLLABORATION AND COMMUNICATION PROCESS

- Business Advisory Board Meeting (January 2020)
- Building Department (IBC/IFC) alignment
- Tax and Licensing
- Legal
- Community Engagement



# 2021 FIRE CODE ADOPTION GOALS

- Adopt the 2021 International Fire Code (IFC), replacing the currently adopted 2015 IFC.
- Amend any sections of the 2021 IFC which AFR believes (based upon data) would increase the risk of fire.
- Effectively enforce 2021 IFC requirements throughout the City of Aurora (COA).



# 2021 IFC OVERVIEW

- 2021 adoption by COA will include any updates and revisions from the 2018 IFC presently in the 2021 edition (2018 edition was not adopted by COA).
- 2021 adoption adds four chapters of fire code not present in the 2015 IFC:
  - Energy Systems
  - Higher Education Laboratories
  - Processing and Extraction Facilities
  - Storage of Distilled Spirits and Wines



# 2021 IFC ADOPTION SIGNIFICANT CHANGES

\*Chapters not identified had no significant changes

- Chapter 3, General Requirements
  - Sec. 311.2 allows seasonal out of service for fire protection systems in vacant buildings when less than 12,000 sq ft and does not store vehicles or hazmat.
  - Sec 315.3.1 removes 18" and 24" ceiling clearance requirements for storage when storage is against a wall
    - AFR recommends not adopting this section.
- Section 4, Emergency Planning
  - Sec 403.3.1 Updates staff training requirements and fire safety/evacuation plan requirements for several occupancy groups.
  - Sec 404.3.2 Clarifies who may approve lockdown plans.





# 2021 IFC ADOPTION SIGNIFICANT CHANGES

- Chapter 5, Fire Service Features
  - Sec 501.3.1 adds requirement for owners to develop and maintain an approved site safety plan with construction plans.
  - Sec 510 requires two-way, in-building emergency responder communication coverage in all new buildings, that the communication system be monitored by the fire alarm control unit, and adds the authority of Fire Code Officials to request as-built documentation of communication system.
- Chapter 6, Building Services and Systems
  - Sec 603.5 permits temporary daisy-chain of up to five power taps in Group A and some areas of B occupancies, not to exceed 90 days. Power taps are not defined as having surge protection and have a history of overheating/arcing when overloaded. - AFR recommends not adopting this section.



# 2021 IFC ADOPTION SIGNIFICANT CHANGES

- Chapter 7, Fire and Smoke Protection Features
  - Secs 701-708 adds requirements for maintenance of fire-resistant constructions (penetrations, joint and voids, spray and intumescent materials, and doors and windows installed in fire-resistant constructions).
- Chapter 9, Fire Protection and Life Safety Systems
  - Sec 901.4.7 adds requirements for access, marking, temperatures, and permanent lighting requirements to fire pump and valve rooms.
  - Sec 901.7 provides an exception to fire-watch for out-of-service fire systems for buildings with an approved notification and management program.
  - Sec 903 adds requirements for auto-sprinklers for Groups A, E, F, and S occupancies when specific criteria are met.



# 2021 IFC ADOPTION SIGNIFICANT CHANGES

- Chapter 9, Fire Protection and Life Safety Systems – Cont'd
  - Sec 905.3.1 clarifies building heights requiring Class III standpipes and lists exceptions where Class I standpipes in place of Class III.
  - Sec 905.11 authorizes Fire Code Officials to require locking outlet caps on dry standpipes.
  - Sec 907.2 requires a manual fire alarm and detection system in Group A occupancies with an Occupancy Load >100 above or below exit discharge level.
  - Sec 908.3 requires an emergency alarm tied into a fire alarm to produce a "supervisory" signal.



# 2021 IFC ADOPTION SIGNIFICANT CHANGES

- Chapter 10, Means of Egress
  - Sec 1010.2.8 allows doors to be locked which are designed to prevent intruders in educational occupancies if the door can be opened from the inside, and the door can be unlocked from the outside with a key.
  - Sec 1032.4 clarifies that exit signs shall be installed and maintained in accordance with the adopted code at the time of construction and the existing buildings chapter.
- Chapter 11, Construction Requirements for Existing Buildings
  - Sec 1103.5 requires auto sprinklers in existing A-2 occupancies with an occupancy load of >300 or where alcoholic beverages are consumed.
  - Sec 1105.6.1 requires means of egress from smoke compartments without having to return through the compartment of origin.



# 2021 IFC ADOPTION SIGNIFICANT CHANGES

- Chapter 12, Energy Systems
  - New Chapter in the 2018 IFC: Relocated sections on Emergency and Standby Power, Photovoltaic Power, and other, pertinent sections to consolidate requirements.
  - Secs 1206 and 1207 requires permits for installation of Stationary Fuel Cell Power Systems and Electrical Energy Storage Systems.
- Chapter 22, Combustible Dust-Producing Operations
  - Sec 2203.6 requires an SOP for dust-producing operations and lists the required topics.
  - Sec 2203.8 required a Fire Code Official to approve SOP and ERP and for annual updates/reviews. This section also required training for those involved with combustible dust operations.
- Chapter 23, Motor Fuel Dispensing Facilities and Repair Garages
  - Sec 2303.1 requires self-service fuel dispensing to be observable by an attendant: If approved by the Fire Code Official video monitoring may be used
  - Sec 2306 authorizes the Fire Code Official to require additional impact protection where fuel dispensing equipment is in an area of higher potential for vehicle impact.



# 2021 IFC ADOPTION SIGNIFICANT CHANGES

- Chapter 28, Lumber Yards and Agro-Industrial, Solid Biomass and Woodworking Facilities
  - Sec 2810 requires a site plan, fire prevention, evacuation plan, and security plan for outdoor storage of pallets at pallet manufacturing and recycling facilities.
- Chapter 31, Tents, Temporary Event Structures, and Other Membrane Structures
  - Sec 3106.3 requires Fire Code Official to approve means of egress and occupancy load for outdoor assembly events.
  - Sec 3106.4 requires public safety plan, weather monitoring person, crowd managers to be included for outdoor assembly events.
- Chapter 32, High-Piled Combustible Storage
  - Sec 3201 requires approved construction documents and plans be in an approved area and for a floor plan to be posted and protected from damage.
  - Sec 3205.1 requires annual verification and evaluation of approved storage layout of high-piled combustible storage.



# 2021 IFC ADOPTION SIGNIFICANT CHANGES

- Chapter 33, Fire Safety During Construction and Demolition
  - Sec 3302 explains owner's responsibility for fire safety during construction and demolition which include a site safety plan, identification of a Site Safety Director, and daily fire safety inspection.
  - Sec 3305 details fire-watch procedures, adds separation from cooking to combustibles at 10 ft, and adds separation Constuction area from occupied areas of the building.
  - Sec 3313 requires 500 gpm fire-flow provisions once combustible building materials arrive on-site. This section also requires one fire hydrant within 500 feet of all combustible materials.
- Chapter 38, Higher Education Laboratories
  - New chapter in 2018 IFC addressing chemical use, storage, and safety precautions for small labs unique to higher learning facilities.
- Chapter 39, Processing and Extraction Facilities
  - New chapter in 2018 IFC focusing on the processing and extraction of oils and fats from various plants. This chapter addresses processing using solvents that may or may-not be hazardous materials.



# 2021 IFC ADOPTION SIGNIFICANT CHANGES

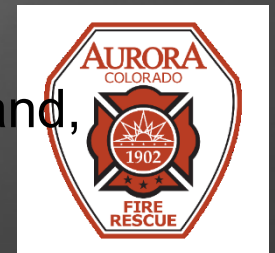
- Chapter 40, Storage of Distilled Spirits and Wines
  - New chapter in the 2021 IFC addressing occupancies that store beverages up to and including 16% alcohol, which are designated Group S-2.
  - Storage facilities designated Group S-1 or H occupancies are not covered by this chapter.
- Chapter 50, Hazardous Materials General Provisions
  - Sec 5001.1 provides exceptions of hazmat requirements for products complying with other chapters of the code.
- Chapter 51, Aerosols
  - Sec 5103.1 expands the classification and identification of aerosols.
  - Sec 5104.3 limits the amount of aerosol cooking spray products to 2500 pounds when stored indoors at a warehouse.





# 2021 IFC ADOPTION SIGNIFICANT CHANGES

- Chapter 52, Compressed Gases
  - Sec 5305.4 requires access to compressed gas systems and valves be provided and maintained.
- Chapter 56, Explosives and Fireworks
  - Sec 5606 adds commercial reloading of small arms ammunition to the indoor storage or display items to comply with this chapter.
- Chapter 57, Flammable and Combustible Liquids
  - Sec 5701.2 requires leak detection panel status to be announced to an approved location
  - Sec 5707 is a new section relating to on-demand, mobile fueling operations.



# 2021 IFC ADOPTION SIGNIFICANT CHANGES

- Chapter 60, Highly Toxic and Toxic Materials
  - Sec 6004. Requires gas detection systems in highly toxic and toxic rooms to comply with this chapter as well as initiate a response when discharge of at or below one half IDLH limit.
- Chapter 61, Liquefied Petroleum gases
  - Table 6104.3 notes that above ground LP containers  $\leq 2000$  gal are required to be separated from public ways by no less than 5 feet.
  - Sec 6110 requires LP gas containers discontinued from use to be removed.
- Chapter 62, Oxidizers, Oxidizing Gases, and Oxidizing Cryogenic Fluids
  - Sec 6304 provides updated limits for storage of Class 1, 2, and 3 oxidizing liquids and solids.



# INTENDED OUTCOMES

Adopt the 2021 IFC with amendments

- **111.1 Board of appeals**
- **112.4 Violation penalties**
- **113.4 Stop-work violation penalty**
- **503.2.1 Fire apparatus roads**
- **503.2.3 Apparatus road minimum weight**
- **2303.1 Fuel dispensing distance allowance exceptions**



20

# INTENDED OUTCOMES

- **503.6 Security gates on apparatus roads**
- **66-39 Appeal of re-inspection fee**
- **Ceiling height storage** Rescind exception from Sec 315.3.
- **Relocatable power-taps** Rescind Sec 603.5
- **Elevators in service** Additional subsection 604.2.1
- **66-43 Fire apparatus access roads**



# SOURCES

International Fire Code 2015, 2018, and 2021 Editions



22



**THANK YOU**

ORDINANCE NO. 2021- \_\_\_\_\_

A BILL

FOR AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, AMENDING CHAPTER 66 OF THE CITY CODE ENTITLED "FIRE PREVENTION AND PROTECTION" RELATED TO THE ADOPTION OF THE 2021 EDITION OF THE INTERNATIONAL FIRE CODE AND LOCAL AMENDMENTS THERETO

WHEREAS, the International Fire Code ("IFC") is a model fire code that regulates minimum fire safety requirements for new and existing buildings, facilities, storage and processes; and

WHEREAS, a new edition of the IFC is produced every three years, and the 2021 Edition of the IFC has been issued by the International Code Council; and

WHEREAS, the current edition of the IFC adopted for the City of Aurora is the 2015 Edition of the IFC; and

WHEREAS, the adoption of the 2021 Edition of the IFC, including the local amendments, will provide the most current fire and life safety applications with respect to construction, occupancy, use and maintenance of buildings and structures in the City of Aurora.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO:

Section 1. That section 66-26 of the City Code of the City of Aurora, Colorado, is hereby amended to read as follows:

Sec. 66-26. Adopted.

The International Fire Code, ~~2015~~ **2021** edition, promulgated by the International Code Council, with appendices A through ~~J and L-I~~, are adopted with the amendments, additions and deletions specified in this article. Copies of the codes adopted in this section are available for inspection at the ~~office~~ **Office** of the ~~city~~ **City** ~~clerk~~ **Clerk**.

Section 2. That section 66-28 of the City Code of the City of Aurora, Colorado, is hereby amended to read as follows:

Sec. 66-28. Board of appeals.

The International Fire Code, section ~~108.1~~ **111.1** is hereby amended to read as follows:

~~108.1~~ **111.1.** Board of appeals established. In order to hear and decide appeals of orders, decisions or determinations made by the fire code official relative to the application and interpretation of this code, there shall be and is hereby created a board of appeals. The recognized board of appeals for fire code related appeals shall be the regional fire code board of appeals. Appeals for fire code related issues shall be made to the regional fire code board of appeals pursuant to the intergovernmental agreement and bylaws of the board of appeals. The fire code official shall be an ex officio member of the board of appeals, but shall have no vote on any matter before the board. The board of appeals shall adopt rules of procedure for conducting its business and shall render its decisions and findings in writing to the appellant with a duplicate copy to the fire code official.

Section 3. That section 66-29 of the City Code of the City of Aurora, Colorado, is hereby amended to read as follows:

Sec. 66-29. Violations.

The International Fire Code, section ~~109.4~~ **112.4** is hereby amended to read as follows:

~~109.4~~ **112.4** Violation penalties.

Persons who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter, repair or do work in violation of the approved construction documents or directive of the fire code official, or of a permit or certificate used under provisions of this code, shall be guilty of a municipal ordinance violation, punishable by a fine of not more than the maximum fine set forth in the general penalty provision of section 1-13(a) of the City Code or by imprisonment not to exceed the maximum imprisonment set forth in the general penalty provisions of section 1-13(a) of the City Code, or both such fine and imprisonment, for each offense. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

Section 4. That section 66-30 of the City Code of the City of Aurora, Colorado, is hereby amended to read as follows:

The International Fire Code, section ~~111.4~~ **113.4** is hereby amended to read as follows:

~~111.4~~ **113.4** Failure to comply.

It shall be unlawful for any person to continue any work after having been served with a stop work order. Any person who shall continue any work after having been served with a stop work order, except such work as the person is directed to perform to remove a violation or unsafe condition, shall be subject to a fine not to exceed maximum fine set forth in the general penalty provisions of section 1-13(a) of the City Code.

Section 5. That section 66-32 of the City Code of the City of Aurora, Colorado, is hereby amended to read as follows:



The ~~international fire code~~ **International Fire Code**, subsections 503.2.1 and 503.2.3 are hereby amended to read as follows:

503.2.1. Dimensions.

Fire apparatus access roads shall have an unobstructed width of not less than 23 feet, unless a greater width is ~~otherwise specified in the code~~ **required elsewhere within the code**, except for approved security gates in accordance with section 503.6, and an unobstructed vertical clearance of not less than 13 feet, 6 inches.

