



## AGENDA

### Elections Commission Meeting

Wednesday, July 20, 2022

7:00 p.m.

Aurora Room

15151 E. Alameda Parkway

Aurora, CO 80012

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#### Pages

1. Call to Order
2. Roll Call
3. Approval of Agenda
4. Approval of Minutes
  - 4.a. 07-06-2022 Election Commission Minutes 2
5. General Business
  - 5.a. Qualifications for Elective Office (Charter Amendment) 4
  - 5.b. 2023 Ward Redistricting 10
6. Miscellaneous Matters for Consideration
7. Adjournment

**Election Commission  
City of Aurora, Colorado  
July 6th, 2022  
7:00 p.m.  
Aurora Room  
Hybrid Meeting**

**Call to Order:** Scott Irvin called the meeting to order at 7:01 p.m.

**Roll Call:** City Clerk Rodriguez called roll

*Members Present:* Mike Seufert, Lori Gimelshteyn, Bill McCartin, Scott Irvin, Molly Barrett

*Staff Present:* Kadee Rodriguez, City Clerk; Daniel Krzyzanowski, Planning Supervisor; Dave Lathers, Assistant City Attorney; CM Bergan, CM Sundberg

**Approval of Agenda:** Bill McCartin motions to approve the agenda, Lori Gimelshteyn seconds. Motion passed.

**Approval of Minutes:** Scott Irvin motions to approve the 06-22-2022 minutes. Lori Gimelshteyn makes an amendment to add that the precinct maps requested by the Election Commission were of all residents not just registered voters. Bill McCartin seconds the amendment. Amended minutes are approved.

**2023 Ward Redistricting Update:** Bill McCartin begins discussion on the new proposed scenario 3. He describes how some precinct populations were underestimated and would like to withdraw scenario 3 and provide an improved scenario. The commission begins analyzing all of the scenarios, and their possible impacts on the populations in each ward.

The Commission analyzed the maps and proposed which precincts should be moved. This initial discussion moves precinct 342 back to Ward 6, precincts 267,316,319 from Ward 6 to Ward 5, and precinct 316 from Ward 5 to Ward 2. Concerns regarding moving precinct 316 to ward 2 would pose a problem with the contiguity. The Commission then proposed to move not 319, but 315 to Ward 2, 319 to Ward 6, and 267, 317, 316 to Ward 5. Lori clarifies the population numbers in each ward with the various moves proposed.

CM Bergan questions Ward 5's population and Kadee clarifies that number is the target deviation. CM Bergan then expresses concern that there are too many residents in Ward 5, not leaving room for the anticipated potential growth. Scott Irvin acknowledges CM Bergan's concern but also wants to conform with the guidelines of moving as little citizens as possible. Kadee clarifies that COD's are counted all the way up to March 31<sup>st</sup>. The Commission as a whole expresses their appreciation of the feedback from CM Bergan but would like to stick as close as possible to the given criteria.

CM Sundberg asks about the odd shape on the redistricting maps, and if some precincts should be moved from Ward 1 to Ward 3 rather than Ward 2 to clear room for huge anticipated growth occurring in Ward 2. He asked about finding out the anticipated number of homes in Ward 2. Daniel Krzyzanowski displayed a table showing the anticipated growth of each Ward and explained how the Planning department came to these conclusions.

Continued discussion was had about moving various precincts. From scenario 1, a proposal is made to move precincts 316, 317, 302 and 267 to Ward 5, 342 to Ward 6, and 315 to

Ward 2. Bill questions if there are significant public comments the Commission should be made aware of during the process, in which Kadee says no. Lori requests that Kadee update the calendar to include the new meeting dates added. Kadee confirmed that all changes and suggestions were tacked and that a new scenario will be developed for the Election Commission to review.

**Miscellaneous Items:** No Items

**Adjournment:** Motion by Scott Irvin to adjourn the meeting, seconded by Bill McCartin. The meeting is adjourned at 8:46 p.m.

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Scott Irvin, Chair



TO: Election Commission

FROM: Kadee Rodriguez, City Clerk

**RE: Qualification of Elective Officers of the City**

**History**

The District Court declared that Section 3-3 of the Aurora City Charter and Section 54-31 of the City Code violated Article XII, Section 4 of the Colorado Constitution.

