

AURORA BUSINESS ADVISORY BOARD

Minutes of the Regular Meeting
Monday, September 19, 2022

Board Members Present:

Mr. Walls, Mr. Boyd, Ms. Fender, Mr. Fryberger, Mr. Patel, Ms. Horiuchi, Ms. Pace, Ms. Reding, Mr. Sarwal

Board Members Absent:

Excused Absence: Mr. Liles, Ms. Woodson

Council Members Present: Councilmember Curtis Gardner

Staff Present: Fire Commander Steven Wright, Andrea Amonick, Cathy DeWolf, Elena Vasconez, Jeff Edwards, Trevor Vaughn

Guest Presenters: Councilmember Curtis Gardner

CALL TO ORDER

Mr. Walls called the meeting to order at 11:01 AM

APPROVAL OF THE MINUTES

August 15, 2022, BAB Meeting Minutes were reviewed. Ms. Horiuchi noted an error on page 3, the first paragraph, and recommended a correction regarding the name and office of the representative. Amend “**They will have a representative from the Coroner’s Office to address other crimes dealt with by business stakeholders**” to “**They will have Victoria Klingensmith from the 18th Judicial District Attorney’s Office to address other crimes dealt with by business stakeholders.**” Mr. Walls moved, without objection, to approve as amended; Mr. Boyd Seconded.

Mayor Mike Coffman

Not in attendance

Catalytic Converters Draft Ordinance – Trevor Vaughn

Scheduled for tonight’s City Council Study Session

- The state legislature currently requires record-keeping for catalytic converters purchased by scrappers or junkers. However, there is no reporting requirement. The proposed ordinance will include catalytic converters and gift cards as second-hand property. It will require reporting through the nationwide system LeadsOnline to crack down on theft and tie identifying marks or serial numbers on catalytic converters to specific crimes. The city of Denver also has an ordinance requiring the reporting of information to LeadsOnline, which is a nationwide system used by the police department. City of Aurora staff approached businesses that purchase catalytic converters last year to discuss catalytic converters being considered second-hand property.
- Gift cards are also considered to be second-hand property since they have identifying marks.

Ms. Fender asked if the proposed ordinance is aligning with passed state legislation.

Mr. Vaughn said yes. He clarified that the state only requires recordkeeping but not reporting. With the proposed ordinance, the properties will be reported to a database that can be queried and checked. He added that the ordinance also requires sellers of multiple catalytic converters to demonstrate business operations. He mentioned that the proposed ordinance excludes catalytic converters that are less than \$30 since some simply scrap metal.

Ms. Horiuchi mentioned that they hosted a public meeting on crime with Mayor Coffman and the District Attorney (DA) last September 8th. The auto dealers in attendance expressed concern about the communication or education to be done with business licenses that are auto dealers, automobile-related, or auto-service once the ordinance passes. She asked if a letter would go out to them and how the ordinance would be communicated to the automotive industry.

Mr. Vaughn said auto dealers would not require the license unless they are auto-repair shops that purchase catalytic converters. He mentioned that auto shops usually replace the converters and sell them to, for example, Atlas Metals. He mentioned that Atlas Metals would then require a demonstration that the auto shop is operating a business.

Ms. Horiuchi mentioned that CM Zvonek and CM Gardner have reached out to the business owner.

Mr. Walls said the individual has an auto-repair shop but is not an auto dealer.

Ms. Horiuchi said that he does both. She added that it is an Ethiopian-owned auto business.

Mr. Vaughn clarified that the individual would not need to get a license as a repair shop unless he's buying the catalytic converters standalone.

Mr. Walls said CM Gardner requested the BAB's position on the proposed ordinance. He said that he and Ms. Vasconez would draft the position in a memo to the City Council.

ACTION ITEM: Council Member Gardner would like a position from the Business Advisory Board. Some general ideas, comments questions, or concerns.

Ms. Fender moved to support the Catalytic Converters Draft Ordinance by Councilmember Gardner. Mr. Boyd seconded.

