



# NOTICE OF COUNCIL MEETING

## STUDY SESSION

TELECONFERENCE (Open to the Public)

Monday, October 28, 2024

5:15 p.m.

---

### TELECONFERENCE/ELECTRONIC PARTICIPATION PROCEDURES

***Members of the Aurora City Council will participate in the October 28, 2024 Study Session. Members of the public and media may participate remotely through the options listed below:***

#### **View or listen live to the Study Session**

Live streamed in the Paul Tauer Aurora City Council Chamber  
and at [www.AuroraTV.org](http://www.AuroraTV.org) and [Youtube.com/TheAuroraChannel](https://Youtube.com/TheAuroraChannel)  
Cable Channels 8 and 880 in Aurora

#### **Translation/Accessibility**

The City will provide closed captioning services on Cable Channels 8 and 880. If you need any other accommodation, please contact the Office of the City Clerk at (303) 739-7094. If you are in need of an interpreter, please contact the Office of International and Immigrant Affairs at 303-739-7521 by Monday, October 28, 2024 at 9:00 a.m. (Si necesita un intérprete, comuníquese con la oficina de asuntos internacionales e inmigrantes en 303-739-7521 por el viernes anterior a la reunión del lunes.)

---

For other information regarding public meetings, please contact the Office of the City Clerk at (303) 739-7094 or by email at [CityClerk@auroragov.org](mailto:CityClerk@auroragov.org) or visit [www.auroragov.org](http://www.auroragov.org)



## AGENDA

### Study Session of the Aurora City Council

Monday, October 28, 2024

5:15 p.m.

Aurora Room

15151 E. Alameda Parkway

Aurora, CO 80012

Pages

#### 1. ITEMS FROM THE MAYOR

1.a Mayor's Update

1.b Issue Update

#### 2. CONSENT CALENDAR

2.a **Restaurant Program Subrecipient Agreement Approval with Regency Centers LP, for Alpaca Chasqui Peruvian Cuisine Restaurant (Ward 5) (Resolution)**

3

Sponsor: Angela Lawson, Council Member

Thomas Oldenburg, Commercial Retail Project Manager, Planning and Business Development / Rachel Allen, Client Group Manager, City Attorney

2.b **FY25 Grey and Black Marijuana Grant Program (Resolution)**

30

Timothy Sherbondy, Grants Analyst, Police / Megan Platt, Assistant City Attorney

2.c **Realignment Efforts of Youth Violence Prevention Program (YVPP) (Resolution)**

36

Sponsor: Mike Coffman, Mayor / Angela Lawson, Council Member

Angela L. Garcia, Senior Assistant City Attorney

2.d **2024 Fall Supplemental (Ordinance)**

41

Tyler Phillips, Budget Program Manager, Finance / Hanosky Hernandez, Senior Assistant City Attorney

<b>3.</b>	<b>ITEMS FROM THE POLICY COMMITTEES</b>	
<b>3.a</b>	<b>Shared Micro-Mobility License Program Update</b>	<b>67</b>
	Sponsor: Stephanie Hancock, Council Member	
	Scott Bauman, Parking & Mobility Manager, Public Works / Michelle Gardner, Senior Assistant City Attorney	
	Estimated time: 20 mins	
<b>4.</b>	<b>ITEMS FROM THE COUNCIL APPOINTEES</b>	
<b>5.</b>	<b>ITEMS FROM THE CITY COUNCIL</b>	
<b>6.</b>	<b>CALL-UPS OF COUNCIL POLICY COMMITTEE ITEMS</b>	
<b>7.</b>	<b>MISCELLANEOUS ITEMS</b>	
<b>7.a</b>	<b>Filling the At-Large Council Member Vacancy</b>	<b>119</b>
	Kadee Rodriguez, City Clerk / Pete Schulte, City Attorney	
	Estimated time: 10 mins	
<b>7.b</b>	<b>Consideration to Reappoint Two (2) Members to the Planning and Zoning Commission</b>	<b>127</b>
	Kadee Rodriguez, City Clerk / Tim Joyce, Assistant City Attorney	
	Estimated time: 5 mins	
<b>7.c</b>	<b>Planning and Zoning Vacancy Update</b>	<b>150</b>
	Kadee Rodriguez, City Clerk / Tim Joyce, Assistant City Attorney	
	Estimated time: 5 mins	
<b>7.d</b>	<b>Aurora Housing Authority Vacancy Update</b>	<b>169</b>
	Kadee Rodriguez, City Clerk / Hanosky Hernandez, Senior Assistant City Attorney	
	Estimated time: 5 mins	
<b>8.</b>	<b>ITEMS REMOVED FROM THE AGENDA, IF ANY</b>	



# CITY OF AURORA

## Council Agenda Commentary

**Item Title:** Restaurant Program Subrecipient Agreement Approval with Regency Centers LP, for Alpaca Chasqui Peruvian Cuisine Restaurant (Ward 5) (Resolution)

**Item Initiator:** Andrea Amonick, Business Development and Redevelopment Manager, Planning and Business Development

**Staff Source/Legal Source:** Thomas Oldenburg, Commercial Retail Project Manager, Planning and Business Development / Rachel Allen, Client Group Manager, City Attorney

**Outside Speaker:** N/A

**Council Goal:** 2012: 5.7--Develop and maintain an aggressive retail retention and expansion strategy

### COUNCIL MEETING DATES:

**Study Session:** 10/28/2024

**Regular Meeting:** 11/18/2024

**2<sup>nd</sup> Regular Meeting (if applicable):** N/A

**Item requires a Public Hearing:**  Yes  No

### ITEM DETAILS *(Click in highlighted area below bullet point list to enter applicable information.)*

- Agenda long title
- Waiver of reconsideration requested, and if so, why
- Sponsor name
- Staff source name and title / Legal source name and title
- Outside speaker name and organization
- Estimated time (For Study Session items only, indicate combined time needed for presentation and discussion)

Sponsor: Angela Lawson, Council Member  
Thomas Oldenburg, Commercial Retail Project Manager, Planning and Business Development / Rachel Allen, Client Group Manager, City Attorney

### ACTIONS(S) PROPOSED *(Check all appropriate actions)*

- Approve Item and Move Forward to Study Session  Approve Item as Proposed at Study Session
- Approve Item and Move Forward to Regular Meeting  Approve Item as Proposed at Regular Meeting
- Information Only
- Approve Item with Waiver of Reconsideration  
*Reason for waiver is described in the Item Details field above.*

### PREVIOUS ACTIONS OR REVIEWS:



---

**Policy Committee Name:** N/A

**Policy Committee Date:** N/A

**Action Taken/Follow-up: (Check all that apply)**

- Recommends Approval  Does Not Recommend Approval
- Forwarded Without Recommendation  Minutes Not Available
- Minutes Attached

---

**HISTORY** (Dates reviewed by City council, Policy Committees, Boards and Commissions, or Staff. Summarize pertinent comments. ATTACH MINUTES OF COUNCIL MEETINGS, POLICY COMMITTEES AND BOARDS AND COMMISSIONS.)

On July 25, 2022, the Aurora City Council approved Resolution 2022-144, to assist multiple Aurora food and beverage establishments with renovating and reopening restaurants in existing real estate that contain some needed tenant improvements. This program was funded under The American Rescue Plan Act (ARPA, In Pub. Law 117-2 Subtitle M. Sec. 9901).

The Restaurant Program anticipated the opening of six new restaurants, evenly distributed among all Wards. The renovation work that is eligible for this program must be for improvements that will stay with the property and cannot be easily removed without demolition. The agreement between the building owner and the City of Aurora states that this location must stay a restaurant space for the duration of the agreement, while the City of Aurora maintains the ability to approve any replacement restaurant operator if the first restaurant ceases operations. Although not a party to the lease, the City will also review the lease agreement between the owner and tenant to ensure that this agreement conforms to the program requirements.

The Restaurant Program anticipates higher sales tax generation from a food/beverage service operator rather than a typical retailer in the same size space. In addition to higher sales per square foot, restaurants also employ more staff per square foot; as many as three times more employees for the same size retailer space.

---

**ITEM SUMMARY** (Brief description of item, discussion, key points, recommendations, etc.)

Alpaca Chasqui Peruvian Cuisine Restaurant. (Ward 5) located at 17200 E Iliff Avenue, Unit A5, Aurora, Colorado 80013.

Regency Centers LP is redeveloping the tenant space, which has been vacant for more than one year, into Alpaca Chasqui Peruvian Restaurant. The property owners have requested funding from the city to complete the restaurant improvements through the ARPA-funded Restaurant Program. This is the fourth Restaurant in the Program to request funding.

The estimated total owner and tenant construction costs are \$372,000. The new tenant is providing an investment of \$207,000. The property owner is contributing \$83,000 and requesting \$82,000 from the city to complete the restaurant improvements. This money will pay for improvements such as new Mechanical, Plumbing, and Electrical upgrades that will bring the tenant space up to the current code.

The grant will help the Alpaca Chasqui Peruvian Cuisine Restaurant become a reality and will complement the multicultural dining opportunities that exist in Aurora. The restaurant hopes to open in early 2025.

---

**FISCAL IMPACT**

Select all that apply. (If no fiscal impact, click that box and skip to "Questions for Council")

- Revenue Impact  Budgeted Expenditure Impact  Non-Budgeted Expenditure Impact
- Workload Impact  No Fiscal Impact

**REVENUE IMPACT**

Provide the revenue impact or N/A if no impact. (What is the estimated impact on revenue? What funds would be impacted? Provide additional detail as necessary.)

The new restaurant is anticipated to capture new sales tax and will create a destination that will increase traffic to the center.

**BUDGETED EXPENDITURE IMPACT**

*Provide the budgeted expenditure impact or N/A if no impact. (List Org/Account # and fund. What is the amount of budget to be used? Does this shift existing budget away from existing programs/services? Provide additional detail as necessary.)*

Planned ARPA fund expenditures to assist the business.

**NON-BUDGETED EXPENDITURE IMPACT**

*Provide the non-budgeted expenditure impact or N/A if no impact. (Provide information on non-budgeted costs. Include Personal Services, Supplies and Services, Interfund Charges, and Capital needs. Provide additional detail as necessary.)*

N/A

**WORKLOAD IMPACT**

*Provide the workload impact or N/A if no impact. (Will more staff be needed or is the change absorbable? If new FTE(s) are needed, provide numbers and types of positions, and a duty summary. Provide additional detail as necessary.)*

N/A

---

**QUESTIONS FOR COUNCIL**

---

**LEGAL COMMENTS**

The American Rescue Act or "ARPA", the US Congress allocated money to local government for various purposes. The Department of the Treasury issued Rule 2021-10283 discussing the lawfully permitted uses of the funds allocated by the US Congress. The City Council has discretion to provide the necessary funding for the programs or needs across the city that have been impacted by the Covid-19 pandemic. The Council has found that providing funds for the restaurant program described herein fulfills these purposes. (Pub. Law. 117-2, Subtitle M, Sec. 9901). City Council will review individual awards of grant agreements as consent agenda items at Study Session and Council Meeting if it meets the program criteria. (Resolution 22-144). (Allen)

RESOLUTION NO. R2024- \_\_\_\_\_

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, EXPRESSING THE AURORA CITY COUNCIL'S SUPPORT TO USE ALLOCATED FUNDING FROM THE FOOD AND BEVERAGE REVITALIZATION PROGRAM TO FUND REGENCY CENTERS, L.P. USING ARPA FUNDS

WHEREAS, on March 11, 2021, President Biden signed the U.S. Senate-amended H.R. 1319 (P.L. 117-2) known as the American Rescue Plan Act (hereinafter "ARPA"); and

WHEREAS, In Pub. Law. 117-2, Subtitle M, Sec. 9901, The American Rescue Act ("ARPA"), the US Congress allocated money to local government for various purposes; and

WHEREAS, on May 10, 2021, the U.S. Treasury issued the Interim Final Rule to implement ARPA in Title 31, Part 35 of the Code of Federal Regulations ("CFR"); and

WHEREAS, under ARPA Section 603 (c)(1)(A) and (3) and the Interim Final Rule 31 CFR 35.6(b)(7) recipients may use Coronavirus Local Fiscal Recovery ("CLFR") Funds to award grants to nonprofit organizations that are responding to the negative economic impacts of the COVID-19 public health emergency; and

WHEREAS, under ARPA Section 603 (c)(1)(A) and the Interim Final Rule 31 CFR 35.6(b)(7) and (12) recipients may provide CLFR Funds to programs or services to disproportionately impacted communities; and

WHEREAS, the City of Aurora (the "City") has received funds under ARPA and the City Council (the "Council") recognizes that helping local organizations and businesses working within the City is beneficial to the health, safety and welfare of the people in the City; and

WHEREAS, the City approved Resolution R2022-144 on July 25, 2022, to create a Food and Beverage Revitalization Program to assist in the recuperation of such businesses by using ARPA funds for the revitalization of food and beverage establishments across the City that provide food and/or beverage services for the citizens of Aurora; and

WHEREAS, the City has developed incentives through the Food and Beverage Revitalization Program for redevelopment of Aurora restaurant/bar spaces, located within Wards across the City; and

WHEREAS, Regency Centers, L.P. (the "Subrecipient") is redeveloping the property located in Ward 5 at 17200 E. Iliff Avenue, Unit A5, Aurora, Colorado 80013 (the "Property") as an Alpaca Chasqui Peruvian Cuisine Restaurant; and

WHEREAS, the Subrecipient has requested funding for the completion of improvements to an Alpaca Chasqui Peruvian Cuisine Restaurant through the Food and Beverage Revitalization Program that will create a destination within the Iliff and Buckley Community and draw visitors to the area; and

WHEREAS, the City desires to disburse funds not to exceed \$82,000.00 from the Coronavirus State and Local Fiscal Recovery Fund (SLFRF) program authorized by the American Rescue Plan Act (ARPA) to administer the project and perform certain services; and

WHEREAS, Subrecipient has represented to the City that it is duly qualified, eligible and willing to undertake the Project and provide the services identified herein; and

WHEREAS, the City finds and determines that it is in the best interests of its citizens to provide the funds needed through grant agreements with local food and beverage outlets.

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

Section 1. The Aurora City Council finds that the Regency Centers, L.P. Alpaca Chasqui Peruvian Cuisine Restaurant meets the Food and Beverage Revitalization Program criteria.

Section 2. The Aurora City Council resolves to approve the funding for Regency Centers, L.P. to use the funds to establish an Alpaca Chasqui Peruvian Cuisine Restaurant, with ARPA funds to the Food and Beverage Revitalization Program in the amount of \$82,000.00 to operate at 17200 E. Iliff Avenue, Unit A5, Aurora, Colorado 80013.

Section 3. All resolutions or parts of resolutions of the City in conflict herewith are rescinded.

RESOLVED AND PASSED this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

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

ATTEST:

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

APPROVED AS TO FORM:

  
\_\_\_\_\_  
RACHEL ALLEN, Client Group Manager

**RESTAURANT PROGRAM SUBRECIPIENT AGREEMENT  
CORONAVIRUS STATE FISCAL RECOVERY - ARPA FUNDS  
ASSISTANCE LISTING NUMBER (formerly CFDA): 21-027**

This Subrecipient Agreement entered into as of the 19<sup>th</sup> day of Oct, 2024, by and between The City of Aurora, Colorado, a municipal corporation of the State of Colorado (the "City") and Regency Centers, L.P., a Delaware Limited Partnership, ("Owner" or "Subrecipient"),

**WITNESSETH:**

WHEREAS, on March 11, 2021, President Biden signed the U.S. Senate-amended H.R. 1319 (P.L. 117-2) known as the American Rescue Plan Act (hereinafter "ARPA"); and

WHEREAS, In Pub. Law. 117-2, Subtitle M, Sec. 9901, (The American Rescue Act or "ARPA") the US Congress allocated money to local government for various purposes; and

WHEREAS, on May 10, 2021, the U.S. Treasury issued the Interim Final Rule to implement ARPA in Title 31, Part 35 of the Code of Federal Regulations ("CFR"); and

WHEREAS, under ARPA Section 603 (c)(1)(A) and (3) and the Interim Final Rule 31 CFR 35.6(b)(7) recipients may use Coronavirus Local Fiscal Recovery ("CLFR") Funds to award grants to nonprofit organizations that are responding to the negative economic impacts of the COVID-19 public health emergency; and

WHEREAS, under ARPA Section 603 (c)(1)(A) and the Interim Final Rule 31 CFR 35.6(b)(7) and (12) recipients may provide CLFR Funds to programs or services to disproportionately impacted communities; and

WHEREAS, the City desires to disburse funds from the Coronavirus State and Local Fiscal Recovery Fund (SLFRF) program authorized by the American Rescue Plan Act (ARPA) to the Subrecipient to administer the Project and perform certain services in connection therewith as set forth in this Agreement and in the Scope of Services attached hereto; and

WHEREAS, the City has developed incentives through the Restaurant Program for redevelopment of Aurora restaurant/bar spaces, located within wards across the City, and

WHEREAS, the Subrecipient is redeveloping the property located in Ward 5 at 17200 E Iliff Avenue, Unit A5, Aurora Colorado 80013 (the "Property") as Alpaca Chasqui Peruvian Cuisine Restaurant; and

WHEREAS, the Subrecipient has requested funding for the completion of restaurant improvements through the Restaurant Program that will create a destination within the Iliff and Buckley Community and draw visitors to the area; and

WHEREAS, Subrecipient has represented to the City that it is duly qualified, eligible, and

willing to undertake the Project and provide the services identified herein and in the Scope of Services attached hereto.

**NOW, THEREFORE, the Parties hereby agree to the following:**

**Section 1. Definitions.**

"**Agreement**" means this Agreement, as it may be amended or supplemented in writing. References to sections or exhibits are to this Agreement unless otherwise qualified.

"**City**" means the City of Aurora, Colorado, a municipal corporation of the State of Colorado.

"**Eligible Expenses or Reimbursements**" are approved categories of potential cost items needed for the completion of the Project and funded by the Project Funds as spelled out in Section 4 of this Agreement and approved by the City as an authorized expense.

"**Leasehold Improvements**" means additions, alterations, remodeling, or renovations done as real property permanent or affixed improvements on the Property.

"**On Premises**" means inside the building or within the legal property boundary of the Property.

"**Operating Years**" means any year(s) where the approved Alpaca Chasqui Peruvian Cuisine Restaurant is open for business at the Property after the completion of the Project per the terms of the Agreement.

"**Parties**" mean the City and the Subrecipient.

"**Project**" means all improvements, renovations, and redesign of the current building and site located on the Property needed to upgrade the Property to house an Alpaca Chasqui Peruvian Cuisine Restaurant, including all fixtures, decor, and equipment per the renderings and preliminary plans submitted and presented to the City for the Restaurant Program.

"**Project Budget**" means a master budget approved by the City and the Landlord for the work needed to complete the Project.

"**Project Funds**" are the sources of funding and financing for the completion of The Project per the terms of this Agreement between the City and the Subrecipient.

"**Property or Building**" means the building currently located at 17200 E Iliff Avenue, Unit A5, Aurora Colorado 80013 to be converted into a Peruvian Restaurant. [See Attachment A- Floor Plan.]

"**Tenant**" means the retail business, an Alpaca Chasqui Peruvian Cuisine Restaurant that will occupy 17200 E Iliff Avenue, Unit A5, Aurora Colorado 80013 for a minimum of 10 years and per the approval of the City.

A "fully functioning and operating restaurant tenant" shall mean that the tenant is open to the public

and operating for a minimum of 45 hours per week between 11:00 AM and 8:00 PM.

"**Tenant Build-Out**" means the Tenant's contribution to finishing out the space, including decor, design, and non-leasehold equipment and fixtures.

### **Section 2. Scope Of Services.**

The purpose of this Agreement is to provide funding for the redevelopment and approved improvements undertaken by the Subrecipient for the conversion of the Property into the Alpaca Chasqui Peruvian Cuisine Restaurant pursuant to the terms and conditions of this Agreement.

Subrecipient agrees to satisfactorily perform and complete the Project, all items of work, and furnish all labor and materials encompassed within or reasonably necessary to accomplish the tasks and functions described herein within Sections 3 – 6 and attached hereto as Attachment A and Exhibits B/C and incorporated herein by reference, in full compliance with all provisions of this Agreement.

### **Section 3. Grant and Method of Payment.**

The City will provide a grant through the Restaurant Program payable to the Subrecipient (and/or their assigns) for costs for eligible work completed to improve the Property for the purpose of converting the existing building into the Alpaca Chasqui Peruvian Cuisine Restaurant.

(a) City will pay to Subrecipient an amount up to that specified in subparagraph (c) of this paragraph as full compensation for all services and work to be performed or undertaken by Subrecipient under this Agreement. Payment of funds to Subrecipient is subject to all the following requirements, which shall be conditions precedent to payment:

- (i) Subrecipient has spent funds for eligible approved expenditures.
- (ii) Subrecipient is not in default of any material provision of this Agreement nor applicable law or regulation.
- (iii) Subrecipient submits timely requests for payment or reimbursement detailing the eligible payment or reimbursement items in a format approved by the City; and
- (iv) Subrecipient certifies with each payment or reimbursement request compliance with the requirements identified in Exhibit "B/C" and that all expenditures for which reimbursement is sought were made for and in furtherance of the approved Project and are an eligible use of federal assistance under ARPA and federal regulations.

(b) Payment hereunder is also subject to and may only be disbursed in accordance with applicable Federal regulations, including but not limited to those at 31 CFR Part 35, as presently promulgated and as same may be revised from time to time in the future, all other terms of this Agreement, and any special provisions in the Scope of Services. All payments received by Subrecipient hereunder are subject to repayment by Subrecipient as provided in 31 CFR Part 35.

(c) The aggregate of all payments made hereunder shall not exceed **\$82,000.00 (Eighty-Two Thousand Dollars)**.



(d) Upon expiration of the term of this Agreement or upon any prior termination, Subrecipient shall transfer to City any funds provided hereunder which are on hand at the time of expiration or termination.

(e) If Subrecipient closes the business or changes its use without City approval, except as stated in Section 31, in the first year of the validity of this agreement, the City shall request reimbursement of the **\$82,000.00 (Eighty-Two Thousand Dollars)**.

(f) If Subrecipient closes the business or changes its use without City approval, except as stated in Section 3, any subsequent year after year one, the City shall request a reimbursement of the **\$82,000.00 (Eighty-Two Thousand Dollars)** minus a ten percent (10%) discount for every full year that the business remains in operation as follows:

<u>Years</u>	<u>Balance to be returned to the City</u>
Year 1	\$82,000.00
Year 2	\$73,800.00
Year 3	\$65,600.00
Year 4	\$57,400.00
Year 5	\$49,200.00
Year 6	\$41,000.00
Year 7	\$32,800.00
Year 8	\$24,600.00
Year 9	\$16,400.00
Year 10	\$8,200.00

**Section 4. Budget.**

Work by the Subrecipient must be completed within a City approved budget for the program funds and must provide documentation and lien waivers for payment of all program work completed.

**Section 5. City Eligible Reimbursements.**

The following improvements are eligible for 100% reimbursement as part of the City's responsibilities per the approved project and Restaurant Program's goals and guidelines. These items and/or installation shall be completed as part of the approved expenses and improvement costs needed to create the new Alpaca Chasqui Peruvian Cuisine Restaurant and related upgrades including infrastructure, design and mechanicals budgeted for the Project.

All approved expenses related to the construction of the approved Alpaca Chasqui Peruvian Cuisine Restaurant (the "Project") per this Agreement as approved by the City would be eligible for reimbursement per the terms set forth in this agreement. Eligible expenses are for the space, unless otherwise designated, and can include, but are not limited to the items identified in Exhibit B/C and referenced as the Column "Potential Aurora Eligible Reimbursement Costs".



## **Section 6. Subrecipient Project Costs/Responsibilities.**

The Subrecipient is responsible for completing all improvements needed for the completion of the Project. These items and/or installations shall be done as part of the approved Subrecipient's scope of work and should include all improvement costs needed to create the Alpaca Chasqui Peruvian Cuisine Restaurant and bring the space up to City standards and occupancy requirements. Eligible Subrecipient expenses are for space, unless otherwise designated, and can include, but are not limited to the items identified in Exhibit B/C and referenced as the Column "Potential Aurora Eligible Reimbursement Costs".

## **Section 7. Ineligible City Reimbursements.**

The following are not subject to reimbursement by the City for this Agreement but may be required for the completion of the Project either by the Subrecipient and/or the Tenant:

- o Decor- Interior design & Installation.
- o Interior Design Finishes / Wall / Ceiling / Floor
- o Bar and Bar Equipment.
- o Exterior and Interior light fixtures.
- o Exterior Storefront, including but not limited to, design, lighting, windows and doors. (Except as noted in Attachment B)
- o Exterior sign(s)
- o Exterior seating, tables & fixtures.
- o Kitchen equipment (other than those declared eligible in Attachment B.)
- o Bathroom decor
- o Demolition
- o Fixturing (tables, chairs, & like Items relegated to the operation of this establishment)
- o Kitchen and dining utensils and cookware
- o Liquor license
- o Perishable Inventory & food
- o Personnel or staffing related items or expenses
- o Marketing or advertising costs
- o Travel or entertainment expense
- o Any administrative expenses

## **Section 8. Funding and Payment Obligations.**

The funding for the completion of the Project shall include responsibilities and payments from the City, and Subrecipient per the approved Project Budget including work to be completed by all parties, including the Subrecipient's Tenant whose work and responsibilities are not necessarily covered within this Agreement. Funding sources include:

- The City's work for the Project shall not exceed a total budget of **\$82,000.00 (Eighty-Two Thousand Dollars)** in Restaurant Program funding. This will cover the City's scope of work as defined in Sections 2 – 5 and Exhibits A and B/C as

Eligible Expenses.

- Any expenses submitted for approved expenses which exceed the City's maximum contribution, or any ineligible expenses shall be paid by the Subrecipient based on their obligations per this Agreement or the Tenant lease.
- The Subrecipient and any Tenant must complete the Project as proposed, agreed upon, and approved by the City.
- All construction expenses shall be paid and approved per the terms of this Agreement.

### **Section 9. Subrecipient's Construction Requirements & Construction Responsibilities.**

The Subrecipient will manage the completion and construction of the Project on behalf of all parties and must complete the project as proposed and agreed upon by the parties. The City shall approve all expenditures made in the process of completing the Project.

The Subrecipient shall be responsible for the oversight of all the Project's design, construction and its timely completion, plus the quality of the finished product, including all construction-related activities and costs for the Project with the approval of the City. The City shall pay 100% of any approved Restaurant Program costs listed in Exhibit B/C (referenced as Column "Potential Aurora Eligible Reimbursement Costs") ***as they are spent and completed*** or upon reaching the maximum budget of **\$82,000.00 (Eighty-Two Thousand Dollars)**

The Subrecipient shall pay for all approved construction expenses and obtain all lien waivers or certifications required by the City before submitting any request for payment of any authorized eligible work completed for the Project. Bills may be submitted once per month to the City for payment. The City shall then reimburse the contractor directly or the Subrecipient for any approved work completed for the submitted expenses per normal City disbursement policy. Project funds shall be made available to the Subrecipient subject to the terms and conditions of this Agreement, and documentation evidencing the propriety of the proposed use of funds with each draw request.

In addition to design & construction drawings, permits, and licenses related to the build out of the space, the Subrecipient shall submit bid line items and a construction budget to the City for review. Eligible costs must be approved by the City to be considered reimbursable from the Program.

The City shall have the right to approve the design of the building and restaurant designs before the start of and during construction. All final construction plans must be officially approved per the approval requirements, regulations and laws of the City and the State of Colorado.

### **Section 10. Bid Requirements.**

The Subrecipient shall provide documentation verifying that the costs for any work or repairs have been competitively negotiated. All contractors must be certified to work in Aurora and be approved by the City. The Subrecipient shall have the right to choose the contractor. The Subrecipient shall be responsible for acquiring lien waivers from each contractor and wage

rates for the contractor's employees for all portions of the Project. The Subrecipient will be responsible for any claims or repayment of any legally sustained requirements resulting from any lien action. The City may withhold payment until the Subrecipient, and/or the contractor provide lien waivers on the work completed by all subcontractors for the work subject to reimbursement by the City.

#### **Section 11. Property of the Subrecipient.**

Any leasehold or fixed improvements reimbursed by the City will become the property of the Subrecipient at the end of the term of this Agreement. The Subrecipient is responsible for the upkeep and maintenance of all leasehold improvements which are installed or repaired in the building so that all warranties are kept current, not in default in any manner, and suggested maintenance is done in a timely basis to keep the equipment in good working order. The Subrecipients' obligations for upkeep and maintenance may become the responsibility of the Tenant pursuant to the terms of any lease between Landlord and the tenant. Failure to comply by either the Landlord or the Tenant with upkeep and maintenance shall cause the Subrecipient to be responsible for the reimbursement to the City for either the repairs or for the item's amortized cost.

#### **Section 12. City Project Manager.**

The City, through its Business Development and Redevelopment Manager, shall have the right to designate an individual to manage and supervise the project for all City funded parts of the work. City shall have the right to monitor and evaluate the progress and performance of Subrecipient to assure that the terms of this Agreement are being satisfactorily fulfilled in accordance with City's and other applicable monitoring and evaluation criteria and standards. City may at least quarterly review Subrecipient's performance using on-site visits, progress reports required to be submitted by Subrecipient, audit findings, disbursements transactions, and contact Subrecipient as necessary. Subrecipient shall furnish the City quarterly program and financial reports of its activities in such form and manner as may be requested by the City. Subrecipient shall fully cooperate with the City in relation to monitoring, evaluation, and audits.

#### **Section 13. Subrecipient Warranties and Representations. Ten Year Operating Requirement.**

The Subrecipient will guarantee a fully functioning and operating Alpaca Chasqui Peruvian Cuisine Restaurant tenant for the building for a minimum of ten (10) years. Noncompliance with this provision of the agreement shall constitute an event of default, that shall require cure or will result in termination of the agreement and repayment of funds spent by the City as specified in Section 3.

#### **Section 14. Subrecipient's Contribution.**

The Subrecipient shall contribute a minimum of **\$164,000.00 (One Hundred and Sixty-Four Thousand Dollars)** towards the construction and conversion of the building into the Alpaca Chasqui Peruvian Cuisine Restaurant per the designs and plans submitted to and approved by the

City and defined as the Project. Any funds remaining upon completion of the Subrecipient's responsibilities under Section 9 shall be remitted to the Subrecipient upon Project completion,

**Section 15. Opening Deadline.**

The Subrecipient shall be responsible for the remodel of the building. All work on the Project will be completed no later than **September 15, 2025**. Any change to this deadline must be approved by the City. Failure to comply in a timely manner on the obligations of this Agreement will cause obligations of the City in the Agreement to be null and void with the Subrecipient to repay the City for any monies expended to date of notice and pursuant to the terms hereof.”

**Section 16. Replacement Tenant.**

The Subrecipient shall give the City the right to approve all prospective replacement tenants for use and viability if the Tenant closes during the first ten (10) years of the leasable life of the building post renovation and this Agreement.

**Section 17. City Approval rights for Replacement or Change in Design.**

The City shall also have the right to approve the design of any physically substantial changes in design by the Subrecipient or tenant in future, as well as the approval of any replacement retail and restaurant uses for the building before the start of construction and submittals of formal plans.

**Section 18. Change of Ownership Requirements.**

In the event that the Subrecipient sells the Property before the first ten (10) operating years of the Alpaca Chasqui Peruvian Cuisine Restaurant are complete, any new Subrecipient must be approved in writing by the City and the new owner shall be obligated to all terms of this Agreement or the Subrecipient shall pay the City the unamortized value of the actual reimbursements of the leasehold improvements placed in the building for the time left per the terms of the Agreement. This shall not include transfers within the family but will be enforced if that or any family entity sells the property within the 10-year operation period.

The Subrecipient shall inform the City in writing, thirty (30) days prior to any proposed sale, transfer, conveyance, exchange, or entry into any lease agreement which involves the property acquired with City or Restaurant Program funds.