503.2.3. Surface.

Fire apparatus access roads shall be designated and maintained to support the **85,000 lbs.** imposed loads of the fire apparatus ~~up to 85,000 pounds~~ and shall be surfaced so as to provide all weather driving capabilities. No speed reducing devices or traffic-calming features of any type that alter the elevation of the roadway shall be permitted on any fire apparatus access road, unless approved by the fire code official.

Section 6. That section 66-33 of the City Code of the City of Aurora, Colorado, is hereby amended to read as follows:

Sec. 66-33. Motor fuel dispensing facilities **and Repair Garages.**

The International Fire Code, section ~~2203.1~~ **2303.1** is hereby amended by adding additional subsections (6) and (7) to read as follows:

~~2203.1~~ **2303.1** Location of dispensing devices.

(6) No dispensing or delivery of flammable or combustible liquids will be permitted within 500 feet of any E, I, or R-4 occupancy. This distance shall be measured from the nearest transfer or delivery point of the fuel to the nearest portion of the building or to the nearest activity area of the use, such as a playground or recreational area. This restriction shall not apply to the normal scheduled delivery of combustible fuel into approved tanks used for heating or the operation of emergency electrical generating equipment, provided such delivery is made in accordance with approved dispensing practices with regard to public safety.

Exceptions:

- a. The distance restrictions for the dispensing of flammable or combustible liquids can be eliminated if site grading and run-off control features will maintain a distance of at least 20 feet between any potential fuel release and the E, I, or R-4 occupancy and that the fuel, due to elevation differences, will not be able to pool or congregate in or around any E, I, or R-4 occupancy.
- b. The distance restrictions for the delivery of flammable or combustible liquids can be eliminated if the delivery occurs when the E, I, or R-4 occupancy is not in use.

(7) The chief may modify the provision of subsection (6) where there are practical difficulties in carrying out the strict letter of this subsection; provided, that the spirit of this section shall be complied with, public safety secured, and substantial justice done. Where an E, I or R-4 occupancy is located at a grade higher than where motor fuel dispensing occurs a reduction in the 500' ~~foot~~ restriction may occur as follows:

"SEPARATION OFF-SET CHART"

- 1-FOOT = 400'
- 2-FEET = 300'
- 3-FEET = 200'
- 4-FEET = 100'

Section 7. That the City Code of the City of Aurora, Colorado, is hereby amended by adding a section to be numbered 66-37, which section shall read as follows:

**Sec. 66-37. Security gates.**

**The International Fire Code, section 503.6 is hereby amended to read as follows:**

**The installation of security gates across a fire apparatus access road shall be approved by the fire chief. Where security gates are installed at primary access points, as determined by the fire chief, those gates shall have an approved automatic means of emergency operation. Additionally, each automatic gate shall have a back-up switch (Knox keyed), as well as accessible means of manual operation. Security gates installed at secondary access points, as determined by the fire chief, shall have a means of operation approved by the fire chief. The security gates and the emergency operation shall be maintained in proper working condition at all times. In the event that there are electric gate operators, they shall be listed in accordance with UL 325. Gates intended for automatic operation shall be designed, constructed, and installed in compliance with the requirements of ASTM F 2200.**

Section 8. That section 66-39 of the City Code of the City of Aurora, Colorado, is hereby amended to read as follows:

**Sec. 66-39. ~~Re-inspection fee~~ Fees.**

(a) *Generally.* Administrative fees may be assessed against any real property owner **or business owner** for **inspections and** re-inspections under this article ~~due to any violation of chapter 66 of the City Code or any violation of the International Fire Code.~~ Fees for **inspections and** re-inspections shall be established by the fire chief in accordance with the provisions of section 2-587 of this Code.

Return inspection fees shall be assessed whenever the **real property** owner or occupant **or business owner**:

- (1) Fails to provide access to the property being inspected and return visits are necessary.
- (2) Fails to provide access on dates and times scheduled.
- (3) Cancels an inspection visit without notice of at least three working days prior to scheduled inspection. Cancellations must be justifiable and appropriate.

(b) *Recovery of costs from multi-family housing, creation of a lien.* The city manager or manager's designee, using the appropriate billing forms as supplied by the director of finance, shall notify the owner of multi-family housing of the assessed fees for **inspections and re-inspections of a fire code violation** by certified mail. If the owner fails within 30 days after the date of transmission of notification to pay for the costs and expenses to the city clerk, the costs and expenses shall become a lien against the property. The director of finance shall certify to the treasurer of the appropriate county the legal description of the real property subject to the lien and the amount of costs and fees assessable to such property, plus 15 percent, for administrative fees for collection in the same manner as general property taxes are authorized to be collected by such treasurer.

(c) *Appeal from assessment of re-inspection fee.* If a re-inspection fee is assessed pursuant to subsection (a) of this section, an appeal may be initiated in accordance with this subsection. Within 15 days of the date of the billing form, the owner may file a written appeal with the city manager or designee specifying the reason why the assessment is improper. The assessment shall be stayed pending the resolution of the appeal. The city manager or designee shall determine whether the appeal is valid and shall notify the owner in writing of a final decision. No hearing shall be permitted and the manager's or designee's determination shall be final subject to judicial review.

Section 9. That the City Code of the City of Aurora, Colorado, is hereby amended by adding a section to be numbered 66-40, which section shall read as follows:

**Sec. 66-40. General Storage.**

**The International Fire Code, Section 315.3.1 is hereby amended to read as follows:**

**315.3.1 Ceiling clearance.**

**Storage shall be maintained 2 feet (610 mm) or more below the ceiling in nonsprinklered areas of buildings or not less than 18 inches (457 mm) below sprinkler head deflectors in sprinklered areas of buildings.**

Section 10. That the City Code of the City of Aurora, Colorado, is hereby amended by adding a section to be numbered 66-41, which section shall read as follows:

**The International Fire Code, Section 603.5.2 is hereby amended to read as follows:**

**Section 603.5.2 Application and use of relocatable power taps.**

**Relocatable power taps and current taps shall be directly connected to a permanently installed receptacle.**

**Exception 1: Where approved for use in a Group A occupancy or in a meeting room in a Group B occupancy, not more than five surge-protected, relocatable power taps shall be permitted to be connected together or connected to an extension cord for temporary use to supply power to electronic equipment.**

Section 11. That the City Code of the City of Aurora, Colorado, is hereby amended by adding a section to be numbered 66-42, which section shall read as follows:

**The International Fire Code, Section 604.2 is hereby amended by adding a section to be numbered 604.2.1, which section shall read as follows:**

**604.2.1 Where elevators are provided for occupant use, a minimum of one elevator per structure must be operational at all times for firefighters' emergency operations/emergency medical use.**

Section 12. That the City Code of the City of Aurora, Colorado, is hereby amended by adding a section to be numbered 66-43, which section shall read as follows:

**Sec. 66-43. Appendix D - Fire Apparatus Access Roads.**

**The International Fire Code, Appendix D, is hereby amended to read as follows:**

**D103.1 Access road width with a hydrant.**

**Where a fire hydrant is located on a fire apparatus access road, the minimum road width shall be 26 feet (7925 mm), exclusive of shoulders (see Figure D103.1). The dead-end fire apparatus access road turnaround 60' "Y" option shown in Figure D103.1 is repealed.**

**D104.2 Buildings exceeding 62,000 square feet in area.**

**Buildings or facilities having a gross building *area* of more than 62,000 square feet (5760 m<sup>2</sup>) shall be provided with two separate and approved fire apparatus access roads.**

**D106.1 Projects having more than 100 dwelling units.**

**Multiple-family residential projects having more than 100 dwelling units shall be equipped throughout with two separate and approved fire apparatus access roads.**

Section 13. That the City Code of the City of Aurora, Colorado, is hereby amended by adding a section to be numbered 66-121, which section shall read as follows:

**Sec. 66-121. Fire Lane Obstruction.**

**(a) *Parking or Stopping.* Parking or stopping is not permitted within fire lanes designated by the City of Aurora for any vehicles other than emergency response and**

enforcement vehicles. To provide access for emergency response and enforcement vehicles, storage of property or otherwise obstructing city-designated fire lanes is prohibited at all times.

**(b) *Private Property.*** Property owners or owner’s agents may designate additional fire lanes on their private property but are not enforceable by City of Aurora officials as indicated in section (d) of this section and are the sole responsibility of the owner or owner’s agent to enforce.

**(c) *School Drop-off and Pick-up Location.*** Where approved by the Fire Chief or designee, schools may mark a city-designated fire lane adjacent to the school as a student drop-off and pick-up location. If approved, vehicles must be attended to at all times while stopped in the fire lane by a licensed operator who is capable of moving the vehicle in the event of an emergency. Student pick-up and drop-off locations are intended to be for momentary stopping to enable safe ingress and egress of students and not to be used to for parking, or other activities which may obstruct the fire lane when needed by emergency response or enforcement vehicles. Where approved, the Fire Chief or designee may require on-site traffic control personnel be used to ensure safe traffic flow through student pick-up and drop-off locations within a fire lane and are to be provided by the school.

**(d) *Penalty.*** Property owners or vehicle owners convicted of violating this section shall be guilty of a municipal ordinance violation, punishable by a fine of not more than the maximum fine set forth in the general penalty provision of section 1-13(a) of the City Code.

Section 14. Severability. The provisions of this Ordinance are hereby declared to be severable. If any section, paragraph, clause, or provision of this Ordinance shall, for any reason, be held to be invalid or unenforceable by a court of competent jurisdiction, the invalidity or unenforceability of such section, paragraph, clause, or provision shall not affect any of the remaining provisions of this Ordinance.

Section 15. Pursuant to Section 5-5 of the Charter of the City of Aurora, Colorado, the second publication of this Ordinance shall be by reference, utilizing the ordinance title. Copies of this Ordinance are available at the Office of the City Clerk.

Section 16. All acts, orders, resolutions, or ordinances in conflict with this Ordinance or with any of the documents hereby approved, are hereby repealed only to the extent of such conflict. This repealer shall not be construed as reviving any resolution, ordinance, or part thereof, heretofore repealed.

INTRODUCED, READ AND ORDERED PUBLISHED this \_\_\_\_ day of \_\_\_\_\_, 2021.

PASSED AND ORDERED PUBLISHED this \_\_\_\_ day of \_\_\_\_\_, 2021.


\_\_\_\_\_  
MIKE COFFMAN, Mayor

ATTEST:

---

KADEE RODRIGUEZ, City Clerk

APPROVED AS TO FORM:

 <sup>RLA</sup>  

---

ANGELA L. GARCIA, Senior Assistant City Attorney



# CITY OF AURORA

## Council Agenda Commentary

|  |
|--|
| <b>Item Title:</b> Regional Fire Code Board of Appeals IGA   |
| <b>Item Initiator:</b> Steven Wright, Fire Commander   |
| <b>Staff Source/Legal Source:</b> Caine Hills, Deputy Fire Chief / Angela Garcia, Senior Assistant City Attorney |
| <b>Outside Speaker:</b> N/A  |
| <b>Council Goal:</b> 2012: 1.0--Assure a safe community for people   |

### COUNCIL MEETING DATES:

**Study Session:** N/A

**Regular Meeting:** N/A

### ITEM DETAILS:

Regional Fire Code Board of Appeals Intergovernmental Agreement

---

### ACTIONS(S) PROPOSED *(Check all appropriate actions)*

- Approve Item and Move Forward to Study Session
- Approve Item as proposed at Study Session
- Approve Item and Move Forward to Regular Meeting
- Approve Item as proposed at Regular Meeting
- Information Only
- Approve Item with Waiver of Reconsideration  
Reason for waiver is described in the Item Details field.

---

### PREVIOUS ACTIONS OR REVIEWS:

**Policy Committee Name:** Public Safety, Courts & Civil Service

**Policy Committee Date:** 10/14/2021

### Action Taken/Follow-up: *(Check all that apply)*

- Recommends Approval
- Does Not Recommend Approval
- Forwarded Without Recommendation
- Recommendation Report Attached
- Minutes Attached
- Minutes Not Available

---

**HISTORY** (Dates reviewed by City council, Policy Committees, Boards and Commissions, or Staff. Summarize pertinent comments. ATTACH MINUTES OF COUNCIL MEETINGS, POLICY COMMITTEES AND BOARDS AND COMMISSIONS.)

N/A

---

**ITEM SUMMARY** (Brief description of item, discussion, key points, recommendations, etc.)

Intergovernmental Agreement between the City of Aurora, South Metro Fire Rescue Fire Protection District, City of Sheridan, West Douglas Fire Protection District, Jackson-105 Fire Protection District, and Bennett Fire Protection District No. 7 regarding the Regional Fire Code Board of Appeals

---

**QUESTIONS FOR COUNCIL**

Does Council approve moving the Regional Fire Code Board of Appeals IGA forward to Study Session?

---

**LEGAL COMMENTS**

City Council may, by resolution, enter into Intergovernmental Agreements with other governmental units or special districts for the joint use of buildings, equipment or facilities, and for furnishing or receiving commodities or services. (City Charter, Art. §10-12). Governments may cooperate or contract with one another to provide any function, service, or facility lawfully authorized to each of the cooperating or contracting units only if such cooperation or contracts are authorized by each party thereto with the approval of its legislative body or other authority having the power to so approve. (Colo. Rev. Stat. § 29-1-203(1)) (Garcia)

---

**PUBLIC FINANCIAL IMPACT**

YES       NO

**If yes, explain:** N/A

---

**PRIVATE FISCAL IMPACT**

Not Applicable       Significant       Nominal

**If Significant or Nominal, explain:** N/A



EFFECTIVE DATE: 3-7-11

RESOLUTION NO. 2011-14

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO,  
APPROVING AN INTERGOVERNMENTAL AGREEMENT  
BETWEEN THE CITY OF AURORA AND THE LITTLETON FIRE PROTECTION DISTRICT,  
CUNNINGHAM FIRE PROTECTION DISTRICT, JACKSON 105 FIRE PROTECTION  
DISTRICT, WEST DOUGLAS FIRE PROTECTION DISTRICT, SOUTH METRO FIRE  
RESCUE AUTHORITY, AND THE CITY OF SHERIDAN REGARDING THE REGIONAL FIRE  
CODE BOARD OF APPEALS**

---

**WHEREAS**, Section 10-12 of the City Charter authorizes the City Council of the City of Aurora, Colorado, by resolution, to enter into contracts or agreements with other governmental units or special districts for the joint use of buildings, equipment, or facilities, and for the furnishing or receiving of services; and

**WHEREAS**, Fire Districts and Departments within Arapahoe and Douglas counties have established a Regional Fire Code Board of Appeals, which complies with the mandates of the International Fire Code, Section 108.1, to hear and decide appeals of orders, decisions, or determinations made by a district or department's fire code official regarding the application and determination of the International Fire Code; and

**WHEREAS**, the City of Aurora, in order to draw upon the resources, experience, and expertise of the Regional Fire Code Board of Appeals, desires to have the Regional Fire Code Board of Appeals serve as the City's fire code appeals board; and

**WHEREAS**, Sections 29-1-203 Colorado Revised Statutes provide authority for the execution of the intergovernmental agreement.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AURORA:**

That the Mayor of the City of Aurora, Colorado, is hereby authorized to execute, on behalf of the City, the intergovernmental agreement between the City of Aurora and the Littleton Fire Protection District, Cunningham Fire Protection District, Jackson 105 Fire Protection District, West Douglas Fire Protection District, South Metro Fire Rescue Authority, and the City of Sheridan in a document titled: Fourth Amendment to Intergovernmental Agreement creating the Regional Fire Code Board of Appeals.


