

DRAFT – Subject to Approval

CITIZENS CHARTER REVIEW TASK FORCE POLICY COMMITTEE MEETING

March 31, 2023

Members Present: Council Member Alison Coombs, Chair
Council Member Juan Marcano

Member Absent: Council Member Angela Lawson

Others Present: Adrian Botham, Mike Ciletti, Linda Garnett, A. Gonzales, Zack Heaton, B. Hogan, Alexandra Jackson, David Lathers, Dennis Lyon, Kadee Rodriguez, Julie Marie Shepherd, Ed Tauer, Jan Wilson, and Katrina Zerill

Absent: Dr. Anne Kiki and Malcolm Newton

1. CALL TO ORDER

A. Gonzales, Administrative Supervisor, called the March 31, 2023, meeting to order at 5:46 p.m.

2. APPROVAL OF MINUTES

None.

3. NEW ITEMS

3.a. Elect Chair and Vice Chair

Summary of Issue and Discussion:

Introductions were made by city staff and the Task Force members. K. Rodriguez, City Clerk, explained the roles of the Chair (run meetings) and Vice Chair (backup to Chair). She further explained the voting procedure: a motion must be made, a second, and a vote. K. Rodriguez will make roll call until Chair and Vice Chair are elected.

It was decided that elections for Chair and Vice Chair will be moved to the next meeting.

Outcome

The Chair and Vice Chair elections will move forward to the next meeting.

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3.b. Update Charter Language to be Gender Neutral

Summary of Issue and Discussion:

CM Coombs explained this item: all him/his language in the Charter would be changed to be gender-neutral, i.e. to they/them. She then explained the process: discussion in the Council Ad Hoc Charter Committee, public input, online engagement task force discussion and eventually a vote by the full Council to decide whether to send it to the ballot.

Outcome

The Update Charter Language to be Gender Neutral item will move forward to the public hearing.

3.c. Ballot Question for Even Numbered Years

Summary of Issue and Discussion:

CM Marcano presented this item: it is to increase voter participation in municipal elections. He cited voter turnout percentages in odd-numbered years compared to even-numbered years, showing significantly higher turnout during even years. CM Marcano mentioned that other cities, such as Boulder, Parker, and Castle Rock, had already implemented or considered this change. He addressed concerns about municipal elections being overlooked or having ballot roll-off due to coinciding with state and federal elections, stating that voter participation in Parker and Castle Rock remained consistent with county, presidential, and state-level positions. He concluded that this change could be a modest reform to increase voter turnout in municipal elections.

CM Marcano explained about the potential ballot drop-off or voter drop-off for top ticket races compared to municipal races in cities with even-year elections. CM Marcano confirmed that there was no significant drop-off. J. Shepherd then inquired about voter turnout for school boards or other elections and if those cities always had higher turnouts for municipal elections. CM Marcano acknowledged that he did not have that information but agreed to look into it and provide additional context if possible.

CM Marcano explained about cost implications of moving elections to even-numbered years; although there might be an overall cost increase due to additional voter service polling centers, the cost per voter would decrease, and the frequency of election-related expenses would be reduced.

CM Marcano acknowledged the uncertainty of the potential impact on campaign fundraising but noted that trends show a decrease in grassroots fundraising and an increase in dark money contributions in local and federal races. He suggested that the correlation between timing and campaign finance might not be clear and could vary depending on the city.

CM Coombs added to the discussion by addressing the potential impact on campaign expenses like mailers. She acknowledged that candidates might need to send mailers to a wider audience, which could increase costs. However, she also pointed out that as voter turnout increases, other forms of engagement

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like digital outreach and face-to-face meetings could become more important, possibly shifting campaign strategies.

K. Rodriguez explained the logistics of coordinating elections in three counties, each county counts their ballots and the change should not pose a logistical problem.

CM Marcano stated that the potential impact on odd-year elections for fiscal TABOR was a concern, but thought it was more of an issue with TABOR itself.

CM Coombs mentioned that there have been discussions at the state level about moving school board elections from odd years to even years to streamline the election process.

CM Marcano clarified that they were looking for feedback from the Task Force members, and CM Coombs suggested the group take some time to think about it and provide recommendations at a subsequent meeting. CM Marcano was open to the idea of the proposal being heard by the Elections Committee, and K. Rodriguez mentioned that there was a special meeting scheduled for April 5th where they could invite the council members to discuss the proposed amendments with the Elections Committee.

3.d. Ballot Question Regarding Partisan Elections

Summary of Issue and Discussion:

CM Marcano introduced the idea of making Aurora city council elections partisan by displaying party affiliations on the ballot. He shared his experiences from canvassing, where people often asked about candidates' party affiliations, and noted instances where candidates or their representatives' misled voters about their affiliations. Marcano stated that partisan dynamics were already present in the elections and should be made transparent. He also mentioned that the proposal would be the second most effective way to increase voter participation after moving elections to even years. He expressed hopes for implementing ranked choice voting in the future to provide more choice and support third parties.