**Section 19. Term.**

This Agreement shall become effective upon the date of last signature of the Parties and shall remain effective for fifteen years from the date of issuance of the certificate of occupancy for the Alpaca Chasqui Peruvian Cuisine Restaurant. Each party agrees to give the other the right to act towards the completion of the Project while the full execution of the Agreement takes place. The term of the Project shall be from the date this Agreement. The Project will be completed no later than September 15, 2025, unless this Agreement is sooner terminated as herein provided.



**Section 20. Accounting.**

The Subrecipient shall keep accurate books and records of accounts in accordance with generally accepted accounting principles. Subrecipient shall record all expenditures made and all costs and liabilities incurred utilizing the Restaurant Program or Project funds. The aforementioned accounts and all project records shall be made available upon request by the City. All books and records of accounts must be retained for five (5) years from the date of this Agreement.

Subrecipient shall maintain records as to all improvements completed, reimbursable expenses incurred in constructing the Project and complete accounting records. Accounting records shall be kept on a generally recognized accounting basis and as requested by any representee of the City. Subrecipient agrees to comply with all applicable uniform administrative requirements described or referenced in 31 CFR 35. The Compliance Provisions attached as Exhibit "D" hereto are made a part of this Agreement and Subrecipient agrees to perform and comply with same. The City, Comptroller General of the United States, the Inspector General of the U.S. Treasury and any of their authorized representatives, shall have the right to inspect and copy, during reasonable business hours, all books, documents, papers and records of the Subrecipient which relate to this Agreement for making an audit or examination. Upon completion of the work and end of the term of this Agreement, the City may require copies of all Subrecipient's financial records relating to this Agreement to be turned over to City.

**Section 21. Compliance with Law.**

The Subrecipient shall comply with all federal, state, and local laws, rules, and regulations. Subrecipient agrees to execute and abide by the certifications contained in Exhibit "E" hereto, and Subrecipient's application for ARPA funds, both of which are hereby made a part of this Agreement. In the event of any conflict between the terms of this Agreement and Subrecipient's Application, this Agreement shall control.

**Section 22. Assignment.**

The Subrecipient shall not assign or transfer any interest in this Agreement without the prior written consent of the City. Any assignment or attempted assignment made in violation of this provision shall, at the City's election, be deemed void and of no effect whatsoever.

**Section 23. No Agency.**

The Subrecipient and any of its personnel operating under the terms of this Agreement are not to be considered agents or employees of the City for any purpose and are not entitled to any of the benefits that the City provides for the City's employees.

**Section 24. Indemnification.**

The Subrecipient hereby covenants and agrees to, and does hereby, indemnify, hold harmless, and defend the City, its elected and appointed officials, agents, and employees, from and against and all claims for injuries or damages to persons or property of whatsoever kind or character,

whether real or asserted, arising out of this Agreement for the Project activity to be performed hereunder. The Subrecipient hereby assumes all liability and responsibility for injuries, claims or suits for damages to persons or property of whatsoever kind or character, whether real or asserted, arising out of the performance of this Agreement.

Pursuant to Colorado Constitution Article XI, Sections 1 and 2 the City shall not indemnify or hold harmless Subrecipient, or any party related or operating under this Agreement with or without the City's consent. No provision in this Agreement shall limit or set the amount of damages available to the City to any amount other than the actual direct and indirect damages to the City, regardless of the theory or basis for such damages. Any provision included or incorporated herein by reference which purports to negate this provision in whole or in part shall not be valid or enforceable or available in any action at law or equity, whether by way of complaint, defense, or otherwise. Any provision rendered null and void by this provision shall not invalidate the remainder of the Agreement.

### **Section 25. Termination.**

The City may suspend and/or terminate this Agreement if the Subrecipient fails to comply with any material term or condition of the award of any City related Project or Program funds. The City may suspend and/or terminate payment of funds for the Project Activity In whole, or in part, for cause. "Cause" shall include but not be limited to the following:

- o Improper use of Program or Project Funds.
- o Failure to comply with any material term and/or condition of this Agreement or to perform the Project activity as described in this Agreement.
- o If, for any reason, the carrying out of the Agreement is rendered impossible or infeasible, including if the source of the Funding should be eliminated before disbursement; and
- o Failure to comply with any applicable local, state, and federal laws and regulations.

### **Section 26. Cure.**

The Subrecipient agrees to cure any issue of noncompliance or event of default upon receiving written notification of such issue or event. If the City withholds disbursement of City funds, it shall advise the Subrecipient in writing and, in the case of suspension, specify any actions that must be taken as a condition precedent to the resumption of payments and a reasonable date for compliance therewith.

### **Section 27. Withholding of funds.**

The City may suspend and/or terminate payment of funds for the Project activity in whole, or in part, which may include but not be limited to the following:

- o Written agreement between the City and the Subrecipient.
- o Written notification from the Subrecipient to the City.
- o A material breach of this Agreement by the Subrecipient. And,

- o A determination by the City that all or any portion of the City program funds awarded to the Subrecipient remaining unpaid will not accomplish the purpose for which such Restaurant Program funds were granted.

**Section 28. Use of Property Requirement.**

Any real property that is acquired or improved in whole or in part with City Project funds must meet the following:

The Subrecipient agrees to use any real property acquired or improved for the original authorized purpose as set forth within this Agreement for this time period and shall not dispose of or encumber its title or other interests therein.

**Section 29. Nondiscrimination.**

The Subrecipient shall not discriminate against any employee, applicant for employment, contractor, or subcontractor because of race, color, religion, creed, age, gender, gender identity, gender expression, national origin, disability, or veteran status. Owners may be subject to denial, suspension, or termination of reimbursement funding for acts of discrimination.

The Subrecipient shall not discriminate against anyone on the Property because of race, color, religion, creed, gender, gender identity, gender expression, national origin, age disability, sexual orientation or veteran status in landlord and tenant services, activities, accommodations, or facility use. The Subrecipient shall adhere to and assure that employment and activity programming are conducted such that all individuals and groups, clients, participants, and/or employees will be treated equally. The Subrecipient may be subject to loss of funding, reimbursement of funds allocated, or denial of future funds for discrimination.

**Section 30. Change of Use or Sale of Premises.**

The Subrecipient shall not change the use or planned use of any such acquisition, including the beneficiaries of such use, from that for which the acquisition or related improvement was made unless the City is notified and approves such use change in advance and in accordance with this Agreement which approval shall not be unreasonably withheld by the City.

The Subrecipient shall immediately inform the City in writing, thirty (30) days prior to any proposed sale, transfer, conveyance, exchange, or entry into any lease agreement which involves the property acquired with City or Restaurant Program funds. The Subrecipient may not sell, transfer, exchange, or convey any interest or the property without written consent of the City, which consent shall not be unreasonably withheld.

The Subrecipient agrees to maintain a good appearance of the acquired property and further agree to maintain the property in such condition so as to comply with all applicable local laws and ordinances and generally recognized business practices applicable to the Subrecipient's business.

**Section 31. Force Majeure.**



No Party shall be liable or responsible to the other Party, nor be deemed to have defaulted under or breached this Agreement, for any failure or delay in fulfilling or performing any term of this Agreement (except for any obligations to make previously owed payments prior to any event of Force Majeure, to the City hereunder) when and to the extent such failure or delay is caused by or results from acts beyond the control of the party impacted by the force majeure described herein, including, without limitation, the following force majeure events that frustrates the purpose of this Agreement: (a) acts of God; (b) flood, fire, earthquake or explosion; (c) war, invasion, hostilities (whether war is declared or not), terrorist threats or acts, riot or other civil unrest; (d) government order or law; (e) actions, embargoes or blockades in effect on or after the date of this Agreement; (f) action by any governmental authority; (g) national or regional emergency; (h) strikes, labor stoppages or slowdowns or other industrial disturbances; (i) epidemic, pandemic or similar influenza or bacterial infection (which is defined by the United States Center for Disease Control as virulent human influenza or infection that may cause global outbreak, or pandemic, or serious illness); (j) emergency state; (k) shortage of adequate medical supplies and equipment; (l) shortage of power or transportation facilities; and (m) other similar events beyond the reasonable control of the Impacted Party.

**Section 32. Notices.**

All notices, certificates, reports, or other communications hereunder shall be deemed given when personally delivered, or after the lapse of five (5) business days following their mailing by registered or certified mail, return receipt requested, postage prepaid, addressed as follows:

**To the City:**

City of Aurora, Colorado  
15151 East Alameda Parkway  
Aurora, Colorado 80012  
Attention: Business Development and Redevelopment Manager

With a copy to:

City of Aurora, Colorado  
City Attorney's Office  
15151 East Alameda Parkway  
Aurora, Colorado 80012  
Attention: City Attorney

**To Subrecipient:**

Regency Centers Corporation  
6400 S Fiddlers Green, Suite 900  
Greenwood Village, CO 80111  
Attention: Will Damrath, Market Officer

The persons signing this Agreement on behalf of Subrecipient represent and warrant that such persons and Subrecipient have the requisite power and authority to enter, execute and deliver this Agreement and that this Agreement is a valid and legally binding obligation of Subrecipient enforceable against Subrecipient in accordance with its terms.




IN WITNESS, WHEREOF, the Subrecipient and the City have executed this Agreement as of the date first above written and under the laws of the State of Colorado.

CITY OF AURORA, COLORADO

SUBRECIPIENT

\_\_\_\_\_  
JASON BATCHELOR,  
City Manager

By:

  
\_\_\_\_\_  
Will Damrath  
Vice President, Market Officer

APPROVED AS TO FORM:

  
\_\_\_\_\_  
RACHEL ALLEN, Client Group Manager





Exhibit B/C: Project Costs Breakout

Alpaca Chasqui Peruvian Cuisine Restaurant - 17200 E Iliff Avenue, Unit A5, Aurora Colorado 80013					
Costruction Costs Breakout - 8-30-2024					
No.	Description Labor / Materials	Revised Budget Total	Tenant Contribution	Building Owner /Landlord Contribution	Potential Aurora Reimbursement to Building Owner Subject to 1/3-1/3-1/3 cap
1	Second hand /Restaurant Equipment ( Elsa)	\$4,335.00	\$4,335.00	\$0.00	\$0.00
2	Tools & Supplies / Ace Hardware	\$355.00	\$355.00	\$0.00	\$0.00
3	Arapahoe County health public recelp	\$300.00	\$300.00	\$0.00	\$0.00
4	Plans Engineering Ben Renso James Engineer	\$6,500.00	\$6,500.00	\$0.00	\$0.00
5	Oven Rotisserie Chicken	\$13,105.70	\$13,105.70	\$0.00	\$0.00
6	Daniel plumber check sewer	\$200.00	\$200.00	\$0.00	\$0.00
7	Affordable Signage of Colorado	\$4,765.56	\$4,765.56	\$0.00	\$0.00
8	Plans Engineering /arquitect Sandella Design	\$6,000.00	\$6,000.00	\$0.00	\$0.00
9	Colorado Drywall Supply	\$3,891.41	\$3,891.41	\$0.00	\$0.00
10	Project design Mar Y cielo Custom Homes	\$4,000.00	\$4,000.00	\$0.00	\$0.00
11	Plumbing Inc	\$21,000.00	\$10,000.00	\$11,000.00	\$11,000.00
12	Plumbing fixtures	\$4,100.00	\$0.00	\$4,100.00	
13	Copeland Precast In 4016 Grease Interseptor	\$4,544.68	\$4,544.68	\$0.00	\$0.00
14	Copeland Grease interseptor Instalation	\$7,000.00	\$7,000.00	\$0.00	\$0.00
15	Building Permit	\$4,965.50	\$4,965.50	\$0.00	\$0.00
16	Hood ventilation Captive Air ventilation	\$60,843.30	\$21,343.30	\$39,500.00	\$39,500.00
17	Hood Ventilation Lift Rental	\$3,750.00	\$3,750.00	\$0.00	\$0.00
18	Concrete sawcutting and patch/ Omar	\$4,000.00	\$4,000.00	\$0.00	\$0.00
19	Exterior doors	\$0.00	\$0.00	\$0.00	\$0.00
20	Wnadows	\$0.00	\$0.00	\$0.00	\$0.00
21	200 Sf Vanner	\$4,000.00	\$4,000.00	\$0.00	\$0.00
22	Roof penetrations	\$4,800.00	\$4,800.00	\$0.00	\$0.00
23	Framing Labor	\$4,500.00	\$4,500.00	\$0.00	\$0.00
24	Framing supplies	\$5,000.00	\$5,000.00	\$0.00	\$0.00
25	Exterior paint	\$0.00	\$0.00	\$0.00	\$0.00
26	Structural beans	\$5,091.43	\$5,091.43	\$0.00	\$0.00
27	Beans installation and welding	\$5,500.00	\$5,500.00	\$0.00	\$0.00
28	Garage doors	\$0.00	\$0.00	\$0.00	\$0.00
29	Electrical Miguel Electrical Contractors LLC	\$21,400.00	\$9,000.00	\$12,400.00	\$0.00
30	Electrical fixtures	\$2,500.00	\$0.00	\$2,500.00	\$0.00
31	Furnace/AC RTU Installation	\$24,600.00	\$2,600.00	\$22,000.00	\$22,000.00
32	Water heater	\$1,600.00	\$1,600.00	\$0.00	\$0.00
33	Interior paint	\$5,800.00	\$0.00	\$5,800.00	\$0.00
34	Drywall supplies	\$3,750.00	\$0.00	\$3,750.00	\$0.00
35	Drywall labor	\$5,800.00	\$0.00	\$5,800.00	\$0.00
36	Helical pier mat & labor	\$7,956.00	\$7,956.00	\$0.00	\$0.00
37	Acostical ceiling	\$4,200.00	\$0.00	\$4,200.00	\$0.00
38	Interior doors	\$2,800.00	\$0.00	\$2,800.00	\$0.00
39	Tile labor floor &walls	\$9,600.00	\$3,834.00	\$5,766.00	\$0.00
40	Base &molding	\$1,600.00	\$0.00	\$1,600.00	\$0.00
41	Crane service	\$1,600.00	\$1,600.00	\$0.00	\$0.00
42	Countertops	\$3,500.00	\$0.00	\$3,500.00	\$0.00
43	Dump and clean up fees/roll off	\$1,800.00	\$1,800.00	\$0.00	\$0.00
44	Site Prep	\$0.00	\$0.00	\$0.00	\$0.00
45	Foundtation	\$0.00	\$0.00	\$0.00	\$0.00
46	Glutters/dowspouts	\$0.00	\$0.00	\$0.00	\$0.00
47	garaje door	\$0.00	\$0.00	\$0.00	\$0.00
48	Bifolds	\$0.00	\$0.00	\$0.00	\$0.00
49	Insulation	\$0.00	\$0.00	\$0.00	\$0.00
50	Wnadows	\$0.00	\$0.00	\$0.00	\$0.00
51	Wnadows blins	\$0.00	\$0.00	\$0.00	\$0.00
52	Cabinets	\$0.00	\$0.00	\$0.00	\$0.00

Exhibit B/C: Project Costs Breakout

Alpaca Chasqui Peruvian Cuisine Restaurant - 17200 E Iliff Avenue, Unit A5, Aurora Colorado 80013					
Costruction Costs Breakout - 8-30-2024					
No.	Description Labor / Materials	Revised Budget Total	Tenant Contribution	Building Owner /Landlord Contribution	Potential Aurora Reimbursement to Building Owner Subject to 1/3-1/3-1/3 cap
53	Sink	\$0.00	\$0.00	\$0.00	\$0.00
54	Appliances and FF&E	\$33,666.00	\$33,666.00	\$0.00	\$0.00
55	Kitchen fixtures	\$0.00	\$0.00	\$0.00	\$0.00
56	Bathroom Floors	\$0.00	\$0.00	\$0.00	\$0.00
57	Bathroom counters	\$0.00	\$0.00	\$0.00	\$0.00
58	Bathroom cabines/vanities	\$0.00	\$0.00	\$0.00	\$0.00
59	Bathroom mirror / Fixtures	\$0.00	\$0.00	\$0.00	\$0.00
60	Interior floor tile	\$0.00	\$0.00	\$0.00	\$0.00
61	tile labor	\$0.00	\$0.00	\$0.00	\$0.00
62	carpet	\$0.00	\$0.00	\$0.00	\$0.00
63	Natural Jute Led Pendant light 32.29 each	\$139.49	\$139.49	\$0.00	\$0.00
64	Labor materials / tools	\$0.00	\$0.00	\$0.00	\$0.00
65	Mis/ perimer drain	\$0.00	\$0.00	\$0.00	\$0.00
66	Stone Veneer	\$4,400.00	\$0.00	\$4,400.00	\$0.00
67	Appliances Installation	\$2,000.00	\$2,000.00	\$0.00	\$0.00
68	Ventilation and Fire suppression	\$9,500.00	\$0.00	\$9,500.00	\$9,500.00
69	Contingency Reserve	\$0.00	\$0.00	\$0.00	\$0.00
70		\$0.00	\$0.00	\$0.00	\$0.00
71		\$0.00	\$0.00	\$0.00	\$0.00
72	GC 16% of the remaining construction Omar	\$41,223.01	\$14,885.97	\$26,337.04	\$0.00
	<b>Total</b>	<b>\$371,982.08</b>	<b>\$207,029.04</b>	<b>\$164,953.04</b>	<b>\$82,000.00</b>



## **EXHIBIT D: Compliance Provisions Incorporated In The Subrecipient Agreement**

1. An accounting system using the accrual basis of generally accepted accounting principles which accurately reflects all costs chargeable (paid and unpaid) to the Project is mandatory. A receipts and disbursements ledger must be maintained. A general ledger with an income and expense account for each budgeted line item is necessary. Paid invoices revealing check number, or electronic funds transfer confirmation, date paid, and item is necessary. Similarly, cash receipts for the payment of wages are mandatory. Paid invoices revealing check number, or electronic funds transfer confirmation, date paid, and evidence of goods or services received are to be filed per the expense account they were charged. The City must review and approve your account system and internal controls prior to the release of funds.

2. There is no flexibility regarding budgets. Line items may be changed only by the City's written concurrence of a budget amendment.

3. Eligible expenses are those considered reasonable and necessary costs for the efficient operation of the Project as determined by the City. All costs must be budgeted items. Request for advance or reimbursements of expenses must be accompanied by:

A. Original invoice marked with funding source

B. Detailed listing of each expense showing:

- 1) recipient
- 2) brief description of purchase
- 3) amount with method of computation detailed
- 4) how expense meets program goal per approved proposal

Cost Summary must be submitted monthly to reflect entries through the closing date for the books (indicate Closing Date on Cost Summary).

4. The City shall not be obligated to any third-party contractors of the Subrecipient. The subrecipient is further cautioned against obligating funds beyond the contract date of the agreement between the City and the Subrecipient.

5. The Subrecipient will furnish the City such statements, records, data, and information, and permit such interviews with personnel as the City may request to effectively monitor and evaluate the project.

6. City auditors will periodically make interim audits and may, upon completion of the Project, make a final audit.

7. All records must be retained by the Subrecipient for a period of three years following the last day of the Agreement. (Cost summary reports must reflect actual general ledger balances.)

## EXHIBIT E: CERTIFICATIONS

Subrecipient hereby certifies that the grant will be conducted and administered in compliance with:

(1) Title VII of the Civil Rights Act of 1964 (Pub. L. 88-352; 42 U.S.C. 2000d, et seq.) and implementing regulations issued at 24 CFR Part 1;

(2) Title VIII of the Civil Rights Act of 1968 (Pub. L. 90-284; 42 U.S.C. 3601, et seq.), as amended; and that the grantee will administer all programs and activities related to housing and community development in a manner to affirmatively further fair housing;

(3) Section 109 of the Housing and Community Development Act of 1974, as amended; and the regulations issued pursuant thereto;

(4) Section 3 of the Housing and Urban Development Act of 1968, as amended;

(5) Executive Order 11246, as amended by Executive Orders 11375 and 12086, and implementing regulations issued at 41 CFR Chapter 60;

(6) Executive Order 11063, as amended by Executive Orders 12259, and implementing regulations at 24 CFR Part 107;

(7) Section 504 of the Rehabilitation Act of 1973 (Pub. L. 93-112), as amended, and implementing regulations when published for effect;

(8) The Age Discrimination in Employment Act of 1975 (Pub. L. 94-135), as amended, and implementing regulations when published for effect;

(9) The Subrecipient, as applicable to a governmental or nongovernmental agency, shall comply with the requirements and standards of 2 CFR Chapter I, and Chapter II, Parts 200, 215, 220, 225 and 230, "Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards" aka "Super Circular"; and shall comply with applicable sections of 79 FR 75871 "Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments".

(10) Executive Order 11988 relating to the evaluation of flood hazards and Executive Order 11288 relating to the prevention, control and abatement of water pollution;

(11) The flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (Pub. L. 93-234);

(12) The applicable regulations, policies, guidelines and requirements of OMB Circular Nos. A-102, Revised, 24 CFR 85 and Subpart J of 24 CFR 570, A-87, A-110, A-122, A-128 and A-133 as they relate to the acceptance and use of federal funds under this federally assisted program;

(13) The Clean Air Act (42 U.S.C. 7401 et seq.) as amended; particularly section 176 (c) and

(d) [42 U.S.C. 7506 (c) and (d)];

(14) The Safe Drinking Water Act of 1974 (42 U.S.C. 201, 300 (f) et.seq., and 21 U.S.C. 349) as amended; particularly section 1424 (e) (42 U.S.C. 300 (h)-303 (e));

(15) The Endangered Species Act of 1973 (16 U.S.C. 1531 et. Seq.) as amended; including but not limited to section 7 (16 U.S.C. 1536) thereof;

(16) The Reservoir Salvage Act of 1960 (16 U.S.C. 469 et.seq.); particularly section 3 (16 U.S.C. 469a-1); as amended by the Archeological and Historical Preservation Act of 1974;

(17) Flood Disaster Protection Act of 1973 (42 U.S.C. 4001 et.seq.) as amended; particularly sections 102(a) and 202(a) [42 U.S.C. 4012a(a) and 4106(a)];

(18) Executive order 11990, Protection of Wetlands, May 24, 1977 (42 FR 26961 et. Seq.); particularly sections 2 and 5;

(19) Lead-Based Paint Poisoning Prevention requirements of 25 CFR Part 35 issued pursuant to the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. 4821 et.seq.);

(20) The National Historic Preservation Act of 1966 (16 U.S.C. 470 et seq.) as amended; particularly section 106 (16 U.S.C. 470f); and

(21) Executive Order 11593, Protection and Enhancement of the Cultural Environment, May 13, 1971 (36 FR 8921 et seq.); particularly section 2(c).

(22) Construction work financed in whole or in part with federal funds is subject to the prevailing wage requirements of the Davis-Bacon Act (29 CFR, Parts 3 and 5), the Copeland Act (29 CFR Part 3), and the Contract Work Hours and Safety Standards Act (Public Law 91-54, 83 Stat. 96). When a project meets this applicability requirement, the labor standards provision of the HUD 4010 and the DavisBacon Wage Decision issued for the project will be incorporated into this contract document and shall be incorporated into all construction contracts and subcontracts of any tier thereunder.

(23) No ARPA funds may be spent for lobbying purposes and payments from other sources for lobbying must be disclosed (24 CFR Part 87).

(a) No federally appropriated funds have been or will be paid, by or on behalf of subrecipient, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any federal contract, the making of any federal grant, the making of any federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any federal contract, grant, loan, or cooperative agreement.

(b) If any funds other than federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, 14 a Member of Congress, an officer or employee of Congress, or an employee of a Member of

Congress in connection with this federal contract, grant, loan, or cooperative agreement, it will complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.

(24) Where asbestos is present in property undergoing rehabilitation, Federal requirements apply regarding worker exposure, abatement procedures and disposal. (CPD-90-44 EPA/OSHA).



## **EXHIBIT F: INSURANCE REQUIREMENTS**

During the term of this Agreement and until final acceptance by the City of all work covered by the Agreement, Subrecipient performing services under this Agreement shall provide, pay for and maintain in full force and effect the types and minimum limits of insurance, as indicated below, covering the Subrecipient, their employees, subcontractors or representatives, along with: the activities of any and all subcontractors retained by the Subrecipient or Subcontractors, the activities of anyone employed by any Subrecipient, Subcontractors, their representatives or anyone for whose acts they may be liable.

**Commercial General Liability Insurance.** Subrecipient shall maintain commercial general liability insurance covering all operations by or on behalf of Subrecipient on a per occurrence basis against claims for personal injury (including bodily injury and death) and property damage (including loss of use). Coverage will include, if appropriate for the scope of services: Products and Completed Operations, Contractual Liability and a Waiver of Subrogation. The City, its elected and appointed officials, employees, agents and representatives shall be named as Additional Insureds by endorsement.

Minimum limits:

- \$1,000,000 each occurrence
- \$2,000,000 general aggregate
- \$2,000,000 products and completed operations.

**Commercial Automobile Liability Insurance.** Subrecipient shall maintain business automobile liability covering liability arising out of the operation of any vehicle (including owned, non-owned and hired vehicles) with minimum limits of \$1,000,000 combined single limit each accident, naming the City as an Additional Insured by endorsement.

**Workers' Compensation and Employers Liability Insurance.** Subrecipient shall maintain Worker's Compensation Insurance with limits in accordance with the provisions of the Workers' Compensation Act, as amended, by the State of Colorado. Additionally, Subrecipient shall maintain Employers Liability Insurance with minimum limits of \$500,000 bodily injury for each accident, \$100,000 bodily injury by disease each employee and \$500,000 bodily injury disease aggregate. If Subrecipient does not have employees, Subrecipient will provide a written statement indicating that it has no employees and is not subject to the provisions of Colorado Workers' Compensation Act.

If Subrecipient engages services of a subcontractor, Subrecipient is responsible for verifying that the subcontractor's insurance meets the insurance requirements set forth above and that it is in effect prior to and throughout performance of work under this agreement. Any subcontractor who ceases to provide insurance coverage as set forth above must be removed from the project until such time that insurance coverage can be verified as in full force and effect.

**Limits of Insurance.** The total limits of general and excess liability insurance set forth above may be provided to the City using a combination of primary and excess liability insurance.

**Additional Insured and Waiver of Subrogation.** Subrecipient shall name the City of Aurora, its elected and appointed officials, employees, agents and representatives as additional insureds by endorsement and provide a waiver of subrogation for the Commercial General Liability and Auto Liability insurance policies. The certificate of insurance will include these specific requirements along with a copy of the relevant endorsements.

**Certificates of Insurance.** Upon the execution of this Agreement, Subrecipient shall provide certificates of insurance to the City demonstrating that at the minimum coverages required herein are in effect. Subrecipient agrees that the required coverage will not be reduced, canceled, non-renewed or materially changed without Thirty (30) days prior written notice to the City. All certificates of insurance must be kept in force throughout the duration of the services. If any of Subrecipient's or its subcontractor's coverage is renewed at any time prior to completion of the services, Subrecipient shall be responsible for obtaining updated insurance certificates for itself and such subcontractor from the respective insurance carriers and forwarding the replacement certificates to the City within five (5) days of the expiration date of any previously delivered certificate.

The minimum A.M. Best rating of each primary insurer shall be A- VIII and the minimum A.M. Best rating of each excess insurer shall be A- VII. The Subrecipient shall provide copies of insurance policies to the City Risk Manager upon request.

Any of the minimum limits of insurance set out herein may be raised or lowered at the sole discretion of the Risk Manager for the City in response to the particular circumstances giving rise to the contract. **Subrecipient's policy will be primary and non-contributory with respect to any and all insurance policies purchased by the City.**

In the event that the contract involves professional or consulting services, in addition to the aforementioned insurance requirements, the contract shall also be protected by a Professional Liability Insurance policy as set forth below:

**Professional Liability Insurance.** Subrecipient shall maintain professional liability insurance with minimum limits of One Million Dollars (\$1,000,000), covering those claims which arise out of the negligent acts or omissions of the Subrecipient, its Subcontractor and any other parties for whom it may be liable including without limitation, bodily injury, personal injury, property damage and including a contractual liability endorsement specifically applicable to the insurable indemnity obligations set forth herein which Professional Liability Insurance shall be carried on a claims-made basis maintained in full force and effect for the term of this Agreement and, to the extent possible, for a minimum period of Three (3) years after the completion of any and all of Subrecipient's Services hereunder. Any retroactive date or prior acts exclusion to which such coverage is subject shall pre-date both the date upon which any services hereunder are commenced and the date of this Agreement. In the event that coverage is renewed during the original term of any subsequent term of this agreement, endorsement(s) for the new policy(ies) shall be delivered within ten (10) days of the expiration date of any previously delivered certificate.



# CITY OF AURORA

## Council Agenda Commentary

<b>Item Title:</b> FY25 Grey and Black Marijuana Grant Program (Resolution)
<b>Item Initiator:</b> Timothy Sherbondy, Grants Analyst II, Police
<b>Staff Source/Legal Source:</b> Timothy Sherbondy, Grants Analyst II, Police / Megan Platt, Assistant City Attorney
<b>Outside Speaker:</b> N/A
<b>Council Goal:</b> 2012: 1.0--Assure a safe community for people

### COUNCIL MEETING DATES:

**Study Session:** 10/28/2024

**Regular Meeting:** 11/4/2024

**2<sup>nd</sup> Regular Meeting (if applicable):** n/a

**Item requires a Public Hearing:**  Yes  No

### ITEM DETAILS *(Click in highlighted area below bullet point list to enter applicable information.)*

- Agenda long title
- Waiver of reconsideration requested, and if so, why
- Sponsor name
- Staff source name and title / Legal source name and title
- Outside speaker name and organization
- Estimated time (For Study Session items only, indicate combined time needed for presentation and discussion)

Timothy Sherbondy, Grants Analyst, Police / Megan Platt, Assistant City Attorney

### ACTIONS(S) PROPOSED *(Check all appropriate actions)*

- Approve Item and Move Forward to Study Session  Approve Item as Proposed at Study Session
- Approve Item and Move Forward to Regular Meeting  Approve Item as Proposed at Regular Meeting
- Information Only
- Approve Item with Waiver of Reconsideration  
*Reason for waiver is described in the Item Details field above.*

### PREVIOUS ACTIONS OR REVIEWS:

**Policy Committee Name:** N/A

**Policy Committee Date:** N/A

**Action Taken/Follow-up:** *(Check all that apply)*

Recommends Approval

Does Not Recommend Approval

Forwarded Without Recommendation

Minutes Not Available

Minutes Attached

---

**HISTORY** *(Dates reviewed by City council, Policy Committees, Boards and Commissions, or Staff. Summarize pertinent comments. ATTACH MINUTES OF COUNCIL MEETINGS, POLICY COMMITTEES AND BOARDS AND COMMISSIONS.)*

N/A

---

**ITEM SUMMARY** *(Brief description of item, discussion, key points, recommendations, etc.)*

This is a resolution to approve Police to submit a grant application to the Colorado Department of Local Affairs Grey and Black Marijuana Grant Program. This program is an 'opt-in' program where we submit the application and the granting agency will decide how much the award will be. The award will be used according to the grant agreement and for the investigation of illegal marijuana operations. Please attached resolution and memo from Mr. Batchelor to submit the application while in the Council approval process.

---

**FISCAL IMPACT**

Select all that apply. (If no fiscal impact, click that box and skip to "Questions for Council")

Revenue Impact

Budgeted Expenditure Impact

Non-Budgeted Expenditure Impact

Workload Impact

No Fiscal Impact

**REVENUE IMPACT**

*Provide the revenue impact or N/A if no impact. (What is the estimated impact on revenue? What funds would be impacted? Provide additional detail as necessary.)*

N/A

**BUDGETED EXPENDITURE IMPACT**

*Provide the budgeted expenditure impact or N/A if no impact. (List Org/Account # and fund. What is the amount of budget to be used? Does this shift existing budget away from existing programs/services? Provide additional detail as necessary.)*

N/A

**NON-BUDGETED EXPENDITURE IMPACT**

*Provide the non-budgeted expenditure impact or N/A if no impact. (Provide information on non-budgeted costs. Include Personal Services, Supplies and Services, Interfund Charges, and Capital needs. Provide additional detail as necessary.)*

N/A

**WORKLOAD IMPACT**

*Provide the workload impact or N/A if no impact. (Will more staff be needed or is the change absorbable? If new FTE(s) are needed, provide numbers and types of positions, and a duty summary. Provide additional detail as necessary.)*

N/A

---

**QUESTIONS FOR COUNCIL**

Does Council wish to approve the resolution to approve the submission of the grant application to help keep Aurora a safe community?

