



COLORADO
MUNICIPAL
LEAGUE

Newsletter

Vol. 46, No. 19, September 25, 2020

CML takes positions on state ballot initiatives



On Sept. 18, the CML Board met and took positions on four ballot initiatives. Those initiatives are listed below as well as the rationale for the position.

Amendment B – Gallagher Repeal

Amendment B repeals provisions related to the residential and nonresidential assessment rates from the state constitution, including the provisions commonly referred to as the Gallagher Amendment. The Gallagher Amendment requires that residential and nonresidential property make up unvarying proportions of total statewide taxable property over time. Specifically, it requires that the assessed value of residential property make up 45% of statewide taxable property with the remaining 55% derived from nonresidential property. The Gallagher Amendment also requires the assessed value of nonresidential property to remain fixed at 29%.

Over time, without this measure, the residential assessment rate is projected to continue to fall due to the relative

growth of residential versus nonresidential assessment rates. A stabilized assessment rate for residential property will result in higher property tax revenue for local governments in many locations in Colorado, including municipalities, counties, school districts and special districts.

The CML Executive Board voted to support Amendment B because it will resolve conflicts in the Colorado Constitution, provide additional flexibility to lawmakers and help to stabilize local property revenues over time.

Proposition 118 – Family Medical Leave Insurance Enterprise

Proposition 118 creates a state-run paid family and medical leave (PFML) insurance enterprise in Colorado that allows employees to take up to 12 weeks of leave. An eligible employee may take leave for reasons such as caring for their own health condition, caring for a new child, or caring for a family member. Employees are not required to take leave consecutively. Both employers and employees will pay into a new Family and

Medical Leave Insurance Fund. The state will use money in the fund to pay wage benefits to employees during their leave, similar to unemployment insurance. The amount an employee will receive during leave is based on the employee's average weekly wage. Most employees become eligible to take paid leave after they have earned at least \$2,500 in wages and become eligible for certain job protections after being employed with their current employer for at least 180 days. Proposition 118 allows a municipality to "opt out" of the program. However, there are operational aspects of the initiative that will still impact the employer-employee relationship, even if the municipality opts out. The largest is that an employee can still join the program even if a municipality opts out. This creates confusion and inequity between employees and will disproportionately impact smaller municipal employers in rural areas in order to provide services for an employee that is out 12 weeks.

The CML Executive Board voted to oppose Proposition 118 because it directly interferes with a municipality's ability to determine the terms and conditions of employment.

Amendment 77 – Local Voter Approval of Gaming Limits

Amendment 77 would amend the Colorado Constitution and state statute to allow voters in Central City, Black Hawk, and Cripple Creek to vote to increase bet amounts beyond the current \$100 maximum and expand the types of games allowed at casinos in the three cities beginning in May 2021. Additionally, the measure would allow gaming revenue distributed to the state's public community colleges to be spent on programs that improve student retention and increase completion of credentialed programs. Because it amends the Colorado Constitution, Amendment 77 will need

Continue on page 2.

Course notebook

Water infrastructure for tomorrow

Phasing out old infrastructure and planning for the future creates opportunities for Coloradans to envision smart, sustainable and creative ways of moving and managing water. Through this webinar, presented in partnership by the Colorado Municipal League, Colorado Special District Association, and Water Education Colorado, we'll hear from Coloradans who are leading the way to tomorrow.

Date: **Oct. 22 from noon to 1 p.m.**

Registration starts **Sept. 22 at noon.**

Visit bit.ly/32N6eLc.

Member news

New Associate Members

Qualtrics LLC

Shane Kelsay, enterprise account executive

333 W. River Park Dr.

Provo, UT 84604

303-881-4118

shanek@qualtrics.com

www.qualtrics.com

Qualtrics Experience Management (XM) is the only software platform that helps brands continually assess the quality of their four core experiences—customers, employees, products, and brands. With Qualtrics XM, organizations can be at every meaningful touchpoint, for every experience, and predict which changes will resonate most with stakeholders.



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55% approval to pass. If it passes and local communities vote to increase bet limits, local government revenue may increase if gaming tax revenue goes up.