CM Marcano stated that providing party affiliations would help voters make more informed decisions and that the current system does not prioritize the best ideas as it should.

A member made an observation made that adding party labels might not improve the behavior or discourse on the Council and that it could further divide the members. It was emphasized the importance of focusing on the role of local government in providing essential services rather than getting bogged down in partisan politics. CM Marcano acknowledged the member's point of view.

CM Marcano explained that nonpartisan doesn't mean unaffiliated and that many decisions made in city government have partisan aspects. He also mentioned the potential for ranked choice voting to improve elections.

An opinion about the majority of voters being unaffiliated was brought up, asking if the proposal might alienate this group. That it might cause potential disenfranchisement of unaffiliated voters due to party labels on the ballot.

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A suggestion was made to focus on understanding the council's intent and discussing the proposals in subsequent meetings, as each topic deserves more time for thorough consideration, and proposed having one meeting focused on each of the proposals. K. Rodriguez mentioned that CM Lawson couldn't attend the meeting and recommended postponing her item to the next meeting. CM Marcano agreed, stating that CM Lawson would likely want to introduce her item herself.

Support was given for the proposal, stating that providing more information is beneficial. It was pointed out that people could always run unaffiliated if they prefer. Also noted that the committee's decision is whether to put the proposal on a ballot for voters to decide. It was mentioned that nonpartisan municipal elections were introduced by Progressives in the early 20th century but have ultimately failed, as elections have become clearly partisan over time. It was argued that nonpartisan elections often result in less informative mailers and that acknowledging partisanship could provide voters with more meaningful information.

A member mentioned that municipal elections should be nonpartisan and city council members should represent everyone, not just a specific party. It was mentioned that providing more information and the idea of listing affiliations on the ballot. It was agreed that access to information is important for the government to provide to its citizens. Also, agreed, that putting the issue on the ballot could spark important conversations about nonpartisan elections and encourage voters to learn more about the candidates.

CM Marcano responded to the question of the effectiveness of mailers in municipal elections, that while mailers have diminishing returns and are more effective in nonpartisan races, negative campaigning turns off voters and depresses turnout. Marcano showed an example of a negative mailer he received during his own campaign and argued that negative campaigning makes a mockery of elections and distracts from the issues. He suggested that putting issues on the ballot would diminish the effectiveness of negative campaigning and that implementing rank-choice voting would further encourage candidates to make a solid case for themselves and avoid relying on partisan affiliation or negative campaigning.

3.e. Ballot Question Regarding Vacancy Committees

Summary of Issue and Discussion:

CM Marcano discussed item 3.e, which proposes a change to the process of filling a vacancy in City Council. The Council violated the City Charter in 2021 trying to fill a vacant position, which prompted CM Marcano to propose changes to the process. He believes that the residents of the city should choose who serves with him on the governing body. One proposal is to emulate the State's Vacancy Committee process, which involves a group of politically engaged individuals who ensure that the values that people voted for stay with the seat. The other proposal excludes the partisan component and suggests that anyone who signs a nominating petition to become a candidate would be on the Vacancy Committee for the seat. This could be administered through the Clerk's Office, with a forum where people who submitted their candidacy could participate and appoint someone to the vacant position. CM Marcano is happy to take any questions or comments on these proposals.

CM Marcano explained two models proposed for filling vacant positions on Council, one model assumes partisan positions, and the other does not. For unaffiliated candidates, their Vacancy Committee would

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consist of the nominators in their packet, which already exists under State Statute. The second model is based on the nominating petition, and CM Marcano clarified that they were discussing the idea of not capping the number of signatures collected but including anyone with a valid signature in the Vacancy Committee.

CM Marcano explained a question regarding the selection committee, affirming that only residents of the city or the respective ward would be eligible to serve on the vacancy committee.

CM Marcano mentioned that in his time on the council, there has been only one vacancy. However, there have been vacancies for Mayor, At-Large, and Wards in 2012, 2018, and 2021 respectively, according to K. Rodriguez.

Suggested made to keep the current system of City Council appointing a replacement and letting the position stay vacant if they can't agree. CM Marcano confirmed that the Council must pick someone from the Ward to appoint a replacement. CM Coombs clarified that Council Members who don't live in the Ward are choosing the replacement for the Ward.

4. CONFIRM NEXT MEETING

4a. The next meeting is scheduled for April 12, 2023, via Webex.

Staff will send out an email to check the availability of the members and set up a meeting in the week of April 17th. A suggestion made for having a roundtable discussion for each item; sponsoring council members would present the proposal for the first 30 minutes, followed by an hour of discussion. Meetings were suggested be set for every other week to cover all the tasks related to the Charter.

Hybrid meeting format was agreeable to everyone and staff could participate, but it would depend on timing

6. ADJOURNMENT

The meeting adjourned at 3 PM.