---

**LEGAL COMMENTS**

Pursuant to City Code Section 2-32, the corporate authority and all legislative authority of the City shall be vested in City Council as governing body of the City. The Council shall have power deemed necessary and proper to promote prosperity. (Platt)

RESOLUTION NO. R 2024- \_\_\_\_

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO, APPROVING THE CITY OF AURORA TO APPLY FOR THE 2025-2026 GRAY AND BLACK MARIJUANA GRANT APPLICATION THROUGH THE STATE OF COLORADO

WHEREAS, the Gray and Black Marijuana Enforcement Grant Program through the State of Colorado Division of Local Government provides financial assistance grants to local law enforcement agencies and district attorneys through the local government for the investigation and prosecution costs associated with unlicensed marijuana cultivation or distribution operations and;

WHEREAS, the Aurora Police Department is able use this grant funding if awarded for personnel or overtime expenses, contractual services, equipment, supplies, travel, pretrial services, medical expenses for marijuana exposure, or purchase of information and or evidence; and

WHEREAS, the grant application requires approval by the elected body for the applying agency for submission; and

WHEREAS, the City Manager has granted conditional approval for submission of the application pending approval of the City Council; and

WHEREAS, the City will benefit from receipt of any of the grant funding available through this process.

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

Section 1. The Application for the Gray and Black Market Marijuana Enforcement Grant Program is hereby approved.

Section 2. All resolutions or parts of resolutions of the City in conflict herewith are hereby rescinded.

RESOLVED AND PASSED this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

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

ATTEST:

---

KADEE RODRIGUEZ, City Clerk

APPROVED AS TO FORM:

*Megan Platt*<sup>JDB</sup>  

---

MEGAN PLATT, Assistant City Attorney



Business Services Division  
15001 E Alameda Pkwy  
Aurora, Colorado 80012  
303.739.6507

Worth Discovering • [auroragov.org](http://auroragov.org)

### MEMORANDUM

**Date:** September 20, 2024  
**To:** File for 2025 Gray and Black Marijuana Grant  
**Cc:** Timothy Sherbondy, Grant Analyst; John Schneebeck, Manager, Business Services Division; Todd Chamberlain, Chief of Police; Megan Platt, Assistant City Attorney  
**From:** Jason Batchelor, City Manager  
**Subject:** Approval to Apply for FY2024 Gray and Black Marijuana Grant Pending Council Approval

This letter serves as the conditional approval from the City of Aurora City Management to apply for the FY 2024-2025 Gray and Black Marijuana Grant through the State of Colorado: The Department of Local Affairs.

It is understood that the grant application and this letter will be reviewed and approved by City Council through the normal process of review by the Public Safety Committee, consideration in Council Study Session, and then voted on by the full City Council. I hereby approve Timothy Sherbondy to submit the application on behalf of the City of Aurora to receive funds for the purpose listed in the grant application while the City Council approval process is pending.

09.20.24

Jason Batchelor, City Manager





# CITY OF AURORA

## Council Agenda Commentary

<b>Item Title:</b> Realignment Efforts of Youth Violence Prevention Program (YVPP) (Resolution)
<b>Item Initiator:</b> Angela Lawson, Council Member
<b>Staff Source/Legal Source:</b> Angela L. Garcia, Senior Assistant City Attorney
<b>Outside Speaker:</b> None
<b>Council Goal:</b> 2012: 4.0--Create a superior quality of life for residents making the city a desirable place to live and work

### COUNCIL MEETING DATES:

**Study Session:** 10/28/2024

**Regular Meeting:** 11/4/2024

**2<sup>nd</sup> Regular Meeting (if applicable):** N/A

**Item requires a Public Hearing:**  Yes  No

### ITEM DETAILS *(Click in highlighted area below bullet point list to enter applicable information.)*

- Agenda long title
- Waiver of reconsideration requested, and if so, why
- Sponsor name
- Staff source name and title / Legal source name and title
- Outside speaker name and organization
- Estimated time (For Study Session items only, indicate combined time needed for presentation and discussion)

Sponsor: Mike Coffman, Mayor / Angela Lawson, Council Member  
Angela L. Garcia, Senior Assistant City Attorney  
Estimated time: 15 mins

### ACTIONS(S) PROPOSED *(Check all appropriate actions)*

- Approve Item and Move Forward to Study Session  Approve Item as Proposed at Study Session
- Approve Item and Move Forward to Regular Meeting  Approve Item as Proposed at Regular Meeting
- Information Only
- Approve Item with Waiver of Reconsideration  
*Reason for waiver is described in the Item Details field above.*

### PREVIOUS ACTIONS OR REVIEWS:

**Policy Committee Name:** Public Safety, Courts & Civil Service

**Policy Committee Date:** 10/10/2024

---

**Action Taken/Follow-up: (Check all that apply)**

- Recommends Approval  Does Not Recommend Approval  
 Forwarded Without Recommendation  Minutes Not Available  
 Minutes Attached

---

**HISTORY** *(Dates reviewed by City council, Policy Committees, Boards and Commissions, or Staff. Summarize pertinent comments. ATTACH MINUTES OF COUNCIL MEETINGS, POLICY COMMITTEES AND BOARDS AND COMMISSIONS.)*

On 10/10.2024, the PSCCS policy committee unanimously voted to move the item as presented forward to Study Session.

---

**ITEM SUMMARY** *(Brief description of item, discussion, key points, recommendations, etc.)*

Resolution regarding realignment efforts of YVPP Programming

---

**FISCAL IMPACT**

Select all that apply. (If no fiscal impact, click that box and skip to "Questions for Council")

- Revenue Impact  Budgeted Expenditure Impact  Non-Budgeted Expenditure Impact  
 Workload Impact  No Fiscal Impact

**REVENUE IMPACT**

*Provide the revenue impact or N/A if no impact. (What is the estimated impact on revenue? What funds would be impacted? Provide additional detail as necessary.)*

N/A

**BUDGETED EXPENDITURE IMPACT**

*Provide the budgeted expenditure impact or N/A if no impact. (List Org/Account # and fund. What is the amount of budget to be used? Does this shift existing budget away from existing programs/services? Provide additional detail as necessary.)*

N/A

**NON-BUDGETED EXPENDITURE IMPACT**

*Provide the non-budgeted expenditure impact or N/A if no impact. (Provide information on non-budgeted costs. Include Personal Services, Supplies and Services, Interfund Charges, and Capital needs. Provide additional detail as necessary.)*

N/A

**WORKLOAD IMPACT**

*Provide the workload impact or N/A if no impact. (Will more staff be needed or is the change absorbable? If new FTE(s) are needed, provide numbers and types of positions, and a duty summary. Provide additional detail as necessary.)*

N/A

---

**QUESTIONS FOR COUNCIL**

Does Council approve of moving this item forward to a regular City Council meeting?

---

**LEGAL COMMENTS**

City Council has the authority to provide for the safety, preserve the health, promote the prosperity, and improve the morals, order, comfort and convenience of the city and its inhabitants. (City Code, Sec. 2-32). Council shall act only by ordinance, resolution or motion. This is a resolution and requires a formal vote of the majority of City Council. (City Charter, Art. 5-1) (Garcia)

RESOLUTION NO. R2024-\_\_\_\_\_

A RESOLUTION BY THE CITY COUNCIL OF AURORA, COLORADO, TO STRATEGICALLY REALIGN EFFORTS IN ADDRESSING YOUTH VIOLENCE THROUGH CITY AND GOVERNMENTAL PARTNERS' YOUTH PROGRAMS.

WHEREAS, the City of Aurora recognizes that youth violence is a public health crisis that continues to inflict a devastating toll on Aurora's communities; and

WHEREAS, youth across the City of Aurora are committing acts of violence against one another and throughout their communities; and

WHEREAS, City Council acknowledges the existing City run programs such as Aurora SAVE (Standing Against Violence Every Day), the Aurora Police Department's School Resource Officer Program, and the Aurora Municipal Court's Teen Court Program, in their continuing efforts to help youth stay safe, reduce violence, and build a culture of respect and understanding; and

WHEREAS, City Council desires to focus its efforts in lifting youth out of the conditions resulting in youth violence through City run youth programming along with governmental partners such as Aurora Public School and Cherry Creek School Districts, and The Juvenile Assessment Center (JAC); and

WHEREAS, in order to demonstrate the effectiveness of youth programming, City Council encourages the use of evidence-based programs and practices to include data driven metrics and accountability since these types of programs generally have one or more rigorous outcome evaluations that demonstrate the effectiveness of the youth programming by measuring the relationship between the programs and their intended outcomes; and

WHEREAS, the City of Aurora is committed to tackling youth violence more strategically through existing City run youth programming and governmental partners' youth programming.

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

Section 1. The City Council approves of strategically realigning efforts in addressing youth violence through city and governmental partners' youth programs.

Section 2. The City Council directs the City Manager to take all action needed to accomplish Section 1 above.

Section 3. All resolutions or parts of resolutions of the City in conflict herewith are hereby rescinded.

RESOLVED AND PASSED this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

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

ATTEST:

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

APPROVED AS TO FORM:

*Angela L. Garcia* PS  
\_\_\_\_\_  
ANGELA L. GARCIA, Senior Assistant City Attorney



# CITY OF AURORA

## Council Agenda Commentary

<b>Item Title:</b> 2024 Fall Supplemental (Ordinance)
<b>Item Initiator:</b> Tyler Phillips, Budget Program Manager, Finance
<b>Staff Source/Legal Source:</b> Tyler Phillips, Budget Program Manager, Finance / Hanosky Hernandez, Senior Assistant City Attorney
<b>Outside Speaker:</b> None
<b>Council Goal:</b> 2012: 6.0--Provide a well-managed and financially strong City

### COUNCIL MEETING DATES:

**Study Session:** 10/28/2024

**Regular Meeting:** 11/4/2024

**2<sup>nd</sup> Regular Meeting (if applicable):** 11/18/2024

**Item requires a Public Hearing:**  Yes  No

### ITEM DETAILS *(Click in highlighted area below bullet point list to enter applicable information.)*

- Agenda long title
- Waiver of reconsideration requested, and if so, why
- Sponsor name
- Staff source name and title / Legal source name and title
- Outside speaker name and organization
- Estimated time (For Study Session items only, indicate combined time needed for presentation and discussion)

Tyler Phillips, Budget Program Manager, Finance / Hanosky Hernandez, Senior Assistant City Attorney  
Estimated time: 10 mins

### ACTIONS(S) PROPOSED *(Check all appropriate actions)*

- Approve Item and Move Forward to Study Session  Approve Item as Proposed at Study Session
- Approve Item and Move Forward to Regular Meeting  Approve Item as Proposed at Regular Meeting
- Information Only
- Approve Item with Waiver of Reconsideration  
*Reason for waiver is described in the Item Details field above.*

### PREVIOUS ACTIONS OR REVIEWS:

**Policy Committee Name:** N/A

**Policy Committee Date:** n/a

---

**Action Taken/Follow-up: (Check all that apply)**

- |  |  |
|--|--|
| <input type="checkbox"/> Recommends Approval                         | <input type="checkbox"/> Does Not Recommend Approval |
| <input checked="" type="checkbox"/> Forwarded Without Recommendation | <input type="checkbox"/> Minutes Not Available       |
| <input type="checkbox"/> Minutes Attached                            |  |

---

**HISTORY** *(Dates reviewed by City council, Policy Committees, Boards and Commissions, or Staff. Summarize pertinent comments. ATTACH MINUTES OF COUNCIL MEETINGS, POLICY COMMITTEES AND BOARDS AND COMMISSIONS.)*

This item was scheduled for review at the 10/22/2024 M & F Policy Committee, however the meeting was cancelled and the item was recommended by the committee chair to be moved forward to Study Session without committee review.

---

**ITEM SUMMARY** *(Brief description of item, discussion, key points, recommendations, etc.)*

One of the first steps of the annual budget process is to prepare an updated projection of current year requirements. During this process revenue adjustments, potential savings, as well as new and additional requirements are identified and serve as the basis for the majority of supplemental appropriation requests.

The 2024 Fall Supplemental Appropriation Request includes operating expenditures and capital projects that require appropriation adjustments for 2024 in the funds listed in Attachment A. Most of these requests were identified and included in the 2024 projection as part of the 2025 Proposed Budget document. Alternatively, several items that were identified and projected are not included in this fall process. Those items that are subject to change will be included in the 2025 Spring Supplemental as needed. As always, the goal is to have as many of the supplemental requests reviewed by Council either as part of the 2024 projection included in the 2025 Proposed Budget, or as items reviewed at a Council Committee meeting or City Council meeting.

A few of the items included in the Fall Supplemental requests were not projected. All of the items that were not projected are technical, to appropriate grant awards or designated revenue. Generally, technical items include budget lapses or reallocations, zero-dollar amendments with appropriation offset by revenue, and accounting or other adjustments. These items are indicated by including **"technical" in the title and may or may not have been** reviewed by Council. Council review details are included in the narrative for each supplemental request.

The attachments for this agenda item reflect summary and detail information regarding the requested appropriation changes for each fund and department. The details of these appropriation amendments are found in:

- Attachment A: 2024 Appropriation Summary by Fund; and
- Attachment B: 2024 Appropriation Detail by Fund.

The following discussion will identify and focus on significant changes included for this budget year, rather than the list in its entirety. Please see attachment B for details on each request.

#### 2024 Supplemental Amendment Requests

Appropriation requests in the Capital Projects Fund (CPF) total **\$28.0 million**, offset by \$23.0 million in outside funding. All items with an impact on the CPF fund balance were included in the 2024 projection and reviewed by Council as part of the 2025 budget process. Some items were not projected due to timing, but include revenue offsets and as such are not summarized here. Please see Attachment B for a complete list. Significant items with a net impact to fund balance include various projects in Public Works:

- The appropriation of **\$2.5 million** for several building repair projects, including Central Facilities Fleet, Fire Station 12, Aurora Regional Navigation Center, Library and Cultural Services building improvements, and fire fencing.
- The appropriation of **\$1.6 million** of road repair funds that were previously received from oil and gas operators for the inspection and repair of heavy equipment routes used to access oil and gas sites.

- The appropriation of **\$1.2 million** for a Council requested traffic calming project that will include two roundabouts approaching the curve at Ventura Street and Amherst Avenue and Yale Avenue and Rifle Street.

Supplemental items in other funds include:

- The lapse of **\$102.0 million** in the Water Fund for capital projects, with some projects being reappropriated in the 2025-2029 Capital Improvement Plan (CIP).
- The lapse of **\$16.0 million** in the Wastewater Fund for capital projects, with some projects being reappropriated in the 2025-2029 CIP.
- The appropriation of **\$1.9 million** in grant funding in the Gifts and Grants Fund from Adams County Open Space for the construction of the Westerly Creek Greenway Improvements Phase II project, which is being administered by the Parks, Recreation, and Open Space department.

## FISCAL IMPACT

Select all that apply. (If no fiscal impact, click that box and skip to "Questions for Council")

- Revenue Impact     
  Budgeted Expenditure Impact     
  Non-Budgeted Expenditure Impact  
 Workload Impact     
  No Fiscal Impact

### REVENUE IMPACT

*Provide the revenue impact or N/A if no impact. (What is the estimated impact on revenue? What funds would be impacted? Provide additional detail as necessary.)*

N/A

### BUDGETED EXPENDITURE IMPACT

*Provide the budgeted expenditure impact or N/A if no impact. (List Org/Account # and fund. What is the amount of budget to be used? Does this shift existing budget away from existing programs/services? Provide additional detail as necessary.)*

This supplemental budget request will make adjustments to the 2024 budget.

### NON-BUDGETED EXPENDITURE IMPACT

*Provide the non-budgeted expenditure impact or N/A if no impact. (Provide information on non-budgeted costs. Include Personal Services, Supplies and Services, Interfund Charges, and Capital needs. Provide additional detail as necessary.)*

N/A

### WORKLOAD IMPACT

*Provide the workload impact or N/A if no impact. (Will more staff be needed or is the change absorbable? If new FTE(s) are needed, provide numbers and types of positions, and a duty summary. Provide additional detail as necessary.)*

N/A

## QUESTIONS FOR COUNCIL

Does Council wish to send the supplemental ordinance forward to the Regular Council Meeting?



---

**LEGAL COMMENTS**

The City Council may make appropriations in addition to those contained in the budget upon recommendation of the City Manager, provided that the Finance Director certifies there are sufficient funds available to meet such appropriations. (*See, City Charter Art. 11-16*). (Hernandez)

---

**2024 Fall Amendment Ordinance  
Appropriation Summaries by Fund**

**2024 Amendment Summary  
Attachment A**

**Attachment A**  
**2024 Fall Amendment Ordinance**  
**Appropriation Summary by Fund and Department**  
**2024 Amendment Summary**

<b>Fund/Department</b>	<b>FTE Request</b>	<b>Net Total Appropriation</b>	<b>Revenue <sup>1</sup> Offset</b>	<b>Inc. / (Dec.) <sup>2</sup> in Fund Bal.</b>
<b>General Fund Total</b>	<b>0.00</b>	<b>(41,056)</b>		<b>41,056</b>
Non-Departmental	0.00	(41,056)		41,056
<b>Capital Projects Fund Total</b>	<b>0.00</b>	<b>27,976,635</b>	<b>22,951,635</b>	<b>(5,025,000)</b>
Non-Departmental	0.00	(300,000)		300,000
Public Works	0.00	28,276,635	22,951,635	(5,325,000)
<b>Community Development Fund Total</b>	<b>0.00</b>	<b>(176,348)</b>	<b>(176,348)</b>	
Housing and Community Services	0.00	(176,348)	(176,348)	
<b>Designated Revenues Fund Total</b>	<b>0.00</b>	<b>2,300</b>		<b>(2,300)</b>
Public Works	0.00	2,300		(2,300)
<b>Enhanced E-911 Fund Total</b>	<b>0.00</b>	<b>951,802</b>		<b>(951,802)</b>
Information Technology	0.00	951,802		(951,802)
<b>Gifts &amp; Grants Fund Total</b>	<b>0.00</b>	<b>2,085,000</b>	<b>2,085,000</b>	
Parks, Recreation & Open Space	0.00	2,085,000	2,085,000	
<b>Parks Development Fund Total</b>	<b>0.00</b>	<b>249,830</b>		<b>(249,830)</b>
Parks, Recreation & Open Space	0.00	249,830		(249,830)
<b>Wastewater Fund Total</b>	<b>0.00</b>	<b>(16,000,000)</b>		<b>16,000,000</b>
Aurora Water	0.00	(16,000,000)		16,000,000
<b>Water Fund Total</b>	<b>0.00</b>	<b>(102,000,000)</b>		<b>102,000,000</b>
Aurora Water	0.00	(102,000,000)		102,000,000
<b>Total</b>	<b>0.00</b>	<b>(\$86,951,837)</b>	<b>\$24,860,287</b>	<b>\$111,812,124</b>

1 The revenue offset includes new revenue and revenue from transfers.

2 Inc./Dec in Fund Balance = New Revenue minus Net Appropriation.

**2024 Fall Amendment Ordinance  
Appropriation Detail by Fund**

**2024 Amendment Detail  
Attachment B**

**Attachment B**  
**2024 Fall Amendment Ordinance**  
**2024 Appropriation Amendment Requests**

**Department \ Description - Reason for Appropriation**

**Aurora Water**

**Technical: Wastewater Fund Lapses**

<b>Fund Impact</b>	<b>FTE</b>	<b>Operating Approp.</b>	<b>CIP Approp.</b>	<b>Approp. Total</b>	<b>Revenue Offset</b>	<b>Inc. / (Dec.) in Fund Bal.</b>
Wastewater Fund	0.00	0	(16,000,000)	(16,000,000)	0	16,000,000
<b>Total Appropriation Impact</b>	<b>0.00</b>	<b>\$0</b>	<b>(\$16,000,000)</b>	<b>(\$16,000,000)</b>	<b>\$0</b>	<b>\$16,000,000</b>

This supplemental will reduce (lapse) appropriation in the amount of \$16.0 million in the Wastewater Fund for capital projects as included in the 2024 projection as part of the 2025 Proposed Budget. Final amounts do vary slightly.

Completed or on hold projects:

- \* Southeast Area Maintenance Facility - Sewer (\$349,025) (Completed)
- \* Southeast Area Maintenance Facility - Storm (\$1,132,183) (Completed)
- \* Buckley AFB Stream Improvement (\$1,080,000) (On Hold)

Projects with lapsed funds in 2024 and re-appropriation in the 2025-2029 Capital Improvement Plan (CIP) phased funding:

- \* Crossing Structure Projects (\$410,000)
- \* Developer Reimbursement - Storm (\$1,000,000)
- \* SCADA Improvements - Sewer (\$2,216,487)
- \* Westerly Creek Future Phases (\$495,000)
- \* Structures Demolition - Sewer (\$1,813,728)
- \* Miscellaneous Stream Restoration - Storm (\$1,610,529)
- \* Peninsula Townhomes (\$875,000)
- \* Easterly Creek Outfall Improvements (\$496,633)
- \* Wastewater Utility Plan Update (\$600,990)
- \* Concrete Channel Rehabilitation (\$700,000)
- \* Detention Ponds-Improvements (\$1,540,000)
- \* Sand Creek Water Reuse Plant (\$1,280,425)

**Total Appropriation Impact (Does not include offset impact)**

<b>Department</b>	<b>Fund</b>	<b>Capital</b>	<b>Operating</b>	<b>Type</b>
Aurora Water	Wastewater Fund	(\$16,000,000)	\$0	Lapse of Appropriation

## Attachment B

### 2024 Fall Amendment Ordinance

### 2024 Appropriation Amendment Requests

#### Department \ Description - Reason for Appropriation

#### Aurora Water

##### Technical: Water Fund Lapses

Fund Impact	FTE	Operating Approp.	CIP Approp.	Approp. Total	Revenue Offset	Inc. / (Dec.) in Fund Bal.
Water Fund	0.00	0	(102,000,000)	(102,000,000)	0	102,000,000
<b>Total Appropriation Impact</b>	<b>0.00</b>	<b>\$0</b>	<b>(\$102,000,000)</b>	<b>(\$102,000,000)</b>	<b>\$0</b>	<b>\$102,000,000</b>

This supplemental will reduce (lapse) appropriation in the amount of \$102.0 million in the Water Fund for capital projects as included in the 2024 projection as part of the 2025 Proposed Budget. Final amounts do vary slightly.

##### Completed projects:

- \* Southeast Area Maintenance Facility - Water (\$955,300)

##### Projects with lapsed funds in 2024 and re-appropriated in the 2025-2029 Capital Improvement Plan (CIP) phased funding:

- \* Prairie Water North Campus Expansion (\$3,675,000)
- \* Pump Station Improvements (\$14,585,000)
- \* Developer Reimbursements-Transmission & Distribution (\$750,000)
- \* Wemlinger Source Improvements (\$1,064,298)
- \* Energy Projects (\$2,749,049)
- \* Rampart Water Delivery System (\$2,230,629) (Project delayed one year)
- \* SCADA Improvements (\$820,000)
- \* Water Delivery Infrastructure (\$1,925,801) (Construction delayed until 2026)
- \* Box Creek Reservoir (\$100,000) (Project delayed until 2029)
- \* LSP Storage/Walker (\$4,900,000)
- \* Kirby-Dersham/Challenger (\$2,100,000)
- \* LSP Storage/Everist (\$3,292,265)
- \* Wild Horse Reservoir (\$7,900,000) (Timeline delayed due to project still in permitting phase)
- \* New T&D Water Mains (\$3,292,265)
- \* Vault/Valve Rehabilitation (\$500,000)
- \* Wemlinger WPF Improvements (\$10,803,095)
- \* North Campus Well Rehabilitation (\$1,736,345)
- \* Binney WPF Improvements (\$11,805,783)
- \* Wetlands (\$575,000)
- \* Griswold WPF Improvements (\$6,055,416)
- \* Homestake/Eagle River Project (\$560,000)

**Attachment B**  
**2024 Fall Amendment Ordinance**  
**2024 Appropriation Amendment Requests**

**Department \ Description - Reason for Appropriation**

**Aurora Water**

- \* Kings Pointe Pump Station Zone 7 (\$8,000,000)
- \* Water Line Replacement (\$6,790,000)
- \* Raw Water Rehabilitation (\$776,204)
- \* Prairie Water System Raw Water Pump Station Expansion (\$3,400,000)

**Total Appropriation Impact (Does not include offset impact)**

Department	Fund	Capital	Operating	Type
Aurora Water	Water Fund	(\$102,000,000)	\$0	Lapse of Appropriation

**Attachment B**  
**2024 Fall Amendment Ordinance**  
**2024 Appropriation Amendment Requests**

**Department \ Description - Reason for Appropriation**

**Housing and Community Services**

**Technical: 2024 Community Development Block Grant Award Reconciliation**

Fund Impact	FTE	Operating Approp.	CIP Approp.	Approp. Total	Revenue Offset	Inc. / (Dec.) in Fund Bal.
Community Development Fund	0.00	47,177	0	47,177	47,177	0
<b>Total Appropriation Impact</b>	<b>0.00</b>	<b>\$47,177</b>	<b>\$0</b>	<b>\$47,177</b>	<b>\$47,177</b>	<b>\$0</b>

This technical adjustment will align the budget for the Community Development Block Grant (CDBG) to the 2024 actual award amount. The final 2024 CDBG award received from the U.S. Department of Housing and Urban Development (HUD) was 1.8 percent, or \$47,200 higher than anticipated.

This supplemental was included in the 2024 projection as part of the 2025 Proposed Budget.

**Total Appropriation Impact (Does not include offset impact)**

Department	Fund	Capital	Operating	Type
Housing and Community Services	Community Development Fund	\$0	\$47,177	New Appropriation

**Technical: 2024 Home Investment Partnership Grant Award Reconciliation**

Fund Impact	FTE	Operating Approp.	CIP Approp.	Approp. Total	Revenue Offset	Inc. / (Dec.) in Fund Bal.
Community Development Fund	0.00	(182,469)	0	(182,469)	(182,469)	0
<b>Total Appropriation Impact</b>	<b>0.00</b>	<b>(\$182,469)</b>	<b>\$0</b>	<b>(\$182,469)</b>	<b>(\$182,469)</b>	<b>\$0</b>

This technical adjustment will align the budget for the Home Investment Partnership (HOME) grant to the 2024 actual award. The final 2024 HOME award received from the U.S. Department of Housing and Urban Development (HUD) was 14.7 percent, or \$182,500 lower than anticipated.

This supplemental was included in the 2024 projection as part of the 2025 Proposed Budget.

**Total Appropriation Impact (Does not include offset impact)**

Department	Fund	Capital	Operating	Type
Housing and Community Services	Community Development Fund	\$0	(\$182,469)	Lapse of Appropriation



**Attachment B**  
**2024 Fall Amendment Ordinance**  
**2024 Appropriation Amendment Requests**

**Department \ Description - Reason for Appropriation**

Housing and Community Services

**Technical: Decrease HOME Match for Community Development  
Funds Based on Final 2024 Grant Amount**

Fund Impact	FTE	Operating Approp.	CIP Approp.	Approp. Total	Revenue Offset	Inc. / (Dec.) in Fund Bal.
Community Development Fund	0.00	(41,056)	0	(41,056)	(41,056)	0
General Fund	0.00	(41,056)	0	(41,056)	0	41,056
<b>Total Appropriation Impact</b>	<b>0.00</b>	<b>(\$82,112)</b>	<b>\$0</b>	<b>(\$82,112)</b>	<b>(\$41,056)</b>	<b>\$41,056</b>

This technical adjustment will align the General Fund Home Investment Partnership (HOME) grant match to the 2024 actual award amount. The city is required to provide a match to the HOME grant equal to 22.5 percent of the annual award. The final 2024 HOME award received from the U.S. Department of Housing and Urban Development (HUD) was 14.7 percent, or \$182,500, less than anticipated, decreasing the required General Fund match by \$41,100.

This supplemental was included in the 2024 projection as part of the 2025 Proposed Budget.

**Total Appropriation Impact (Does not include offset impact)**

Department	Fund	Capital	Operating	Type
Housing and Community Services	Community Development Fund	\$0	(\$41,056)	Lapse of Appropriation
Non-Departmental	General Fund	\$0	(\$41,056)	Operating Transfer Out

**Attachment B**  
**2024 Fall Amendment Ordinance**  
**2024 Appropriation Amendment Requests**

**Department \ Description - Reason for Appropriation**

Information Technology

**APD Mobile Data Computer (MDC) Replacement Program**

Fund Impact	FTE	Operating Approp.	CIP Approp.	Approp. Total	Revenue Offset	Inc. / (Dec.) in Fund Bal.
Enhanced E-911 Fund	0.00	0	451,802	451,802	0	(451,802)
<b>Total Appropriation Impact</b>	<b>0.00</b>	<b>\$0</b>	<b>\$451,802</b>	<b>\$451,802</b>	<b>\$0</b>	<b>(\$451,802)</b>

This supplemental will appropriate additional funds to complete the installation of new mounts, docks, and antennas for mobile data computers in Police vehicles. The vendor changed the design of the replacement computers, which resulted in the need for new in-vehicle equipment to mount the computers.

This supplemental was included in the 2024 projection as part of the 2025 Proposed Budget.

**Total Appropriation Impact (Does not include offset impact)**

Department	Fund	Capital	Operating	Type
Information Technology	Enhanced E-911 Fund	\$451,802	\$0	New Appropriation

**Southeast Area Radio Tower Construction**

Fund Impact	FTE	Operating Approp.	CIP Approp.	Approp. Total	Revenue Offset	Inc. / (Dec.) in Fund Bal.
Enhanced E-911 Fund	0.00	0	500,000	500,000	0	(500,000)
<b>Total Appropriation Impact</b>	<b>0.00</b>	<b>\$0</b>	<b>\$500,000</b>	<b>\$500,000</b>	<b>\$0</b>	<b>(\$500,000)</b>

This supplemental will appropriate additional funds to complete the construction of a new radio tower in Southeast Aurora. As the city continues to grow, this tower is required to ensure adequate radio coverage for public safety response. The Information Technology (IT) Department is partnering with Aurora Water to build the tower. In June 2024, the project went to bid for construction. The design consultants have estimated an increase in costs for the IT portion of the tower resulting in the 2024 request for additional funding.

This supplemental was included in the 2024 projection as part of the 2025 Proposed Budget.

**Total Appropriation Impact (Does not include offset impact)**

Department	Fund	Capital	Operating	Type
Information Technology	Enhanced E-911 Fund	\$500,000	\$0	New Appropriation

**Attachment B**  
**2024 Fall Amendment Ordinance**  
**2024 Appropriation Amendment Requests**

**Department \ Description - Reason for Appropriation**

**Non-Departmental**

**Highway 30 Landfill Remediation**

<b>Fund Impact</b>	<b>FTE</b>	<b>Operating Approp.</b>	<b>CIP Approp.</b>	<b>Approp. Total</b>	<b>Revenue Offset</b>	<b>Inc. / (Dec.) in Fund Bal.</b>
Capital Projects Fund	0.00	0	200,000	200,000	0	(200,000)
<b>Total Appropriation Impact</b>	<b>0.00</b>	<b>\$0</b>	<b>\$200,000</b>	<b>\$200,000</b>	<b>\$0</b>	<b>(\$200,000)</b>

For 2024, another \$200,000 is needed to cover additional sampling work. This includes their normal work of various state-required sampling (~\$150k), plus completion of the Assessment of Corrective Measures Report (ACMR) (~\$250k). This is required work and the ACMR is due to the Colorado Department of Public Health and Environment (CDPHE).