**RESOLVED AND PASSED** this 7th day of March, 2011.

  
\_\_\_\_\_  
EDWARD J. TAUER, Mayor

ATTEST:

  
DEBRA A. JOHNSON, City Clerk

APPROVED AS TO FORM:

 *BR*  
Dana Spade, Asst. City Attorney

RESOLUTION NO. R2021- \_\_\_\_\_

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, APPROVING AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF AURORA, SOUTH METRO FIRE RESCUE FIRE PROTECTION DISTRICT, CITY OF SHERIDAN, WEST DOUGLAS FIRE PROTECTION DISTRICT, JACKSON-105 FIRE PROTECTION DISTRICT, AND BENNETT FIRE PROTECTION DISTRICT NO. 7 REGARDING THE REGIONAL FIRE CODE BOARD OF APPEALS

WHEREAS, on August 1, 2006, South Metro Fire Rescue, City of Sheridan, West Douglas Fire Protection District, Jackson-105 Protection District, Littleton Fire Protection District and Cunningham Fire Protection District, entered into an Intergovernmental Agreement creating the Regional Fire Code Board of Appeals (“2006 IGA”); and

WHEREAS, the Regional Fire Code Board of Appeals hears and decides appeals of orders, decisions or determinations made by a fire chief or other fire code official vested with the right to apply and interpret the controlling fire code in its respective jurisdiction; and

WHEREAS, in R2011-14, City Council authorized the City of Aurora to draw upon the resources, experience, and expertise of the Regional Fire Code Board of Appeals and have the Regional Fire Code Board of Appeals serve as the City’s fire code appeals board; and

WHEREAS, a new Intergovernmental Agreement is necessary since the 2006 IGA was terminated as of September 2021 considering the Littleton Fire Protection District was dissolved as of December 31, 2018 and Cunningham Fire Protection District consolidated with South Metro Fire Rescue in January 2020; and

WHEREAS, the City of Aurora, South Metro Fire Rescue Fire Protection District, City of Sheridan, West Douglas Fire Protection District, Jackson-105 Fire Protection District, and Bennett Fire Protection District No. 7 are entering into a new Intergovernmental Agreement regarding the Regional Fire Code Board of Appeals; and

WHEREAS, Article XIV, Section 18(2)(a) of the Constitution of the State of Colorado and Part 2, Article 1, Title 29, C.R.S., encourage and authorize intergovernmental agreements; and

WHEREAS, Section 29-1-203, C.R.S., authorizes governments to cooperate and contract with one another to provide any function, service, or facility lawfully authorized to each, and to establish a separate legal entity to do so; and

WHEREAS, Article 10-12 of the City Charter authorizes the City Council, by resolution, to enter into contracts or agreements with other governmental units or special districts for the joint use of buildings, equipment, or facilities, and for the furnishing or receiving of services.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, THAT:

Section 1. The Intergovernmental Agreement between the City of Aurora, South Metro Fire Rescue Fire Protection District, City of Sheridan, West Douglas Fire Protection District, Jackson-105 Fire Protection District, and Bennett Fire Protection District No. 7 regarding the Regional Fire Code Board of Appeals is hereby approved.

Section 2. The Mayor and City Clerk are hereby authorized to execute the attached Intergovernmental Agreement in substantially the form presented at this meeting with such technical additions, deletions, and variations as may be deemed necessary or appropriate by the City Attorney.

Section 3. All resolutions or parts of resolutions of the City in conflict herewith are hereby rescinded.


RESOLVED AND PASSED this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
MIKE COFFMAN, Mayor

ATTEST:

\_\_\_\_\_  
KADEE RODRIGUEZ, City Clerk

APPROVED AS TO FORM:

 RLA  
\_\_\_\_\_  
ANGELA L. GARCIA, Senior Assistant City Attorney

## TERMINATION AGREEMENT

THIS TERMINATION AGREEMENT (this “Termination Agreement”) is made and entered into as of this \_\_\_ day of \_\_\_\_\_, 2021, by and among the following (individually “Party;” collectively “Parties”):

1. SOUTH METRO FIRE RESCUE, a quasi-municipal corporation and political subdivision of the State of Colorado, organized pursuant to Article 1, Title 32, C.R.S., which assigned its rights and obligations under the 2006 IGA (defined below) to South Metro Fire Rescue Authority, which subsequently transferred all of its assets, including its rights and obligations under the 2006 IGA, to Parker Fire Protection District, then to South Metro/Cunningham Fire Rescue Authority, and then to South Metro Fire Rescue Fire Protection District, all while doing business as South Metro Fire Rescue (“South Metro”); and

2. The CITY OF SHERIDAN (“Sheridan”), a municipal corporation and political subdivision of the State of Colorado; and

3. WEST DOUGLAS FIRE PROTECTION DISTRICT (“West Douglas”), a quasi-municipal corporation and political subdivision of the State of Colorado, organized pursuant to Article 1, Title 32, C.R.S.; and

4. JACKSON-105 FIRE PROTECTION DISTRICT (“Jackson-105”), a quasi-municipal corporation and political subdivision of the State of Colorado, organized pursuant to Article 1, Title 32, C.R.S.; and

5. The CITY OF AURORA (“Aurora”), a home rule municipal corporation and political subdivision of the State of Colorado.

### RECITALS

A. The Parties, along with the Littleton Fire Protection District and Cunningham Fire Protection District, each quasi-municipal corporations and political subdivisions of the State of Colorado, organized pursuant to Article 1, Title 32, C.R.S. (“Littleton Fire” and “Cunningham,” respectively), entered into that certain Intergovernmental Agreement Creating Regional Fire Code Board of Appeals dated August 1, 2006, as amended by the First Amendment to Intergovernmental Agreement Creating Regional Fire Code Board of Appeals dated June 27, 2007, the Second Amendment to Intergovernmental Agreement Creating Regional Fire Code Board of Appeals dated December 12, 2007, the Third Amendment to Intergovernmental Agreement Creating Regional Fire Code Board of Appeals dated February, 2008, and the Fourth Amendment to Intergovernmental Agreement Creating Regional Fire Code Board of Appeals dated May, 2011 (together, the “2006 IGA”); and

- B. Littleton Fire was dissolved as of December 31, 2018; and
- C. Cunningham Fire consolidated with South Metro in January 2020 by excluding all of its property and including such property within the boundaries of South Metro; and
- D. The Parties desire to terminate the 2006 IGA.

**NOW THEREFORE**, the Parties agree as follows:

1. **Termination of 2006 IGA.** Pursuant to Paragraph 10 of the 2006 IGA, the 2006 IGA is hereby terminated in its entirety as of the date first listed above and is of no further force and effect, and each Party to the 2006 IGA is hereby released and discharged of any and all obligations thereunder.
2. **Counterpart Execution.** This Termination Agreement may be executed in several counterparts, each of which shall be an original, but all of which together shall constitute one in the same instrument.

IN WITNESS WHEREOF, the Parties have executed this Termination Agreement as of the day and year first above written.

SOUTH METRO FIRE RESCUE FIRE  
PROTECTION DISTRICT

By: \_\_\_\_\_  
Fire Chief

[Signature Page to Termination Agreement]

CITY OF SHERIDAN

By: \_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_  
City Clerk

[Signature Page to Termination Agreement]

WEST DOUGLAS FIRE PROTECTION  
DISTRICT

By: \_\_\_\_\_  
President

Attest:

\_\_\_\_\_  
Secretary



[Signature Page to Termination Agreement]

JACKSON-105 FIRE PROTECTION  
DISTRICT

By: \_\_\_\_\_  
Fire Chief

[Signature Page to Termination Agreement]

CITY OF AURORA

By: \_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_  
City Clerk

Approved as to Form:

*Angela L. Garcia*  
\_\_\_\_\_  
Senior Assistant City Attorney

**INTERGOVERNMENTAL AGREEMENT  
CREATING REGIONAL FIRE CODE BOARD OF APPEALS**

THIS INTERGOVERNMENTAL AGREEMENT CREATING REGIONAL FIRE CODE BOARD OF APPEALS (the “Agreement”) is made and entered into this \_\_\_ day of \_\_\_\_\_, 2021, by and among the following (individually “Party”; collectively “Parties”):

1. SOUTH METRO FIRE RESCUE FIRE PROTECTION DISTRICT (“South Metro”), a quasi-municipal corporation and political subdivision of the State of Colorado, organized pursuant to Article 1, Title 32, C.R.S.;
2. The CITY OF SHERIDAN (“Sheridan”), a municipal corporation and political subdivision of the State of Colorado;
3. WEST DOUGLAS FIRE PROTECTION DISTRICT (“West Douglas”), a quasi-municipal corporation and political subdivision of the State of Colorado, organized pursuant to Article 1, Title 32, C.R.S.;
4. JACKSON-105 FIRE PROTECTION DISTRICT (“Jackson-105”), a quasi-municipal corporation and political subdivision of the State of Colorado, organized pursuant to Article 1, Title 32, C.R.S.;
5. The CITY OF AURORA (“Aurora”), a home rule municipal corporation and political subdivision of the State of Colorado; and
6. BENNETT FIRE PROTECTION DISTRICT NO. 7 (“Bennett”), a quasi-municipal corporation and political subdivision of the State of Colorado, organized pursuant to Article 1, Title 32, C.R.S.

**RECITALS**

A. Article XIV, Section 18(2)(a) of the Constitution of the State of Colorado and Part 2, Article 1, Title 29, C.R.S., encourage and authorize intergovernmental agreements; and

B. Section 29-1-203, C.R.S., authorizes governments to cooperate and contract with one another to provide any function, service, or facility lawfully authorized to each, and to establish a separate legal entity to do so; and

C. The Parties are each lawfully authorized to hear and decide appeals of orders, decisions or determinations made by a fire chief or other fire code official vested with the right to apply and interpret the controlling fire code in its respective jurisdiction (“Fire Code Official”), regardless of whether such jurisdiction is a party to this Agreement; and

D. Littleton Fire Protection District, Parker Fire Protection District, Sheridan, South Metro Fire Rescue, Cunningham Fire Protection District, West Douglas, Jackson-105, and Aurora entered into that certain Intergovernmental Agreement Creating Regional Fire Code Board of Appeals dated August 1, 2006, as amended by the First Amendment to Intergovernmental Agreement Creating Regional Fire Code Board of Appeals dated June 27, 2007, the Second Amendment to Intergovernmental Agreement Creating Regional Fire Code Board of Appeals dated December 12, 2007, the Third Amendment to Intergovernmental Agreement Creating Regional Fire Code Board of Appeals, and the Fourth Amendment to Intergovernmental Agreement Creating Regional Fire Code Board of Appeals dated June 2011 (together, the “2006 IGA”); and

E. Pursuant to the 2006 IGA, a Regional Fire Code Board of Appeals was established; and

F. The 2006 IGA was terminated by that certain Termination Agreement dated as of \_\_\_\_\_, 2021; and

G. The Parties desire to create by this Agreement a new Regional Fire Code Board of Appeals (the “Board”) to hear and decide appeals for each Party and any other jurisdictions served by the Board (the “Jurisdiction”) pursuant to the terms of this Agreement.

## **AGREEMENT**

NOW, THEREFORE, for good and valuable consideration, the receipt and adequacy of which is hereby acknowledged, the Parties hereby agree as follows:

1. Creation of the Board. In order to hear and decide appeals of orders, decisions or determinations made by a Fire Code Official relative to the application and interpretation of the controlling fire code in such Fire Code Official’s jurisdiction (the “Controlling Fire Code”), the Board is hereby created. The Board shall have no authority to waive requirements of the Controlling Fire Code. The Board is authorized to hear evidence from each person having filed a proper appeal (the “Appellant”) and the subject Fire Code Official related to or based upon the following:

A. Interpretations of the Controlling Fire Code by the Fire Code Official or other employees of the applicable Party or Jurisdiction;

B. Applicability of the provisions of the Controlling Fire Code; and

C. Equivalent methods of protection or safety proposed by the Appellant.

2. Additional Parties. Any jurisdiction providing fire protection services within the State of Colorado may request to become an additional party to this Agreement in accordance with Section 8 hereof.

3. Governance.

A. Members of the Board. The Board shall consist of five (5) voting members (individually, a “Member” and collectively, the “Members”) who are qualified by experience and training to pass on matters pertaining to hazards of fire, explosions, hazardous conditions or fire protection systems and are not employees or representatives of any Party that has entered into this Agreement. The Members shall have the qualifications set forth below:

(1) Design professional. One Member shall be a practicing design professional registered in the practice of engineering or architecture in Colorado.

(2) Fire protection engineering professional. One Member shall be a qualified engineer, technologist, technician or safety professional trained in fire protection engineering, fire science or fire technology. Qualified representatives in this category shall include fire protection contractors and certified technicians engaged in fire protection system design.

(3) Industrial safety professional. One Member shall be a registered industrial or chemical engineer, certified hygienist, certified safety professional, certified hazardous materials manager or comparably qualified specialist experienced in chemical process safety or industrial safety.

(4) General contractor. One Member shall be a contractor regularly engaged in the construction, alteration, maintenance, repair or remodeling of buildings or building services and systems regulated by the fire code.

(5) General industry or business representative. One Member shall be a representative of business or industry not represented by a Member from one of the other categories described above.

B. Appointment to the Initial Board. The initial Board shall be composed of Members selected by a majority of the votes submitted by the Fire Code Officials of the Parties within sixty (60) days following the close of the nomination period, regardless of the number of nominations received. The initial terms for such Members shall expire on the date noted below:

(1) Design professional – initial term of three (3) years;

(2) Fire protection engineering professional – initial term of two (2) years;

- (3) Industrial safety professional – initial term of two (2) years;
- (4) General contractor – initial term of two (2) years; and
- (5) General industry or business representative – initial term of three (3) years.

