



CML's Virtual Annual Business Meeting will feature elections for CML Executive Board

by Kevin Bommer, executive director



The Annual Business Meeting of the Colorado Municipal League (CML) will be held virtually at 10 a.m. on **June 25**. The Annual Business meeting is open to all CML

member municipalities, you are encouraged to attend and register someone to cast your municipality's vote in the CML Executive Board election that will occur during the meeting.

Every CML member is entitled to vote for CML Executive Board candidates in all population categories, but the changes in the voting rules to accommodate a virtual meeting require each municipality to select its voting delegate ahead of time. Predesignating voting delegates was required, as previously noticed, and is to be completed by midnight on **June 22**. Each municipality may have only one voting delegate. This delegate must be

a municipal official (elected or staff), have access to a working email address, and be present for the duration of the virtual annual business meeting. If your delegate is not present for roll call during the meeting, your municipality will not be able to vote. If you wish to be your municipality's voting delegate, please contact your city/town clerk prior to the end of the day on **June 22** to be designated.

Regardless, all CML members may attend the online Annual Business Meeting, even if not the registered voting delegate. To register to attend, visit bit.ly/2A1kJKI. All registered attendees will receive a link to the virtual meeting on June 24

Executive Board candidates' information is online

The Executive Board election is your municipality's opportunity to select CML's governing body and influence the future and direction of CML. Every member municipality's vote has the same weight in the election, so make sure your municipality's voice is heard!

CML Board candidates' information is available on the CML website at bit.ly/37z9AIG and features a short bio of each candidate. Candidates also had the option of submitting a short video, which can also be viewed on the website. There are seven candidates for three seats in the Small category; four candidates for four seats in the Medium category; four candidates for three seats in the Large category; and one candidate for one seat in the Largest category. Again, voting delegates will vote for each population category, so make sure to study up on all the candidates.

Other business

In addition to the Board election, attendees will adopt the 2020-2021 CML Policy Statement, review 2021 dues, and hear a brief annual report of CML activities. The annual report will also include an important advocacy update on the tumultuous and eventful legislative session that finally ended on June 15. We look forward to seeing you all virtually on **June 25!**

General Assembly breaks after a drawn out 2020 legislative session

By the CML legislative and advocacy team

The 2020 legislative session finally completed after an unprecedented temporary adjournment due to COVID-19. Below is a snapshot of some of the key legislation followed by CML.

Significant police reform legislation passes

As introduced, SB 20-217 had several significant problems and CML worked diligently with sponsors and proponents on meaningful amendments. One significant issue was left unresolved, that

being no limitations on attorney's fees and damages. CML is grateful for the bipartisan effort and the diligent work of the sponsors to resolve most of the issues in the legislation – and CML notes that the amendments were significant enough to garner support from police chiefs, sheriffs, and district attorneys – but concern for the fiscal impact on municipal taxpayers for uncapped fees and damages prevented CML from supporting

the final version of the bill. We will continue to work with our members, proponents, and lawmakers on implementation and further clarification of the new law.

Legislature refers measure to repeal Gallagher Amendment to voters

Following the temporary adjournment, the Colorado Generally Assembly took up SCR 20-001, a referred measure for voters to consider repealing the 38-year old Gallagher Amendment.



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Save the date

CML's Virtual Conference

CML is excited to announce our first Virtual Conference on **Aug. 25–27**. This conference will have plenty of opportunities for interaction with your fellow municipalities, a virtual exhibit hall, and of course a wealth of valuable sessions to help your municipality adjust to the new normal.

We have worked to keep costs for this conference low and thank our sponsors for their generous support. Costs for the virtual conference are:

- Municipal members: \$99
- Associate members: \$129
- Non-members: \$199

Please keep an eye on our website and future editions of this newsletter for registration information. We hope to "see" you there!



COLORADO MUNICIPAL LEAGUE

Newsletter

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How racism is destroying the infrastructure of America

By Clarence E. Anthony, NLC's CEO and executive director



Racism is destroying the infrastructure of America. But let us be clear — this issue is not new. It has been heightened and soon thereafter forgotten countless times in our nation's

history by people in positions of power. This time needs to be different; we have a unique opportunity to re-examine our institutions and systems, and the chance to rebuild them from the ground up in a way that applies a racial lens to ensure our policies are inclusive.

The National League of Cities (NLC) is dedicated to working alongside our municipal leaders as they begin to right the wrongs of America's long history of structural and institutional racism. Building equitable communities requires reviewing and changing existing policies, practices, and procedures in all governmental institutions through the lens of equity. Local leaders need to step into the uncomfortable — and ask tough questions of themselves and their staff about how they will remove longstanding racial biases and inequities.