The CML Executive Board voted to support Amendment 77 because it enhances local control for aspects of gaming in the cities of Black Hawk, Central City, and Cripple Creek; may increase revenue to community colleges in several Colorado municipalities; and may increase municipal revenue received through limited gaming fund distributions.

Proposition EE – Cigarette, Tobacco, Nicotine Products and Vaping Products Tax Increase

Proposition EE is a legislatively-referred \$294 million state tax increase, primarily for

preschool and K-12 education programs. Of interest to municipalities, a fraction of the revenue will be earmarked for housing programs – but only in the first three years after it takes effect. The measure preserves the historical allocation formulas that apportion some state cigarette tax revenues to municipalities, as well as recent statutory reforms that allow municipalities to regulate tobacco and nicotine without forfeiting their cigarette tax allocation. There are concerns with how Proposition EE would affect local nicotine taxes.

The CML Executive Board voted to oppose Proposition EE as a statewide tax would preclude the likelihood of passage of any subsequent local taxation questions, if proposed.

CML congratulates new ICMA credentialed managers

CML would like to acknowledge the following managers and administrators who were recently credentialed by the International City/County Management Association (ICMA).

- Sara Ott, city manager, City of Aspen
- Dan Maples, city manager, City of Edgewater
- Andrea Phillips, town manager, Town of Pagosa Springs
- Trish Stiles, town administrator, Town of Bennett

They join a distinguished list of over 1400 active and retired city and county managers – many of whom serve or served in Colorado – that, according to ICMA, have been "qualified by a combination of education and experience, adherence to high standards of integrity, and an assessed commitment to continuous learning and

professional development. To maintain the credential, members must submit an annual report describing 40 hours of professional development during the previous year." The Credentialed Manager designation can be awarded after a thorough review of a rigorous application and an applied knowledge assessment. They must have graduated from an accredited university and have a minimum of seven years of executive experience. Like all ICMA members, they are bound to a Code of Ethics.

Credentialing is voluntary, and CML commends the commitment to excellence that these four and all other Colorado managers and administrators demonstrate. A full list of credentialed managers is available at bit.ly/3mKnn0i.

COGCC now accepting written comments on mission change rulemaking

The Colorado Oil and Gas Conservation Commission is currently accepting written public comment on its 800/900/1200 Series rulemakings. Submit your written comments to DNR_COGCC.Rulemaking@state.co.us.

Written comments are due on **Sept. 24 at noon** for the 800 Series Rules; **Oct. 8 at noon** for the 1200 Series Rules; and **Oct. 20 at noon** for the 900 Series Rules.

The proposed rules can be viewed at bit.ly/3mFFzrL.

State AG and Natural Resources Departments seek public feedback on 2020 drought experiences



Following an exceptionally dry spring and summer, drought conditions now cover 99% of the state of Colorado (bit.ly/3hRGfqa), exacerbated by record-breaking temperatures and an existing moisture deficit continuing from last fall.

On June 22, Gov. Jared Polis activated the Colorado Drought Mitigation and Response

Plan under the chairmanship of directors from the Departments of Agriculture, Natural Resources, and Local Affairs (bit.ly/3cplX5h). The plan includes the implementation of an Agricultural Impact Task Force and the documentation of first-hand accounts of the drought's impact on farms, ranches, forests, fields, and rivers.

Faced with the challenge of traveling and touring in the midst of the current COVID-19 pandemic, the Colorado Departments of Agriculture and Natural Resources invite all who are experiencing the impacts of drought, particularly in agriculture, to submit their drought-related stories online through a dedicated "Drought Virtual Tour" website (bit.ly/3615IAZ) managed by the Colorado Water Conservation Board.

Anecdotal reports, stories, photos, videos or recommendations from agriculture producers and communities regarding drought conditions, economic challenges, and adaptive solutions are encouraged.

All Colorado residents may participate and the important information gathered will directly inform current and future statewide drought response efforts. The state will include a selection of submissions in a 2020 drought report to provide more personal accounts of how drought affects Coloradans.

For more information, please contact drought@state.co.us.