APPROVED: _____
Council Member Alison Coombs, Chair

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CHARTER REVIEW AD HOC POLICY COMMITTEE MEETING
March 31, 2023

Members Present: Council Member Alison Coombs, Council Member Marcano, Chair Council Member Juan Marcano

Members Absent: Council Member Angela Lawson

Others Present: Jim Twombly, Roberto Venegas, Dan Brotzman, Dave Lathers, Jock Bajorek, Michael Bryant, Cecilia Zapata, Dalia Milford, Linda Garnett, Kadee Rodriguez, Debora O’Connor, Alexandra Jackson, Becky Hogan, Adrian Botham, Dennis Lyon, Ed Tauer, Alia Gonzales, Jan Wilson, Julie Marie Shepherd, Katrina Zerilli, Mike Ciletti, Zack Heaton

1. CALL TO ORDER

Alia Gonzales called the March 31, 2023, meeting to order.

Ed Tauer asked why they conducted virtual meetings instead of face-to-face ones.

CM Marcano explained that it was a policy that City Management maintained since the COVID pandemic, which made it easier for people to access, especially for Ad Hoc Meetings like the one being discussed.

CM Marcano inquired about who originally set up the meeting. Alia Gonzales replied that Adrian was responsible for setting it up and clarified that the placeholder only went to A. Gonzales and the three Council Members to ensure it remained on their schedule. The only other thing shared was the WebEx link for the meeting.

A. Gonzales informed everyone that CM Lawson had an emergency and wouldn't be able to join the meeting. CM Marcano expressed hope that everything was okay. B. Hogan mentioned that Dr. Anne Kiki was also traveling and couldn't attend the meeting.

K. Rodriguez asked Adrian if they were working with anyone else trying to join the meeting and suggested they start since there was a quorum. A. Gonzales agreed and mentioned that they would need to elect a Chair to call the meeting to order. K. Rodriguez offered to do the roll call until a Chair and Co-Chair were elected, so they could have a list of the attendees.

The meeting is called to order at 5:46 p.m.

2. ANNOUNCEMENTS

None.

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3. NEW ITEMS

3.a. Elect Chair and Vice Chair

Summary of Issue and Discussion:

Suggestion by A. Gonzales to elect a Chair and Vice Chair for the group.

Community Discussion:

A. Gonzales suggested that they should elect a Chair and Vice Chair for the group. K. Zerilli asked for an explanation of their roles. K. Rodriguez explained that the Chair would run meetings, while the Vice Chair would take over in the Chair's absence. They would need a motion, a second, and a vote for each position. Z. Heaton volunteered to serve as Chair but also mentioned some scheduling challenges. K. Rodriguez suggested that everyone introduce themselves before proceeding. Kadee Rodriguez, the City Clerk for Aurora, introduced herself, followed by Alia Gonzales, the Executive Admin Supervisor for the Mayor and Council Office and Mayor Coffman's Assistant. Alia then invited Linda, another staff member, to introduce herself.

Linda Garnett introduced herself as a Council Office staff member and the co-host and coordinator for the meeting. K. Rodriguez noted that Dennis Lyon had joined the call and then asked CM Marcano to introduce himself. CM Marcano introduced himself as the representative for Ward IV on the City Council. CM Coombs introduced herself as the Aurora City Council Member for Ward V and the Chair of the City Council Ad Hoc Charter Review Committee.

A. Jackson introduced herself as a social worker, a mom, and an Aurora native excited for her first experience with the city's political process. B. Hogan introduced herself as a longtime Aurora resident, Vice Chair of the Planning Commission, Chair of the Aurora Sister City Korea Committee, and Commissioner on the Consent Decree Advisory Committee. D. Lyon introduced himself as a former Parks Department employee, a Planning Commission member for seven years, and a dedicated Aurora resident.

E. Tauer shared his long history in Aurora, reminiscing about its past and his work for the city. M. Ciletti introduced himself as a Ward VI resident, a Blue Ribbon Panel member, and a Spirit of Aurora member. J. Shepherd shared her experience as CM Bergan's appointee from Ward VI, her time on the School Board, the Human Relations Commission, and the Executive Committee for CADC, and her work on the Congressional Redistricting Commission.

K. Zerilli introduced herself as a Ward III resident, a member of the Citizen's Advisory Budget Committee, and a marketing and design professional. Z. Heaton introduced himself as a Ward IV resident, a cybersecurity professional, and an active participant in City Council Meetings.

E. Tauer asked K. Rodriguez to repeat the names of the people who couldn't make it to the meeting, which were Jan Wilson, Malcolm Newton, and Dr. Anne Kiki. K. Rodriguez also mentioned the council member

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who appointed each member of the group. The group then discussed electing a Chair and Co-Chair for the committee.