City Council passed Ordinance 2021-30 to amend Section 54-31 of the City Code to be in harmony with the Colorado Constitution. An editor’s note was included in Section 3-3 of the City Charter referencing the amendment to the City Code.

**Item Summary**

City Council has the authority to refer amendments to the City Charter to the voters, pursuant to Article XX, Section 5 of the Colorado Constitution, Article 1-6 of the City Charter, and Section 54-149 of the City Code. Charter amendments are referred to the registered electors by ordinance.

This ordinance is to submit to a vote of the registered electors a proposal to amend the City Charter to conform the qualifications of Aurora’s elected officials with the provisions of the Colorado Constitution.

**Schedule**

Approval of Ordinance	
	June 17 – FSIR Policy Committee
	July 11 – Council Meeting (1 <sup>st</sup> Reading)
	July 25 – Council Meeting (2 <sup>nd</sup> Reading)
Election Date	
	November 8, 2022

EFFECTIVE DATE: 09-25-2021

ORDINANCE NO. 2021- 30

A BILL

FOR AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AURORA,  
COLORADO, AMENDING SECTION 54-31 OF THE CITY CODE PERTAINING TO  
ELECTORS ELIGIBLE TO HOLD MUNICIPAL OFFICE

WHEREAS, Article VII, §10 of the Colorado Constitution generally restores felons who have completed the terms of their sentence to their civil rights; and

WHEREAS, Article XII, §4 of the Colorado Constitution provides that no person convicted of embezzlement of public moneys, bribery, perjury, solicitation of bribery, or subordination of perjury shall be capable of holding any office of public trust; and

WHEREAS, Aurora City Council is an office of public trust within the meaning of Article XII, §4 of the Colorado Constitution:

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

Section 1. The City hereby amends Section 54-31 of the City Code pertaining to Electors eligible to hold municipal office as follows:

**Sec. 54-31. – Electors eligible to hold municipal office.**

Every registered elector who is 21 years of age or older on the date of the next election, who has resided within the city for at least one year prior to the date of the election, and who is a citizen of the United States is qualified to hold elective office within the city **subject to the remaining conditions of this Section.** Candidates for ward seats are also required to be one-year residents of the respective wards from which they are elected. Persons convicted of a ~~felony~~ **embezzlement of public money, bribery, perjury, solicitation of bribery, or subordination of perjury** shall not become a candidate and are not qualified to hold elective office. Candidates, if elected, shall not hold any other elective public office or be a salaried employee of the city.

Section 2. 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 3. 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 4. All acts, orders, resolutions, ordinances, or parts thereof, 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 9th day of August, 2021.

PASSED AND ORDERED PUBLISHED this 23rd day of August, 2021.

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

ATTEST:

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

APPROVED AS TO FORM:

David Lathers RLA  
\_\_\_\_\_  
DAVID LATHERS, Senior Assistant City Attorney

ORDINANCE NO. 2022- 33

A BILL

FOR AN ORDINANCE SUBMITTING TO A VOTE OF THE REGISTERED ELECTORS OF THE CITY OF AURORA, COLORADO, AT THE STATEWIDE GENERAL ELECTION COORDAINTED WITH A SPECIAL MUNICIPAL ELECTION ON NOVEMBER 8, 2022, A PROPOSAL TO AMEND ARTICLE 3-3 OF THE AURORA CHARTER TO CONFORM THE QUALIFICATIONS OF ELECTIVE OFFICERS OF THE CITY WITH THE PROVISIONS OF THE COLORADO CONSTITUTION BY REMOVING THE GENERAL PROHIBITION AGAINST CONVICTED FELONS HOLDING ELECTIVE OFFICE AND REPLACING THAT PROHIBITION WITH THE CURRENT PROHIBITON SET FORTH IN ARTICLE XII, SECTION 4 OF THE COLORADO CONSTITUTION

WHEREAS, Section 3-3 of the Charter of the City of Aurora establishes the qualifications of elective officers of the City; and