This supplemental was included in the 2024 projection as part of the 2025 Proposed Budget.

**Total Appropriation Impact (Does not include offset impact)**

<b>Department</b>	<b>Fund</b>	<b>Capital</b>	<b>Operating</b>	<b>Type</b>
Non-Departmental	Capital Projects Fund	\$200,000	\$0	New Appropriation

**Transportation Maintenance COP Payment Reduction**

<b>Fund Impact</b>	<b>FTE</b>	<b>Operating Approp.</b>	<b>CIP Approp.</b>	<b>Approp. Total</b>	<b>Revenue Offset</b>	<b>Inc. / (Dec.) in Fund Bal.</b>
Capital Projects Fund	0.00	0	(500,000)	(500,000)	0	500,000
<b>Total Appropriation Impact</b>	<b>0.00</b>	<b>\$0</b>	<b>(\$500,000)</b>	<b>(\$500,000)</b>	<b>\$0</b>	<b>\$500,000</b>

In the 2024 budget, \$3.0 million was set aside annually for the certificate of participation (COP) payment. The actual annual cost for 2024 is close to \$2.5 million.

This supplemental was included in the 2024 projection as part of the 2025 Proposed Budget.

**Total Appropriation Impact (Does not include offset impact)**

<b>Department</b>	<b>Fund</b>	<b>Capital</b>	<b>Operating</b>	<b>Type</b>
Non-Departmental	Capital Projects Fund	(\$500,000)	\$0	Lapse of Appropriation

**Attachment B**  
**2024 Fall Amendment Ordinance**  
**2024 Appropriation Amendment Requests**

**Department \ Description - Reason for Appropriation**

**Parks, Recreation & Open Space**

**Refund of Park Development Fees**

Fund Impact	FTE	Operating Approp.	CIP Approp.	Approp. Total	Revenue Offset	Inc. / (Dec.) in Fund Bal.
Parks Development Fund	0.00	249,830	0	249,830	0	(249,830)
<b>Total Appropriation Impact</b>	<b>0.00</b>	<b>\$249,830</b>	<b>\$0</b>	<b>\$249,830</b>	<b>\$0</b>	<b>(\$249,830)</b>

This supplemental will appropriate \$249,800 in one-time funds to refund the park development fees that were paid by the developer of the apartment building on Peoria and Colfax. This was refunded due to the total loss of the structure when the building burned down. This was included in the 2024 projection as part of the 2025 Proposed Budget.

**Total Appropriation Impact (Does not include offset impact)**

Department	Fund	Capital	Operating	Type
Parks, Recreation & Open Space	Parks Development Fund	\$0	\$249,830	New Appropriation

**Technical: Appropriate Grant Funding - Westerly Creek Greenway Improvements Phase II**

Fund Impact	FTE	Operating Approp.	CIP Approp.	Approp. Total	Revenue Offset	Inc. / (Dec.) in Fund Bal.
Gifts & Grants Fund	0.00	0	1,860,000	1,860,000	1,860,000	0
<b>Total Appropriation Impact</b>	<b>0.00</b>	<b>\$0</b>	<b>\$1,860,000</b>	<b>\$1,860,000</b>	<b>\$1,860,000</b>	<b>\$0</b>

This technical supplemental will appropriate grant funding from Adams County Open Space. This grant will help with construction funding, to include a channel realignment that will create more usable recreation space, a new trail system that will provide trail connectivity on the Aurora side of Westerly Creek, and a passive recreation area for the community with multi-use fields for community gathering, events, and pick-up games. Phase II will give residents access to multiple parks, trail corridors, recreation opportunities, businesses, and residential areas.

This supplemental was not included in the 2024 projection as part of the 2025 Proposed Budget due to the timing of the receipt of the grant.

**Total Appropriation Impact (Does not include offset impact)**

Department	Fund	Capital	Operating	Type
Parks, Recreation & Open Space	Gifts & Grants Fund	\$1,860,000	\$0	New Appropriation

**Attachment B**  
**2024 Fall Amendment Ordinance**  
**2024 Appropriation Amendment Requests**

**Department \ Description - Reason for Appropriation**

**Parks, Recreation & Open Space**

**Technical: Appropriate Grant Funding From The Governor's  
Emergency Education Relief Grant**

<b>Fund Impact</b>	<b>FTE</b>	<b>Operating Approp.</b>	<b>CIP Approp.</b>	<b>Approp. Total</b>	<b>Revenue Offset</b>	<b>Inc. / (Dec.) in Fund Bal.</b>
Gifts & Grants Fund	0.00	225,000	0	225,000	225,000	0
<b>Total Appropriation Impact</b>	<b>0.00</b>	<b>\$225,000</b>	<b>\$0</b>	<b>\$225,000</b>	<b>\$225,000</b>	<b>\$0</b>

This technical supplemental will appropriate funds received in 2024 from the Colorado Governor's Emergency Education Relief (GEER) Grant. This funding was awarded through the Colorado RISE Education Fund which is a State pass-through grant tied to Federal American Rescue Plan Act (ARPA) funding.

The purpose of this grant is to provide resources to address the ongoing economic, academic, and health-related challenges faced by school districts, charter schools, and public institutions/education agencies as a result of the COVID-19 pandemic in a manner that creates lasting innovations, improved student learning, and enhanced operational efficiency for students and youth in Aurora. The grant funds were distributed to four licensed youth service programs led by The Office of Youth Services (OYS): Preschool Programs, Summer Camps, We Are Aurora Youth, and COMPASS.

This supplemental was not included in the 2024 projection as part of the 2025 Proposed Budget due to the timing of the receipt of the grant.

**Total Appropriation Impact (Does not include offset impact)**

<b>Department</b>	<b>Fund</b>	<b>Capital</b>	<b>Operating</b>	<b>Type</b>
Parks, Recreation & Open Space	Gifts & Grants Fund	\$0	\$225,000	New Appropriation

**Attachment B**  
**2024 Fall Amendment Ordinance**  
**2024 Appropriation Amendment Requests**

**Department \ Description - Reason for Appropriation**

**Public Works**

**Technical: Appropriate Building Repair Funds**

Fund Impact	FTE	Operating Approp.	CIP Approp.	Approp. Total	Revenue Offset	Inc. / (Dec.) in Fund Bal.
Capital Projects Fund	0.00	0	2,527,875	2,527,875	2,875	(2,525,000)
<b>Total Appropriation Impact</b>	<b>0.00</b>	<b>\$0</b>	<b>\$2,527,875</b>	<b>\$2,527,875</b>	<b>\$2,875</b>	<b>(\$2,525,000)</b>

This supplemental will appropriate additional funds available in the Capital Projects Fund for several Building Repair Projects including Central Facilities Fleet; Fire Station 12; Aurora Regional Navigation Center; Library and Cultural Services Building Improvements; and Fire Fencing. This supplemental will also appropriate insurance recovery funds received for damage to a city owned fence. These adjustments were included in the 2024 projection as part of the 2025 Proposed Budget.

**Total Appropriation Impact (Does not include offset impact)**

Department	Fund	Capital	Operating	Type
Public Works	Capital Projects Fund	\$2,527,875	\$0	New Appropriation

**Technical: Appropriate Developer Contributions for Majestic Project**

Fund Impact	FTE	Operating Approp.	CIP Approp.	Approp. Total	Revenue Offset	Inc. / (Dec.) in Fund Bal.
Capital Projects Fund	0.00	0	5,215,000	5,215,000	5,215,000	0
<b>Total Appropriation Impact</b>	<b>0.00</b>	<b>\$0</b>	<b>\$5,215,000</b>	<b>\$5,215,000</b>	<b>\$5,215,000</b>	<b>\$0</b>

This supplemental will appropriate \$5.2 million in developer reimbursement for the early construction of East 38th Avenue from Himalaya Road to Odessa. This supplemental was included in the 2024 projection as part of the 2025 Proposed Budget.

**Total Appropriation Impact (Does not include offset impact)**

Department	Fund	Capital	Operating	Type
Public Works	Capital Projects Fund	\$5,215,000	\$0	New Appropriation

**Attachment B**  
**2024 Fall Amendment Ordinance**  
**2024 Appropriation Amendment Requests**

**Department \ Description - Reason for Appropriation**

**Public Works**

**Technical: Appropriate Grant Funding - 13th Avenue Multimodal TIP**

Fund Impact	FTE	Operating Approp.	CIP Approp.	Approp. Total	Revenue Offset	Inc. / (Dec.) in Fund Bal.
Capital Projects Fund	0.00	0	900,000	900,000	900,000	0
<b>Total Appropriation Impact</b>	<b>0.00</b>	<b>\$0</b>	<b>\$900,000</b>	<b>\$900,000</b>	<b>\$900,000</b>	<b>\$0</b>

This technical supplemental will appropriate \$900,000 in federal funding for design of multimodal improvements along 13th Avenue from Yosemite to the High Line Canal Trail crossing. Local match funds were previously appropriated. This supplemental was included in the 2024 projection as part of the 2025 Proposed Budget, although the amount is lower as the city match was moved into the project via a budget transfer.

**Total Appropriation Impact (Does not include offset impact)**

Department	Fund	Capital	Operating	Type
Public Works	Capital Projects Fund	\$900,000	\$0	New Appropriation

**Technical: Appropriate Grant Funding - Alameda I-225 Bridge Design TIP**

Fund Impact	FTE	Operating Approp.	CIP Approp.	Approp. Total	Revenue Offset	Inc. / (Dec.) in Fund Bal.
Capital Projects Fund	0.00	0	2,400,000	2,400,000	2,400,000	0
<b>Total Appropriation Impact</b>	<b>0.00</b>	<b>\$0</b>	<b>\$2,400,000</b>	<b>\$2,400,000</b>	<b>\$2,400,000</b>	<b>\$0</b>

This technical supplemental will appropriate \$1.8 million in federal and \$600,000 in state grant funding for the Alameda over I-225 Bridge project to advance the concept design for an enhanced bridge replacement and conduct National Environmental Policy Act (NEPA) preparations to be competitive for future federal funding. Local match funds were previously appropriated. This supplemental was included in the 2024 projection as part of the 2025 Proposed Budget, although the amount is lower as the city match was moved into the project via a budget transfer.

**Total Appropriation Impact (Does not include offset impact)**

Department	Fund	Capital	Operating	Type
Public Works	Capital Projects Fund	\$2,400,000	\$0	New Appropriation



**Attachment B**  
**2024 Fall Amendment Ordinance**  
**2024 Appropriation Amendment Requests**

**Department \ Description - Reason for Appropriation**

**Public Works**

**Technical: Appropriate Grant Funding - Gun Club Multimodal TIP**

Fund Impact	FTE	Operating Approp.	CIP Approp.	Approp. Total	Revenue Offset	Inc. / (Dec.) in Fund Bal.
Capital Projects Fund	0.00	0	2,000,000	2,000,000	2,000,000	0
<b>Total Appropriation Impact</b>	<b>0.00</b>	<b>\$0</b>	<b>\$2,000,000</b>	<b>\$2,000,000</b>	<b>\$2,000,000</b>	<b>\$0</b>

This technical supplemental will appropriate \$1.5 million in federal funding and \$500,000 in county funds for the Gun Club Multimodal project, which will fund 100 percent design of multimodal improvements along Gun Club between Quincy Avenue and Aurora Parkway. Local match funds were previously appropriated. This supplemental was included in the 2024 projection as part of the 2025 Proposed Budget, although the amount is lower as the city match was moved into the project via a budget transfer.

**Total Appropriation Impact (Does not include offset impact)**

Department	Fund	Capital	Operating	Type
Public Works	Capital Projects Fund	\$2,000,000	\$0	New Appropriation

**Technical: Appropriate Grant Funding - Laredo Bridge Over Highline TIP**

Fund Impact	FTE	Operating Approp.	CIP Approp.	Approp. Total	Revenue Offset	Inc. / (Dec.) in Fund Bal.
Capital Projects Fund	0.00	0	1,778,960	1,778,960	1,778,960	0
<b>Total Appropriation Impact</b>	<b>0.00</b>	<b>\$0</b>	<b>\$1,778,960</b>	<b>\$1,778,960</b>	<b>\$1,778,960</b>	<b>\$0</b>

This technical supplemental will appropriate \$1.8 million in federal funding and transfer \$444,700 in matching funds for the Laredo Bridge Over Highline project, which will replace the bridge on Laredo Street over the High Line Canal. The transfer of matching funds was included as part of the 2024 projection shown in the 2025 Proposed Budget; however, the appropriation of federal funding was not included in the projection. The IGA for the federal funding portion was approved at the December 18, 2023 Regular City Council Meeting.

**Total Appropriation Impact (Does not include offset impact)**

Department	Fund	Capital	Operating	Type
Public Works	Capital Projects Fund	(\$444,740)	\$0	Lapse of Appropriation
Public Works	Capital Projects Fund	\$2,223,700	\$0	New Appropriation

**Attachment B**  
**2024 Fall Amendment Ordinance**  
**2024 Appropriation Amendment Requests**

**Department \ Description - Reason for Appropriation**

**Public Works**

**Technical: Appropriate Grant Funding - Lighting Upgrades**

Fund Impact	FTE	Operating Approp.	CIP Approp.	Approp. Total	Revenue Offset	Inc. / (Dec.) in Fund Bal.
Capital Projects Fund	0.00	0	360,800	360,800	360,800	0
<b>Total Appropriation Impact</b>	<b>0.00</b>	<b>\$0</b>	<b>\$360,800</b>	<b>\$360,800</b>	<b>\$360,800</b>	<b>\$0</b>

This technical supplemental will appropriate \$360,800 in Energy Efficiency Community Development Block Grant (EECDBG) funding for energy efficient lighting upgrades at City Hall. There is no match required for the grant although the city anticipates using previously appropriated funds for installation and related costs. The need for this supplemental was not included in the 2024 projection as part of the 2025 Proposed Budget.

**Total Appropriation Impact (Does not include offset impact)**

Department	Fund	Capital	Operating	Type
Public Works	Capital Projects Fund	\$360,800	\$0	New Appropriation

**Technical: Appropriate Grant Funding - MLK Library Remodel**

Fund Impact	FTE	Operating Approp.	CIP Approp.	Approp. Total	Revenue Offset	Inc. / (Dec.) in Fund Bal.
Capital Projects Fund	0.00	0	2,500,000	2,500,000	2,500,000	0
<b>Total Appropriation Impact</b>	<b>0.00</b>	<b>\$0</b>	<b>\$2,500,000</b>	<b>\$2,500,000</b>	<b>\$2,500,000</b>	<b>\$0</b>

This technical supplemental will appropriate a \$2.5 million Community Project Funding grant for construction of programming improvements on the second floor of Martin Luther King, Jr Library. This project will provide a makerspace, computer lab, and adult library area on the second floor of the building in space previously used for city offices. Construction will begin in early 2025. This supplemental was not included in the 2024 projection as part of the 2025 Proposed Budget as the executed grant agreement had not yet been received.

**Total Appropriation Impact (Does not include offset impact)**

Department	Fund	Capital	Operating	Type
Public Works	Capital Projects Fund	\$2,500,000	\$0	New Appropriation

**Attachment B**  
**2024 Fall Amendment Ordinance**  
**2024 Appropriation Amendment Requests**

**Department \ Description - Reason for Appropriation**

**Public Works**

**Technical: Appropriate Grant Funding - Parker Quincy Smoky Hill TIP**

Fund Impact	FTE	Operating Approp.	CIP Approp.	Approp. Total	Revenue Offset	Inc. / (Dec.) in Fund Bal.
Capital Projects Fund	0.00	0	5,994,000	5,994,000	5,994,000	0
<b>Total Appropriation Impact</b>	<b>0.00</b>	<b>\$0</b>	<b>\$5,994,000</b>	<b>\$5,994,000</b>	<b>\$5,994,000</b>	<b>\$0</b>

This technical supplemental will appropriate \$6.0 million in federal funding and transfer \$3.2 million in matching funds for the Parker, Quincy, Smoky Hill TIP project. The project includes multimodal improvements within and around the intersection of Parker Road and Quincy Avenue through the Quincy Avenue and Smoky Hill Road intersection and surrounding areas. This supplemental was included in the 2024 projection as part of the 2025 Proposed Budget.

**Total Appropriation Impact (Does not include offset impact)**

Department	Fund	Capital	Operating	Type
Public Works	Capital Projects Fund	(\$3,177,000)	\$0	Lapse of Appropriation
Public Works	Capital Projects Fund	\$9,171,000	\$0	New Appropriation

**Technical: Appropriate Grant Funding - Peoria Bridge Design TIP**

Fund Impact	FTE	Operating Approp.	CIP Approp.	Approp. Total	Revenue Offset	Inc. / (Dec.) in Fund Bal.
Capital Projects Fund	0.00	0	1,800,000	1,800,000	1,800,000	0
<b>Total Appropriation Impact</b>	<b>0.00</b>	<b>\$0</b>	<b>\$1,800,000</b>	<b>\$1,800,000</b>	<b>\$1,800,000</b>	<b>\$0</b>

This technical supplemental will appropriate \$1.8 million in federal funding for the Peoria Bridge Design. The project will design the replacement of the Peoria Bridge over Sand Creek between 30th Avenue and Fitzsimons Parkway. This project will also provide funds for required National Environmental Policy Act (NEPA) evaluation and clearances. This supplemental was included in the 2024 projection as part of the 2025 Proposed Budget, although the amount is lower as the city match was moved into the project via a budget transfer.

**Total Appropriation Impact (Does not include offset impact)**

Department	Fund	Capital	Operating	Type
Public Works	Capital Projects Fund	\$1,800,000	\$0	New Appropriation

**Attachment B**  
**2024 Fall Amendment Ordinance**  
**2024 Appropriation Amendment Requests**

**Department \ Description - Reason for Appropriation**

**Public Works**

**Technical: Appropriate Match Funding - 11th/Havana/Del Mar**

Fund Impact	FTE	Operating Approp.	CIP Approp.	Approp. Total	Revenue Offset	Inc. / (Dec.) in Fund Bal.
Capital Projects Fund	0.00	0	0	0	0	0
<b>Total Appropriation Impact</b>	<b>0.00</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

This technical supplemental will transfer \$864,000 in match funding for the 11th/Havana/Del Mar project. This project will provide final design to rebuild all traffic signals, construct auxiliary lanes, and improve pedestrian and bus stop facilities at the intersection of 11th Avenue, Del Mar Parkway and Havana. This supplemental was not included in the 2024 projection as part of the 2025 Proposed Budget as the match need was not yet known. However, the intergovernmental agreement (IGA) for this project was approved at the March 14, 2022 Regular City Council Meeting.

**Total Appropriation Impact (Does not include offset impact)**

Department	Fund	Capital	Operating	Type
Public Works	Capital Projects Fund	(\$864,000)	\$0	Lapse of Appropriation
Public Works	Capital Projects Fund	\$864,000	\$0	New Appropriation

**Technical: Appropriate Road Repair Funds**

Fund Impact	FTE	Operating Approp.	CIP Approp.	Approp. Total	Revenue Offset	Inc. / (Dec.) in Fund Bal.
Capital Projects Fund	0.00	0	1,600,000	1,600,000	0	(1,600,000)
<b>Total Appropriation Impact</b>	<b>0.00</b>	<b>\$0</b>	<b>\$1,600,000</b>	<b>\$1,600,000</b>	<b>\$0</b>	<b>(\$1,600,000)</b>

This supplemental will appropriate prior year cash receipts received per the terms of agreements with oil and gas operators in which funds are escrowed for inspection and repair of heavy equipment routes used to access oil and gas sites. This supplemental was included in the 2024 projection as part of the 2025 Proposed Budget.

**Total Appropriation Impact (Does not include offset impact)**

Department	Fund	Capital	Operating	Type
Public Works	Capital Projects Fund	\$1,600,000	\$0	New Appropriation

## Attachment B

### 2024 Fall Amendment Ordinance

### 2024 Appropriation Amendment Requests

#### Department \ Description - Reason for Appropriation

#### Public Works

##### Technical: Appropriate Traffic Calming Project

Fund Impact	FTE	Operating Approp.	CIP Approp.	Approp. Total	Revenue Offset	Inc. / (Dec.) in Fund Bal.
Capital Projects Fund	0.00	0	1,200,000	1,200,000	0	(1,200,000)
<b>Total Appropriation Impact</b>	<b>0.00</b>	<b>\$0</b>	<b>\$1,200,000</b>	<b>\$1,200,000</b>	<b>\$0</b>	<b>(\$1,200,000)</b>

This supplemental will appropriate \$1.2 million for a Council requested traffic calming project that will include two roundabouts approaching the curve at Ventura St and Amherst Ave and at Yale Ave and Rifle St. This supplemental was included in the 2024 projection as part of the 2025 Proposed Budget.

#### Total Appropriation Impact (Does not include offset impact)

Department	Fund	Capital	Operating	Type
Public Works	Capital Projects Fund	\$1,200,000	\$0	New Appropriation

##### Technical: Ptarmigan Park Fence Repairs

Fund Impact	FTE	Operating Approp.	CIP Approp.	Approp. Total	Revenue Offset	Inc. / (Dec.) in Fund Bal.
Designated Revenues Fund	0.00	2,300	0	2,300	0	(2,300)
<b>Total Appropriation Impact</b>	<b>0.00</b>	<b>\$2,300</b>	<b>\$0</b>	<b>\$2,300</b>	<b>\$0</b>	<b>(\$2,300)</b>

This technical supplemental will appropriate existing funding for repairs to Ptarmigan Park Fence for several panels that required replacement after being struck by a vehicle. Ptarmigan Park Fence is part of a Special Improvement District (SID) and annual assessments to property owners fund an Operating and Maintenance (O&M) account that was used to pay for these repairs. While a cash balance exists, this supplemental is necessary to provide appropriation of that cash. The city is pursuing the responsible party for reimbursement of these costs. These costs were not included in the 2024 projection as part of the 2025 Proposed Budget as they were not yet known.

#### Total Appropriation Impact (Does not include offset impact)

Department	Fund	Capital	Operating	Type
Public Works	Designated Revenues Fund	\$0	\$2,300	New Appropriation

ORDINANCE NO. 2024- \_\_\_\_\_

A BILL

FOR AN ORDINANCE OF THE CITY OF AURORA, COLORADO APPROPRIATING SUMS OF MONEY IN ADDITION TO THOSE APPROPRIATED IN ORDINANCE NOS. 2022-59, AND 2023-12 FOR THE 2024 FISCAL YEAR

WHEREAS, pursuant to Ordinance Nos. 2023-52 and 2024-18, the City Council (the “Council”) of the City of Aurora, Colorado (the “City”) has appropriated funds for the fiscal year beginning January 1, 2024, and ending December 31, 2024 (“Fiscal Year 2024”); and

WHEREAS, additional appropriations are needed to fund new expenditures for which revenues have recently become available; and

WHEREAS, the Director of Finance has certified that unappropriated reserves and additional funding sources and revenues are available for appropriation in the various funds; and

WHEREAS, the City Manager has recommended that the various appropriations enumerated in this Ordinance be made.

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

Section 1. Appropriations in addition to those made in Ordinance Nos. 2023-52 and 2024-18 shall be made for Fiscal Year 2024 for the purposes enumerated in Attachment B to the document entitled 2024 Fall Amendment Ordinance Appropriation Detail by Fund, such document being in the form as filed with the Office of the City Clerk and presented to the Council at this meeting (the “2024 Amendment Detail”), all as follows:

- a. From the unappropriated fund balance and/or additional revenues of the Capital Projects Fund, the net amount of Twenty-Seven Million, Nine Hundred Seventy-Six Thousand, Six Hundred Thirty-Five Dollars (\$27,976,635).
- b. From the unappropriated fund balance and/or additional revenues of the Designated Revenues Fund, the net amount of Two Thousand, Three Hundred Dollars (\$2,300).
- c. From the unappropriated fund balance and/or additional revenues of the Enhanced E-911 Fund, the net amount of Nine Hundred Fifty-One Thousand, Eight Hundred Two Dollars (\$951,802).
- d. From the unappropriated fund balance and/or additional revenues of the Gifts & Grants Fund, the net amount of Two Million, Eighty-Five Thousand Dollars (\$2,085,000).
- e. From the unappropriated fund balance and/or additional revenues of the Parks Development Fund, the net amount of Two Hundred Forty-Nine Thousand, Eight Hundred Thirty Dollars (\$249,830).

Section 2. Appropriations made in Ordinance Nos. Nos. 2023-52 and 2024-18 for Fiscal Year 2024 shall be adjusted for the reasons enumerated in the 2024 Amendment Detail, all as follows:

- a. From the General Fund, the net amount of Forty-One Thousand, Fifty-Six Dollars (\$41,056) shall be deemed lapsed.
- b. From the Community Development Fund, the net amount of One Hundred Seventy-Six Thousand, Three Hundred Forty-Eight Dollars (\$176,348) shall be deemed lapsed.
- c. From the Wastewater Fund, the net amount of Sixteen Million Dollars (\$16,000,000) shall be deemed lapsed.
- d. From the Water Fund, the net amount of One Hundred Two Million Dollars (\$102,000,000) shall be deemed lapsed.

Section 3. Inter-fund and inter-departmental transfers shall be made as enumerated in the 2024 Amendment Detail for Fiscal Year 2024.

Section 4. The City Manager and the Budget Officer are hereby directed and authorized to expend so much of said funds as are necessary to pay for the projects and acquisitions referenced herein.

Section 5. All ordinances or parts of ordinances of the City in conflict herewith are expressly repealed.

Section 6. Pursuant to Section 5-5 of the City Charter, 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.

INTRODUCED, READ AND ORDERED PUBLISHED this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

PASSED AND ORDERED PUBLISHED BY REFERENCE this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

\_\_\_\_\_  
MICHAEL COFFMAN, Mayor




ATTEST:

---

KADEE RODRIGUEZ,  
City Clerk

APPROVED AS TO FORM:

*Hanosky Hernandez*   

---

HANOSKY HERNANDEZ,  
Sr. Assistant City Attorney



# CITY OF AURORA

## Council Agenda Commentary

<b>Item Title:</b> Shared Micro-Mobility License Program Update
<b>Item Initiator:</b> Scott Bauman, Parking & Mobility Manager, Public Works
<b>Staff Source/Legal Source:</b> Scott Bauman, Parking & Mobility Manager, Public Works / Michelle Gardner, Sr. Assistant City Attorney
<b>Outside Speaker:</b> N/A
<b>Council Goal:</b> 2012: 3.2--Reduce travel time and reduce congestion and provide expanded multi-modal mobility choices

### COUNCIL MEETING DATES:

**Study Session:** 10/14/2024

**Regular Meeting:** N/A

**2<sup>nd</sup> Regular Meeting (if applicable):** N/A

**Item requires a Public Hearing:**  Yes  No

### ITEM DETAILS *(Click in highlighted area below bullet point list to enter applicable information.)*

- Agenda long title
- Waiver of reconsideration requested, and if so, why
- Sponsor name
- Staff source name and title / Legal source name and title
- Outside speaker name and organization
- Estimated time (For Study Session items only, indicate combined time needed for presentation and discussion)

Sponsor: Stephanie Hancock, Council Member

Scott Bauman, Parking & Mobility Manager, Public Works / Michelle Gardner, Senior Assistant City Attorney

Estimated time: 20 mins

Sponsor: Stephanie Hancock, Council Member

Scott Bauman, Parking & Mobility Manager, Public Works / Michelle Gardner, Sr. Assistant City Attorney

Estimated time: 20 mins

### ACTIONS(S) PROPOSED *(Check all appropriate actions)*

- Approve Item and Move Forward to Study Session       Approve Item as Proposed at Study Session
- Approve Item and Move Forward to Regular Meeting       Approve Item as Proposed at Regular Meeting
- Information Only
- Approve Item with Waiver of Reconsideration  
*Reason for waiver is described in the Item Details field above.*

---

**PREVIOUS ACTIONS OR REVIEWS:**

**Policy Committee Name:** Transportation, Airports & Public Works

**Policy Committee Date:** 9/19/2024

**Action Taken/Follow-up: (Check all that apply)**

- |  |  |
|--|--|
| <input type="checkbox"/> Recommends Approval                         | <input type="checkbox"/> Does Not Recommend Approval |
| <input checked="" type="checkbox"/> Forwarded Without Recommendation | <input type="checkbox"/> Minutes Not Available       |
| <input type="checkbox"/> Minutes Attached                            |  |

---

**HISTORY** *(Dates reviewed by City council, Policy Committees, Boards and Commissions, or Staff. Summarize pertinent comments. ATTACH MINUTES OF COUNCIL MEETINGS, POLICY COMMITTEES AND BOARDS AND COMMISSIONS.)*

City staff provided an update on the Shared Micro-Mobility License Program to the Transportation Airports and Public Works ("TAPS") policy Committee on September 19<sup>th</sup>, 2024. City staff previously introduced an updated license program for shared micro-mobility devices at TAPS on April 15<sup>th</sup>, 2019, and subsequently at the May 6<sup>th</sup>, 2019 City Council Study Session. The City of Aurora's previous dockless mobility regulations were presented to the Transportation Airports and Public Works committee on September 13<sup>th</sup>, 2017, and were in effect between Fall 2017 and Summer 2019.

---

**ITEM SUMMARY** *(Brief description of item, discussion, key points, recommendations, etc.)*

The Shared Micro-Mobility License Program is being updated to reflect changes in the industry since the current permit licensing program was created in 2019. These revised regulations take into account lessons learned from the deployment of shared electric scooters in Aurora in 2021 and 2022, as well as on-going discussions with industry and regional partners, and industry best practices. City staff will be summarizing Aurora's history with shared micro-mobility devices, and summarizing the draft changes.

---

**FISCAL IMPACT**

Select all that apply. (If no fiscal impact, click that box and skip to "Questions for Council")

- |  |  |  |
|--|--|--|
| <input checked="" type="checkbox"/> Revenue Impact | <input type="checkbox"/> Budgeted Expenditure Impact | <input type="checkbox"/> Non-Budgeted Expenditure Impact |
| <input type="checkbox"/> Workload Impact           | <input type="checkbox"/> No Fiscal Impact            |  |

**REVENUE IMPACT**

*Provide the revenue impact or N/A if no impact. (What is the estimated impact on revenue? What funds would be impacted? Provide additional detail as necessary.)*

Proposed changes will increase the infrastructure fee amount from \$0.03 per rental, to \$0.05 per rental. Received revenue will go into infrastructure account. Amount received will depend on if city receives and approves an operator permit, and the amount of device usage within the city.

**BUDGETED EXPENDITURE IMPACT**

*Provide the budgeted expenditure impact or N/A if no impact. (List Org/Account # and fund. What is the amount of budget to be used? Does this shift existing budget away from existing programs/services? Provide additional detail as necessary.)*

N/A

**NON-BUDGETED EXPENDITURE IMPACT**

*Provide the non-budgeted expenditure impact or N/A if no impact. (Provide information on non-budgeted costs. Include Personal Services, Supplies and Services, Interfund Charges, and Capital needs. Provide additional detail as necessary.)*

N/A

**WORKLOAD IMPACT**

*Provide the workload impact or N/A if no impact. (Will more staff be needed or is the change absorbable? If new FTE(s) are needed, provide numbers and types of positions, and a duty summary. Provide additional detail as necessary.)*

Program will be administered within current duties of existing staff.

---

**QUESTIONS FOR COUNCIL**

This item is for informational purposes only.