Z. Heaton volunteered to be Chair, but E. Tauer suggested waiting until the next meeting to make a decision, allowing everyone time to think about it. J. Shepherd agreed with this idea, and the group decided to table the election of the Chair and Co-Chair until the next meeting. M. Ciletti, Z. Heaton, and B. Hogan voiced their support for this decision.

Outcome

The Elect Chair and Vice Chair will move forward to the next meeting.

Follow-Up Action

Staff will move forward the item to the next meeting.

3.b. Update Charter Language to be Gender Neutral

Summary of Issue and Discussion:

K. Rodriguez introduced the next agenda item, which was updating the charter language to be gender-neutral, sponsored by CM Coombs.

CM Coombs explained that there are a few sections in the charter that use gender-specific language like "he" and "him" in reference to positions such as City Manager and City Attorney. They suggested using more inclusive language like "they" and "them" to accommodate people who do not identify with "he" or "she." CM Coombs stated that the purpose of the change is to increase inclusion in the governing documents.

Community Discussion:

Mike Ciletti asked why the issue was brought to the committee rather than being handled directly by the Council. CM Coombs explained that these are items in the Charter and must be voted on by the public. The process involves discussion in the Council Ad Hoc Charter Committee, public input, online engagement, and eventually a vote by the full Council to decide whether to send it to the ballot.

M. Ciletti expressed concerns about the differences between the charter language and other governing documents. CM Coombs reiterated that the proposed changes need to go through the entire public input process and be voted on by the people. L. Garnett asked for clarification on the committee's duty to provide recommendations, and CM Coombs explained that the recommendations would be sent to the whole City Council after being presented by the Charter Review Policy Committee.

J. Shepherd requested an overview of the flow of operations for their work. CM Coombs described the process, including the Council Ad Hoc Policy Committee's review of the items, public hearings, online engagement, and meetings with the Ad Hoc Review Committee. They also invited feedback on any items that the committee feels should be reviewed in the charter.

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M. Ciletti inquired about the process for bringing additional items forward and whether they should draft language or work with city staff. CM Coombs responded that the committee could submit their own language or provide ideas, and the Policy Committee would work with the city staff and the City Attorney's office to draft the necessary language.

CM Marcano mentioned that a staff resource, Dave Lathers, is assigned to the committee, although he was not present at the meeting. Z. Heaton asked about the role of a committee chair and how they ensure everyone's ideas are heard. CM Coombs clarified that chairs can express opinions and participate in the process but might require a majority of votes to send an item back to the council. E. Tauer emphasized the importance of a good chair ensuring everyone gets heard and feels like they had an equal chance to participate.

B. Hogan inquired if there were any other items the council committee had in mind, besides the topics discussed during the meeting. CM Coombs confirmed that the items presented were the only ones initiated by the council, but they were open to hearing more ideas. She also mentioned a potential Strong Mayor proposal and an item to remove the mayor's ability to create ties. B. Hogan asked if the charter was open for discussion on any topic, and CM Coombs confirmed that they were open to discussing any item, though she mentioned some limitations due to court rulings and state constitution conflicts.

Z. Heaton asked if there could be a digital process for submitting ideas and supporting evidence for the committee members to review. K. Rodriguez confirmed that the Mayor Council Office would be the point of contact for submitting proposals and supporting materials, which would then be included in the agenda packet for the entire board to review.

J. Shepherd expressed concern about the use of the term "non-binary" in the proposal, suggesting that using "gender-neutral" might be better received by the public. CM Coombs agreed that the intent was to be inclusive and that they could consider using "gender-neutral" instead of "non-binary." K. Rodriguez added that "gender-inclusive" was another term used more often than "gender-neutral" in their conversations with the City Attorney's Office and CM Marcano.

Outcome

The Update Charter Language to be Gender Neutral will move forward to the public hearing.

Follow-Up Action

Staff will move forward the item to the public hearing.

3.c. Ballot Question for Even Numbered Years

Summary of Issue and Discussion:

CM Marcano presented a ballot question that would move Aurora's elections to even-numbered years. The rationale behind this was to increase voter participation in municipal elections. He cited voter turnout percentages in odd-numbered years compared to even-numbered years, showing significantly higher turnout during even years. CM Marcano mentioned that other cities, such as Boulder, Parker, and Castle Rock, had already implemented or considered this change. He addressed concerns about municipal

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elections being overlooked or having ballot roll-off due to coinciding with state and federal elections, stating that voter participation in Parker and Castle Rock remained consistent with county, presidential, and state-level positions. He concluded that this change could be a modest reform to increase voter turnout in municipal elections.

Community Discussion:

J. Shepherd asked CM Marcano about the potential ballot drop-off or voter drop-off for top ticket races compared to municipal races in cities with even-year elections. CM Marcano confirmed that there was no significant drop-off. J. Shepherd then inquired about voter turnout for school board or other elections and if those cities always had higher turnout for municipal elections. CM Marcano acknowledged that he did not have that information but agreed to look into it and provide additional context if possible.

