



## AGENDA

### MANAGEMENT AND FINANCE POLICY COMMITTEE

October 25, 2022

1:00 pm

This meeting will be live-streamed on the city's YouTube channel. Watch at  
[YouTube.com/TheAuroraChannel](https://www.youtube.com/TheAuroraChannel)

Public Participant Dialing Instructions  
Dial Access Number: 1-408-418-9388  
Enter Participant Code: 2481-364-1625

Council Member Gardner, Chair  
Council Member Murillo, Vice Chair  
Council Member Zvonek  
Deputy City Manager Roberto Venegas  
Finance Director Terri Velasquez

The Management and Finance Committee oversees the following Council goal and objectives:  
**PROVIDE A WELL-MANAGED AND FINANCIALLY STRONG CITY**

- Ensure the delivery of high-quality services to residents in an efficient and cost-effective manner.
- Maintain superior financial reporting, financial controls, appropriate reserves, budgeting financial management, and transparency, and invest in capital and infrastructure to support efficient and effective long-term provision of services.
- Maintain a high financial credit (bond) rating, maintain debt policies and debt practices that allow the assessment of appropriate debt levels, and periodically review debt and debt service to minimize costs.
- Provide appropriate stewardship of natural resources to ensure long-term sustainability for the city.

**Pages**

1. **Call to Order**

2. **Approval of Minutes**

September 27, 2022 Draft Minutes

3. **Consent Items**

1

**3.a. September 2022 Sales Tax Chart** 18

Presenter: Bill Levine, Management Analyst III (5 minutes)

**4. General Business**

**4.a. 2022 Fall Supplemental Ordinance** 22

Presenter: Jackie Ehmann, Budget Program Manager (10 minutes)

**4.b. Disparity Study Presentation and Update** 41

Presenter: Bryn Fillinger, Purchasing Manager

Michelle Clark Jenkins, Griffin & Strong (10 Minutes)

**4.c. The Point Metropolitan District Director Disqualification and Appointment** 62

Presenter: Cesarina Dancy, Senior Development Project Manager (5 minutes)

**4.d. Windler Business Improvement District Nos. 1 and 2 Board of Directors Appointments** 70

Presenter: Cesarina Dancy, Senior Development Project Manager (5 minutes)

**4.e. Colfax Sable Metropolitan District Board of Director Appointment** 76

Presenter: Cesarina Dancy, Senior Development Project Manager (5 minutes)

**4.f. Q4 2022 – Information Technology Update** 79

Presenter: Scott Newman, Chief Information Officer (10 minutes)

**4.g. Q3 2022 Internal Audit Progress Report** 81

Presenter: Wayne Sommer, Internal Audit Manager (10 minutes)

**5. Miscellaneous Matters for Consideration**

Next meeting tentatively scheduled for November 22 at 1:00pm WebEx Meeting

**6. Adjournment**

*Total projected meeting time 60 minutes*

**MF POLICY COMMITTEE MEETING**

September 27, 2022

Members Present: Council Member Gardner – Chair, Council Member Murillo, Council Member Zvonek

Others present: Council Member Jurinsky, Council Member Marcano, S. Day, D. Sisneros, K. Claspell, D. Lathers, W. Sommer, T. Hoyle, T. Velasquez, J. Ehmann, G. Hays, K. Rodriguez, B. Levine, C. Argentar, N. Wishmeyer, D. Wilson, T. Sedmak, C. Horiuchi, M. Bryant, C. Toth, M. Crawford, T. Vaughn, M. Murphy, J. Edwards, J. Twombly, S. Newman, J. Heckman, D. Brotzman, J. Schneebeck, M. Stamp, J. Orozco, J. Bajorek, D. Hudson, M. Parnes, H. Hernandez, G. Koumantakis, C. Dancy, R. Lantz, A. Jamison, M. Noble, R. Venegas, Laiba Saqib, C. Atkinson, M. Rogers, R. Goggins, C. Zapata, A. Wool, M. Barrett, N. Peykov

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**INTRODUCTIONS AND MINUTES**

August 23, 2022 minutes were approved.

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**AUGUST 2022 SALES TAX CHART**

Summary of Issue and Discussion

Bill Levine presented the August 2022 Sales Tax Chart. The sales tax increased by 10.5% in August. This can be interpreted in two ways. One is as a revenue number with August about \$360,000 over the projection. With this, the city looks to be on track to meet or beat the projection for the year. The sales tax can also be representative of how business is doing in the city. In this regard, the 10.5% increase appears to be misleading. In August 2022, there was a large amount received from a foreign online retailer making payments for over two years of taxes owed to the city from October 2019 to April 2022. This was due to the passing of the Economic Nexus Ordinance and the Sales and Use Tax System (SUTS) only being set up in August. If this one-payment growth is not taken into account, the sales tax growth for August would only have been 9.6%.

The variable sales tax payments grew by 85% in August, meaning that a lot of the 10.5% growth is due to big one-time payments. These variable payments were for large construction projects including storm, drainage, and decking systems. If the variable sales tax payment only grew at a neutral rate equal to the inflation rate of 8.3%, the growth for August would only be 7.2% instead of 10.5%. This number is more reflective of the consistent taxpayers and the business community in Aurora.

Committee Discussion:

CM Gardner: Makes sense. Thanks for that analysis. That's helpful. Council Member Zvonek, any questions?

CM Zvonek: I don't have any now. Thanks.

CM Gardner: All right. Thank you. Okay. Council Member Murillo, do you have any questions on that?

CM Murillo: No. I think I logged in just right at one. Did we start the presentation earlier?

CM Gardner: No. It was 1:00 when we started. You might have just been a couple of seconds late. We just have a really crowded agenda, so I just wanted to get started on it.

CM Murillo: That's fine. No questions here.

CM Gardner: All right. I appreciate that. Thanks, Bill, for your presentation.

B. Levine: Thank you, Council. I appreciate it.

Outcome

Information only.

Follow-up Action

No follow-up needed.

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**OCCUPATIONAL PRIVILEGE TAX REPEAL**

Summary of Issue and Discussion

Council Member Jurinsky and Jeff Edwards presented this ordinance that will repeal the occupational privilege tax (OPT) that was implemented in 1986. Aurora is one in five cities in Colorado that has this. This is a \$4 tax per employee with half being withheld from the employee, and half being matched by the employer per paycheck once a month. CM Jurinsky noted that there is a surplus in the budget and there is no reason to figure out what to cut out of the budget to make the tax cut work.

Once the repeal is implemented, it would have to go through the voters to be reinstated. The fiscal impact would be \$5.9 million for 2023. There would be no cuts to the police, fire, 911, courts, transfers, and other mandates. This leaves \$170 million of people and supplies that would need to be cut by 5% from the 2023 budget. Nine entities received OPT revenue of \$590,000 in 2021. In addition, some of the revenues are used by the Aurora Urban Renewal Authority

(AURA) for incentive and development projects. About 72% of the city's revenue is dependent on sales and use tax.

Committee Discussion:

CM Jurinsky: Now, I actually have a question because I asked thoroughly about this when I was on the CABC and I asked where these funds go, and I was told by Greg Hays that all of these funds go into the general fund. That's really concerning to me if the AURA is using some of these funds, because just last night I was told that none of those funds come out of the general fund, specifically regarding our parking lot structure.

T. Velasquez: And I would address that Council Member basically when we have a TIF area, any of the revenues that are generated from the specific project, including OPT, would go back to the project. I think on Jeff's slides, it's just acknowledging that the revenue that's generated from specific projects is then shared back as a part of incentive agreements that were approved by previous city councils. So, it would definitely change the revenue flow to some of those projects. And I also have Greg online to answer any budgetary-related questions. I know from an almost \$6 million budget perspective it does have some larger impacts. And maybe, Greg, you can put it a little bit into perspective from a standpoint of what that reduction would mean.

G. Hays: I sure can. Thank you very much. If you're looking at \$5.9 million, it's the equivalent of about 80 people. We do have a balanced budget for 2023, and if you take \$6 million out, it would not be balanced. We would have to go find that money from somewhere. It is a significant amount of money. It's larger than six different budgets, general fund budgets. Aurora Water, City Council, Communications, General Management, HR, Planning. Their entire budgets are actually less than that. And what's more, 2024 is not -- it's close to being balance. We don't need to have a balanced budget for the future but taking on another \$6 million of ongoing funds would make that harder for the 2024 budget as well.

CM Gardner: All right. Thank you. Greg and Jeff. Council Member Murillo, questions, or comments for either staff or the sponsor?

CM Murillo: Thanks, Council Member Gardner. I think a few comments. Yes, I think that coming into the conversation and just saying that "Oh, we have a surplus and therefore I don't really need to look for the accompanying piece of where this ongoing revenue would come from" is concerning to me to the staff's comments around this does make it more challenging to balance our budget in the future. There will be budget implications. I think that was the biggest concern for me and I would like a better understanding of where the city management would take those ongoing funds because it's not just funds that would be taken out of this year's budget or whenever this comes into effect, but it is ongoing. That's just my biggest comment and request before this moves forward on my end.

CM Gardner: Council Member Zvonek, questions, or comments?

CM Zvonek: I would just say we haven't set a 2023 budget. As far as I know, we're going to do that at the budget workshop, and I think that will give us plenty of opportunity to identify what reductions we need to make in order to make this happen. But I think in terms of a signal that we want to continue to be the most business-friendly city in the state, and we are getting rid of a privilege tax of working in Aurora. We have to, I think, try to change our mental model, and recognize that it's actually a privilege for us to have employees here and it's not a privilege for them to work here. And I think this is one of the ways we can do that.

J. Twombly: And I just wanted to check with Jeff. It seems like I saw in the original ordinance that fire, police, and road maintenance were cited as reasons for instituting this tax in the first place. The funds weren't dedicated for those purposes, but I think those were cited as reasons why the council voted to approve that tax. Jeff, do you have any information on that?

J. Edwards: Correct. Thanks, City Manager Jim Twombly. Appreciate that question. That is correct. This was essentially a way for us to distribute the tax burden for the city to those that are coming into the city to work. And it pointed out that it was for police, fire, road maintenance, those types of costs, and other municipal services.

J. Twombly: Okay. Thanks.

CM Jurinsky: Yes. I asked repeatedly on CABC if these funds were dedicated for anything in particular and I was told numerous times, "No, they're not earmarked for anything. They just go into the general fund and that's where they are at in the general fund." And as Council Member Zvonek just said, the fact that we have a tax on businesses and workers in the city of Aurora states that it's their privilege to do business in this city or to be a worker in this city. I can't believe this has never been brought up before, but I think that we absolutely need to change our mindset on that and realize that it is actually the city's privilege. It is our privilege for businesses to come here and for workers to want to work in Aurora. And as Council Member Zvonek just pointed out, the budget is not set and that's exactly what we are going to go to the Budget Committee meeting to do. And the fact that we have any additional tax on people in Aurora, I think that those should be eliminated. And just as other taxes, on menstrual products and on diapers in this city have been eliminated, I look at this tax repeal as actually a more equitable tax cut, because it will be for anybody, regardless of gender, regardless of race. I mean, if you work in Aurora or have a business in Aurora, this tax is on you, and this will be a tax saving to all those who wish to do business here and work here.

CM Gardner: Any other questions or comments from the committee?

CM Murillo: Yes, I guess just the fact that we're not acknowledging that for months staff has put together our budget, essentially line item by line item. We've had public presentations at town halls, and we've had specific budget presentations. Suddenly to say that we're not essentially almost at the end and that we don't have a budget, sure, it's not yet confirmed. But let's be clear

that this would be a last-minute change that hasn't been incorporated into this current budget as it's been written. I just want to be very clear that when we say it's not yet been finalized, that's because we haven't yet made the final approval. But a last-minute change is what this would be. I just want to be very clear that that's where we're at in the budget process for this year.

CM Jurinsky: Council Member Gardner, I'd like to respond to that.

CM Gardner: Go ahead.

CM Jurinsky: The budget is created every single year. I'm not sure there's really a good time or a bad time to bring forward a tax cut. But I had some things that I needed to look into. Obviously, I wanted to come to this committee. It would be my prerogative to have brought this straight to a council meeting and to rush this process. But as I heard from my colleagues that don't always agree with me on much of anything, they would prefer me to follow the standard process that we have in place. I went about it that way this time, and I'm not sure that you can consider any kind of tax cuts on our citizens and our businesses to be something that's last minute. I find it to be something that's necessary.

CM Gardner: All right. Thanks, everybody, for comments and feedback. Council Member Murillo, would you like this to move forward?

CM Murillo: Not at this time. We were just talking about understanding fiscal notes and larger impacts last night. For it to be at the 11th hour, I think that's not something that I would prefer, but obviously, we'll talk about it if the committee approves it going forward. But like I said, I just wanted to be very clear on the rhetoric and the shaping of the conversation. So that's why I made my comments.

CM Gardner: Council Member Zvonek?

CM Zvonek: I think that now is actually the perfect time to move it forward as the elected officials who were elected by the people of Aurora to set the budget will be having a conversation about the budget for next year. It means we'll have to do some work, but that's okay. That's what we were elected to do.

CM Gardner: All right. And I'm fine with it moving forward as well.

#### Outcome

The Committee supported moving the item forward.

#### Follow-up Action

Staff will move the item forward to Study Session.



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**WARD REALIGNMENT RECOMMENDATION DEADLINE**Summary of Issue and Discussion

CM Marcano presented the proposed ordinance which sets a deadline of no later than October 15<sup>th</sup> for rewarding recommendations to be before the Council. This preserves the existing timeline for the rewarding process to begin.

Committee Discussion:

CM Gardner: All right. Thank you. Council Member Zvonek, any questions or comments?

CM Zvonek: No, I think that makes sense. I know that earlier, Council Member Marcano, when we were having these discussions at the beginning of the year, there was some concern because the initial timeline, I think didn't have us finishing until into next year. As a committee, we decided to do that. I think creating some sort of guidelines going forward that keeps us on track is appropriate and I would support that moving forward.

CM Murillo: I don't have any questions. Similar to the comments just made, we intentionally moved it up so that there was less ambiguity later into next year. I think this is in line with the actions that we've taken on this committee this year. I support moving it forward.

CM Gardner: All right. And as both council members pointed out, we intentionally changed the original schedule that was presented to us to avoid this very problem where the maps wouldn't have been finalized until late spring or early summer next year for folks running, which could create some confusion. I am okay with it moving forward as well. Thank you for the presentation.

CM Marcano: All right, great. Thank you.

Outcome

The Committee unanimously supported moving the item forward.

Follow-up Action

Staff will move the item forward to Study Session.

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**UPDATE ON E-DISCOVERY IN COURTS**Summary of Issue and Discussion

Julie Heckman presented an update on e-Discovery in courts. The City Attorney's Office Case Management System will help transition to an electronic case management system from the fully-paper file status. This would provide the ability to give e-discovery out electronically for any defendant in the municipal court regardless of representation. All body-worn cameras, videos, and pictures will be downloaded to a disk.

This issue was brought about at a Public Safety meeting on October 14<sup>th</sup>, 2021. The interim court administrator, Mike Ritter, at the time had asked for two additional FTEs to address the case management system and e-discovery software tool. Court IT asked city IT to be present in the next meeting to discuss buying versus building the software. Judge Shawn Day, Doug Wilson, Court IT, City IT, and other staff have been discussing how to move the court to transition electronically. It has been agreed upon that the City Attorney's Office must be the beginning of this and get case management into an electronic system. Following this would be eDiscovery then the court accepting all electronic filings. It was previously confirmed by the former interim court administrator that following the two FTEs that the work would be completed by Q1 of 2022. However, it is currently still not in place.

The city has since hired Ms. Candice Atkinson as the new court administrator and has continued conversations regarding this. City staff has gone back to CDAC about looking at the e-Discovery tool that they have which is a statewide system for all prosecutors. APD Records, the Crime Lab, and A911 package all the evidence to be sent to the state CDAC system. Due to this, there have been discussions of having other Aurora agencies package things the same way and having a system mirrored to the CDAC system. CDAC has provided a general quote of what they think it would take to look at their system, redesign it, and tweak it to Aurora's court system which currently does not have data sharing between courts. There are other municipalities that are also trying to switch to electronic and may be interested in getting onto the CDAC system.

The staff has also looked at several outside vendors that do prosecution-type case management systems which include e-Discovery. There is also one that works closely with Axon that provides body-worn cameras. They were contacted to present to City and Court IT and other city staff. The need for this implementation is past due given the inefficiencies created by the labor-intensive utilization of the files. Given that there is only one paper file, only one person or department can work on it at a time. This would then delay getting the evidence to APD and other preparations.

#### Committee Discussion:

CM Gardner: Appreciate that update, Julie. And I think the only comment that I have, and I had said this last year in public safety is my preference is to go with standard software, not creating our own. And it sounds like we're looking into some options like that. And those are my concerns. I have that concern because of when you have somebody who designs a program in-house and that person leaves, you create some issues there. And so, for ongoing and support purposes, I always prefer to use something standard. And I can't imagine that Aurora is that unique, that there isn't software out there that won't meet our needs. So that's just my thought or my input. But again, really appreciate the update. Obviously, it's a project that's been going on for a while and certainly something that we need to get implemented. Council Member Murillo, any questions or comments?

CM Murillo: None for me. Thanks for the update.

CM Gardner: Council Member Zvonek?

CM Zvonek: No, I would just echo what you just said. I think that to the extent that we can find a product that not only because of the reasons you pointed out but if there is some collaboration or any sort of data that can be shared across different jurisdictions, having that software would seem to make a lot of sense. I also just hope that this is a part of the broader conversation that we're continuing to have with IT in general and moving toward a capability model for the entire city. This isn't just related to courts or even prosecution, but generally across every department, I think that having a standalone IT department doesn't make a lot of sense. I think having people embedded there, but ultimately coming back to one shared capability makes a lot more sense. I hope we integrate this conversation with that broader one.

CM Gardner: Appreciate that. Thanks again, Julie.

J. Heckman: Thank you.

Outcome

Information only.

Follow-up Action

No follow-up needed.

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**FITZSIMONS BUSINESS IMPROVEMENT DISTRICT – NEW BOARD MEMBER APPOINTMENT**

Summary of Issue and Discussion

Chad Argentar presented this item. The Fitzsimons Business Improvement District (BID) is looking to expand their existing board as they only have two out of five filled seats. The nominee for the position is interested in serving and contributing to the businesses in the BID.

Committee Discussion:

CM Gardner: I appreciate that. Council Member Murillo, comments or questions?

CM Murillo: None here.

CM Gardner: Council Member Zvonek?

CM Zvonek: No Questions.

CM Gardner: All right. And I assume both of you are okay with it moving forward.

CM Zvonek: Yes.

CM Murillo: Yes.

CM Gardner: All right. Thanks, Chad.

C. Argentar: Thank you.

Outcome

The Committee unanimously supported moving the item forward.

Follow-up Action

Staff will move the item forward to Study Session.

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**2023 WARD REDISTRICTING REVIEW**

Summary of Issue and Discussion

Kadee Rodriguez presented this item. Staff is requesting for the M&F Policy Committee's decision to finalize which scenario to move forward to full Council.

Committee Discussion:

CM Gardner: And can you remind me which was the map that was recommended or put forward by the Election Commission?

K. Rodriguez: Scenario five.

CM Gardner: Okay. Council Member Zvonek, any thoughts, comments, or questions?

CM Zvonek: I guess my one question maybe, Kadee, is that can we have more than one recommendation from our Committee go forward to the full council? Or are you just looking for one?

K. Rodriguez: There's nothing that states you can't move forward more than one recommendation. So, I think it would be up to this Committee on how you'd like to do that.

CM Zvonek: I guess my suggestion would be to have these go forward to the full council to have a conversation with more of our colleagues about these scenarios and have maybe a presentation from the Election Commission at a Study Session. I think that's what the next step is. It would come to a Study Session. So have it come to a Study Session and a presentation as to why the Election Commission chose that map and then also lay out the other scenarios because I can imagine that some of our colleagues might ask why we chose this one, why the Election

Commission chose that one, and what were the other scenarios so that they can have eyes on them too. So that's my recommendation for moving it forward.

CM Murillo: Yes, something similar on my end. I would prefer to not narrow it down at this point since this impacts the full council and have the broader discussion at a Study Session where we can all talk about it. All the options.

CM Gardner: Okay. Well, it sounds like that's what the will of the Committee is. Kadee, is that going to be the next available study session? Is that what our schedule was?