---

**LEGAL COMMENTS**

The City Manager shall be responsible to Council for the proper administration of all affairs of the City placed in his charge and to make written or verbal reports to Council concerning the affairs of the City under his supervision. (City Charter Section 7-4(e)). Additionally, the City Manager shall keep Council advised of the future needs of the City and make such recommendations to Council for adoption as he may deem necessary or expedient. (City Charter Section 7-4(f)). (M. Gardner)



# Shared Micro-Mobility License Program Update

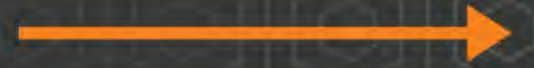
Study Session

October 14, 2024

Scott C. Bauman, CAPP  
PW-Parking & Mobility Services

Tom Worker-Braddock, AICP, PTP  
Transportation Planning

*For Informational Purposes Only*



## Agenda Outline

- Why we are here
- Program Overview
- History of micro-mobility in Aurora
- Current program rules, regulations, & policies
- Parking Restrictions for devices
- Proposed program policy modifications
- Discussion and feedback





## Definition of Shared Micro-Mobility

- Mode of transportation typically involving a small single occupancy transportation device, ideal for short distance point-to-point trips, providing customers the ability to pick-up a rental device from one location and leaving it at another within a system's service area.
- Devices are either parked using docks or are dockless
- Examples include E-bikes, E-Scooters, E-skateboards, segways, etc.



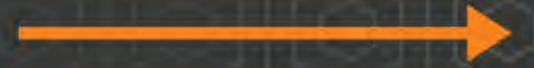




## Program Overview

- Comprehensive Rules & Regulations are established and updated regularly to meet current conditions, sessions learned, and industry standards.
- Operators apply to operate in the city - no solicitations are made.
- Operator applicants are vetted and approved by staff to be issued a revokable 1-year license to operate on the ROW only.
- Operator performance is continually monitored, and devices routinely tracked.
  - Real-time data feeds received from vendor and by independent 3rd party observer
- Regular operator meetings are required.
- Citizen complaints and concerns are directed to the operator to resolve.
- License renewals are based on operator performance and program expectations meeting desired city transportation goals.

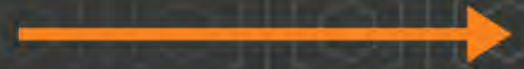




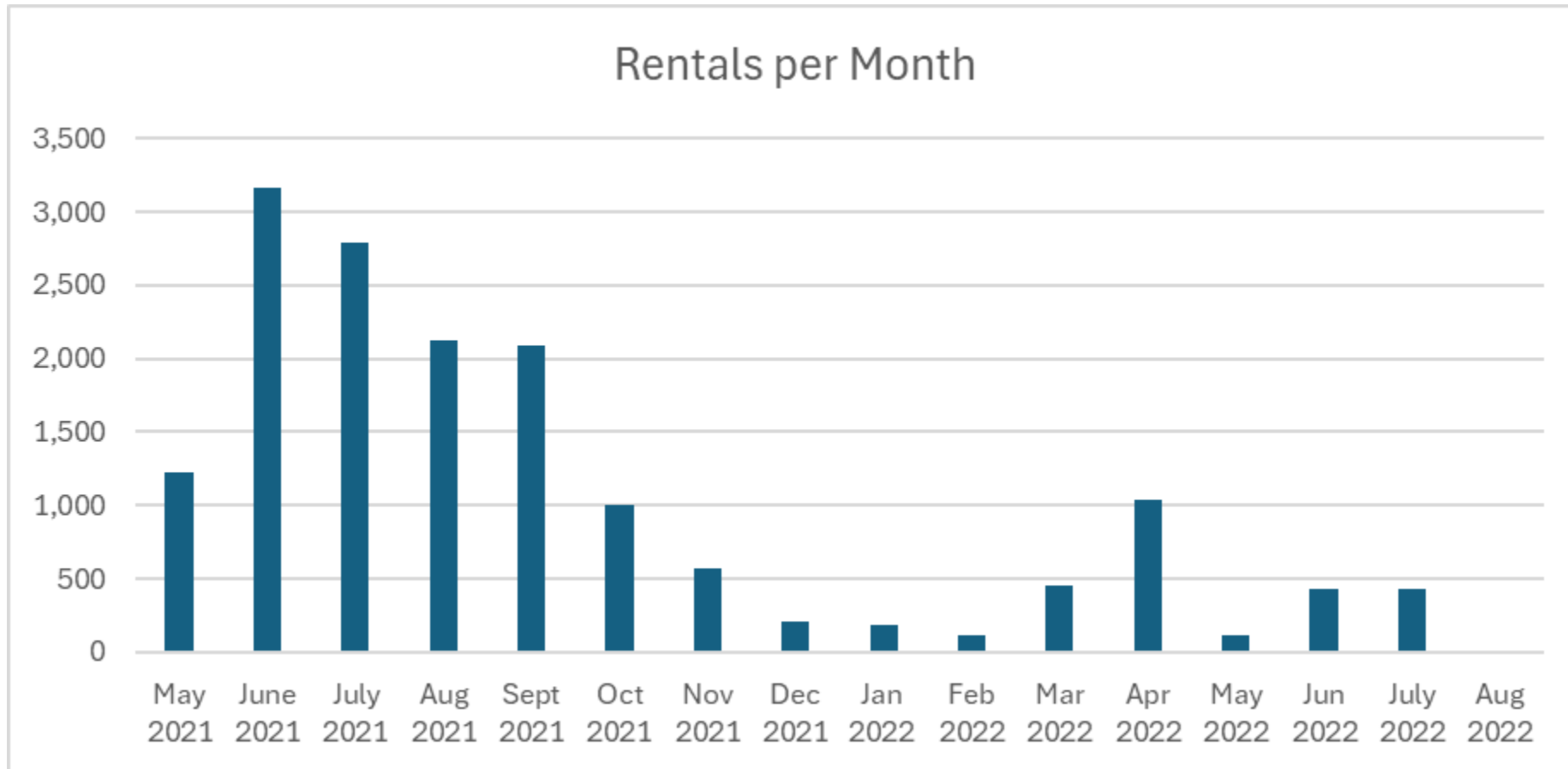
## History of Micro-Mobility in Aurora

- Fall 2017 - Bikeshare (acoustic bicycles) operations begin
  - OFO, Lime, & Spin are permitted
  - Spin never deployed
- 2018 - OFO departs the entire North American Market
  - Lime departs Aurora to focus on downtown Denver
- 2019 - Bikeshare program expands and becomes the Shared Mobility Small Devices License Program
- 2019 to Current - License Program open for applications
- May 2021 – Bird is licensed & begins scooter operations
- August 2022 – Bird departs Aurora





## Bird Scooter Rental History





## **Current Program Rules, Reg's, & Policies**

- SAFETY requirements
  - Vendor contact info; speed limits; where to ride; rules-of-the-road info to users
- SERVICE AREA requirements
  - Required: NW Aurora & near RTD Light Rail Stations
- PARKING requirements
  - Instructions to riders on how/where; incentives to park correctly; vendor fines
  - Geo fencing capabilities; vendor response times to remedy issues
- OPERATIONAL requirements
  - 24/7 service support; rebalancing plan(s); equity plan(s); regular mtgs.







## **Current Program Rules, Reg's, & Policies**

- **FLEET SIZE & NUMBER OF OPERATORS** requirements
  - Min. & max. fleet sizes; limit-modify-cap-revoke op's & licenses at any time
- **COMMUNITY ENGAGEMENT & EDUCATION** requirements
  - Vendor outreach programs to their customers and Aurora community
- **REPORTING** requirements
  - Fleet usage data; real-time data feed(s); 3rd party access to data feed(s)
- **INSURANCE & INDEMNIFICATION** requirements
  - Liability policy minimums; indemnification
- **FEE** requirements
  - Fleet size; infrastructure (per rental); operator reserve; violation (fines)





## Compliance and Enforcement

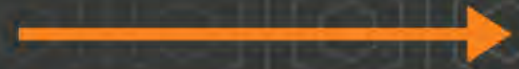
### Parking Restrictions

- Required plan submitted to City on outlining how vendor enforces and manages parking.
- Vendors required to use parking incentives / disincentives to encourage customer compliance.
- City can require designated parking areas and other restrictions.
- City has clear guidelines on where to park devices:
  - Not at corners of sidewalk
  - Not against trees or within landscaping planting beds
  - Not on sidewalks within narrow/no furniture/landscaping zone
  - Maintains at least 6' clear space when parked on sidewalks
  - \$30 fine/violation assessed to Vendor for improperly parked devices

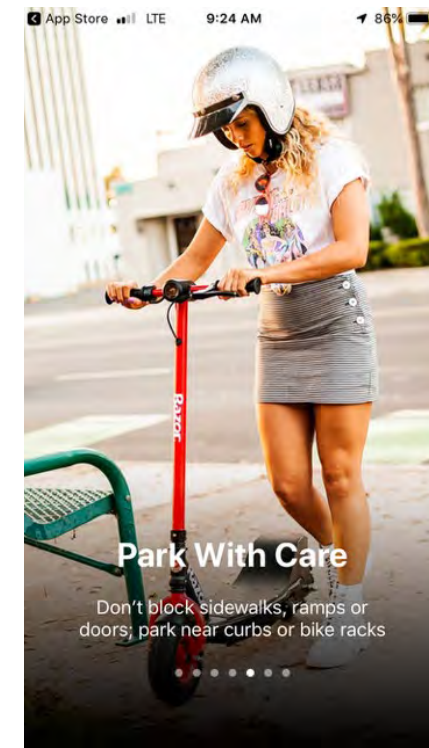




# Parking AND **Mobility** PROGRAM



## Parking Education by Operators



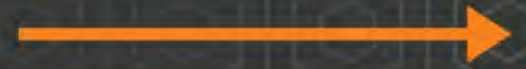




## Draft Program Policy Modifications

- Lower the cap number of "initial" devices that can be deployed
  - Currently 100 to 500. **Proposed 100 to 300**
- Restructure the permitted fleet size allowable
  - Currently 100 to 500; 501 to 1,000; 1,001 to 2,000
  - **Proposed 100 to 300; 301 to 800; 801 to 1,000**
- Increase the Infrastructure Fee amount
  - Currently \$0.03 a rental. **Proposed \$0.05 a rental**
- Lower the Operator Reserve amount
  - Currently \$25,000. **Proposed \$15,000**

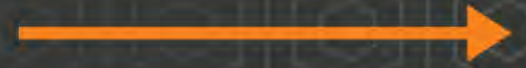




## Discussion

- Q&A
- Does City Council support the recommended program changes going forward?





## THANK YOU

- **Tom Worker-Braddock, AICP, PTP**
  - Senior Transportation Planner
  - [tworker@auroragov.org](mailto:tworker@auroragov.org)
  - 303.739.7340
  
- **Scott C. Bauman, CAPP**
  - Manager of Parking & Mobility Services
  - [sbauman@auroragov.org](mailto:sbauman@auroragov.org)
  - 303.739.7302





Park Aurora is working on several initiatives with the Northwest Aurora Neighborhood Organization (NANO) around the Stanley Marketplace. There will be a 7:00 p.m. community meeting with NANO tomorrow night at the Moorhead Recreation Center to discuss parking and a new permit district in that area that will have some time limit restrictions to help with the businesses in and around the Stanley Marketplace. Currently, Park Aurora is working with the Planning Department on the Original Aurora Zoning Code Workshops. There has been a lot of discussion and discourse regarding parking in Original Aurora, so Park Aurora is also working with the Fitzsimons Transportation Management Association.

There will be new consistent parking signage installed on Colfax Avenue as a part of the Arts District Parking Plan. Implementation will be in October. In August, there was stakeholder outreach regarding the Westerly Creek Parking Management Plan. Informational letters and flyers will be distributed tomorrow to the neighbors. A plan will be implemented the first quarter of 2018 if feedback is receptive from this permit district. There has been a follow-up count on parking along the light rail lines. The counts are being finalized and will be presented at the December quarterly Park Aurora update to the Committee.

There have been 11,500 citations issued through August 31, 2017. There were 65% issued by Park Aurora Enforcement Officers, and 35% issued by the Aurora Police Department. There are still a lot of expired tags in the City, so 45% of the 11,500 citations were written for expired tags. Chair LeGare asked for clarification if Park Aurora has the authority to write tickets for expired tags. Robert Ferrin stated Park Aurora Enforcement Officers do have authority. Of the total citations, there were 20% for first time violations with a zero dollar fine, and 15% written for other posted signs such as fire lanes, no parking, Americans with Disabilities Act (ADA), etc. The remaining citations were for non-sign violations such as distance to objects. The Access Aurora requests have gone up significantly at about 100 a week. Year-to-date in September, there were about 3,105 inquiries for parking enforcement. Last September, there were 1,900 requests from Access Aurora. A couple of years ago, there were only 450 Access Aurora calls for parking issues. Since the volume has increased more than expected, the response time has increased.

Hearings are being held once a week, since only half of total citations are set for a hearing. The other half of disputes are dismissed, because valid registration or a handicap placard is provided. Approximately 20% appear for hearings. Only two customers have escalated to the Municipal Court.

The 2017 budget revenue projection was \$200,000. The total program costs is currently \$854,485, so the program is still heavily subsidized as a start-up from the general fund. As part of the 2018 budget, the projected revenue has been revised to \$250,000. The revenue through the end of July is at \$190,000, and as of this week, it was \$250,000. The bulk of the revenue is through citations. Park Aurora is responding to a need in the community through the Access Aurora calls. The collection rate is around 38% year-to-date. Revenue at the Iliff Station Garage has increased since school started. It was a very strong summer for occupancies and conference center events at the Hyatt Garage. There will be a fall-winter softening as most hospitality venues do in the fourth quarter. A \$103,400 loss was approved by the Aurora Urban Renewal Authority (AURA) Board over the course of the year. Currently, there is a \$2,500 loss.

#### Outcome

The item was for informational purposes only.

---

#### **Aurora Bike Share Permit Program**

Parking & Mobility Manager Robert Ferrin stated he would give a presentation on proposed Rules and Regulations pertaining to the administration of a Bicycle Share Permit Program. Historically, bike sharing has been offered through a B-cycle type system which is a docking station around urban areas



where a bike can be rented either by the minute, day or through a membership. Bike share is another option for transportation, and typically, the first 30 minutes is free. B-cycle has been very successful in Denver due to the city's density and walkability. An individual at work can rent a bicycle for distances that are too long to walk and too short to drive a vehicle. Renting a bike will reduce travel time and congestion and is ideal for short distance point-to-point trips providing users the ability to rent a bike from one location and return the bike to another location. The docking concept is secure because the operator knows the bike is either in the docking station or is in use.

Within the last 40-65 days, there has been a new concept called dockless bike sharing. An individual will rent a bike through a company and then at the individual's destination, the bike is secured and locked. Through technology, it has been discovered how to secure the back wheel of the bike, so people can rent bikes in a more easy and convenient fashion than a docking station. The app is downloaded to a personal phone to reserve a bike, the payment information is added, and once the bike is scanned, the back wheel unlocks for use. Seattle has launched the dockless bike sharing with two major operators and has about 2,000 bikes. Operators are starting to use cash systems, so individuals do not have to put a credit card on file. Two bike share companies, LimeBike and UrBike, have provided Park Aurora with unsolicited proposals to start operations around the campus area in Northwest Aurora. Since Aurora does not have the density, the docking system would not work very well having to have docking stations every couple of blocks. The dockless system would work. Public Works would like to get involved because there is a public safety component involved. There is a concern with bikes parking anywhere, so the Rules and Regulations are necessary to establish safety guidelines if the City would allow dockless bike sharing operators to provide this type of transportation service. In terms of parking, Public Works would make sure the bikes are not impeding sight triangles or are attached to traffic control cabinets. From an operating standpoint and reporting, data would be collected every time a bike is reserved and used through the Global Positioning System (GPS) tracking which is very helpful in regards to transportation planning. Both operators have expressed a willingness to work with the City as partners and to be regulated. The permit program would allow any operator to join the market. The operator would have to meet minimum requirements, insurance requirements and pay fees. There would be some administrative needs on the City's part to review applications and data. This would be shared with resources from the Public Works and Planning departments.

Council Member Peterson inquired if the dockless stations could be installed at the light rail stations. Robert Ferrin stated without question this could happen by regulating the bike share permit as the City would be able to tell the operators where they should operate.

Chair LeGare inquired if the industry provided the wording or is the presentation based on some other city that uses the bike share program. Robert Ferrin stated both operators originally propositioned the City with exclusivity agreements. It is best to have multiple operators to drive down the cost for the end user. The City acquired the Memorandum of Understanding (MOU) and after examining both MOUs acquired the wording and plan. Talking to our neighboring jurisdictions, the permit program is mostly focused on parking. If the program does not work, the City can pull the operator's permit.

Chair LeGare questioned the Rules and Regulations under Operations, Section 1: All permitted bicycle share operators under the permit program shall have a staffed operations center in the City of Aurora. Chair LeGare questioned if the requirement could be that staff be available within a certain time period if there is an issue to be addressed. Chair LeGare inquired if it is necessary to have staff. Section 6: All permitted operators shall have a minimum bicycle fleet of 250 bicycles if using standard (non-electric) bicycles; operators shall meet this fleet size within four weeks of initial launch date. Chair LeGare inquired if LimeBike and UrBike are national companies that have large fleets of 1,000 bikes. Robert Ferrin stated yes, these companies are national companies. The dockless bike system costs about \$350 a bike to operate. This type of bike share will work when it is predictable. The operators need to meet some minimum of 250 to 500 bikes to address the City's stations and where we want bikes available. Section 9: The City of Aurora reserves the right to terminate permits at any time and require that the



entire fleet of bicycles be removed from Aurora streets. The decommissioning shall be completed within 30 days unless a different time period is determined by the City of Aurora. Chair LeGare stated it was mentioned that the City should be able to pull the permit immediately. He suggested there should be some type of notice regarding their performance or a hearing process to pull a permit. Robert Ferrin agreed the notice process that Public Works would use on other types of permits to include the ability to appeal could be incorporated. Under Reporting, Section 4: All permitted operators shall keep a record of maintenance activities, including but not limited to bicycle identification number and maintenance performed. These records shall be sent to the City of Aurora monthly. Chair LeGare inquired if requiring monthly reporting is onerous, or are the monthly reports prepared anyway. Robert Ferrin stated the operators do like the monthly reports as they can report on their fleet and if bikes are stolen. Under Fees, Section 1: The following annual permit fee schedule shall be applied to approved bicycle share permit holders based on the size of the operator's fleet. A business license, separate from this permit, shall be required as well in order to operate within the City of Aurora. Less than 500 bicycles, the fee would cost \$2,500; 500 to 1,000 bicycles, the fee would cost \$5,000 and over 1,000 bicycles, the fee would cost \$10,000. Chair LeGare stated the fee goes up 100% if you have 501 bicycles, so can the fee schedule be revised per bike. Robert Ferrin stated yes the fee schedule can be broken into smaller increments to be more manageable.

Chair LeGare commented this is a good program to get people on bikes.

#### Outcome

The item was for informational purposes only.

---

#### **Miscellaneous Matters for Consideration**

Chair LeGare stated there was an e-mail inquiry about the stop sign at 2<sup>nd</sup> Avenue and Abilene Street. There used to be a stop sign on 2<sup>nd</sup> Avenue under the bridge. When the rail station at Abilene Street was constructed, the stop sign on 2<sup>nd</sup> Avenue was removed. Chair LeGare asked Traffic Manager Anna Bunce to give an update. Anna Bunce stated the intersection will ultimately be signalized. When the light rail was constructed, Regional Transportation District (RTD) applied with the Public Utility Commission for permission to construct a pedestrian crossing. The developer then decided to build a hotel with a street. Public Works worked with the developer to file an amendment to the approved crossing to add the vehicle portion. The developer had a traffic engineering consultant perform a traffic analysis for the future. Through this process, it was determined the intersection cannot be a four way stop due to safety, because of where the geometry of where the rail is located there is no safe place for westbound drivers to see traffic and not queue on the tracks. The intersection had to stay in the interim as a 2-way stop with a gated crossing, so the direction of the stop changed. The good news is that it provides a little more protection for the trail users crossing Abilene Street. The Traffic Department has been monitoring for accidents and checked all sight distances. The developer will be responsible for 50% of the costs for the future construction of the signal.

---

#### **Next Meeting**

The next meeting is scheduled for Wednesday, October 11, 2017 starting at 2:00 p.m. in the Mt. Elbert conference room.

  
Council Member LeGare  
Chair, TAPS



**RULES & REGULATIONS PERTAINING TO THE  
ADMINISTRATION OF A SHARED MOBILITY SMALL  
DEVICES LICENSE PROGRAM BY PUBLIC WORKS**

Effective Date: ~~May 23, 2019~~TBD

---

~~Dave Chambers~~TBD

Director  
City of Aurora - Public Works Department

Date

## TABLE OF CONTENTS

I.	DEFINITIONS	1
II.	AUTHORITY	3
III.	INTENT	4
IV.	RESPONSIBILITY OF LICENSEE	5
	IV 1. SAFETY	5
	IV 2. SERVICE AREA	8
	IV 3. PARKING	9
	IV 4. OPERATIONS	12
	IV 5. FLEET SIZE AND NUMBER OF OPERATORS	16
	IV 6. COMMUNITY ENGAGEMENT AND EDUCATION	17
	IV 7. REPORTING	17
V.	INSURANCE & INDEMNIFICATION	20
VI.	FEES	23
VII.	APPLICATION	25



## I. DEFINITIONS

Words and phrases used in these Rules & Regulations shall have the meaning set forth in this section except where the context clearly indicates a different meaning.

- I 1. Right-of-Way means any highway, street, road, or alley within the city or any public way dedicated for the use of the public.
- I 2. Shared mobility is a mode of transportation typically involving small single occupancy transportation devices, ideal for short distance point-to-point trips, providing customers the ability to pick-up a rental device from one location and leave it at another within a system's service area. Devices are either parked using docks or are dockless using internal locking mechanisms. Examples include, but are not limited to, bicycles, e-bikes, and e-scooters.
- I 3. Sharing systems provide users unencumbered access to small mobility devices within a defined system area. Shared devices are typically remotely accessed via a smart phone application or other credentials and do not need to be attended by the operator. Systems can use device docking stations or be dockless.
- I 4. Shared mobility operators are defined as any company that has been issued a license under this license program.
- I 5. Shared mobility small devices are defined as a small single occupancy shared mobile device that integrates on-board technology allowing a registered user to rent a device remotely. This includes, but not limited to, docked or dockless bicycles, scooters, e-bikes, and e-scooters. Devices not expressly listed above require pre-approval by the city of Aurora prior to licensing and/or deployment. Devices NOT considered as shared mobility small devices include, but are not limited to, golf carts, ATVs, or vehicles with fuel powered engines.
- I 6. Shared mobility operator's fleet will be defined as any shared mobility device or service provided by the operator within the Aurora city limits, whether they are in use, available for use or temporarily disabled pending maintenance or other servicing needs.

- I 7. Docked shared mobility system are special parking racks that lock a mobility device and only release it by computer control to authorized customers renting a device. Users can rent a device from a dock and return it to another dock belong to the same operator system.
- I 8. Dockless shared mobility system is defined as devices with an internal lock that are not required to be docked when not in use, and are unlocked by authorized customers typically using a smart phone app or computer controls on the device. Dockless devices are typically not associated with company-specific docks or racks.

PROPOSED 2024 EDITS

**II. AUTHORITY**

- II 1. The Director of Public Works has the authority to promulgate departmental rules and regulations as defined in Aurora Municipal Code Section 2-147. The Parking and Mobility Program shall be responsible for the enforcement of this program.
  
- II 2. License(s) issued are only valid for operations within the city of Aurora right of way. Permission to operate outside city of Aurora right of way shall require coordination with the appropriate department, agency, or property owner; and shall be communicated to the customer through signage approved by the respective entity and/or through the mobile and web application.

PROPOSED 2024 EDIRS

### III. INTENT

- III 1. A goal of Aurora City Council (3.2) is to reduce travel time and reduce congestion and provide expanded multi-modal mobility choices. According to the Pedestrian and Bicycle Information Center, bicycle sharing is an innovative transportation program, ideal for short distance point-to-point trips providing users the ability to pick up a device from one location and return to another within a system's service area. A robust shared mobility small device program has the likelihood of expanding multi-modal mobility choices around bus, light rail and commuter rail stations, and in high-demand areas such as Fitzsimons Innovation Community, Northwest Aurora, Metro Center, and other locations in the city of Aurora.
  
- III 2. Mobility sharing operators must provide easy access to mobility devices for the broadest group of the population. This access includes solutions for those individuals who do not have banking services or have smart phone resources. Operators must make their system accessible and affordable to the broadest group of the population.

#### IV. RESPONSIBILITY OF LICENSEE

##### IV 1. SAFETY

- a. All shared mobility small devices used in systems issued under this license program shall meet the standards outlined in the Code of Federal Regulations (CFR) under Title 16, Chapter II, Subchapter C, Part 1512 – Requirements for Bicycles. Additionally, licensed systems shall meet the safety standards outlined in ISO 43.150 – Cycles, subsection 4210. E-bikes, electric-assist bikes and e-scooters must comply with safety standards established by CPSC Public Law 107-319.
- b. Any electric bicycles used in systems issued a license under this license program shall meet the National Highway Traffic Safety Administrations (NHTSA) definition of low-speed electric bicycles; and shall be subject to the same requirements as ordinary bicycles. This means that electric bicycles shall have fully operable pedals, an electric motor of less than 750 watts, and a top motor-powered speed of less than 20 miles per hour when operated by a rider weighing 170 pounds. Additionally, the city of Aurora reserves the right to terminate any license issued under this program if the battery or motor on an electric bicycle is determined by the city to be unsafe for public use.
- c. All bicycles included in a licensed fleet shall meet the Colorado Revised Statues (C.R.S.) requirements for lights during hours of darkness, described in C.R.S. 42-4-221. This includes a front light that emits white light and a rear red reflector visible to low headlight beams on devices from 600 feet.
  - 1) Shared mobility small devices without a front light and rear red reflector shall not be operated or made available between sunset and sunrise.
- d. All shared mobility operators licensed under this license program shall provide a mechanism for anyone to notify the company that there is a safety, maintenance issue, or parking concern with the device. This mechanism for notifying the company shall not require persons to download or operate the app, and will include a phone number located on the device, and a device-specific identification number.

- e. All licensed systems shall have visible language that notifies the user that:
- 1) Helmet use is highly encouraged while riding a device.
  - 2) All shared mobility small devices shall yield the right of way to pedestrians, at all times.
  - 3) When riding on-street, street legal devices are required to follow the rules of the road, as one would in a motor device.
- f. Licensed shared mobility operators agree that the city of Aurora is not responsible for educating users regarding bicycle or traffic laws. Neither is the city responsible for educating users on how to ride or operate a shared mobility small device included in the licensed fleet. Licensed operators agree to educate users regarding laws applicable to riding and operating a shared mobility small device in the city of Aurora, Adams County, Arapahoe County, and Douglas County and to instruct users to comply with applicable state laws.
- g. Each shared mobility small device will be equipped with a lock, key, and/or smart technology equipment in order to track ridership data, owned and provided by the shared mobility operator.
- h. Users on bicycles, electric-assist bicycles, electric bicycles, or other appropriate "street/roadway legal" devices are encouraged to use on-street bike lanes, or off-street trails, if present, before utilizing a pedestrian sidewalk.
- 1) Authorized shared mobility devices may operate in the roadway if the maximum speed limit of the roadway does not exceed thirty (30) miles per hour.
  - 2) If no bike lane or trail is available and the roadway has a speed limit greater than thirty (30) miles per hour, the device may be ridden on the sidewalk in accordance to IV 1-SAFETY sections j, k, l, m, and n below.

- 3) Shared mobility small devices with maximum motor-assisted speeds of 15.5 miles per hour are prohibited from operating in roadways with speed limits greater than thirty (30) miles per hour unless a designated bike lane is present.
- i. When operating on sidewalks, users are required to use extreme caution when interacting with or passing pedestrians.
- j. Pedestrians have the right-of-way at all times.
- k. When interacting with pedestrians, users are required to proceed at a pace to match pedestrian speed when unable to pass pedestrians.
- l. Users of any shared mobility device must take caution and be aware of any and all associated risk of danger when utilizing a mobility device in any given context.
- m. Allowable speeds:
  - 1) Motors on Electric-assist bicycles and electric bicycles operating as shared mobility small devices shall cease to provide assistance when the bicycle reaches a speed of up to 20 miles per hour.
  - 2) Motors on e-scooters, or other unspecified shared mobility small devices, shall cease to provide assistance when the device reaches a speed of up to 15.5 miles per hour. If operated on the sidewalk, it shall be the rider's responsibility to operate at the maximum speed limit of six (6) miles per hour.
  - 3) Users shall be encouraged not to exceed posted speed limits on streets, roadways, or other facilities.
- n. All licensed shared mobility operators may be subject to the assessment of fines in the amount of \$30 per violation for documented safety infractions which are not cured after 24 hours' notice to operator (or such longer time as otherwise set forth herein). Examples of safety violations include, but are not limited to, devices in fleet use that don't meet the safety standards and requirements listed above in sections 1, 2, and

3; devices deployed that are not properly maintained and are a safety risk to the users.

#### IV 2. SERVICE AREA

- a. A robust shared mobility small devices license program has the likelihood of expanding multi-modal mobility choices around bus, light rail, and commuter rail stations and in high demand areas such as Fitzsimons Innovation Campus, Northwest Aurora, Metro Center, and other locations in the city of Aurora.
- b. Licensed shared mobility operators must submit, as part of an application to the City, a proposed service area that meets the goals and intent of this license program.
- c. At a minimum, a shared mobility operator service area must include the following areas (see Exhibit A for a detailed map):
  - 1) **Northwest Aurora** - (bounded by Interstate 225 to the east, 6<sup>th</sup> Avenue to the south, Yosemite Street to the west, and 26<sup>th</sup> Avenue and 30<sup>th</sup> Avenue to the north).
  - 2) **Station Areas** – two (2) mile radius around the following light rail or commuter rail stations:
    - i. Dayton Station
    - ii. Nine Mile Station
    - iii. Iliff Station
    - iv. Florida Station
    - v. Metro Center Station
    - vi. 2<sup>nd</sup> & Abilene Station
    - vii. 13<sup>th</sup> Avenue Station
    - viii. Colfax Station
    - ix. Fitzsimons Station
    - x. Peoria Station
    - xi. 40<sup>th</sup> & Airport Station
- d. Licensed shared mobility operators, through the application process, may propose a phasing plan to serve these areas in the first year of operation.



- e. The City reserves the right to determine certain areas or locations where shared mobility small devices are prohibited.

#### IV 3. PARKING

- a. Docking Systems: For device stations or parking areas for dockless shared mobility small devices that require the installation and maintenance of objects or markings in the ROW, an annual license is required for every location in addition to an annual license for the program. The Parking and Mobility Program will provide guidance on locating shared docking stations or parking areas, as well as the required additional licenses.
- b. Free Float Shared device Systems ("dockless"): For free-floating share systems, devices shall be parked in the landscape/furniture zone of the sidewalk, at any bicycle rack, or designated parking location. Licensed shared mobility operators shall inform their customers on how to park a device properly. When rebalancing, shared mobility small devices shall not use more than half of the available general purpose bike racks at any specific location.
- c. All licensed shared mobility operators will be required to submit to the city of Aurora a plan outlining their steps of actions for enforcing and managing parking of devices and other services offered in their shared device fleet.
- d. Licensed shared mobility operators may be required to designate preferred parking areas to help manage the public realm. These designated preferred parking areas must be identified and labeled within the mobile device application. These preferred parking areas must be approved by the Parking and Mobility Program before made available to the public.
- e. For dockless painted parking boxes in the right of way, nothing shall prevent other mobility companies from designating it as preferred parking. All painted boxes in the right of way shall be shared and utilized by all licensed shared mobility operators.