B. Hogan asked CM Marcano two questions. First, she asked about the cost implications of moving elections to even-numbered years. Marcano explained that although there might be an overall cost increase due to additional voter service polling centers, the cost per voter would decrease, and the frequency of election-related expenses would be reduced. He believed the increased enfranchisement would be worth the cost.

Second, Hogan inquired about the potential impact on campaign fundraising. Marcano acknowledged the uncertainty around the issue but noted that trends show a decrease in grassroots fundraising and an increase in dark money contributions in local and federal races. He suggested that the correlation between timing and campaign finance might not be clear and could vary depending on the city.

CM Coombs added to the discussion by addressing the potential impact of moving elections on campaign expenses like mailers. She acknowledged that candidates might need to send mailers to a wider audience, which could increase costs. However, she also pointed out that as voter turnout increases, other forms of engagement like digital outreach and face-to-face meetings could become more important, possibly shifting campaign strategies.

E. Tauer asked about the logistics of coordinating elections with all three counties, and K. Rodriguez explained that each county counts their ballots and that the change should not pose a logistical problem. M. Ciletti raised a concern about the potential impact on odd-year elections for fiscal TABOR issues, and CM Marcano agreed that it was a concern but thought it was more of an issue with TABOR itself. J. Shepherd added that school board races would still happen in odd years. CM Coombs mentioned that there have been discussions at the state level about moving school board elections to even years to streamline the election process and make it easier for people to participate.

B. Hogan asked if CM Marcano was looking for a general consensus from the group. CM Marcano clarified that they were looking for feedback, and CM Coombs suggested the group take some time to think about it and provide recommendations at a subsequent meeting. J. Shepherd asked if the proposals were also being heard by the Elections Commission. CM Marcano was open to the idea, and K. Rodriguez mentioned that there was a special meeting scheduled for April 5th where they could invite the council members to discuss the proposed amendments with the Elections Committee.

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Outcome

The Ballot Question for Even Numbered Years will move forward to the public hearing.

Follow-Up Action

Staff will move forward the item to the public hearing.

3.d. Ballot Question Regarding Partisan ElectionsSummary of Issue and Discussion:

CM Marcano introduced the idea of making Aurora city council elections partisan by displaying party affiliations on the ballot. He shared his experiences from canvassing, where people often asked about candidates' party affiliations, and noted instances where candidates or their representatives misled voters about their affiliations. Marcano argued that partisan dynamics were already present in the elections and should be made transparent. He also mentioned that the proposal would be the second most effective way to increase voter participation after moving elections to even years. He expressed hopes for implementing ranked choice voting in the future to provide more choice and support third parties.

Community Discussion:

Dennis Lyon expressed concern that adding party affiliations to the ballot could detract from the focus on candidates' ideas and ability to get things done for the city. CM Marcano responded by pointing out that negative mailers often take advantage of the lack of party information, contributing to the toxicity in elections. He argued that providing party affiliations would help voters make more informed decisions and that the current system does not prioritize the best ideas as it should.

J. Shepherd expressed her concerns about the proposal to add party affiliations, pointing out that a large portion of the population is unaffiliated and that the core functions of municipal government should not be partisan. CM Marcano countered by explaining that nonpartisan doesn't mean unaffiliated, and that many decisions made in city government have partisan aspects. He also mentioned the potential for ranked choice voting to improve elections.

M. Ciletti shared his observation that adding party labels might not improve the behavior or discourse on the Council and that it could further divide the members. He emphasized the importance of focusing on the role of local government in providing essential services rather than getting bogged down in partisan politics. CM Marcano acknowledged Mike's point of view but was cut off before providing a full response.

Ed Tauer suggested that given the time constraints, they should consider whether to have a dialogue or simply provide quick feedback on the topics. CM Marcano was open to either approach. Ed then addressed Julie Marie's point about the majority of voters being unaffiliated, asking if she was concerned that the proposal might alienate this group. Julie Marie confirmed that she was worried about the potential disenfranchisement of unaffiliated voters due to party labels on the ballot.

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Anita Jackson asked for clarification on whether they would have another chance to discuss these issues with the City Council, and CM Marcano expressed his willingness to come back for further discussion if the committee preferred.

M. Ciletti suggested focusing on understanding the council's intent and discussing the proposals in subsequent meetings, as each topic deserves more time for thorough consideration. J. Shepherd agreed with Mike's idea and proposed having one meeting focused on each of the proposals. K. Rodriguez mentioned that CM Lawson couldn't attend the meeting and recommended postponing her item to the next meeting. CM Marcano agreed, stating that CM Lawson would likely want to introduce her item herself.

K. Zerilli shared her support for the proposal, arguing that providing more information is beneficial. She pointed out that people could always run unaffiliated if they prefer. She also noted that the committee's decision is whether to put the proposal on a ballot for voters to decide. Zerilli mentioned that nonpartisan municipal elections were introduced by Progressives in the early 20th century but have ultimately failed, as elections have become clearly partisan over time. She argued that nonpartisan elections often result in less informative mailers and that acknowledging partisanship could provide voters with more meaningful information.