Mr. Walls said that they will try to draft the letter before tonight's Study Session. If not, it will be presented to Council during the next Regular Meeting should it move.

CM Gardner expressed appreciation to the BAB for supporting the proposed ordinance.

Mr. Walls restated concerns regarding communication with business owners on the registration, license process, and LeadsOnline reporting.

Aurora Business Crime discussion - Garrett Walls and Councilmember Curtis Gardner

- The Havana BID hosted a second crime forum last September 8th and was attended by District Attorney (DA) John Kellner, Aurora council members, and around 70 business owners. Businesses outside the Havana BID also attended. The forums will be city-wide and will be hosted on Havana Street quarterly. The next forum will be on the first or second week of December.
- Currently, retail businesses are using the hands-off approach due to incidents escalating quickly. Stores would try to get as many details as possible to be presented to the APD detectives so that a larger case can be put together and prosecuted by the District Attorney's Office, city attorneys, or go through municipal code.
- The Town Center will host a retail safety meeting and training on September 28th. This will focus on de-escalation training, how the employees should respond, standard operating procedures for collecting information, and the necessary information needed by APD.

- Unfortunately, smaller retailers are not able to get the necessary information and are only able to present blurry security footage, which is not effective for tracking the person and linking them to other crimes. If security systems are needed, a safety and security grant is currently in process, and there will be another round. This grant provides funds for better security systems, including high-definition cameras.
- DA Kellner and Rep. Iman Jodeh expressed interest in attending the forums.
- On the local level, Councilmembers Gardner, Jurinsky, and Zvonek are presenting ordinances addressing retail theft, vandalism, etc.
- CM Gardner stressed the importance of addressing the severity of retail theft since the costs are ultimately getting passed along to the residents. At its four Aurora locations, Target has seen over \$1.5 million in the theft of merchandise year-to-date.
- Councilmembers are working on an ordinance addressing petty vandalism. Cerebral Brewing experienced having their windows facing Colfax smashed with a hammer. Fox Theater and Easy Pawn have experienced this as well.
- CM Gardner highlighted that the feedback provided by business owners, business leaders, and residents helps develop policy. These initiatives started in Aurora are expected to be passed on to other cities. CM Gardner urged the members to contact other local governments and or state legislators to help address these rampant issues.

Ms. Pace said that she had seen contradictory statistics stating that retail theft has decreased. She mentioned that she appreciates the work being done to listen to the business community since their anecdotes are also important, in addition to statistics. Ms. Pace expressed concern about making the crime more severe for people engaging in retail theft. She said that research shows that a bigger punishment does not deter someone in a desperate situation from committing a crime. Ms. Pace lauded the workshops being created for retailers to learn how to deter the situations and educate them about securing and insuring merchandise. Ms. Pace also mentioned ways to avoid criminalizing, especially young people. She asked what other more effective actions can be done rather than increasing harsher punishment.

CM Gardner said he sponsored an ordinance earlier in the year to set aside funds for business safety and security upgrades. It includes lighting, cameras, and fixing landscaping to deter theft. He added that they might be able to do another funding for the program. He clarified that the minimum for the ordinance is \$300, meaning that it will only affect larger instances of theft. He clarified that this would not apply to 15-year-olds stealing a pack of gum. He added that the ordinance will only apply to adults and that the state has jurisdiction over juveniles that commit crimes.

CM Gardner mentioned that he sponsored an ordinance bringing a Restorative Justice Program to municipal courts. City staff is working with an outside consultant to design the program modeled after a Juvenile Retail Theft Restorative Justice Program from Longmont. This program will have the responsible party, the affected party, and a neutral party decide on the offender's punishment. It is intended as a diversion program to keep minors from going into the prison pipeline.

CM Gardner highlighted that Aurora is top three in the country for auto and retail thefts. He mentioned a direct correlation to changes made at the state level for detaining individuals that stole a car. A three-pronged approach of punishment, deterrence, and diversion will be a good strategy to address retail theft.

