

**Federal, State, and Intergovernmental Relations (FSIR) Meeting
Video Conference Call Meeting
September 1, 2022**

Members Present: Council Member Lawson – Chair, Council Member Marcano

Absent: Council Member Gardner – Vice Chair

Others present: Mayor Pro Tem Bergan, J. George, H. Smith, L. Hettinger, R. Venegas, B. Rulla, P. O’Keefe, T. Rees, D. Wilson, C. Grant, G. Baker, M. Bryant, R. Pena, G. Koumantakis, H. Smith, C, McDonald

1. CONSENT ITEMS: None.

2. APPROVAL OF MINUTES

July 22, 2022 meeting minutes were approved.

3. ADAMS COUNTY INTERGOVERNMENTAL UPDATE

Summary of Issue and Discussion: Julie George presented the Adams County Intergovernmental Update.

The county hired Noel Bernal on August 8, 2022, as the new county manager. The Adams County Health Department is becoming effective January 1st and is working closely with TriCounty to transition positions and hire key staff. 90% of the staff accepted the new positions. The Board of Health was also appointed on August 16th. On September 1st, the Director of the Adams County Public Health Department will be appointed. Out of 20 applicants, ten were interviewed and five were appointed as board members. The board will meet weekly to work for the January 1st deadline. After a competitive process, there were key Division Directors hired. The Policy and Community Outreach staff are working on a presentation for an Aurora Study Session.

In order to not disrupt services for residents, they will implement a “No Wrong Door” policy where an Aurora resident may go to an Arapahoe or Adam’s County Health Department regardless of where they live in Aurora.

The first tranche of ARPA dollars was awarded to community partners. Some checks were already received, while others will be given out soon. The commissioners are still fine-tuning the approach for the second tranche of ARPA dollars, but they were not going to repeat the same process as the first tranche. For the second tranche, there will be a focus on public health, mental and behavioral health, and housing. The plan should come out in October or November. The county has also received money for a diverse domestic violence high-risk team which will help fund positions in the DA office and community partners that will help provide victims with aid such as temporary

housing or rental assistance. Moreover, the help they receive is not contingent on prosecution. The Commission has also applied for funds to build an amphitheater at the Veterans Memorial through the congressionally directed spending bill. This request made it into the House Appropriations. Congress has approved one of the bills and it will stay in the final bill.

Adams County hosted the National Association of Counties Annual Conference at the Gaylord which had a big turnout. The county also hosted its first-ever pride event in June at the fairgrounds at Riverdale Park.

Committee Discussion

CM Lawson asked if they had a communication plan for the residents of Aurora about the transition. J. George replied that they have hired Monica Buhlig for that purpose. She added that they have met with the Restaurant Association regarding restaurant inspections. J. George mentioned that they plan to utilize various approaches in addition to emails, posts on the Adams County Health Department page, and getting information out through partners. CM Lawson requested J. George to include that information in the next study session.

CM Marcano asked about the locations that fall within Aurora for the Adams County Health Departments. J. George replied that none are within Aurora. J. George then asked how all of it would work out. CM Marcano raised his concern about Northern Aurora being left with less accessible services due to the TriCounty dissolution. J. George mentioned that Arapahoe County would have two locations on the Colfax corridor.

Mayor Pro Tem Bergan mentioned that there are various funding sources for mental health. She asked if the Commissioners are ensuring that there is no duplication for the same service. J. George replied that they are trying to make sure that the dollars go to organizations with the capacity to use them. CM Marcano asked if Adams County was going to have any reserve of ARPA dollars. J. George said that she will get back to the Committee with more information. CM Marcano said that they might need to spend it all by 2025. L. Hettinger clarified that they are not allowed to keep a reserve. CM Marcano mentioned that he wants to make sure that there is funding for potential partners that are addressing homelessness.

Outcome: Information only.

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

4. LIBRARY TAXATION

Summary of Issue and Discussion:

Mayor Pro Tem presented the library district taxation issue. This issue came from one of the commercial developers because they were concerned about being double taxed for library services for the Rangeview Library District or Arapahoe Library District and the City of Aurora. According to state law, one must pay back any revenue loss if choosing to opt out of the district. Mayor Pro

Tem Bergan is proposing a letter of support for Majestic Commercenter on behalf of the city to opt-out of the library district.

