

**Federal, State and Intergovernmental Relations (FSIR) Meeting
Video Conference Call Meeting
May 6, 2022**

Members Present: Council Member Lawson – Chair

Absent: Council Member Jurinsky, Council Member Gardner

Others present: A. Botham, H. Smith, P. O’Keefe, T. Rees, S. Day, R. Allen, K. Hancock, R. Venegas, T. Hoyle, G. Koumantakis, M. Hildebrand, C. Grant, J. Godwin, D. Sisneros, C. McDonald, R. Totsy

1. CONSENT ITEMS: None.

2. APPROVAL OF MINUTES

April 22, 2022 meeting minutes approval is moved to the next FSIR Meeting.

3. STATE LEGISLATIVE UPDATE

Summary of Issue and Discussion: Peggi O’Keefe, Hannah Smith, Judge Shawn Day, Totsy Rees, and Mark Hildebrand gave updates on current legislation.

State Legislative Update

The State Legislature is in the last week of the session and is set to finish up on May 11th. There are still 226 bills needing action and resolution.

SB22-001: Crime Prevention through Safer Streets is headed to the governor’s desk after the Senate concurred with the House amendments. SB22-0183: Crime Victim Services is currently on the third reading. HB22-1067: Clarifying Changes to Ensure Prompt Bond Hearings has been laid over as the House considers the Senate amendments. The Senate amendments are only related to the District Attorney Council Fund. There are no amendments on exceptions for municipal court to do 48-hour hearings, funding, or expanding the number of hours. HB22-1363: Accountability to Taxpayers Special Districts failed to make it out of Senate affairs. SB22-023: Deceptive Tactics Juvenile Custodian Interrogation passed out of House appropriations on a 7-4 vote and is going forward.

Bills could still be introduced since it only requires 3 days to get them through the process. However, it is not expected that any big bills will be introduced. There is a Third-Party Liquor Delivery Bill that has a small chance of being introduced. If it does, it will be sent to Trevor Vaughn at Tax and Licensing, APD, and the City Attorney for review.

Committee Discussion

CM Lawson requested to have a recap for the next FSIR meeting. She asked for the current position of the committee as per the email responses. H. Smith reported the current positions of the Committee as follows:

- SB22-230 The committee consensus was to oppose
- HB22-1378 The committee consensus was to support
- HB22-1131 The committee consensus was to monitor
- HB22-1363 The committee consensus was to oppose
- HB22-1377 The committee consensus was to support
- HB22-1326 There was no committee consensus

CM Lawson requested to add the points made regarding HB22-1131 to the memo. R. Venegas agreed to add this to the memo. CM Lawson requested to resend the bills and other bills that are needed to be voted on for formal positions in the next meeting. R. Venegas agreed.

ACTION ITEMS

SB22-230 Collective Bargaining for Counties

This bill is limited to county employees and does not directly impact the City of Aurora. However, there are concerns about the impact on local control. The bill would interfere in the decisions of local governments regarding employment. It may be opening the door to future similar interference with the rights of home-rule municipalities. CML is opposed. It moved out of State Affairs and is now in House appropriations.

Staff Recommend an Oppose if Asked position

HB22-1131: Reduce Justice Involvement for Young Children

The bill was amended to drop the age increase and creates a task force to examine gaps in services for juveniles between 10 and 13 years old to make recommendations for addressing the gaps and service needs identified.

The bill is set to go into appropriations and possibly get to second reading.

Given the amendments, staff recommends a Monitor position

Committee Discussion:

Judge Day mentioned that the task force is a good thing, however, there is no judicial representation on it. He mentioned that there are 29 designated representatives on the task force. He said that it is simply just a task force bill. CM Lawson asked H. Smith for the Committee Members' positions. H. Smith said that via email, there were two votes to monitor and one vote to oppose. CM Lawson explained that her position is to monitor due to possible future amendments. She asked Judge Day if he foresees any other potential amendments that could

change the bill from the formation of a task force. Judge Day said that there was an amendment proposed in Senate Judiciary which failed. He added that it was a data-driven amendment that discusses what requirements the Commission is supposed to report back. He said that a monitor position right now would be wise because there can still be changes in appropriations before it hits the Senate floor. CM Lawson asked if the Committee could get more information on the potential amendment. Judge Day said that it is his expectation that there will not be any further substantive amendments in Senate appropriations. He added that there was a lot of stakeholding involved in the House appropriations stage where it brought in the task force amendment.