- 1) Applicants may be required to submit a list of preferred locations for the possible installation of painted dockless parking zones. Aurora Public Works department may require the operator to install and maintain painted dockless parking zones. Painted dockless parking zones may be assigned to a company for maintenance responsibilities, but will be agnostic in terms of which licensed operator's devices can park there.
  - 2) Aurora Public Works department shall approve painted dockless parking zones locations, dimensions, design, and appearance.
  - 3) No unique company branding, logos, or depictions will be allowed in the painted dockless parking zones.
- f. Licensed shared mobility operators will be required to utilize parking incentives and disincentives for users to manage appropriate parking placement of dockless shared mobility small devices.
- g. Rebalancing of the entire licensed mobility fleet will take place every 24-hours to ensure shared devices and other services are parked appropriately and upright, not parked on private property, are functioning safely, are not damaged and are not tipped over or impeding circulation in the public right of way.
- h. Licensed shared mobility operators shall communicate to users restrictions to eligible parking zones on sidewalk include:
- 1) Shared mobility small devices shall not be parked at the corners of sidewalks.
  - 2) Shared mobility small devices shall not be parked against trees or within landscape planting beds.
  - 3) Shared mobility small devices shall not be parked on blocks where the landscape/furniture zone is less than 3 feet wide, or where there is no landscape/furniture zone.

- 4) On blocks without sidewalks shared mobility small devices may be parked if the travel lane(s) and 6-foot pedestrian clear zone are not impeded.
- 5) All licensed shared mobility small devices in a fleet must maintain at least 6-feet of clear space for pedestrian circulation when parked on sidewalks.
- 6) Shared mobility small devices shall not be parked in the landscape/furniture zone adjacent to, within or blocking:
- i. Parklets or streateries;
  - ii. Loading zones;
  - iii. ADA disabled parking zones or designated accessible routes;
  - iv. Street furniture that requires pedestrian access (i.e., benches, parking pay stations, bus shelters, transit information signs, etc.);
  - v. Curb ramps;
  - vi. Entryways;
  - vii. Driveways; and
  - viii. Landscape planting beds or other landscape materials.
- 7) Shared mobility small devices can only be parked on hard surfaces within the landscape/furniture zone (i.e., concrete, asphalt).
- 8) Shared mobility small devices shall not be parked on City parks, trails, or open space.
- 9) The city of Aurora retains the right to require or create geo-fenced stations or locations within certain areas where shared mobility small devices shall be parked or where shared mobility small devices are prohibited.
- 10) If a dockless shared-mobility small device remains in one location after 7-days and the operator has been notified with the ability to cure, it may be removed

by the city of Aurora and taken to a city facility for storage at the expense of the private shared mobility operator, not to exceed \$30 per day, per device. The city of Aurora shall invoice the violating operator (see operations section for more information).

- 11) All dockless shared mobility small devices shall be upright when parked.
- 12) Any mobility device that is parked incorrectly shall be re-parked in a correct manner or shall be removed by the licensed shared mobility operators based on these times, when such operator receives notifications:
  - i. 6 a.m. - 6 p.m., Monday-Friday (City holidays excluded) – within 4 hours of receiving notice.
  - ii. All other times – within 10 hours of receiving notice.
- 13) All licensed shared mobility operators shall encourage users to park correctly at the end of a user's trip in order to ensure devices are in accordance with the requirements in the license regulations.
- 14) All licensed shared mobility operators may be subject to the assessment of fines in the amount of \$30 per infraction, per device, for documented improperly parked devices, after all applicable notice and cure periods provided herein.
  - i. Examples of parking infractions include, but are not limited to, installing designated parking boxes/areas without prior authorization; not rebalancing the device fleet as required; inoperable geo-fencing; and repeated request(s) from the city or public to relocate/remove devices.

#### IV 4. OPERATIONS

- a. All licensed shared mobility operators under the license program shall have a staffed 24-hour customer service phone number for customers to report safety concerns, complaints, or ask questions. This 24-hour customer service phone number must be displayed on every shared mobility small device deployed within the operator's fleet in the city of Aurora.
- b. Growth of the system's fleet is based on operator compliance with license requirements. Licensed shared mobility operators may be allowed to grow their respective fleet over time if they demonstrate they can abide by city license requirements. If at any time a licensed shared mobility operator deploys additional devices that have not been authorized by Aurora Public Works, the assessment of fines may be applied and/or the license(s) may be revoked.
- c. All licensed shared mobility operators under the license program shall provide the city of Aurora with a direct contact for operator staff that are capable of rebalancing devices in the fleet.
- d. All shared mobility small devices will be individually numbered or otherwise have a unique identifier displayed on the device clearly visible to the user, the public, or city representatives. Fleet IDs may be requested and audited throughout the program to ensure that fleet size requirements are respected. The unique identify shall correspond with information for that device in the app.
- e. Each licensed shared mobility operators will be expected to participate in regular meetings or conference phone calls, to occur at least once per month, with city of Aurora staff to discuss operations, usage, fleet size, community concerns, safety concerns and data review.
- f. Licensed shared mobility operators will provide a rebalancing management plan to the city of Aurora, including information about rebalancing frequency times and rebalancing locations.
- g. Licensed shared mobility operators will provide an equity plan to the city of Aurora, including information about how their

devices will be available for use by individuals without a smartphone device or credit card.

- h. In the event the City identifies or receives a complaint, all licensed shared mobility operators under the license program shall relocate or rebalance shared mobility small devices based on these times:
  - 1) 6 a.m. - 6 p.m. Monday-Friday (city holidays excluded) – within 4 hours of receiving notice by the City.
  - 2) All other times – within 10 hours of receiving notice by the City.
- i. Any inoperable shared mobility small device that is not safe to operate shall be removed by the license operator from the right of way within 24 hours of notice by any individual or entity, and shall be repaired before returning the device into revenue service.
- j. If the city of Aurora incurs any costs addressing or abating any violations of these requirements, incurs any costs of repair or maintenance of public property that incurs damage that is beyond normal wear and tear, or device retrieval, upon receiving written notice of the city costs, the licensed operator shall reimburse the city of Aurora for such costs within 30-days. Failure to do so may risk the use of the provided Operator Reserve to reimburse for such costs.
- k. Upon providing 30-day notice to all license holders, Aurora Public Works department reserves the right to change any component of the program or its scope at any time during the one-year annual license. Furthermore, Aurora Public Works department, at its sole discretion, reserves the right to limit or cap the ability for specific modes of shared mobility small devices to be operated at any time during the license time frame.
- l. Upon providing 30-day notice to any license holder, the city of Aurora reserves the right to terminate licenses at any time and require that the entire fleet of shared mobility small devices be removed from Aurora streets. Such notice of termination shall

be delivered to the license holder by certified mail. The decommissioning shall be completed within 14-days after the completion of the 30-day period, unless a different time period is determined by the city of Aurora.

1) Upon receiving notice of license termination, the license holder has the right to appeal the decision to the Director of Public Works. A request for appeal must be provided in writing to the Director of Public Works no less than seven (7) days after receiving the termination letter via certified mail.

2) Any license holder not satisfied with the Director's decision may request a final appeal hearing with a hearing officer, as assigned by the city of Aurora. Such hearing shall be set before the end of the fourteen (14) day decommissioning period set by the City in the original notice provided via certified mail. The decision made by the hearing officer shall be final.

m. Licensed shared mobility operators must be in good standing with the City or will be subject to having their application(s) denied and/or license(s) revoked.

n. Licensed shared mobility operators shall not display third party advertising on licensed devices without the express written approval from the City.

o. The enforcement and the assessment of fines is designed to promote and achieve compliance with city and state laws and the Shared Mobility License Program's Rules and Regulations. The intent and desired goal is to gain voluntary compliance without the need for active enforcement. Each operator shall make a good faith effort to comply with all the terms and conditions set forth in these license regulations.

p. Individual small devices that are pre-rented for extended use (a day or more) to a sole user, shall be considered part of the operator's overall fleet limit if the device is either made available for short-term rental after the long-term rental period



ends, or if the small device is stored in the right-of-way between being rented.

#### IV 5. FLEET SIZE AND NUMBER OF OPERATORS

- a. Each licensed shared mobility operator shall have a minimum shared mobility small device fleet of 100 devices excluding fleet modifications due to adverse weather events. Operators shall meet this fleet size within four weeks of initial launch date.
- b. At the launch of their program within the city of Aurora, licensed shared mobility operators may deploy up to ~~500~~300 devices, according to their license application.
- c. A licensed shared mobility operator may add devices to their fleet upon request to and approval by the City when the operator can demonstrate with device and utilization data that average ridership exceeds the Minimum Utilization Rate (MUR) of two (2) rides per day for e-bikes and three (3) riders per day for e-scooters.
- d. If the licensed shared mobility operator applies for, and receives, permission to increase fleet size, operator will pay the additional license cost prior to the deployment of additional devices. This additional license cost will be prorated by remaining calendar days of license contract.
- e. The City reserves the right, at any time, to limit or cap the number of shared mobility operators licensed within the city of Aurora.
- f. The City reserves the right, at any time during the license period, to limit or adjust the number of shared mobility small devices licensed and/or deployed.
- ~~f.g.~~ The City reserves the right, at any time, to terminate any shared mobility license.
- ~~g-h.~~ The City reserves the right to restrict or deny the type and/or mode of mobility device(s) licensed under this program.

Formatted: Indent: Left: 1.13", No bullets or numbering

Formatted: Font: Verdana, 12 pt

h.i. All licensed shared mobility operators may be subject to the assessment of fines in the amount of \$30 per documented violation. Examples of Fleet Size violations include, but are not limited to, deploying more devices than licensed; deploying unauthorized/unlicensed devices; refusal to reduce the fleet if required to do so.

#### IV 6. COMMUNITY ENGAGEMENT AND EDUCATION

- a. Licensed shared mobility operators will be required to conduct community engagement practices at least once a quarter in order to inform community members how to use services provided in their fleet, answer questions, maintain transparency of their brand and operations in the city, and maintain best practices of their fleet.
- b. All licensed shared mobility operators will be required to submit documentation of community engagement events that they hosted for education about how to access, use, ride, park, contact, and report comments or questions related to the operators fleet of transportation services.
- c. All licensed shared mobility operators will be required to host an annual safe riding training session/course held within the city of Aurora city limits.
- d. All licensed shared mobility operators are encouraged to have messaging and/or language within their mobile application, on the shared device, and any other applicable messaging materials regarding their policies related to vandalism explaining what types of behaviors constitute as vandalism, the operator's responsive actions to vandalism, and any consequences for customers who commit vandalism.

#### IV 7. REPORTING

- a. Licensed shared mobility operators will report data to the Parking & Mobility Manager, in Aurora Public Works, for reporting and analysis purposes.

b. Licensed shared mobility operators are required to report, on a quarterly basis, monthly information regarding their fleet and membership. This report will not require providers to solicit comments from riders or members of the system. The goal of these reports is to better understand how the entire device share system is being utilized and to better inform future policy changes. Operators will work with the City to provide the following information on their company's operations in Aurora:

- 1) Utilization rates
- 2) Total download, active users & repeat user information
- 3) Total trips by day of week, time of day
- 4) Origins & destination information for all trips
- 5) Trips per device by day of week, time of day
- 6) Average trip distance
- 7) Trips originating in or destined Northwest Aurora (see section IV 2.c.1 for boundaries)
- 8) Parking compliance at designated zones and at transit and bus stops
- 9) Incidents of device theft and vandalism
- 10) Device maintenance reports
- 11) Complaints
- 12) Number of users participating in any discount programs disaggregated by program type (low income, students, etc.)
- 13) Accident / crash information
- 14) Payment method information

c. All licensed shared mobility operators shall complete and submit information using an identical data reporting template provided format identified by Parking and Mobility Program staff. This report is required to be submitted on the 7<sup>th</sup> of the month for the previous quarter, every January, April, July, and October.

d. Each licensed shared mobility operator will be responsible for providing and maintaining real-time data feeds via API, or other City approved method, displaying trip information including, but not limited to, data identified in section IV.7.b. All data shall be provided directly to the Parking and Mobility

Program staff and/or a city-approved 3<sup>rd</sup> party vendor, if applicable and subject to securing a license agreement with each license holder.

- e. If a licensed shared mobility operator ~~distribute~~distributes a customer survey, results of these surveys for service within the city of Aurora shall be provided to Aurora Public Works.
- f. Subject to securing a license agreement with each license holder, all licensed shared mobility operators agree to the city of Aurora using an independent third-party researcher for evaluation of the shared mobile small device license program. Data will be shared with the third-party researcher only for the purposes of evaluation and/or enforcement of the requirements in this license.  
*Note: If a public disclosure request is submitted that could result in the city of Aurora sharing data required by this license, the city of Aurora will notify the appropriate vendors prior to sharing data.*
- g. The City reserves the right to audit and verify all financial documents and records relating to all payments and transactions between the licensed shared mobility operator and the city of Aurora.

**V. INSURANCE & INDEMNIFICATION**

V 1. Insurance The license holder will be required to procure and maintain, at their own expense and without cost to the City of Aurora, the following types of insurance. The policy limits are to be considered minimum amounts:

a. Insurance and Indemnities: The license holder shall maintain a Commercial Property Insurance Policy on the premises during the term of this agreement. The cost the required insurance shall be paid by the license holder. Prior to commencement of this agreement, the license holder and its subcontractors shall provide a certificate of insurance evidencing the following coverages:

(a) Commercial General Liability Insurance. During the term of this agreement, the license holder and its subcontractors shall provide general liability coverage against claims arising out of bodily injury, death, damage to or destruction of the property of others, including loss of use thereof, and including products and completed operations in an amount not less than One Million Dollars (\$1,000,000.00) per occurrence and Two Million Dollars (\$2,000,000.00) general aggregate.

(b) Excess or Umbrella Liability. License holder and its subcontractors shall maintain an Excess or Umbrella Liability on an occurrence basis in excess of the underlying insurance described in (a), which has coverages as broad as the underlying policies, with a limit of Two Million Dollars (\$2,000,000).

(c) Workers' Compensation or Employers' Liability Insurance. The license holder and its subcontractors shall provide proof of workers' compensation coverage with limits as required by the laws of the State of Colorado. Additionally, the license holder and its subcontractors shall provide proof of Employers' Liability Insurance with limits as follows:

- \$500,000 bodily injury each accident
- \$500,000 bodily injury each disease
- \$500,000 bodily injury disease aggregate.

(d) Licensor as Additional Insured. All insurance policies required by this agreement, except workers' compensation, shall name the City, its officers, employees and agents as an additional insureds by endorsement and said coverage shall contain a waiver of subrogation. License holder and its subcontractors shall provide a copy of an endorsement providing this coverage.

(e) Limits of Insurance. The total limits of general and excess liability insurance set forth above may be provided to the City using a combination of primary and excess liability insurance.

(f) Certificates of Insurance. Upon the execution of this Agreement, the license holder shall provide certificates of insurance to the city of Aurora demonstrating that at the minimum coverages required herein are in effect. License holder agrees that the required coverages will not be reduced, canceled, non-renewed or materially changed without Thirty (30) days prior written notice to the City. All certificates of insurance must be kept in force throughout the duration of the services. If any of license holder's or any of its subcontractor's coverage is renewed at any time prior to the expiration of this Agreement, the license holder shall be responsible for obtaining updated insurance certificates for itself and such subcontractors from the respective insurance carriers and forwarding the replacement certificates to the City within ten (10) days of the expiration date of any previously delivered certificate.

The minimum A.M. Best rating of each primary insurer shall be A- X and the minimum A.M. Best rating of each excess insurer shall be A- VIII. The Licensee shall provide copies of insurance policies to the City Risk Manager upon request.

Any of the minimum limits of insurance set out herein may be raised or lowered at the sole discretion of the Risk Manager for the City of Aurora in response to the particular circumstances giving rise to the Agreement. The license holder's policy will be primary and non-contributory with respect to any and all self-

insurance or insurance policies purchased by the additional insured.

- V 2. Indemnification – Licensed holders agree to defend, indemnify, reimburse, and hold harmless the City, its appointed and elected officials, agents, and employees from and against all liabilities, claims, judgements, suits or demands for damages to persons or property arising out of, resulting from, or relating to the operator's services performed under the issued program license, unless such claims have been determined by the trier of fact to be the sole negligence or willful misconduct of the City. The indemnity shall be interpreted in the broadest possible manner to indemnify the City for any acts or omissions of the licensed holder, its subcontractors, or its users.

PROPOSED 2024



**VI. FEES**

VI 1. The following annual license fee schedule shall be applied to approved shared mobility service license holders. A business license, separate from this license, shall be required as well, in order to operate within the city of Aurora.

b. Fleet License Fee – Program licenses will be issued according to the following shared mobility fleet sizes:

- 1) 100 to ~~500-300~~ devices \$5,000 per year
  - 2) ~~501-301~~ to ~~1,000~~800 devices\* \$10,000 per year
  - 3) ~~1,001-801~~ to ~~21~~,000 devices\* \$15,000 per year
- \*requires demonstration of exceeding MUR*

c. Infrastructure Fee - \$0.~~03-05~~ per user rental, per device, for rentals originating in Aurora.

d. Operator Reserve - Each shared mobility operator license holder will be responsible for providing a Reserve that the City can draw upon, as needed, for costs, fines, and activities associated with auditing, removing, and storing improperly parked devices. Operators may provide this reserve in three forms: 1.) an escrow account through a third party, 2.) a Letter of Credit, or, 3.) the issuance of a Cashier's Check to the City. The City will be listed as the beneficiary of the Reserve and all Operators will be required to maintain the full Reserve amount at all times and replenish funds within 15-days of the reserve being drawn upon. The Operator Reserve must be established with the City before any License is issued. This Reserve will be maintained for at least two (2) months extending beyond the License expiration date and/or after an Operator has departed the Aurora market. The city shall provide a written notice to the Operator of five (5) days prior to drawing on a Reserve.

- 1) Reserve amount: \$~~25~~15,000

e. Docking Station Fee - The following additional annual license fee schedule shall be applied to approved mobility share license holders based on number of docking stations. A business

license, separate from this license, shall be required as well in order to operate within the City of Aurora.

1) Per Docking Station: \$750

- d. Violation Fee – If a licensed shared mobility operators is in documented violation, per the sole judgement of the City, of any of the requirements and/or stipulations of this license program outside the applicable notice and cure period, the Parking and Mobility Program may subject the operator the assessment of violation fees of \$30 per documented violation. The operator will be required to pay the violation fee(s) within 30-days of issuance or risk the use of the Reserve or revocation of their assigned program license(s).

PROPOSED 2024 LBIS

## VII. APPLICATION

VII 1. Organizations interested in applying for a license shall submit an application request to the city of Aurora. The application must include the following items:

- a. Organization name and local, primary contact information
- b. Insurance & indemnification documentation
- c. Images and description of shared mobility small devices and mobile application
- d. Size of fleet and mode composition including any planned fleet expansion over the year
- e. Service area, including any planned area expansion over the year
- f. Education and outreach plan(s) for proper device parking and riding
- g. Device rebalancing and scheduling plan(s)
- h. A list of preferred locations for the possible installation of painted dockless parking zones
- i. Parking enforcement and management plan(s) for all modes of transportation options provided in the fleet
- j. Plan(s) to provide an equitable mobility sharing service for individuals without smart phones or being unbanked

VII 2. Proof of valid City of Aurora business license will be required before a Shared Mobility Small Device License is granted.

## Transportation, Airports and Public Works (TAPS) Policy Committee Meeting

September 19, 2024

Members Present: Council Member (CM) Stephanie Hancock, Chair; Council Member (CM) Francoise Bergan, Vice-Chair

Members Absent: Council Member (CM) Angela Lawson, Member

Others Present: Carlie Campuzano, Ryan Germeroth, Laura Perry, Cathy Valencia, Leticia Callanen, Marc Tamburro, Brian Rulla, Rachel Allen, Julie Patterson, Tracy Burton, Mac Callison, Haley Busch Johansen, Mindy Parnes, Tom Worker-Braddock, Cindy Colip, Brianna Medema, Jacob Cox, Christina McClelland, Krista Orloff, Kurt Muehlemeyer, Scott Berg, Darren Akrie, Adrian Morris, Heath Walter, Matthew Chapman

---

### 1. WELCOME AND INTRODUCTION

---

### 2. APPROVAL OF AUGUST 15, 2024 MEETING MINUTES

---

### 3. CONSENT ITEMS (None)

---

### 4. GENERAL BUSINESS

#### 4.a Shared Micro-Mobility Program Update

##### **Summary of Issue and Discussion:**

Tom Worker-Braddock, Senior Transportation Planner, gave an update on the Shared Micro-Mobility Program. He went over the history of micro-mobility in Aurora and Bird scooter rental history. He talked about the programs rules, regulations, and policies. He discussed the draft program modifications, including lowering the cap on the number of initial devices to be deployed, restructure of the fleet size allowable, increase to the infrastructure fee amount, and lowering of the operator reserve amount. He asked for the Committee's support in moving the program update forward to the next available Study Session for informational purposes.

### **Committee Discussion:**

CM Bergan stated it seems like the program is not working for Aurora for the fact that they are not urban like Denver and not very concentrated with a lot of business where people would utilize this option. She asked if they were looking at specific areas of town.

Mr. Worker-Baddock responded that the only areas of town they require operators to be in is within 2 miles of any light rail station so the devices are available for people to use to get to transit. He said they have also seen that there may be long distances between an apartment complex to a grocery store, light rail, or jobs, and when these devices are available, people do use them.

She said it seems like they are not used, because all these companies have left Aurora.

Mr. Worker-Braddock added there has been a lot of turnover in the industry, and now the amount of operators that are available are fewer and seem to be more consistent and fiscally secure. He explained that since the land use differs from Denver, Aurora has different requirements for companies and do not require as many devices and their rental fee is lower.

L. Perry added that each provider submits an application to the city that identifies a service area and a business plan. She said it has been quite some time since Council has discussed this program, which is why they wanted to make sure Council is aware there is growing interest, a comfort level of the program exists, and Council is familiar with the revisions being proposed.

CM Lawson understands that mobility is really important, but she is concerned about these being left between their wards and they will have to do Council Requests to have them picked up. She voiced another concern with certain locations being dangerous with people commuting by scooter. She suggested having something in place about how to deal with the devices when they are left behind.

CM Hancock asked if this is worth moving forward to Study Session and if this is something that Council has an appetite for and wants to consider.

CM Lawson voiced that she is fine with bringing it to Study Session, but hopes the City staff is prepared to answer these type of questions.

CM Hancock agreed they need to figure out what the operator is going to do to make sure these issues are addressed. She encouraged staff to flush that out.

CM Bergan agreed and is fine with it going to Study Session.

CM Hancock stated that she likes the idea of the scooters, especially for people to get from point A to point B, but wants to know what the vendors are going to do with the devices once riders are done with them.

L. Perry said they have asked several providers to talk them through the technology on their side and have gotten some answers to that. She will incorporate that in the presentation when it goes to Study Session.

T. Worker-Braddock added that some of the tools the city already utilizes require a local phone number be placed on each device and to give specific requirements about a request for it to be moved and how much time the provider has have to move the device. They have rules and regulations that detail that if the device does not get moved in the appropriate time frame, the city can fine the provider to elevate this to the provider's attention, and that the City has the option to require the provider to cease operations. He said these are good points to address at Study Session.

**Outcome:**

The Committee recommended the item move forward to Study Session.

**Follow-up Action:**

Staff will move the item forward to Study Session.

DRAFT

**Transportation, Airports and Public Works (TAPS) Policy Committee Meeting**  
April 15, 2019

Members Present: Council Member (CM) Johnny Watson, Chair and CM Dave Gruber

Others Present: Andrea Barnes, Mac Callison, Carlie Campuzano, Lynn Center, Dave Chambers, Cindy Colip, Nancy Freed, Michelle Gardner, Liia Koiv-Haus, Jad Lanigan, Julie Patterson, Brian Rulla, Elly Watson, Brenda Whiteford and Tom Worker-Braddock

Guests: Wes Friednash, Sewald Hanfling

---

**1. APPROVAL OF MINUTES**

The TAPS February 20, 2019 minutes were approved as written.

---

**2. CONSENT ITEMS**

None

---

**3. DOCKLESS MOBILITY SHARING PERMIT RULES AND REGULATIONS**

Summary of Issue and Discussion: Senior Transportation Planner Tom Worker-Braddock stated the City of Aurora's (COA) current dockless mobility regulations have been in place since October 2017. Three companies, Lime Bike, Ofo, and Spin, applied under the current city regulations. Spin operated for only a few weeks. Lime Bike and Ofo operated dockless mobility systems in Aurora between Winter 2017/18 until August 2018. In August 2018, Ofo pulled out of the entire North American market, and Lime pulled out of Aurora to focus on Denver after they recently opened up their shared mobility permitting process. This presentation is an update and revision to the current Bike Share Program. Operators can actually apply for and receive a pedal bike share permit at this time. These rules and regulations govern operators who offer small shared mobility vehicles within the city's public right-of-way.

The dockless mobility regulations are being updated to reflect changes in the industry since the initial regulations were published in October 2017. These revised regulations take into account the introduction of electric bicycles and electric scooters, the COA's experience with dockless mobility systems, as well as incorporated best practices developed within the past year. City staff presented the changes to the national environment of dockless mobility systems that necessitated updates to the city's current regulations to the Committee.

Shared mobility vehicles can either be docked or dockless. Docked vehicles use a fixed-point docking station to lock-down a vehicle when not being rented while a "dockless" vehicle uses an internal mechanism to prevent it from being used between rentals. More importantly, dockless allows the bike to be parked nearly anywhere within a defined district.

The market is changing and shared mobility operations are expanding nationally as well as world-wide. Pedal bike share was once popular, but is now being replaced with electric assist

vehicles as users find electric bicycles or electric scooters more attractive, and more-and-more operators are not offering pedal bikes in their fleets any longer. E-scooters are used more often than pedal bikes at a rate of four times a day for e-scooters and 0.6 times a day for pedal bikes.

Electric vehicles are more attractive to municipalities as those vehicles need to be charged frequently, thus vehicles are being picked-up and re-set regularly. Electric vehicles are no longer sitting around for weeks at a time as the city experienced with pedal bikes. The company Bird, for example, collects and recharges its scooters every evening, and redistributes them to designated nests every morning. The guidelines are being updated to adapt to the changes in the market and offer regulations that are generic in nature and open to new shared devices that may not even be considered at this time.

Additions to the existing program will include the city being able to require operators to Geo-fence within an area on a map. This will prevent individuals from locking up the devices. The Geo-fence area will be a no go zone. The number of operators can be limited as well as the size of the fleet and type of vehicles. The city can request operators to provide real-time user data, so we can be responsive to citizen's concerns. The city is monetizing the right-of-way by doubling the operator's permit fee. Also an operator reserve fee will be added to protect the city if an operator goes out of business and leaves their vehicles throughout the city. An infrastructure fee will be charged at a rate of \$.03 per vehicle per rental that can be used to build supportive infrastructure for all users.

There will be motor speed limits, so if the vehicle reaches certain speeds, the motor will cut off. The motors on bikes will not be able to exceed 20 mph and motors on electric scooters will not be able to exceed 15 mph. Vehicles will require front and rear lights available after dusk. Pedestrians have right-of-way at all times. Operators can be required to provide painted parking boxes to incite users to park in those designated boxes.

It will be required for each vehicle to have a 24-hour customer service phone number if citizens do not have a smart phone to report a concern with a vehicle. Improperly parked vehicles will be required to be moved within four hours during normal business hours. If an operator wants to expand their fleet beyond 500 vehicles, it has to be demonstrated that their existing fleet is already being used.

State House Bill 19-1221 went to Senate Committee last week and will go before the Senate floor tomorrow. The bill will formally allow e-scooters to be driven on streets. Currently, e-scooters are classified as toy vehicles. The city's parking ordinance will also need to be revised to give the parking department authority to impose fines related to the dockless mobility program.

Discussion was held if the city could suggest to the operators to have the language in their agreement for users to agree and sign that the city has no liability when using the operator's vehicles in the city's right-of-way. Assistant City Attorney Michelle Gardner stated the city asks the company to indemnify the city, and this could be reviewed.

Tom Worker-Braddock proposed the question if the Committee supports the updated Rules and Regulations and the additional authority allowing the Parking and Mobility Program to administer the Shared Mobility Small Devices License Program by Public Works?



Outcome: The Committee supported forwarding the revised Rules and Regulations to Council Study Session for informational purposes, and the revised parking ordinance for consideration and adoption.

Outcome: The Committee supported forwarding this item to Council Study Session.

Follow-up Action: This item will be forwarded to Council Study Session.

#### 4. **INTERGOVERNMENTAL AGREEMENT (IGA) WITH COLORADO DEPARTMENT OF TRANSPORTATION (CDOT) FOR HIGHWAY SAFETY IMPROVEMENT PROGRAM (HSIP) GRANT FUNDING**

Summary of Issue and Discussion: Traffic Engineering Supervisor Carlie Campuzano stated in late 2016 CDOT broadcasted application acceptance for projects through the HSIP.

This federal aid program funds safety improvement projects that can achieve a significant reduction in traffic fatalities and serious injuries on all public roads. This program operates through data-driven analysis to support strategies with a goal of Towards Zero Deaths (TZD) on Colorado roads, and the Level of Service of Safety (LOSS) analysis which is collected over a three to five year span. The CDOT program document was given to the Committee for reference.

In November 2016, through the Colorado HSIP, city staff applied for and has now been approved for Traffic Signal and Equipment Upgrades at the following intersections:

- 17th Avenue and Peoria Street
- Mississippi Avenue and Buckley Road
- Mississippi Avenue and Sable Boulevard
- Smoky Hill Road and Chambers Road
- Yale Avenue and Peoria Street

Crash data for these locations indicates an approach turn accident pattern, with a time of day/day of week component, is present. There are also indications of a red light running broadside pattern for these intersections. The traffic signals at the intersections are not on the CDOT state highway system. The intersections will be partially and/or fully reconstructed to provide the necessary displays and alignment for provision of protected only by time of day/day of week left turn phasing for the warranted directions in order to eliminate existing approach turn crash patterns. All overhead displays on the reconstructed portions will also be equipped with retroreflective back plates, as a Federal Highway Administration (FHWA) proven countermeasure for red light running broadside crashes. Design is anticipated to occur in 2019 with construction to follow in 2020.

A 10% local funding match is required for HSIP projects. The cost is \$2,352,000 for design and construction with \$2,116,800 being federal grant funds and the remaining \$235,200 being city matching funds. There are no funds being requested as the monies will be covered in the Public Works budget.



# CITY OF AURORA

## Council Agenda Commentary

<b>Item Title:</b> Filling the At-Large Council Member Vacancy
<b>Item Initiator:</b> Kadee Rodriguez, City Clerk
<b>Staff Source/Legal Source:</b> Kadee Rodriguez, City Clerk / Pete Schulte, City Attorney
<b>Outside Speaker:</b> N/A
<b>Council Goal:</b> 2012: 4.0--Create a superior quality of life for residents making the city a desirable place to live and work

### COUNCIL MEETING DATES:

**Study Session:** 10/28/2024

**Regular Meeting:** N/A

**2<sup>nd</sup> Regular Meeting (if applicable):** N/A

**Item requires a Public Hearing:**  Yes  No

### ITEM DETAILS *(Click in highlighted area below bullet point list to enter applicable information.)*

- Agenda long title
- Waiver of reconsideration requested, and if so, why
- Sponsor name
- Staff source name and title / Legal source name and title
- Outside speaker name and organization
- Estimated time (For Study Session items only, indicate combined time needed for presentation and discussion)

Kadee Rodriguez, City Clerk / Pete Schulte, City Attorney  
Estimated time: 10 mins

### ACTIONS(S) PROPOSED *(Check all appropriate actions)*

- Approve Item and Move Forward to Study Session  Approve Item as Proposed at Study Session
- Approve Item and Move Forward to Regular Meeting  Approve Item as Proposed at Regular Meeting
- Information Only
- Approve Item with Waiver of Reconsideration  
*Reason for waiver is described in the Item Details field above.*

### PREVIOUS ACTIONS OR REVIEWS:

**Policy Committee Name:** N/A

**Policy Committee Date:** N/A

**Action Taken/Follow-up:** *(Check all that apply)*

Recommends Approval

Does Not Recommend Approval

Forwarded Without Recommendation

Minutes Not Available

Minutes Attached

**HISTORY** *(Dates reviewed by City council, Policy Committees, Boards and Commissions, or Staff. Summarize pertinent comments. ATTACH MINUTES OF COUNCIL MEETINGS, POLICY COMMITTEES AND BOARDS AND COMMISSIONS.)*

Mayor Pro Tem Zvonek tendered his resignation during the October 14, 2024 Regular Council Meeting, effective the end of October 2024.