Committee Discussion:

CM Marcano asked why those that opt out of the double taxation are penalized by being required to pay back revenue loss. Roberto Venegas replied that this is because they provide sales tax and not a property tax, but the library district is unique that it provides only a library system and the tax is only for libraries. He explained that under the current state statute, the only way to exempt properties from the district is to enter an IGA to backfill the revenue. . The theory is that the libraries don't have a dedicated stream revenue for the library service. He added that it is in the same reasoning that everybody pays property tax for public schools but not everyone has kids going to public schools. R. Venegas clarified that the city generates sales tax and provides services, including direct library services. He added that the districts have already been in place prior to the properties being annexed into Aurora. Therefore, the property owners should have been knowledgeable about this through the tax assessment on the property. CM Marcano then asked if they have ever tried to work with the Aurora delegation to see if that statute could be amended. R. Venegas mentioned they looked into it years ago, but the Library Association and Districts and Special Districts Association are influential and difficult to change the statute. P. O'Keefe remarked that the effort occurred before they were on the board and that it is convoluted, but that it is something important to discuss. CM Marcano remarked that he does see the benefit however he needs to think more before making an ask.

CM Lawson asked if the city would be legally obligated to fulfill the funding should Majestic be exempted. Mayor Pro Tem Bergan replied that they are not held accountable as they are not the ones entering the IGA with the library district. She clarified that they are simply providing a letter of support to exempt Majestic. CM Lawson then asked that the only way the city would be responsible for the funding is if we entered into an IGA. Brian Rulla confirmed this and clarified that the city would not be committing any financial backing by writing a letter of support.

Mayor Pro Tem Bergan commented that it would be hard to remove existing districts. She suggested that they have conversations with legislators regarding exempting new districts. CM Marcano expressed concern with this being a dedicated revenue stream and that library districts rely on property taxes.

Outcome: The Committee approved moving the letter of support for Majestic Commercenter forward to Study Session.

Follow-up Action: The letter of support for Majestic Commercenter will move forward to Study Session.

5. FEDERAL LEGISLATIVE UPDATE

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

Congress has been in recess for the past three weeks and coming back Tuesday for three weeks until they go into recess for midterm elections. After Thanksgiving, Congress will get work done until December. Currently, it looks like the House will be under Republican control, while Democrats will retain control in the Senate. In September, they will pass the National Defense Authorization Act and the Water Resources Development Act. Congress will work on finalizing the appropriation bills for FY23, which includes the city's earmarks for the MLK Library and Aurora Water waterline. Congress will do a continuing resolution (CR) which will last until November 12th and may need to do another CR after. December will be rushed to finalize the twelve appropriation bills. According to Congressman Crow and the Senators' offices, the earmarks will stay in the final omnibus bill. It will take three to four months for staff to work with federal agencies to receive earmark money. Hannah Smith is working with HUD and Congressman Crow's office regarding the funding for the Outdoor Space Program from the last appropriation bill.

Before Congress's recess, the Inflation Reduction Act (IRA) was passed. L. Hettinger will provide a summary that focuses on climate and renewable energy. Another summary cross-referenced what was included in both the IRA bill and the bipartisan infrastructure bill that local governments can apply for. This includes transportation, transit around affordable housing, and drought.

Committee Discussion

CM Lawson expressed concerns about the uncertain financial future of RTD. She said that it should be a priority to request for federal funding that contribute to transit systems in cities where there is significant growth and development. L. Hettinger remarked that there are grants that RTD can apply for, including transit-oriented development and bus and bus facilities. The notice of funding opportunities for these will come out in March or April, and the Infrastructure Bill will double or triple the amount of money for the programs. R. Venegas said that they can craft broader language around regional transportation and public transportation priority under the infrastructure item. He mentioned that the specific ask would be BRT. CM Marcano remarked that he thinks the focus should be on transportation in all developments and include transportation services in the master plan. This would allow for focus on mass transit as opposed to being car-centric. L. Hettinger mentioned that the TOD program can be only for projects in construction with FTA. The FTA would provide technical assistance and meet with residents and small businesses that would need to be relocated.

Outcome: Information only.

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

6. STATE LEGISLATIVE UPDATE

Summary of Issue and Discussion:

Peggi O'Keefe and Totsy Rees provided an update on state legislation. It had been very active on the political front the last couple of weeks as there are less than 70 days left in an election year.