Ms. Pace appreciated that CM Gardner is thoughtful about the approach to retail theft, especially for restorative justice. She mentioned that she hopes they do not forget about the other people who don't fall into the minor category that also get caught in the prison pipeline, such as a 20-year-old stealing a phone to sell it.

Mr. Walls mentioned that mental health issues are a major component of this problem. He said that APD is to be fully funded, which entails funding and securing the mental health provider that will respond to calls with the department. He added that Interim Chief Oates is supportive of where the

program could go and sees that mental health issues associated with a crime could be better dealt with at the city level.

CM Gardner mentioned that he previously forwarded an ordinance to create a mental health funding mechanism for the city. However, it did not get majority support. It would have included job training, consistent funding streams, and non-police response. He added that the City Council is looking for ways to support job training initiatives. The Association of General Contractors is encouraging trade schools as an alternative to university and the Community College of Aurora, which broke ground on their new job training center. He reiterated that a comprehensive approach is necessary to address the problem.

Mr. Walls mentioned that they are not targeting one-off criminals. The push to get better-coordinated data will aid in tracking down rings and linking cases together. All the data would then be put together in a single case and forwarded to DA Kellner's office.

CM Gardner stated that individuals involved in the state's largest organized retail crime group were arrested. He mentioned that Walgreens at Colfax has been a victim of organized theft.

Mr. Walls mentioned that Mr. Sarwal made a point in the chat regarding allowing employers greater access to background check data.

CM Gardner replied that he is unsure if this could be addressed at the city level. It may need to be state-level to be handled by the Colorado Department of Labor and Employment. He again urged the members to talk to legislators.

Mr. Walls mentioned that one important resource for small business owners is the Colorado Organized Retail Crime Alliance which is one of the main data-gathering functions helping APD link crimes.

Mr. Vaughn said that he posted a link to the story. He mentioned that the offenders were also hit with second-hand dealer violations, which got the shop to close.

***ACTION ITEM:** None.*

Update Performing Arts Feasibility Study – Garrett Walls

- Mr. Walls, Ms. Fender, and CM Gardner are meeting with interested parties within the city staff to discuss what has been done, what the roadmap looks like, and decide on the direction which will affect the business community and business economy in Aurora. The meeting is expected to be in person at the Municipal Center.
- CM Gardner appreciated Mr. Walls, Ms. Fender, and the committee. He mentioned that he envisioned a public-private partnership for this and stressed the importance of the business community's involvement.
- Once data has been gathered and codified from all the departments in the city, the subcommittee will be engaged. The BAB will steer the process as it correlates to the business community. Experts will be coming in to determine what could be possible for the city regarding the performing arts venue from an entertainment, planning, and zoning perspective. Tax revenue generation will also be looked into.

***ACTION ITEM:** None.*

2021 BAB Awards date change – Elena Vasconez

- Many nominations were received. More nominations for industrial and manufacturing will be received as staff reaches out to Council Members.

- Given that only Ms. Vasconez is working on this, the event will be pushed to March or April for a hybrid event with coordinated watch parties across different wards. In addition, Aurora TV requires a 3 to 4-month lead time to shoot the B-roll and conduct interviews.
- Ms. Vasconez will be reaching out shortly to volunteers.

- **Xcel Award**

- Xcel has put together a list of qualifications and has framed the program. Staff is discussing the award with Xcel, how it will work, the vision for future years, and the city's responsibilities.
- Jessica will present the award and how it will fit with other business recognition awards at the next meeting.

ACTION ITEM: None.

COUNCIL CONTACTS

Council Member Marcano – Ms. Pace

CM Marcano coordinated with Mayor Mike Coffman, Denver City Council Members, and State Officials to go to Texas and see the successful work on homelessness. Houston turned motels and hotels into temporary housing while they found housing for people looking for more permanent housing. CM Marcano and Ms. Pace also discussed retail theft.

There is a proposal to have CM Marcano offer a presentation on the trip to Houston and discuss options to address homelessness.

Mr. Walls requested that Ms. Pace stay in communication to schedule CM Marcano's presentation to the BAB.

