

Federal, State, and Intergovernmental Relations (FSIR) Meeting
Video Conference Call Meeting
May 20, 2022

Members Present: Council Member Lawson – Chair, Council Member Gardner, Council Member Jurinsky

Others present: A. Botham, R. Allen, C. McDonald, T. Rees, R. Venegas, H. Smith, M. Hildebrand, C. Grant, K. Kitzmann, A. Logan, P. O’Keefe, L. Hettinger, J. Bajorek

1. CONSENT ITEMS: None.

2. APPROVAL OF MINUTES

April 22, 2022 and May 6, 2022 meeting minutes were approved.

3. FEDERAL LEGISLATIVE UPDATE

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

Committee Discussion

Congressman Crow posted his requests for the community project funding request and both of Aurora’s projects were included. These projects were for the replacement of Aurora Water’s pipelines and the improvements in the Martin Luter King Library. This week, the Senate passed a \$40 billion Ukraine Aid package that was already passed by the Senate and is expected to be signed into law by the President. Both the House and Senate are going into recess from Memorial Day. Once the House returns, they will start considering their House Appropriation Bills in the Committee. Staff will see if the city’s projects make it into the bill. The Senate has begun working on the National Defense Authorization Act that provides money for all the military branches. At the end of June, they will start considering their appropriation bills.

Federal agencies continue to put out NOFOs for various programs creating the infrastructure bill. This Monday, they released a NOFO for Safe Streets for All which is also one of Aurora’s priorities. This is for Vision Zero which is for comprehensive road safety in which the city is creating an implementation plan to ensure cyclists’ and pedestrians’ safety. This project is being considered for the program. DOT is putting out its bridge grant program over the next weeks. Roadway grade crossing elimination will be at the end of June. This is also another of the city’s priorities. Over the next weeks, the Bureau of Reclamation dealt water-smart grants for drought resiliency. Aurora Water is putting in an application for this. They are also working with the state to get funding for projects to help with clean water and drinking water needs.

CM Lawson mentioned that she received the bill language for Congressman Crow's apprenticeship bill and expressed interest in it. She added that it could be beneficial to the city. L. Hettinger said that she will keep track of the bill. She added that the bill is important and timely since the House and Senate are working on the reauthorization of the Workforce Investment Act.

Outcome: Information only.

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

4. STATE LEGISLATIVE UPDATE

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

ACTION ITEMS

SB22-230 Collective Bargaining for Counties

The bill grants public employees of a county with a population greater than 7,500 the right to organize, form, or join an employee organization and to engage in collective bargaining. It specifically exempts municipalities.

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 be a significant interference 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. The bill passed both Houses.

Staff recommends an oppose position.

The Committee unanimously voted to actively oppose this bill.

HB22-1378: Denver-metro Regional Navigation Campus Grant

This bill directs the Division of Housing in the Department of Local Affairs to award a grant to a local government in the Denver metropolitan area or a community partner in conjunction with a local government to build or acquire, and then facilitate, a regional navigation campus to respond to and prevent homelessness.

Staff recommends a support position.

The Committee unanimously voted to actively support this bill.

HB22-1131: Reduce Justice Involvement for Young Children

The bill creates the 32-member Pre-adolescent Services Task Force in the Department of Human

Services (CDHS) to examine gaps in services for juveniles aged 10 to 13 that would be created if the minimum age of prosecution of juveniles is increased from 10 to 13 and make recommendations on addressing those gaps. The task force must convene by August 1, 2022, meet at least twice monthly through December 2022. The task force must create a report containing its examinations and recommendations by December 30, 2022, and send it to the General Assembly. Judge Day is supportive of the move to a task force but believes there should be judicial representation on the task force.

CM Gardner voted to monitor. CM Jurinsky voted to oppose. CM Lawson voted to oppose due to not having judicial representation.

The Committee voted to oppose the bill.

HB22-1363: Accountability to Taxpayers Special Districts

The original bill made several changes special districts including additional tax reporting requirements; additional disclosures on the district websites; expanding statutory requirements for service plans and financial plans. The bill was amended significantly and most requirements were removed. The bill still contains a prohibition on the purchase of any district debt by anyone with a conflict of interest, or by anyone serving as a director of the district when the debt was issued. The impact of this change would prohibit developers from purchasing the debt that the districts issue. Prior and current iterations of the bill did not impact the City's operation, but rather how those districts as independent forms of government operate and are managed by their elected boards following state law.