B. Hogan mentioned that municipal elections should be nonpartisan, as she wants city council members to represent everyone, not just a specific party. She shared her experience of finding common ground with people from different parties and emphasized the need for better voter education. A. Jackson appreciated Katrina's perspective on providing more information and the idea of listing affiliations on the ballot. She agreed that access to information is important for the government to provide to its citizens. K. Zerilli added that putting the issue on the ballot could spark important conversations about nonpartisan elections and encourage voters to learn more about the candidates.

J. Shepherd suggested that it would be interesting to examine the effectiveness of mailers in municipal elections, as there were conflicting opinions about their usefulness. CM Marcano responded that while mailers have diminishing returns and are more effective in nonpartisan races, negative campaigning turns off voters and depresses turnout. Marcano showed an example of a negative mailer he received during his own campaign and argued that negative campaigning makes a mockery of elections and distracts from the issues. He suggested that putting issues on the ballot would diminish the effectiveness of negative campaigning, and that implementing rank choice voting would further encourage candidates to make a solid case for themselves and avoid relying on partisan affiliation or negative campaigning.

Outcome

The Ballot Question Regarding Partisan Elections will move forward to the public hearing.

Follow-Up Action

Staff will move forward the item to the public hearing.

3.e. Ballot Question Regarding Vacancy Committees

Summary of Issue and Discussion:

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CM Marcano discussed item 3.e, which proposes a change to the process of filling a vacancy in City Council. The Council violated the City Charter in 2021 trying to fill a vacant position, which prompted CM Marcano to propose changes to the process. He believes that the residents of the city should choose who serves with him on the governing body. One proposal is to emulate the State's Vacancy Committee process, which involves a group of politically engaged individuals who ensure that the values that people voted for stay with the seat. The other proposal excludes the partisan component and suggests that anyone who signs a nominating petition to become a candidate would be on the Vacancy Committee for the seat. This could be administered through the Clerk's Office, with a forum where people who submitted their candidacy could participate and appoint someone to the vacant position. CM Marcano is happy to take any questions or comments on these proposals.

Community Discussion:

E. Tauer asked CM Marcano to clarify the two models proposed for filling vacant positions on the Council. CM Marcano explained that one model assumes partisan positions, and the other does not. For unaffiliated candidates, their Vacancy Committee would consist of the nominators in their packet, which already exists under State Statute. The second model is based on the nominating petition, and CM Marcano clarified that they were discussing the idea of not capping the number of signatures collected, but including anyone with a valid signature in the Vacancy Committee.

Dennis Lyon asked a question regarding the selection committee, asking if the committee members would have to be residents of Aurora. CM Marcano replied affirmatively, stating that only residents of the city or the respective ward would be eligible to serve on the vacancy committee.

CM Marcano mentioned that in his time on the council, there has been only one vacancy. However, there have been vacancies for Mayor, At-Large, and Wards in 2012, 2018, and 2021 respectively, according to CM Rodriguez. CM Shepherd observed that vacancies seem to be relatively infrequent.

D. Lyon suggested keeping the current system of City Council appointing a replacement and letting the position stay vacant if they can't agree. K. Zerilli preferred changing the system to give the people more of a say, especially those who live in the Ward. J. Wilson agreed that the Ward needs representation that is reflective of the Ward. M. Ciletti asked if the current system still ensures that the Ward is represented, and CM Marcano confirmed that the Council must pick someone from the Ward. CM Coombs clarified that Katrina's concern was that Council Members who don't live in the Ward are choosing the replacement for the Ward.

Outcome

The Ballot Question Regarding Vacancy Committees will move forward to the public hearing.

Follow-Up Action

Staff will move forward the item to the public hearing.

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4. CONFIRM NEXT MEETING

The next meeting is scheduled for April 12, 2023, via Webex.

Becky Hogan expressed concern about the aggressive agenda and asked for a plan to facilitate the process of addressing the agenda items before May. Ed Tauer suggested that staff send out an email to check the availability of the members and set up a meeting in the week of the 17th. He also suggested having a roundtable discussion for each item where the sponsoring council member would present the proposal for the first 30 minutes, followed by an hour of discussion. He proposed deciding at the end of the meeting whether to vote or continue the discussion. J. Shepherd supported the idea of having a schedule set in advance, and expressed concern that they might need to start before the week of the 17th.

Becky Hogan expressed concern about the aggressive agenda between now and May and asked how the Committee will logistically process it without scheduling only one-hour meetings. Ed Tauer suggested asking staff to send out an email to propose meeting days and setting up a roundtable discussion among the Committee members to discuss each proposal, with the sponsoring Council Member present for the first 30 minutes. Alia Gonzales mentioned that her staff has already started talking about proposing some dates for the next meeting and that the Committee can meet as frequently as they decide. Becky Hogan mentioned that it is likely that they will need to meet every other week to cover all the tasks related to the Charter.

