



## Family Leave Task Force Members Named

By Kevin Bommer, CML executive director

During the 2019 legislative session, CML opposed SB 19-188, the Family Medical Leave and Insurance (FAMLI) Program, and dropped opposition when the bill was turned into an interim study. The bill was sponsored by Sens. Faith Winter (D-Westminster) and Angela Williams (D-Denver), and Reps. Matt Gray (D-Broomfield) and Monica Duran (D-Wheat Ridge).

As introduced, the legislation required an employer and employee payroll deduction to pay for mandated universal coverage in a state enterprise providing wage replacement for workers to take paid family leave. Throughout the session, public and private employers provided the legislature with thoughtful responses about numerous detrimental impacts. The benefits of the plan would have been dramatically inferior to most of the paid leave offered by Colorado employers. Multiple examples of SB 188's conflicts with coordination of benefits under the Family and Medical Leave Act and complicated administrative requirements were shown. Ultimately, significant bipartisan pressure in the Senate led to cutting the bill back to a "study first, act later" proposal.

As enacted, the legislation requires the creation of a Family and Medical Leave Task Force made up of appointees of House and Senate leadership and Gov. Jared Polis. The appointments were made recently, but were not publicly announced. The appointees and their respective categories are:

### Speaker of the House

- Terra McKinnish, University of Colorado Boulder (*Labor economist category*)
- Lydia Waligorski, Violence Free Colorado (*Domestic violence organization category*)
- Kevin Duncan, Colorado State University Pueblo (*Higher education category*)



- Judith Marquez, 9–5 (*Worker advocate category*)

### House Minority Leader

- Dana Hagood, USAA (*Private insurer category*)
- Diana Petrak, CO Policy Pathways (*Worker advocate category*)

### Senate President

- Edwin Zoe, Zoe Ma Ma (*Private employer category*)
- Jared Make, A Better Balance (*Worker advocate category*)
- Kathy White, CO Fiscal Institute (*State policy organization category*)
- Sandra Parker Murray, Communications Workers of America (*Organized labor category*)

### Senate Minority Leader

- Stacey Campbell, Campbell Litigation (*Private employer category*)
- Hadley Manning, Independent Women's Forum (*Health advocacy category*)

### Governor

- Trish Sullivan, Steamboat Ski & Resorts (*Private employer category*)

### Nonvoting members

- Joe Barela or designee, Colorado Department of Labor and Employment

- Ramona Gomoll, Colorado Department of Personnel and Administration

As required, in regard to next steps, Joe Barela, Colorado Department of Labor and Employment executive director, called for the first meeting of the task force to occur on July 16 as an organizational meeting. No public comment will occur until later meetings, and SB 188 states that the task force "shall accept and consider public comments regarding the administration and establishment of a paid family and medical leave program in the state" no later than Sept. 1, 2019.

The League previously encouraged legislators to examine multiple options for ensuring paid family leave. Indeed, CML, many CML members, and multiple private sector organizations acknowledged full support for paid family leave during the session, and simply sought solutions that did not mandate lower-quality benefits or result in operational conflicts with existing law or programs.

CML will ensure that members are aware of opportunities for public comment to the task force, as no public sector representation was included by the legislature in the group — with the solitary exception of the higher education representative. Currently, no information about the task force is publicly available on the state's website.

## Classified Corner

### For Sale

The Mt. Crested Butte Police Department has for sale a **2007 Chevrolet Tahoe** 4WD, 142,500 miles, white, new battery, working light bar with controls, working radar – front/rear antennas, wired and antenna for VHF radio, full cage, locking gun rack for two long guns, good condition. This vehicle is being offered at a discount from market price to any law enforcement agency that may benefit from the purchase. Any offer considered. Photos available. Contact Marge at 970-349-6516 or [m.trautman@mtcbpd.us](mailto:m.trautman@mtcbpd.us).

### For Free

The Town of Hudson's Marshal's Office is offering at no cost to any law enforcement agency three surplus vehicles: a **2010 Chevy Impala** with emergency equipment; a **2011 Chevy Impala** with emergency equipment; and a **2010 Dodge Charger**. For details, contact Chief Michael Maudlin at 303-536-9311.