CM Lawson said that she is okay with the monitoring piece of the task force but has issues that that no judicial representation will not be on the task force. She added that she will see what happens in the next 4 days and finalized her position. Judge Day said that he will send the re-engrossed version of the bill to CM Lawson. He added that the task force is comprehensive, and their work is broad. He mentioned that it relates to the services that are already available, services missing, and what could be done to better serve juveniles. He stated that it included rural areas of Colorado and it has a comprehensive representation. Judge Day said that that concern of no judicial representation has been brought up when the amendment was proposed and has also been brought up in the Senate. However, it has not yet become a formal amendment since it has mostly been discussed with the amendment sponsors. He mentioned that they are not looking to expand the representation of the task force given its size. CM Lawson said that she stay with her position of monitor for now and finalize it at the end of the legislative session.

T. Rees said that that was a big point of contention in the Committee. She added that there was an amendment that was defeated that would have given the task force job to the CCJJ. She mentioned that she doesn't think that they will move forward with any kind of change to the task force. She also mentioned that she doesn't believe that there will be any changes in appropriations. Again, CM Lawson mentioned that the Committee will take a formal position on this bill at the May 23rd meeting and that her position may change because of no consideration of having judicial representation on the task force.

HB22-1326: Fentanyl Accountability and Prevention

The bill was amended again this afternoon. The felony possession amount remained at 1 gram, but they removed the distinction between knowingly and unknowingly possessing fentanyl. After the last round of amendments we brought to committee two weeks ago, there was no consensus on a position. The bill was on the Senate Floor today and passed on third reading.

FSIR is monitoring the bill for amendments

SB22-0232: Creation of CO Workforce Housing Trust Authority

This bill creates the Colorado Workforce Housing Trust Authority to acquire, construct, rehabilitate, own, and operate affordable rental housing projects for middle-income workforce housing. That authority would have the power to issue bonds and enter public-private partnerships and develop and operate affordable rental housing projects. This bill is currently on the Senate floor.

Staff recommend an Active Support position

INFORMATIONAL ITEMS

SB22-0238: 2023 and 2024 Property Taxes

The bill reduces property tax assessment rates and taxable valuations for the 2023 and 2024 tax years (impacting revenue collection in 2024 and 2025). The bill also requires that the state government reimburse local governments for a portion of the resulting property tax revenue reductions in 2023 (2024 revenue year).

Under current law, Aurora is projected to earn more property tax revenue than it may legally retain under the Taxpayer's Bill of Rights (TABOR) in both 2024 and 2025. Under this new bill, the estimated revenue loss to the city is minor.

Staff recommend no position

Aurora Police Department

CM Lawson asked for updates on the texting and driving bill. Commander Mark Hildebrand mentioned that he thinks the bill makes sense, but he does not know what the position was. CM Lawson said that Chief Juul and Megan Platt spoke to the Committee about the bill and the Committee had a support position based on the information from the APD.

Commander M. Hildebrand said that the changes to the fentanyl bill are getting close in line with the issues that the Committee had with it. CM Lawson asked if there are bills from the Chief's Association. M. Hildebrand said that he has not been in any of the meetings. He said that they will find out the schedule of the meetings and get updates. He added that Parker was in the last meeting but did not leave him with anything of concern. He mentioned that he needs to be in the Chief's legislative review and update meetings to get their position on the current bills. CM Lawson said that he can update the Committee if there will be anything coming out of the meetings on the federal or state level. M. Hildebrand agreed and he said that he will take notes at the next meeting and share it with the Committee. CM Lawson asked if he will be the representative of the APD to the FSIR Committee. M. Hildebrand confirmed this and said that he is filling in the acting role. He added that he or Chris would be attending the meetings.

CM Lawson explained that she wants the APD to be at the meeting to discuss policing bills to ensure that we are staying connected and collaborative.

Outcome: The Committee did not vote on any action items due to a quorum not being reached.

Follow-up Action: Staff will bring the items back for the Committee's position on the bills during the next FSIR meeting.

4. FEDERAL LEGISLATIVE UPDATE

Summary of Issue and Discussion: Lauri Hettinger gave an update on federal legislation.

