

**Federal, State, and Intergovernmental Relations (FSIR) Meeting
Video Conference Call Meeting
March 29, 2024**

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

Members Absent: Council Member Gardner

Others present: G. Koumantakis, K. Kitzmann, L. Rogers, M. Bryant, L. Hettinger, L. Callanen, M. Parnes, P. O’Keefe, J. Rustad, S. Day, M. Coffman, C. McDonald, E. Cadiz, K. Koca, C. Grant, D. Scott, H. Morris, R. Lopez, J. Moore, M. Levy, M. Healy, D. Steiner,

1. CONSENT ITEMS:

None.

2. APPROVAL OF MINUTES

March 15, 2024 meeting minutes were approved.

3. FEDERAL LEGISLATIVE UPDATE

Summary of Issue and Discussion:

L. Hettinger stated Congress was in recess for the next couple of weeks, but the six appropriation bills passed before they left. She explained they have a lot to do when they come back, including supplemental funding for Israel and Ukraine, emergency funding for replacing the fallen bridge in Baltimore, and the annual appropriations processes. She noted they submitted the community funding requests last week, and she highlighted two new grant opportunities due in early May.

Committee Discussion:

None.

Outcome:

Information only.

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

Federal Legislative Position Discussion

SB-2307: A bill to support and strengthen the fighter aircraft capabilities of the Air Force, and for other purposes

L. Rogers stated the bill supports fighter recapitalization and would help support military regarding the ongoing F-16 issue. Staff recommends a support position.

CM Lawson and CM Jurinsky were in support.

Committee Discussion:

CM Jurinsky stated she was looking for legislation from Mike Weissman to take away the ability to control their own public defender's office.

CM Lawson commented that agenda item is coming under the state legislative update.

4. STATE LEGISLATIVE UPDATE

Summary of Issue and Discussion:

P. O'Keefe gave an update on state legislation. She said there were 40 days left in the session and over 600 bills introduced, with more expected in the next six weeks. She stated the House worked on the budget last week and will pass it on third reading on Monday, and then it will go to the Senate. She noted the big bills they were watching, include Construction Defects Legislation, Aggravated Cruelty to Law Enforcement Animals, Purple Star Legislation, ADUs, and Transit Oriented Communities, and the introduction of RTD legislation.

Committee Discussion:

CM Jurinsky said she was hoping to hear something about SB24-127 and HB24-1379 to take positions on them.

P. O'Keefe explained the tracking sheet had the statuses of all the bills they are watching.

CM Jurinsky asked if the bills were coming up in the water update. K. Kitzmann confirmed SB24-127 would be in the water update.

Outcome:

Information only.

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

Legislative Positions

HB24-1284: Pretrial Release for Repeat Violent Offenses

L. Rogers explained this bill allows judges to release a person on a PR bond with the consent of the district attorney. APD wanted the city to support this as they wanted support with additional bonding options.

CM Lawson asked about any additional amendments being proposed and what they were.

L. Rogers did not believe it would be on this bill.

H. Morris explained the bill was restricted in terms of certain situations where someone would not be eligible for a PR bond connected to crimes of violence, so it would enhance the mandatory sentencing law. She said it was important to show support for their officers.

S. Day added the bill was a state court-only bill and would not impact municipal courts.

CM Lawson and CM Jurinsky were in support.

SB24-185: Protecting Mineral Interest Owners Forced Pooling

J. Moore explained that when an operator wants to drill a well in an area, they have to lease the minerals, but if the owners choose not to lease, the operator can force pool the owners if they can lease at least 45% of the total minerals within the unit that has been identified. Local governments cannot legally be financial partners, do not have a choice, and must lease, but this bill would give local governments a choice in the matter. Staff recommended to support the legislation.

CM Lawson and CM Jurinsky were in support.

HB24-1372: Regulating Law Enforcement Use of Prone Restraint

The bill regulates law enforcement use of prone restraint. The Chief's Association is working on a significant strikethrough and rewrite amendment to focus on what happens after the use of prone restraint to ensure that people are getting adequate care after enforced. The city wanted to see an amend position.

CM Jurinsky said she hoped the committee would come out and strongly oppose it. She stated a complete strikethrough is better or they would not have any police officers left.

