



COLORADO  
MUNICIPAL  
LEAGUE

# Newsletter

Vol. 46, No. 20, October 9, 2020

## Colorado municipal attorneys recognized by IMLA, including CML Board president and general counsel

By Laurel Witt, associate counsel

The International Municipal Lawyer Association (IMLA) honors attorneys of great merit through awards at their annual conference, held virtually this year. Three outstanding municipal attorneys in Colorado received awards this year, each of whom is actively involved in the practice of municipal law and has been for many years.



**Robert ("Bob") Widner** – partner with Widner Juran, city attorney for the City of Centennial, and CML Board president – was awarded the Marvin J. Glink Private Practice Local Government Attorney Award. This award is established to honor the memory of Marvin J. Glink by recognizing a private practice practitioner who exhibits those qualities that made Marvin one of the truly remarkable lawyers working in the private sector on behalf of public clients. In addition to the traditional qualities of excellence in the practice of law, the award seeks to recognize a private law practitioner who has provided outstanding service to the public, who possesses an exemplary reputation in the legal community, who demonstrates the highest of ethical standards, and who revels in maintaining a life that balances a passion for professional excellence with the joy of family and friends. Bob is all of these things and more.

CML extends its sincere congratulations to Bob for a well-earned recognition.



**Deanne Durfee**, director for the municipal operations section in the Denver City Attorney's Office, received the Brad D. Bailey Assistant City Attorney Award. This award is established to honor the memory of Brad D. Bailey by recognizing an assistant local government attorney who exhibits those qualities that made Brad one of the truly remarkable lawyers working on behalf of public clients. Like the Marvin J. Glink award, this award recognizes a public law practitioner who has provided outstanding service to the public, who possesses an exemplary reputation in the legal community, who demonstrates the highest of ethical standards, and who revels in maintaining a life that balances a passion for professional excellence with the joy of family and friends. Deanne is a remarkable lawyer who oversees many attorneys within the Denver City Attorney's Office. Prior to working at Denver, Deanne spent many years as an attorney for the Town of Castle Rock. CML congratulates Deanne on her recognition.



**David Broadwell**, CML general counsel, was awarded the Burk E. ("Buck") Delventhal Legal Advocacy Award. David Broadwell has served

Colorado municipalities for over 35 years, starting as a planner in Glenwood Springs in 1982. He was a CML staff attorney from 1992 to 1999, before joining the City and County of Denver as chief legal advisor to the Denver City Council. David re-joined the Colorado Municipal League in 2019 as general counsel. This award honors the life and legacy of Burk E. Delventhal, who served as a deputy city attorney for the City and County of San Francisco for almost 50 years from 1970 to 2019. He carried a legal library in his head and the history of San Francisco and its community in his heart. If anyone carries a legal library in their head and deserves this award for excellence in legal advocacy, it is David. Attorneys statewide know that they can turn to David with their most challenging questions and know that they can rely on David for the latest developments on the law. CML is proud to have a great attorney as its general counsel and extends a warm and sincere congratulations on the deserved award.

"There is no shortage of brilliant municipal attorneys in Colorado, and I am thrilled to see these three acknowledged by IMLA," stated Kevin Bommer, CML executive director. "Their achievements represent individual excellence, as well as the strength and professionalism of Colorado municipal attorneys statewide."

## Colorado Energy Office launches resource guide for local governments to assist with long-term economic recovery

The Colorado Energy Office (CEO) released a resource guide for local governments ([bit.ly/2Gpbuwf](http://bit.ly/2Gpbuwf)), which includes high-impact, low-cost strategies that communities can act on immediately to reduce greenhouse gas (GHG) emissions and assist with long-term economic recovery.

CEO recently surveyed local governments about the impact of COVID-19 on budgets and energy

management plans. About 95% of communities surveyed articulated the need for state funding, while approximately 70% emphasized the need for public outreach and education, and also acknowledged a lack of technical expertise regarding sustainability and energy. As a result, CEO created a web-based local government resource guide to serve as a toolkit for communities seeking to move forward with clean energy and sustainability goals.

This resource guide is intended to empower Colorado communities by providing state-specific actionable policies, programs and funding opportunities which will be updated regularly. The resource guide includes community spotlights that highlight some of the bold climate actions already being taken by communities across the state.