CM Gardner and CM Jurinsky voted to oppose. CM Lawson stated that she voted to monitor.

The Committee voted to oppose the bill.

HB22-1377: Grant Program Providing Responses to Homelessness

This bill is part of the Governor's homelessness response package. The bill creates the connecting Coloradans experiencing homelessness with services, treatment, and housing supports grant program, administered by the division of housing in the department of local affairs. The bill puts out a competitive request for application to local governments and nonprofits in the Denver-Metro area to build or acquire a regional navigation campus to holistically respond to and prevent homelessness. This campus is intended to integrate emergency, transitional, and permanent supportive housing with behavioral health care, substance use disorder treatment, medical care, case management, and employment skills and training. The bill requires a transfer of \$105 million from the economic recovery and relief cash fund to administer the grant program.

Staff recommends a support position.

The Committee unanimously voted to actively support this bill.

HB22-1326: Fentanyl Accountability and Prevention

For the 2022-23 fiscal year, the bill requires the appropriation of \$20 million from the behavioral and mental health cash fund to the opiate antagonist bulk purchase fund. The bill also requires the CDPHE to develop and implement a statewide fentanyl prevention and education campaign. The final bill allows prosecutors to charge a felony for 1 gram of fentanyl and includes language allowing some defendants a way to present evidence at trial that they unknowingly possessed fentanyl to possibly reduce charges to misdemeanors.

CM Gardner voted to monitor the bill. He stated that the bill does not go far enough but is better than the current situation. CM Jurinsky voted to actively oppose the bill. She said that the bill does not go far enough. She said that she wants tougher legislation. CM Lawson voted to support the bill. She said that although it does not go far enough, it's a step forward in addressing this crisis.

The Committee has no consensus on the position on the bill.

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 passed both Houses.

Staff recommends a support position.

The Committee unanimously voted to support this bill.

INFORMATIONAL ITEMS**State Legislative Update**

The session has concluded last Wednesday after 120 days. The session was kept hybrid in terms of testimony and legislative participation but has begun to work as a traditional legislative session. There was a big focus on economic recovery from COVID. Democrats had an agenda of saving people money while the Republicans tried to address economic recovery, affordable housing, and healthcare costs. Messaging was similar but solutions were different and reflected either party's values. 650 bills were introduced during the session with a big part on the budget and ARPA funds. Interim committees were made for affordable housing, mental health, and criminal justice. Subcommittees that met within the interim task force made legislative recommendations for bills introduced during the sessions.

Key bills introduced were the Fentanyl Bill (HB22-1326), the Special District Legislation (HB22-1363), and the Collective Bargaining Bill (SB22-230). HB22-136 Special District Governance limited the tools that metro districts and special districts can use in developing communities and housing in municipalities and counties. Both HB22-1363 and HB22-136 were

killed due to the importance of affordable housing and ensuring that districts have the tools to produce a stock of housing. SB22-230 has been narrowed to only allow county employees to organize. This would only be implemented in counties with over 7,500 people. More bills were introduced such as PFAS, recycling, election, and air quality legislation. These bills do not necessarily impact the city. Bills were successfully narrowed and amended by the Republicans as the minority.

CM Lawson came to testify on SB22-001 Crime Prevention through Safer Streets. This bill provides grants to local governments to design neighborhoods in a safer manner. The bill was signed yesterday and is sponsored by Senator Buckner. HB22-1067 Clarifying Changes to Ensure Prompt Bond Hearings was amended to set hearings 48 hours after being notified instead of upon arrest or booking.

Committee Discussion

CM Jurinsky asked if the state legislature cares about Aurora's position. She believes that the legislature has already made up their minds and no longer intends to listen to other positions. She called FSIR a 'circus committee' given the situation. T. Rees explained that they give them time to speak and share the city's positions on legislation. She added that the Republicans, with regard to HB22-1067, decided that municipal courts can also work on the weekends just as other courts. She said that she understands CM Jurinsky's frustrations and that they feel that too. CM Jurinsky mentioned that she is supportive of the committee, she attends and gives her time. However, she said that she feels her time could be used somewhere else since the state does not care about the Committee's position. T. Rees added that there is an election coming up in November and they have to see what changes are made in both Houses.