Committee Discussion

House is in recess while the Senate returned earlier this week. The House members submitted the city's earmarks on Friday and Congressman Crow has committed to submitting both of Aurora's earmarks. In the following week, the House will start considering their bill in the committee in early June and Senators will start considering theirs in late June. This is earlier than ever before given the midterm elections soon. In addition to this, the majority of House and Senate appropriations leadership is retiring this year.

Aurora Water will be in D.C. and Lauri has been setting up meetings with them together with delegation and agency staff to discuss priorities for the infrastructure bill and give an update on projects.

The National Defense Authorization Act is in the committee and will likely be passed before the midterm elections. Another bill to be considered is the H.R. 4521 or the America COMPETES Act of 2022 which will help the US compete better against China on semiconductors.

CM Lawson asked if Build Back Better is still going to be in consideration or discussion after the midterms. L. Hettinger answered that Senator Manchin may consider some energy and climate change provisions as long as they do not hurt coal country as he represents West Virginia. She added that they are also considering and talking to committee staff including water provisions, additional money for grants, and additional money for the low-income Household Assistance Program. Aurora water has been able to utilize this money from the previous COVID bill to assist residents who can't afford to pay their water bills. She mentioned that with talks to Senate staff, many do not think that it would be feasible this year and would have to wait until next year. This is because of meetings with stakeholders. L. Hettinger mentioned that Democrats want to pass the bill but they need all 50 senators to support it. A summit will be held next week with mayors and other stakeholders. She added that CEOs will come to lobby leadership, the White House, Senate members, and House members for housing to stay in the Build Back Better.

CM Lawson said that she will be attending the Accelerate trip and asked if there is a benefit to set some things up with agencies while she is there. She also asked if the lobbying trip is possible sometime next year? L. Hettinger said that she has been talking about this with R. Venegas and H. Smith. She stated that there was a COVID surge with members of Congress a few weeks ago and some offices decided to go back to virtual. Despite this, the majority of House and Senate offices, including federal agencies, are meeting in person. She said that they can schedule a trip and she will talk to R. Venegas and H. Smith about it.

L. Hettinger asked if the Accelerate agenda has been finalized. CM Lawson said that it has not been finalized. CM Lawson agreed to talk offline about more details on this. She added that the event will be from June 8th through the 10th.

Outcome: Information only.

Follow-up Action: No follow-up is needed.

5. WATER UPDATE

Summary of Issue and Discussion: Josh Godwin and Roberto Venegas presented the updates to the Committee.

HB22-1358: Clean Water in Schools and Child Care Centers

Aurora Water and the FSIR Committee previously took an active oppose bill. Aurora Water was able to testify and change the bill to make it less onerous for the utility department by taking away the filter and sampling requirements. However, it remains onerous for schools and the Colorado Public Health and Environment Department. Due to the changes, Aurora Water moved its position to monitor.

HB22-1151: Turf Replacement Program

Mayor Coffman testified in support of HB22-1151 as per the position of the city in the Senate appropriations.

Committee Discussion

CM Lawson asked for the information on HB 22-1358 to be added to the legislative tracker due to possible position changes at the next FSIR meeting. She said that it would be good to have this on the list for the committee to review and formalize at the next meeting. H. Smith agreed to this. J. Godwin expressed appreciation for the previous active opposition position because it helped change the bill drastically and positively impact municipalities and water providers.

CM Lawson asked if other council members testified. R. Venegas said that it was only for HB22-1151 and he said CM Jurinsky decided not to testify on HB22-1131.

Outcome: Information only.

Follow-up Action: Staff will add the above updates to the list to be sent to the Committee members.

7. MISCELLANEOUS MATTERS FOR CONSIDERATION

Summary of Issue and Discussion:

CM Lawson said that they need to get an update on positions from Committee Members based on new information. She requested R. Venegas to send notice that the FSIR Committee will only have monthly meetings starting in June. She asked H. Smith to set which Friday of the month

would work for other Committee members and staff. These will be finalized at the next FSIR meeting. R. Venegas and H. Smith agreed.

Outcome: Next committee meeting will start at 1:30 PM.

Follow-up Action: Staff will send out notice of the schedule change.

CONFIRM NEXT MEETING

May 20, 2022, at 1:30 PM.

Approved:	<u>Angela Lawson</u>	<u>5-25-22</u>
	Angela Lawson	Date
	Committee Chair	