**Empowered cities and towns, united for a strong Colorado**

## Free Webinar

### Election Interference and Data Breaches

On **Oct. 14** from noon to 1 p.m., the National Cybersecurity Center will host a webinar about election interference and data breaches. The webinar will delve into the strategies and tactics that hackers have successfully used to break into election-related organizations. They will discuss the rise of Wikileaks and the megaleaks infrastructure, and show how data exposure evolved into sophisticated information distribution machines. Finally, they will highlight the known 2020 breach attempts, and provide important tips for recognizing and protecting our elections against information warfare.

To sign up for this free webinar, please register at [bit.ly/2F2njHZ](http://bit.ly/2F2njHZ). To learn more about the National Cybersecurity Center and other training opportunities, visit their website at [bit.ly/33y2EVF](http://bit.ly/33y2EVF).

## Anniversary



Congratulations to Municipal Research Analyst Melissa Mata on her work anniversary. Melissa is celebrating three years with CML in October.

## CML wraps up 2020 virtual District Meetings



Each fall, CML staff and Executive Board members hit the road to visit our municipal members. These meetings are an opportunity for you to meet CML staff, contribute to CML policy, and network with colleagues from neighboring communities. Unfortunately, like many get-togethers in 2020, the CML district meetings were much different this year as they were held virtually.

Altogether, there were a total of 13 CML virtual district meetings held with members across the state. One positive of the virtual setting is that more CML staff members were able to participate and get to know member municipalities. The best opportunity to do that was via the "around the Zoom,"

where each participant talked about what is happening in their communities. There was a consistent theme among members: even in adversity, municipalities find a way to keep their communities thriving.

In addition to hearing about the important work happening in Colorado's municipalities, staff updated participants on CML's efforts to provide advocacy, training, and information. The CML advocacy team gave an overview of the 2020 legislative session, the upcoming ballot initiatives, and a preview of CML's legislative priorities going into the 2021 legislative session. Additionally, the communication and engagement team provided members with a comprehensive overview of opportunities for training, including our 2021 conference, and upcoming publications.

Though this year's district meetings were different due to the virtual setting, CML staff always appreciates any opportunity to visit with our members. We hope this is the first and last set of virtual district meetings! Thank you to all the participants for taking the time to meet and talk with us. CML looks forward to seeing everyone in 2021 in person to continue the long tradition of bringing municipalities together, building relationships, and sharing ideas to keep Colorado's municipalities blossoming.



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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, Colorado.

**Designer and editor: Leslie Hough**  
**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 a year.

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*Editor's note: Per federal law, CML is required to publish our Statement of Ownership, Management, and Circulation annually.*

PS Form 3526 (All Periodicals Publications Except Requester Publications)			
1. Publication Title	2. Publication Number	3. ISSN	4. Filing Date
COLORADO MUNICIPAL LEAGUE/CML NEWSLETTER	75390	7439903	09/29/2020
5. Issue Frequency	6. Number of Issues Published Annually	7. Complete Mailing Address of Known Office of Publication	8. Complete Mailing Address of Headquarters or General Business Office of Publisher
BI-WEEKLY (EVERY OTHER WEEK)	26	1144 S SHERMAN ST DENVER, CO 80203-2207	1144 SHERMAN ST DENVER, CO 80203
9. Full Name and Complete Mailing Address of Publisher, Editor, and Managing Editor	10. Complete Mailing Address of Publisher, Editor, and Managing Editor		
11. Complete Mailing Address of Publisher, Editor, and Managing Editor			
12. Complete Mailing Address of Publisher, Editor, and Managing Editor			
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13. Publication Title		14. Issue Date for Circulation Data Below	
COLORADO MUNICIPAL LEAGUE/CML NEWSLETTER		09/29/2020	
15. Extent and Nature of Circulation		Average No. Copies Each Issue During Preceding 12 Months	
a. Total Number of Copies (Net press run)		3200	
b. Paid Distribution (Sum of 13b(1) through 13b(5))		3200	
c. Free or Nominal Rate Distribution (Sum of 13c(1) through 13c(5))		3200	
d. Total Distribution (Sum of 13d(1) through 13d(5))		3200	
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# Department of Local Affairs allocates \$13.96M for affordable housing, eviction prevention and homeless relief in September for Colorado



The Colorado Department of Local Affairs (DOLA) Division of Housing (DOH) awarded \$4.47 million through the Colorado State Housing Board (SHB) for affordable housing in September.