Alia suggested that her staff has started working on scheduling the next meeting and she will send some options for the week of the 12th, 13th, 14th, and 17th. Becky suggested that they might need to meet every other week or more frequently than originally anticipated to complete the tasks. K. Rodriguez mentioned the upcoming dates when the recommendations would be presented before Council, and Becky stated that they should have some consensus on the items before them for recommended change by the 31st of May. Alia agreed to send lots of options over the weekend, and Becky suggested scheduling six meetings between now and the end of May. JoAnn suggested scheduling a three-hour block to have enough time for discussion.

A. Gonzales suggested that they could do either virtual or in-person meetings, and it was up to the group to decide. K. Zerilli said that she usually not in favor of virtual meetings but was okay with either virtual or hybrid meetings. E. Tauer expressed concern about having a balanced input in a hybrid meeting but was okay with either virtual or hybrid meetings. B. Hogan proposed having five virtual meetings and one in-person meeting, and M. Ciletti suggested using a city facility like the Aurora Room for hybrid meetings. K. Zerilli also mentioned that the Aurora Room worked well for CAB meetings.

E. Tauer noted that a hybrid meeting format was agreeable to everyone and asked K. Rodriguez if she had enough direction to move forward. K. Rodriguez said she did and deferred to Alia regarding staff participation. Alia confirmed that staff could participate, but it would depend on timing. CM Coombs explained that there were some opposing views to the gendered language proposal and that they could be shared with the group. CM Marcano acknowledged that this was the committee's meeting, not the Council's. Alia offered to send out a roster of contact information and asked if there were any concerns about confidentiality. B. Hogan expressed interest in hearing a balanced opinion and encouraged Council Members to attend the meetings. They then discussed the mystery of an attendee referred to as "D." K.

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Rodriguez guessed that it was Dave Lathers. B. Hogan expressed interest in how the finding on felons running for Council intersects with home rule.

6. ADJOURNMENT

The meeting adjourned at _____.

APPROVED: _____
Council Member Alison Coombs, Chair

ORDINANCE NO. 2023 - _____

A BILL

FOR AN ORDINANCE SUBMITTING TO A VOTE OF THE REGISTERED ELECTORS OF THE CITY OF AURORA, COLORADO, AT THE REGULAR MUNICIPAL ELECTION OF NOVEMBER 7, 2023, PROPOSED AMENDMENTS TO ARTICLES 2-2, 3-10, 3-14(4), 3-14(5), 3-14(7), 3-15(1), 3-15(3), 3-15(4), 3-16(6), 3-16(8)(a), 3-16(8)(j), 3-16(8)(j)(a), 3-17(2), 3-17(3), 5-2, 5-9, 6-5, 7-4(e), 7-4(f), 8-2, 9-1, 10-1, 10-5, 10-8, 11-3, 14-9(6) & 15-9(6) OF THE CITY CHARTER CONCERNING NON-SUBSTANTIVE UPDATES TO THE CITY CHARTER TO RENDER GENDER SPECIFIC AND BINARY PRONOUNS AND NOUNS AS NON-BINARY, NON-GENDER SPECIFIC PRONOUNS AND NOUNS INCLUSIVE OF ALL PERSONS, SPECIFICALLY CHANGING THE WORD "CHAIRMAN" TO "CHAIRPERSON", THE WORD "HIS" TO "THEIR", THE EXPRESSION "HIS OR HER" TO "THEIR", THE EXPRESSION "HE OR SHE" TO "THEY", THE WORD "HE" TO "THEY", AND THE WORD "HE" IN ARTICLES 8-2 AND 11-3 TO "CITY MANAGER" AND AMENDING ARTICLE 5-9 TO INCORPORATE DIRECTION THAT UNIFORM CODES ADOPTED BY THE CITY FOR INCLUSION IN THE CITY CODE SHALL FIRST BE AMENDED TO USE INCLUSIVE, NON-BINARY, NON-GENDER SPECIFIC PRONOUNS AND NOUNS

WHEREAS, Article XX, Section (6) of the Colorado Constitution and Article 1-6 of the City Charter empowers home rule municipalities to control and legislate in their Charters upon all matters of municipal concern and to amend those Charters through a vote of the electorate, and

WHEREAS, Article 1-5 of the City Charter has established the precedent the City intends always to be inclusive in its use of pronouns and designations of gender uniformly throughout its Charter; and

WHEREAS, Language naturally evolves over time and it has been six decades since the City evaluated its Charter language as to inclusivity of pronoun and noun designations to reflect current norms in the use of language;

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

Section 1. That Articles 2-2, 3-10, 3-14(4), 3-14(5), 3-14(7), 3-15(1), 3-15(3), 3-15(4), 3-16(6), 3-16(8)(a), 3-16(8)(j), 3-16(8)(j)(a), 3-17(2), 3-17(3), 5-2, 5-9, 6-5, 7-4(e), 7-4(f), 8-2, 9-1, 10-1, 10-5, 10-8, 11-3, 14-9(6) & 15-9(6) of the City Charter of the City of Aurora, Colorado are hereby amended such that the word "Chairman" shall be rewritten in all iterations to "Chairperson", the word "his" in all iterations to the word "their", the expression "his or her" in all iterations to the word "their", the expression "he or she" in all iterations to the word "they", the

word “he” in all iterations other than in Article 8-2 and 11-3 to the word “they”, and the word “he” in Articles 8-2 and 11-3 to “City Manager”.

