

Federal, State, and Intergovernmental Relations (FSIR) Meeting
Video Conference Call Meeting
March 01, 2024

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

Others present: G. Koumantakis, H. Morris, R. Pena, L. Rogers, S. Day, R. Venegas, C.
Atkinson, Mayor Coffman, L. Hettinger, J. Wesolowski, P. O’Keefe, J.
Prosser, J. Rustad, T. Rees, K. Kitzmann, M. Bryant, D. Scott, C. Hills, L.
Callanen, K. Koca, A. Wood, M. Parnes, Y. Gorlov

1. CONSENT ITEMS:

None.

2. APPROVAL OF MINUTES

February 16, 2024 meeting minutes were approved.

3. FEDERAL LEGISLATIVE UPDATE

- **Legislative Discussion**

Summary of Issue and Discussion:

L. Hettinger discussed with Congress the passing of another short-term continuing resolution with an overwhelming majority before the March 1 deadline. The CR includes two appropriation bills with two of the city’s water projects and the HUD bill for the Library remodeling. They are expected to be brought to the floor and should pass this week. The remaining six are slightly more controversial and include the Department of Homeland Security and Department of Defense, though their deadline is longer on March 22nd. HUD came out with a competitive grant program called the PRICE Program, which is a \$225 million program to provide resources for manufactured housing.

Committee Discussion:

CM Lawson noted that CM Bergen and Mayor Coffman are working on modular housing in Aurora, so the PRICE Program may be a good resource for funding opportunities.

Outcome: Information only.

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

4. STATE LEGISLATIVE UPDATE

- State Legislative Discussion

Summary of Issue and Discussion:

P. O’Keefe talked about the state legislative discussion, stating that the session is almost halfway finished, with over 500 bills introduced and another 150 bills expected to come out within the next few weeks. There has been a large focus on environmental bills that target air quality and several bills regarding liquor and housing. The ADU legislation was in session, and a variety of amendments were put on the bill regarding fee waiver language and parking. Construction defects will be discussed this coming week, and several key members are expected to testify. The library legislation and pet euthanasia database bills did not pass the committee. Equal Access to Public Meeting’s sponsor, Rep. Frelich said she was open to amendments and will work with the committee as soon as possible. SB-107 successfully had firearms amended into the bill.

Committee: Discussion:

CM Gardner asked about legislation allowing livestream meetings and the legislation relating to transparency for legislators and if there was any progress.

L. Rogers answered that a position was taken as an oppose at the last FSIR meeting, and strike below amendments are coming out but there is no update yet.

CM Lawson asked for an explanation as to why the city-recommended position of a no-position is being taken on the bill regarding transparency for legislators.

L. Rogers answered that a no position is recommended because there are several other bills that are more impactful and more directly affect local government, so a position on the bill is not the best use of the City’s political capital.

CM Gardner deferred to the judgment of staff. He noted his concern for legislation removing government transparency and citizen access.

CM Lawson agreed that transparency is critical to have.

L. Rogers reminded the council that they can individually speak for or against a bill but cannot do so on behalf of the city since no position was taken.

CM Gardner asked about his testifying for the ADU bill for which the city has an amend position on the bill. He asked whether he was allowed to identify himself as a city council member in his testifying letter.

L. Rogers referred him to the legal department for clarification.

CM Lawson noted that confusion may be present when the announcement of being a council member is brought up.

G. Koumantakis replied that research would need to be done, but it's likely that he should identify himself in an individual capacity when the city takes a different position. CM Gardner explained that he identified himself as a council member but also stated the city's position in the letter to remove confusion.

CM Lawson asked for this information be brought forth during the legislative discussion at the next study session.

CM Lawson asked how many bills had come out to date.

P. O'Keefe replied that almost 550 bills had come out and another 100-150 are expected within the next 2 months.

Outcome: Information only.

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

HB 24-1322: Medicaid Coverage Housing & Nutrition Services

The bill directs the department of health care policy and financing to conduct feasibility study regarding seeking federal authorization to provide nutrition and housing services to address Medicaid members' health-related social needs. The bill requires the state to seek federal authorization to provide services no later than July 01, 2025. Staff recommends a position of support.