In addition, DOLA so far has supplied over \$7.49 million to renters and landlords across Colorado through the EHAP and POP programs since Gov. Jared Polis signed Executive Order 70 in May and HB-1410 in June, authorizing DOH to provide up to \$29.65 million in COVID-19-related housing payment relief.

DOH granted the Housing Authority of the City and County of Denver (DHA) \$1 million to assist with the acquisition and adaptive reuse of a vacant office building at the corner of Speer and South Broadway, adjacent to Denver Health's newly upgraded hospital campus. The repurposed building will provide 110 affordable units for seniors with incomes below 60% of the Area Median Income (AMI), or residents who are disabled. 655 Broadway will include 96 one-bedroom units for individuals with incomes between 30% – 60% of the AMI, and 14 single room occupancy (SRO) units for people below 30% of the AMI. The SRO units will serve as transitional housing for homeless individuals with disabilities.

The division awarded Chaffee Housing Trust \$127,000 to assist with the construction of River Ridge in Salida. The project will consist of eight single-family condominiums across two three-story walk-ups, with 1-, 2-, and 3-bedroom homes offered for sale to qualified Chaffee County households that have incomes below 80% of the AMI.

DOLA granted Brighton Housing Authority (BHA) \$150,000 to assist with the rehabilitation of five duplexes. The project will provide four three-bedroom and six four-bedroom units to families with incomes between 30% – 60% of the AMI. Five project-based vouchers from BHA will support families with the greatest need.

The department awarded CARE Housing, Inc. \$840,000 for financing of the Swallow Road rehabilitation project in Fort Collins. The scope includes the renovation of two adjacent rental apartment complexes totaling 84 units of affordable housing. Five units are reserved for those with incomes below 30%, 13 units for those below 40%, 26 units for those below 50%, and 40 units for those below 60% of the AMI.

DOH granted Homeward Pikes Peak (HPP), in conjunction with Dominion, \$1.5 million to assist with building The Commons in Colorado Springs, a 50-unit supportive housing development that targets homeless families and veterans. The project has close proximity to collaborating supportive-service providers Peak Vista, Community Health Center and Aspen Pointe Health Services. The four story building will include a mix of one-, two- and three-bedroom units, and Dominion is providing all development services pro-bono.

The division awarded The Loveland Housing Development Corporation (LHDC) a total of \$538,000 to deliver more than 90 loans over three years to homeowners with incomes below 80% of the AMI who are occupying single-family homes across Larimer County, and the town of Milliken in Weld County.

DOLA granted Fremont County and the Upper Arkansas Area Council of Governments (UAACOG) \$312,000 to deliver 40 loans over two years through their Single-Family Owner-Occupied Rehabilitation program to preserve housing for low-and moderate-income households in Chaffee, Custer, Fremont, Lake, Park and Teller counties.

Finally, DOLA will provide \$2 million, with funds from the U.S. Department of Housing and Urban Development, for the Next Step Generation 2 Program, which provides transitional housing assistance through local governments and nonprofits paired with school districts for homeless families with children attending school. Awards include \$750,000 to Salvation Army and Adams 14 School District; \$500,000 to Boulder County Housing Authority and surrounding districts; \$320,000 to Family Tree and Jefferson County School District; \$300 to Innovative Housing Concepts and Sheridan School District; and \$285 to Almost Home and Adams 27J School District.

The State Housing Board and DOLA's Division of Housing continue to support the creation of affordable housing that is accessible, safe and secure for all Coloradans. For complete information on Housing Board grant approvals, visit [bit.ly/33x2Jc5](https://bit.ly/33x2Jc5).

## Colorado Energy Office provides no-cost energy code training and technical assistance to jurisdictions and municipalities

The Colorado Energy Office (CEO) provides building energy code training through a free lunchtime Wednesday webinar series. This series covers a variety of topics on provisions in the commercial and residential building energy codes and is geared toward building department staff and stakeholders. See the schedule to register for trainings taking place from **Oct. 2020 through Feb. 2021** at [bit.ly/34vKUK5](https://bit.ly/34vKUK5). Customized training is also available upon request at [bit.ly/34sHRSB](https://bit.ly/34sHRSB).