CM Lawson said if the proposed amendment is opposed that the committee could take an oppose position. She explained that Chief Morris talked to Senator Fields and Representative Weissman and they should at least see if the amendment passes as a complete strikethrough with just the amendment.

CM Jurinsky voiced that if they let it pass as is, they will see complete anarchy when all police resign, and she is not supporting any amendment or any part of it.

CM Lawson responded that she understood CM Jurinsky's point but she would like to see if the amendment would pass.

H. Morris said she completely agreed with CM Jurinsky's position, and if it were to pass as is, they would have officers leave. She explained that she looked at the bill in three parts, and the focus of any strike amendment would be the care focus piece. She said if they can support an amended position, it will put them in a better position to fight it.

CM Lawson asked what the timeline would be for the process.

P. O'Keefe answered it was hard to know but did not think it would be in Appropriations before April 8th, but it could be. She thinks they would have the opportunity to change their position if need be before things are done.

CM Lawson supported the amend position; CM Jurinsky did not support and voted to oppose.

L. Rogers clarified they have no position at this time since the vote is tied.

LLS: 1127.01: Prohibit Flat Fees for Defending Indigent Clients (DRAFT)

L. Rogers explained this is a bill from Representative Weissman that is currently a draft to prohibit a municipality that prosecutes domestic violence and contracts with one or more defense attorneys to provide counsel from utilizing a fixed or flat fee payment structure for indigent defense services. City staff will defer to the Committee for a position.

S. Day commented the bill was targeted to four specific cities, Lakewood, Westminster, Denver, and Aurora, the only four municipal courts that prosecute domestic violence cases. He said it prohibits local control on how to contract for indigent defense, limiting it to only hourly rates, removing the possibility of a fixed or flat rate, references the state statute as it relates to the Office of Alternative Defense Counsel, and references the Chief Justice Directive 04-04.

CM Lawson stated the local control piece was very substantial, and she has a lot of issues with that, and her reason for opposing it.

CM Jurinsky stated that should the bill pass, they would no longer prosecute domestic violence cases in Aurora at all. She strongly opposes it.

CM Lawson asked if that was true, that they would not be able to prosecute DV cases at all in Aurora.

S. Day said it would remove the ability to contract either on a fixed or flat rate, and as of right now, it did not have any application to the in-house Public Defender's Office and would only be for specific attorneys or firms that they would have to hire as conflict counsel.

CM Jurinsky added that if it passed, they could not bring in outside counsel. She noted that if it passes, a draft ordinance is already in place and they will no longer handle DV cases in Aurora and the respective budget would reflect immediately.

L. Rogers clarified it did not prohibit them outright from contracting but required them to utilize an hourly rate that is the same or greater than the hourly rate paid by the state for contractors.

CM Lawson and CM Jurinsky took opposed positions.

5. WATER UPDATE

Summary of Issue and Discussion:

K. Kitzmann noted that back on February 26th, they brought forth SB24-127, and last week, HB24-1379 was introduced, which is a directly competing bill. She stated the new bill was the State's bill and there are a lot of issues with it. She said they were working with the State Affairs Aurora Water Team and lobbyists and debated whether to propose to amend or oppose it. They decided to amend might be better to be able to work with the proponents. She voiced the biggest problem was that it expands beyond gap waters to include all of state waters potentially. She explained that the way they have it laid out, the state process in the Colorado Department of Health would not be efficient, effective, or timely, but there will be a lot of debates and amendments set forth.

CM Lawson asked why they are recommending an amend position if it has a lot of issues.

K. Kitzmann confirmed there were many issues, but Colorado Water Congress did support the Senate version of the bill. Lobbyists and advocates suggested amending it to try to reconcile the two bills. She explained that her team and lobbyists said an amendment was coming, but she said an opposing position is also fair.

CM Jurinsky supports SB24-127, but strongly opposed HB24-1379.

CM Lawson agreed with CM Jurinsky.

CM Lawson and CM Jurinsky took an opposed position.

K. Kitzmann noted it was the Speaker's bill so they have a tough road in opposition. She also said bill 1362 was heavily amended and in a better place.

6. MISCELLANEOUS MATTERS FOR CONSIDERATION: None

CONFIRM NEXT MEETING

April 12, 2024, In-person

Approved:

Angela Lawson
Angela Lawson
Committee Chair

4-12-24

Date