K. Rodriguez: It's actually the second study session in October. So, it's not the one this Monday, but the next one.

CM Gardner: The next one, yes. Okay, sounds good. Well, we will get a presentation at the second Study Session in October. And Kadee, thank you. And I don't think Daniel is on the phone but thank you both for all your work this year with our committee and the presentations and all that. Really appreciate you guys working through the process.

K. Rodriguez: Okay. Thank you. And we'll work with the Election Commission to get them on the Study Session for the last study session in October.

CM Gardner: All right, thanks.

K. Rodriguez: Thank you.

#### Outcome

The Committee decided to have the Election Commission present all scenarios, including the recommended scenario, in the second October Study Session.

#### Follow-up Action

Staff will coordinate with the Election Commission regarding their presentation for the second October Study Session.

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## **ANNUAL REVIEW OF INVESTMENT POLICY**

### Summary of Issue and Discussion

Teresa Sedmak presented this item. The investment policy of the city is reviewed to incorporate any changes in the state statute or other required changes. For the recent review, city staff made two non-substantive changes. One is to define the nationally recognized statistical rating organizations; namely Moody's, S&P, and Fitch. The other change made was to reformat the section related to general obligation bonds and revenue bonds to improve clarity. The revisions

were presented to the Investment Advisory Committee on August 4<sup>th</sup>. Legal counsel has advised that there is no action necessary due to the non-substantive matter of the changes.

Committee Discussion:

CM Gardner: All right. Thank you. Council Member Murillo, questions or comments?

CM Murillo: I do not have any questions.

CM Gardner: Council Member Zvonek?

CM Zvonek: No.

CM Gardner: All right. Thank you for the presentation, Teresa.

T. Sedmak: Sure.

Outcome

Information only.

Follow-up Action

No follow-up needed.

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**PROPOSED MODIFICATIONS TO MORAL OBLIGATIONS POLICY AND REVIEW OF EXISTING MORAL OBLIGATIONS**

Summary of Issue and Discussion

Teresa Sedmak presented this item. The city has existing moral support transactions with the Hyatt Regency Conference Center and Parking Garage and FRA Bioscience III Building. Recently, City Council has approved the continuance of the moral obligations support on Hyatt refinancing which is going to close next week. The rate was locked based on a 3.81% rate on the ten-year US Treasury rate plus a spread of 25 basis points bringing the rate on the new loan locked at 4.06%. The moral support for this transaction takes the form of a debt service reserve equal to a one-year debt service at \$1.7 million. Should the debt service be depleted, it must be replenished. This would then have to go to Council for an appropriation if the funds are not available. AURA has been providing support in the form of capital advances from other TIF revenues generated within the Fitzsimons Urban Renewal Area. No draw has been made on the debt service reserve since it could be a reportable event to investors and may have negative connotations. The need for additional support is not expected until 2024.

The Bioscience III Building moral obligation support is also in the form of a debt service request of \$2.5 million. If depleted, it must be replenished. The building was completed in 2020 and most of the space has been leased out. There are approximately 25% or 30,000 square feet yet to

be leased. A possible tenant is holding off on a decision until Q1 of 2023 due to economic uncertainty. Despite this, there are other potential tenants in the pipeline. The moral obligation terminates in December 2024. The FRA has adequate liquidity to satisfy its debt service obligations and doesn't foresee a draw on the debt service reserve.

In 2021, Council Member Gruber requested a review of the moral obligation policy. Staff has been working with Bond Council to do a thorough review and recommend modifications. One of the notable changes is the change in wording from moral obligation "pledge" to moral obligation "support." This is because "pledge" implies a binding financial obligation and a pledge of collateral. A definition of what a moral obligation is was added to the policy. The new policy explicitly prohibits substantive changes in the financing and proposed financing subsequent to its presentation to M&F, unless allowed by the authorizing resolution. The evaluation criteria were also strengthened and now include the presentation of timing and frequency related to the moral obligation and the likelihood of repayment over time.

Committee Discussion:

CM Gardner: All right. Thank you for the presentation. And yes, I agree with the changes that were made. I think just clarifying some things, tightening up some language, and then even just having a description of what moral obligations are for members of the public or people who are less familiar. I think all those changes are good. So, I would support moving it forward. Council Member Murillo, any questions or comments? And then do you support moving forward as well?

CM Murillo: Yes, I was just going to ask for the red-line version, if you don't mind. And I do support adding more clarity and practical usefulness to the policy. So, I do support moving it forward.

T. Sedmak: Thank you.

CM Gardner: Council Member Zvonek?

CM Zvonek: No questions. And I do support moving forward.

CM Gardner: All right. Thank you. Thanks, Teresa.

T. Sedmak: Thank you.

Outcome

The Committee unanimously supported moving the item forward.

Follow-up Action

Staff will move the item forward to Study Session.

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**SUMMARY RESULTS - SALE AND CLOSING OF CITY OF AURORA 2022 COPS  
(ROAD IMPROVEMENTS PROJECTS)**Summary of Issue and Discussion

Teresa Sedmak presented this item. On August 24th, Aurora priced its Series 2022 Certificates of Participation (COPs) to finance various roadway improvements. There was a par amount of \$31.9 million to offer to investors and the city received orders for \$102 million, which is a 3.2 times oversubscription. This allowed staff to reprice several maturities for interest rate reductions. Some longer-term maturities were repriced with a higher yield. The all-in-interest cost, including the underwriting and cost issuance on the deal, was 3.685%. The closing on the COPs occurred on September 7<sup>th</sup> and were sold to RBC and Stifel. They were packaged with a rating of AA1 from Moody's which is the highest rating afforded to an appropriation credit.

Committee Discussion:

CM Gardner: Council Member Zvonek, any questions?

CM Zvonek: No questions. That's great news. I'm happy to hear that we were able to lock in the lower rate and move this forward. I know this is ultimately going towards a much-needed road maintenance repair. So, I'm just happy to hear that we're moving forward and saving the taxpayers a little bit of money along the way.

T. Sedmak: Thank you.

CM Gardner: Council Member Murillo?

CM Murillo: Nothing on my end.

CM Gardner: All right. Thank you for the presentations, Teresa.

T. Sedmak: Thank you.

Outcome

Information only.

Follow-up Action

No follow-up needed.



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**2023 BID OPERATING PLANS AND BUDGETS**

- 5a. Consideration of A RESOLUTION of the City Council of the City of Aurora, Colorado, approving the 2023 Operating Plan and Budget for the Parkside at City Centre Business Improvement District
- 5b. Consideration of A RESOLUTION of the City Council of the City of Aurora, Colorado, approving the 2023 Operating Plan and Budget for the Fitzsimons Business Improvement District
- 5c. Consideration of A RESOLUTION of the City Council of the City of Aurora, Colorado, approving the 2022 Operating Plan and Budget for the Havana Business Improvement District
- 5d. Consideration of A RESOLUTION of the City Council of the City of Aurora, Colorado, approving the 2023 Operating Plan and Budget for the Painted Prairie Business Improvement District No. 2
- 5e. Consideration of A RESOLUTION of the City Council of the City of Aurora, Colorado, approving the 2023 Operating Plan and Budget for the Painted Prairie Business Improvement District No. 1
- 5f. Consideration of A RESOLUTION of the City Council of the City of Aurora, Colorado, approving the 2023 Operating Plan and Budget for the Tower Business Improvement District
- 5g. Consideration of A RESOLUTION of the City Council of the City of Aurora, Colorado, approving the 2023 Operating Plan and Budget for the Windler Business Improvement District No. 2
- 5h. Consideration of A RESOLUTION of the City Council of the City of Aurora, Colorado, approving the 2023 Operating Plan and Budget for the Windler Business Improvement District No. 1
- 5i. Consideration of A RESOLUTION of the City Council of the City of Aurora, Colorado, approving the 2023 Operating Plan and Budget for the Citadel on Colfax Business Improvement District
- 5j. Consideration of A RESOLUTION of the City Council of the City of Aurora, Colorado, approving the 2023 Operating Plan and Budget for the Porteos Business Improvement District

Summary of Issue and Discussion

Carol Toth gave an overall presentation for items 5a through 5j regarding the 2023 Operating Plans and Budgets of ten business districts organized within the city. The state statute requires that each BID organized within a municipality file their upcoming budget with the City Clerk for review and approval by the City Council by December 5<sup>th</sup>.

Committee Discussion:

CM Gardner: Okay. I think since they were included in the backup, we don't need individual presentations. But to give council members an opportunity to ask questions. Council Member Murillo, any questions on 5a through 5j?

CM Murillo: No.

CM Gardner: Council Member Zvonek?

CM Zvonek: I don't have any.

CM Gardner: And are you both okay with moving these forward?

CM Zvonek: Yes.

CM Murillo: Yes.

CM Gardner: Thank you. These will move forward. Thank you for the presentation.

Outcome:

The Committee unanimously supported moving items 5a through 5j forward.

Follow-up Action:

Staff will move items 5a through 5j forward to the October 17<sup>th</sup> Study Session.

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**2023 GID OPERATING PLAN AND BUDGETS**

- 6a. General Improvement District 1-2007 (Cherry Creek Racquet Club) 2023 operating budget
- 6b. General Improvement District 2-2009 (Pier Point 7) 2023 operating budget
- 6c. General Improvement District 2-2011 (Aurora Conference Center) 2023 operating budget
- 6d. General Improvement District 1-2016 (Cobblewood) 2023 operating budget

- 6e. General Improvement District 1-2008 (Peoria Park) 2023 operating budget
- 6f. General Improvement District 3-2008 (Meadow Hills Country Club) 2023 operating budget

Summary of Issue and Discussion

Andrew Jamison gave an overall presentation for items 6a through 6f regarding ordinances to approve the Operating Plans for the General Improvement Districts (GIDs) within Aurora. Generally, they authorize a mill levy to collect a property tax within the district to pay debt service for certain capital improvements that the districts had elected to improve. This is with the exception of the Aurora Conference Center which uses a direct funding model to pay for improvements.

Committee Discussion:

CM Gardner: Council Member Zvonek, any questions?

CM Zvonek: No.

CM Gardner: Council Member Murillo?

CM Murillo: No questions for me.

CM Gardner: And are you both okay with moving these forward?

CM Murillo: Yes.

CM Zvonek: Yes.

CM Gardner: All right. Thanks, Andrew.

A. Jamison: Thank you.

Outcome:

The Committee unanimously supported moving items 6a through 6f forward.

Follow-up Action:

Staff will move items 6a through 6f forward to the Budget Workshop and the Regular Council Meeting.

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**MISCELLANEOUS MATTERS FOR CONSIDERATION**

None.

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**ADJOURNMENT**

The next meeting is tentatively scheduled for Tuesday, October 25, 2022 at 1:00 PM (WebEx)

THESE MINUTES WERE APPROVED AS SUBMITTED

---

Date



# CITY OF AURORA

## Council Agenda Commentary

|   |
|---|
| <b>Item Title:</b> September 2022 Sales Tax Chart   |
| <b>Item Initiator:</b> Bill Levine  |
| <b>Staff Source/Legal Source:</b> Greg Hays, Hanosky Hernandez, Sr. Assistant City Attorney |
| <b>Outside Speaker:</b> N/A   |
| <b>Council Goal:</b> 2012: 6.0--Provide a well-managed and financially strong City          |

### COUNCIL MEETING DATES:

**Study Session:** N/A

**Regular Meeting:** N/A

### ITEM DETAILS:

- 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 Presentation/discussion time

September 2022 Sales tax Chart

Members of the M&F Committee have asked for the monthly sales tax performance chart.

Attached is the September 2022 sales tax performance chart. September of 2022 was 12.1 percent higher than September of 2021.

---

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

- |   |  |
|---|--|
| <input type="checkbox"/> Approve Item and Move Forward to Study Session   | <input type="checkbox"/> Approve Item as proposed at Study Session   |
| <input type="checkbox"/> Approve Item and Move Forward to Regular Meeting   | <input type="checkbox"/> Approve Item as proposed at Regular Meeting |
| <input checked="" type="checkbox"/> Information Only  |  |
| <input type="checkbox"/> Approve Item with Waiver of Reconsideration<br>Reason for waiver is described in the Item Details field. |  |

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### PREVIOUS ACTIONS OR REVIEWS:

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**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 type="checkbox"/> Forwarded Without Recommendation | <input type="checkbox"/> Recommendation Report Attached |
| <input type="checkbox"/> Minutes Attached                 | <input type="checkbox"/> Minutes Not Available          |

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**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.)**

Members of the M&F Committee have asked for the monthly sales tax performance chart.

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

Attached is the September sales tax performance chart. September of 2022 was 12.1 percent higher than September of 2021.

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**QUESTIONS FOR COUNCIL**

Information Only

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**LEGAL COMMENTS**

The city charter requires that the City Manager shall keep the council advised of the financial condition and future needs of the city and make such recommendations to the council for adoption as the city manager may deem necessary or expedient. This item is informational only. (Aurora City Charter Art. 7-4 (f)). (Hernandez)

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**PUBLIC FINANCIAL IMPACT**

- YES       NO

**If yes, explain:** N/A

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**PRIVATE FISCAL IMPACT**

- Not Applicable       Significant       Nominal

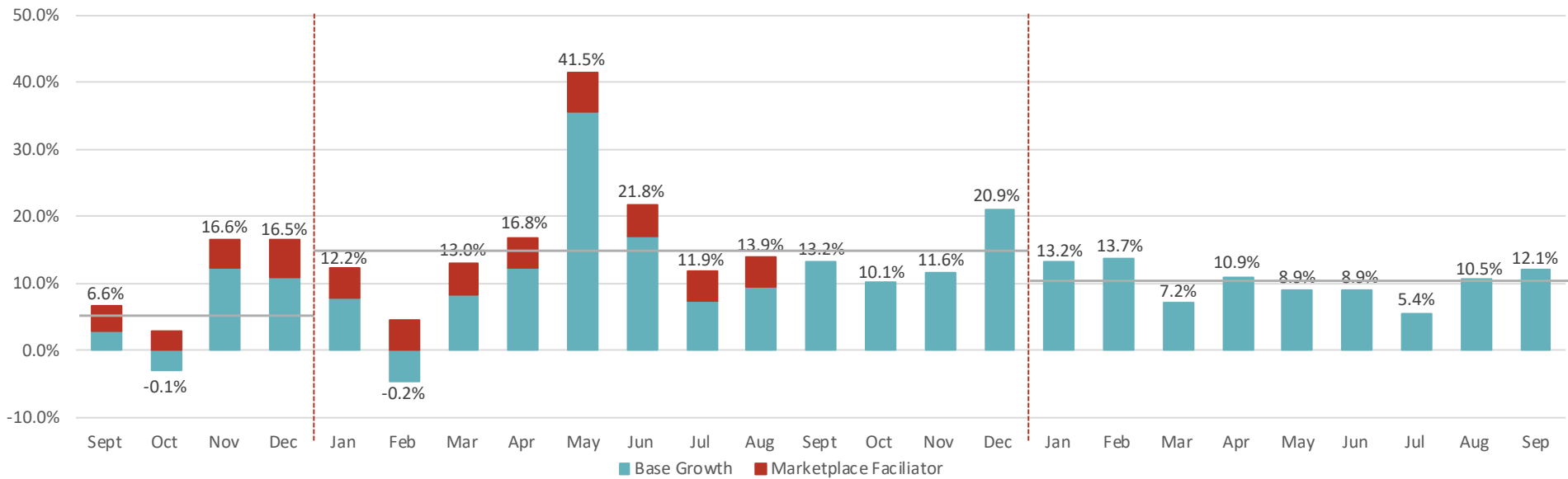
**If Significant or Nominal, explain:** N/A

# September 2022 Sales Tax Performance



## Percent Change from Prior Year By Month

September YTD Variance to  
Projection: \$2.1M (1.0%)  
2021: \$18.4M (10.1%)



**2020**  
5.3%

**2021**  
14.9%

**2022**  
10.1%

# September 2022 Sales Tax Performance



| 2022              |            |            |            |            |            |            |            |            |            |     |     |     |
|-------------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|-----|-----|-----|
|                   | Jan        | Feb        | Mar        | Apr        | May        | Jun        | Jul        | Aug        | Sept       | Oct | Nov | Dec |
| Monthly Sales Tax | 29,967,263 | 18,575,070 | 16,874,776 | 24,183,272 | 20,685,751 | 20,799,546 | 25,583,515 | 21,680,999 | 22,423,520 |     |     |     |
| Increase (\$)     | 3,496,907  | 2,239,154  | 1,130,484  | 2,379,878  | 1,691,503  | 1,694,206  | 1,299,493  | 2,061,774  | 2,420,587  |     |     |     |
| Increase (%)      | 13.2%      | 13.7%      | 7.2%       | 10.9%      | 8.9%       | 8.9%       | 5.4%       | 10.5%      | 12.1%      |     |     |     |
| YoY Inflation     | 7.5%       | 7.9%       | 8.5%       | 8.3%       | 8.6%       | 9.1%       | 8.5%       | 8.3%       | 8.2%       |     |     |     |

| 2021              |            |            |            |            |            |            |            |            |            |            |            |            |
|-------------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|
|                   | Jan        | Feb        | Mar        | Apr        | May        | Jun        | Jul        | Aug        | Sept       | Oct        | Nov        | Dec        |
| Monthly Sales Tax | 26,470,356 | 16,335,916 | 15,744,292 | 21,803,394 | 18,994,248 | 19,105,339 | 24,284,022 | 19,619,225 | 20,002,933 | 22,520,104 | 19,665,387 | 21,948,396 |
| Increase (\$)     | 2,879,135  | (39,049)   | 1,812,207  | 3,130,042  | 5,569,566  | 3,415,214  | 2,584,338  | 2,389,143  | 2,338,188  | 2,062,637  | 2,043,950  | 4,527,809  |
| Increase (%)      | 12.2%      | -0.2%      | 13.0%      | 16.8%      | 41.5%      | 21.8%      | 11.9%      | 13.9%      | 13.2%      | 10.1%      | 11.6%      | 26.0%      |
| YoY Inflation     | 1.4%       | 1.7%       | 2.6%       | 4.2%       | 5.0%       | 5.4%       | 5.4%       | 5.3%       | 5.4%       | 6.2%       | 6.8%       | 7.0%       |

| 2020              |            |            |            |            |             |            |            |            |            |            |            |            |
|-------------------|------------|------------|------------|------------|-------------|------------|------------|------------|------------|------------|------------|------------|
|                   | Jan        | Feb        | Mar        | Apr        | May         | Jun        | Jul        | Aug        | Sept       | Oct        | Nov        | Dec        |
| Monthly Sales Tax | 23,591,222 | 16,374,965 | 13,932,085 | 18,673,352 | 13,424,681  | 15,690,126 | 21,699,684 | 17,230,082 | 17,664,745 | 20,457,466 | 17,621,437 | 17,420,587 |
| Increase (\$)     | 2,329,680  | 1,993,374  | 237,150    | 261,822    | (1,942,622) | 11,550     | 2,132,639  | (316,295)  | 1,094,676  | (25,201)   | 2,510,726  | 2,465,610  |
| Increase (%)      | 11.0%      | 13.9%      | 1.7%       | 1.4%       | -12.6%      | 0.1%       | 10.9%      | -1.8%      | 6.6%       | -0.1%      | 16.6%      | 16.5%      |
| YoY Inflation     | 2.5%       | 2.3%       | 1.5%       | 0.3%       | 0.1%        | 0.6%       | 1.0%       | 1.3%       | 1.4%       | 1.2%       | 1.2%       | 1.4%       |





# CITY OF AURORA

## Council Agenda Commentary

|  |
|--|
| <b>Item Title:</b> 2022 Fall Supplemental Ordinance  |
| <b>Item Initiator:</b> Jackie Ehmann, Budget Program Manager   |
| <b>Staff Source/Legal Source:</b> Jackie Ehmann, Budget Program Manager/Hanosky Hernandez Perez, Sr. 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:** 11/7/2022

**Regular Meeting:** 11/14/2022

### ITEM DETAILS:

FOR AN ORDINANCE OF THE CITY OF AURORA, COLORADO APPROPRIATING SUMS OF MONEY IN ADDITION TO THOSE APPROPRIATED IN ORDINANCE NOS. 2021-56, AND 2022-24 FOR THE 2022 FISCAL YEAR

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### 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.

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### 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

Recommendation Report Attached

Minutes Attached

Minutes Not Available

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**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

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**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 2022 Fall Supplemental Appropriation Request includes operating expenditures and capital projects that require appropriation adjustments for 2022 in the funds listed in Attachment A. Most of the requests were identified and included in the 2022 projection in the 2023 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 2023 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 2022 projection included in the 2023 Proposed Budget, or as items reviewed at either a Council Committee meeting or City Council meeting.

