



City of Aurora

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Thomas J. Weisner
Mayor

Memorandum

To: Aurora Alderman
From: Mayor Tom Weisner
Date: Friday, August 31, 2007
Subject: Planned Parenthood Evaluation

As you know the Legal Department retained the Law Offices of Richard Martens to evaluate the development process surrounding the construction of the Planned Parenthood facility. Mr. Martens has never been contracted by the City of Aurora and has no affiliation with any group on either side of the issue. In addition, he has extensive municipal law experience. Thus, it is my opinion that Mr. Martens is more than qualified to complete the investigation.

It has recently come to our attention that Mr. Martens was a law clerk for the city's outside counsel, Klein, Thorpe and Jenkins in 1968. Additionally, a small minority of the City Council has objected based on the fact that Mr. Martens' office is located in the same building as the city's outside counsel and indicated that his active involvement in a professional organization where he has contact with attorneys throughout the region are in some way conflicts of interest.

While I do not believe that any of the objections raised would disqualify Mr. Martens, as I indicated at Tuesday evening's Council meeting, I have no pride of ownership of the person chosen to investigate. Therefore even though only a small minority of the City Council took issue with Mr. Martens, I have asked the two attorneys on the City Council, Richard Irvin and Bob O'Connor, to recommend an alternate attorney and gain City Council consensus on the alternate choice. For my standpoint, I believe we must insist the new attorney or firm should have no affiliation with any group on either side of the issue and have never been contracted by the City of Aurora, as these are the points of substance.

It is important to remember that the alternate attorney or firm should be required to complete a full evaluation of the facts surrounding the construction of the Planned Parenthood facility on New York Street. The attorney or firm should submit a final report evaluating whether representatives from Planned Parenthood, Gemini Office Development, the City of Aurora and third party contractors acted appropriately, within the bounds of municipal code in the development of the facility, no later than September 12, 2007 so that copies can be made and provided to the entire City Council by September 13, 2007, prior to the expiration of the temporary occupancy permit on September 17.