WHEREAS, Article XII, Section 4 of the Colorado Constitution provides that no person convicted of embezzlement of public monies, bribery, perjury, solicitation of bribery, or subornation of perjury shall be capable of holding any office of public trust; and

WHEREAS, elected officers of the City hold offices of public trust within the meaning of Article XII, Section 4 of the Colorado Constitution; and

WHEREAS, the City Council is authorized to refer amendments to the Aurora Charter to the voters pursuant to Article XX Section 5 of the Colorado Constitution, Article 1–6 of the Aurora City Charter and Section 54-149 of the City Code; and

WHEREAS, the City Council wishes to refer to the voters at the regular municipal election on November 8, 2022, an amendment to Section 3–3 of the Aurora Charter to conform that Article to the provisions of Article XII, Section 4 of the Colorado Constitution.

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

Section 1. There is hereby submitted to a vote of the registered electors of the City at the statewide general election which shall be coordinated with a special municipal election to be held November 8, 2022, the question of amending the City Charter regarding the requirements of registered electors eligible to hold municipal office.

Section 2. Ballot question referred and ballot title set. The following ballot question is hereby referred to the voters of the City at the November 8, 2022, special municipal election:

“IN ORDER TO CONFORM TO THE REQUIREMENTS OF THE COLORADO CONSTITUTION, SHALL ARTICLE 3-3 OF THE CHARTER OF THE CITY OF AURORA, COLORADO BE AMENDED TO READ AS FOLLOWS:

3-3 QUALIFICATIONS OF ELECTIVE OFFICERS.

EACH COUNCILMEMBER WHEN ELECTED SHALL BE A REGISTERED ELECTOR, SHALL BE A CITIZEN OF THE UNITED STATES OF AMERICA, AND SHALL HAVE RESIDED IN THE CITY OF AURORA FOR AT LEAST ONE YEAR PRIOR TO THE DATE OF THE ELECTION AND SHALL HAVE REACHED THEIR TWENTY-FIRST BIRTHDAY PRIOR TO THE DATE OF THE ELECTION. COUNCILMEMBERS ELECTED FROM WARDS SHALL ALSO BE ONE-YEAR RESIDENTS AND REGISTERED ELECTORS OF THE RESPECTIVE WARDS FROM WHICH THEY WERE ELECTED. A PERSON WHO HAS BEEN CONVICTED OF A ~~FELONY~~ EMBEZZLEMENT OF PUBLIC MONEY, BRIBERY, PERJURY, SOLICITATION OF BRIBERY OR SUBORNATION OF PERJURY SHALL NOT BECOME A CANDIDATE FOR NOR HOLD ELECTIVE OFFICE. NO COUNCILMEMBER SHALL HOLD ANY OTHER ELECTIVE PUBLIC OFFICE NOR BE A SALARIED EMPLOYEE OF THE CITY OF AURORA?

\_\_\_\_\_ YES

\_\_\_\_\_ NO”

Section 3. The provisions of this Ordinance, the Charter Amendment, and the Question authorized hereby are severable. If any portion of this Ordinance, the Charter Amendment, or the Question are judicially determined to be invalid or unenforceable, such determination shall not affect the remaining provision of such Ordinance, Charter Amendment, or Question.

Section 4. 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 5. Repealer. All 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 27th day of June, 2022.

PASSED AND ORDERED PUBLISHED this 11th day of July, 2022.

  
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MIKE COFFMAN, Mayor





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ATTEST:



KADEE RODRIGUEZ, City Clerk

APPROVED AS TO FORM:



DAVID LATHERS, Senior Assistant City Attorney

# City of Aurora

# 2023 WARD BOUNDARY CHANGES

## Table of Contents

OVERVIEW .....	1
CRITERIA .....	1
WARDS.....	1
BOUNDARIES .....	1
CALENDAR .....	2
PUBLIC COMMENT .....	3
PUBLIC COMMENT MEETINGS.....	3
ENGAGE AURORA .....	3
PUBLIC OUTREACH.....	3
CURRENT POPULATION ESTIMATE .....	4
CALCULATING THE WARD POPULATION .....	4
DEVIATION FROM TARGET POPULATION .....	4
SCENARIO 1.....	5
SCENARIO 2.....	6
CITY CODE SECTION 54-5 .....	7