**ITEM SUMMARY** *(Brief description of item, discussion, key points, recommendations, etc.)*

The remaining Council Members must appoint a qualified person within 45 days of the vacancy during a Regular or Special Council Meeting by a majority vote of Council (including the Mayor). The appointment will be in effect until the upcoming 2025 Regular Municipal Election.

Council possesses the final authority to determine the process associated with filling a vacancy. In the past, Council has accepted applications and interviewed qualified candidates. Past processes are not mandatory but may assist in identifying avenues of consideration.

Past Processes:

1. Vacancy is advertised by Communications
2. **Applications and resumes are accepted and vetted by the City Clerk’s Office**
3. **‘Meet and Greet’ with the candidates and the public**
4. Candidates are interviewed during a Study Session or Special Study Session
5. Appointment is made by Council during a Regular Council Meeting

Filling the role of mayor pro-tem due to the resignation of the council member currently holding the position is not addressed in the City Charter, City Code, or the Council Rules. However, the City Charter states that City Council “shall” appoint a mayor pro-tem, indicating that this is mandatory. It is recommended that Council vote to elect a mayor pro-tem to serve in the interim until the new mayor pro-tem is officially elected during the first regular council meeting in December (as required by the Council Rules).

**FISCAL IMPACT**

Select all that apply. (If no fiscal impact, click that box and skip to “Questions for Council”)

- Revenue Impact     
  Budgeted Expenditure Impact     
  Non-Budgeted Expenditure Impact  
 Workload Impact     
  No Fiscal Impact

**REVENUE IMPACT**

*Provide the revenue impact or N/A if no impact. (What is the estimated impact on revenue? What funds would be impacted? Provide additional detail as necessary.)*

**BUDGETED EXPENDITURE IMPACT**

*Provide the budgeted expenditure impact or N/A if no impact. (List Org/Account # and fund. What is the amount of budget to be used? Does this shift existing budget away from existing programs/services? Provide additional detail as necessary.)*

**NON-BUDGETED EXPENDITURE IMPACT**

*Provide the non-budgeted expenditure impact or N/A if no impact. (Provide information on non-budgeted costs. Include Personal Services, Supplies and Services, Interfund Charges, and Capital needs. Provide additional detail as necessary.)*

**WORKLOAD IMPACT**

*Provide the workload impact or N/A if no impact. (Will more staff be needed or is the change absorbable? If new FTE(s) are needed, provide numbers and types of positions, and a duty summary. Provide additional detail as necessary.)*

---

**QUESTIONS FOR COUNCIL**

How does Council wish to move forward with filling the vacancy?

---

**LEGAL COMMENTS**

A council seat shall become vacant whenever any councilmember is recalled, dies, becomes incapacitated, resigns, attains another elective office, is involuntarily removed from office, or becomes a nonresident of the city or ward from which elected. In case of a vacancy, the remaining councilmembers shall appoint by majority vote, no later than forty-five (45) days after such vacancy occurs, a duly qualified person to fill such vacancy. An appointment which occurs ninety (90) days or more before a regular election shall be in effect only until the date of the upcoming regular election. An appointment which occurs less than ninety (90) days before the upcoming regular election shall be in effect until the subsequent regular election unless the term expires at the upcoming election. City Charter 3-7. (Bajorek)



TO: Mayor and Council Members

FROM: Kadee Rodriguez, City Clerk

DATE: October 28, 2024

RE: **At-Large Council Member Vacancy**

**Resigned Council Member**

Name	Office	Upcoming Election for Office	Resignation Date
Dustin Zvonek	At-Large	Nov. 4, 2025	Oct. 31, 2024

**Filling the Council Member Vacancy**

**Appointment Deadline** - City Council has until Dec. 15, 2024 (45 days from the date of the vacancy) to appoint a qualified person to fill the remainder of the term.

**Appointment Process** - Council possesses the final authority to determine the process associated with filling a vacancy. In the past, Council has accepted applications and interviewed qualified candidates.

**Term of New Candidate** - The candidate appointed will fill the remainder of Council Member Zvonek’s term, which ends the first council meeting in December of 2025. The new at-large council member will be voted into office by registered electors during the November 2025 Regular Municipal Election.

**Qualifications** - Registered elector of the city of Aurora, a U.S. citizen, at least 21 years old on the date of appointment, a resident of Aurora for at least one year prior to the date of appointment, not employed by the City of Aurora, and not holding any other elective office.

**Appointing a new Mayor Pro-Tem**

It is recommended that Council vote to elect a Mayor Pro-Tem to serve in the interim until the new Mayor Pro-Tem is officially elected during the first regular council meeting in December.

- Appointment of Interim MPT – Council will vote to elect the Interim MPT during the Nov. 4, 2024 Regular Council Meeting
- Appointment of MPT for 2025 – Council will vote to elect the MPT during the Dec. 2, 2024 Regular Council Meeting.

**References**

- City Charter Section 3-2 – Mayor Pro-Tem Roles
- City Charter Section 3-3 – Qualifications
- City Charter Section 3-7 – Filling a Council Member Vacancy
- City Code Section 54-4(b) – Filling a Council Member Vacancy



TO: Mayor and Council Members

FROM: Kadee Rodriguez, City Clerk

DATE: October 28, 2024

RE: **At-Large Council Member Vacancy – PROPOSED INTERVIEW SCHEDULE (2024)**

### Proposed Interview & Appointment Schedule 1

<b>October 28<sup>th</sup></b>	Proposed interview schedule presented to Council
<b>October 29<sup>th</sup></b>	Applications open online
<b>November 13<sup>th</sup></b>	Deadline to submit application
<b>November 18<sup>th</sup></b>	Council determines candidates to interview during Council Meeting
<b>November 25<sup>th</sup></b>	Council interviews candidates at Special Study Session
<b>December 2<sup>nd</sup></b>	Council appoints new council member during Council Meeting

### 2024 Council Meeting Calendar

October	November	December
<b>5 Fall Workshop (Budget)</b>	<b>4 Council Meeting</b>	<b>2 Council Meeting</b>
7 No meeting	11 No meeting - Holiday	9 No meeting
<b>14 Council Meeting</b>	<b>18 Council Meeting</b>	<b>16 Council Meeting</b>
21 No meeting	25 No meeting	23 No meeting
<b>28 Council Meeting</b>		<b>30 No meeting</b>
2-4 Rosh Hashenah	5 Election Day	Holiday Tree Lighting
11, 12 Yom Kippur	11 Veteran's Day (offices closed)	ICSC Recon
AEDC A-List Dinner	13-16 NLC City Summit (Tampa)	25 Hanukkah
31 Halloween	28-29 Thanksgiving (offices closed)	25 Christmas Day (offices closed)
		31 New Years Eve



## Proposed Interview & Appointment Schedule 2

<b>October 28<sup>th</sup></b>	Proposed interview schedule presented to Council
<b>October 29<sup>th</sup></b>	Applications open online
<b>Nov. 6<sup>th</sup> by noon</b>	Deadline to submit application
<b>Nov. 8<sup>th</sup> by EOD</b>	Deadline for Council to submit ranking forms. Top 3 candidates will be interviewed.
<b>Nov. 11<sup>th</sup> - Nov. 25<sup>th</sup></b>	Council interviews candidates at Special Study Session (approx. 4 pm – 7 pm)
<b>December 2<sup>nd</sup></b>	Council appoints new council member during Council Meeting

## 2024 Council Meeting Calendar

October	November	December
<b>5 Fall Workshop (Budget)</b>	<b>4 Council Meeting</b>	<b>2 Council Meeting</b>
7 No meeting	11 No meeting - Holiday	9 No meeting
<b>14 Council Meeting</b>	<b>18 Council Meeting</b>	<b>16 Council Meeting</b>
21 No meeting	25 No meeting	23 No meeting
<b>28 Council Meeting</b>		<b>30 No meeting</b>
2-4 Rosh Hashenah	5 Election Day	Holiday Tree Lighting
11, 12 Yom Kippur	11 Veteran's Day (offices closed)	ICSC Recon
AEDC A-List Dinner	13-16 NLC City Summit (Tampa)	25 Hanukkah
31 Halloween	28-29 Thanksgiving (offices closed)	25 Christmas Day (offices closed)
		31 New Years Eve



## City of Aurora

### APPLICATION – At-Large Council Member

Application will not be considered without an attached resume or if received past the deadline. Please include your previous three employers and the reason for leaving on your resume.

First Name: \_\_\_\_\_ Last Name: \_\_\_\_\_

Residence Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Email: \_\_\_\_\_ Phone: \_\_\_\_\_

#### EDUCATION

Degree: \_\_\_\_\_ Years Completed: \_\_\_\_\_

Degree: \_\_\_\_\_ Years Completed: \_\_\_\_\_

#### CURRENT EMPLOYMENT

Name of Employer: \_\_\_\_\_

Position: \_\_\_\_\_ Date of Employment: \_\_\_\_\_

Business Address: \_\_\_\_\_

#### REFERENCES

Name: \_\_\_\_\_ Phone: \_\_\_\_\_

Name: \_\_\_\_\_ Phone: \_\_\_\_\_

Name: \_\_\_\_\_ Phone: \_\_\_\_\_

#### APPOINTIVE POSITIONS

List any board, committee, or commission you currently serve on



**Why do you desire appointment to City Council?**

**If we were to conduct a comprehensive background investigation and reference checks, what will we find that may warrant explanation or that could be of concern to the city?**

**Do you have any special work experience, qualifications, or training that you would like to share?**

**How much time do you anticipate being able to spend on council duties each month? \_\_\_\_\_**

**Are there certain times when you would not be available? \_\_\_\_\_**

**I swear and affirm that I:**

- Am a registered elector of the city of Aurora
- Am a citizen of the United States of America
- Have resided within the municipal boundaries of the city of Aurora for at least one year prior to the date of appointment
- Will have reached by 21<sup>st</sup> birthday prior to the date of appointment
- Have not been convicted of embezzlement of public money, bribery, perjury, solicitation of bribery or subornation of perjury.
- Am not a City of Aurora employee and do not hold any other elective public office

**Signature: \_\_\_\_\_ Date: \_\_\_\_\_**

Send completed application packet to:

Email: [CityClerk@auroragov.org](mailto:CityClerk@auroragov.org)

Mail: City Clerk's Office, 15151 E. Alameda Pkwy., Ste. 1400, Aurora, CO 80012

Fax: 303-739-7520

**CITY CLERK'S OFFICE USE ONLY:**

**Voter Registration Date:** \_\_\_\_\_

**Application Received:** \_\_\_\_\_



# CITY OF AURORA

## Council Agenda Commentary

<b>Item Title:</b> Consideration to Reappoint Two (2) Members to the Planning and Zoning Commission
<b>Item Initiator:</b> Kadee Rodriguez, City Clerk
<b>Staff Source/Legal Source:</b> Kadee Rodriguez, City Clerk / Tim Joyce, Assistant City Attorney
<b>Outside Speaker:</b> N/A
<b>Council Goal:</b> 2012: 4.0--Create a superior quality of life for residents making the city a desirable place to live and work

### COUNCIL MEETING DATES:

**Study Session:** 10/28/2024

**Regular Meeting:** 11/4/2024

**2<sup>nd</sup> Regular Meeting (if applicable):** N/A

**Item requires a Public Hearing:**  Yes  No

### ITEM DETAILS *(Click in highlighted area below bullet point list to enter applicable information.)*

- Agenda long title
- Waiver of reconsideration requested, and if so, why
- Sponsor name
- Staff source name and title / Legal source name and title
- Outside speaker name and organization
- Estimated time (For Study Session items only, indicate combined time needed for presentation and discussion)

Kadee Rodriguez, City Clerk / Tim Joyce, Assistant City Attorney  
Estimated time: 5 mins

### ACTIONS(S) PROPOSED *(Check all appropriate actions)*

- Approve Item and Move Forward to Study Session  Approve Item as Proposed at Study Session
- Approve Item and Move Forward to Regular Meeting  Approve Item as Proposed at Regular Meeting
- Information Only
- Approve Item with Waiver of Reconsideration  
*Reason for waiver is described in the Item Details field above.*

### PREVIOUS ACTIONS OR REVIEWS:

**Policy Committee Name:** N/A

**Policy Committee Date:** N/A

**Action Taken/Follow-up:** *(Check all that apply)*

Recommends Approval

Does Not Recommend Approval

Forwarded Without Recommendation

Minutes Not Available

Minutes Attached

**HISTORY** *(Dates reviewed by City council, Policy Committees, Boards and Commissions, or Staff. Summarize pertinent comments. ATTACH MINUTES OF COUNCIL MEETINGS, POLICY COMMITTEES AND BOARDS AND COMMISSIONS.)*

The Planning & Zoning Commission is composed of seven (7) members appointed by City Council. Each member is appointed for a term of three (3) years and may serve up to three (3) consecutive terms.

City Council has sole discretion and final approval concerning appointments. Council may initiate the interview process for new applicants or reappoint members seeking to serve another term.

**ITEM SUMMARY** *(Brief description of item, discussion, key points, recommendations, etc.)*

The Planning and Zoning Commission has three (3) upcoming vacancies due to terms expiring on December 31, 2024. The online application opened on September 4, 2024. Two applications were received from current members seeking reappointment:

Becky Hogan  
Garrett Walls

**FISCAL IMPACT**

Select all that apply. (If no fiscal impact, click that box and skip to "Questions for Council")

- Revenue Impact       Budgeted Expenditure Impact       Non-Budgeted Expenditure Impact
- Workload Impact       No Fiscal Impact

**REVENUE IMPACT**

*Provide the revenue impact or N/A if no impact. (What is the estimated impact on revenue? What funds would be impacted? Provide additional detail as necessary.)*

N/A

**BUDGETED EXPENDITURE IMPACT**

*Provide the budgeted expenditure impact or N/A if no impact. (List Org/Account # and fund. What is the amount of budget to be used? Does this shift existing budget away from existing programs/services? Provide additional detail as necessary.)*

N/A

**NON-BUDGETED EXPENDITURE IMPACT**

*Provide the non-budgeted expenditure impact or N/A if no impact. (Provide information on non-budgeted costs. Include Personal Services, Supplies and Services, Interfund Charges, and Capital needs. Provide additional detail as necessary.)*

N/A

**WORKLOAD IMPACT**

*Provide the workload impact or N/A if no impact. (Will more staff be needed or is the change absorbable? If new FTE(s) are needed, provide numbers and types of positions, and a duty summary. Provide additional detail as necessary.)*

N/A

---

## QUESTIONS FOR COUNCIL

Does council wish to reappoint Becky Hogan and Garrett Walls to the Planning and Zoning Commission?

---

## LEGAL COMMENTS

All boards and commissions shall be appointed by City Council. (City Charter, art III, sec. 3-11 and art. IX, sec. 9-1). It shall be the function and duty of the planning and zoning commission to make and adopt a comprehensive plan for the physical development of the City, including any areas outside its boundaries, subject to the approval of City Council, which in the **commission's judgment bears relation to the planning of the City**. The commission shall review and consider proposed subdivision regulations and shall forward the proposed regulations to the Council recommending acceptance, modification or denial. (Aurora, Colo. Code § 106-28). The planning and zoning commission shall consist of seven members. All members shall be registered electors for at least one year immediately preceding their appointment. (Aurora, Colo. Code § 106-29). Commission members are appointed for a three year term. (Aurora, Colo. Code § 2-772). (TJoyce)

---



TO: Mayor and Council Members  
FROM: Kadee Rodriguez, City Clerk  
DATE: September 9, 2024  
RE: Planning and Zoning Commission Upcoming Vacancies

### Commission Member Roster

Name	Term Ending
Robert 'Bob' Roth	2024
Becky Hogan – Vice Chair	2024
Garrett Walls – Chair	2024
Melvin Bush	2025
Robert Gaiser	2025
Sonda 'Sunny' Banka	2026
Gayle Jetchick	2026

### Commission Composition

- **Composition:** Seven (7) members
- **Term Length:** Three (3) year overlapping terms.
- **Term Expiration Date:** December 31<sup>st</sup>
- **Term Limit:** Three (3) consecutive terms. Members who are term limited must wait one full term before reapplying.

### References

City Code (UDO): <https://aurora.municipal.codes/UDO/146-5.1.2>

[Online application](#)



## Planning & Zoning Commission Proposed Interview & Appointment Schedule

TO: Mayor and Council Members  
FROM: Kadee Rodriguez, City Clerk  
DATE: September 9, 2024

---

9/4/2024	Planning and Zoning Commission application opened <a href="#">online</a>
9/9/2024	Planning and Zoning Commission Proposed Schedule presented to Council (Study Session)
10/11/2024	Deadline to submit application
10/18/2024	Deadline for council to submit rankings
10/28/2024	Council determines candidates to be interviewed (Council Meeting)
	Background checks are conducted
11/4/2024	Council interviews candidates (Study Session)
11/18/2024	Council appoints commissioners (Council Meeting)

**Planning And Zoning Commission**  
**Applicant Package - Ward To Be Determined**

Planning And Zoning Commission - Ward To Be Determined

**Term** 01 Jan 2025 - 31 Dec 2027

**Positions Available** 3

**Number of applicants in this package** 1

- Hogan, Becky

Received: 9/10/2024

Ward V Resident & Registered Voter

Arapahoe County

Received: 9/10/2024

*Marcus Bond*



**Name:** Hogan, Becky

**Address:** [REDACTED]

**Email:** [REDACTED]

**Board Name:** Planning and Zoning Commission

**How long have you lived in Aurora?:**

20+ years

**Home Phone Number:**

[REDACTED]

**Mobile Phone Number:**

[REDACTED]

**Are you registered to vote? :**

Yes

**Date of Birth (Month/Day/Year) (\*\*Required to Verify Voter Registration):**

[REDACTED]

**Years of Education Completed :**

16

**Degree(s) Received:**

Certified Economic Developer

**College(s) Attended:**

University of Oklahoma-Economic Development Institute

**Employer Name:**

Retired from Edge Consulting Services

**Employer Address:**

13609 E Cornell Ave. #304 Aurora, CO 80014

**Current Position:**

Retired-Managing Member

**Years with Current Employer:**

10 years

**1.Previous Employer Name:**

R&R Engineering

**Position:**

Director of Entitlement Services

**Years with Previous Employer:**

3

**Reason for Leaving:**

Better Opportunity

**2.Previous Employer Name:**

Galloway

**Position:**

Director of Business Development

**Years with Previous Employer:**

5

**Reason for leaving:**

Better Opportunity

**3. Previous Employer Name:**

Edge Consulting Services

**Position:**

Managing Member

**Years with Previous Employer:**

5

**Reason for Leaving:**

Better Opportunity

**Do you presently serve in other appointed position(s) on any city of Aurora board, committee or commission?:**

Yes

**If yes, what board, committee or commission?:**

Planning & Zoning Commission

**Are you currently a member and seeking reappointment on the board you are applying for? :**

Yes

**Why do you desire this appointment? :**

This opportunity provides the ability to engage decades of experience in land development. It is one of the highlights in my service to the City of Aurora. I currently serve as Vice-Chair of the P&Z Commission. For the past 3 years, I have been responsible for scheduling and implementing monthly Study Sessions for the Commission. I faithfully read my packets, participate in site visits, and have a 98% attendance rate at all meetings. I maintain relationships with planning staff, the development community, my fellow members on planning commission, and City Council members.

**List your interests and activities.**

:

See the resume provided

**List licenses, special training and certificates related to this board or that you would like to share with us. :**

Certified Economic Developer

**Do you have any conflicts of interest that should be disclosed?:**

No

**If yes, please explain. :**

Not applicable

**Full Name:**

Brad Pierce

**Address:**

[REDACTED]

**Phone Number:**

[REDACTED]

**Full Name:**

Aurora Ogg

**Address:**

[REDACTED]

**Phone Number:**

[REDACTED]

**Full Name:**

Garrett Walls, Chair of the Planning & Zoning Commission

**Address:**

[REDACTED]

**Phone Number:**

[REDACTED]

**How did you hear about us? :**

Other

**ACKNOWLEDGMENT I hereby acknowledge:**

**1. Any law enforcement agency, administrator, state, municipal or federal agency, motor vehicle agency, institution, school or university (public or private), information service bureau, employer, or insurance company may furnish any and all background information requested by Global Solution Services.**

**2. If I continue through this process, the report on my criminal background check may become public record subject to release under Colorado's Open Records Act. Additionally, my criminal history may be discussed in public meetings.:**

I agree

## DECLARATION

I declare that to be a Commissioner for the Planning & Zoning Commission I must meet the following requirements as outlined in [Section 146-5.1.2](#) of the City Code:

- Be a "Registered Elector", as defined in Aurora City Code Section 54-2, for at least one year immediately preceding appointment
- Reside within the municipal boundaries of the City of Aurora, Colorado
- Not hold any paid office or position in the city administration:

I agree

By clicking APPLY and submitting this application, I certify that the foregoing information is true and correct:

I agree

### Signature:

Becky Hogan

### Date:

09/10/2024

**Time of Submission:** 09/10/24 1:54:35 PM

### Attachments

- Becky Hogan Bio (P&Z).pdf

# Becky Hogan

## **Current Community Leadership and Partnerships:**

### *Aurora Sister Cities – Co-Chair of the Korea Committee*

areas of focus:

- Aurora Asian Pacific Community Partnerships Hate Crime Initiatives
- “Korea Town” Business Initiative (planning and implementation)
- The Korean War Memorial (planning and fundraising)

### *Aurora Planning and Zoning Commission – Vice Chair, Planning Commission*

area of focus:

- City Council appointee overseeing land development, zoning, and site plan approvals in Aurora

### *7/20 Memorial at Aurora City Hall - Executive Steering Committee Member*

areas of focus:

- Midnight Vigil Community Service (planning and implementation)
- Fundraising and Networking with corporate funders and elected officials

### *African Leadership Group – Creation and Implementation of tours for Delegations from Senegal*

areas of focus:

- Creation and implementation of tours that connect Senegalese Delegates to business, government, education, health care, and culture communities in the metro area

### *Aurora Consent Decree Advisory Council-Community Advisory Council Charter Member*

area of focus:

- Community voice to and from the Consent Decree Monitoring organization, City Staff, Aurora Police & Fire and the Colorado Attorney General

### *The 18<sup>th</sup> Judicial Judge Nomination Commissioner*

area of focus:

- Recommend judges to the Governor of Colorado for appointment to the 18<sup>th</sup> Judicial District Court and the 23<sup>rd</sup> Judicial District Court

### *Ad Hoc Citizen’s Charter Review Task Force-Committee Appointee*

area of focus:

- Review and recommend changes to the Aurora City Charter

### *Heather Gardens Association – Civil Engagement Committee and Treasurer for Building 205*

**Active Memberships:**

- *NAACP - Aurora Branch*
- *Aurora Chamber of Commerce*
- *Aurora Sister Cities International*
- *Aurora History Museum*

**Professional Background:**

- *Economic Development and Land Development Consultant*
- *Certified Economic Developer (CEcD)*
- *CEO of Edge Consulting Services (retired in 2018)*
- *Interim Executive Director, Aurora Sister Cities International (90 day contract concluding April 2024)*

**Support and partnerships with the following organizations:**

- *University of Denver Political Science Department*
- *Community College of Aurora*
- *Aurora Public School Foundation*
- *African Leadership Group (ALG)*
- *Denver Rescue Mission*
- *Downtown Aurora Visual Arts (DAVA)*
- *NAACP Aurora Branch*
- *Aurora Sister Cities International*
- *Families Forward*
- *Mile High Behavioral Health*
- *Living Waters Christian Center*
- *7/20 Memorial Foundation*





**Planning And Zoning Commission**  
**Applicant Package - Ward To Be Determined**

Planning And Zoning Commission - Ward To Be Determined

**Term** 01 Jan 2025 - 31 Dec 2027

**Positions Available** 3

**Number of applicants in this package** 1

- Walls, Garrett

Received: 10/14/2024

Ward IV Resident & Registered Voter

Arapahoe County

Vetted: 10/14/2024

*Marcus Bond*

**Name:** Walls, Garrett

**Address:** [REDACTED]

**Email:** [REDACTED]

**Board Name:** Planning and Zoning Commission

**How long have you lived in Aurora?:**

15 years

**Home Phone Number:**

[REDACTED]

**Mobile Phone Number:**

[REDACTED]

**Are you registered to vote? :**

Yes

**Date of Birth (Month/Day/Year) (\*\*Required to Verify Voter Registration):**

[REDACTED]

**Years of Education Completed :**

4

**Degree(s) Received:**

BA

**College(s) Attended:**

University of Denver

**Employer Name:**

Synergy Business Solutions

**Employer Address:**

13428 E Asbury Dr

**Current Position:**

Owner

**Years with Current Employer:**

3

**1.Previous Employer Name:**

Western Centers

**Position:**

VP Operations

**Years with Previous Employer:**

5

**Reason for Leaving:**

Start my own business

**2.Previous Employer Name:**

Dreb commercial leasing

**Position:**

Owner

**Years with Previous Employer:**

15

**Reason for leaving:**

Still active

**3. Previous Employer Name:**

N/a

**Position:**

None

**Years with Previous Employer:**

N/a

**Reason for Leaving:**

N/a

**Do you presently serve in other appointed position(s) on any city of Aurora board, committee or commission?:**

Yes

**If yes, what board, committee or commission?:**

Business Advisory Board and Planning Commission

**Are you currently a member and seeking reappointment on the board you are applying for? :**

Yes

**Why do you desire this appointment? :**

I would like to continue serving the long-range vision of the city, and to do what I can to add any of my insight or experience to the Planning Commission.

**List your interests and activities.**

:

I enjoy hiking, photography and reading in my spare time. I'm also very involved in the business community in Aurora, specifically the Havana Business Improvement District.

**List licenses, special training and certificates related to this board or that you would like to share with us. :**

I'm a currently licensed commercial real estate broker.

**Do you have any conflicts of interest that should be disclosed?:**

No

**If yes, please explain. :**

N/a should any conflicts arise with the HBID they will be disclosed and I will recuse myself from that application.

**Full Name:**

Chance Horiuchi

**Address:**

[REDACTED]

**Phone Number:**

[REDACTED]

**Full Name:**

Andrea Amonick

**Address:**

[REDACTED]

**Phone Number:**

[REDACTED]

**Full Name:**

Wendy Renee

**Address:**

[REDACTED]

**Phone Number:**

[REDACTED]

**How did you hear about us? :**

Other

**ACKNOWLEDGMENT I hereby acknowledge:**

**1. Any law enforcement agency, administrator, state, municipal or federal agency, motor vehicle agency, institution, school or university (public or private), information service bureau, employer, or insurance company may furnish any and all background information requested by Global Solution Services.**

**2. If I continue through this process, the report on my criminal background check may become public record subject to release under Colorado's Open Records Act. Additionally, my criminal history may be discussed in public meetings.:**

I agree

## DECLARATION

I declare that to be a Commissioner for the Planning & Zoning Commission I must meet the following requirements as outlined in [Section 146-5.1.2](#) of the City Code:

- Be a "Registered Elector", as defined in Aurora City Code Section 54-2, for at least one year immediately preceding appointment
- Reside within the municipal boundaries of the City of Aurora, Colorado
- Not hold any paid office or position in the city administration:

I agree

By clicking APPLY and submitting this application, I certify that the foregoing information is true and correct:

I agree

**Signature:**

Garrett Walls

**Date:**

10/14/24

**Time of Submission:** 10/14/24 4:21:15 PM

**Attachments**

- Garrett's Resume 06.2021.pdf

# GARRETT PATRICK WALLS

---

## SUMMARY OF QUALIFICATIONS

---

- Vision and goal-oriented leadership skills
- Strong background and experience in management
- Microsoft Office Suite/IT Professional
- Typing speed of 68 WPM (5-word units)
- Good communication and delegation skills
- Dedicated organization skills

## EDUCATION

---

**September 2002- 2006**

**University of Denver**

Denver, Colorado

*International Studies Major/French Minor*

*Public Policy Major*

*Political Science Major*

## CERTIFICATIONS AND ORGANIZATIONS

---

**June 2017**

**State of Colorado, Department of Regulatory Agencies**

Denver, Colorado

Real Estate Associate Broker's License #FA. 10074253 06/06/2017 exp. 12/2022

*Concentration - Commercial Real Estate and Corporate Investment Operations*

**September 2017-Present**

**City of Aurora - Business Advisory Board**

Aurora, Colorado

Advisory Board - Chairperson

**November 2016-Present**

**Havana Business Improvement District**

Aurora, Colorado

Board of Directors – President

## PROFESSIONAL EXPERIENCE

---

**April 2016-May 2021**

**Western Centers, Inc**

*Vice President of Operations*

- Oversee corporate operations of Western Centers, Inc.'s subsidiary investments.
- Participate in key management decisions for business investments.
- Oversee international investments and operations.
- Coordinate between corporate divisions for goal implementation.
- Manage staffing and compliance of subsidiary investments.

- Assist in portfolio investments regarding leasing, operations, and management.
- Administer core corporate network and subsidiary networks.
- Administer enterprise SaaS licensing.
- Provide IT support and service of networks, hardware, and software.
- Administer and oversee all telecom/IT related accounts.

**January 2011-Present**

**DREB Commercial Leasing, LLC**

*Principal*

- Specialize in commercial lease preparation and consultation.
- Confer with legal counsel regarding drafting and reviewing commercial projects.
- Assist Denver Real Estate Brokers, Ltd with commercial/residential real estate leasing transactions.
- Negotiate transaction/lease terms with commercial clients and representation.
- Coordinate employee work with commercial property management clients.

**November 2010-January 2013**

**Arrow, Ltd**

*CEO and President*

- Own and operate subsidiary companies:
  - Arrow Logistics, LLC
  - Arrow Merchandising, LLC
  - Monster Pilot Car Services, LLC
- Determine scope and strategy of operations.
- Vision planning and goal adjustment.
- Manage corporate officers.
- Policy creation with Executive Board.

**May 2010-November 2010**

**Convergence Marketing**

*Captain*

- Hire and terminate employees.
- Maintain compliance with Human Resources.
- Supervise and direct subordinate employees.

**October 2008-Present**

**Circle RS Trust**

*CO-Owner/Trustee*

- Manager and direct macro-operations and entity operations of the business.
- Design and operate within appropriate vendor budget.
- Direct the Trust Manager in operations.
- Financial maintenance of the Trust Corpus.

**April 2008-April 2009**

**RMC Holdings, LLC**

*General Manager of The Bar Standard and Milk Nightclubs*

- Responsible for all staffing issues. (Hiring, firing, reviews, feedback, and scheduling)
- Design and operate within appropriate vendor budget (\$3.5M purchasing budget)
- Beverage management, including establishing a PAR liquor system.
- Attend meetings, conferences, and briefings in related to nightclub business.
- Administer/Supervise operation from open to close.
- Process all cash at the beginning and end of the night.
- Perform or coordinate any basic contracting work needed within the nightclub.



**September 2007-Januaray 2008**

**New West Capital**

*Chief of Staff for Senator Thomas J Wiens*

- Constituent correspondence, including phone, fax, email, and letter service.
- Coordinate the operation of the Senate office with the Senator.
- Manage the Senator’s schedule.
- Attend meetings, conferences, and briefings in proxy of the Senator.
- Compile and prepare legislative and policy driven research for the Senator.
- Administer on-site New West Capital network.
- Perform any/all necessary IT work orders within office.

**November 2006-August 2007(also Sept. 2005-Dec. 2005)**

**Bose Corporation**

*Demonstration Specialist and 4<sup>th</sup> Key Manager*

- Advanced trouble shooting and customer service.
- Customer Focused Engagement certified.
- Technical product education and certification.
- Quality phone and web-based customer engagement and service.
- Benefit demonstration certified.
- Store opening and closing procedures.