Senator Kevin Priola had also switched parties from Republican to Democrat which put the burden on Republicans to pick up four Senate seats to take the majority. They planned to file a recall for Senator Kevin Priola's party switch, but they need to collect over 18,000 signatures to recall the Senator or get it on the ballot. The lobbyists have started to have a meetings with the delegation. The staff wanted to make sure that the delegation understood the things that they are working on in the city and would be interested in next session. Some of the same bills are expected to come back in addition to some deeper dives into some issues such as affordable housing which Senator Gonzalez is involved in. The Senator wants to make sure that the money is getting spent in a thoughtful manner.

Representative Hooton will not come back next session. Therefore, it is not known who would move forward with the mobile home and manufactured housing issues. Representative Weissman is also looking at bringing back that bill that focuses on metro districts. Alternatively, homebuilders and the Metro Districts association are bringing another bill focused on transparency.

In the meetings with legislators, they discussed the modernization of the court system. They met with Representative Weissman to discuss this bill. CML was supportive of their efforts on this issue. Meghan MacKillop also suggested that CM Lawson make a proposal to CML so that this can get it rolling. Rep. Weissman mentioned that the proposal will give the bill more teeth and put a deadline on action. CML also likes the idea of smaller municipalities having the option of subscribing to an IT upgrade rather than being forced in or mandated to pay for it all themselves.

There will also be a number of bills tackling the behavioral health issue. Staff will have a meeting with Representative Michaelson-Jenet on September 15th regarding this. Representative Lynch pulled his name from the fentanyl bill last year but this year he was looking to run a possession bill.

Committee Discussion:

CM Marcano asked if the recall would go to a vacancy committee. P. O'Keefe confirmed this. She added that the Secretary of State mentioned that the recall election would occur in his new district. CM Lawson asked P. O'Keefe to if she knew the bill title to the metro district bill that Rep. Weissman brought forth during the session? P. O'Keefe said that Representative Weissman brought up that bill at the end of the session to look at the complaints that have been around metro districts. Representative Weissman will look to find that sweet spot where he can scale back on the bill but still keep it worthwhile to pass. CM Marcano said that this might refer to House Bill 22-1363 which he talked to Representative Weissman about.

CM Lawson said that regarding the modernization of courts proposal that she had not presented to the CML policy committee yet. Based on the last presentation she gave at the CML policy committee, the overall consensus from members was that there is a need for a modernized system, especially in the larger jurisdictions. The proposal was supported but because the fiscal note was so large, Judge Day suggested that the formation of a task force would be a better way to address the issue and the costs would be less. Chief Public Defender Doug Wilson said that they just have

to get away from paper. He added that the modernization should start with electronic filing and discovery.

Outcome: Information only.

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

7. 2023 STATE & FEDERAL LEGISLATIVE PRIORITIES

Summary of Issue and Discussion: Hannah Smith and Lauri Hettinger presented the Draft 2023 Federal Priorities and Hannah Smith and Peggi O'Keefe presented the Draft 2023 State Priorities.

Since Congress will have a new session in January, many bills will need to be reintroduced. If there is a difference in party control, the priorities may need to be tailored. For housing and homelessness, there is a continued ask to need funding for permanent housing shelter options as well as the Federal HUD programs. For public safety, Senator Bennett introduced a smart policing bill that provides funds for partnerships between law enforcement and mental health professionals. The Senator's office provided the draft and is requesting a letter of support. There are asks included regarding infrastructure investments, water streamlining permits, supporting healthy forests, and exempting liabilities for PFAS. There is also an ask for support for grant opportunities through the Infrastructure Investments and Jobs Act. Another priority will be tax-exempt financing. There will be a tax extenders bill by the end of Congress. However, it requires 60 votes in the Senate.

Committee Discussion:

CM Marcano asked if the tax-exempt financing would make it possible to prepay bonds going forward without any interest penalties. L. Hettinger said that she will provide a summary for this. CM Marcano mentioned how interest is nearly 50-70% of the total cost of infrastructure. He also asked about the broadband infrastructure package. L. Hettinger stated that the city can apply directly through the Middle Mile Broadband Infrastructure Bill. There is over \$1 billion in the bill which will assist in reducing costs for underserved neighborhoods. This will also be helpful for the MLK library. CM Marcano requested for this to be a high priority. H. Smith mentioned that she met with the grant consultant regarding this including state and federal opportunities.

