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Aurora council majority acts first, thinks later

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Fire is an emergency. A flood is an emergency. A catastrophic water-system failure is an emergency. Civil disorder can become an emergency.



A disagreement over a police department's communications policy is not self-evidently an emergency. Neither is every controversial political issue that suddenly captures the attention of activists, elected officials or the national news cycle.

Yet, the Aurora City Council has developed an increasingly troubling habit: treating urgency as a substitute for deliberation. Note

That matters because emergency government is supposed to be the exception. When it becomes a preferred method of moving policy, something more important than parliamentary procedure begins to change. The relationship between citizens and their elected representatives changes with it. Council members are not rulers. They are temporary stewards of authority borrowed from the people. Note That distinction matters.

A citizen servant explains. A ruler announces.

A citizen servant expects questions. A ruler sees questions as obstacles.

A citizen servant understands that possessing the votes does not eliminate the obligation to make the case.

The inefficiency of representative government is sometimes a feature, not a defect. Note Committees take time. Staff analysis takes time. Public testimony takes time. Amendments, competing proposals and inconvenient facts take time.

That friction exists for a reason. Note It slows the conversion of political passion into governmental power. Aurora has seen several examples of what happens when that friction is treated as expendable.

In January, following the fatal shooting of Renee Good by an ICE officer in Minneapolis, Aurora quickly considered an emergency resolution condemning federal immigration enforcement. The measure bypassed the normal committee route. Some council members questioned not only the substance of the resolution but why events hundreds of miles away had suddenly created an emergency requiring expedited action by Aurora's city government.

That is not an argument over immigration.

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One could agree with every word of the resolution and still ask a perfectly reasonable question: Note

What was the Aurora emergency? In May, the definition stretched further.

Council considered an "Emergency Resolution" establishing restrictions governing Aurora Police Department communications, including public statements and social media activity.

Again, whatever one thinks of the underlying policy, where was the emergency? Note

What imminent harm would have occurred had the proposal gone through a normal process of examination, debate and revision?

Important is not synonymous with urgent. Note Controversial is not synonymous with emergency. And something a council majority urgently wants is not therefore an emergency for the citizens of Aurora. The officer-involved-shooting mourning resolution was different. It was not technically an emergency resolution and did move through committee. But it reflected the same growing instinct: political and activist pressure increasingly determining what government must urgently say, condemn, recognize or symbolically resolve.

That raises another question about the role of city government itself. Note

Citizens elect councilmembers to govern a city — to maintain public safety, infrastructure, water, transportation, economic vitality and essential services. Compassion has a place in public life. But government cannot become a permanent platform for every political grievance seeking an official proclamation.

Then came the proposed data-center moratorium.

This time, something encouraging happened.

The six-month moratorium failed 6-5 after Mayor Mike Coffman broke the tie. Yet rejecting the moratorium did not mean rejecting the issue. Council simultaneously approved a narrower approach directing staff to develop specific regulations addressing concerns such as water use, cooling systems and impacts on nearby neighborhoods.

That distinction is important.

The choice was never between declaring an emergency and doing nothing.

The alternative was governing. Identify the actual problem. Gather the facts. Develop specific regulation. Debate it. Improve it. Vote on it. Note

That is what representative government is supposed to look like.

The political advantage of emergency government is that it reverses the burden of proof. Note

Normally, those demanding government action must answer: Why is this necessary? Why this solution? Why now? What are the consequences?

Declare an emergency, however and the question suddenly becomes: Why won't you act?

Caution becomes obstruction. Deliberation becomes indifference. Questions become evidence that someone does not care enough.

Urgency can accomplish what evidence sometimes cannot: it changes who must defend himself.

We have heard a great deal lately about "No Kings."

Fair enough.

But "No Kings" should be more than protest signage. It should be a governing ethic.

A majority is not a monarchy. Six votes are not a crown. Winning an election gives elected officials the authority to govern; it does not relieve them of the responsibility to persuade.

Apparently "No Kings" comes with an asterisk if the king has six votes. The remedy is simple. Any measure designated an emergency should include a written justification answering several basic questions: What precisely is the emergency? What imminent harm will occur if normal procedure is followed? What evidence establishes that harm? Why is ordinary committee or study session consideration inadequate? And when should the extraordinary action expire or return for normal review?

That requirement should apply regardless of which political faction controls council.

Real emergencies sometimes require extraordinary government.

But extraordinary government should require extraordinary justification. — *Note*

Aurora's councilmembers are not our rulers.

They are our representatives. Their authority is borrowed, their tenure temporary and their obligation to the people continuous.

When elected officials begin treating their own sense of urgency as sufficient reason to dispense with ordinary deliberation, emergency stops being the exception.

It becomes the process.

Michael A. Hancock is a retired high-tech business executive and a Coloradan since 1973. Originally from Texas, he is a musician, composer, software engineer and U.S. Air Force veteran whose wide-ranging interests — from science and religion to politics, the arts and philosophy — shape his perspective on culture, innovation and what it means to be a Coloradan.