Kadee Rodriguez, City Clerk  
Cecilia Zapata, Deputy City Clerk  
Dave Lathers, Senior Assistant City Attorney  
Julie Patterson, Senior Communications Strategist

Daniel Krzyzanowski, Planning Supervisor  
Andrea Barnes, Planner II  
Marisa Noble, Planner  
William Keever, GIS Manager

# General Information

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## Overview

- Wards are reviewed prior to regular municipal elections held in years ending with '3' and '9'. – *Section 54-5 City Code*
- New ward boundaries must be completed no later than 180 days prior to the next regular municipal election. – *Article III, Section 3-4 City Charter*
- Review is done by Election Commission which makes recommendation to City Council. – *Article II, Section 2-3 City Charter*
- Ward boundary changes are adopted by ordinance.
- City staff creates new ward maps.
- Changes are sent to county clerks and the residents affected.

## Criteria

### Wards

1. Divided into six wards containing approximately the same number of people.
2. There should be between a 5% to 10% deviation between the least and most populous wards.
3. Sitting council members are not moved outside their ward.
4. Impact as few residents as possible.

### Boundaries

1. Use natural or man-made boundaries, such as ditches and streets.
2. Maintain whole county precincts where possible. The only exception would be where a county precinct contains both a municipal and non-municipal portion.
3. Whenever a common boundary between wards lies in any public street or right-of-way, the boundary goes to the centerline of the street.

# 2023 Redistricting

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## Calendar

<b>March 22, 2022</b>	<b>M&amp;F Committee Meeting</b> - Informal presentation
<b>March 31, 2022</b>	Population estimate
<b>April 6, 2022</b>	<b>Election Commission Meeting</b> – Review updated information
<b>April 26, 2022</b>	<b>M&amp;F Committee Meeting</b> – Updated presentation
<b>May 11 &amp; 17, 2022</b>	<b>Election Commission Meeting</b> – Meet with Ward Council Members
<b>June 22, 2022</b>	<b>Election Commission Meeting</b>
<b>June 28, 2022</b>	<b>M&amp;F Committee Meeting</b> – Update on process
<b>June – August</b>	<b>Public Comment Meetings</b>
<b>July 6, 2022</b>	<b>Election Commission Meeting</b>
<b>July 20, 2022</b>	<b>Election Commission Meeting</b>
<b>August 10, 2022</b>	<b>Election Commission Meeting</b>
<b>August 17, 2022</b>	<b>Election Commission</b> – Approves a plan to recommend to Council
<b>August 23, 2022</b>	<b>M&amp;F Committee Meeting</b> – Initial review of approved plan
<b>September 27, 2022</b>	<b>M&amp;F Committee Meeting</b> - Final review of approved plan (if needed)
<b>October 17, 2022</b>	<b>Study Session</b> - New ward boundaries are presented to Council’s
<b>October 24, 2022</b>	<b>Council Meeting</b> - First reading
<b>November 14, 2022</b>	<b>Council Meeting</b> – Final reading
<b>November 2022</b>	Counties are notified of the adopted changes to the ward boundaries
<b>May 11, 2023</b>	Deadline for new ward boundaries to be completed
<b>November 7, 2023</b>	Regular Municipal Election

## Public Comment

### Public Comment Meetings

<b>June 1, 2022</b>	Moorhead Recreation Center (Ward I) – Patio View Room
<b>June 15, 2022</b>	Beck Recreation Center (Ward II) – Ponderosa Room
<b>June 29, 2022</b>	Central Library (Ward III) – Large Community Room
<b>July 13, 2022</b>	Colorado Early Colleges (Ward IV)
<b>July 27, 2022</b>	Central Recreation Center (Ward V)
<b>August 3, 2022</b>	Tallyn’s Reach Library (Ward VI) – TR Community Room

### Engage Aurora

**When:** June 1 through Aug. 3

**Where:** EngageAurora.org/Redistricting from

- Information on the process and public meetings
- Details about proposed changes and interactive maps
- Public input survey