Some of these 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 to transfer appropriation from one department or project to another. 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. Transfers result in a move of funding from one fund or project to another. The details of these appropriation amendments are found in:

- Attachment A: 2022 Appropriation Summaries by Fund; and
- Attachment B: 2022 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.

#### 2022 Supplemental Amendment Requests

Appropriation requests in the Capital Projects Fund total **\$12.0 million** offset by \$5.1 million in outside funding. All significant items were included in the 2022 projection and reviewed by Council as part of the 2023 budget process and include:

- The appropriation of **\$8.0 million** for the City of Aurora's share of the Colfax Bus Rapid Transit project in collaboration with the City and County of Denver and the Regional Transportation District.
- The appropriation of **\$1.9 million** in additional grant funds received through the Colorado Highway Safety Improvement Program to modernize and improve traffic signal equipment in various intersections.
- The appropriation of **\$1.8 million** for the Arapahoe County cost share of the Southeast Aurora Regional Improvement Authority Gun Club Phase One Project.
- The appropriation of **\$637,300** in reimbursement funds for Public Works capital programs. These funds will be allocated to projects as needs arise. The most significant reimbursement is from the Regional Transportation District for \$550,400 for a joint landscape project along the I-225/R-Line light rail system appropriated in the Miscellaneous Street Improvements program.

- The lapse of **\$1.5 million** to reduce the appropriation for the Aerotropolis Regional Transportation Authority payments in accordance with more recent revenue projection assumptions.

Significant supplemental items in other funds include:

- The appropriation of capital grant awards totaling **\$2.4 million** in the Gifts and Grants Fund for various Parks, Recreation, and Open Space projects, including the Highline Canal AdCo Grant for I-70 Pedestrian Bridge for \$1.6 million and the Murphy Creek Trail Grant from Arapahoe County for \$500,000.
- Appropriations totaling **\$1.2 million** in the Community Development Fund to align the budgets for the Home Investment Partnership Grant and the Community Development Block Grant to the final grant amount and to include program income through August 2022.

Detail for all supplemental items can be found in Attachment B.

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## QUESTIONS FOR COUNCIL

Does Council wish approve this item and move forward to Study Session?

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## 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. City Charter §11-16. (Koumantakis)

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## PUBLIC FINANCIAL IMPACT

YES       NO

**If yes, explain:** This supplemental budget request will make adjustments to the 2022 budget.

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## PRIVATE FISCAL IMPACT

Not Applicable       Significant       Nominal

**If Significant or Nominal, explain:** N/A

**2022 Fall Amendment Ordinance  
Appropriation Summaries by Fund**

**2022 Amendment Summary  
Attachment A**

**Attachment A**  
**2022 Fall Amendment Ordinance**  
**Appropriation Summary by Fund and Department**  
**2022 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>22,827</b>                  | <b>0</b>                           | <b>-22,827</b>                                 |
| Non-Departmental                        | 0.00               | 22,827                         | 0                                  | -22,827  |
| <b>Capital Projects Fund Total</b>      | <b>0.00</b>        | <b>12,035,053</b>              | <b>5,169,047</b>                   | <b>-6,866,006</b>                              |
| Non-Departmental                        | 0.00               | 6,866,006                      | 0                                  | -6,866,006                                     |
| Parks, Recreation & Open Space          | 0.00               | 2,200,000                      | 0                                  | -2,200,000                                     |
| Planning & Development Services         | 0.00               | 346,999                        | 346,999                            | 0  |
| Public Works                            | 0.00               | 2,622,048                      | 4,822,048                          | 2,200,000                                      |
| <b>Community Development Fund Total</b> | <b>0.00</b>        | <b>1,159,270</b>               | <b>1,159,270</b>                   | <b>0</b>                                       |
| Housing and Community Services          | 0.00               | 1,159,270                      | 1,159,270                          | 0  |
| <b>Gifts &amp; Grants Fund Total</b>    | <b>0.00</b>        | <b>2,373,670</b>               | <b>2,373,670</b>                   | <b>0</b>                                       |
| Parks, Recreation & Open Space          | 0.00               | 2,373,670                      | 2,373,670                          | 0  |
| <b>Total</b>                            | <b>0.00</b>        | <b>\$15,590,820</b>            | <b>\$8,701,987</b>                 | <b>(\$6,888,833)</b>                           |

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

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

**2022 Fall Amendment Ordinance  
Appropriation Detail by Fund**

**2022 Amendment Detail  
Attachment B**

**Attachment B**  
**2022 Fall Amendment Ordinance**  
**2022 Appropriation Amendment Requests**

**Department \ Description - Reason for Appropriation**

**Housing and Community Services**

**Technical: 2022 Community Development Block Grant Award Reconciliation**

| <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> |
|-----------------------------------|-------------|--------------------------|--------------------|----------------------|-----------------------|-----------------------------------|
| Community Development Fund        | 0.00        | 69,441                   | 0                  | 69,441               | 69,441                | 0                                 |
| <b>Total Appropriation Impact</b> | <b>0.00</b> | <b>\$69,441</b>          | <b>\$0</b>         | <b>\$69,441</b>      | <b>\$69,441</b>       | <b>\$0</b>                        |

This technical adjustment will align the budget for the Community Development Block Grant (CDBG) to the 2022 actual award amount plus actual year-to-date program income. The final 2022 CDBG award received from the U.S. Department of Housing and Urban Development (HUD) was 6.7 percent, or \$187,792, lower than anticipated. Actual CDBG program income received year-to-date through August is \$257,233 more than budgeted for the year due to higher than expected loan repayments.

This supplemental was included as part of the 2022 projections shown in the 2023 budget.

Total Appropriation Impact (Does not include offset impact)

| <b>Department</b>              | <b>Fund</b>                | <b>Capital</b> | <b>Operating</b> | <b>Type</b>       |
|--------------------------------|----------------------------|----------------|------------------|-------------------|
| Housing and Community Services | Community Development Fund | 0              | 69,441           | New Appropriation |

**Technical: 2022 Home Investment Partnership Grant Award Reconciliation**

| <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> |
|-----------------------------------|-------------|--------------------------|--------------------|----------------------|-----------------------|-----------------------------------|
| Community Development Fund        | 0.00        | 1,067,002                | 0                  | 1,067,002            | 1,067,002             | 0                                 |
| <b>Total Appropriation Impact</b> | <b>0.00</b> | <b>\$1,067,002</b>       | <b>\$0</b>         | <b>\$1,067,002</b>   | <b>\$1,067,002</b>    | <b>\$0</b>                        |

This technical adjustment will align the budget for the Home Investment Partnership (HOME) grant to the 2022 actual award plus actual year-to-date program income. The final 2022 HOME award received from the U.S. Department of Housing and Urban Development (HUD) was 8.9 percent, or \$101,455 higher than anticipated. Actual program income received year-to-date through August is \$965,547 more than budgeted due to another strong year of loan repayments.

This supplemental was included as part of the 2022 projection shown in the 2023 budget.

Total Appropriation Impact (Does not include offset impact)

| <b>Department</b>              | <b>Fund</b>                | <b>Capital</b> | <b>Operating</b> | <b>Type</b>       |
|--------------------------------|----------------------------|----------------|------------------|-------------------|
| Housing and Community Services | Community Development Fund | 0              | 1,067,002        | New Appropriation |

**Attachment B**  
**2022 Fall Amendment Ordinance**  
**2022 Appropriation Amendment Requests**

**Department \ Description - Reason for Appropriation**

**Housing and Community Services**

**Technical: Increase HOME Match For Community Development Funds Based On Final 2022 Grant Amount**

| <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> |
|-----------------------------------|-------------|--------------------------|--------------------|----------------------|-----------------------|-----------------------------------|
| Community Development Fund        | 0.00        | 22,827                   | 0                  | 22,827               | 22,827                | 0                                 |
| General Fund                      | 0.00        | 22,827                   | 0                  | 22,827               | 0                     | -22,827                           |
| <b>Total Appropriation Impact</b> | <b>0.00</b> | <b>\$45,654</b>          | <b>\$0</b>         | <b>\$45,654</b>      | <b>\$22,827</b>       | <b>(\$22,827)</b>                 |

This technical adjustment will align the General Fund Home Investment Partnership grant (HOME) match to the 2022 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 2022 HOME award received from HUD was 8.9 percent, or \$101,455, more than anticipated, increasing the required General Fund match by \$22,827.

This supplemental was included as part of the 2022 projection shown in the 2023 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               | General Fund               | 0              | 22,827           | Operating Transfer Out |
| Housing and Community Services | Community Development Fund | 0              | 22,827           | New Appropriation      |



## Attachment B

### 2022 Fall Amendment Ordinance

### 2022 Appropriation Amendment Requests

#### Department \ Description - Reason for Appropriation

#### Non-Departmental

##### ARTA Payment Lapse

| Fund Impact                | FTE  | Operating Approp. | CIP Approp.   | Approp. Total | Revenue Offset | Inc. / (Dec.) in Fund Bal. |
|----------------------------|------|-------------------|---------------|---------------|----------------|----------------------------|
| Capital Projects Fund      | 0.00 | 0                 | -1,493,994    | -1,493,994    | 0              | 1,493,994                  |
| Total Appropriation Impact | 0.00 | \$0               | (\$1,493,994) | (\$1,493,994) | \$0            | \$1,493,994                |

This supplemental amendment will reduce (lapse) appropriation to align the budget for payments of collected revenue to less aggressive growth rates. Initially, the expectation was for the Aerotropolis Regional Transportation Authority (ARTA) area to grow faster than it actually is. This reduction was included in the 2022 projection in the 2023 budget document.

The ARTA was established on February 27, 2018 under an intergovernmental agreement between Adams County, the City of Aurora, and the Aerotropolis Area Coordinating Metropolitan District. Under the agreement, the city collects and remits any use tax and impact fees received within ARTA's geographic boundaries.

Total Appropriation Impact (Does not include offset impact)

| Department       | Fund                  | Capital    | Operating | Type                   |
|------------------|-----------------------|------------|-----------|------------------------|
| Non-Departmental | Capital Projects Fund | -1,493,994 | 0         | Lapse of Appropriation |

##### Colfax Bus Rapid Transit

| Fund Impact                | FTE  | Operating Approp. | CIP Approp. | Approp. Total | Revenue Offset | Inc. / (Dec.) in Fund Bal. |
|----------------------------|------|-------------------|-------------|---------------|----------------|----------------------------|
| Capital Projects Fund      | 0.00 | 0                 | 8,000,000   | 8,000,000     | 0              | -8,000,000                 |
| Total Appropriation Impact | 0.00 | \$0               | \$8,000,000 | \$8,000,000   | \$0            | (\$8,000,000)              |

The City and County of Denver (CCD), City of Aurora, Regional Transportation District (RTD), and the Colorado Department of Transportation (CDOT) will be pursuing grant funding to construct a bus-rapid transit (BRT) project on Colfax Avenue. Aurora's share is \$14.0 million, with \$8.0 million in 2022, included in this supplemental amendment, and \$6.0 million in the 2023 budget. Aurora will be constructing 12 enhanced BRT stations which will include BRT branding elements, ticket vending machines, variable message signs with real-time schedule information, and emergency telephones. It is anticipated that a signature transit station/shelter will be constructed at the Havana Street BRT station location. Upon implementation, the project is expected to reduce transit travel time, increase transit ridership, provide more affordable and reliable access to jobs and community services along the corridor, improve pedestrian safety, and create exciting streetscape, placemaking, and economic development opportunities.

This was included in the 2022 projection in the 2023 budget document.

Total Appropriation Impact (Does not include offset impact)

| Department       | Fund                  | Capital   | Operating | Type              |
|------------------|-----------------------|-----------|-----------|-------------------|
| Non-Departmental | Capital Projects Fund | 8,000,000 | 0         | New Appropriation |

**Attachment B**  
**2022 Fall Amendment Ordinance**  
**2022 Appropriation Amendment Requests**

**Department \ Description - Reason for Appropriation**

**Non-Departmental**

**Transportation Maintenance COP Payment**

| <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                        | 360,000            | 360,000              | 0                     | -360,000                          |
| <b>Total Appropriation Impact</b> | <b>0.00</b> | <b>\$0</b>               | <b>\$360,000</b>   | <b>\$360,000</b>     | <b>\$0</b>            | <b>(\$360,000)</b>                |

In order to fully fund the city's transportation maintenance program, a Certificate Of Participation (COP) for \$35.0 million has been issued. This supplemental will provide appropriation for the initial interest payment in 2022. Making this initial interest payment will save money over the life of the debt. The associated work is being done in the new Transportation Maintenance Fund.

This was included in the 2022 projection in the 2023 budget document.

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 | 360,000        | 0                | New Appropriation |

**Attachment B**  
**2022 Fall Amendment Ordinance**  
**2022 Appropriation Amendment Requests**

**Department \ Description - Reason for Appropriation**

**Parks, Recreation & Open Space**

**Technical: Grant Award From Arapahoe County For Murphy Creek Trail**

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

This technical supplemental will appropriate grant funding from Arapahoe County Open Space. This supplemental was not included in the 2022 projection of the 2023 budget due to the timing of the receipt of the grant.

This grant will help with construction funding. Improvements include a new 10' wide concrete regional trail, that will meet or exceed all American Disabilities Act (ADA) guidelines for outdoor trails. This regional trail section will require retaining walls, railings, and a low water crossing. Project funds will also be used to make local neighborhood connections, perform landscape restoration of disturbed areas, and for wayfinding signage. These trail improvements should have a useful life of 50 years or longer.

Total Appropriation Impact (Does not include offset impact)

| Department                     | Fund                | Capital | Operating | Type              |
|--------------------------------|---------------------|---------|-----------|-------------------|
| Parks, Recreation & Open Space | Gifts & Grants Fund | 500,000 | 0         | New Appropriation |

**Technical: Highline Canal AdCo Grant For I-70 Pedestrian Bridge**

| Fund Impact                       | FTE         | Operating Approp. | CIP Approp.        | Approp. Total      | Revenue Offset     | Inc. / (Dec.) in Fund Bal. |
|-----------------------------------|-------------|-------------------|--------------------|--------------------|--------------------|----------------------------|
| Capital Projects Fund             | 0.00        | 0                 | 2,200,000          | 2,200,000          | 0                  | -2,200,000                 |
| Gifts & Grants Fund               | 0.00        | 0                 | 1,600,000          | 1,600,000          | 1,600,000          | 0                          |
| <b>Total Appropriation Impact</b> | <b>0.00</b> | <b>\$0</b>        | <b>\$3,800,000</b> | <b>\$3,800,000</b> | <b>\$1,600,000</b> | <b>(\$2,200,000)</b>       |

This technical supplemental will appropriate grant funding of \$1.6 million from Adams County Open Space, as well as a total of \$2.2 million in funds transferred to Parks, Recreation and Open Space (PROS) from Public Works. The \$2.2 million is comprised of \$1.5 million in local match for the Highline Canal Transportation Improvement Program (TIP) project and \$650,000 from Public Works overmatch. Public Works and PROS are working collaboratively to manage this project which will construct a multi-use trail between East Colfax Avenue and I-70, including constructing a new pedestrian bridge overpass. The project will connect to a 1.2-mile long "north" segment of the High Line Canal Trail between I-70 and Denver's Green Valley Ranch area. The IGA for this project was approved at the March 8, 2021 Regular City Council Meeting. This was not projected for 2022 in the 2023 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 | Capital Projects Fund | 2,200,000 | 0         | New Appropriation |
| Parks, Recreation & Open Space | Gifts & Grants Fund   | 1,600,000 | 0         | New Appropriation |

**Attachment B**  
**2022 Fall Amendment Ordinance**  
**2022 Appropriation Amendment Requests**

**Department \ Description - Reason for Appropriation**

**Parks, Recreation & Open Space**

**Technical: Sand Creek Trail Extension - Adams County 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        | 261,170                  | 0                  | 261,170              | 261,170               | 0                                 |
| <b>Total Appropriation Impact</b> | <b>0.00</b> | <b>\$261,170</b>         | <b>\$0</b>         | <b>\$261,170</b>     | <b>\$261,170</b>      | <b>\$0</b>                        |

This technical supplemental will appropriate grant funding from Adams County Open Space to improve a 1,000' segment of trail between Sand Creek Park and the Denver border. The existing trail will be re-graded to be compliant with the American Disabilities Act (ADA) to accommodate equitable access for all residents and a new 10' wide concrete trail with a 3' foot wide parallel crusher fines trail will be constructed. This was not included in the 2022 projection of the 2023 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              | 261,170          | New Appropriation |

**Technical: State of Colorado Lifeguard Retention 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        | 12,500                   | 0                  | 12,500               | 12,500                | 0                                 |
| <b>Total Appropriation Impact</b> | <b>0.00</b> | <b>\$12,500</b>          | <b>\$0</b>         | <b>\$12,500</b>      | <b>\$12,500</b>       | <b>\$0</b>                        |

This technical supplemental will appropriate grant funds totaling \$12,500 received from the State of Colorado. These funds were to be used supplement wages as an incentive to attract and retain lifeguards and to pay full wages to lengthen the season throughout the city. The funds were spent over the four weeks leading up to and including the start of school. Lifeguards work afternoon hours during weekdays for four weeks in August leading up to the Labor Day weekend marking the end of the summer swimming pool season. This supplemental was not included in the 2022 projection of the 2023 Proposed Budget as the grant was not awarded until the later part of 2022.

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              | 12,500           | New Appropriation |

**Attachment B**  
**2022 Fall Amendment Ordinance**  
**2022 Appropriation Amendment Requests**

**Department \ Description - Reason for Appropriation**

**Planning & Development Services**

**Technical: 1400 Dallas Street 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> |
|-----------------------------------|-------------|--------------------------|--------------------|----------------------|-----------------------|-----------------------------------|
| Capital Projects Fund             | 0.00        | 0                        | 197,000            | 197,000              | 197,000               | 0                                 |
| <b>Total Appropriation Impact</b> | <b>0.00</b> | <b>\$0</b>               | <b>\$197,000</b>   | <b>\$197,000</b>     | <b>\$197,000</b>      | <b>\$0</b>                        |

This technical supplemental will appropriate \$197,000 in state funding through the Colorado Community Revitalization Grant to help renovate the 1400 Dallas Street facility in the newly designated Aurora Creative District. This grant is for Phase II of the 1400 Dallas Street project. Phase I was funded by the City of Aurora which has helped enhance the communal rehearsal spaces, including its entry gallery, larger exhibit/performance gallery, community classroom and flex spaces on the main floor. Phase II will fulfill a need for affordable artist space for performance and visual arts. Colorado Creative Industries will issue the full amount of the grant award (\$197,000) once construction plans are completed and a city permit has been issued. This supplemental was not included in the 2022 projection of the 2023 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>       |
|---------------------------------|-----------------------|----------------|------------------|-------------------|
| Planning & Development Services | Capital Projects Fund | 197,000        | 0                | New Appropriation |

**Technical: Fletcher Plaza 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> |
|-----------------------------------|-------------|--------------------------|--------------------|----------------------|-----------------------|-----------------------------------|
| Capital Projects Fund             | 0.00        | 0                        | 149,999            | 149,999              | 149,999               | 0                                 |
| <b>Total Appropriation Impact</b> | <b>0.00</b> | <b>\$0</b>               | <b>\$149,999</b>   | <b>\$149,999</b>     | <b>\$149,999</b>      | <b>\$0</b>                        |

This technical supplemental will appropriate \$149,999 in funding from the Colorado Department of Transportation. This grant project will foster safety, activity, and economic development through socially-distanced outdoor commerce, casual urban gatherings, and pedestrian exploration of Downtown Aurora. Improvements will include shade canopy, seating, lighting, wayfinding, district branding, and crosswalks in and around Fletcher Plaza, downtown's premier civic outdoor space, and along Colfax Avenue. The grant will end and has a delivery date of June 30, 2023. This supplemental was not included in the 2022 projection of the 2023 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>       |
|---------------------------------|-----------------------|----------------|------------------|-------------------|
| Planning & Development Services | Capital Projects Fund | 149,999        | 0                | New Appropriation |

**Attachment B**  
**2022 Fall Amendment Ordinance**  
**2022 Appropriation Amendment Requests**

**Department \ Description - Reason for Appropriation**

**Public Works**

**Technical: Appropriate Advance Traffic Signal System Grant**

| Fund Impact                       | FTE         | Operating Approp. | CIP Approp.      | Approp. Total    | Revenue Offset   | Inc. / (Dec.) in Fund Bal. |
|-----------------------------------|-------------|-------------------|------------------|------------------|------------------|----------------------------|
| Capital Projects Fund             | 0.00        | 0                 | 460,000          | 460,000          | 460,000          | 0                          |
| <b>Total Appropriation Impact</b> | <b>0.00</b> | <b>\$0</b>        | <b>\$460,000</b> | <b>\$460,000</b> | <b>\$460,000</b> | <b>\$0</b>                 |

This technical supplemental will appropriate \$460,000 in federal funding for the purchase a new Advance Traffic Signal System for the City of Aurora through the Denver Regional Council of Governments (DRCOG) Regional Transportation Operations and Technology (RTO&T) grant program. This system is used by traffic engineering and traffic operations staff to operate, monitor, and manage traffic signals. The federal funding will be used to procure new hardware and software for the signal system and to configure and setup the new system.