C. Terms of office. Following the initial terms set forth above, Members shall be appointed for terms of four (4) years. No Member shall be reappointed to serve more than two consecutive full terms.

D. Vacancies. Within sixty (60) days of the date of a vacancy on the Board, each Party's Fire Code Official may submit nominations for a new Member, who shall be selected by a majority of the votes submitted by the Fire Code Officials of the Parties within sixty (60) days following the close of the nomination period, regardless of the number of nominations received. Any Member appointed to fill a vacancy in an unexpired term shall be eligible for reappointment to two full four-year terms. For purposes of this Agreement, each Party shall be deemed to have only one (1) Fire Code Official.

E. Officers. Following appointment, the Board shall elect a Chairperson and Vice-Chairperson on an annual basis.

F. Removal from Board. Any Member may be removed from the Board prior to the end of his or her term for any reason and without notice, upon a majority vote of the Fire Code Officials of the Parties.

G. Quorum. A majority of the sitting Members, but in no case less than three Members, shall constitute a quorum. In varying the application of any provisions of the Controlling Fire Code or in modifying an order of a Fire Code Official, affirmative votes of the majority of the Members present, but not less than three, shall be required.

H. Conflict of Interest. Members shall not be interested personally in a matter before the Board, whether such interest is directly in said matter or the Member is currently retained by an Appellant, Party, or Jurisdiction on other matters. In the event of such interest, the Member shall declare such interest at the Board meeting and shall thereafter refrain from participating in all discussions or deliberations on such matter, and shall refrain from voting on such matter.

I. Procedures. The Board shall establish additional rules and regulations for its own procedure not inconsistent with the provisions of Colorado law.

J. Compensation. Members shall serve without remuneration or compensation.

K. Administration of Board Matters and this Agreement. The administrative affairs of the Board including without limitation official recordkeeping, mailings, and other administrative support, as well as administration of this Agreement, shall be handled by South Metro, except that each Party shall be responsible for handling and staffing matters before the Board that originated in such Party's jurisdiction. Each Party shall be responsible for maintaining any records and documents related to matters before the Board related to such Party, and with processing any Colorado Open Records Act requests which pertain to a matter of the Party before or heard by the Board.

4. Meetings. The Board shall meet on an "as-needed" basis to hear appeals and conduct other business. The date and time of any and all meetings shall be determined by the Chairperson, who shall take into account the availability of the Appellant if the same has been communicated to the Board. All meetings shall be subject to applicable laws concerning their conduct. In any event, the Board shall meet within fifteen (15) business days after a properly filed notice of appeal has been received.

A. Notice of Meetings. Written notice of any meeting of the Board shall be delivered to each Member and each Party to this Agreement care of their respective Fire Code Official. For meetings at which appeals are heard, written notice shall also be delivered to the Appellant and the Fire Code Official for the Jurisdiction whose action is being appealed, if applicable. All such notices shall be delivered not less than three (3) days before the date fixed for such meeting, either personally, by e-mail if an address was provided for that purpose, or by mail.

B. Waiver of Notice. Whenever any notice is required to be given to any Member under the provisions of this Agreement, a waiver thereof in writing by such Member, whether before or after the time stated therein, shall be equivalent to the giving of such notice. Attendance of a Member at any meeting of the Board shall constitute a waiver by such Member of notice of such meeting.

C. Location of Meetings. Meetings at which appeals are heard shall be held at a location provided by the Party or Jurisdiction whose action is being appealed. The location of meetings for general business discussions of the Board will be agreed upon by the Parties.

5. Decisions of the Board. Every decision of the Board shall be filed with the office of the Fire Code Official for the Party or Jurisdiction whose action is being appealed no later than thirty (30) days after the date on which the Board hears the appeal and shall be a public record of that Party or Jurisdiction, provided that proprietary information contained in such decisions shall be subject to protection afforded by Colorado law. In addition, a copy of the Board decision shall be sent by mail to the Appellant and each Party to this Agreement. All decisions made by the Board shall be applicable to all Parties and Jurisdictions to the extent of each such decision unless the

Controlling Fire Code is more restrictive, in which case the Controlling Fire Code shall supersede the decision.

6. Expenses of the Board — Appeal Fee. In order to off-set the meeting expenses of the Board and any legal fees paid by the Parties in administering appeals, the Appellant shall pay to the Party whose action is being appealed an appeal fee in the amount of Seventy-Five Dollars (\$75.00) upon submission of an appeal. No appeal shall proceed in the absence of such payment.

7. Indemnification.

A. Indemnification of Members. Each Member shall, for purposes of the Colorado Governmental Immunity Act, as the same may be amended from time to time, be considered an authorized volunteer of the Parties, collectively and shall, to the extent allowed by law, be indemnified by the Parties against all costs and expenses actually and necessarily incurred by such person in connection with the defense of any action, suit or proceeding arising out of an act or omission of a Member or Members during the performance of their duties, except in relation to matters as to which a Member or Members acted in a manner outside of the scope of their appointment to the Board, or where the act or omission was willful or wanton. Such costs and expenses shall include amounts reasonably paid in settlement for the purpose of curtailing the cost of litigation, or in satisfaction of any judgment, but only if the Parties are advised in writing by opinion of legal counsel, or the court finds that the act or omission of the Member or Members occurred during the performance of their duties and within the scope of their appointment to the Board, and that such act or omission was not willful and wanton. The foregoing right of indemnification shall not be exclusive of other rights to which a Member may be entitled as a matter of law or by agreement.

B. Indemnification of Parties. To the extent allowed by law, each Party shall indemnify and hold the other Parties harmless for any costs, expenses, or liabilities incurred by such other Parties in connection with any action, suit or proceeding arising out the Board's actions or inactions on behalf of the indemnifying Party.

8. Additional Parties. Additional parties may be added to this Agreement by Amendment hereof.

9. Assignment. No Party may assign any of its rights or obligations under this Agreement without the prior written consent of the other Parties.

10. Term. This Agreement shall become effective on execution by the Parties, and shall extend until terminated as provided herein. This Agreement may be terminated at any time by written agreement of all Parties at the time of such termination. In addition, a Party may withdraw from this Agreement by written notice authorized by



such Party, provided to each of the remaining Parties sixty (60) days prior to effective date of the withdrawal.

11. Amendments. This Agreement may be amended only by written document approved by all of the Parties.

12. Counterpart Execution. This Agreement may be executed in several counterparts, each of which shall be an original, but all of which together shall constitute one in the same instrument.

13. Notices. Except as provided in Section 4.A. hereof, any formal notice or request required or provided for in this Agreement shall be in writing and shall be deemed properly given or made if delivered in person, or sent by U.S. Mail, postage prepaid, to the Parties at the addresses as set forth on each signature page attached hereto, unless another address is certified to the Board.

EXECUTED as of the date first written above.

[SIGNATURE PAGES FOLLOW]

[Signature Page to Intergovernmental Agreement  
Creating Regional Fire Code Board of Appeals]

SOUTH METRO FIRE RESCUE FIRE  
PROTECTION DISTRICT

By: \_\_\_\_\_  
Fire Chief

Attn: Fire Chief  
9195 E. Mineral Avenue  
Centennial, CO 80112

[Signature Page to Intergovernmental Agreement  
Creating Regional Fire Code Board of Appeals]

CITY OF SHERIDAN

By: \_\_\_\_\_  
Mayor

Attn: City Manager  
4101 S. Federal Boulevard  
Sheridan, CO 80110

Attest:

\_\_\_\_\_  
City Clerk

[Signature Page to Intergovernmental Agreement  
Creating Regional Fire Code Board of Appeals]

WEST DOUGLAS FIRE PROTECTION  
DISTRICT

By: \_\_\_\_\_  
President

Attn: Fire Chief  
4037 Platte Avenue  
Sedalia, CO 80135

Attest:

\_\_\_\_\_  
Secretary

[Signature Page to Intergovernmental Agreement  
Creating Regional Fire Code Board of Appeals]

JACKSON-105 FIRE PROTECTION  
DISTRICT

By: \_\_\_\_\_  
Fire Chief

Attn: Fire Chief  
435 N. Perry Park Road  
Sedalia, CO 80135

[Signature Page to Intergovernmental Agreement  
Creating Regional Fire Code Board of Appeals]

CITY OF AURORA

By: \_\_\_\_\_  
Mayor

Attn: City Manager  
15151 E. Alameda Parkway  
Aurora, CO 80012

Attest:

\_\_\_\_\_  
City Clerk

Approved as to Form:

  
\_\_\_\_\_  
Senior Assistant City Attorney

[Signature Page to Intergovernmental Agreement  
Creating Regional Fire Code Board of Appeals]

BENNETT FIRE PROTECTION  
DISTRICT NO. 7

By: \_\_\_\_\_  
President

Attn: Fire Chief  
355 4th Street  
Bennett, CO 80102

Attest:

\_\_\_\_\_  
Secretary



# CITY OF AURORA

## Council Agenda Commentary

|   |
|---|
| <b>Item Title:</b> September 2021 Crime and Police Attrition Data   |
| <b>Item Initiator:</b> Danelle Carrel, Committee Liaison  |
| <b>Staff Source/Legal Source:</b> Darin Parker, Deputy Chief of Police / Megan Platt, Assistant City Attorney |
| <b>Outside Speaker:</b> N/A   |
| <b>Council Goal:</b> 2012: 1.0--Assure a safe community for people  |

### COUNCIL MEETING DATES:

**Study Session:** N/A

**Regular Meeting:** N/A

---

### ACTIONS(S) PROPOSED *(Check all appropriate actions)*

- Approve Item as proposed at Study Session
- Information Only
- Approve Item and Move Forward to Regular Meeting
- Approve Item as proposed at Regular Meeting
- Approve Item with Waiver of Reconsideration

Why is a waiver needed?[Click or tap here to enter text.](#)

---

### PREVIOUS ACTIONS OR REVIEWS:

**Policy Committee Name:** N/A

**Policy Committee Date:** N/A

### Action Taken/Follow-up: *(Check all that apply)*

- Recommends Approval
- Does Not Recommend Approval
- Forwarded Without Recommendation
- Recommendation Report Attached
- Minutes Attached
- Minutes Not Available



---

**HISTORY** (Dates reviewed by City council, Policy Committees, Boards and Commissions, or Staff. Summarize pertinent comments. ATTACH MINUTES OF COUNCIL MEETINGS, POLICY COMMITTEES AND BOARDS AND COMMISSIONS.)

N/A

---

**ITEM SUMMARY** (Brief description of item, discussion, key points, recommendations, etc.)

Monthly Crime statistics and sworn personnel attrition data.

---

**QUESTIONS FOR COUNCIL**

N/A

---

**LEGAL COMMENTS**

The City Manager shall be responsible to the City Council for the proper administration of all affairs of the City placed in his charge and, to that end, he shall have the power and duty to make written or verbal reports at any time concerning the affairs of the City under his supervision. City Charter § 7-4(e). (Platt)

---

**PUBLIC FINANCIAL IMPACT**

YES       NO

**If yes, explain:** N/A

---

**PRIVATE FISCAL IMPACT**

Not Applicable       Significant       Nominal

**If Significant or Nominal, explain:** N/A



# Aurora Police Department - UCR Statistics

District: ALL

| <i>UCR crimes are measured by a count of victims and/or incidents reported during data period</i> | 4 Week Last Year     | 4 Week Current Year | 4 Week Difference | 4 Week % Chg | Y-T-D Last Year      | Y-T-D Current Year | Y-T-D Difference | Y-T-D % Chg<br>- or -<br>% of Total |
|---|----------------------|---------------------|-------------------|--------------|----------------------|--------------------|------------------|-------------------------------------|
| Current Wk 40: 09/27/21 - 10/03/21  | <b>08/30 - 09/26</b> |                     | + or -            | % chg        | <b>01/01 - 09/26</b> |                    | + or -           | % chg                               |

## Major Crimes

08/31/20 - 09/27/20

|                                       |              |              |             |                |               |               |               |              |
|---------------------------------------|--------------|--------------|-------------|----------------|---------------|---------------|---------------|--------------|
| Murder Victims                        | 1            | 3            | +2          | 200.0%         | 32            | 23            | -9            | (28.1%)      |
| Sex Assault Victims                   | 24           | 18           | -6          | (25.0%)        | 243           | 247           | +4            | 1.6%         |
| Spouse / Dating                       | 6            | 4            | -2          | (33.3%)        | 79            | 45            | -34           | 18%          |
| Familial                              | 4            | 4            | --          | 0.0%           | 22            | 28            | +6            | 11%          |
| Otherwise Known                       | 9            | 3            | -6          | (66.7%)        | 59            | 79            | +20           | 32%          |
| Sex Assault DV Victims                | 8            | 5            | -3          | (37.5%)        | 72            | 40            | -32           | 16%          |
| Agg Assault Victims                   | 216          | 224          | +8          | 3.7%           | 1,695         | 2,021         | +326          | 19.2%        |
| Spouse / Dating                       | 32           | 42           | +10         | 31.3%          | 318           | 379           | +61           | 19%          |
| Familial                              | 25           | 20           | -5          | (20.0%)        | 158           | 160           | +2            | 8%           |
| Otherwise Known                       | 60           | 56           | -4          | (6.7%)         | 385           | 422           | +37           | 21%          |
| Agg Assault DV Victims                | 45           | 43           | -2          | (4.4%)         | 343           | 383           | +40           | 19%          |
| Robbery                               | 77           | 69           | -8          | (10.4%)        | 579           | 566           | -13           | (2.2%)       |
| <b>Major Violent Crimes Reported</b>  | <b>318</b>   | <b>314</b>   | <b>-4</b>   | <b>(1.3%)</b>  | <b>2,549</b>  | <b>2,857</b>  | <b>+308</b>   | <b>12.1%</b> |
| Burglary                              | 180          | 134          | -46         | (25.6%)        | 1,202         | 1,307         | +105          | 8.7%         |
| MVT                                   | 462          | 378          | -84         | (18.2%)        | 2,579         | 4,000         | +1,421        | 55.1%        |
| Larceny                               | 564          | 488          | -76         | (13.5%)        | 5,341         | 5,862         | +521          | 9.8%         |
| <b>Major Property Crimes Reported</b> | <b>1,206</b> | <b>1,000</b> | <b>-206</b> | <b>(17.1%)</b> | <b>9,122</b>  | <b>11,169</b> | <b>+2,047</b> | <b>22.4%</b> |
| <b>Major Index Crimes Reported</b>    | <b>1,524</b> | <b>1,314</b> | <b>-210</b> | <b>(13.8%)</b> | <b>11,671</b> | <b>14,026</b> | <b>+2,355</b> | <b>20.2%</b> |