Water Quality Control Division to hold administrative action hearing to consider approval of Intended Use Plans



On Oct. 13, 2020 at 9 a.m. the Water Quality Control Commission will hold a public administrative action hearing to consider approval of the Water Quality Control Division's

proposed FY 2021 Intended Use Plans for the Water Pollution Control Revolving Fund and the Drinking Water Revolving Fund. Information provided through the annual eligibility survey process has been compiled and the 2021 IUP's are now with the Water Quality Control Commission for approval. The plans provide the framework to utilize funds, finance drinking water infrastructure and support related program activities during the 2021 calendar year. On an annual basis, the IUP's undergo a revision and approval process, after which they become effective

for the following year. The proposed IUP's for 2021 funding are available on the commission's website at bit.ly/35UFsTh. Stakeholders have the opportunity to review the proposed plans, along with the associated project eligibility lists, prior to the hearing. Communities that responded to the annual eligibility survey and have identified capital improvement projects for their water and/or sewer systems should review the Project Eligibility List of both plans to ensure that we have accurately represented the capital improvement needs of those systems. If you would like to provide input to the commission prior to the hearing please, submit comments to cdphe.wqcc@state.co.us, by **Sept. 30**. Written comments will be available to the public on the commission's website bit.ly/35UFsTh.

Economic development class shapes recovery planning in La Plata County

By Downtown Colorado Inc.

The COVID-19 pandemic struck the world in early 2020 and resulted in a shutdown of the state of Colorado on March 25. The stay-at-home order not only impacted the University of Colorado at Denver, but dramatically affected retail businesses, restaurants, community events, and other vital main street institutions that drive the economy of our state. A cross-section of these impacts came into play when Randy Harrison's "Economic Development" class (PUAD 5630) and their partners Downtown Colorado, Inc. shifted their work with five Colorado communities entirely online and helped transition these communities into the recovery process.

"Economic Development" is a hands-on and innovative course that utilizes Colorado as a laboratory for understanding economic development concepts and strategies. Students not only get experience with community development, but they also gain real-world experience working in partnership with DCI to assist communities throughout Colorado in addressing economic development challenges.

Students worked with town leadership and stakeholders to create action plans to respond to COVID-19 as well as plans for their economic futures. The goal of the program is to turn challenges into opportunities.

The City of Durango was selected to work with this group early in the year as a DCI 2020 Challenge Community to address the challenge of "Creatively Financing Development." As the pandemic emerged, DCI was able to quickly adapt to virtual community meetings and the plan for Durango turned to developing a strategic approach to slowly reopening the community to ensure economic viability.

UCD SPA Student Coordinators Erin Guthrie and Connie Liu developed the material and were key in managing the discussion around reopening. Here are their testimonials from the experience:

"It was a great learning experience working with Downtown Colorado, Inc. and Alex Rugoff and Scott Shine from the City of



Connie Liu

Durango. Though our class did not go as planned because of COVID-19, I really appreciate the opportunity to understand the struggles the community was facing. I'm glad we

were able to come up with steps to safely reopen." – Connie Liu



Erin Guthrie

"Downtown Colorado, Inc provided the support and resources needed to navigate the challenges of Economic Development during the COVID-19 era.

During the 2020 Challenge Studio, we were able to pivot to support Durango as they worked towards a safe reopening. DCI ensured that the right questions were being asked and empowered the collaborative network of La Plata County stakeholders to work together. This experience was truly one-of-a-kind and offered a hands-on opportunity unavailable in many classrooms. I would recommend the class to anyone even remotely interested in economic development, as it has the power to foster that interest into a passion."

– Erin Guthrie

During a two-hour Virtual Studio Workshop on April 15, 2020, the City of Durango and DCI brought together presenters to provide a framework for considering a reopening strategy that included Public Health and Economic Development perspectives. The Virtual Studio Workshop included two breakout sessions where participants brainstormed ideas for a reopening plan, including key audiences, sectors, and metrics as well as recovery and reimagination of vital Durango industries like education, tourism, retail, and hospitality.