The Intergovernmental Agreement (IGA) for this project was approved at the April 11, 2022 Regular City Council Meeting. These funds were included in the 2022 projection in the 2023 budget.

Total Appropriation Impact (Does not include offset impact)

| Department   | Fund                  | Capital | Operating | Type              |
|--------------|-----------------------|---------|-----------|-------------------|
| Public Works | Capital Projects Fund | 460,000 | 0         | New Appropriation |

**Technical: Appropriate Arapahoe County Cost Share for SARIA Gun Club**

| 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 a \$1.8 million contribution from Arapahoe County for the Southeast Aurora Regional Improvement Authority (SARIA) Gun Club Phase One project. A contribution of \$500,000 was previously provided by the County as well. This project will perform initial scoping and preliminary design of the Gun Club Road Improvements including relocation of some existing utilities. This initial phase is expected to cost \$4.6 million and the city is providing an in-kind contribution in the form of project management. These funds were included in the 2022 projection in the 2023 budget.

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**  
**2022 Fall Amendment Ordinance**  
**2022 Appropriation Amendment Requests**

**Department \ Description - Reason for Appropriation**

**Public Works**

**Technical: Appropriate HSIP Grant Funds**

| <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                        | 1,924,740          | 1,924,740            | 1,924,740             | 0                                 |
| <b>Total Appropriation Impact</b> | <b>0.00</b> | <b>\$0</b>               | <b>\$1,924,740</b> | <b>\$1,924,740</b>   | <b>\$1,924,740</b>    | <b>\$0</b>                        |

This technical supplemental will appropriate additional grant funds received through the Colorado Highway Safety Improvement Program (HSIP). These funds will modernize and improve traffic signal equipment in various intersections. These funds were included in the 2022 projection in the 2023 budget.

Total Appropriation Impact (Does not include offset impact)

| <b>Department</b> | <b>Fund</b>           | <b>Capital</b> | <b>Operating</b> | <b>Type</b>            |
|-------------------|-----------------------|----------------|------------------|------------------------|
| Public Works      | Capital Projects Fund | -854,215       | 0                | Lapse of Appropriation |
| Public Works      | Capital Projects Fund | 2,778,955      | 0                | New Appropriation      |

**Technical: Appropriate Reimbursements Received**

| <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                        | 637,308            | 637,308              | 637,308               | 0                                 |
| <b>Total Appropriation Impact</b> | <b>0.00</b> | <b>\$0</b>               | <b>\$637,308</b>   | <b>\$637,308</b>     | <b>\$637,308</b>      | <b>\$0</b>                        |

This technical supplemental will appropriate \$550,400 in the Miscellaneous Street Improvements program for a reimbursement received from the Regional Transportation District (RTD) for a joint landscape project along the I-225/R-Line light rail system. This is the final of two payments. These funds were included in the 2022 projection in the 2023 budget.

This supplemental will also appropriate \$25,000 in the Miscellaneous Street Improvements program for funds reimbursed by the city's Loss Fund for emergency repairs to the Sable-Highline culvert after it sustained fire damage; \$50,000 in the Building Repair Special Projects program for insurance recoveries for damage to the People's Building after it was struck by a vehicle; and \$11,900 in the Bridge Maintenance program for a reimbursement from the contractor on the Peoria Bridge project. These funds had not been received in time to include in the 2022 projection in the 2023 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>       |
|-------------------|-----------------------|----------------|------------------|-------------------|
| Public Works      | Capital Projects Fund | 637,308        | 0                | New Appropriation |

**Attachment B**  
**2022 Fall Amendment Ordinance**  
**2022 Appropriation Amendment Requests**

**Department \ Description - Reason for Appropriation**

**Public Works**

**Technical: Chambers Over Sand Creek Bridge Grant Project**

| 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 supplemental will appropriate \$392,000 for cost increases for the Chambers Road Bridge over Sand Creek grant project. Since the cost estimate for the project was developed, there have been significant labor and construction costs increases. Also, additional necessary improvements were identified during design that are more cost effective to address with this project rather than at a future date. The additional city funding will be transferred from the Bridge Maintenance Program.

The Chambers Road Bridge over Sand Creek currently serves as a main connection route between the neighborhoods and provides access to the trail system along Sand Creek. The rehab work consists of expansion joint replacement as needed; repair of sidewalks; and repair of spalled concrete bridge rails and corroded steel parts. The Intergovernmental Agreement (IGA) for the grant award was approved at the September 23, 2019 Regular City Council Meeting. This transfer was not projected for 2022 in the 2023 budget.

Total Appropriation Impact (Does not include offset impact)

| Department   | Fund                  | Capital  | Operating | Type                   |
|--------------|-----------------------|----------|-----------|------------------------|
| Public Works | Capital Projects Fund | -392,000 | 0         | Lapse of Appropriation |
| Public Works | Capital Projects Fund | 392,000  | 0         | New Appropriation      |

**Technical: Transfer Havana Transit Improvements Local Match**

| 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 one-time supplemental will transfer local match funds for the Havana Transit Improvements from the Transportation Priority Projects funds. The city applied for and was awarded a federal grant through the Denver Regional Council of Governments (DRCOG) Transportation Improvement Program (TIP) for improvements along the Havana Street transit corridor such as bus bypass lanes; installation of bus bulbs; and bus stop accessibility upgrades. The city was awarded \$539,580 in federal funding as well as a \$125,000 match from RTD, which was previously appropriated. The IGA for this project was approved at the August 23, 2021 Regular City Council Meeting. This transfer was not projected for 2022 in the 2023 budget.

Total Appropriation Impact (Does not include offset impact)

| Department   | Fund                  | Capital | Operating | Type                   |
|--------------|-----------------------|---------|-----------|------------------------|
| Public Works | Capital Projects Fund | -35,000 | 0         | Lapse of Appropriation |
| Public Works | Capital Projects Fund | 35,000  | 0         | New Appropriation      |



**Attachment B**  
**2022 Fall Amendment Ordinance**  
**2022 Appropriation Amendment Requests**

**Department \ Description - Reason for Appropriation**

**Public Works**

**Technical: Transfer Highline Canal TIP Project Match Funds**

| Fund Impact                       | FTE         | Operating Approp. | CIP Approp.          | Approp. Total        | Revenue Offset | Inc. / (Dec.) in Fund Bal. |
|-----------------------------------|-------------|-------------------|----------------------|----------------------|----------------|----------------------------|
| Capital Projects Fund             | 0.00        | 0                 | -2,200,000           | -2,200,000           | 0              | 2,200,000                  |
| <b>Total Appropriation Impact</b> | <b>0.00</b> | <b>\$0</b>        | <b>(\$2,200,000)</b> | <b>(\$2,200,000)</b> | <b>\$0</b>     | <b>\$2,200,000</b>         |

This technical supplemental will lapse \$1.5 million from the Transportation Improvement Program (TIP) match program and \$650,000 from Public Works overmatch so that it may be re-appropriated in Parks, Recreation and Open Space (PROS) for the Highline Canal TIP project. Public Works and PROS are working collaboratively to manage this project which will construct a multi-use trail between East Colfax Avenue and I-70, including constructing a new pedestrian bridge overpass. The project will connect to a 1.2-mile long "north" segment of the High Line Canal Trail between I-70 and Denver's Green Valley Ranch area. The IGA for this project was approved at the March 8, 2021 Regular City Council Meeting. The technical transfer of matching funds from Public Works to PROS was not projected for 2022 in the 2023 budget.

Total Appropriation Impact (Does not include offset impact)

| Department   | Fund                  | Capital    | Operating | Type                   |
|--------------|-----------------------|------------|-----------|------------------------|
| Public Works | Capital Projects Fund | -2,200,000 | 0         | Lapse of Appropriation |

**Transfer Funds To Traffic Calming Program**

| 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 supplemental will transfer \$2.5 million from Street Overlay to Traffic Calming. In the 2022 Spring Supplemental, \$4.0 million was added to the overlay program from the General Fund. Due to the issuance of the Certificates of Participation for roadway maintenance and the creation of the Transportation Maintenance Fund, a portion of the funds can go to Traffic Calming. This transfer was included in the 2022 projection in the 2023 budget.

Total Appropriation Impact (Does not include offset impact)

| Department   | Fund                  | Capital    | Operating | Type                   |
|--------------|-----------------------|------------|-----------|------------------------|
| Public Works | Capital Projects Fund | -2,500,000 | 0         | Lapse of Appropriation |
| Public Works | Capital Projects Fund | 2,500,000  | 0         | New Appropriation      |

ORDINANCE NO. 2022- \_\_\_\_\_

A BILL

FOR AN ORDINANCE OF THE CITY OF AURORA, COLORADO APPROPRIATING SUMS OF MONEY IN ADDITION TO THOSE APPROPRIATED IN ORDINANCE NOS. 2021-56, AND 2022-24 FOR THE 2022 FISCAL YEAR

WHEREAS, pursuant to Ordinance Nos. 2021-56 and 2022-24, the City Council (the “Council”) of the City of Aurora, Colorado (the “City”) has appropriated funds for the fiscal year beginning January 1, 2022, and ending December 31, 2022 (“Fiscal Year 2022”); 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. 2021-56 and 2022-24 shall be made for Fiscal Year 2022 for the purposes enumerated in Attachment B to the document entitled 2022 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 “2022 Amendment Detail”), all as follows:

- a. From the unappropriated fund balance and/or additional revenues of the General Fund, the net amount of Twenty-Two Thousand, Eight Hundred Twenty-Seven Dollars (\$22,827).
- b. From the unappropriated fund balance and/or additional revenues of the Capital Projects Fund, the net amount of Twelve Million, Thirty-Five Thousand, Fifty-Three Dollars (\$12,035,053).
- c. From the unappropriated fund balance and/or additional revenues of the Community Development Fund, the net amount of One Million, One Hundred Fifty-Nine Thousand, Two Hundred Seventy Dollars (\$1,159,270).
- d. From the unappropriated fund balance and/or additional revenues of the Gifts and Grants Fund, the net amount of Two Million, Three Hundred Seventy-Three Thousand, Six Hundred Seventy Dollars (\$2,373,670).

Section 2. Inter-fund and inter-departmental transfers shall be made as enumerated in the 2022 Amendment Detail for Fiscal Year 2022.

Section 3. 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 4. All ordinances or parts of ordinances of the City in conflict herewith are expressly repealed.

Section 5. 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 \_\_\_\_\_, 2022.

PASSED AND ORDERED PUBLISHED BY REFERENCE this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

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

ATTEST:

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

APPROVED AS TO FORM:

*George Koumantakis* for  
\_\_\_\_\_  
HANOSKY HERNANDEZ,  
Assistant City Attorney



# CITY OF AURORA

## Council Agenda Commentary

|   |
|---|
| <b>Item Title:</b> Disparity Study Presentation and Update  |
| <b>Item Initiator:</b> Bryn Fillinger, Manager of Purchasing Services   |
| <b>Staff Source/Legal Source:</b> Bryn Fillinger, Manager of Purchasing / Dave Lathers Sr. Asst. City Attorney  |
| <b>Outside Speaker:</b> Michelle Clark Jenkins, Griffin & Strong  |
| <b>Council Goal:</b> 2012: 4.4--Strengthen and build effective partnerships with the city's diverse community; and celebrate and appreciate diversity |

**COUNCIL MEETING DATES:**

**Study Session:** N/A

**Regular Meeting:** 10/25/2022

**ITEM DETAILS:**

- 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 Presentation/discussion time

Provide an update regarding the City's Disparity Study being prepared by Griffin & Strong.  
 Bryn Fillinger, Manager of Purchasing Services / Dave Lathers Sr. Asst. City Attorney  
 Outside Speaker: Michelle Clark Jenkins, Griffin & Strong  
 10 minutes / 10 minutes

---

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

- |   |  |
|---|--|
| <input type="checkbox"/> Approve Item and Move Forward to Study Session<br><br><input type="checkbox"/> Approve Item and Move Forward to Regular Meeting<br><br><input checked="" type="checkbox"/> Information Only<br><br><input type="checkbox"/> Approve Item with Waiver of Reconsideration<br>Reason for waiver is described in the Item Details field. | <input type="checkbox"/> Approve Item as proposed at Study Session<br><br><input type="checkbox"/> Approve Item as proposed at Regular Meeting |
|---|--|

---

**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 type="checkbox"/> Forwarded Without Recommendation | <input type="checkbox"/> Recommendation Report Attached |
| <input type="checkbox"/> Minutes Attached                 | <input type="checkbox"/> Minutes Not Available          |

---

**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 award to Griffin & Strong in the amount of \$336,975.00 was reported to Council on Purchasing's Weekly Report dated March 7, 2022.

---

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

Griffin & Strong will provide an update regarding the City's Disparity Study.

---

**QUESTIONS FOR COUNCIL**

Informational item.

---

**LEGAL COMMENTS**

Section 7-4(f) of the Aurora City Charter mandates that the City Manager keep Council apprised of the future needs of the City. It is axiomatic that this obligation is imposed so that Council might exercise its mandate under Section 3-9 of the Aurora City Charter to preserve the general welfare and order for the citizens. (Lathers)

---

**PUBLIC FINANCIAL IMPACT**

YES       NO

**If yes, explain:**

---

**PRIVATE FISCAL IMPACT**

Not Applicable       Significant       Nominal

**If Significant or Nominal, explain:**

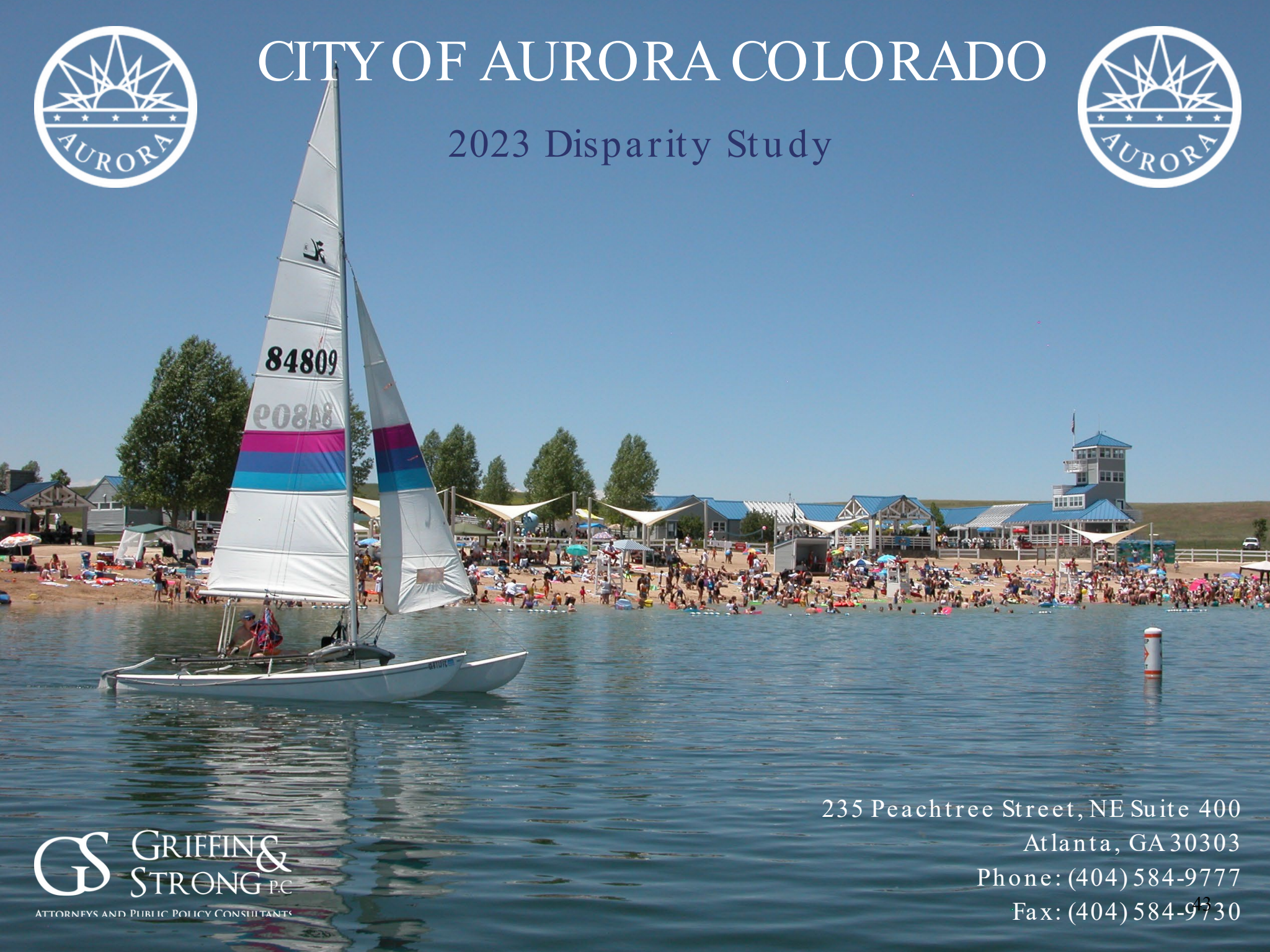




# CITY OF AURORA COLORADO



## 2023 Disparity Study



# Historical Overview

- Funding in the amount of \$500,000 for the Disparity Study can be found in the Gifts & Grants Fund in the 2022 Budget
- After discussion in the budget process, City Council approved funding for a Disparity Study in the 2022 Budget
- A Request for Proposal (RFP) to select a consultant to conduct study was issued on November 19, 2021
- RFP posted in Rocky Mountain E-Purchasing System, which is used for all bids and RFPs.
- Three firms responded on December 21, 2021:
  - BBC Research & Consulting
  - Griffin & Strong
  - Keen Independent Research
- All three firms were shortlisted and interviewed
- Griffin & Strong was selected as the top-ranked firm
- The negotiated contract for \$336,975 and was awarded to Griffin & Strong and reported to City Council on Purchasing's Weekly Report dated March 7, 2022.



# ABOUT GRIFFIN & STRONG

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No study conducted by Griffin & Strong, P.C, has ever been challenged or overturned in court.

*Our mission is to advance the economic development of the communities we serve by providing the highest quality professional services to our clients in both the public and private sectors.*

## THE MOST QUALIFIED TEAM IN THE INDUSTRY:

We are a law and public policy consulting firm with more than 30 years of experience in disparity studies, in which no study has ever been challenged or overturned in court.

- 5 Juris Doctors
- 2 PhD Economists
- PhD in Social Psychology
- PhD in Public Policy
- PhD in Anthropology

## Our firm specializes in:

- Disparity Research
- Contract Compliance Program
- Development Training & Supplier
- Diversity Consulting



# IN GOOD HANDS

*Project Executive, Rodney K. Strong has unmatched expertise, serving as Director of the City of Atlanta's Department of Contract Compliance, project manager on the first post-Croson disparity study, and as principal architect of the City of Atlanta's distinguished MWBE contracting program.*

*Principal Researcher, Dr. Vince Eagan is one of the foremost experts nationwide, conducting over 150 studies & successfully defending 6 studies as expert witness.*

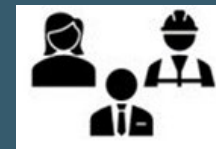
# What is a Disparity study?

A DISPARITY STUDY is an objective research tool that determines whether a governmental agency has actively or passively discriminated against certain groups due to their race or gender.



Availability

These studies measure disparities between availability and utilization for race, ethnicity, and gender groups.