CM Lawson, CM Jurinsky, and CM Gardner supported the staff recommendation of support.

HB 24-1296: Modifications to the Colorado Open Records Act

The bill shortens the request turnaround time for CORA from 3 days to 2 days during which the custodian would notify the requester of any costs or fees that may apply to the request. It also adds a custodian determination to require the custodian to make a sworn statement in support of the determination to provide to the requester and allow the custodian a 30-day response period. It would allow a custodian to deny the right of inspection of public records of an employee's calendar unless it's an elected official's public calendar, an employee in a leadership position, or made by mass medium or newsroom. It would also allow a custodian to treat a CORA request made within a 14-day period of another CORA request as one for purposes of calculating the fee that the custodian may charge the requester for research and retrieval or responsive public records. Staff recommends a position of support.

CM Lawson asked about amendments being made by CML and if reconsideration can be made if the bill passes without the amendments being made.

L. Rogers answered that amendments can be reconsidered afterward, and it appears that the bill will move forward.

CM Jurinsky supported the position of support. CM Gardner and CM Lawson support a monitor position.

HB 24-1239: Single-Exit Stairway Multifamily Structure

The bill requires a board of county commissioners or the governing municipal board to adopt a building code or amend an existing building code to allow up to 5 stories of a multifamily residential building to be served by a single exit. Staff recommend a position of oppose.

C. Hills explained that one exit in a 5-story building can be problematic should an ingress or egress be compromised for firefighters or in any emergent situation. Operations are carried out by way of at least two exits and this bill goes against the international fire code.

CM Lawson, CM Gardner, and CM Jurinsky supported the position of oppose.

HB 24-1304: Minimum Parking Requirements

The bill prohibits a board of county commissioners and a municipality's governing body from enforcing minimum parking requirements for real property that is within a metropolitan planning organization. Staff recommend a position of oppose.

CM Lawson, CM Gardner, and CM Jurinsky supported the position of oppose.

HB 24-1313: Concerning Measures to Increase the Affordability of Housing in Transit-Oriented Communities

This bill established a category of local government and requires those classified as transit-oriented communities to meet its housing opportunity goal and requires the department to publish a map that designates transit areas and public models and guidance to assist in meeting its housing-opportunity goal. Staff recommends a position of oppose.

CM Lawson, CM Gardner, and CM Jurinsky supported the position of oppose.

5. WATER UPDATE**Summary of Issue and Discussion:**

K. Kitzmann gave an update on water.

SB24-085: Sales and Use Tax Rebate for Digital Asset Purchases

The bill allows taxpayers to claim a refund for state sales and use tax on purchases of construction materials or equipment in eligible data centers from fiscal years 2026-2027 through 2033-2034. The bill would attract data centers to the state and intersect with data use.

Committee Discussion:

CM Gardner pointed out that, according to his understanding, the construction around data centers uses more water than the data center itself. He also noted that data centers are necessary and will need to be placed in and around Aurora to make the state of Colorado competitive for business acquisitions. He suggested changing landscape requirements for water usage and changing to a support position.

K. Kitzmann responded that the usage is accounted for in both inside and outside usage of a data center due to water usage for energy and cooling. She mentioned water recycling within the center but it comes at a cost for efficiency. She explained that 1-5 million gallons of water are used each day by the data centers in a time when regions experience droughts.

CM Jurinsky noted that similar positions had been supported in the past with the idea of amending a position.

CM Lawson supported a position of amend. CM Gardner and CM Jurinsky supported the bill.

Outcome: Information only.

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

6. MISCELLANEOUS MATTERS FOR CONSIDERATION

G. Koumantakis researched within the council rules and noted that CM Gardner is allowed to take his own individual position and announce himself as a council member, but he must make clear that it's his own position and not that of the city.

H. Morris said she was excited about POPOW going into committee with the votes and leaving the committee with the votes to pass the bill.

Committee Discussion: None.

Outcome: Information only.

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

CONFIRM NEXT MEETING

March 15, 2024, In-Person/Hybrid, Aurora Room

Approved:

Angela Lawson
Angela Lawson
Committee Chair

3-15-24

Date