Ms. Pace shared the difficulties experienced due to inflation as a business owner looking out for customers and employees.

Mr. Walls mentioned that he would like to have a larger discussion about inflation and create a strategic plan revolving around how it affects the local economy and small businesses. He suggested bringing this forward to the City Council to discuss policy solutions.

Council Member Jurinsky - Ms. Horiuchi

CM Jurinsky has been visiting Havana Street stakeholders and other businesses to hear their stories and experiences to possibly present additional solutions to businesses, retail, and small businesses experiencing a high volume of crime.

Another forum will be hosted early in December with Mayor Coffman, the DA, and APD, open to all business owners and business licensees within the city.

Council Member Murillo - Mr. Fryberger

Council Member Lawson – Mr. Sarwal

CM Lawson & Mr. Sarwal have been exchanging emails and discussing updates regarding meetings. They have also discussed the issue of homelessness. He mentioned that there are also

short-term homelessness issues that involve people losing their jobs. Mr. Sarwal said that Denver has successfully implemented a mobile van or mobile operation. He suggested Aurora does something similar.

Mr. Walls mentioned that the Day Resource Center and Comitis have mobile operations that provide short-term assistance at a small and underfunded level in Aurora.

Council Member Medina – Ms. Woodson

Council Member Zvonek – Mr. Boyd

Council Member Coombs – Ms. Redding

No contact.

Council Member Gardner – Ms. Fender

No additional updates.

Council Member Bergan – Mr. Liles

ANNOUNCEMENTS

- Mr. Walls recommended the Wine Walk at Southlands.
- Mr. Walls shared, for Mayor Coffman, that the Council of Metro Mayors has called a meeting hosted in Boulder. Boulder City Council is leading the charge to bring back the minimum wage discussion and set home rule jurisdiction minimum wages across the metro area. Early numbers are anywhere from \$20 to \$30 an hour. He will update you as he knows more.
- Ms. Redding announced that they are featuring art from Kristi Tirado, an artist who does tributes to migrant workers in the hop fields. The display can be viewed until October 13th, with artwork and T-shirts available for sale. Sales will return to the artist to continue her efforts to raise awareness for the population that's important to the beer industry.
- Mr. Sarwal announced that they are working with refugees from Afghanistan. He mentioned that they are conducting flu shot influenza clinics with Walgreens and contributing free vaccinations for the uninsured or the undocumented.

MISCELLANEOUS

- Mr. Boyd via Chat: Reminder Town Center at Aurora is hosting a retail safety meeting Wednesday, 9/28/22, at 9:00 am. Retailers are welcome. Ms. Horiuchi added via Chat: Food Court area 14200 East Alameda Avenue Aurora CO 80012
- Ms. Fender via Chat: Offering to help outreach to members of the General Assembly. Please let me know!
- Ms. Pace via Chat: Awesome!! That's good to hear there is more security funding."
- Mr. Sarwal via Chat: Some thefts are being coordinated with a current employee working with outside criminals. Should employers have the right to report to a database such that

“background” checks bring up prior seriously bad behavior? The labor laws are not supportive of such reporting.

- Ms. Horiuchi via Chat: Report incidents at Colorado Organized Retail Crime Alliance <https://www.coorca.org/>
- <https://sentinelcolorado.com/orecent-headlines/data-takes-reestablished-dart-police-officers-to-north-aurora-to-solve-car-thefts-curb-crime>
- Trevor Vaughn via Chat: These were operating using a cell phone store as a front off of Parker Road in Aurora: <https://www.9news.com/article/news/crime/douglas-county-money-laundering-arrests/73-9dbf9a72-4ada-4cad-be65-47c9276e43a8>
- Ms. Horiuchi via Chat: <https://onhavanastreet.com/events/havana-street-global-market-9-24-2022/> and <https://comitiscrisiscenter.org/aurora-day-resource-center>.

Mr. Walls moved to adjourn the meeting at 12:06 PM, seconded by Ms. Fender

APPROVED:



Garrett Walls, Chairperson