Utilization



# WHY DO WE DO DISPARITY STUDIES? THE LEGAL BASIS

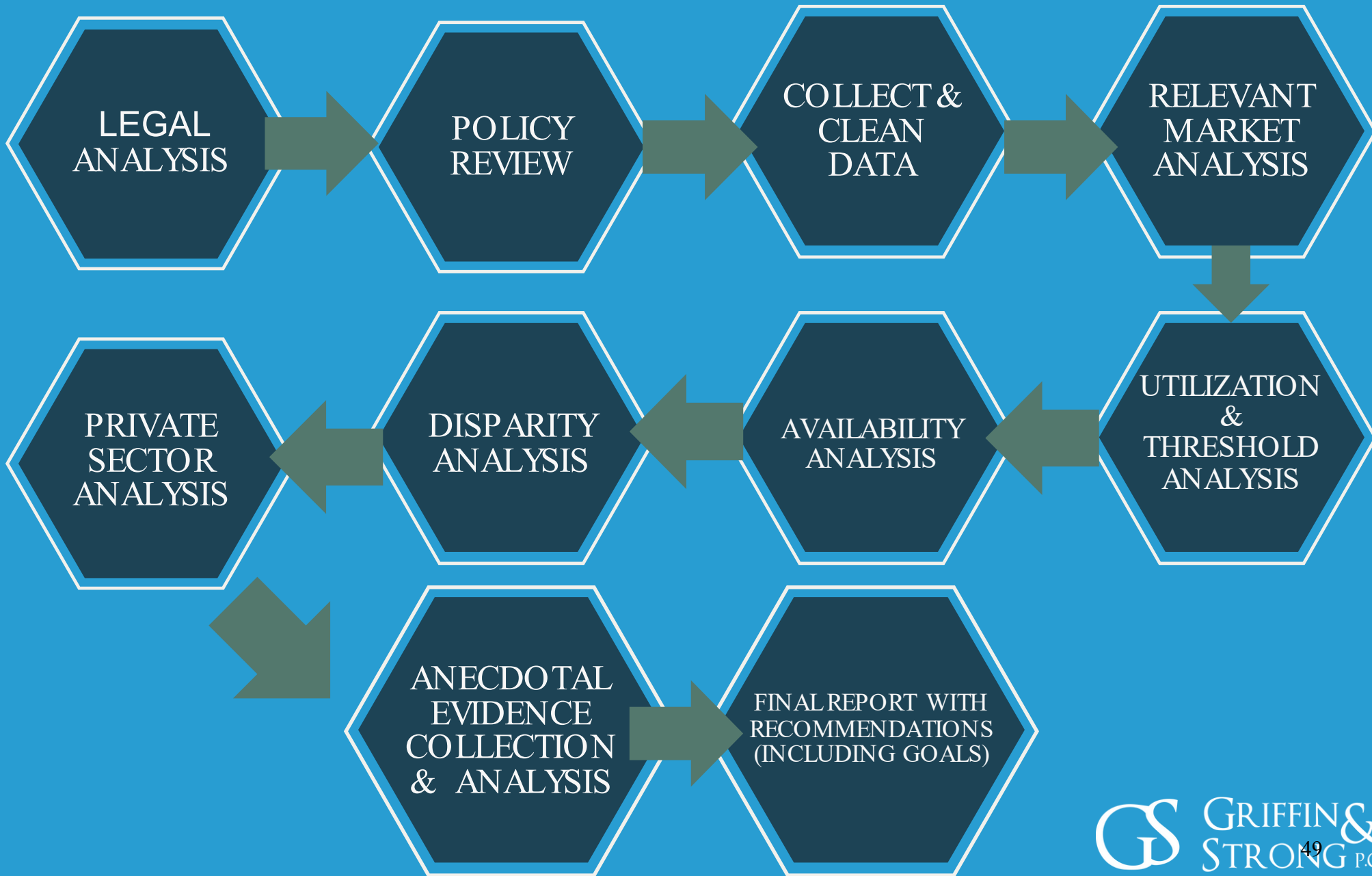
Disparity Studies Form the Factual Basis for Remedial Contracting Programs:

*City of Richmond v. J.A. Croson Co.,*  
488 U.S. 469 (1989)

*Adarand Constructors, Inc. v. Peña.*  
515 U.S. 200 (1995)

- Strict Scrutiny for race-based programs (Intermediate for gender-based programs)
- Must have a factual basis in evidence
- Methodology dictated by Case Law
- Must have narrowly-tailored remedy (to avoid over- or under-inclusion)

# STUDY PROCESS



# Purchasing Policies and Practices

**GSPC framework in conducting a detailed policy review:**

**Detailed Policy Review:**

- **Do any policies present a barrier to WBEs and MBEs?**
- **Do City personnel understand policies as written?**
- **Do procurement practices match the City of Aurora's written policies?**
- **What policies could be modified to promote WBE and MBE inclusion?**



- Determine data sources
- Collect all available electronic data and provide the manpower to enter manual data
- Clean the data
- Fill in any data gaps (no worries)
- Maintain chain of evidence
- Keep you informed
- Provide transparency in processes

**DATA: WE  
DO THE  
WORK**



# WHAT MARKETS ARE BEING STUDIED?

- **By Geography:**

Analyze by location to determine the geographical location of at least 75% of award dollars are spent in each of the major procurement categories. Only firms in the geographic relevant market will be included in the Study.

- **By Product:**

Determine the products and services procured by the City of Aurora and by its prime vendors. Only firms providing these products and services will be included in the Study.

# THRESHOLD ANALYSIS

- Details the level of contracting by award interval
- Determines if contract sizing is an issue and any opportunities for small businesses

## THRESHOLD & UTILIZATION

# UTILIZATION ANALYSIS

- Data is measured for both prime and subcontractors
- Disaggregated by year, work category, then race/gender/ethnic status



---

## A V A I L A B I L I T Y   A N A L Y S I S

GSPC will use a “list-based” approach looking at bidders, vendors, awardee, payees, and third-party lists (e.g., Colorado’s Department of Transportation List)

- Availability measured for both prime and subcontractors



# Disparity Analysis

---

- Availability and Utilization are compared to create the Disparity Index (DI) for each race/gender/ ethnicity group, disaggregated by procurement categories
- Statistical Significance Tests (standard deviation)
- Regression analysis to determine if disparities can be explained by factors other than race/ethnicity/gender

# Private Sector Analysis

Determines whether race, ethnicity, or gender status has affected the utilization of firms owned by members of these groups in both the public and private sector. This includes the following:

- Employment disparities
- Self-Employment disparities
- Construction market disparities
- Credit markets



# Findings and Recommendations

- Findings summarize key points of each chapter
- Review of efficacy of race- and gender-neutral remedies & how to identify
- Recommendations based on detailed review of policy, anecdotal evidence, and institutional knowledge
- Recommendations are unique to the study



# PROJECT PROGRESSION

- Private Sector Analysis
- Statistical Disparity Analysis
- Study Findings/
- Recommendations
- Draft Study Report/Final Study Report and Presentation

- Policy Review
- Data Collection

SPRING  
2022

- Data Assessment
- Legal Review
- Informational Meetings
- Launch Website

SUMMER  
2022

FALL  
2022

- Survey of Business Owners
- Preparation of Databases
- Anecdotal Evidence

WINTER  
2022

- Study Findings
- Recommendations
- Draft Study Report/Final Study Report and Presentation

SPRING  
2023

## HOW CAN YOU BE INVOLVED

---

- BE VOCAL
- Participate if contacted for:
  - Survey of Business Owners
  - Focus Groups
  - Organizational Interviews
- Leave comments on our disparity  
[email: auroracostudy@gspclaw.com](mailto:auroracostudy@gspclaw.com)





@GriffinStrong

Find us on the Web At  
[www.gspclaw.com](http://www.gspclaw.com)

**GS** GRIFFIN &  
STRONG PC  
ATTORNEYS AND PUBLIC POLICY CONSULTANTS



Study Website

[EngageAurora.org/](http://EngageAurora.org/) [DisparityStudy](http://DisparityStudy)

Email: [auroracostudy@gspclaw.com](mailto:auroracostudy@gspclaw.com)





# CITY OF AURORA

## Council Agenda Commentary

|   |
|---|
| <b>Item Title:</b> The Point Metropolitan District Director Disqualification and Appointment  |
| <b>Item Initiator:</b> Cesarina Dancy, Senior Development Project Manager, Office of Development Assistance   |
| <b>Staff Source/Legal Source:</b> Cesarina Dancy, Senior Development Project Manager, Office of Development Assistance/ Brian Rulla, Assistant City Attorney II |
| <b>Outside Speaker:</b>   |
| <b>Council Goal:</b> 2012: 6.0--Provide a well-managed and financially strong City  |

### COUNCIL MEETING DATES:

**Study Session:** 11/7/2022

**Regular Meeting:** 11/14/2022

### ITEM DETAILS:

- 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 Presentation/discussion time
  - A Resolution of the City Council of the City of Aurora, Colorado Appointing Directors to the Board of Directors of The Point Metropolitan District
- No Waiver requested  
No Sponsor  
Cesarina Dancy, Senior Development Project Manager, Office of Development Assistance/ Brian Rulla, Assistant City Attorney II  
No outside speaker/ representatives are available for questions  
5/5

### 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.

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**PREVIOUS ACTIONS OR REVIEWS:**

**Policy Committee Name:** Management & Finance

**Policy Committee Date:** 10/25/2022

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

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

---

**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 Service Plan for The Point Metropolitan District was approved August 22, 2016. The Point Metropolitan District serves The Point redevelopment project at Nine Mile Station, generally located at the northeast corner of Peoria Street and Parker Road.

---

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

The Point Metropolitan District Board of Directors were inadvertently disqualified due to a property conveyance in 2019. Per State Statute, City Council is able to appoint directors to fill vacancies on the Board of Directors in order to allow the District to continue to operate and take formal actions as needed. The four qualified electors are the same individuals that were on the Board prior to the property conveyance.

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**QUESTIONS FOR COUNCIL**

Does Council wish to forward this item to the November 7, 2022 Study Session?

---

**LEGAL COMMENTS**

The City Council, as governing body of the city, may appoint directors to a metropolitan district when there are no duly elected directors, and when the failure to appoint a new board may result in the interruption of services that are being provided by the district. (Colo. Rev. Stat. §32-1-905(2.5)). (Rulla)

---

**PUBLIC FINANCIAL IMPACT**

- YES       NO

**If yes, explain:** N/A

---

**PRIVATE FISCAL IMPACT**

- Not Applicable       Significant       Nominal

**If Significant or Nominal, explain:** Appointment of the Board will allow the District to continue to operate and perform its required functions.



## ICENOGLE SEAVER POGUE

---

September 9, 2022

**VIA ELECTRONIC MAIL**

City Council, City of Aurora  
c/o Brian Rulla, Assistant City Attorney  
15151 E. Alameda Parkway  
Aurora, CO 80012  
[brulla@auroragov.org](mailto:brulla@auroragov.org)

**Re: The Point Metropolitan District – Appointment of Directors**

City of Aurora City Council Members:

Our firm represents The Point Metropolitan District, City of Aurora, Arapahoe County, Colorado (the “District”), a Colorado special district within the City of Aurora (the “City”) generally located northeast of the intersection of Peoria Street and Parker Road. For ease of reference, a map of the District’s boundaries is enclosed herewith.

As outlined in the District’s Model Service Plan, approved by the City on August 22, 2016 (the “Service Plan”), the purpose of the District is to provide for the planning, design, construction, and financing of public improvements. In furtherance of that purpose, the District has undertaken construction of public improvements to serve the District, its taxpayers, and the general public, including, but not limited to, overlot grading and erosion control, retaining wall improvements, sanitary sewer improvements including storm sewer improvements and a storm detention vault, water improvements, street improvements, traffic and safety improvements, and landscaping and irrigation improvements in Phases 1 and 2 of The Point Redevelopment Project at Nine Mile Station.

In order to serve on the District’s Board of Directors, each member of the Board must be an eligible elector of the District by either (1) residing within the District, (2) owning (or having a spouse who owns) taxable property within the District, or (3) being obligated to pay taxes under a contract to purchase taxable property within the District. All property within the boundaries of the District is commercial in nature, and no residents currently (or are intended to in the future) live within the District’s boundaries. Therefore, in order to qualify individuals to serve on the District’s Board of Directors, the members of the District’s Board entered into Contracts to Purchase Taxable Property within the District from MHK Nine Mile, LLC (the “Purchase Contracts”).

In the normal course of the redevelopment and in undertaking the project, MHK Nine Mile, LLC, the master developer, conveyed property it owned in The Point at Nine Mile Station Subdivision Filing No. 1, north of E. Dartmouth Ave., to one of its affiliate entities—The Point North Retail, LLC. The property conveyed to The Point North Retail, LLC included the property that was the subject of the Purchase Contracts. When that property was conveyed, the

*Shannon Smith Johnson* | *SJohnson@isp-law.com* | *Direct 303.867.3012*

4725 S. Monaco St., Suite 360 | Denver, CO 80237 | 303.292.9100 | fax 303.292.9101 | [www.isp-law.com](http://www.isp-law.com)



## ICENOGLE SEAVER POGUE

---

Purchase Contracts terminated, and all members of the District's Board were inadvertently disqualified as eligible electors. The District's Board is, therefore, entirely vacant, and the District is unable to take any formal action. In light of the foregoing, on behalf of the District, we request the City Council appoint directors to fill vacancies on the Board of Directors of the District pursuant to § 32-1-905(2.5), C.R.S.

In accordance with § 32-1-808(2)(a)(I), C.R.S., a notice of vacancies on the Board of Directors of the District was published in the *Sentinel* on July 7, 2022 as evidenced by the affidavit of publication enclosed herewith. Within ten days of the date of publication, which date was July 17, 2022, no otherwise qualified eligible elector had filed a letter of interest in filling the vacancies on the Board of Directors of the District. As such, in accordance with § 32-1-808(2), C.R.S., The Point North Retail, LLC entered into new Purchase Contracts with Carl N. Koelbel, Thomas E. Whyte, George L. Thorn, and Keith L. Neale for the purpose of qualifying those individuals as eligible electors of the District.

The pool of duly qualified, willing candidates to serve on the Board of Directors of the District as of the date hereof is comprised of Carl N. Koelbel, Thomas E. Whyte, George L. Thorn, and Keith L. Neale, and we hereby request their appointment to fill four of the five vacancies on the Board of Directors of the District pursuant to § 32-1-905(2.5), C.R.S. Following such appointment, the District will call for nominations to fill those Board seats at its regular special district election to be held in May 2023 in accordance with § 32-1-905(2.5), C.R.S.

Sincerely,

ICENOGLE SEAVER POGUE  
A Professional Corporation

Shannon Smith Johnson

/ssj

Enclosures

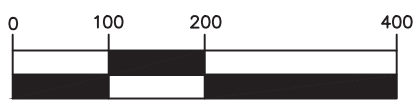
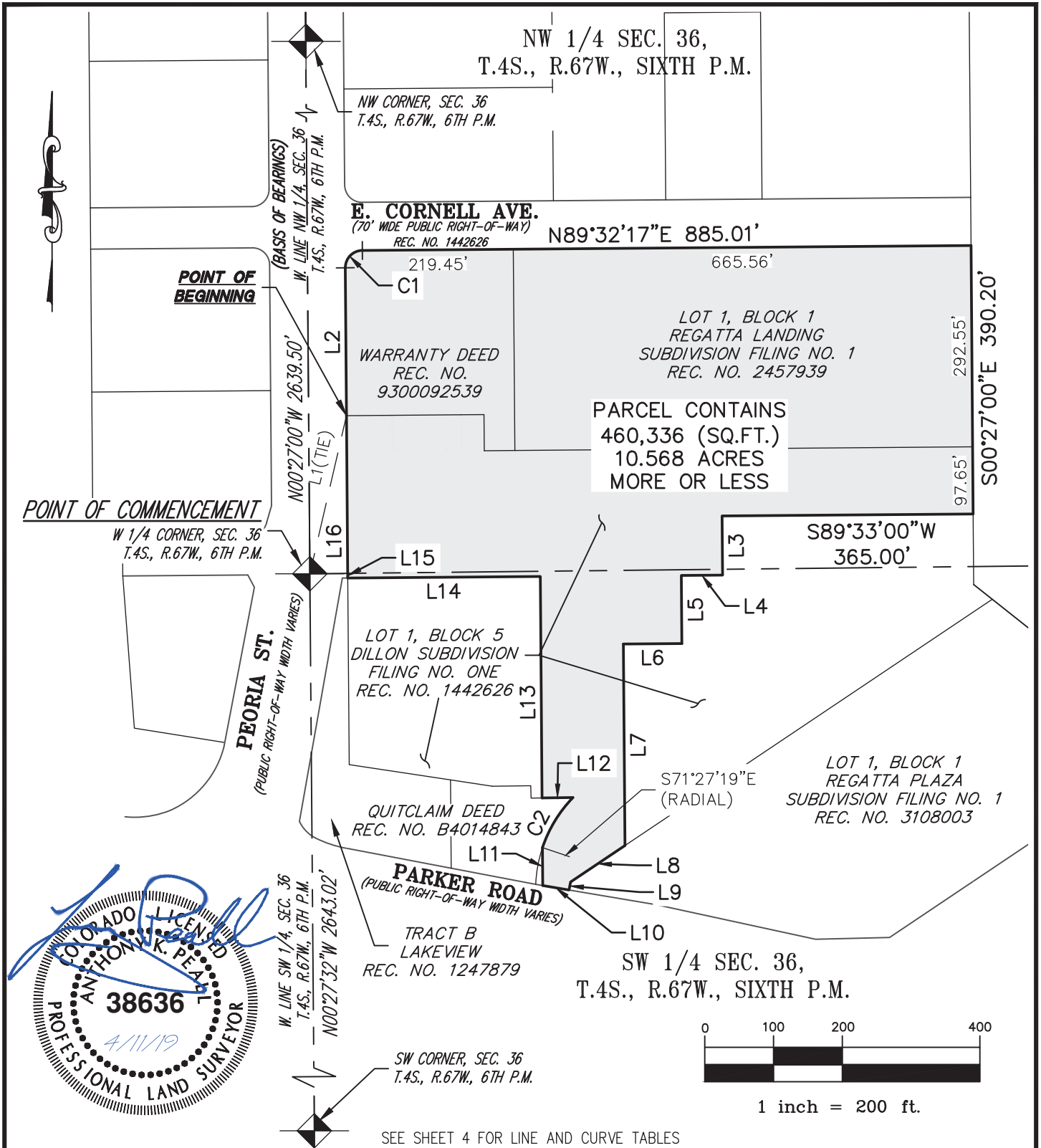
Cc: Cesarina Dancy, Senior Development Project Manager, via e-mail  
Michelle Gardner, Sr. Assistant City Attorney, via e-mail

Shannon Smith Johnson | [SJohnson@isp-law.com](mailto:SJohnson@isp-law.com) | Direct 303.867.3012

4725 S. Monaco St., Suite 360 | Denver, CO 80237 | 303.292.9100 | fax 303.292.9101 | [www.isp-law.com](http://www.isp-law.com)

# District Boundary Map

## ILLUSTRATION TO EXHIBIT A



1 inch = 200 ft.

SEE SHEET 4 FOR LINE AND CURVE TABLES

NOTE: THIS DRAWING DOES NOT REPRESENT A MONUMENTED LAND SURVEY AND IS ONLY INTENDED TO DEPICT THE ATTACHED LEGAL DESCRIPTION.

PATH:  
 DWG NAME: FUTURE INCLUSION AREA.DWG  
 DWG: DLL CHK: TP  
 DATE: 2019-04-09  
 SCALE: 1" = 200'

**AZTEC**  
 CONSULTANTS, INC.

300 East Mineral Ave,  
 Suite 1  
 Littleton, Colorado 80122  
 Phone: (303)713-1898  
 Fax: (303)713-1897  
[www.aztecconsultants.com](http://www.aztecconsultants.com)

**THE POINT METROPOLITAN DISTRICT**  
 LOT 1 BLOCK 1 & LOT 1 BLOCK 5  
 AURORA, COLORADO  
 JOB NUMBER 48115-40 3 OF 4 SHEETS

# Affidavit of Publication

## SENTINEL PROOF OF PUBLICATION

STATE OF COLORADO  
COUNTY OF ARAPAHOE }ss.


I DAVID PERRY, do solemnly swear that I am the PUBLISHER of the SENTINEL; that the same is a weekly newspaper published in the Counties of Arapahoe, Adams, and Denver; State of Colorado and has a general circulation therein; that said newspaper has been published continuously and uninterruptedly in said Counties of Arapahoe, Adams and Denver for a period of more than fifty-two consecutive weeks prior to the first publication of the annexed legal notice or advertisement; that said newspaper has been admitted to the United States mails as second-class matter under the provisions of the Act of March 30, 1923, entitled "Legal Notices and Advertisements," or any amendments thereof, and that said newspaper is a weekly newspaper duly qualified for publishing legal notices and advertisements within the meaning of the laws of the State of Colorado.