CM Jurinsky said that if she is needed for a position, she could be reached by email. She mentioned that CM Lawson is passionate about what goes on at the state level and she is too. However, she feels that her voice would be drowned out anyway. Chief M. Hildebrand said that CM Jurinsky brings up an interesting point of how much effort is being put into the Committee and how much of it is having any effect at the Capitol. He said that the effect seems minimal. He mentioned testifying and putting a lot of pressure and the community sees that there are a lot of voices. He stated that Aurora is a big city in Colorado with a lot of constituents dealing with criminal justice issues and the Committee's voices are aimed to represent what's best for the residents. He said that their position should have more weight.

CM Lawson mentioned that she wanted to have more meetings with the our state delegation, but it did not happen. She asked if the Committee should be more involved in testifying and in lobbying efforts. CM Jurinsky said that she respects CM Lawson's passion, and she wants her to be at the forefront. She restated that there is a whole Committee dedicated to putting forward the city's positions on legislation. She mentioned that even APD is present despite staffing shortages. She stressed that the State Capital does not care about the city's positions given that they have already made up their mind. She said that there is a lot of time and effort that goes into debating bills. She said that maybe an entire Committee is not necessary and that they could just appoint a position for CM Lawson to continue her work and be down at the Captiol. She stressed that there is a lot of wasted effort, resources, and time. CM Lawson said that CM Jurinsky can

bring up her concerns to the Rules Committee should she want to dismantle FSIR. She added that she sees the committee as effective, and why hire lobbyists to advocate the cities legislative positions. She explained that they can't help who gets elected and stressed the importance of getting people to vote for whom they want to represent them at the state legislature.

CM Jurinsky said that she doesn't care what happens to the FSIR Committee and she is not seeking to dismantle it. She stated that she is getting off the call and can be reached by email for her position if it is needed. She said that she cannot continue to waste her time with the committee, but she appreciates everyone's work.

CM Lawson suggested thinking of ways to get their voice out there more and if they need to meet more with the delegation. CM Gardner highlighted that they are not the only ones providing positions on the bill and there are other cities like Denver that may have an opposite position. He stressed that the state legislature listens to different opinions and that just because they don't follow Aurora's position does not mean that there is no value in the Committee. He said that providing their input is part of the legislative process. CM Lawson said that the legislature sometimes also does not take CML recommended positions bills. R. Venegas said that Aurora is one of many voices and that their strength is in the coalitions and alliances that they build. He welcomes discussions on being more strategic and effective in advocacy and how to build better relationships with the delegation. R. Venegas said that they will be looking to have more opportunities for that. He mentioned that Arapahoe County Commissioners came to speak to the FSIR committee last fall, and they are trying to get Adams County to come as well. He also mentioned that they are talking with other regional jurisdictions and municipalities in the area.

Outcome: The Committee voted on taking positions on the bill as reflected above.

Follow-up Action: Staff and lobbyists will act on the above bill in accordance with the positions taken.

5. WATER UPDATE

Summary of Issue and Discussion: Kathy Kitzmann 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. This bill was amended favorably and no longer requires utilities to replace service lines. Instead of being filter-first, it focuses more money on testing and replacement of the fixtures. This provides a more permanent solution rather than a temporary one.

Staff recommended a monitor position.

The Committee voted to monitor this bill.

Committee Discussion

A one-day water tour is being planned for August 26th for the City Council. It will include Spinney Mountain Reservoir and Wild Horse Reservoir and will have a workshop-style discussion of capital projects. A draft agenda is being developed and the invite will be sent out to the Council.

K. Kitzmann thanked the FSIR committee for being effective on several bills including the HB22-1358 which was amended. However, she added that there was a bill, the sensitive species data bill, wherein the legislators did not care about the city's position.

Outcome: The Committee voted on taking positions on the bill as reflected above.

Follow-up Action: Staff and lobbyists will act on the above bill in accordance with the positions taken.

6. MISCELLANEOUS MATTERS FOR CONSIDERATION

None.

CONFIRM NEXT MEETING

June 17, 2022, at 1:00 PM.

Approved:

Angela Lawson
Angela Lawson
Committee Chair

6-26-22

Date