## Criminal Arrests

|                          |            |            |            |             |              |              |             |               |
|--------------------------|------------|------------|------------|-------------|--------------|--------------|-------------|---------------|
| Physical Arrests         | 318        | 400        | +82        | 25.8%       | 3,894        | 3,602        | -292        | (7.5%)        |
| Criminal Summonses       | 309        | 252        | -57        | (18.4%)     | 3,426        | 3,135        | -291        | (8.5%)        |
| DUI/DUID (Detox Summons) | 48         | 45         | -3         | (6.3%)      | 489          | 456          | -33         | (6.7%)        |
| <b>Total Arrests</b>     | <b>627</b> | <b>652</b> | <b>+25</b> | <b>4.0%</b> | <b>7,320</b> | <b>6,737</b> | <b>-583</b> | <b>(8.0%)</b> |

## Traffic Enforcement

|                                    |              |            |               |                |               |               |             |                |
|------------------------------------|--------------|------------|---------------|----------------|---------------|---------------|-------------|----------------|
| Traffic Tickets Muni               | 1,642        | 609        | -1,033        | (62.9%)        | 13,311        | 13,621        | +310        | 2.3%           |
| Traffic Tickets in GO's Muni       | 276          | 141        | -135          | (48.9%)        | 2,628         | 2,246         | -382        | (14.5%)        |
| Total MET Tickets Muni             | 1,522        | 510        | -1,012        | (66.5%)        | 10,627        | 11,516        | +889        | 8.4%           |
| <b>Total Traffic Tickets Muni</b>  | <b>1,918</b> | <b>750</b> | <b>-1,168</b> | <b>(60.9%)</b> | <b>15,939</b> | <b>15,867</b> | <b>-72</b>  | <b>(0.5%)</b>  |
| <b>Total Traffic Tickets State</b> | <b>26</b>    | <b>79</b>  | <b>+53</b>    | <b>203.8%</b>  | <b>1,285</b>  | <b>1,074</b>  | <b>-211</b> | <b>(16.4%)</b> |
| <b>Total Traffic Tickets</b>       | <b>1,944</b> | <b>829</b> | <b>-1,115</b> | <b>(57.4%)</b> | <b>17,224</b> | <b>16,941</b> | <b>-283</b> | <b>(1.6%)</b>  |

## Traffic Accidents

|                        |            |          |             |                |              |              |               |                |
|------------------------|------------|----------|-------------|----------------|--------------|--------------|---------------|----------------|
| Fatal                  | 4          | 3        | -1          | (25.0%)        | 27           | 24           | -3            | (11.1%)        |
| Injury                 | 62         | 0        | -62         | (100.0%)       | 490          | 99           | -391          | (79.8%)        |
| Non-Injury             | 775        | 0        | -775        | (100.0%)       | 7,304        | 2,201        | -5,103        | (69.9%)        |
| <b>Total Accidents</b> | <b>841</b> | <b>3</b> | <b>-838</b> | <b>(99.6%)</b> | <b>7,821</b> | <b>2,324</b> | <b>-5,497</b> | <b>(70.3%)</b> |



# Aurora Police Department - UCR Statistics

District: 1

| <i>UCR crimes are measured by a count of victims and/or incidents reported during data period</i> | 4 Week Last Year     | 4 Week Current Year | 4 Week Difference | 4 Week % Chg   | Y-T-D Last Year      | Y-T-D Current Year | Y-T-D Difference | Y-T-D % Chg<br>- or -<br>% of Total |
|---|----------------------|---------------------|-------------------|----------------|----------------------|--------------------|------------------|-------------------------------------|
| Current Wk 40: 09/27/21 - 10/03/21  | <b>08/30 - 09/26</b> |                     | + or -            | % chg          | <b>01/01 - 09/26</b> |                    | + or -           | % chg                               |
| <b>Major Crimes</b> <span style="float: right; font-size: small;">08/31/20 - 09/27/20</span>      |                      |                     |                   |                |                      |                    |                  |                                     |
| Murder Victims  | 0                    | 2                   | +2                | --             | 22                   | 11                 | -11              | (50.0%)                             |
| Sex Assault Victims   | 10                   | 9                   | -1                | (10.0%)        | 105                  | 119                | +14              | 13.3%                               |
| Spouse / Dating   | 4                    | 3                   | -1                | (25.0%)        | 35                   | 23                 | -12              | 19%                                 |
| Familial  | 0                    | 3                   | +3                | --             | 6                    | 15                 | +9               | 13%                                 |
| Otherwise Known   | 2                    | 0                   | -2                | (100.0%)       | 19                   | 32                 | +13              | 27%                                 |
| Sex Assault DV Victims  | 5                    | 4                   | -1                | (20.0%)        | 34                   | 22                 | -12              | 18%                                 |
| Agg Assault Victims   | 109                  | 110                 | +1                | 0.9%           | 861                  | 987                | +126             | 14.6%                               |
| Spouse / Dating   | 16                   | 14                  | -2                | (12.5%)        | 162                  | 168                | +6               | 17%                                 |
| Familial  | 7                    | 11                  | +4                | 57.1%          | 71                   | 73                 | +2               | 7%                                  |
| Otherwise Known   | 30                   | 27                  | -3                | (10.0%)        | 188                  | 218                | +30              | 22%                                 |
| Agg Assault DV Victims  | 22                   | 15                  | -7                | (31.8%)        | 173                  | 177                | +4               | 18%                                 |
| Robbery   | 45                   | 40                  | -5                | (11.1%)        | 355                  | 321                | -34              | (9.6%)                              |
| <b>Major Violent Crimes Reported</b>  | <b>164</b>           | <b>161</b>          | <b>-3</b>         | <b>(1.8%)</b>  | <b>1,343</b>         | <b>1,438</b>       | <b>+95</b>       | <b>7.1%</b>                         |
| Burglary  | 74                   | 52                  | -22               | (29.7%)        | 558                  | 586                | +28              | 5.0%                                |
| MVT   | 190                  | 167                 | -23               | (12.1%)        | 1,156                | 1,696              | +540             | 46.7%                               |
| Larceny   | 251                  | 188                 | -63               | (25.1%)        | 2,182                | 2,202              | +20              | 0.9%                                |
| <b>Major Property Crimes Reported</b>   | <b>515</b>           | <b>407</b>          | <b>-108</b>       | <b>(21.0%)</b> | <b>3,896</b>         | <b>4,484</b>       | <b>+588</b>      | <b>15.1%</b>                        |
| <b>Major Index Crimes Reported</b>  | <b>679</b>           | <b>568</b>          | <b>-111</b>       | <b>(16.3%)</b> | <b>5,239</b>         | <b>5,922</b>       | <b>+683</b>      | <b>13.0%</b>                        |
| <b>Criminal Arrests</b>   |                      |                     |                   |                |                      |                    |                  |                                     |
| Physical Arrests  | 127                  | 174                 | +47               | 37.0%          | 1,685                | 1,495              | -190             | (11.3%)                             |
| Criminal Summonses  | 153                  | 108                 | -45               | (29.4%)        | 1,587                | 1,344              | -243             | (15.3%)                             |
| DUI/DUID (Detox Summons)  | 16                   | 23                  | +7                | 43.8%          | 180                  | 192                | +12              | 6.7%                                |
| <b>Total Arrests</b>  | <b>280</b>           | <b>282</b>          | <b>+2</b>         | <b>0.7%</b>    | <b>3,272</b>         | <b>2,839</b>       | <b>-433</b>      | <b>(13.2%)</b>                      |
| <b>Traffic Enforcement</b>  |                      |                     |                   |                |                      |                    |                  |                                     |
| Traffic Tickets Muni  | 358                  | 57                  | -301              | (84.1%)        | 3,212                | 2,063              | -1,149           | (35.8%)                             |
| Traffic Tickets in GO's Muni  | 110                  | 63                  | -47               | (42.7%)        | 1,018                | 817                | -201             | (19.7%)                             |
| Total MET Tickets Muni  | 316                  | 34                  | -282              | (89.2%)        | 2,242                | 1,632              | -610             | (27.2%)                             |
| <b>Total Traffic Tickets Muni</b>   | <b>468</b>           | <b>120</b>          | <b>-348</b>       | <b>(74.4%)</b> | <b>4,230</b>         | <b>2,880</b>       | <b>-1,350</b>    | <b>(31.9%)</b>                      |
| <b>Total Traffic Tickets State</b>  | <b>12</b>            | <b>29</b>           | <b>+17</b>        | <b>141.7%</b>  | <b>540</b>           | <b>338</b>         | <b>-202</b>      | <b>(37.4%)</b>                      |
| <b>Total Traffic Tickets</b>  | <b>480</b>           | <b>149</b>          | <b>-331</b>       | <b>(69.0%)</b> | <b>4,770</b>         | <b>3,218</b>       | <b>-1,552</b>    | <b>(32.5%)</b>                      |
| <b>Traffic Accidents</b>  |                      |                     |                   |                |                      |                    |                  |                                     |
| Fatal   | 2                    | 1                   | -1                | (50.0%)        | 12                   | 11                 | -1               | (8.3%)                              |
| Injury  | 29                   | 0                   | -29               | (100.0%)       | 213                  | 43                 | -170             | (79.8%)                             |
| Non-Injury  | 297                  | 0                   | -297              | (100.0%)       | 2,860                | 873                | -1,987           | (69.5%)                             |
| <b>Total Accidents</b>  | <b>328</b>           | <b>1</b>            | <b>-327</b>       | <b>(99.7%)</b> | <b>3,085</b>         | <b>927</b>         | <b>-2,158</b>    | <b>(70.0%)</b>                      |



# Aurora Police Department - UCR Statistics

District: 2

| <i>UCR crimes are measured by a count of victims and/or incidents reported during data period</i> | 4 Week Last Year | 4 Week Current Year | 4 Week Difference | 4 Week % Chg | Y-T-D Last Year | Y-T-D Current Year | Y-T-D Difference | Y-T-D % Chg - or - % of Total |
|---|------------------|---------------------|-------------------|--------------|-----------------|--------------------|------------------|-------------------------------|
| Current Wk 40: 09/27/21 - 10/03/21  | 08/30 - 09/26    |                     | + or -            | % chg        | 01/01 - 09/26   |                    | + or -           | % chg                         |

## Major Crimes

08/31/20 - 09/27/20

|                                       |            |            |            |                |              |              |               |              |
|---------------------------------------|------------|------------|------------|----------------|--------------|--------------|---------------|--------------|
| Murder Victims                        | 0          | 1          | +1         | --             | 6            | 11           | +5            | 83.3%        |
| Sex Assault Victims                   | 6          | 6          | --         | 0.0%           | 70           | 78           | +8            | 11.4%        |
| Spouse / Dating                       | 0          | 0          | --         | --             | 22           | 14           | -8            | 18%          |
| Familial                              | 1          | 1          | --         | 0.0%           | 9            | 6            | -3            | 8%           |
| Otherwise Known                       | 4          | 3          | -1         | (25.0%)        | 22           | 28           | +6            | 36%          |
| Sex Assault DV Victims                | 0          | 0          | --         | --             | 20           | 11           | -9            | 14%          |
| Agg Assault Victims                   | 66         | 80         | +14        | 21.2%          | 570          | 682          | +112          | 19.6%        |
| Spouse / Dating                       | 5          | 18         | +13        | 260.0%         | 96           | 140          | +44           | 21%          |
| Familial                              | 12         | 4          | -8         | (66.7%)        | 52           | 49           | -3            | 7%           |
| Otherwise Known                       | 15         | 21         | +6         | 40.0%          | 126          | 135          | +9            | 20%          |
| Agg Assault DV Victims                | 6          | 19         | +13        | 216.7%         | 102          | 137          | +35           | 20%          |
| Robbery                               | 23         | 21         | -2         | (8.7%)         | 146          | 171          | +25           | 17.1%        |
| <b>Major Violent Crimes Reported</b>  | <b>95</b>  | <b>108</b> | <b>+13</b> | <b>13.7%</b>   | <b>792</b>   | <b>942</b>   | <b>+150</b>   | <b>18.9%</b> |
| Burglary                              | 68         | 43         | -25        | (36.8%)        | 374          | 424          | +50           | 13.4%        |
| MVT                                   | 155        | 148        | -7         | (4.5%)         | 903          | 1,519        | +616          | 68.2%        |
| Larceny                               | 193        | 176        | -17        | (8.8%)         | 1,763        | 2,121        | +358          | 20.3%        |
| <b>Major Property Crimes Reported</b> | <b>416</b> | <b>367</b> | <b>-49</b> | <b>(11.8%)</b> | <b>3,040</b> | <b>4,064</b> | <b>+1,024</b> | <b>33.7%</b> |
| <b>Major Index Crimes Reported</b>    | <b>511</b> | <b>475</b> | <b>-36</b> | <b>(7.0%)</b>  | <b>3,832</b> | <b>5,006</b> | <b>+1,174</b> | <b>30.6%</b> |

## Criminal Arrests

|                          |            |            |            |              |              |              |            |               |
|--------------------------|------------|------------|------------|--------------|--------------|--------------|------------|---------------|
| Physical Arrests         | 105        | 137        | +32        | 30.5%        | 1,330        | 1,272        | -58        | (4.4%)        |
| Criminal Summonses       | 97         | 96         | -1         | (1.0%)       | 1,150        | 1,178        | +28        | 2.4%          |
| DUI/DUID (Detox Summons) | 18         | 11         | -7         | (38.9%)      | 170          | 143          | -27        | (15.9%)       |
| <b>Total Arrests</b>     | <b>202</b> | <b>233</b> | <b>+31</b> | <b>15.3%</b> | <b>2,480</b> | <b>2,450</b> | <b>-30</b> | <b>(1.2%)</b> |