Section 2. That Article 5-9 of the City Charter of the City of Aurora, Colorado, is hereby amended to read as follows:

Standard codes, promulgated by the Federal Government, the State of Colorado, or by any agency of either of them, or by any municipality within the State of Colorado, or by recognized trade or professional organizations, or amendments or revisions thereof, may be adopted by reference, provided the publication of the bill or ordinance adopting any said code shall advise that copies thereof are available for inspection at the office of the city attorney, and provided that any penalty clause in said codes may be adopted only if set forth in full and published in the adopting ordinance, and only if such codes have first been amended to assure all references therein to persons shall use gender neutral, inclusive, non-binary references to persons unless there is a compelling reason a provision of the code necessarily demands a gender specific reference to effectuate its meaning.

Section 3. The following question shall be submitted to a vote of the registered electors of the City at the general election on November 7, 2023:

“Direction to Amend the City Charter to replace gender specific nouns and pronouns with inclusive, non-gender binary terms”

Shall Articles 2-2, 3-10, 3-14(4), 3-14(5), 3-14(7), 3-15(1), 3-15(3), 3-15(4), 3-16(6), 3-16(8)(a), 3-16(8)(j), 3-16(8)(j)(a), 3-17(2), 3-17(3), 5-2, 5-9, 6-5, 7-4(e), 7-4(f), 8-2, 9-1, 10-1, 10-5, 10-8, 11-3, 14-9(6) & 15-9(6) of the City Charter of the City of Aurora, Colorado be hereby amended such that the word “chairman” shall be rewritten in all iterations to “Chairperson”, the word “his” in all iterations to the word “their”, the expression “his or her” in all iterations to the word “their”, the expression “he or she” in all iterations to the word “they”, the word “he” in all iterations other than in Article 8-2 and 11-3 to the word “they”, and the word “he” in Articles 8-2 and 11-3 to “City Manager” and shall Article 5-9 of the City Charter be amended to reflect that uniform codes, incorporated by reference into the City Code shall have language norms as to gender specific nouns and pronouns consistent with the non-gender specific, non-binary, inclusive uses of nouns and pronouns found throughout the City Charter?

YES _____ NO _____

Section 4. Pursuant to Section 31-2-210(3.5), C.R.S., the City Clerk is hereby directed to certify the proposed ballot question to the Clerk and Recorder of each county in which the City is located for submission at the statewide general election on November 7, 2023.

Section 5. Pursuant to Section 31-2-210(4), C.R.S., the City Clerk is hereby directed to publish, within thirty (30) days of the adoption of this ordinance, notice of the date and time of the election upon which the proposed Charter amendment will be considered said publication to appear in a newspaper of general circulation in the City which notice shall contain the full text of the proposed Charter amendment.

Section 6. The City Clerk shall secure from each county the votes in favor of and opposed to the proposed Charter amendment and shall report the same to City Council following the election within such time is as provided for by state law. If the majority of the registered electors voting thereon have voted in favor of the proposed amendment, such amendment shall be deemed approved.

Section 7. In the event the proposed Charter amendment is approved by a majority of the registered electors voting thereon, the City Clerk shall publish once, in the same newspaper which published the notice of the charter amendment being on the ballot the full text of the Charter amendment following the election within such time as is provided by state law. At such time, the City Clerk shall also file with the Secretary of State two (2) copies of said amendment, along with the official tally of the vote for and against, as certified by the City Clerk.

Section 8. The provisions of this ordinance, the Charter amendment, and the question authorized hereby are severable. If any portion of this ordinance, the Charter amendment, or the question are judicially determined to be invalid or unenforceable, such determination shall not affect the remaining provision of such ordinance, Charter amendment, or question.

Section 9. All ordinances or parts of ordinances, of the City Code of the City of Aurora, Colorado, in conflict herewith are expressly repealed.

Section 10. Pursuant to Article 5-5 of the Charter of the City of Aurora, Colorado, 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 _____, 2023

PASSED AND ORDERED PUBLISHED BY REFERENCE this ____ day of
_____, 2023

MIKE COFFMAN, Mayor

ATTEST:

KADEE RODRIQUEZ, City Clerk

APPROVED AS TO FORM:

DAVE LATHERS, Sr. Assistant City Attorney