That the annexed legal notice or advertisement was published in the regular and entire issue of every number of said weekly newspaper for the period 1 of consecutive insertions; and that the first publication of said notice was in the issue of said newspaper dated July 7 A.D. 2022 and that the last publication of said notice was in the issue of said newspaper dated July 7 A.D. 2022.

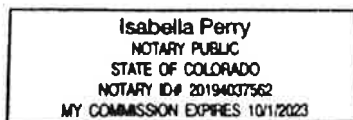
I witness whereof I have hereunto set my hand this 7th day of July A.D. 2022.



Subscribed and sworn to before me, a notary public in the County of Arapahoe, State of Colorado, this 7th day of July A.D. 2022.



Notary Public



### NOTICE OF VACANCIES ON THE BOARD OF DIRECTORS OF THE POINT METROPOLITAN DISTRICT

NOTICE IS HEREBY GIVEN, pursuant to Section 32-1-808, C.R.S., that one or more vacancies exist on the Board of Directors of The Point Metropolitan District, City of Aurora, County of Arapahoe, State of Colorado. Qualified eligible electors of The Point Metropolitan District who wish to be considered to fill a vacancy must file a letter of interest within ten days of the date of publication of this notice. A letter of interest may be filed on or before July 17, 2022 with The Point Metropolitan District c/o Icenogle Seaver Pogue, P.C., 4725 South Monaco Street, Suite 360, Denver, Colorado 80237.

THE POINT METROPOLITAN DISTRICT  
By: /s/ Icenogle Seaver Pogue  
A Professional Corporation

Publication: July 7, 2022  
Sentinel

RESOLUTION NO. R2022-\_\_\_\_

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO  
APPOINTING DIRECTORS TO THE BOARD OF DIRECTORS OF THE POINT  
METROPOLITAN DISTRICT

WHEREAS, The Point Metropolitan District (“District”) is a special district located wholly within the City of Aurora, Colorado (“City”) operating under a Model Service Plan approved by the City Council of the City (the “City Council”) on August 22, 2016 by Resolution R2016-64 (the “Service Plan”); and

WHEREAS, the board of directors for the District is entirely vacant, and the District is unable to take any formal action; and

WHEREAS, the City Council is authorized to appoint directors to a special district’s board of directors if the special district’s board of directors is entirely vacant and the failure to appoint a new board will result in the interruption of services that are provided by the district, pursuant to § 32-1-905(2.5), C.R.S.; and

WHEREAS, the City Council has received requests for appointment to the District’s board of directors from qualified individuals who are eligible electors within the District; namely Carl N. Koelbel, Thomas E. Whyte, George L. Thorn, and Keith L. Neale (“Proposed Directors”); and

WHEREAS, the City Council finds that appointment of the Proposed Directors will facilitate the District’s compliance with local government laws and allow the District to resume services as contemplated by the District’s Service Plan.

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

Section 1. In accordance with § 32-1-905(2.5), C.R.S., the following individuals are appointed to serve on the board of directors of the District for the terms specified:

- |                 |   |
|-----------------|---|
| Carl N. Koelbel | Appointed to fill vacancy and to serve until the next special district regular election on May 2, 2023. |
| Thomas E. Whyte | Appointed to fill vacancy and to serve until the next special district regular election on May 2, 2023. |
| George L. Thorn | Appointed to fill vacancy and to serve until the next special district regular election on May 2, 2023. |
| Keith L. Neale  | Appointed to fill vacancy and to serve until the next special district regular election on May 2, 2023. |

Section 2. All prior resolutions or any parts thereof, to the extent that they are inconsistent with this Resolution, are hereby rescinded.

RESOLVED AND PASSED this \_\_\_\_ day of \_\_\_\_\_, 2022.

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

ATTEST:

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

APPROVED AS TO FORM:

 RLA

\_\_\_\_\_  
BRIAN J. RULLA, Assistant City Attorney





# CITY OF AURORA

## Council Agenda Commentary

|  |
|--|
| <b>Item Title:</b> Windler Business Improvement District Nos. 1 and 2 Board of Directors Appointments  |
| <b>Item Initiator:</b> Cesarina Dancy, Senior Development Project Manager, Office of Development Assistance  |
| <b>Staff Source/Legal Source:</b> Cesarina Dancy, Senior Development Project Manager, Office of Development Assistance/<br>Hanosky Hernandez Perez, Senior Assistant City Attorney |
| <b>Outside Speaker:</b>  |
| <b>Council Goal:</b> 2012: 6.0--Provide a well-managed and financially strong City   |

### COUNCIL MEETING DATES:

**Study Session:** 11/7/2022

**Regular Meeting:** 11/14/2022

### ITEM DETAILS:

- 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 Presentation/discussion time

A Resolution of the City Council of the City of Aurora, Colorado, Appointing a Member of the Board of Directors of the Windler Business Improvement District No 1. (No 2)

No waiver requested

No sponsor

Cesarina Dancy, Senior Development Project Manager, Office of Development Assistance/ Hans Hernandez Perez, Senior Assistant Attorney

No outside speaker/ representatives are available for questions.

---

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

- |   |  |
|---|--|
| <input checked="" type="checkbox"/> Approve Item and Move Forward to Study Session  | <input type="checkbox"/> Approve Item as proposed at Study Session   |
| <input type="checkbox"/> Approve Item and Move Forward to Regular Meeting   | <input type="checkbox"/> Approve Item as proposed at Regular Meeting |
| <input type="checkbox"/> Information Only   |  |
| <input type="checkbox"/> Approve Item with Waiver of Reconsideration<br>Reason for waiver is described in the Item Details field. |  |

---

**PREVIOUS ACTIONS OR REVIEWS:**

**Policy Committee Name:** Management & Finance

**Policy Committee Date:** 10/25/2022

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

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

---

**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 Windler Business Improvement Districts (BID) Nos. 1 and 2 were approved in 2021. These Districts serve the Windler Development located generally southwest of Harvest Road and 56<sup>th</sup> Avenue, on both sides of E-470.

---

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

Per State Statute, City Council is able to appoint directors to fill vacancies on the Board of Directors in order to allow the BIDs to continue to operate and take formal action as needed. Each BID is requesting the appointment of two individuals to each Board of Directors.

---

**QUESTIONS FOR COUNCIL**

Does the Committee wish to forward this item to the November 7, 2022 Study Session?

---

**LEGAL COMMENTS**

Section 4 of Ordinance Nos. 2021-32 and 2021-33 for organizing the Windler Business Improvement District Nos. 1 and 2 provide that within 30 days following the date on which a vacancy on the Board of Directors occurs, a successor shall be appointed by resolution of the City Council. (Rulla)

---

**PUBLIC FINANCIAL IMPACT**

YES       NO

**If yes, explain:** N/A

---

**PRIVATE FISCAL IMPACT**

Not Applicable       Significant       Nominal

**If Significant or Nominal, explain:** Appointments to the Board will allow the Districts to continue to operate and perform its required functions.

RESOLUTION NO. R2022-\_\_\_\_\_

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA,  
COLORADO, APPOINTING A MEMBER OF THE BOARD OF DIRECTORS  
OF THE WINDLER BUSINESS IMPROVEMENT DISTRICT NO 1

WHEREAS, the City Council (the “Council”) of the City of Aurora, Colorado (the “City”), has adopted Ordinance No. 2021-32 (the “Organizing Ordinance”) organizing the Windler Business Improvement District No 1 (the “District”); and

WHEREAS, there is currently a vacancy on the Board of Directors of the District (the “Board”); and

WHEREAS, Section 4 of the Organizing Ordinance provides that within thirty (30) days following the date on which a vacancy on the Board occurs, a successor shall be appointed by resolution of the Council; and

WHEREAS, the District has recommended that Mr. Kevin Collins and Mr. Douglas Hatfield fill the existing vacancies; and

WHEREAS, Mr. Kevin Collins and Mr. Douglas Hatfield are electors of the District, as defined by Section 31-25-1203(4)(a), C.R.S., and are therefore qualified for membership on the Board.

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

Section 1. Mr. Kevin Collins and Mr. Douglas Hatfield are hereby appointed to fill the existing vacancies on the Board of Directors of the Windler Business Improvement District No 1.

Section 2. The City Clerk is hereby directed to cause an executed copy of this Resolution to be provided to the District.

Section 3. Within thirty (30) days of the effective date of this Resolution, Mr. Kevin Collins and Mr. Douglas Hatfield shall appear before an officer authorized to administer oaths and take an oath to faithfully perform the duties of his office as required by law and to support the United States Constitution, the Colorado Constitution, and all laws made pursuant thereto.

RESOLVED AND PASSED this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

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

ATTEST:

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

APPROVED AS TO FORM:

 RLA  
\_\_\_\_\_  
BRIAN RUELA, Assistant City Attorney

RESOLUTION NO. R2022-\_\_\_\_\_

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA,  
COLORADO, APPOINTING A MEMBER OF THE BOARD OF DIRECTORS  
OF THE WINDLER BUSINESS IMPROVEMENT DISTRICT NO 2

WHEREAS, the City Council (the “Council”) of the City of Aurora, Colorado (the “City”), has adopted Ordinance No. 2021-33 (the “Organizing Ordinance”) organizing the Windler Business Improvement District No 2 (the “District”); and

WHEREAS, there is currently a vacancy on the Board of Directors of the District (the “Board”); and

WHEREAS, Section 4 of the Organizing Ordinance provides that within thirty (30) days following the date on which a vacancy on the Board occurs, a successor shall be appointed by resolution of the Council; and

WHEREAS, the District has recommended that Mr. Kevin Collins and Mr. Douglas Hatfield fill the existing vacancies; and

WHEREAS, Mr. Kevin Collins and Mr. Douglas Hatfield are electors of the District, as defined by Section 31-25-1203(4)(a), C.R.S., and are therefore qualified for membership on the Board.

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

Section 1. Mr. Kevin Collins and Mr. Douglas Hatfield are hereby appointed to fill the existing vacancies on the Board of Directors of the Windler Business Improvement District No 2.

Section 2. The City Clerk is hereby directed to cause an executed copy of this Resolution to be provided to the District.

Section 3. Within thirty (30) days of the effective date of this Resolution, Mr. Kevin Collins and Mr. Douglas Hatfield shall appear before an officer authorized to administer oaths and take an oath to faithfully perform the duties of his office as required by law and to support the United States Constitution, the Colorado Constitution, and all laws made pursuant thereto.

RESOLVED AND PASSED this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

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

ATTEST:

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

APPROVED AS TO FORM:

 RLA  
\_\_\_\_\_  
BRIAN RULLA, Assistant City Attorney



# CITY OF AURORA

## Council Agenda Commentary

|   |
|---|
| <b>Item Title:</b> Colfax Sable Metropolitan District Board of Director Appointment   |
| <b>Item Initiator:</b> Cesarina Dancy, Senior Development Project Manager, Office of Development Assistance   |
| <b>Staff Source/Legal Source:</b> Cesarina Dancy, Senior Development Project Manager, Office of Development Assistance/ Brian Rulla, Assistant City Attorney II |
| <b>Outside Speaker:</b>   |
| <b>Council Goal:</b> 2012: 6.0--Provide a well-managed and financially strong City  |

### COUNCIL MEETING DATES:

**Study Session:** 11/7/2022

**Regular Meeting:** 11/14/2022

### ITEM DETAILS:

- 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 Presentation/discussion time

Colfax Sable Metropolitan District Board of Director Appointment

No Waiver requested

No Sponsor

Cesarina Dancy, Senior Development Project Manager, Office of Development Assistance/ Brian Rulla, Assistant City Attorney II

No outside speaker/ representatives available for questions

5/5

---

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

- |   |  |
|---|--|
| <input checked="" type="checkbox"/> Approve Item and Move Forward to Study Session  | <input type="checkbox"/> Approve Item as proposed at Study Session   |
| <input type="checkbox"/> Approve Item and Move Forward to Regular Meeting   | <input type="checkbox"/> Approve Item as proposed at Regular Meeting |
| <input type="checkbox"/> Information Only   |  |
| <input type="checkbox"/> Approve Item with Waiver of Reconsideration<br>Reason for waiver is described in the Item Details field. |  |

---

**PREVIOUS ACTIONS OR REVIEWS:**

**Policy Committee Name:** Management & Finance

**Policy Committee Date:** 10/25/2022

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

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

---

**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 Colfax Sable Metropolitan District was approved by City Council in 2017. It serves the Citadel on Colfax project and is located approximately southeast of E. Colfax Avenue and Interstate 225.

---

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

Colfax Sable Metropolitan District is requesting City Council appoint two individuals to the Board of Directors. The Board is currently vacant upon the passing of the sole Board Member. Per State Statute, City Council is able to appoint directors to fill vacancies on the Board of Directors in order to allow the District to continue to operate and take formal actions as needed.

---

**QUESTIONS FOR COUNCIL**

Does Council wish to move this item to the November 7, 2022 Study Session?

---

**LEGAL COMMENTS**

The City Council, as governing body of the city, may appoint directors to a metropolitan district when there are no duly elected directors, and when the failure to appoint a new board may result in the interruption of services that are being provided by the district. (Colo. Rev. Stat. §32-1-905(2.5)). (Rulla)

---

**PUBLIC FINANCIAL IMPACT**

YES       NO

**If yes, explain:** N/A

---

**PRIVATE FISCAL IMPACT**

Not Applicable       Significant       Nominal

**If Significant or Nominal, explain:** Appointment of the Board will allow the District to continue to operate and perform its required functions.



NICOLE PEYKOV  
DIRECT DIAL: (303) 839-3715  
npeykov@spencerfane.com

File No. 5028760.0014

October 17, 2022

**VIA E-MAIL**

Cesarina Dancy  
Senior Development Project Manager  
Office of Development Assistance | City of Aurora  
15151 E. Alameda Parkway  
Aurora, CO 80012

**Re: Colfax Sable Metropolitan District– Board of Director Vacancy**

Dear Ms. Dancy:

This office represents the Colfax Sable Metropolitan District (the “District”), which is located in the City of Aurora, Colorado. The District was formed concurrently with the Citadel on Colfax Business Improvement District (the “BID”). The BID facilitates the commercial development and the District facilitates the residential development for the project. The District’s Board of Directors is vacant upon the passing of the sole board member.

The purpose of this letter is to request the Aurora City Council to appoint two individuals to serve on the District’s Board of Directors (the “Board”) to allow the District to continue its functions. Pursuant to Section 32-1-905(2.5), C.R.S., of the Special District Act, the City Council has the authority to appoint duly qualified, willing candidates to the Board of Directors in the event there are no duly elected directors. Without a Board of Directors, the District will be unable to adopt a budget, certify a mill levy, and effectively continue serving the property within and without its boundaries as intended. Therefore, we request that the Aurora City Council appoint Alan Westfall and Jason Marcotte, both duly qualified electors, to serve on the Board. In compliance with Section 32-1-905(2.5), the District will hold a special election within six months after their appointment to elect members to the Board.

Therefore, we request that the City Council consider the appointment of Alan Westfall and Jason Marcotte to the District’s Board of Directors as soon as possible to allow the District to adopt a budget for the next year and to continue its operations. Please contact our office if you have any questions or concerns. Thank you.

Sincerely,

*/s/ Nicole Peykov*  
Nicole Peykov



# CITY OF AURORA

## Council Agenda Commentary

|  |
|--|
| <b>Item Title:</b> Q4 2022 – Information Technology Update   |
| <b>Item Initiator:</b> Scott Newman  |
| <b>Staff Source/Legal Source:</b> Scott Newman, Chief Information Officer / George Koumantakis, Manager of Client Services |
| <b>Outside Speaker:</b> N/A  |
| <b>Council Goal:</b> 2012: 3.0--Ensure excellent infrastructure that is well maintained and operated.                      |

### COUNCIL MEETING DATES:

**Study Session:** N/A

**Regular Meeting:** N/A

### ITEM DETAILS:

This is the quarterly update to the M&F Committee regarding Information Technology and Cybersecurity.

---

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

- |   |  |
|---|--|
| <input type="checkbox"/> Approve Item and Move Forward to Study Session   | <input type="checkbox"/> Approve Item as proposed at Study Session   |
| <input type="checkbox"/> Approve Item and Move Forward to Regular Meeting   | <input type="checkbox"/> Approve Item as proposed at Regular Meeting |
| <input checked="" type="checkbox"/> Information Only  |  |
| <input type="checkbox"/> Approve Item with Waiver of Reconsideration<br>Reason for waiver is described in the Item Details field. |  |

---

### 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 type="checkbox"/> Forwarded Without Recommendation | <input type="checkbox"/> Recommendation Report Attached |

Minutes Attached

Minutes Not Available

---

**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

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

This is the quarterly update to the M&F Committee regarding Information Technology and Cybersecurity

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**QUESTIONS FOR COUNCIL**

This is for information only

---

**LEGAL COMMENTS**

The City Manager shall be responsible to the Council for the proper administration of all affairs of the City placed in his charge, and to that end he shall have the power and duty to:  
Keep the Council advised of the financial condition and future needs of the City and make such recommendations to the Council for adoption as he may deem necessary or expedient. Section 7-4(f) of the Aurora City Charter (Koumantakis)

---

**PUBLIC FINANCIAL IMPACT**

YES       NO

**If yes, explain:** N/A

---

**PRIVATE FISCAL IMPACT**

Not Applicable       Significant       Nominal

**If Significant or Nominal, explain:** N/A



# CITY OF AURORA

## Council Agenda Commentary

|  |
|--|
| <b>Item Title:</b> Q3 2022 Internal Audit Progress Report  |
| <b>Item Initiator:</b> Wayne C. Sommer, Internal Audit Manager   |
| <b>Staff Source/Legal Source:</b> Wayne C. Sommer, Internal Audit Manager/Hanosky Hernandez, Sr. 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:** N/A

**Regular Meeting:** N/A

### ITEM DETAILS:

- 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 Presentation/discussion time

Q3 2022 Internal Audit Progress Report, Status of Outstanding Audit Recommendations  
 Wayne C. Sommer, Internal Audit Manager  
 No outside speaker  
 10 minutes

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

- |   |  |
|---|--|
| <input type="checkbox"/> Approve Item and Move Forward to Study Session   | <input type="checkbox"/> Approve Item as proposed at Study Session   |
| <input type="checkbox"/> Approve Item and Move Forward to Regular Meeting   | <input type="checkbox"/> Approve Item as proposed at Regular Meeting |
| <input checked="" type="checkbox"/> Information Only  |  |
| <input type="checkbox"/> Approve Item with Waiver of Reconsideration<br>Reason for waiver is described in the Item Details field. |  |

### PREVIOUS ACTIONS OR REVIEWS:

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**Policy Committee Name:** Management & Finance

**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 type="checkbox"/> Forwarded Without Recommendation | <input type="checkbox"/> Recommendation Report Attached |
| <input type="checkbox"/> Minutes Attached                 | <input type="checkbox"/> Minutes Not Available          |

---

**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 M&F Committee serves as the City's Audit Committee. It is standard practice for Internal Audit to provide a quarterly report on our progress against our annual audit plan and a status report on outstanding audit recommendations.

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

Internal Audit will provide the following:

- An update of the status of planned and active audit engagements
- A status report on outstanding audit recommendations

---

**QUESTIONS FOR COUNCIL**

None

---

**LEGAL COMMENTS**

The City Manager shall be responsible to the Council for the proper administration of all affairs of the City placed in his charge, and to that end he shall have the power and duty to: Keep the Council advised of the financial condition and future needs of the City and make such recommendations to the Council for adoption as he may deem necessary or expedient. Section 7-4(f) of the Aurora City Charter (Koumantakis)

---

**PUBLIC FINANCIAL IMPACT**

- YES       NO

**If yes, explain:** Type explanation here or enter N/A if no public financial impact.

---

**PRIVATE FISCAL IMPACT**

- Not Applicable       Significant       Nominal

**If Significant or Nominal, explain:** Type explanation here or enter N/A if no private fiscal impact.

# Internal Audit Report

2022 Office of the Internal Auditor Operations Report

For the quarter ended September 30, 2022



## Table of Contents

|   |    |
|---|----|
| <b>Summary and Highlights</b> .....                           | 1  |
| <b>2022 ENGAGEMENT PROGRESS SUMMARY</b> .....                 | 2  |
| <b>Engagement Status Chart</b> .....                          | 2  |
| <b>Engagement Milestone Statuses</b> .....                    | 3  |
| <b>RECOMMENDATIONS</b> .....                                  | 5  |
| <b>Recommendation Status Charts</b> .....                     | 5  |
| <b>Recommendation Implementation Notes</b> .....              | 7  |
| <b>INTERNAL AUDIT TEAM</b> .....                              | 21 |
| <b>Appendix A: Completed Engagement Summary Reports</b> ..... | 22 |
| <b>Appendix B: Details for Audit Milestones</b> .....         | 23 |

## Summary and Highlights

### Audits Completed and Highlights

Citywide Culture Assessment – The audit was completed at the beginning of the fourth quarter. The results will be presented to the Management and Finance Committee in November.