Alex Rugoff

Alex Rugoff from The City of Durango remarked this following the process, "Downtown Colorado, Inc. and the School of Public Affairs' Student Coordinators

played an integral role in La Plata County's economic recovery. Student Coordinators Connie Liu and Erin Guthrie brought community leaders together during our Challenge Community Virtual Studio Workshop to plan for a safe and efficient economic reopening. The Workshop led to the formation of the La Plata Economic Recovery Task Force, which has been instrumental in providing local businesses resources to survive and adapt to the changing environment. I would strongly encourage other communities and SPA students to get involved in DCI's Challenge Community Program."

The SPA Economic Development class has been credited by communities for providing an important service at this time of need. Past students from this class have also attributed the real-life experience as the number one class they reference when sharing experience for a job interview. The class is remarkably well-suited for virtual participation and in 2021 will consider the prospects and frameworks that communities will need to build more inclusive places in the future.

Colorado Parks and Recreation Association announces 10 \$25,000 grants to improve quality of life across Colorado



The Colorado Parks and Recreation Association (CPRA) is excited to announce that 10 \$25,000 grants are now available to CPRA member organizations in 2020 to support the expansion of the National Fitness Campaign (NFC) to more Colorado communities.

NFC's highly acclaimed digital Fitness Court® supports a comprehensive fitness and wellness ecosystem by providing a publicly accessible, full-body workout circuit in community parks, open spaces, or trail systems. This award-winning initiative is already supporting public health and fitness-based recreation in more than 150 cities across America, including already-in-place Fitness Courts® in Loveland, Lakewood, Avon, and Castle Pines. The digital Fitness Court® delivers an outdoor wellness infrastructure to help the public stay active across the state of Colorado at a time when indoor gyms and

fitness opportunities are constrained by the COVID-19 pandemic.

The NFC's Fitness Court® is becoming one of America's most valuable public resources by bringing people outdoors to engage in functional fitness. The Fitness Court® combines 50 different exercise components on a 38' x 38' sports court that facilitates hundreds of different body-weight movements that can be executed in a series of seven-minute workouts. The public enjoys the benefits of digital coaching on the free Fitness Court® App, which delivers fresh content to keep fitness training fun for adults of all ages and fitness levels. NFC trains and certifies local ambassadors as part of the campaign, so local experts can help build engagement and improve ease of effective use.

This state-wide grant program includes exclusive funding opportunities for CPRA

members to join and launch the NFC's Fitness Court® and leverage continuing education regarding the implementation of healthy infrastructure and the principles of pedestrian-oriented planning. The NFC offers fitness classes and programs designed to build a culture of community wellness, while also providing a comprehensive suite of tools intended to help CPRA members secure additional funding partnerships. Grant funding represents an important share of the financial resources required to install a Fitness Court, with cities and local sponsors funding the remaining costs to build NFC partnerships across the state.

Contact Jillian Strogis, CPRA membership and communication coordinator, at jillians@cpa-web.org or 303-231-0943 for more information.

Westminster mayor pro tem appointed as CML policy committee chair



City of Westminster Mayor Pro Tem Anita Seitz was selected by Bob Widner, CML Executive Board president and Centennial City attorney, to chair CML's Policy Committee.

The term begins immediately and lasts through **June 2021**.

"I am honored to support the work of the Colorado Municipal League as chair of the Policy Committee. It is a privilege to ensure the goals, needs, realities and concerns of local governments throughout our state are communicated at the state capitol and are reflected in state policy and law," said Seitz. "Healthy local governments lead to a healthy and sustainable State of Colorado."

With 133 members representing municipalities and municipal professionals around the state, the CML Policy Committee is the primary policy-making body for the League. Positions on issues and legislation taken by the policy committee are sent to the CML Board, which will set CML's legislative agenda and official positions on legislation or policy issues.

The 2020-21 CML Policy Statement can be viewed at bit.ly/policy-statement.

Westminster's water quality program ensures invasive species are kept out



By Andrew Bliss, communications and outreach coordinator for the City of Westminster's Public Works and Utilities department.