### Public Outreach

- NAACP
- Golf courses and libraries
- Boards and Commissions
- Office of Diversity, Equity and Inclusion’s network
- Housing and Community Services’ network
- Aurora Action Coalition for Community Services
- CARES Network
- Aurora legislative delegation (state and federal)
- Arapahoe and Adams county commissioners
- Aurora Mental Health
- Mile High Behavioral Health/Comitis/Day Resource Center
- Asian Pacific Development Center
- Aurora Pride organizers
- Churches: Queen of Peace Church, St. Pius X Church, Colorado Community Church
- Colorado Black Chamber of Commerce
- Local AARP
- Aurora Cultural Arts District

## Current Population Estimate

**Total Population:** 402,961

**Target Ward Population:** 67,160

	Census Population	CO'ed Units	Estimated New Population	Total Ward Estimate	+/-	%
<b>Ward I</b>	61,520	1,205	3,410	<b>64,930</b>	-2,230	-3.3%
<b>Ward II</b>	65,192	2,268	6,418	<b>71,627</b>	4,467	6.7%
<b>Ward III</b>	64,026	721	2,040	<b>66,066</b>	-1,094	-1.6%
<b>Ward IV</b>	65,553	81	229	<b>65,782</b>	-1,378	-2.1%
<b>Ward V</b>	59,457	58	164	<b>59,621</b>	-7,539	-11.2%
<b>Ward VI</b>	70,571	1,546	4,375	<b>74,933</b>	7,773	11.6%
<b>Total</b>	386,319	5,879	16,638	<b>402,961</b>		

### Calculating the Ward Population

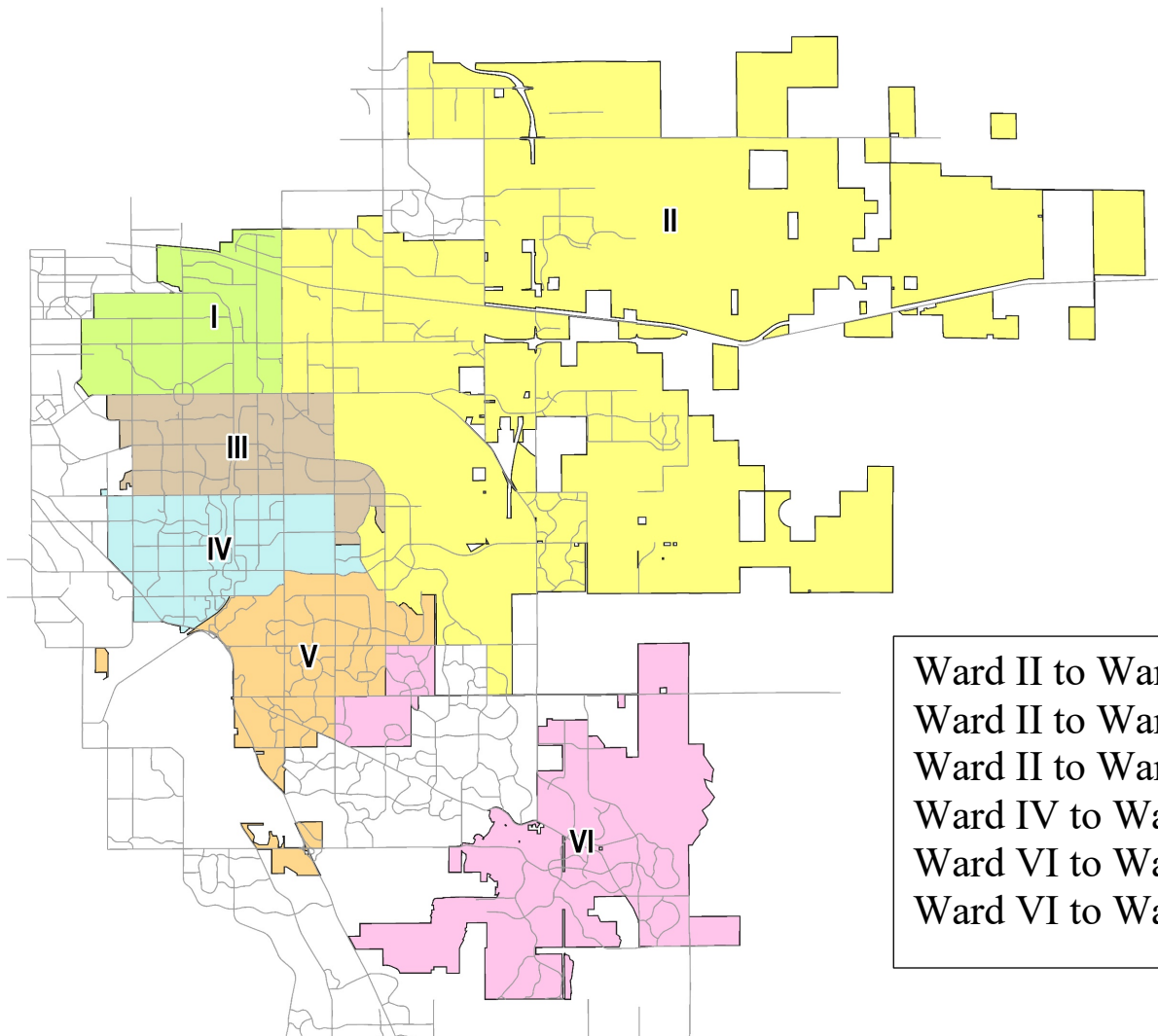
- **Census Population** - Census Bureau's Redistricting Count for Colorado, as of April 1, 2020.
- **CO'ed Units** - All of the certificates of occupancy the city issued from April 1, 2020 to March 31, 2022.
- **Estimated New Population** - Determined by using the Census Bureau's average household size estimate (2.82) multiplied by the CO'ed units
- **Total Ward Estimate** – Determined by adding the April 1, 2020 Census Bureau's count and the estimated population increase from the CO'ed units.