## Traffic Enforcement

|                                    |            |            |             |                |              |              |             |              |
|------------------------------------|------------|------------|-------------|----------------|--------------|--------------|-------------|--------------|
| Traffic Tickets Muni               | 725        | 311        | -414        | (57.1%)        | 5,823        | 6,587        | +764        | 13.1%        |
| Traffic Tickets in GO's Muni       | 90         | 37         | -53         | (58.9%)        | 834          | 714          | -120        | (14.4%)      |
| Total MET Tickets Muni             | 711        | 278        | -433        | (60.9%)        | 4,960        | 5,994        | +1,034      | 20.8%        |
| <b>Total Traffic Tickets Muni</b>  | <b>815</b> | <b>348</b> | <b>-467</b> | <b>(57.3%)</b> | <b>6,657</b> | <b>7,301</b> | <b>+644</b> | <b>9.7%</b>  |
| <b>Total Traffic Tickets State</b> | <b>6</b>   | <b>28</b>  | <b>+22</b>  | <b>366.7%</b>  | <b>397</b>   | <b>457</b>   | <b>+60</b>  | <b>15.1%</b> |
| <b>Total Traffic Tickets</b>       | <b>821</b> | <b>376</b> | <b>-445</b> | <b>(54.2%)</b> | <b>7,054</b> | <b>7,758</b> | <b>+704</b> | <b>10.0%</b> |

## Traffic Accidents

|                        |            |          |             |                |              |            |               |                |
|------------------------|------------|----------|-------------|----------------|--------------|------------|---------------|----------------|
| Fatal                  | 0          | 1        | +1          | --             | 6            | 6          | --            | 0.0%           |
| Injury                 | 23         | 0        | -23         | (100.0%)       | 170          | 33         | -137          | (80.6%)        |
| Non-Injury             | 238        | 0        | -238        | (100.0%)       | 2,323        | 696        | -1,627        | (70.0%)        |
| <b>Total Accidents</b> | <b>261</b> | <b>1</b> | <b>-260</b> | <b>(99.6%)</b> | <b>2,499</b> | <b>735</b> | <b>-1,764</b> | <b>(70.6%)</b> |



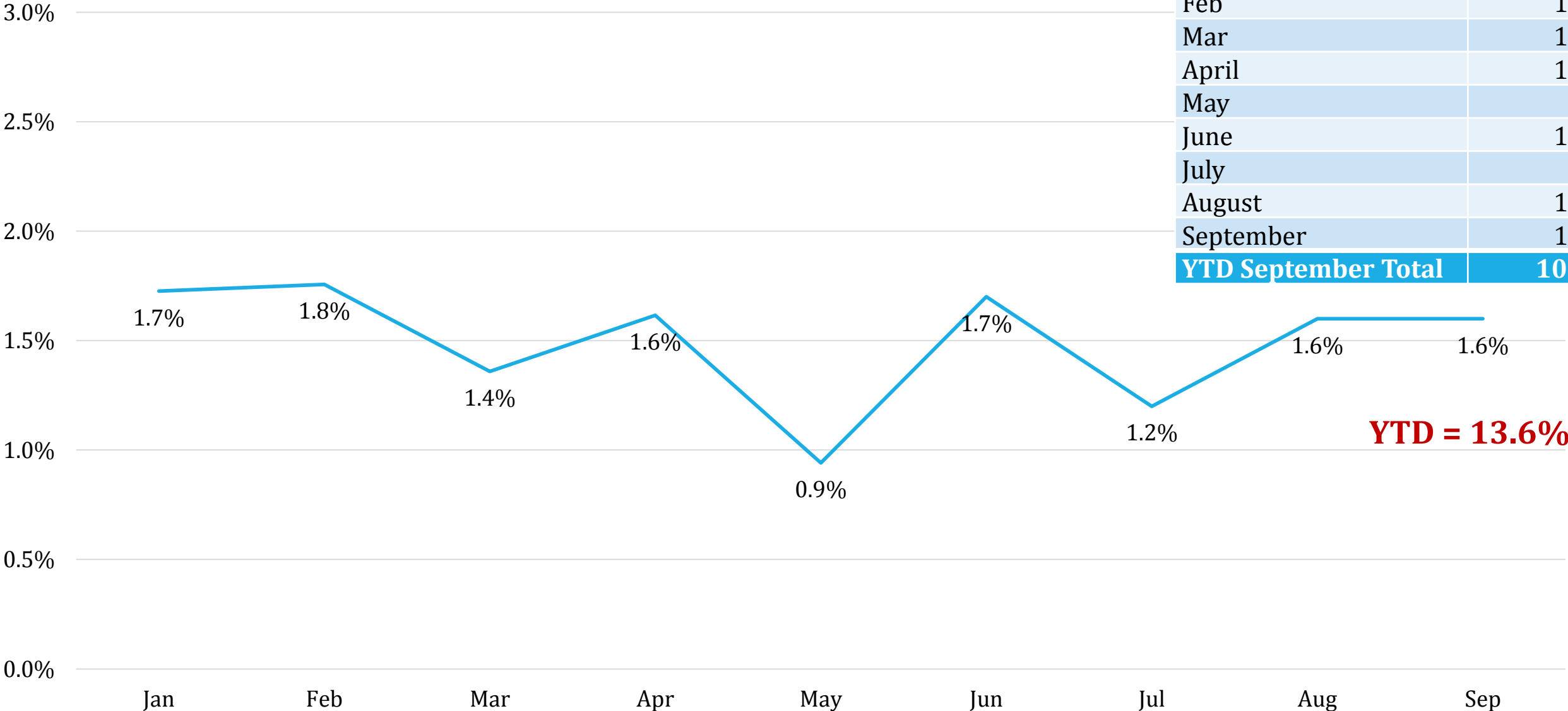
# Aurora Police Department - UCR Statistics

District: 3

| <i>UCR crimes are measured by a count of victims and/or incidents reported during data period</i> | 4 Week Last Year     | 4 Week Current Year | 4 Week Difference | 4 Week % Chg    | Y-T-D Last Year      | Y-T-D Current Year | Y-T-D Difference | Y-T-D % Chg<br>- or -<br>% of Total |
|---|----------------------|---------------------|-------------------|-----------------|----------------------|--------------------|------------------|-------------------------------------|
| Current Wk 40: 09/27/21 - 10/03/21  | <b>08/30 - 09/26</b> |                     | + or -            | % chg           | <b>01/01 - 09/26</b> |                    | + or -           | % chg                               |
| <b>Major Crimes</b> <span style="float: right; font-size: small;">08/31/20 - 09/27/20</span>      |                      |                     |                   |                 |                      |                    |                  |                                     |
| Murder Victims  | 1                    | 0                   | -1                | (100.0%)        | 4                    | 1                  | -3               | (75.0%)                             |
| Sex Assault Victims   | 6                    | 3                   | -3                | (50.0%)         | 64                   | 48                 | -16              | (25.0%)                             |
| Spouse / Dating   | 1                    | 1                   | --                | 0.0%            | 21                   | 7                  | -14              | 15%                                 |
| Familial  | 3                    | 0                   | -3                | (100.0%)        | 7                    | 7                  | --               | 15%                                 |
| Otherwise Known   | 2                    | 0                   | -2                | (100.0%)        | 17                   | 19                 | +2               | 40%                                 |
| Sex Assault DV Victims  | 1                    | 1                   | --                | 0.0%            | 16                   | 7                  | -9               | 15%                                 |
| Agg Assault Victims   | 38                   | 34                  | -4                | (10.5%)         | 257                  | 344                | +87              | 33.9%                               |
| Spouse / Dating   | 11                   | 10                  | -1                | (9.1%)          | 60                   | 71                 | +11              | 21%                                 |
| Familial  | 5                    | 5                   | --                | 0.0%            | 33                   | 36                 | +3               | 10%                                 |
| Otherwise Known   | 12                   | 8                   | -4                | (33.3%)         | 68                   | 69                 | +1               | 20%                                 |
| Agg Assault DV Victims  | 15                   | 9                   | -6                | (40.0%)         | 66                   | 69                 | +3               | 20%                                 |
| Robbery   | 9                    | 7                   | -2                | (22.2%)         | 78                   | 73                 | -5               | (6.4%)                              |
| <b>Major Violent Crimes Reported</b>  | <b>54</b>            | <b>44</b>           | <b>-10</b>        | <b>(18.5%)</b>  | <b>403</b>           | <b>466</b>         | <b>+63</b>       | <b>15.6%</b>                        |
| Burglary  | 36                   | 38                  | +2                | 5.6%            | 264                  | 287                | +23              | 8.7%                                |
| MVT   | 116                  | 62                  | -54               | (46.6%)         | 513                  | 774                | +261             | 50.9%                               |
| Larceny   | 119                  | 123                 | +4                | 3.4%            | 1,350                | 1,487              | +137             | 10.1%                               |
| <b>Major Property Crimes Reported</b>   | <b>271</b>           | <b>223</b>          | <b>-48</b>        | <b>(17.7%)</b>  | <b>2,127</b>         | <b>2,548</b>       | <b>+421</b>      | <b>19.8%</b>                        |
| <b>Major Index Crimes Reported</b>  | <b>325</b>           | <b>267</b>          | <b>-58</b>        | <b>(17.8%)</b>  | <b>2,530</b>         | <b>3,014</b>       | <b>+484</b>      | <b>19.1%</b>                        |
| <b>Criminal Arrests</b>   |                      |                     |                   |                 |                      |                    |                  |                                     |
| Physical Arrests  | 51                   | 58                  | +7                | 13.7%           | 614                  | 559                | -55              | (9.0%)                              |
| Criminal Summonses  | 59                   | 45                  | -14               | (23.7%)         | 668                  | 585                | -83              | (12.4%)                             |
| DUI/DUID (Detox Summons)  | 14                   | 9                   | -5                | (35.7%)         | 134                  | 111                | -23              | (17.2%)                             |
| <b>Total Arrests</b>  | <b>110</b>           | <b>103</b>          | <b>-7</b>         | <b>(6.4%)</b>   | <b>1,282</b>         | <b>1,144</b>       | <b>-138</b>      | <b>(10.8%)</b>                      |
| <b>Traffic Enforcement</b>  |                      |                     |                   |                 |                      |                    |                  |                                     |
| Traffic Tickets Muni  | 549                  | 222                 | -327              | (59.6%)         | 3,944                | 4,632              | +688             | 17.4%                               |
| Traffic Tickets in GO's Muni  | 74                   | 40                  | -34               | (45.9%)         | 742                  | 668                | -74              | (10.0%)                             |
| Total MET Tickets Muni  | 482                  | 180                 | -302              | (62.7%)         | 3,251                | 3,586              | +335             | 10.3%                               |
| <b>Total Traffic Tickets Muni</b>   | <b>623</b>           | <b>262</b>          | <b>-361</b>       | <b>(57.9%)</b>  | <b>4,686</b>         | <b>5,300</b>       | <b>+614</b>      | <b>13.1%</b>                        |
| <b>Total Traffic Tickets State</b>  | <b>7</b>             | <b>20</b>           | <b>+13</b>        | <b>185.7%</b>   | <b>313</b>           | <b>228</b>         | <b>-85</b>       | <b>(27.2%)</b>                      |
| <b>Total Traffic Tickets</b>  | <b>630</b>           | <b>282</b>          | <b>-348</b>       | <b>(55.2%)</b>  | <b>4,999</b>         | <b>5,528</b>       | <b>+529</b>      | <b>10.6%</b>                        |
| <b>Traffic Accidents</b>  |                      |                     |                   |                 |                      |                    |                  |                                     |
| Fatal   | 2                    | 0                   | -2                | (100.0%)        | 9                    | 5                  | -4               | (44.4%)                             |
| Injury  | 8                    | 0                   | -8                | (100.0%)        | 97                   | 22                 | -75              | (77.3%)                             |
| Non-Injury  | 225                  | 0                   | -225              | (100.0%)        | 1,931                | 582                | -1,349           | (69.9%)                             |
| <b>Total Accidents</b>  | <b>235</b>           | <b>0</b>            | <b>-235</b>       | <b>(100.0%)</b> | <b>2,037</b>         | <b>609</b>         | <b>-1,428</b>    | <b>(70.1%)</b>                      |

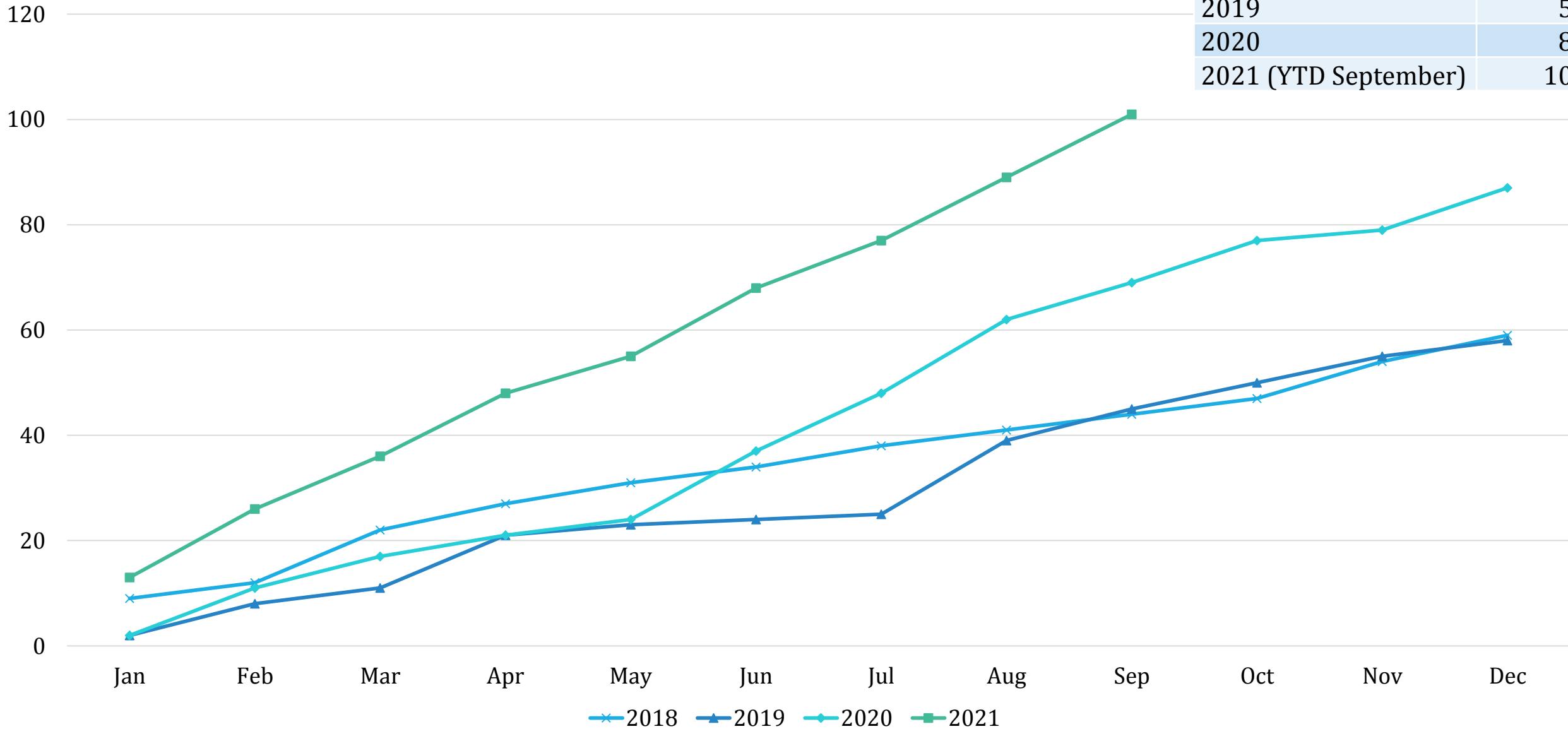
# Police Turnover Percent

| Year                       | Total      |
|----------------------------|------------|
| Jan                        | 13         |
| Feb                        | 13         |
| Mar                        | 10         |
| April                      | 12         |
| May                        | 7          |
| June                       | 13         |
| July                       | 9          |
| August                     | 12         |
| September                  | 12         |
| <b>YTD September Total</b> | <b>101</b> |