**January 2005-May 2006**

**Colorado General Assembly**

*Chief of Staff for Senator Ronald J. Teck*

- Constituent correspondence, including phone, fax, email, and letter service.
- Coordinate the operation of the Senate office with the Senator.
- Manage the Senator’s schedule.
- Attend meetings, conferences, and briefings in proxy of the Senator.
- Compile and prepare legislative and policy driven research for the Senator.



# CITY OF AURORA

## Council Agenda Commentary

<b>Item Title:</b> Planning and Zoning Vacancy Update
<b>Item Initiator:</b> Kadee Rodriguez, City Clerk
<b>Staff Source/Legal Source:</b> Kadee Rodriguez, City Clerk / Tim Joyce, Assistant City Attorney
<b>Outside Speaker:</b> N/A
<b>Council Goal:</b> 2012: 4.0--Create a superior quality of life for residents making the city a desirable place to live and work

### COUNCIL MEETING DATES:

**Study Session:** 10/28/2024

**Regular Meeting:** 11/4/2024

**2<sup>nd</sup> Regular Meeting (if applicable):** N/A

**Item requires a Public Hearing:**  Yes  No

### ITEM DETAILS *(Click in highlighted area below bullet point list to enter applicable information.)*

- Waiver of reconsideration requested, and if so, why
- Sponsor name
- Staff source name and title / Legal source name and title
- Outside speaker name and organization
- Estimated time: (For Study Session items only, indicate combined time needed for presentation and discussion)

Kadee Rodriguez, City Clerk / Tim Joyce, Assistant City Attorney  
Estimated time: 5 mins

### ACTIONS(S) PROPOSED *(Check all appropriate actions)*

- Approve Item and Move Forward to Study Session  Approve Item as Proposed at Study Session
- Approve Item and Move Forward to Regular Meeting  Approve Item as Proposed at Regular Meeting
- Information Only
- Approve Item with Waiver of Reconsideration  
*Reason for waiver is described in the Item Details field above.*

### PREVIOUS ACTIONS OR REVIEWS:

**Policy Committee Name:** N/A

**Policy Committee Date:** N/A

**Action Taken/Follow-up:** *(Check all that apply)*

Recommends Approval

Does Not Recommend Approval

Forwarded Without Recommendation

Minutes Not Available

Minutes Attached

---

**HISTORY** (Dates reviewed by City council, Policy Committees, Boards and Commissions, or Staff. Summarize pertinent comments. ATTACH MINUTES OF COUNCIL MEETINGS, POLICY COMMITTEES AND BOARDS AND COMMISSIONS.)

The Planning & Zoning Commission is composed of seven (7) members appointed by City Council. Each member is appointed for a term of three (3) years and may serve up to three (3) consecutive terms.

City Council has sole discretion and final approval concerning appointments. Council may initiate the interview process for new applicants or reappoint members seeking to serve another term.

---

**ITEM SUMMARY** (Brief description of item, discussion, key points, recommendations, etc.)

The Planning and Zoning Commission has three (3) upcoming vacancies due to terms expiring on December 31, 2024. The application was opened online and two (2) applications were received from members seeking reappointment. In addition, two (2) individuals who applied within the past year and are still interested in the vacancy. The applications for reappointment are being presented in a different item. Among the applicants within the last year who are interested in the vacancy are:

Joshua Thaete  
Robin Becker

The City Clerk's Office is seeking direction on how the council wishes to move forward with the third vacancy.

---

**FISCAL IMPACT**

Select all that apply. (If no fiscal impact, click that box and skip to "Questions for Council")

- Revenue Impact       Budgeted Expenditure Impact       Non-Budgeted Expenditure Impact  
 Workload Impact       No Fiscal Impact

**REVENUE IMPACT**

Provide the revenue impact or N/A if no impact. (What is the estimated impact on revenue? What funds would be impacted? Provide additional detail as necessary.)

N/A

**BUDGETED EXPENDITURE IMPACT**

Provide the budgeted expenditure impact or N/A if no impact. (List Org/Account # and fund. What is the amount of budget to be used? Does this shift existing budget away from existing programs/services? Provide additional detail as necessary.)

N/A

**NON-BUDGETED EXPENDITURE IMPACT**

Provide the non-budgeted expenditure impact or N/A if no impact. (Provide information on non-budgeted costs. Include Personal Services, Supplies and Services, Interfund Charges, and Capital needs. Provide additional detail as necessary.)

N/A

**WORKLOAD IMPACT**

Provide the workload impact or N/A if no impact. (Will more staff be needed or is the change absorbable? If new FTE(s) are needed, provide numbers and types of positions, and a duty summary. Provide additional detail as necessary.)

N/A

---

## QUESTIONS FOR COUNCIL

How does Council wish to move forward with the Planning and Zoning vacancy?

---

## LEGAL COMMENTS

All boards and commissions shall be appointed by City Council. (City Charter, art III, sec. 3-11 and art. IX, sec. 9-1). It shall be the function and duty of the planning and zoning commission to make and adopt a comprehensive plan for the physical development of the City, including any areas outside its boundaries, subject to the approval of City Council, which in the **commission's judgment bears relation to the planning of the** City. The commission shall review and consider proposed subdivision regulations and shall forward the proposed regulations to the Council recommending acceptance, modification or denial. (Aurora, Colo. Code § 106-28). The planning and zoning commission shall consist of seven members. All members shall be registered electors for at least one year immediately preceding their appointment. (Aurora, Colo. Code § 106-29). Commission members are appointed for a three year term. (Aurora, Colo. Code § 2-772). (TJoyce)

---

**Planning And Zoning Commission**

**Applicant Package - Ward II**

Planning And Zoning Commission - Ward II

**Term** 01 Jan 2022 - 31 Dec 2024

**Positions Available** 1

**Number of applicants in this package** 1

- Thaete, Joshua

Received: 02/21/2024  
Ward V Resident & Registered  
Voter Arapahoe County  
Vetted on 2/21/2024



**Name:** Thaete, Joshua

**Address:** [REDACTED]

**Email:** [REDACTED]

**Board Name:** Planning and Zoning Commission

**How long have you lived in Aurora?:**

3 years 11 months

**Home Phone Number:**

[REDACTED]

**Mobile Phone Number:**

[REDACTED]

**Are you registered to vote? :**

Yes

**Date of Birth (Month/Day/Year) (\*\*Required to Verify Voter Registration):**

[REDACTED]

**Years of Education Completed :**

19

**Degree(s) Received:**

Juris Doctor

**College(s) Attended:**

Emporia State University, Emporia, KS and Washburn University School of Law, Topeka, KS

**Employer Name:**

Taylor Morrison

**Employer Address:**

400 Inverness Pkwy Ste 350, Englewood, CO 80112

**Current Position:**

Warranty Administrator

**Years with Current Employer:**

3

**1.Previous Employer Name:**

Lokal Homes

**Position:**

Warranty Manager

**Years with Previous Employer:**

1.5

**Reason for Leaving:**

Changes in management and better opportunities for career growth.

**2.Previous Employer Name:**

Overland Property Group, Salina, Kansas

**Position:**

Projects Coordinator

**Years with Previous Employer:**

3

**Reason for leaving:**

Relocated to Colorado for family reasons.

**3. Previous Employer Name:**

Salina Area United Way

**Position:**

Communications Manager

**Years with Previous Employer:**

2

**Reason for Leaving:**

Opportunity for career growth moving into real estate development industry.

**Do you presently serve in other appointed position(s) on any city of Aurora board, committee or commission?:**

Yes

**If yes, what board, committee or commission?:**

Citizens Advisory Committee on Housing and Development

**Are you currently a member and seeking reappointment on the board you are applying for? :**

No

**Why do you desire this appointment? :**

Prior to making a career change into real estate development and homebuilding, I worked in advocacy, organizing, and community development. In recent years I have sought ways to continue my personal and professional growth by bringing my drive to improve communities (and the lives of the people within them) together with my interest in the real estate development industry. I believe that the best communities begin with the best planning, and the Planning and Zoning Commission has a significant role to play in helping to ensure that as the City of Aurora continues to grow, it does so in a way that makes sense economically and environmentally, and that recognizes the fact that actual people will be living and working in and around that growth. In addition to my background in advocacy, and my experience in development and homebuilding, I also have a Juris Doctor, which I think provides practical understanding which will be useful as a member of this quasi-judicial board. I have experience reading and interpreting rules and regulations, and an understanding of legal language, both of which are valuable assets for service on this commission.

**List your interests and activities.**

:

Like many Coloradans, I enjoy numerous forms of outdoor recreation. I also enjoy volunteering and finding ways to improve my community, and connecting with friends and neighbors. As mentioned previously in this application, I also currently serve on the Citizens' Advisory Committee on Housing and Development, where I regularly participate in the review process of funding requests related to the development of affordable housing.

**List licenses, special training and certificates related to this board or that you would like to share with us. :**

As I mentioned previously, I do have a legal education which I believe is relevant to this position.



**Do you have any conflicts of interest that should be disclosed?:**

Yes

**If yes, please explain. :**

I am employed by Taylor Morrison, a homebuilder who does business in the City of Aurora.

**Full Name:**

Jason Schneider

**Address:**

[REDACTED]

**Phone Number:**

[REDACTED]

**Full Name:**

Janae Abram

**Address:**

[REDACTED]

**Phone Number:**

[REDACTED]

**Full Name:**

Heather Yurka

**Address:**

[REDACTED]

**Phone Number:**

[REDACTED]

**How did you hear about us? :**

Word of Mouth

**ACKNOWLEDGMENT I hereby acknowledge:**

**1. Any law enforcement agency, administrator, state, municipal or federal agency, motor vehicle agency, institution, school or university (public or private), information service bureau, employer, or insurance company may furnish any and all background information requested by Global Solution Services.**

**2. If I continue through this process, the report on my criminal background check may become public record subject to release under Colorado's Open Records Act. Additionally, my criminal history may be discussed in public meetings.:**

I agree

**DECLARATION**

**I declare that to be a Commissioner for the Planning & Zoning Commission I must meet the following requirements as outlined in [Section 146-5.1.2](#) of the City Code:**

- Be a "Registered Elector", as defined in Aurora City Code Section 54-2, for at least one year immediately preceding appointment**
- Reside within the municipal boundaries of the City of Aurora, Colorado**
- Not hold any paid office or position in the city administration:**

I agree

**By clicking APPLY and submitting this application, I certify that the foregoing information is true and correct:**

I agree

**Signature:**

Joshua Thaete

**Date:**

2/21/2024

**Time of Submission:** 02/21/24 5:18:36 PM

**Attachments**

- JThaete Resume 2024.pdf

---

**PROFESSIONAL EXPERIENCE**

---

**Taylor Morrison** **Englewood, CO**  
**Home Warranty Administrator** **January 2021 - Present**

- Works with buyers of new homes to coordinate service and repairs under the William Lyon Homes and Taylor Morrison Warranties.
- Meets with homeowners at the day of their closing, as well as periodically during the first year of the warranty to go over repair items, offer advice and consultation on homeowner maintenance responsibilities.
- Troubleshoots material and installation issues, working with homeowners and trade partners to coordinate warrantable repairs.
- Maintains an active caseload of approximately 100 households, with an average time to resolution for issues of under 15 days.

**Lokal Homes** **Englewood, CO**  
**Home Care Manager** **July 2019 – January 2021**

- Works with buyers of new homes to coordinate service and repairs under the Lokal Homes Three Peaks Warranty.
- Meets with homeowners a minimum of three times during the first year of the warranty to go over repair items, offer advice and consultation on homeowner maintenance responsibilities.
- Troubleshoots material and installation issues, working with homeowners and trades.
- Maintains an active caseload of approximately 80 households, with an average time to resolution for issues of under 15 days.

**Overland Property Group, LLC** **Leawood, KS**  
**Projects Coordinator** **September 2016 – February 2019**

- Assists in the coordination of acquisitions, financing, pre-development and construction of affordable and market-rate housing projects for both new construction and rehabilitation properties.
- Assists with the completion of applications for financing of affordable projects including LIHTC and AHP while coordinating the submission of necessary due diligence items for project financing and compliance reporting.
- Serves as point of contact between OPG and investors and lenders during project construction, processing construction draws, and coordinating payments of the general contractors and other vendors.
- Upon project stabilization, coordinates the winding down of construction accounts and handing-off of day-to-day project management to property management.

**Salina Area United Way** **Salina, KS**  
**Marketing, Media & Communications Coordinator** **August 2015 – September 2016**

- Design and create marketing materials to promote SAUW's various activities including fundraising, events, and ongoing programs.
- Upgraded SAUW's website, updated content and maintained SAUW's online presence through the website, regular e-newsletters and social media.
- Wrote grants to secure funding for SAUW's new volunteer center. Grants were awarded by the Dane Hansen Foundation and the Greater Salina Community Foundation.
- Upon securing grant funding, oversaw the development and implementation of SAUW's volunteer program, culminating with the opening of the Volunteer Hub and the recruiting of over one thousand volunteers and more than two dozen partner agencies.

**The Volunteer Connection** **Salina, KS**  
**Volunteer & Development Manager** **February 2014-August 2015**

- Participate in and facilitate meetings of community leaders to organize and facilitate community-wide initiatives such as the Back to School Fair, Spring Spruce Up, Fall Fix Up and others.
- Recruit and screen new volunteers and place them in various area agencies and organizations in an effort to expand the reach and capacity of Salina's public service entities.
- Develop and distribute communications materials for the promotion of TVC and its activities and events.

**Kansas Health Consumer Coalition** **Topeka, KS**  
**Policy Analyst and Lobbyist** **September 2011-August 2013**

- Research in public health policy, statutory research, data analysis, and brief writing.
- Participate in and facilitate meetings between key legislators and state administrators with our advocate coalition.
- Lobby elected officials and their staff regarding important health-policy issues.
- Draft press releases, newsletters, reports, issue briefs, talking points and policy positions.
- Maintain an interactive online presence for the organization through the website and various other social media.

**Aviva Life & Annuities** **Topeka, KS**  
**Agent Contact** **December 2010-September 2011**

- Advised Aviva’s agents through the annuity application process.
- Reviewed new annuity applications for compliance with state law and internal policies.
- Provided quality and efficiency control for each of Aviva’s departments to ensure accurate and timely service.

**Mixed Media, LLP** **Topeka, KS**  
**Partner** **December 2008-January 2011**

- Provided online communications consulting to small and medium sized businesses, non-profits and campaigns.
- Designed and implemented comprehensive new media marketing plans for local and statewide commercial and political campaigns in both Kansas and Oklahoma.
- Provided organizational training on new media technologies and strategies.
- Coordinated efforts of fundraising, communications and field programs.
- Maintained an interactive online presence for each client through organizational websites and various social media outlets.
- Recruited and managed ten staff members, and as many as fifty volunteers.
- Clients served included: Oklahoma Democratic Party; Jeri Askins for Governor, Vote Yes to Fix Our Streets (Topeka), the Great Plains Alliance for Clean Energy, and the IBEW Local 304.

**US House of Representatives, Office of Congresswoman Nancy Boyda** **Topeka, KS**  
**District Representative** **February 2007-January 2009**

- Represented the Congresswoman at events throughout the district.
- Developed and implemented the Congress on Your Corner program.
- Provided general constituent services by coordinating federal agency responses to constituent complaints.
- Recruited, trained and managed approximately twenty interns.

**EDUCATION**

---

<b>Washburn University School of Law</b>	<b>Topeka, KS</b>
<b>Juris Doctor</b>	<b>June 2008</b>
<b>Emporia State University</b>	<b>Emporia, KS</b>
<b>Bachelor Science in Political Science</b>	<b>December 2003</b>

**COMMUNITY INVOLVEMENT**

---

<b>City of Aurora</b>	<b>Citizens Advisory Council on Housing and Community Development, 2022-Present</b>
<b>Circles of the Heartland</b>	<b>Guiding Coalition &amp; Recruitment Team, 2015-2019</b>
<b>Positive Connections</b>	<b>Board of Directors, 2013-2014</b>
<b>Kansas Equality Coalition, Topeka Chapter</b>	<b>Executive Committee, 2009-2012</b>
<b>Kansas City Startup Weekend, 2009</b>	<b>Participant and Top Concept Winner</b>
<b>Osage City Library Foundation, Inc.</b>	<b>Board of Directors, 2007-2008</b>

**SOFTWARE**

---

<b>Windows and Mac OS</b>	<b>Adobe Dreamweaver, Photoshop, InDesign</b>
<b>Microsoft Office Suite</b>	<b>HTML, CSS, PHP</b>

**Planning And Zoning Commission**  
**Applicant Package - Ward To Be Determined**

Planning And Zoning Commission - Ward To Be Determined

**Term** 01 Jan 2025 - 31 Dec 2027

**Positions Available** 3

**Number of applicants in this package** 1

- Becker, Robin

Received: 10/16/2024

Ward III Resident & Registered Voter

Arapahoe County

Vetted: 10/16/2024

*Marcus Bond*

**Name:** Becker, Robin

**Address:** [REDACTED]

**Email:** [REDACTED]

**Board Name:** Planning and Zoning Commission

**How long have you lived in Aurora?:**

1.5 years

**Home Phone Number:**

[REDACTED]

**Mobile Phone Number:**

[REDACTED]

**Are you registered to vote? :**

Yes

**Date of Birth (Month/Day/Year) (\*\*Required to Verify Voter Registration):**

[REDACTED]

**Years of Education Completed :**

18

**Degree(s) Received:**

Bachelor of Arts and Master of Arts

**College(s) Attended:**

Metro State University of Denver and University of Auckland

**Employer Name:**

AHEC-State of Colorado

**Employer Address:**

1201 5th Street Denver, CO 80217

**Current Position:**

Senior Campus Planner

**Years with Current Employer:**

2.5

**1.Previous Employer Name:**

City of Golden

**Position:**

City Planner

**Years with Previous Employer:**

3

**Reason for Leaving:**

Got a senior planning position

**2.Previous Employer Name:**

Town of Estes Park

**Position:**

Town Planner

**Years with Previous Employer:**

2

**Reason for leaving:**

Moved closer to family and desired a more city based planning job

**3. Previous Employer Name:**

Good Earth Matters Consulting

**Position:**

Associate Planner

**Years with Previous Employer:**

1 year

**Reason for Leaving:**

Moved back from overseas

**Do you presently serve in other appointed position(s) on any city of Aurora board, committee or commission?:**

No

**If yes, what board, committee or commission?:**

N/A

**Are you currently a member and seeking reappointment on the board you are applying for? :**

No

**Why do you desire this appointment? :**

I want to become more involved and give back to my community. As a planner, I really enjoy planning outside my professional life and feel I could provide expertise and knowledge on the planning and zoning commission. I want to also learn more about what is happening in my community and city.

**List your interests and activities.**

:

Backpacking, hiking, embroidery, museum volunteering, gardening, RV/camping, yoga, and skiing

**List licenses, special training and certificates related to this board or that you would like to share with us. :**

Downtown Denver Partnership Leadership Class 2024 APA national and state member

**Do you have any conflicts of interest that should be disclosed?:**

No

**If yes, please explain. :**

N/A

**Full Name:**

Dr. Elizabeth McClellan Ribble



**Address:**

[REDACTED]

**Phone Number:**

[REDACTED]

**Full Name:**

Theresa Worsham

**Address:**

[REDACTED]

**Phone Number:**

[REDACTED]

**Full Name:**

Brittany Hathaway

**Address:**

[REDACTED]

**Phone Number:**

[REDACTED]

**How did you hear about us? :**

City Publication (i.e. News Aurora or This is Aurora);Other

**ACKNOWLEDGMENT I hereby acknowledge:**

**1. Any law enforcement agency, administrator, state, municipal or federal agency, motor vehicle agency, institution, school or university (public or private), information service bureau, employer, or insurance company may furnish any and all background information requested by Global Solution Services.**

**2. If I continue through this process, the report on my criminal background check may become public record subject to release under Colorado's Open Records Act. Additionally, my criminal history may be discussed in public meetings.:**

I agree

## DECLARATION

I declare that to be a Commissioner for the Planning & Zoning Commission I must meet the following requirements as outlined in [Section 146-5.1.2](#) of the City Code:

- Be a "Registered Elector", as defined in Aurora City Code Section 54-2, for at least one year immediately preceding appointment
- Reside within the municipal boundaries of the City of Aurora, Colorado
- Not hold any paid office or position in the city administration:

I agree

By clicking **APPLY** and submitting this application, I certify that the foregoing information is true and correct:

I agree

**Signature:**

Robin Becker

**Date:**

10/16/2024

**Time of Submission:** 10/16/24 12:44:08 PM

# Robin Becker

Senior Campus Planner

---



---

## CAREER HISTORY

### Senior Campus Planner

AHEC, State of Colorado

04/2022 – Current

- Implement the newly adopted 2024 Auraria Campus Framework Plan, including providing updates and maintaining other supporting plans (infrastructure, maintenance and other strategic plans). Facilitate support with and among the campus institutional entities for the ongoing implementation of and adherence to the Campus Framework Plan, the Campus Strategic Plan, and other planning initiatives. Provide ongoing support to the institutions as they develop their planning models, offering expert guidance on the integration of their projects into the Campus design
- Supervise and provide direction to various planning committees, including Executive team leadership on any planning initiative associated with shared facilities on campus. Direct and lead the Design Review Teams/ Boards on review of all campus projects, as required, ensuring compliance with processes and development of final reports for the Auraria Board of Directors. Provide leadership to the tri-institutional Campus Planning Committee, ensuring continuity and communications on all initiatives
- Collaborate with City of Denver Community Planning and Development and DOTI departments on joint projects and other campus needs. Facilitate support for the implementation of campus initiatives and projects with surrounding neighborhood groups and local entities including DDP, CDOT, Office of State Architect, SHF, Xcel, Denver Water, FRPR, and RTD
- Administer State Historic Fund Competitive Grant awards on the Auraria Campus for current and future projects including 9th Street Historic Park and St. Cajetan's. Aid project management team on monitoring submittal deadlines and ensuring the development of associated materials and data collection
- Manage and coordinate consultants retained to provide planning support services such as traffic/parking studies, land/space utilization, program plan development, etc. Ensure compliance with scopes of work, deadlines, and state reporting
- Engineer databases utilized for planning, including infrastructure information, space inventories, general building information, etc., ensure the ongoing accuracy of the data. Maintain accurate records and files of all documents related to planning, including property files and easement filings.
- Principal Authority on campus-wide signage, planning issues and development opportunities, reviewing requests and other submittals, and rendering decisions on approvals

### City Planner

City of Golden, Golden CO

04/2019 – 04/2022

- Lead for land use recommendations for zoning administration, Historic Preservation Board, Planning Commission, and City Council in accordance with the comprehensive plan and zoning ordinances
- Authored Zoning Code updates to implement new form based code
- Utilized public outreach software to interact, gather and analyze community data

## Town Planner

Town of Estes Park, Estes Park CO

03/2017 – 04/2019

- Reviewed development proposals and residential/commercial building permits for conformance with codes, plans, and regulations
- Prepared and presented detailed reports on development proposals to governing bodies including Planning Commission, Town Board, and Board of County Commissioners
- Evaluated and processed applications for rezoning, development plan review, variances, temporary use permits, and code amendments

## Associate Planner

Good Earth Matters Consulting, Palmerston North, New Zealand

08/2015 – 05/2016

- Guided private clients through local and regional planning legislation for development
- Prepared statutory documentation, resource consent applications, and environmental effects assessments
- Supervised ongoing analysis of statutory documents

## Strategic Planning Intern

Asset Development Group Housing New Zealand Corporation, Auckland, New Zealand

11/2014 – 11/2015

- Developed a GIS-based map of social infrastructure covering all of New Zealand
- Contributed to cross-departmental asset development team that focused on the improvement of information utilized for federal investment funding

---

## EDUCATION

Master of Urban Planning I Honors I The University of Auckland

2014 – 2016

BA Gender and Women's Studies I Honors I Metropolitan State University of Denver

2009 – 2013

---

## MEMBERSHIP AND VOLUNTEER WORK

Graduate-Downtown Denver Leadership Program Class 2024

APA Colorado and APA National Member

Downtown Denver Partnership-Planning and Community Impact Committee

City of Golden Liaison Hunger Free Golden/Jefferson County Food Policy Council

APA Great Places in Colorado Inaugural Committee Chair

---

## REFERENCES, SKILLS, INTERESTS

Theresa Worsham - Sustainability Manager [REDACTED]

Brittany Hathaway-Development Review & Civil Inspections Manager [REDACTED]

Dr. Elizabeth McClellan Ribble-Director of Strategy [REDACTED]

Microsoft Suite, Mentimeter, Adobe Suite, Accela, Bluebeam, AutoCAD, Archibus

Backpacking, hiking, embroidery, museum volunteering, gardening, RV/camping, yoga, and skiing



# CITY OF AURORA

## Council Agenda Commentary

<b>Item Title:</b> Aurora Housing Authority Vacancy Update
<b>Item Initiator:</b> Kadee Rodriguez, City Clerk
<b>Staff Source/Legal Source:</b> Kadee Rodriguez, City Clerk / Hanosky Hernandez, Senior Assistant City Attorney
<b>Outside Speaker:</b> N/A
<b>Council Goal:</b> 2012: 5.1--Support an environment conducive to business development and expansion

### COUNCIL MEETING DATES:

**Study Session:** 10/28/2024

**Regular Meeting:** N/A

**2<sup>nd</sup> Regular Meeting (if applicable):** N/A

**Item requires a Public Hearing:**  Yes  No

### ITEM DETAILS *(Click in highlighted area below bullet point list to enter applicable information.)*

- Agenda long title
- Waiver of reconsideration requested, and if so, why
- Sponsor name
- Staff source name and title / Legal source name and title
- Outside speaker name and organization
- Estimated time (For Study Session items only, indicate combined time needed for presentation and discussion)

Kadee Rodriguez, City Clerk / Hanosky Hernandez, Senior Assistant City Attorney  
Estimated time: 5 mins

### ACTIONS(S) PROPOSED *(Check all appropriate actions)*

- Approve Item and Move Forward to Study Session  Approve Item as Proposed at Study Session
- Approve Item and Move Forward to Regular Meeting  Approve Item as Proposed at Regular Meeting
- Information Only
- Approve Item with Waiver of Reconsideration  
*Reason for waiver is described in the Item Details field above.*

### PREVIOUS ACTIONS OR REVIEWS:

**Policy Committee Name:** N/A

**Policy Committee Date:** N/A

**Action Taken/Follow-up:** *(Check all that apply)*

Recommends Approval

Does Not Recommend Approval

Forwarded Without Recommendation

Minutes Not Available

Minutes Attached

**HISTORY** *(Dates reviewed by City council, Policy Committees, Boards and Commissions, or Staff. Summarize pertinent comments. ATTACH MINUTES OF COUNCIL MEETINGS, POLICY COMMITTEES AND BOARDS AND COMMISSIONS.)*

The purpose of the Aurora Housing Authority Board is to develop and promote quality housing while supporting and encouraging economic opportunities leading to self-sufficiency and independence; and ensure the availability of affordable, decent, safe housing for current and future residents of the city of Aurora.

City Council approved Ordinance 2024-29 to make amendments to the Aurora Housing Authority Board’s membership qualifications, terms of office, and the appointment process.

**ITEM SUMMARY** *(Brief description of item, discussion, key points, recommendations, etc.)*

Ordinance 2024-29 states that City Council shall appoint the members of the Aurora Housing Authority Board by a majority vote of all members of Council, and candidates interested in serving shall submit an application to the City Clerk. Council has sole discretion and final approval concerning appointments and the appointment process.

The following two members will have their term end on December 31, 2024. These members are eligible to reapply and serve two three-year terms.

- Martina Spencer
- Barbara Cleland

**FISCAL IMPACT**

Select all that apply. (If no fiscal impact, click that box and skip to “Questions for Council”)

- Revenue Impact     
 Budgeted Expenditure Impact     
 Non-Budgeted Expenditure Impact  
 Workload Impact     
 No Fiscal Impact

**REVENUE IMPACT**

*Provide the revenue impact or N/A if no impact. (What is the estimated impact on revenue? What funds would be impacted? Provide additional detail as necessary.)*

N/A

**BUDGETED EXPENDITURE IMPACT**

*Provide the budgeted expenditure impact or N/A if no impact. (List Org/Account # and fund. What is the amount of budget to be used? Does this shift existing budget away from existing programs/services? Provide additional detail as necessary.)*

N/A

**NON-BUDGETED EXPENDITURE IMPACT**

*Provide the non-budgeted expenditure impact or N/A if no impact. (Provide information on non-budgeted costs. Include Personal Services, Supplies and Services, Interfund Charges, and Capital needs. Provide additional detail as necessary.)*

N/A

**WORKLOAD IMPACT**

*Provide the workload impact or N/A if no impact. (Will more staff be needed or is the change absorbable? If new FTE(s) are needed, provide numbers and types of positions, and a duty summary. Provide additional detail as necessary.)*

N/A

---

**QUESTIONS FOR COUNCIL**

How does Council wish to move forward with the interview / appointment process?

---

**LEGAL COMMENTS**

Ordinance 2024-29 establishes new office terms for the Aurora Housing Authority in compliance with Section 29-4-201 et. seq. C.R.S. The City Manager shall be responsible to the City Council for the proper administration of all affairs of the City placed in his charge and, upon the request of the City Council, make written or verbal reports to the City Council concerning the affairs of the City. This item is informational only. City Charter Art. 7-4 (e). (Hernandez)



TO: Mayor and Council Members

FROM: Kadee Rodriguez, City Clerk

DATE: October 28, 2024

RE: Aurora Housing Authority Board Upcoming Vacancies

**Board Member Roster**

Name	Term Begins	Term Ends	NEW Term Ends
<b>Martina Spencer</b>	2020	January 30, 2025	December 31, 2024
<b>Barbara Cleland</b>	2020	June 30, 2026	December 31, 2024
<b>Raymond Barnes</b>	2022	June 30, 2027	December 31, 2025
<b>Deborah Neeley</b>	2022	June 30, 2027	December 31, 2025
<b>Moses Suh</b>	2022	June 30, 2027	December 31, 2026
<b>Timothy Huffman</b>	2022	June 30, 2027	December 31, 2026
<b>Thomas Ashburn</b>	2023	June 30, 2028	December 31, 2028

The new term end dates were determined by Ordinance 2024-29:

- The two members whose terms were set to expire on January 30, 2025, and June 30, 2026, will have their terms expire on December 31, 2024.
- Two of the four members whose terms were set to expire on June 30, 2027, will have their terms expire on December 31, 2025. The remaining two members whose terms were set to expire on June 30, 2027, will have their terms expire on December 31, 2026. The new term expiration dates are based on the date of appointment:
  - Raymond Barnes – Originally appointed in 2012
  - Deborah Neeley - Originally appointed in 2013
  - Moses Suh – Originally appointed in 2014
  - Timothy Huffman - Originally appointed in 2014
- The member whose term was set to expire June 30, 2024, will have their term expire on said expiration date; however, the member is eligible to apply for up to two three-year terms after January 1, 2025. Thomas Ashburn’s term expired in June 2023 (not 2024) and was reappointed by the Mayor at that time. Since Mr. Ashburn’s appointment was legitimate, and before the passing of this ordinance, this section is unenforceable, and his term will end December 31, 2028.
- The ex-officio member is the mayor or a mayor’s council member designee. Mayor Coffman is the current ex-officio member.





### Commission Composition per Ordinance 2024-29

- **Composition:** Seven (7) members and one (1) ex-officio member
- **Term Length:** Three (3) year overlapping terms
- **Term Expiration Date:** December 31<sup>st</sup>
- **Term Limit:** Two (2) consecutive terms. Members who are term limited must wait one full term before reapplying.

### Qualifications per Ordinance 2024-29

The composition of the board of directors shall meet and maintain certain qualifications, unless waived by a majority of the Aurora City Council. The City Clerk's Office was unable to determine the qualifications, as required by Ordinance 2024-29, for the current members. However, the online application requires applicants to indicate all qualifications that apply to assist Council during the appointment process:

- One board member shall have experience in affordable housing
- One board member shall have experience in finance
- One board member shall have experience in development
- One board member shall have lived in affordable housing or experienced homelessness
- Three board members with general background