CM Lawson said that she is not yet ready to move the federal priorities forward. She asked if the staff has looked at these and if they had any comments. R. Venegas responded that it has been generated by staff and departments to send requests for their priorities.

CM Lawson stressed that the state legislative priorities presented are not as detailed as the federal priorities. She mentioned that there is no holistic approach to affordable housing. She said that the current priority as written focuses mostly on our unhoused population, but does not state anything regarding eviction, preservation, rental assistance programs, and looking at affordability from a broader perspective. CM Lawson added that the priority on behavioral health was vague and the

transportation priority only should focus on transit reliant ridership overall and the priorities that have a tie in to the cities transportation master plan. The public safety priority should be expanded with additions of specific subitems.

CM Marcano said that there are opportunities to improve how they do their state priorities. He suggested providing more detail such as bill sponsors and takeaways like in the federal update. He added that they could bring in the local delegation to help craft the priorities. He then stated that Aurora was the capital of eviction in Colorado and that a lot of residents are having their rents increased. CM Marcano mentioned that he is working on an ordinance to emulate the No Eviction Without Representation efforts from Boulder and Denver. He said that he wants to see more specificity. CM Marcano asked what opportunities the staff sees to improve the process of generating the priorities.

H. Smith said that they went to departments to solicit suggestions on specific issues and ask for input on big bucket priorities. This year they got back a lot of big issues versus specific feedback on bills. She mentioned that the drafted priorities were built off last year's and that they had discussions with the lobbyists and CML. CM Lawson said that she is not rejecting the priorities, but feel that they need to have more information added to them similar to the Federal priorities.

R. Venegas said that these are the same language as last year's priorities that were approved, but they are happy to edit them and receive feedback on them from the Council Members. But they have not been able to work with the subject matter experts and departments to translate the specific asks from the federal legislation into more concrete and actional items for the state legislature.

CM Marcano offered to help with navigating the state delegation and bringing people in if needed. He said that given Aurora is the 3rd largest city in the state, they should have a bigger influence. He added that they should make active efforts to consistently set up discussions to let the delegation know of the city's priorities. R. Venegas proposed scheduling a special meeting or doing online revisions before the next FSIR Committee meeting. CM Lawson requested staff to prepare a a working document on Google Docs to allow for revisions and bring them back to the next meeting for discussion. H. Smith agreed.

Outcome: The Committee will continue to provide comments and feedback to the 2023 State and Federal Priorities for revision.

Follow-up Action: Staff will create a google document to allow comments from Committee members.

8. VETERAN SERVICE OFFICER POSITION IGA

Summary of Issue and Discussion:

Hannah Smith presented the Veteran Service Officer position IGA. Aurora has an existing inter-governmental agreement with Adams and Arapahoe County to create a veteran service officer

position. This was renewed on February 2022, but expires at the end of the calendar year and requires renewal. The new IGA will change the terms to three years with an option for a two-year renewal. Adams and Arapahoe will split the salary 50/50, while Aurora is responsible for office supplies and logistical expenses. The position is replacing ink two times a year for \$40 and is due for a new computer in 2024.

Outcome: The Committee approved moving the Veteran Service Officer Position IGA forward to Study Session.

Follow-up Action: The Veteran Service Officer Position IGA will move forward to Study Session.

9. WATER UPDATE

Summary of Issue and Discussion:

Greg Baker presented the water update. Sen. Bennet, Sen. Hickenlooper, Rep. Neugse and Gov. Polis requested that the Biden Administration, under the Antiquities Act designate the Camp Hale area in Eagle County as a national monument. Aurora has water rights on the Homestake Reservoir and is conducting restoration efforts with local stakeholder groups. In the previous CORE Act, the city had language inserted to protect their ability to develop their water rights and do wetlands mitigation in the area. Due to the expediency of the National Monument designation which will impact the ability to work on the area, Aurora Water and Colorado Springs Utilities are drafting a letter to provide input and potentially protect their water rights. Staff will meet with Senator Bennett's office next week. A copy of the letter will also be provided to the FSIR Committee.

Outcome: The letter will be forwarded to the FSIR Committee via email.

Follow-up Action: Staff will forward the letter to the FSIR Committee.

10. MISCELLANEOUS MATTERS FOR CONSIDERATION

None.

CONFIRM NEXT MEETING

September 23, 2022, at 1:00 PM.

Approved:

Angela Lawson

Angela Lawson
Committee Chair

9-24-22

Date