## Mayor's Day

The City of Pueblo is hosting Mayor's Day at the Colorado State Fair on Saturday, **Aug. 31**. The Mayor's exclusive VIP package includes four admission tickets, VIP parking and VIP clubhouse access. Pueblo Mayor Nicholas Gradisar will welcome attendees at 11:30 a.m. in the VIP clubhouse.

For more information or to RSVP by **July 30**, email your name, mailing address, daytime phone number, and number of admission tickets needed to [cityadmin@pueblo.us](mailto:cityadmin@pueblo.us).



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### Newsletter

*CML Newsletter* (ISSN 7439903) is published biweekly by the Colorado Municipal League, 1144 Sherman St., Denver, CO 80203-2207, for Colorado's municipal officials. (USPS 075-590) Periodical postage paid in Denver, CO.

**Designer and Editor:** Christine Taniguchi  
**Circulation/mailling lists:** Mark Vanderbrook

POSTMASTER: Send address change form 3579 to Colorado Municipal League, 1144 Sherman St., Denver, CO 80203-2207; (p) 303-831-6411 / 866-578-0936; (f) 303-860-8175.

Subscription to *CML Newsletter* is offered as a portion of member dues. Cost to nonmembers is \$300 per year.

## Roadside Panhandling Regulations: Keep It Constitutional

By Elizabeth LeBuhn, CML law clerk

A recent decision out of the Tenth Circuit Court of Appeals may impact any municipality that has adopted or is looking to draft an ordinance restricting roadside solicitation or panhandling.

Sandy City, Utah, passed an ordinance in 2016 that makes it "illegal for any individual to sit or stand in or on any unpaved median, or any median of less than 36 inches for any period of time." The Tenth Circuit upheld this ordinance in the case of *Evans v. Sandy City* as to its validity in terms of time, place, and manner of restricting speech, after the panhandler who challenged the ordinance claimed it unconstitutionally violated his First Amendment rights.

Notice that the Sandy City ordinance was not specifically written as a ban on panhandling or solicitation. The public safety concerns driving the prohibition are to keep pedestrians

off of these narrow medians – no matter who they are – to avoid a dangerous proximity to passing vehicles and the high likelihood of accidents occurring when people can easily slip and stumble into traffic.

Content-neutral, safety-based ordinances that have an incidental effect on panhandlers do not violate their First Amendment rights, because these types of bans on narrow medians affect all individuals and not just roadside solicitors. The court also emphasized that the Sandy City ordinance allowed panhandlers to communicate safely with motorists elsewhere in the right-of-way, for example, on wider medians or from adjacent sidewalks.

If your municipality is looking to either create or amend an ordinance such as the one Sandy City made, basing such an ordinance on median width and public safety – narrowly tailoring the ordinance as to its scope and purpose – may be a way to address the issue.

## CML Sunsets Cities and Towns Week

After 10 successful years of celebrating Colorado Cities and Towns Week, CML has elected to sunset this campaign. While there will no longer be a dedicated week for this outreach, CML is excited to continue to offer resources to assist municipal officials in serving their constituents through the advocacy, information and training we provide every day. For any members in need of ideas for connecting with citizens, CML is happy to share toolkits of ideas that have been successful in past Cities and Towns Weeks for use throughout the year; there is no need

to wait for a specific week to implement them! Use these tools in conjunction with existing municipal events, ribbon cuttings, project announcements or any other occasion to celebrate what makes your city or town great!

We thank the elected officials, managers, clerks, public information officers, and other staff who have been so instrumental in celebrating Cities and Towns Week over the past 10 years, and we look forward to working together to find new ways to recognize the outstanding work that you do.

## CCOERA to Rebrand after 51 Years

In response to member suggestions, the Colorado County Officials and Employees Retirement Association (CCOERA), a CML associate member, announced it has changed its name to the Colorado Retirement Association (CRA).

The new name better enables the association to attract more Colorado entities, particularly municipalities and special districts. Expanding service to more entities is necessary for continued growth and to continue providing exceptional service to members.

CCOERA enables Colorado local government employees to maximize savings for retirement through flexible investment options, best-in-class fund access and a menu of retirement plan products and services. The association administers 401(a) defined contribution and 457(b) deferred compensation retirement plans for 51 counties, 47 municipalities, and 122 special districts across Colorado. Learn more at [www.ccoera.org](http://www.ccoera.org).