CEO also offers no-cost technical assistance to building department officials to help them successfully navigate the code adoption process by reviewing a municipality's existing codes, summarizing major changes in new codes, recommending amendments tailored to the jurisdiction, and acting as technical experts to answer questions and address concerns in public hearings or city council meetings. CEO has also created a comprehensive webpage, the Energy Code

Adoption Toolkit, [bit.ly/30AyizT](https://bit.ly/30AyizT), which gives tips on how to navigate the typical adoption process, details the costs of updating an energy code, summarizes the significant changes from previous code editions, and provides code compliance resources. Please visit the CEO codes webpage for more information or to request assistance at [bit.ly/34sHRSB](https://bit.ly/34sHRSB).



# State releases Colorado greenhouse gas pollution reduction roadmap for public comment

The state is seeking public comment on the draft greenhouse gas pollution reduction roadmap ([bit.ly/33y3vG7](https://bit.ly/33y3vG7)) which aims to cut greenhouse gas emissions in Colorado by 26% in 2025; 50% by 2030; and 90% by 2050, as required by HB19-1261 ([bit.ly/3iz3gib](https://bit.ly/3iz3gib)).

The roadmap assesses Colorado's major greenhouse gas pollution sources and identifies policy actions and steps which the state could prioritize to meet air quality goals. The largest sources of greenhouse gas pollution as identified in the roadmap include transportation, electricity generation, oil and gas production, buildings and natural gas utilities, agriculture, natural and working lands, and waste. Recommended near-term action items specified in the roadmap include the items in the chart on the right.

The state acknowledges in the roadmap that "making progress toward these emission targets will be a total state effort involving agencies and departments across state government. It will also be iterative and multi-faceted in nature and require a broad portfolio of investments, incentives, and regulatory and legislative strategies. Because the state government cannot do it alone, we intend to partner with a diverse array of local governments and public and private partners."

Included in the draft are actions the state could take to incentivize local governments to reduce greenhouse gas emissions. These include providing grants, tools, and technical assistance for transportation electrification planning, and incentivizing local government land use decisions which reduce vehicle miles traveled and reduce greenhouse gas emissions. The roadmap also highlights actions related to reducing greenhouse gas emissions on the local level, including the City of Fort Collins Climate Action Plan, Boulder County's Greenhouse Gas Inventory and Emissions Reductions Strategies Report, and The City and County of Denver's 80X50 Climate Action Plan.

Comments will be accepted by the state through 5 p.m. on **Nov. 1**, and can be submitted through the web portal at [bit.ly/3cYE7fG](https://bit.ly/3cYE7fG) or emailed to [climatechange@state.co.us](mailto:climatechange@state.co.us). The state will host a public listening session to take additional input on the evening of **Oct. 20**.

Sector	Proposed Near Term Actions
Electricity	<ul style="list-style-type: none"> <li>• Adopt Clean Energy Plans and hold AQCC Regional Haze rulemakings to reach 80% pollution reductions by 2030</li> <li>• Consider mechanisms such as performance based regulation at the PUC and other tools to incentivize deeper emissions reductions and serve new beneficial electrification load with zero carbon generation</li> </ul>
Transportation	<ul style="list-style-type: none"> <li>• GHG pollution standards for transportation plans</li> <li>• Trip reduction/Transportation Demand Management (TDM) requirements and encouraging telecommuting for large employers</li> <li>• Clean trucking strategy with multiple components including infrastructure investments, incentives for fleet turnover, and evaluation of regulatory options. More details are on page 69 of the report.</li> <li>• New revenue to fund infrastructure and incentives to transition to low and zero emissions cars, trucks and buses</li> <li>• Incentives for land use decisions by local governments that reduce vehicles miles traveled, reduce emissions of GHGs and other pollutants, and support greater access to housing near jobs</li> <li>• Indirect source standards for some types of new development</li> <li>• Expansion of public transit, including setting the stage for front range rail</li> </ul>
Buildings and Natural Gas Utilities	<ul style="list-style-type: none"> <li>• Expand energy efficiency investments from natural gas utilities to support building shell improvements</li> <li>• Set carbon reduction goals, leak reduction targets, and renewable natural gas (RNG) requirements for natural gas utilities</li> <li>• Require existing large commercial buildings to track energy use and make progress toward energy and pollution performance standards</li> <li>• Support adoption of advanced building codes</li> <li>• Require regulated electric utilities to create programs that support customer adoption of electric heat pumps and other forms of beneficial electrification</li> </ul>
Oil and Gas and other Industry	<ul style="list-style-type: none"> <li>• AQCC rulemaking to achieve methane pollution reductions from the oil and gas industry - at least 33% reduction in total emissions by 2025 and 50% by 2030</li> <li>• AQCC action on industrial energy and emission audits requirements</li> <li>• Additional AQCC rulemaking on HFC reduction (refrigerants, aerosols, etc.)</li> </ul>
Agriculture	<ul style="list-style-type: none"> <li>• Expand "Advancing Colorado's Renewable Energy and Energy Efficiency" (ACRE3) program</li> <li>• Improve soil function and carbon sequestration through regenerative farming practices</li> <li>• Increase participation in Field to Market, Soil Health Partnership and Precision Agriculture programs</li> </ul>
Natural and Working Lands	<ul style="list-style-type: none"> <li>• Develop a comprehensive natural and working lands emissions inventory, reduce greenhouse gas pollution and protect and enhance carbon sequestration on natural and working lands</li> </ul>
Waste	<ul style="list-style-type: none"> <li>• Reduce methane emissions from coal mines, landfills, sewage treatment plants and agriculture through renewable natural gas incentives and potential AQCC rulemaking</li> </ul>