# Attrition Review

| Year                 | Total |
|----------------------|-------|
| 2018                 | 59    |
| 2019                 | 58    |
| 2020                 | 87    |
| 2021 (YTD September) | 101   |



# 2021 Sworn Staffing

## Additions:

72 Basics (16 in 2021-1B, 17 in 2021-2B, 19 in 2021-3B, 20 in 2021-4B)

3 Laterals (3 in 2021-1L)

**75 Total Adds**

## Losses as of 09/30/21:

52 Resignations (34 commissioned, 9 FTEP, 9 recruits)

36 Retirements

6 Med. Retirements

5 Terminations (3 commissioned, 2 recruits)

1 Death (1 commissioned)

1 Transfer to Career Service (1 FTEP)

**101 Total Losses**

**26 Net Losses**



# September Sworn Separations Detail

5 Retirements

5 Resignations (3 commissioned, 1 FTEP, 1 recruit)

2 Med. Retirements

12 Total Losses

| Reason                               | Count     |
|--------------------------------------|-----------|
| Retirement                           | 5         |
| Unknown                              | 3         |
| Disability                           | 2         |
| Dissatisfied with Working Conditions | 1         |
| Another Job                          | 1         |
| <b>Total</b>                         | <b>12</b> |

| Assignment        | Count     |
|-------------------|-----------|
| Patrol            | 2         |
| Recruit Classroom | 2         |
| CRT               | 1         |
| FAST              | 1         |
| Internal Affairs  | 1         |
| Media Relations   | 1         |
| Narcotics         | 1         |
| Operations        | 1         |
| Recruit FTEP      | 1         |
| Sex Crimes        | 1         |
| <b>Total</b>      | <b>12</b> |

# September Sworn Staffing Detail

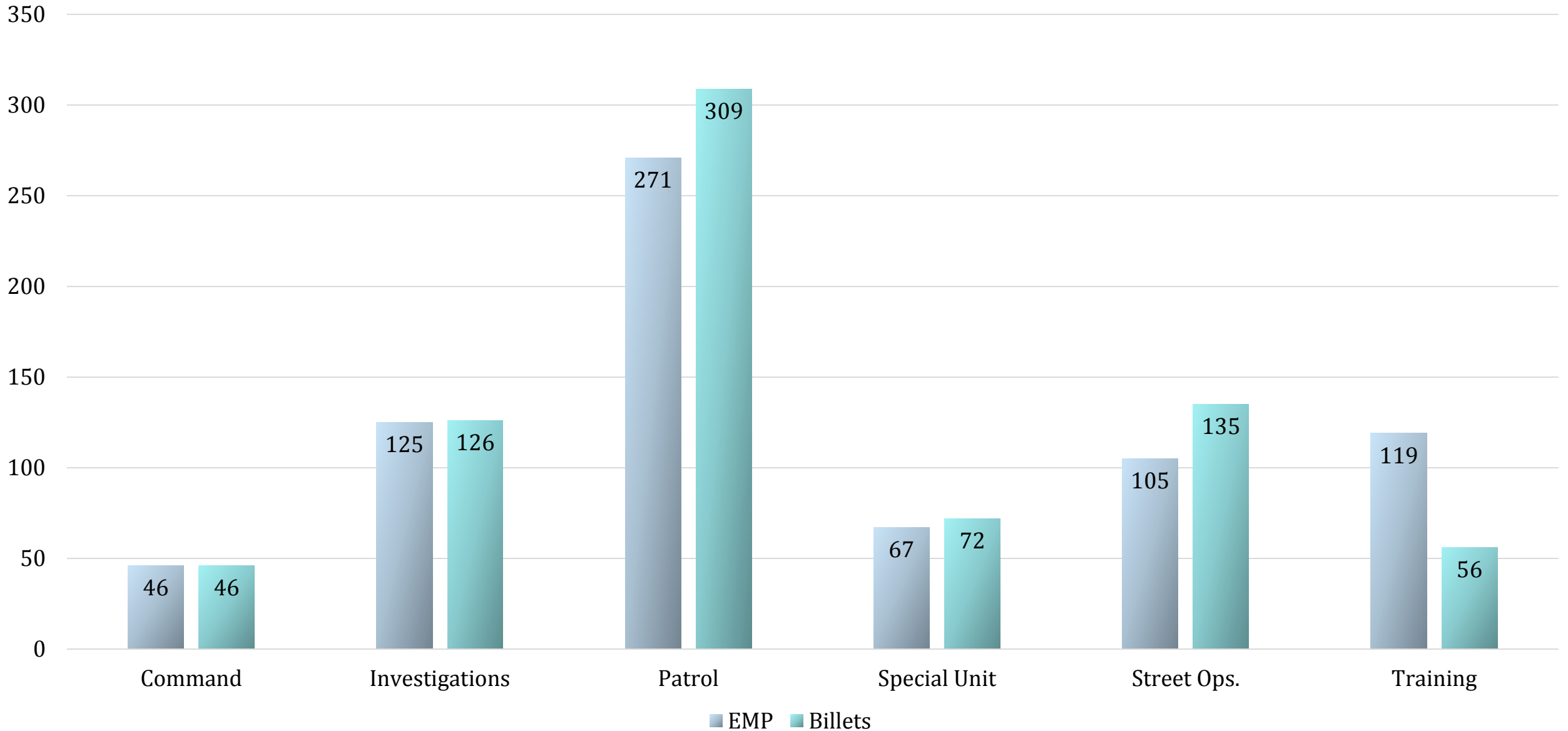
| Function           | EMP        | Billets    | Variance    | Actual | Design |
|--------------------|------------|------------|-------------|--------|--------|
| Command            | 46         | 46         | 0           | 6%     | 6%     |
| Investigations     | 125        | 126        | (1)         | 17%    | 17%    |
| Patrol             | 271*       | 309        | (38)        | 37%    | 42%    |
| Special Unit       | 67         | 72         | (5)         | 9%     | 10%    |
| Street Ops.        | 105        | 135        | (30)        | 14%    | 18%    |
| Training           | 119*       | 56         | 63          | 16%    | 8%     |
| <b>Grand Total</b> | <b>733</b> | <b>744</b> | <b>(11)</b> |        |        |

\*Includes Field Training Officers (FTOs) training 15 FTEP recruits

\*Includes 15 recruits in FTEP

| Class                 | Count     | FTEP Completion |
|-----------------------|-----------|-----------------|
| 2021-1B (3/1/21) FTEP | 15        | 12/3/21         |
| 2021-2B (4/26/21)     | 14        | 1/28/22         |
| 2021-3B (6/21/21)     | 16        | 3/25/22         |
| 2021-4B (8/30/21)     | 20        | 6/3/22          |
| <b>Total</b>          | <b>65</b> |                 |

# Organizational Functional Categories





# APD Resource Deployment



APD has an authorized strength of 744 sworn  
Chief and Executive Staff design the placement of positions to  
achieve the Mission & Vision of the organization

**Mission: Partnering with our community  
to make Aurora safer every day**

**Vision: APD will continually evolve as an innovative  
agency**

The position placement is called 'Billet' by rank and assignment  
Continuous evaluation is done to align and adjust to changes throughout the year  
Chief may temporarily move staff to accomplish initiatives or fill vacancies as needed  
In the following slide, we have summarized the organization reflecting the distribution of Billets by  
functional categories

# Functional Category Breakdown

| <u>Command</u>        | <u>Investigations</u>            | <u>Training</u>        | <u>Special Unit</u>    | <u>Patrol</u>           | <u>Street Ops.</u>   |
|-----------------------|----------------------------------|------------------------|------------------------|-------------------------|----------------------|
| Lieutenants and Above | District Detective Units         | Academy                | Employee Support       | District Patrol Units   | District PAR Units   |
|                       | Crimes Against Children          | Range                  | Media Relations        | Field Training Officers | SROs                 |
|                       | Domestic Violence Unit           | Recruit Classroom      | Recruiting             |                         | Crisis Response Team |
|                       | Economic Crimes                  | Recruit FTPEP          | Aurora for Youth       |                         | Gang Intervention    |
|                       | Forensic Services                | Military Leave         | Equipment & Facilities |                         | K9                   |
|                       | Intelligence                     | Not Available for Duty | Property & Evidence    |                         | SWAT                 |
|                       | Internet Crimes Against Children |                        | Vehicle Impound        |                         | Traffic              |
|                       | Gang & Robbery Invest. Team      |                        | Community Relations    |                         |                      |
|                       | Major Crime/Homicide             |                        | Front Desk             |                         |                      |
|                       | Sex Crimes                       |                        | Dispatch               |                         |                      |
|                       | Special Victims                  |                        | Electronic Support     |                         |                      |
|                       | Joint Terrorism TF               |                        | Internal Affairs       |                         |                      |
|                       | Safe Streets TF                  |                        | CMATT                  |                         |                      |
|                       |                                  |                        | FAST                   |                         |                      |
|                       |                                  |                        | Narcotics              |                         |                      |
|                       |                                  |                        | RAVEN                  |                         |                      |
|                       |                                  |                        | Backgrounds            |                         |                      |
|                       |                                  |                        | Force Investigations   |                         |                      |
|                       |                                  |                        | Professional Standards |                         |                      |
|                       |                                  |                        | Emergency Mgmt.        |                         |                      |
|                       |                                  |                        | ATF TF                 |                         |                      |
|                       |                                  |                        | Front Range TF         |                         |                      |
|                       |                                  |                        | Fugitive TF            |                         |                      |



# CITY OF AURORA

## Council Agenda Commentary

|   |
|---|
| <b>Item Title:</b> September 2021 Aurora Fire Rescue Attrition Data   |
| <b>Item Initiator:</b> Fernando Gray, Fire Chief  |
| <b>Staff Source/Legal Source:</b> Mathew Wasserburger, Assistant Director Fire Management Services; Angela Garcia, Senior Assistant City Attorney |
| <b>Outside Speaker:</b> N/A   |
| <b>Council Goal:</b> 2012: 1.0--Assure a safe community for people  |

### COUNCIL MEETING DATES:

**Study Session:** N/A

**Regular Meeting:** N/A

---

### ACTIONS(S) PROPOSED *(Check all appropriate actions)*

- Approve Item as proposed at Study Session
- Information Only
- Approve Item and Move Forward to Regular Meeting
- Approve Item as proposed at Regular Meeting
- Approve Item with Waiver of Reconsideration  
Why is a waiver needed?

---

### PREVIOUS ACTIONS OR REVIEWS:

**Policy Committee Name:** N/A

**Policy Committee Date:** N/A

### Action Taken/Follow-up: *(Check all that apply)*

- Recommends Approval
- Does Not Recommend Approval
- Forwarded Without Recommendation
- Recommendation Report Attached
- Minutes Attached
- Minutes Not Available

---

**HISTORY** (Dates reviewed by City council, Policy Committees, Boards and Commissions, or Staff. Summarize pertinent comments. ATTACH MINUTES OF COUNCIL MEETINGS, POLICY COMMITTEES AND BOARDS AND COMMISSIONS.)

N/A

---

**ITEM SUMMARY** (Brief description of item, discussion, key points, recommendations, etc.)

Aurora Fire Rescue monthly turnover and attrition rate for sworn personnel.