### Audits in Progress

- Mayor and City Council Operating Expenses – Laiba Saqib, Lead Auditor
- IT Operational Assessment – Laiba Saqib, Lead Auditor, Sheree Van Buren, Wayne Sommer
- APD Body-Worn Camera Compliance Review – Michelle Crawford, Lead Auditor
- UMFCL Gun Evidence Process Review – Michelle Crawford, Lead Auditor

### Projects underway

- 2023 Citywide Risk Assessment and Audit Planning
- 2023 Police Risk Assessment and Audit Planning

As per schedule, our target is to have draft plans to the City Manager by October for approval and presented to the Audit Committee in November for affirmation.

### Other Matters

**Internal Audit Manager Retirement:** Wayne Sommer has announced that he will retire from the City at the end of 2022. City Manager Jim Twombly will be responsible for acquiring a successor.

**Staff Professional Development:** All staff is on track to complete their annually required 40 hours (minimum) of continuing professional training for 2022.

**Audit removed:** We removed the Youth Violence Prevention Program Review from our current review, due to staffing and upcoming program changes.

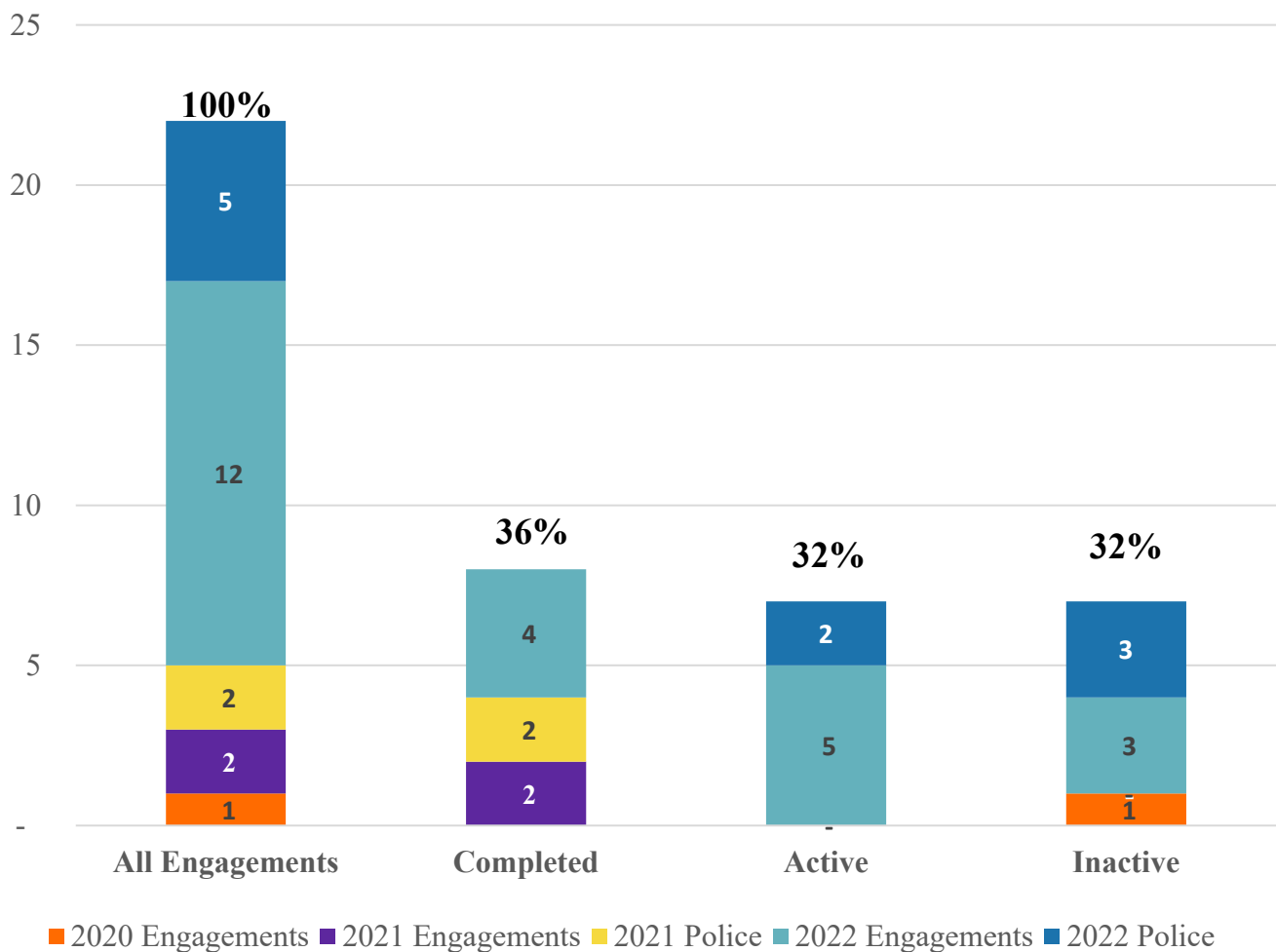


## 2022 ENGAGEMENT PROGRESS SUMMARY

By September 30, Internal Audit has completed 36% of scheduled engagements, another 32% are currently active. In total, 68% of all our possible engagements are either active or completed through the third quarter. We anticipate three of the active engagements in the General audit plan will be completed in the fourth quarter: Q2 and Q3 of Mayor and Council Expenses, and the Citywide Culture Survey. We anticipate both police engagements will be completed in the fourth quarter.

### Engagement Status Chart

**2022 Engagement Status Chart**



*As of September 30, 2022*

### Engagement Milestone Statuses

In the table below, purple shading shows completed milestone work, yellow cells represent milestones in progress, and orange shading represents future milestone work and the projected quarter in which we anticipate work. This information is as of September 30.

| Engagements  | Milestones <sup>1</sup> |                      |                      |                     |                             |                         |              |            |
|--|-------------------------|----------------------|----------------------|---------------------|-----------------------------|-------------------------|--------------|------------|
|  | 1. Team Preparation     | 2. Client Evaluation | 3. Internal Controls | 4. Risk Evaluations | 5. Preparation Finalization | 6. Objectives Test Work | 7. Reporting | 8. Wrap Up |
| Visit Aurora   | COMPLETED               |                      |                      |                     |                             |                         |              |            |
| APD Property and Evidence                                      | COMPLETED               |                      |                      |                     |                             |                         |              |            |
| APD Vice and Narcotics Change of Command Cash Count            | COMPLETED               |                      |                      |                     |                             |                         |              |            |
| 2021 Mayor and City Council Expenses                           | COMPLETED               |                      |                      |                     |                             |                         |              |            |
| Mayor and City Council Expenses-Q1                             | COMPLETED               |                      |                      |                     |                             |                         |              |            |
| Mayor and City Council Expenses-Q2                             |                         |                      |                      |                     |                             |                         |              | Q4         |
| Mayor and City Council Expenses-Q3                             |                         |                      |                      |                     |                             | Q3                      | Q4           | Q4         |
| Mayor and City Council Expenses-Q4                             |                         |                      |                      |                     | Q4                          | Q4                      | Q1           | Q1         |
| Marijuana Enforcement  | CANCELLED               |                      |                      |                     |                             |                         |              |            |
| Asset Management Review  | CANCELLED               |                      |                      |                     |                             |                         |              |            |
| IT Operational Assessment                                      | Q3                      | Q4                   | Q4                   | Q1                  | Q1                          | Q1                      | Q2           | Q2         |
| <i>NEW</i> Youth Violence Prevention Program                   | CANCELLED               |                      |                      |                     |                             |                         |              |            |
| Citywide Culture Survey  |                         |                      |                      |                     |                             |                         | Q4           | Q4         |
| City Clerk’s Office: System Implementation After Action Report | CANCELLED               |                      |                      |                     |                             |                         |              |            |
| Police: Records Division Culture Survey                        | COMPLETED               |                      |                      |                     |                             |                         |              |            |

<sup>1</sup> Milestone explanations located in Appendix.

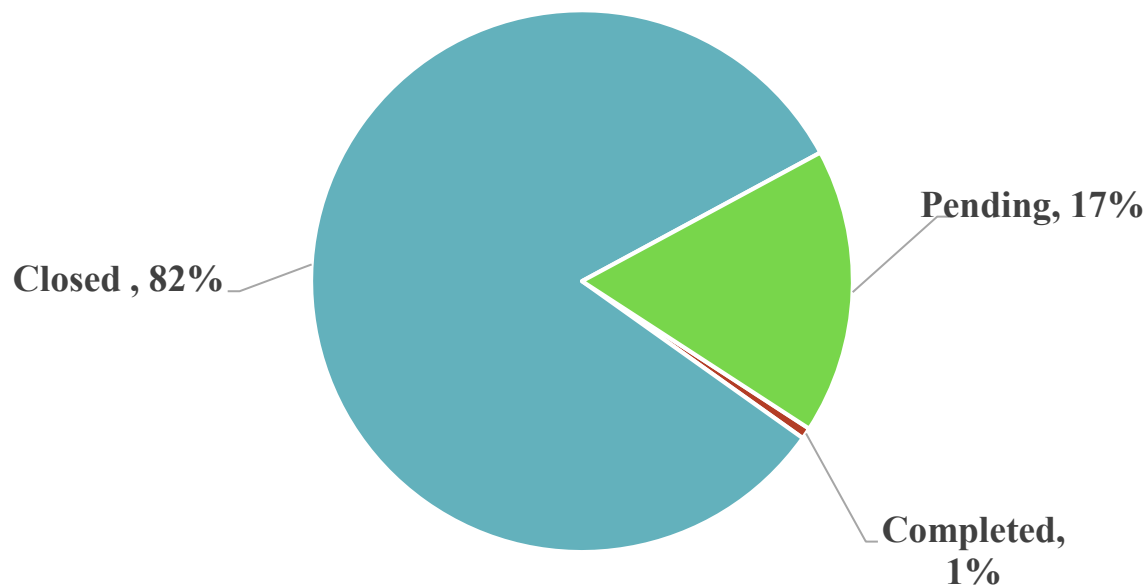
| Engagements                                     | Milestones <sup>1</sup> |                      |                      |                     |                             |                         |              |            |
|---|-------------------------|----------------------|----------------------|---------------------|-----------------------------|-------------------------|--------------|------------|
|   | 1. Team Preparation     | 2. Client Evaluation | 3. Internal Controls | 4. Risk Evaluations | 5. Preparation Finalization | 6. Objectives Test Work | 7. Reporting | 8. Wrap Up |
| Police: K-9, Part 2                             | CANCELLED               |                      |                      |                     |                             |                         |              |            |
| Police: Crisis Intervention                     | COMPLETED               |                      |                      |                     |                             |                         |              |            |
| Police: Body Worn Camera Follow-Up              |                         |                      |                      |                     |                             |                         |              | Q4         |
| Police: Impound Lot Operations                  | CANCELLED               |                      |                      |                     |                             |                         |              |            |
| Police: Promotions, Selections, and Assignments | DEFERRED                |                      |                      |                     |                             |                         |              |            |
| <i>NEW</i> UMFCL Gun Evidence Process Review    | Q3                      | Q4                   | Q4                   | Q4                  | Q4                          | Q4                      | Q4           | Q4         |

## RECOMMENDATIONS

We maintain and track the implementation status of our audit recommendations in our TeamMate audit software. The chart below displays the status of recommendations as of September 30, 2022. As of that date, 17% of all audit recommendations remain incomplete (Pending.) The table that follows outlines the status of outstanding audit recommendations by engagement. Internal Audit regularly monitors the progress made on these recommendations. In addition, our audit system automatically sends quarterly reminders to update the status of outstanding recommendations.

### Recommendation Status Charts

Audit Recommendation Status as of September 30, 2022



**Closed:** Client management has approved the implementation. No further action is necessary.

**Completed:** The client has implemented the recommendation and is waiting for client management's final approval.

**Pending:** Implementation is not completed.

| Report Release Date | Audit Plan Year | Engagement Name   | Completed | Closed | Pending | Grand Total |
|---------------------|-----------------|---|-----------|--------|---------|-------------|
| January 2016        | 2015            | Payroll and HR Audit  |           | 14     | 1       | 15          |
| September 2017      |                 | Citywide Physical Security Assessment                       |           | 17     | 6       | 23          |
| March 2018          | 2016            | Fire Department Overtime                                    |           | 21     | 1       | 22          |
| April 2017          |                 | Overall Disaster Preparedness Assessment                    |           | 10     | 1       | 11          |
| September 2017      |                 | Core 4 Culture Impact Assessment                            |           | 3      | 1       | 4           |
| May 2018            | 2017            | Lethal and Less Lethal Weapons Inventory and Control Review |           | 16     | 2       | 18          |
| November 2018       | 2018            | Overall Disaster Preparedness: Recommendations Follow-up    |           | 3      | 4       | 7           |
| October 2019        |                 | Purchasing Operations Review-Part 1                         |           | 3      | 3       | 6           |
| October 2019        | 2019            | Planning Culture Survey                                     |           | 12     | 2       | 14          |
| May 2021            |                 | Economic Development Rebates Tracking                       |           |        | 8       | 8           |
| September 2020      | 2020            | APD Body Camera Compliance                                  |           | 4      | 6       | 10          |
| January 2021        |                 | APD - Versadex Case Management                              |           | 4      | 2       | 6           |
| June 2022           | 2021            | Visit Aurora  | 2         |        | 4       | 6           |
| June 2021           |                 | APD - Property and Evidence Audit                           |           | 5      | 1       | 6           |
| July 2022           | 2022            | APD - Property and Evidence Audit                           |           |        | 4       | 4           |
| January 2022        |                 | APD Records Culture Survey                                  |           | 8      | 11      | 19          |
| December 2021       | APD             | Colorado Criminal Justice Records Act                       |           | 5      | 10      | 15          |
| June 2022           |                 | Crisis Response Team Program Review                         |           | 1      | 9       | 10          |

|  |              |               |               |                |
|--|--------------|---------------|---------------|----------------|
| <b>Subtotals for engagement with pending recommendations</b> | 2            | 126           | 76            | 204            |
| <i>Subtotals as a percentage of Grant Totals</i>             | <i>0.98%</i> | <i>61.76%</i> | <i>37.25%</i> | <i>100.00%</i> |
| <b>Subtotals for all other engagements</b>                   | 1            | 241           | 0             | 242            |
| <i>Subtotals as a percent of Grand Totals</i>                | <i>0.41%</i> | <i>99.59%</i> | <i>0.00%</i>  | <i>100.00%</i> |
| <b>Totals for all recommendation statuses</b>                | 3            | 367           | 76            | 446            |
| <i>Totals as a percentage of Grand Totals</i>                | <i>0.67%</i> | <i>82.29%</i> | <i>17.04%</i> | <i>100.00%</i> |

### Recommendation Implementation Notes

| Audit Plan Year | Project Name   | Recommendation Title                   | Last Status Update   | Owner   |
|-----------------|--|--|--|---|
| 2015            | 2015-2   Payroll and HR Audit                        | Review of shared access                | Latest status as of 10/5/22: For the first few years of this finding, there were few effective ways to automate and manage the continuous monitoring and review of account access assignment of a file server as it was evaluating 100's of thousands of files and folders. The ISO now has 18 reports automated and is in the process of deploying monitoring plans and automation in Q4 2022. Once complete we will resume our early efforts with the business to streamline access assignment reporting to make them more actionable. The projected date for this final phase is Q2 2023. | Timothy "Tim" McCain,<br>Information Security Officer     |
| 2016            | 2016-5COA   Citywide Physical Security Assessment    | Access approval documentation & review | A new access badge form was created with Facilities and HR. The form will allow HR to enter general employee information and Facilities will update the access portion. The form is pending implementation by HR. Facilities is moving to a new access system which will include additional functionalities. Revising date to allow time for the new system implementation.  | Katrina Rodriguez,<br>Facilities Project Delivery Manager |
| 2016            | 2016-3COA   Overall Disaster Preparedness Assessment | IT COOP Plan                           | My best estimate at the COOP timeframe is going to be at least until the end of the year 12/31/2022, but I could see it extending depending on individual department progress. For NIMS compliance, the first group that has been assigned the training has a completion date of 8/1/2022. That is the EOC team. We will be assigning additional groups in the future but those are yet to be determined.  | Scott M Newman,<br>Chief Information Officer              |

| Audit Plan Year | Project Name                                      | Recommendation Title   | Last Status Update   | Owner  |
|-----------------|---|--|--|--|
| 2016            | 2016-5COA   Citywide Physical Security Assessment | Lockdown procedures and active shooter training  | Revising date, security consultant now on board.   | Katrina Rodriguez, Facilities Project Delivery Manager |
| 2016            | 2016-5COA   Citywide Physical Security Assessment | Manual key policy  | This should be included in an overall access control policy, which will need to be developed by the Security Manager. Facilities is currently working on a new access system along with a new key tracking system. Revising date to allow time for the implementation of the new systems and development of an overall policy.           | Katrina Rodriguez, Facilities Project Delivery Manager |
| 2016            | 2016-1AFD1   Fire Department Overtime             | Outcome Descriptions Could Benefit from Increased Clarity and Specificity (Report recommendation #2) | The strategic plan is still under development. We will extend this recommendation out beyond the expected approval date of the strategic plan.   | Jason Batchelor, Deputy City Manager                   |
| 2016            | 2016-5COA   Citywide Physical Security Assessment | Physical key tracking  | Facilities is implementing a new key system. Data will need to be reviewed and updated after the system is operational. In addition, a policy is needed to govern how keys are assigned and tracked in the future. Revising date to allow time for system implementation, the review of old data, and the related access control policy. | Katrina Rodriguez, Facilities Project Delivery Manager |
| 2016            | 2016-2COA   Core 4 Culture Impact Assessment      | Recognition  | Revising date based on Kendall's status update.  | Kendall Koca, Dev Project Manager SR                   |

2022 Operations Report—For the quarter ended September 30, 2022

| Audit Plan Year | Project Name  | Recommendation Title               | Last Status Update  | Owner  |
|-----------------|---|------------------------------------|---|--|
| 2016            | 2016-5COA   Citywide Physical Security Assessment                         | Security vulnerabilities at AMC    | Revising date, security consultant now on board.  | Katrina Rodriguez, Facilities Project Delivery Manager |
| 2016            | 2016-5COA   Citywide Physical Security Assessment                         | Terminated employee access         | Revising date, security consultant now on board.  | Katrina Rodriguez, Facilities Project Delivery Manager |
| 2017            | 2017-5APDOD   Lethal and Less Lethal Weapons Inventory and Control Review | Compliance with weapon inspections | Revising date to allow time due to staffing and resource issues.  | Justin Shipley, Police Lieutenant                      |
| 2017            | 2017-5APDOD   Lethal and Less Lethal Weapons Inventory and Control Review | Compliance with weapon proficiency | Revising date to allow time due to staffing and resource issues.  | Justin Shipley, Police Lieutenant                      |
| 2018            | 2018-7MGTPP   Purchasing Operations Review-Part 1                         | Automation of Processes            | Automation of procurement/contracts is included in the requirements for the new ERP System. Implementation of the new system is expected in 2023. | Bryn Fillinger, Manager of Purchasing & Contracts      |



| Audit Plan Year | Project Name   | Recommendation Title                            | Last Status Update  | Owner  |
|-----------------|--|---|---|--|
| 2018            | 2018-7MGTPP   Purchasing Operations Review-Part 1                    | City Staff Training                             | Implementation date revised to account for finalizing the PPLs. Once the PPLs are complete, a training will roll out to staff.  | Bryn Fillinger,<br>Manager of Purchasing & Contracts |
| 2018            | 2018-5COA   Overall Disaster Preparedness: Recommendations Follow-up | COOP Gap Analysis                               | My best estimate at the COOP timeframe is going to be at least until the end of the year 12/31/2022, but I could see it extending depending on individual department progress. For NIMS compliance, the first group that has been assigned the training has a completion date of 8/1/2022. That is the EOC team. We will be assigning additional groups in the future but those are yet to be determined. | Matthew Chapman,<br>Battalion Chief 8hr              |
| 2018            | 2018-5COA   Overall Disaster Preparedness: Recommendations Follow-up | Department/Division Level Plan Updates - Part 2 | My best estimate at the COOP timeframe is going to be at least until the end of the year 12/31/2022, but I could see it extending depending on individual department progress. For NIMS compliance, the first group that has been assigned the training has a completion date of 8/1/2022. That is the EOC team. We will be assigning additional groups in the future but those are yet to be determined. | Matthew Chapman,<br>Battalion Chief 8hr              |

| Audit Plan Year | Project Name   | Recommendation Title                   | Last Status Update  | Owner  |
|-----------------|--|--|---|--|
| 2018            | 2018-5COA   Overall Disaster Preparedness: Recommendations Follow-up | Resolution Compliance                  | My best estimate at the COOP timeframe is going to be at least until the end of the year 12/31/2022, but I could see it extending depending on individual department progress. For NIMS compliance, the first group that has been assigned the training has a completion date of 8/1/2022. That is the EOC team. We will be assigning additional groups in the future but those are yet to be determined. | Matthew Chapman, Battalion Chief 8hr                           |
| 2018            | 2018-7MGTPP   Purchasing Operations Review-Part 1                    | Review and Update PPLs                 | The updates to the PPLs were presented to Management Staff, and they had no objections. The next step is to convert them to BPMs, which is in progress.   | Bryn Fillinger, Manager of Purchasing & Contracts              |
| 2018            | 2018-5COA   Overall Disaster Preparedness: Recommendations Follow-up | Separation of IT COOP Responsibilities | My best estimate at the COOP timeframe is going to be at least until the end of the year 12/31/2022, but I could see it extending depending on individual department progress. For NIMS compliance, the first group that has been assigned the training has a completion date of 8/1/2022. That is the EOC team. We will be assigning additional groups in the future but those are yet to be determined. | Scott M Newman, Chief Information Officer                      |
| 2019            | 2019-12PLNCS   Planning Culture Survey                               | Strategic planning                     | Planning is working with HR to find a facilitator to help with this process in the fall.  | Jeannine Rustad, Director of Planning and Development Services |