The City of Westminster takes pride in delivering safe, reliable and high-quality drinking water; the top priority for its 100,000 plus customers, according to the city's 2020 Community Survey. With this commitment to protecting its water supply, and the growing threat of zebra and quagga mussel (ZQM) infestation identified by the Colorado Parks and Wildlife, the city initiated Colorado's first aquatic and nuisance species program in 2008.

Standley Lake serves as the main water supply for the city and a total of 300,000 people in the area. In addition to being a water supply, Standley Lake is also a regional park serving over 250,000 visitors

a year and multiple uses including hiking, camping, fishing and personal watercraft.

The Aquatic Nuisance Protocol ensures careful inspections and the prevention of aquatic nuisance species (ANS) in the lake. The city's ANS Municipal Code protects and promotes the public's interest in preventing the spread of ANS.

Inspection and decontamination procedures are required for all paddle craft and equipment used on the lake. This includes kayaks, canoes, stand up paddle boards and rafts. Ensuring that every item is inspected and decontaminated prior to launch is part of what makes the ANS protection program so effective. Staff also educate the public about the importance of keeping paddle craft clean, drained and dry between uses.

"Standley Lake is an incredible resource for our community," said Water Resources and

Quality Manager Sarah Borgers. "However, since this lake serves as both a source of drinking water and a site for recreation, we have to responsibly weigh the impacts of these diverse uses. At the end of the day, water supply and quality are our top priorities."

If ZQM entered Standley Lake, the cost of remediation for the city is estimated at \$10 million in capital expenses, and \$3 million in annual operating costs, significantly increasing the cost to deliver water, according to an analysis completed by the city. ANS can hide almost anywhere and adult ZQM can live up to 30 days out of the water.

In addition to the city's ANS program, Standley Lake's water quality is ensured due to the city's rigorous testing programs. Water quality monitoring on the lake is even more intensive with constant measurements being taken on dissolved oxygen, pH, specific conductivity, oxidation reduction potential, fluorescent dissolved organic matter, temperature, turbidity, total chlorophyll and cyanobacteria pigment measurements.

Water inflows, outflows and evaporation are monitored daily to account for water supplies shared among the cities of Westminster, Thornton and Northglenn, as well as the Farmers Reservoir and Irrigation Company who owns and operates the dam.

The city's ANS program and focus on water quality ensure that Standley Lake will remain free from ANS for many years to come.

For more on Colorado Water issues, view the October edition of *Colorado Municipalities* arriving in your mailbox soon!



Research corner: Colorado municipal facts

Number of
INCORPORATED MUNICIPALITIES 272

POPULATION
(2018 estimates)

STATE **5,694,311** MUNICIPAL **4,225,962**

MUNICIPAL AS % OF STATE **74%**

RANGE IN MUNICIPAL POPULATION

LAKESIDE **8**
DENVER **717,796**

MUNICIPALITIES WITH CML MEMBERSHIP

CML
270

STRUCTURE OF COLORADO MUNICIPAL GOVERNMENTS

Structure	#	Population	% of municipal population
Home Rule	103	3,949,452	93.46%
Statutory	168	275,416	6.52%
Territorial Charter	1	1,094	0.026%

MUNICIPAL FINANCE

Property Tax 2018 Assessed valuations

STATE **\$115.92 BILLION**

MUNICIPAL **\$76.72 BILLION**

SALES TAX

Total municipalities levying a local sales tax **222** **HIGH 7%**

Municipalities with self-collected sales tax **72** **LOW 1%**

MUNICIPAL AS % OF STATE **66.2%**

MUNICIPAL ELECTIONS (1993 - APRIL 2020)

Ballot Issues	Passed	Failed	% Passed
TABOR revenue and spending changes	500	78	87%
Municipal tax/tax rate	684	436	61%
Municipal debt/obligation	319	139	70%

OTHER FACTS

- Colorado has 272 municipalities (including the City and County of Denver and the City and County of Broomfield).
- There are approximately 1,800 municipal elected officials in Colorado (mayors, mayor pro tems, councilmembers, trustees).
- Pay for mayors, councilmembers, and trustees is determined locally. Compensation varies from no compensation to modest compensation levels for part-time officials. There are a few full-time paid positions, i.e., mayors in Denver and Aurora.



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