---

**QUESTIONS FOR COUNCIL**

N/A

---

**LEGAL COMMENTS**

This item is informational only. There is no formal council action necessary.  
The City Manager shall be responsible to the Council for the proper administration of all affairs of the city placed in his charge and, to that end, shall have the power and duty to make written or verbal reports at any time concerning the affairs of the City. (City Charter, Art. 7-4(e)). (Garcia)

---

**PUBLIC FINANCIAL IMPACT**

YES       NO

**If yes, explain:** N/A

---

**PRIVATE FISCAL IMPACT**

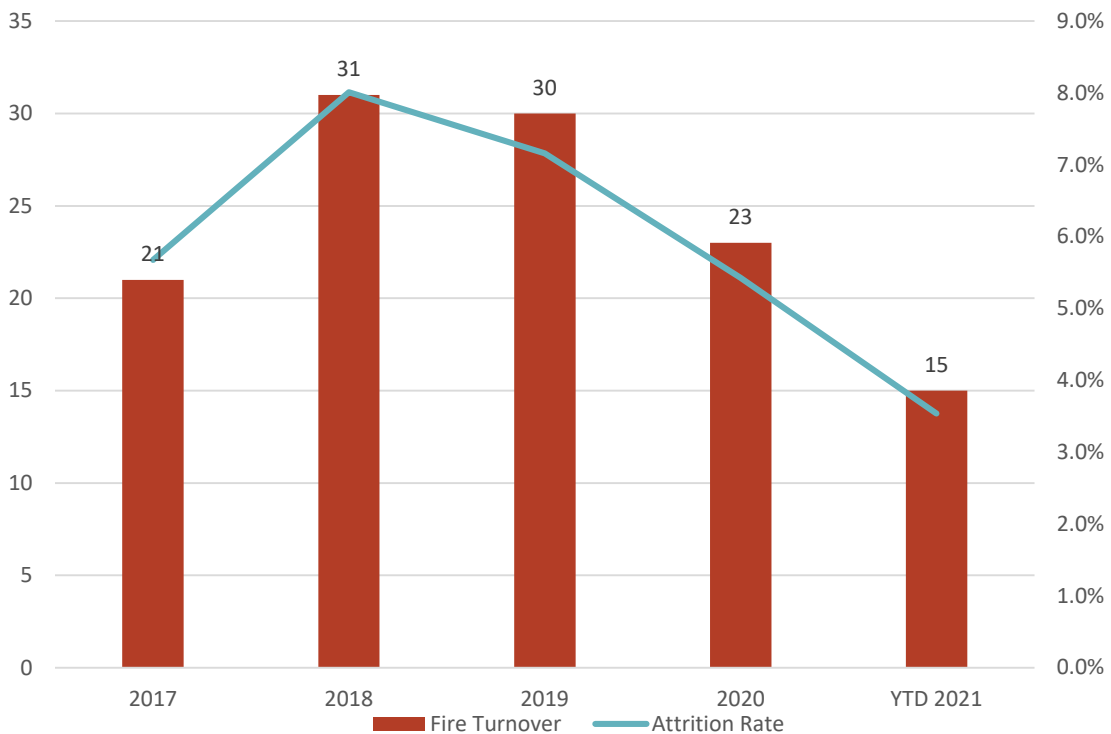
Not Applicable       Significant       Nominal

**If Significant or Nominal, explain:** N/A



# Aurora Fire Rescue Civil FTE Attrition – Sept 30, 2021

Fire Civil FTE Turnover and Attrition Rates



- YTD 2021 Attrition Rate = 3.5%
- 3-Year Average Attrition Rate = 6.8%





# CITY OF AURORA

## Council Agenda Commentary

|   |
|---|
| <b>Item Title:</b> 2021 Judicial Performance Commission   |
| <b>Item Initiator:</b> Zelda M. DeBoyes, PhD  |
| <b>Staff Source/Legal Source:</b> Zelda M. DeBoyes, PhD / Angela Garcia, Senior Assistant City Attorney |
| <b>Outside Speaker:</b> John Haien, Chairman, Judicial Performance Commission                           |
| <b>Council Goal:</b> 2012: 1.0--Assure a safe community for people                                      |

### COUNCIL MEETING DATES:

**Study Session:** N/A

**Regular Meeting:** N/A

### ITEM DETAILS:

Overview of the Judicial Performance Commission's Purpose, Compensation, and Methods

---

### ACTIONS(S) PROPOSED *(Check all appropriate actions)*

- |   |  |
|---|--|
| <input type="checkbox"/> Approve Item and Move Forward to Study Session   | <input type="checkbox"/> Approve Item as proposed at Study Session   |
| <input type="checkbox"/> Approve Item and Move Forward to Regular Meeting   | <input type="checkbox"/> Approve Item as proposed at Regular Meeting |
| <input checked="" type="checkbox"/> Information Only  |  |
| <input type="checkbox"/> Approve Item with Waiver of Reconsideration<br>Reason for waiver is described in the Item Details field. |  |

---

### PREVIOUS ACTIONS OR REVIEWS:

**Policy Committee Name:** Public Safety, Courts & Civil Service

**Policy Committee Date:** 10/14/2021

### Action Taken/Follow-up: *(Check all that apply)*

- |   |   |
|---|---|
| <input type="checkbox"/> Recommends Approval              | <input type="checkbox"/> Does Not Recommend Approval    |
| <input type="checkbox"/> Forwarded Without Recommendation | <input type="checkbox"/> Recommendation Report Attached |
| <input type="checkbox"/> Minutes Attached                 | <input type="checkbox"/> Minutes Not Available          |

---

**HISTORY** *(Dates reviewed by City council, Policy Committees, Boards and Commissions, or Staff. Summarize pertinent comments. ATTACH MINUTES OF COUNCIL MEETINGS, POLICY COMMITTEES AND BOARDS AND COMMISSIONS.)*

The Judicial Performance Commission is comprised of seven citizens (3 attorneys and 4 non-attorneys) appointed by the Aurora Mayor and Members of City Council to serve 3-year terms. The Judicial Performance Commission provides the Mayor and Members of City Council with objective information about the performance of the Municipal Court judges so council can make informed decisions when reappointments are required and may be used to recommend performance improvements for judges as needed.

---

**ITEM SUMMARY** *(Brief description of item, discussion, key points, recommendations, etc.)*

Overview of the Judicial Performance Commission’s Purpose, Composition, and Methods.

---

**QUESTIONS FOR COUNCIL**

N/A

---

**LEGAL COMMENTS**

This item is informational only. There is no formal council action necessary. The City Manager shall be responsible to the Council for the proper administration of all affairs of the city placed in his charge and, to that end, shall have the power and duty to make written or verbal reports at any time concerning the affairs of the City. (City Charter, Art. 7-4(e)) (Garcia).

---

**PUBLIC FINANCIAL IMPACT**

YES       NO

**If yes, explain:** N/A

---

**PRIVATE FISCAL IMPACT**

Not Applicable       Significant       Nominal

**If Significant or Nominal, explain:** N/A

# JUDICIAL PERFORMANCE COMMISSION



PURPOSE, COMPOSITION, METHODS

John Haien, Chairman

October 14, 2021



# Purpose of the Aurora Judicial Performance Commission

Chartered under Aurora City Code Chapter 50 Secs. 101-106

To maintain and improve the quality of judges' performance by compiling useful information and responses from citizens, jurors, attorneys, administrative staff, and law enforcement.

To develop techniques for the evaluation of judges.

To annually provide members of City Council with various confidential reports and statistics containing objective information about the performance of the Municipal Court judges.

To make a full and confidential Commission evaluation of each judge from multiple sources biennially and submit it to City Council. Recommendations to City Council for a judge can be one of the following: "Reappoint," "Do not reappoint," or "No opinion." The recommendation can be supported by a more detailed explanation.

# Sources of Evaluation

Written statistical surveys from defendants, attorneys, law enforcement, jurors, court personnel, probation officers

Statistical analysis, and cross tabulation of results by each type of respondent

Interviews with judges

Judge self-evaluation

Courtroom observations

Commission executive sessions

# Membership of the Commission

Seven citizens (3 attorney; 4 non-attorney) appointed by the Aurora City Council and serving 3-year renewable terms.

- Non Attorneys \*

Wesley Nicholson

Debbie Stafford, Vice Chair

John Haien, Chair

\*Yasmeen Kennedy –

Final Approval 10/11/21

- Attorneys \*\*

Kelli Malcolm

\*\*Actively recruiting for two attorneys.

# Which Judge Should be Reappointed? Which is Better?

## Comparing Representative Results for Judges.

### Judge Able

40 questionnaires returned

Percent favoring retention: 75%

4% increase in retention rating from last year

Mean skill rating of 3.6 on scale of 4

No change to mean skill rating from last year

Verbatim Comments Summary:

“Excellent judge; No confidence in him; Always there when needed; Always sides with defendant; Causes unfair heartache to women; A tyrant; Punishes people for doing their job; Best judge ever!; Firm but fair.”

### Judge Baker

33 questionnaires returned

Percent favoring retention: 47%

28% decrease in retention rating from last year

Mean skill rating 3.3 on scale of 4

Significant reduction in mean skill rating from last year

Verbatim Comments Summary:

“This judge should be removed; Very biased; A stellar experience; Murdered a dog that was protecting its family; Makes your city a joke. Top notch!—Kind friendly, and intelligent; A credit to the bench; Really kind to us Jurors.”

**The answer shows the Commission’s importance.**



# CITY OF AURORA

## Council Agenda Commentary

|   |
|---|
| <b>Item Title:</b> Aurora Fire Rescue (AFR) Auto/Mutual Aid Procedures  |
| <b>Item Initiator:</b> Fernando Gray, Fire Chief  |
| <b>Staff Source/Legal Source:</b> Allen Robnett, Deputy Chief / Angela Garcia, Senior Assistant City Attorney |
| <b>Outside Speaker:</b> N/A   |
| <b>Council Goal:</b> 2012: 1.0--Assure a safe community for people  |

### COUNCIL MEETING DATES:

**Study Session:** N/A

**Regular Meeting:** N/A

### ITEM DETAILS:

A brief overview that highlights the difference between automatic and mutual aid agreements and outlines AFR's current aid agreements.

### ACTIONS(S) PROPOSED *(Check all appropriate actions)*

- |   |  |
|---|--|
| <input type="checkbox"/> Approve Item and Move Forward to Study Session   | <input type="checkbox"/> Approve Item as proposed at Study Session   |
| <input type="checkbox"/> Approve Item and Move Forward to Regular Meeting   | <input type="checkbox"/> Approve Item as proposed at Regular Meeting |
| <input checked="" type="checkbox"/> Information Only  |  |
| <input type="checkbox"/> Approve Item with Waiver of Reconsideration<br>Reason for waiver is described in the Item Details field. |  |

### PREVIOUS ACTIONS OR REVIEWS:

**Policy Committee Name:** Public Safety, Courts & Civil Service

**Policy Committee Date:** 10/14/2021

### Action Taken/Follow-up: *(Check all that apply)*

- |   |   |
|---|---|
| <input type="checkbox"/> Recommends Approval              | <input type="checkbox"/> Does Not Recommend Approval    |
| <input type="checkbox"/> Forwarded Without Recommendation | <input type="checkbox"/> Recommendation Report Attached |
| <input type="checkbox"/> Minutes Attached                 | <input type="checkbox"/> Minutes Not Available          |



---

**HISTORY** *(Dates reviewed by City council, Policy Committees, Boards and Commissions, or Staff. Summarize pertinent comments. ATTACH MINUTES OF COUNCIL MEETINGS, POLICY COMMITTEES AND BOARDS AND COMMISSIONS.)*

N/A

---

**ITEM SUMMARY** *(Brief description of item, discussion, key points, recommendations, etc.)*

A brief overview that highlights the difference between automatic and mutual aid agreements and outlines AFR's current aid agreements.

---

**QUESTIONS FOR COUNCIL**

N/A

---

**LEGAL COMMENTS**

This item is informational only. There is no formal council action necessary.  
The City Manager shall be responsible to the Council for the proper administration of all affairs of the city placed in his charge and, to that end, shall have the power and duty to make written or verbal reports at any time concerning the affairs of the City. (City Charter, Art. 7-4(e)) (Garcia)

---

**PUBLIC FINANCIAL IMPACT**

YES       NO

**If yes, explain:** N/A

---

**PRIVATE FISCAL IMPACT**

Not Applicable       Significant       Nominal

**If Significant or Nominal, explain:** N/A



# Aurora Fire Rescue

## Auto and Mutual Aid Agreements

**Allen Robnett, Deputy Chief**

# Background

## **Automatic Aid Agreements:**

Resources from partnering jurisdictions are **automatically** dispatched to the scene as part of a response force.

# Background

**Mutual Aid:** Mutual aid agreements are between partnering jurisdictions and involve a formal **request** for assistance. Mutual aid is activated less often than automatic aid but covers a larger geographic area.

# PURPOSE

The involved agencies have negotiated an exchange of services. The services may be of like kind, or they could differ substantially.

# PURPOSE (EXAMPLE)

For example, one agency may cover a geographical area to supplement a response force or provide emergency medical service. In exchange, the other agency may provide specialty equipment or team i.e. Hazmat, Technical Rescue Team, etc.

# Managing Auto Aid Agreements

Providing and receiving services from other agencies necessitates the exchange of radios in some cases, access to radio channels and other equipment, and cross-training to ensure that both agencies can operate together efficiently

# Current Agreements

## Mutual Aid:

- Douglas County Sheriff Mutual Aid Agreement
- Metro Chief's Mutual Aid

## Auto Aid:

- Denver Fire Department
- South Metro Fire District



# Moving forward

We are exploring an agreement with Bennett / Watkins Fire District in the Western Transport development and the Colorado Air and Space Port areas



# Questions?

Thank you





# CITY OF AURORA

## Council Agenda Commentary

|   |
|---|
| <b>Item Title:</b> APD Mutual Aid Process and Procedures  |
| <b>Item Initiator:</b> Danelle Carrel, Committee Liaison  |
| <b>Staff Source/Legal Source:</b> Darin Parker, Deputy Chief of Police / Megan Platt, Assistant City Attorney |
| <b>Outside Speaker:</b> N/A   |
| <b>Council Goal:</b> 2012: 1.0--Assure a safe community for people  |

### COUNCIL MEETING DATES:

**Study Session:** N/A

**Regular Meeting:** N/A

---

### ACTIONS(S) PROPOSED *(Check all appropriate actions)*

- |   |  |
|---|--|
| <input type="checkbox"/> Approve Item and Move Forward to Study Session   | <input type="checkbox"/> Approve Item as proposed at Study Session   |
| <input type="checkbox"/> Approve Item and Move Forward to Regular Meeting   | <input type="checkbox"/> Approve Item as proposed at Regular Meeting |
| <input checked="" type="checkbox"/> Information Only  |  |
| <input type="checkbox"/> Approve Item with Waiver of Reconsideration<br>Reason for waiver is described in the Item Details field. |  |

---

### PREVIOUS ACTIONS OR REVIEWS:

**Policy Committee Name:** N/A

**Policy Committee Date:** NA

### Action Taken/Follow-up: *(Check all that apply)*

- |   |   |
|---|---|
| <input type="checkbox"/> Recommends Approval              | <input type="checkbox"/> Does Not Recommend Approval    |
| <input type="checkbox"/> Forwarded Without Recommendation | <input type="checkbox"/> Recommendation Report Attached |
| <input type="checkbox"/> Minutes Attached                 | <input type="checkbox"/> Minutes Not Available          |

---

**HISTORY** (Dates reviewed by City council, Policy Committees, Boards and Commissions, or Staff. Summarize pertinent comments. ATTACH MINUTES OF COUNCIL MEETINGS, POLICY COMMITTEES AND BOARDS AND COMMISSIONS.)

N/A

---

**ITEM SUMMARY** (Brief description of item, discussion, key points, recommendations, etc.)

APD policy and practices regarding mutual aid requests from outside agencies.

---

**QUESTIONS FOR COUNCIL**

N/A

---

**LEGAL COMMENTS**

The City Manager shall be responsible to the City Council for the proper administration of all affairs of the City placed in his charge and, to that end, he shall have the power and duty to make written or verbal reports at any time concerning the affairs of the City under his supervision. City Charter § 7-4(e). (Platt)

---

**PUBLIC FINANCIAL IMPACT**

YES       NO

**If yes, explain:** N/A

---

**PRIVATE FISCAL IMPACT**

Not Applicable       Significant       Nominal

**If Significant or Nominal, explain:** N/A