### Deviation from Target Population

- **Target Ward Population** - 1/6 of the Total Population.
- **+/- and %** - Deviation from the Target Ward Population.

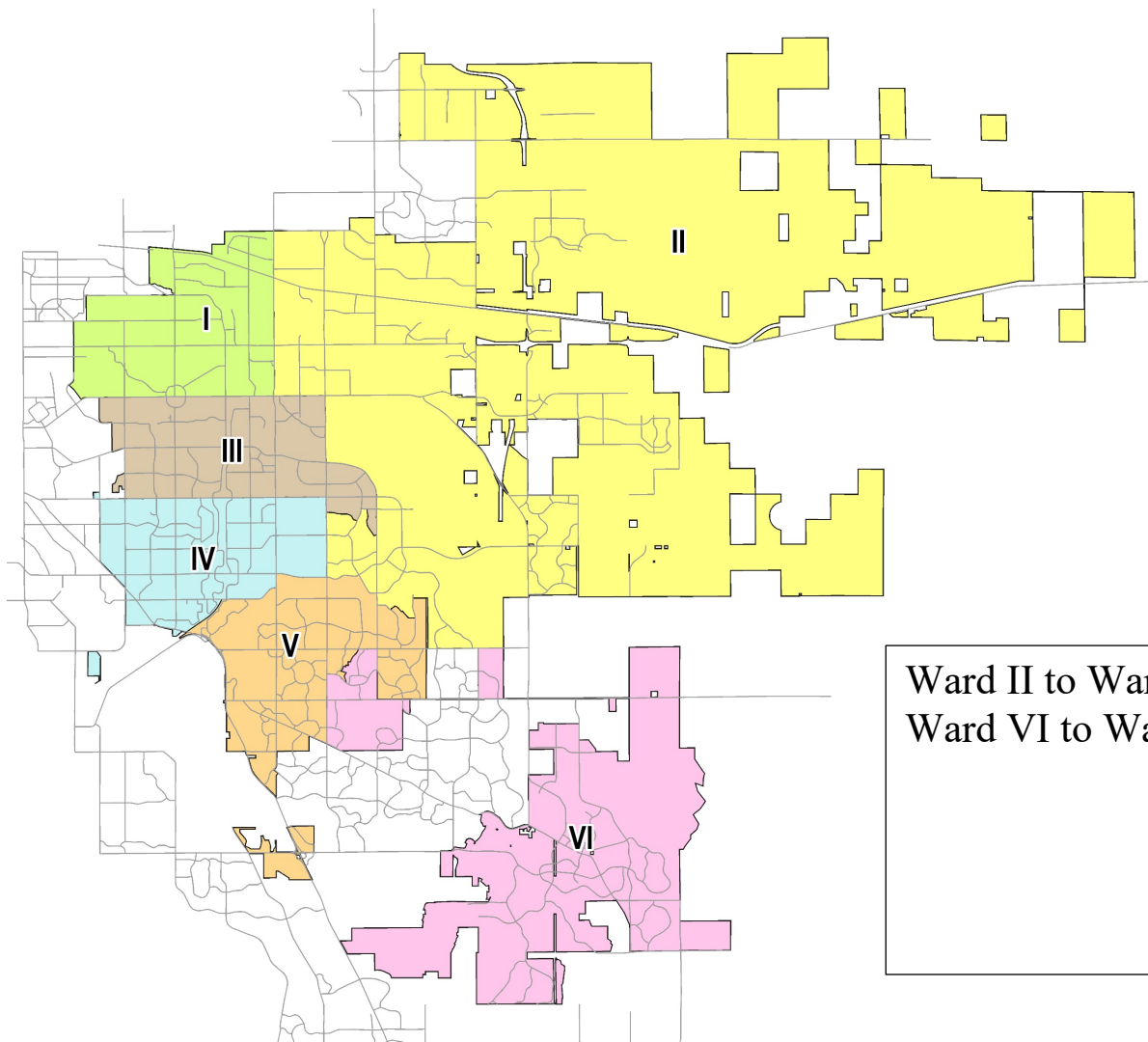
## Scenario 1

	Population	+/-	%
<b>Ward I</b>	68,777	1,617	2.4%
<b>Ward II</b>	65,668	-1,492	-2.2%
<b>Ward III</b>	68,633	1,473	2.2%
<b>Ward IV</b>	66,391	-769	-1.1%
<b>Ward V</b>	67,471	311	0.5%
<b>Ward VI</b>	66,021	-1,139	-1.7%
<b>Total</b>	402,961		



## Scenario 2

	Population	+/-	%
<b>Ward I</b>	68,777	1,617	2.4%
<b>Ward II</b>	67,781	621	0.9%
<b>Ward III</b>	66,066	-1,094	-1.6%
<b>Ward IV</b>	65,782	-1,378	-2.1%
<b>Ward V</b>	67,263	103	0.2%
<b>Ward VI</b>	67,291	131	0.2%
<b>Total</b>	402,961		





## City Code Section 54-5

- a) The city is divided into six wards, numbered consecutively as I, II, III, IV, V and VI. The boundaries of each ward shall be depicted and set forth on the official ward map of the City, a copy of which is on file in the office of the city clerk and incorporated by reference into this chapter. In determining the boundaries established for each ward, whenever a common boundary between wards lies in any public street or right-of-way, the boundary of such wards shall be deemed to go to the centerline of the street.
- b) Ward boundaries within the city shall be reviewed for election years ending in "3" and "9" using the United States Census Data and Community Surveys which update the census data, and, if necessary, the boundaries shall be revised or altered in order to ensure that wards are contiguous, compact, and have approximately the same number of residents.
- c) In the event of significant changes to the population in years ending in numbers other than "3" and "9", the election commission may review the ward boundaries and make recommendations to city council.
- d) In addition to the revisions made to the ward boundaries pursuant to subsection (b) of this section, ward boundaries may be revised or altered as necessary to bring them into conformance with county precinct boundaries.
- e) Notwithstanding any City Code provision(s) to the contrary, an otherwise qualified individual who fails to meet the one-year registered elector and residency status applicable to ward council member elections, shall nevertheless be eligible to run for the office of ward council member when the change in ward boundaries occurs solely as a result of the City Code semi-decennial required ward boundary adjustment.