## CML and CIRSA Release Updated Elected Officials Handbook

CML and CIRSA are pleased to announce the newly revised and expanded edition of the popular *Ethics, Liability & Best Practices Handbook for Elected Officials*. Free for municipal members, this publication covers many of the issues of greatest concern to elected officials from the standpoint of

maximizing excellence and effectiveness, while minimizing the risk of liability. The content, ranging from personnel matters to open meetings to social media use, is engaging, on point, and light on the legalese. Log in at [www.cml.org](http://www.cml.org) to request a copy.

## Research Corner: NLC Housing Task Force Releases New Report

By Meghan Dollar, CML legislative and policy advocate, and Melissa Mata, CML municipal research analyst

In late 2018, the National League of Cities created a national task force, chaired by Washington, D.C., Mayor Muriel Bowser and including former Denver Councilmember Albus Brooks, to address housing availability and affordability. In July, the task force released "Homeward Bound: The Road to Affordable Housing," a report offering an overview of the housing crisis, case studies, and policy recommendations for both national and local leaders.

The five local recommendations are:

1. Establish local programs by combining programs and financing streams to support housing goals.
2. Modernize local land use policies, including zoning and permitting, to rebalance housing supply and demand.
3. Identify and engage broadly with local stakeholders and coordinate across municipal boundaries to develop a plan to provide housing opportunities for all.
4. Support the needs of distinct subpopulations including the homeless, seniors, and persons with conviction histories.
5. Prioritize equitable outcomes in housing decisions, as it is an essential component for success.

At first glance, many of these recommendations are not new for Colorado local government officials, though the question may remain as to the best way to implement them. The value of the report

then comes in the case studies provided, showcasing innovative solutions and approaches from cities and towns around the country. Download the full report at [www.nlc.org/resource/homeward-bound-the-road-to-affordable-housing](http://www.nlc.org/resource/homeward-bound-the-road-to-affordable-housing) to read more detailed recommendations on specific topics, such as:

- addressing vacant and dilapidated housing;
- preserving existing affordable housing and supporting populations at risk for displacement;
- collaborating with both traditional partners, such as other governmental agencies, and less conventional partners, such as health care organizations;
- using data in planning and decision making, and taking a holistic approach to housing, considering how environmental factors and the local transportation network might exacerbate housing challenges; and
- gaining community buy-in for the necessary land use decisions.

As mentioned in a previous newsletter, the State of Colorado recently passed legislation to invest millions into affordable housing in Colorado. In the next year, look for more information about funding opportunities through the Division of Housing in the Colorado Department of Local Affairs. For more information on housing-related issues, contact Meghan Dollar ([mdollar@cml.org](mailto:mdollar@cml.org)).

## Economic Development Mobile Tour

Does your community want to learn more about Business Improvement Districts (BIDs), Downtown Development Authorities (DDAs), and Urban Renewal Authorities (URAs)? Could one or more of these be a tool to help with downtown development in your town? Why sit in a conference room to learn when you can visit in person? Join the Colorado Municipal League (CML) and Downtown Colorado Inc. (DCI), **Aug. 1**, 9 a.m.–5 p.m., on a mobile tour in Colorado Springs and Castle Rock.

This is our second annual economic development mobile tour. Participants will visit the BIDs, DDAs, URAs and partner groups in both communities to showcase how these tools work, what they have accomplished, how they work with others, and what their plans are for the future. CML and DCI are inviting their member cities and towns to see Colorado Springs and Castle Rock projects and learn from the elected officials and business owners involved. **Transportation and lunch included!**

Visit [www.downtowncoloradoinc.org](http://www.downtowncoloradoinc.org) for more information and to register.

## CML Seminar on Municipal Law

The 2019 CML Annual Seminar on Municipal Law takes place **Sept. 27–28** at the DoubleTree by Hilton Greeley at Lincoln Park. This seminar provides expert Colorado-specific information relevant to the daily practice of municipal attorneys in the state, as well as opportunities to network with peers.

CML has contracted special lodging rates, and online reservations and registration are now open. For more details, visit [bit.ly/2X1vUXG](http://bit.ly/2X1vUXG).



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Vol. 45, No. 15, July 19, 2019

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