## Research corner: COVID-19's effects on state and local revenue

A recent paper presented at the Brookings Papers on Economic Activity, "Fiscal Effects of COVID-19," analyzed the fiscal impact of COVID-19 on both the federal government and state and local budgets. Alan Auerbach, University of California, Berkeley; Bill Gale, The Brookings Institution; Byron Lutz, Federal Reserve Board; and Louise Sheiner, The Brookings Institution authored the paper.

Given that most state and local governments must balance their operating budget each year, their fiscal challenges differ from the federal government. Federal aid in 2020 has helped offset a portion of the state and local government losses, but the question remains if future years will see additional aid.

The authors note several reasons that the current recession may differ from past recessions in their effects on state and local revenues:

- The current recession has severely and disproportionately impacted low-wage workers as compared to high-wage workers.
- The stock market recovered quickly after its initial drop.
- Federal benefits to households and businesses have surpassed assistance provided during past recessions.
- The decline in consumer spending from this recession varies from previous recessions; the drop has been more severe, but especially so in services, which are less likely to be taxed.

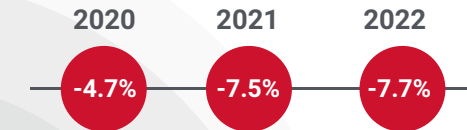
### State and local government general own-source revenue sources



#### Projected state and local income tax decline (Colorado)



#### Projected state and local income tax decline (national average)



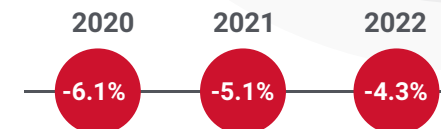
#### Projected state and local sales tax decline (Colorado)



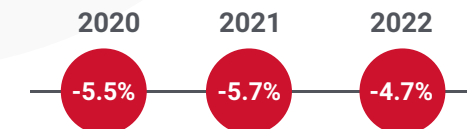
#### Projected state and local sales tax decline (national average)



#### Projected total state and local revenue decline, excluding fees to hospitals and higher ed (Colorado)



#### Projected total state and local revenue decline, excluding fees to hospitals and higher ed (national average)



To view the full draft, including the methodology for revenue projection, please visit [brook.gs/2SxJAJW](https://brook.gs/2SxJAJW)

With the above considerations in mind, the authors offered the below  
**PROJECTIONS** through the end of 2022



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## Featured in this issue:

- Colorado municipal attorneys recognized by IMLA, including CML Board president and general counsel
- Colorado Energy Office launches resource guide for local governments to assist with long-term economic recovery
- Department of Local Affairs allocates \$13.96M for affordable housing, eviction prevention and homeless relief in September for Colorado
- State releases Colorado greenhouse gas pollution reduction roadmap for public comment
- Research corner: COVID-19's effects on state and local revenue

# Newsletter

Vol. 46, No. 20, October 9, 2020

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