2022 Operations Report—For the quarter ended September 30, 2022

| Audit Plan Year | Project Name  | Recommendation Title               | Last Status Update  | Owner   |
|-----------------|---|------------------------------------|---|---|
| 2019            | 2019-12PLNCS   Planning Culture Survey                | Team Building                      | Director has approval to close for half a day for a team activity. May be a picnic or volunteer opportunity will occur this fall. Once completed, this recommendation will be ready to close.   | Jeannine Rustad,<br>Director of Planning and Development Services |
| 2020            | 2020-4APDBDYCAM   APD Body Camera Compliance          | Access                             | Still pending Axon Performance.   | Randal Moody,<br>Police Captain                                   |
| 2020            | 2020-4APDBDYCAM   APD Body Camera Compliance          | Activation and Deactivation        | Still pending Axon Performance.   | Randal Moody,<br>Police Captain                                   |
| 2020            | 2020-9PDECDEV   Economic Development Rebates Tracking | Agreement concerns                 | Update: Discussed tracking of agreements and effective dates.<br>Next Steps: Andrea will identify an agreement system to use to track agreements and look at the effective date wording.  | Andrea Amonick,<br>Development Services Manager                   |
| 2020            | 2020-9PDECDEV   Economic Development Rebates Tracking | Agreement with AEDC needs updating | Update: Discussed remaining items.<br>Next Steps: Include retention in the next AEDC agreement for agreements and supporting documentation, or request AEDC provides that information to the City for retention. Determine the retention schedule for the documents involved. | Andrea Amonick,<br>Development Services Manager                   |
| 2020            | 2020-4APDBDYCAM   APD Body Camera Compliance          | Categorization                     | Pending Axon Performance and new CAD.   | Randal Moody,<br>Police Captain                                   |

| Audit Plan Year | Project Name  | Recommendation Title  | Last Status Update   | Owner   |
|-----------------|---|---|--|---|
| 2020            | 2020-9PDECDEV   Economic Development Rebates Tracking | Claw-back process inadequate  | Update: Restructured agreements, reducing the potential for use of a clawback. Going forward, companies do not receive the full incentive if they have not met the job goal. They receive partial payments, if 50% of jobs created, then 50% of payment provided.<br>Next Steps: Andrea will document in a memo to file a process for how to address using the clawback provision, including how to document and address businesses that fail to honor the clawback provision. | Andrea Amonick,<br>Development Services Manager |
| 2020            | 2020-8APDCM   APD - Versadex Case Management          | Create a Sustainment Team   | Process is still ongoing. The group has been selected and issues sheet has been recreated and items are being added to it. No meetings have taken place at this point.   | Caleb Luallin,<br>Police Sergeant               |
| 2020            | 2020-8APDCM   APD - Versadex Case Management          | Inconsistent Practices Across APD Investigative Units                 | Revising date based on update.   | Caleb Luallin,<br>Police Sergeant               |
| 2020            | 2020-9PDECDEV   Economic Development Rebates Tracking | Management of the waiver process lacked sufficient care and attention | Update: The ability to use waivers will be retained.<br>Next Steps: PDS will develop a memo to file that documents if a waiver is to be used, procedures must be developed to effectively track the waivers and how to ensure businesses met contractual requirements at the time of the waiver.   | Andrea Amonick,<br>Development Services Manager |
| 2020            | 2020-9PDECDEV   Economic Development Rebates Tracking | Missing Monitoring Procedures and Controls                            | Update: Discussed using a checklist as a template.<br>Next Steps: Create a checklist by end of year and provide an example of it in use for an agreement.  | Andrea Amonick,<br>Development Services Manager |

| Audit Plan Year | Project Name  | Recommendation Title                           | Last Status Update   | Owner  |
|-----------------|---|--|--|--|
| 2020            | 2020-9PDECDEV   Economic Development Rebates Tracking | Non-compliance with agreements                 | Update: Revisiting the process for monitoring compliance. Recently worked with tax and licensing to review a request for payment. Plan on requiring an annual report from all companies, regardless of whether they requested payment during the year.<br>Next Steps: Document responsibilities for PDS staff, Budget, Finance Tax and Licensing, and AEDC for reviewing the annual report.  | Andrea Amonick, Development Services Manager |
| 2020            | 2020-9PDECDEV   Economic Development Rebates Tracking | Policies lack some leading practices           | Update: Discussed the Policy is guidelines and not a formal policy. Allows flexibility.<br>Next Steps: Jeannine and Andrea will review the audit recommendations and determine how they plan on proceeding.  | Andrea Amonick, Development Services Manager |
| 2020            | 2020-4APDBDYCAM   APD Body Camera Compliance          | Supervisor Review                              | Still pending Axon Performance.  | Randal Moody, Police Captain                 |
| 2020            | 2020-9PDECDEV   Economic Development Rebates Tracking | Tracking spreadsheet inaccurate and incomplete | Spreadsheet has been updated through 9/30/22. Several recent payments have been added and a new contract (CDTI) effective September 12th has been added. The list was compared with AEDC's current projects and are now aligned. As attachment is PDF relevant formulae are not accessible in this copy. Would like to schedule a final meeting with Michelle on this item with Chad to ensure appropriate formulae are included as desired on spreadsheet copy. | Andrea Amonick, Development Services Manager |

2022 Operations Report—For the quarter ended September 30, 2022

| Audit Plan Year | Project Name                                      | Recommendation Title                                       | Last Status Update  | Owner                                  |
|-----------------|---|--|---|--|
| 2020            | 2020-4APDBDYCAM   APD Body Camera Compliance      | Utilization of BWC   | Still pending Axon Performance.   | Randal Moody, Police Captain           |
| 2020            | 2020-4APDBDYCAM   APD Body Camera Compliance      | Video Download   | Still pending Axon Performance.   | Randal Moody, Police Captain           |
| 2021            | 2021 - 10VA   Visit Aurora                        | Improving Organizational Collaboration                     |   | Kim Stuart, Director of Communications |
| 2021            | 2021 - 2APDPE   APD - Property and Evidence Audit | Multiple Storage Facilities                                | We have acquired additional space in the APD HQ building and are in the process of updating and getting proper security measures in place for P&E storage. 05/16/2022 | Colleen Delena, Police Lieutenant      |
| 2021            | 2021 - 10VA   Visit Aurora                        | No Determination of Return on Investment (ROI)             | Revising implementation date to allow staff to address recommendation.  | Kim Stuart, Director of Communications |
| 2021            | 2021 - 10VA   Visit Aurora                        | Revisiting Marketing Expectations                          | Revising implementation date to allow staff to address recommendation.  | Kim Stuart, Director of Communications |
| 2021            | 2021 - 10VA   Visit Aurora                        | Visit Aurora Reporting Improvements                        | Revising implementation date to allow staff to address recommendation.  | Kim Stuart, Director of Communications |
| 2022            | 2022 - APD - Property and Evidence Audit          | Data Utilization to Measure and Manage Performance Quality |   | Cynthia Camp, APD Property Supervisor  |
| 2022            | 2022 - APD - Property and Evidence Audit          | Lack of Next Level of Management                           |   | Cynthia Camp, APD Property Supervisor  |
| 2022            | 2022 - APD - Property and Evidence Audit          | Property Check-out Monitoring Procedures                   | This item has been corrected.   | Cynthia Camp, Property Supervisor      |

2022 Operations Report—For the quarter ended September 30, 2022

| Audit Plan Year | Project Name  | Recommendation Title              | Last Status Update  | Owner   |
|-----------------|---|-----------------------------------|---|---|
| 2022            | APD - Property and Evidence Audit                         | Property Inaccessible             | This item has been corrected.   | Cynthia Camp, APD Property Supervisor                 |
| APD             | APD 2021 - 3 CRT   Crisis Response Team Program Review    | Aurora911 CIT Training            |   | Tina Buneta, Director of Public Safety Communications |
| APD             | APD 2021 - 3 CRT   Crisis Response Team Program Review    | Aurora911 Crisis Line             |   | Tina Buneta, Director of Public Safety Communications |
| APD             | APD 2021 - 3 CRT   Crisis Response Team Program Review    | Aurora911 Procedures              |   | Tina Buneta, Director of Public Safety Communications |
| APD             | APD 2021 - 3 CRT   Crisis Response Team Program Review    | Data collection and analysis      |   | Aaron Bunch, Police Sergeant                          |
| APD             | APD 2021-1 CCJRA   Colorado Criminal Justice Records Act  | Define roles and responsibilities | Currently reviewing responsibilities and evaluating organizational structure.   | Brett Parvin, Police Lieutenant                       |
| APD             | APD 2021 - 2 Records Culture   APD Records Culture Survey | Delegation                        |   | Brett Parvin, Police Lieutenant                       |
| APD             | APD 2021 - 2 Records Culture   APD Records Culture Survey | Develop training materials        | Informally, employees inform Lt. of issues with specific individuals or unit, Lt. then works with their supervisors for additional training. Working on identifying non-Records duties and referring questions to the appropriate area. | Brett Parvin, Police Lieutenant                       |

2022 Operations Report—For the quarter ended September 30, 2022

| Audit Plan Year | Project Name  | Recommendation Title                           | Last Status Update        | Owner                              |
|-----------------|---|--|---------------------------|------------------------------------|
| APD             | APD 2021 - 2 Records Culture   APD Records Culture Survey | Employee professional development and training |                           | Brett Parvin,<br>Police Lieutenant |
| APD             | APD 2021 - 3 CRT   Crisis Response Team Program Review    | Follow leading practices                       |                           | Aaron Bunch,<br>Police Sergeant    |
| APD             | APD 2021 - 2 Records Culture   APD Records Culture Survey | Goals and performance measures                 | Pending final PRI report. | Brett Parvin,<br>Police Lieutenant |
| APD             | APD 2021 - 2 Records Culture   APD Records Culture Survey | Job Shadow                                     |                           | Brett Parvin,<br>Police Lieutenant |
| APD             | APD 2021 - 2 Records Culture   APD Records Culture Survey | Leadership                                     |                           | Brett Parvin,<br>Police Lieutenant |
| APD             | APD 2021 - 3 CRT   Crisis Response Team Program Review    | Memorandum of Understanding                    |                           | Aaron Bunch,<br>Police Sergeant    |
| APD             | APD 2021 - 3 CRT   Crisis Response Team Program Review    | Mental health calls for service                |                           | Aaron Bunch,<br>Police Sergeant    |



2022 Operations Report—For the quarter ended September 30, 2022

| Audit Plan Year | Project Name   | Recommendation Title                      | Last Status Update   | Owner                              |
|-----------------|--|---|--|------------------------------------|
| APD             | APD 2021-1 CCJRA   Colorado Criminal Justice Records Act | Non-compliance with rules and regulations | <p>Reminder has been sent to supers for review with staff.</p> <p>Policy includes:</p> <p>2.7.4 Criterion for Request and Fees</p> <p>Request forms are retained for 1 year per the Colorado Records Retention Schedule regardless of release or denial. Request forms that are provided back to a requestor with a referral to a Primary Detective on an open investigation will be scanned into the case and retained for at least one year per the Colorado Municipal Records Retention Schedule when/if the requestor returns to get a copy of the report.</p> | Brett Parvin,<br>Police Lieutenant |
| APD             | APD 2021-1 CCJRA   Colorado Criminal Justice Records Act | Performance Measures                      | Pending final PRI report.  | Brett Parvin,<br>Police Lieutenant |
| APD             | APD 2021-1 CCJRA   Colorado Criminal Justice Records Act | Policy and procedures lacking             | Revising date to year-end.   | Brett Parvin,<br>Police Lieutenant |
| APD             | APD 2021-1 CCJRA   Colorado Criminal Justice Records Act | Prioritization                            | Sgt. Cook will take responsibility for developing the prioritization, revising date to allow additional time.  | Brett Parvin,<br>Police Lieutenant |
| APD             | APD 2021 - 3 CRT   Crisis Response Team Program Review   | Program feedback and awareness            |  | Aaron Bunch,<br>Police Sergeant    |

| Audit Plan Year | Project Name  | Recommendation Title                | Last Status Update   | Owner                           |
|-----------------|---|-------------------------------------|--|---------------------------------|
| APD             | APD 2021-1 CCJRA   Colorado Criminal Justice Records Act  | Quality Assurance                   | Revising date, pending additional staffing and review of duties.   | Brett Parvin, Police Lieutenant |
| APD             | APD 2021 - 2 Records Culture   APD Records Culture Survey | Recognition                         | Planning on giving out commander accommodations. Working on identifying additional methods to recognize employees.   | Brett Parvin, Police Lieutenant |
| APD             | APD 2021-1 CCJRA   Colorado Criminal Justice Records Act  | Redactions need improvement         | Beginning to use redaction in NextRequest, due to backlog, have not fully developed out process for utilizing redaction in the system. Will begin to work on standardizing redactions and creating guidance for them.  | Brett Parvin, Police Lieutenant |
| APD             | APD 2021-1 CCJRA   Colorado Criminal Justice Records Act  | Requests tracking needs improvement | NextRequest system is live, kiosk is pending IT support.   | Brett Parvin, Police Lieutenant |
| APD             | APD 2021-1 CCJRA   Colorado Criminal Justice Records Act  | Review fees                         | APD worked with the Service Fee Group and consultant and included updates in the proposed 2023 fee schedule. This portion of the recommendation is implemented. Remaining recommendation to develop guidance for staff on when and how fees are waived and documented. | Brett Parvin, Police Lieutenant |
| APD             | APD 2021 - 2 Records Culture   APD Records Culture Survey | Section wide training               |  | Brett Parvin, Police Lieutenant |
| APD             | APD 2021 - 3 CRT   Crisis Response Team Program Review    | Staffing                            |  | Aaron Bunch, Police Sergeant    |

| Audit Plan Year | Project Name  | Recommendation Title | Last Status Update  | Owner                           |
|-----------------|---|----------------------|---|---------------------------------|
| APD             | APD 2021 - 2 Records Culture   APD Records Culture Survey | Team Charter         | Reached out to Brenda Langley for assistance with an estimated start date of April depending on outside reviews etc.  | Brett Parvin, Police Lieutenant |
| APD             | APD 2021-1 CCJRA   Colorado Criminal Justice Records Act  | Training             | In progress, holding meetings to determine what all is needed along with roles.   | Brett Parvin, Police Lieutenant |
| APD             | APD 2021 - 2 Records Culture   APD Records Culture Survey | Training schedule    | Records Leads are working on developing a training Academy for new hires, once that is completed, they will begin to work on ongoing training for Records employees and Records units.                    | Brett Parvin, Police Lieutenant |
| APD             | APD 2021 - 2 Records Culture   APD Records Culture Survey | Workload             | Workload is being reviewed, including moving from 24/7 staffing. Also evaluating reclassifying some employees. Implementation of changes will be pending stabilization of staffing levels. Revising date. | Brett Parvin, Police Lieutenant |

## INTERNAL AUDIT TEAM

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### Wayne Sommer | Internal Audit Manager

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Wayne is a Certified Public Accountant (CPA) and a Chartered Global Management Accountant (CGMA) with 42 years of diverse work experience. Wayne spent 23 years at the International City/County Management Association (ICMA) in Washington, DC. Wayne has been with the City of Aurora since May 2014. He will retire from the city in December 2022

**Professional Associations:** American Institute of Certified Public Accountants; Institute for Internal Auditors; Association of Local Government Auditors

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### Michelle Crawford | Internal Audit Senior—Police Auditor

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Michelle is a Certified Internal Auditor (CIA), a Certified Fraud Examiner (CFE), Certified in Risk Management Assurance (CRMA), and has 15 years of experience in governmental auditing. She received her Bachelor's in business administration at the University of Montana and her Master's in accountancy from Missouri State University. Upon graduation from Missouri State University, she started her career at the Missouri State Auditor's office as a Staff Auditor I and progressed over the next seven years to a Senior Auditor. As an auditor with the State Auditor's office, she conducted performance audits of local governments and worked on the statewide Single Audit. Michelle has been with the City of Aurora since October 2014.

**Professional Associations:** Association of Certified Fraud Examiners; Institute for Internal Auditors; Association of Local Government Auditors; National Association for Civilian Oversight of Law Enforcement

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### Sheree Van Buren | Internal Audit Staff

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Sheree is a Certified Internal Auditor (CIA) and a Certified Fraud Examiner (CFE), with 12 years of audit experience. She graduated from Colorado State University in 2010 with a Bachelor of Science in Business Administration – Accounting degree. Prior to joining the City of Aurora, she spent three years as an Audit Associate with PwC, LLP. During this time, Sheree worked in the financial services industry, performing year-end financial statement audits for local and international investment companies.

**Professional Associations:** Association of Certified Fraud Examiners; Institute for Internal Auditors; Association of Local Government Auditors; National Forum for Black Public Administrators; Black Employees for a Better Aurora

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### Laiba Saqib | Internal Audit Staff

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Laiba earned a Master of Professional Accounting (MPAcc) degree from the Metropolitan State University of Denver (MSU Denver) in 2021. She received her Bachelor's in Accounting also from the Metropolitan State University of Denver. During her undergrad degree, Laiba interned as an internal audit intern for the Audit Division at the Colorado Department of Transportation (CDOT). After graduation, Laiba took a job as a tax auditor at the Colorado Department of Revenue and started her graduate degree. During her master's program, Laiba worked as the internal auditor for the University as a semester-long Project. Laiba has been with the City of Aurora since March 2021.

**Professional Associations:** Institute for Internal Auditors; Association of Local Government Auditors

## **Appendix A: Completed Engagement Summary Reports**

- No audit reports were issued in the third quarter

## **Appendix B: Details for Audit Milestones**

Internal Audit applies its own custom agile approach to our engagements. This approach brings valuable information to our clients more quickly than the traditional approach through a report provided at the end of each milestone.

This is an explanation of our Milestones:

**Team Preparation:** *Ensure that the engagement team can properly conduct the engagement.*

**Client Evaluation:** *Gain a deeper understanding of the client's operating environment and client issues that may affect the engagement objectives and that may influence subsequent engagement procedures.*

**Process Controls and Efficiency:** *Determine whether appropriate process controls exist and whether processes are efficient.*

**Risks:** *Assess the impact of identified risks on the engagement objectives, scope, and on the objectives test work procedures.*

**Planning and Preparation Finalization:** *Determine the final engagement objectives, scope, and objectives test work procedures.*

**Objectives Test Work:** *Obtain sufficient evidence to afford a reasonable basis for conclusions on the engagement objectives.*

**Reporting:** *Summarize the results of our engagement procedures and our related conclusions, findings, and recommendations in a clear and concise report that addresses all engagement objectives.*

**Wrap Up:** *Complete all administrative tasks necessary for a complete and orderly closeout of the engagement.*