The first step is to hold ourselves accountable for past decisions and recognize that local, state, and federal leaders have directly authorized actions that have disproportionately impacted Black, Indigenous, and People of Color in this country negatively — and more specifically, data consistently shows us that Black people are at highest risk. From infant mortality to life expectancy, race is the strongest determinant

of one's success. This is the reality that we can not keep turning away from or denying.

More than five years ago, NLC created its Race, Equity And Leadership department (REAL) to provide resources, technical assistance, toolkits, and information to local leaders on how to create more equitable and safe cities for ALL Americans. REAL has been deeply enveloped in this space, and the COVID-19 pandemic and international uprisings have caused us to take a critical look at the work we have achieved and where we have fallen short.

The responsibility does not rest solely on the backs of local leaders. It will not be just local governments; it will take corporations, community organizations, state, and the federal government's partnership to make sure we actualize the unalienable rights to life, liberty, and the pursuit of happiness that Black, Indigenous, and People of Color have not had for generations.

In a state of heightened emotion, it is imperative we ground our investments and strategies in evidence-based best practices and data. One of our immediate next steps will be to dive deep into the data of racial inequities and work on partnerships to put best practices and resources where those inequities lie. We have a unique perspective to carry out this research and quickly connect partners with communities to drive measurable change.

We are committed to embedding race, equity and leadership into the fabric of all our work and build an equitable future for all, where every community member can thrive regardless of race, gender, sexual identity, orientation, or ability.

Town of Monument wins important eminent domain case



By Laurel Witt, CML associate counsel

Earlier this month, the Colorado Supreme Court ruled in favor of the Town of Monument in *Forest View Co. v. Town of Monument*, Case No. 18SC793, a

lot in a single-family residential neighborhood to install a water tank. This lot, along with every lot in the neighborhood, was subject to a private restrictive covenant limiting the lot to residential uses. Monument filed an eminent domain action to condemn-out the covenant restriction on the lot. The surrounding lot owners objected, claiming entitlement to just compensation.

case in which CML participated as amicus. In this case, the Town of Monument purchased a

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"General Assembly breaks ... " continued from page 1

Though CML took a neutral position, we watched the bill closely given the current state of the economy and the potential impacts to local governments, schools, police, ambulance, and fire districts across the state. SCR 20-001 met the threshold of receiving 2/3 vote of both the House and the Senate and ultimately passed. Companion legislation (SB 20-223) which freezes the residential assessment rate at its current 7.15% rate was also passed.

COVID-19 leads to an abundance of employment legislation

When the legislature reconvened on May 26, a few pieces of employment legislation were introduced. Two bills affecting municipalities passed.

- HB 20-1415 — Whistleblower Protection Public Health Emergencies — The bill prohibits a principal, including public employers, from discriminating, retaliating, or taking adverse action against any worker who raises any concern about workplace health and safety practices or hazards related to a public health emergency. CML worked with the sponsors and was able to negotiate several changes/amendments to the bill and ultimately CML took a neutral position.
- SB 20-205 — Employee Paid Sick Leave — SB 20-205 sets thresholds for employers to provide paid sick leave to employees. In recent iterations of leave bills, public employers have been exempted. This was not the case with SB 20-205. At this writing it is not clear exactly what the bill will look like as it is in conference committee. One thing is for sure, municipalities will be required to provide paid sick leave. CML will provide information on the final version of the bill once the bill is enacted.

COVID-19 leads to State Budget shortfall and cuts

The FY 2020/21 budget is unprecedented in many regards and made sweeping cuts to every department and program throughout the state.

"Town of Monument ... " continued from page 3

Based on an old 1956 Colorado Supreme Court decision, the Court of Appeals held that Monument did not need to pay just compensation. The property owners appealed to the Supreme Court.

The Court held neighboring property owners are not entitled to compensation under the Colorado Constitution when a municipality uses

CML advocated for maintaining programs that serve to help municipalities. None of those programs were completely cut, but they were either reduced or postponed. This includes programs to fund affordable housing, water infrastructure, and public safety. Finally, it should be noted that during the budget process, the JBC and General Assembly were able to balance the budget without cutting the Senior Homestead Exemption and Disabled Veterans Exemption Act.

COVID-19 impacts the outcome of CML supported and opposed legislation

Given the shortened calendar and unprecedented challenges facing the state legislature this year, the legislature had to make difficult decisions about what passed or failed. Unfortunately, CML-initiated legislation around affordable housing did not pass due to the shortened legislative session.

Examples of CML supported legislation that passed:

- HB 20-1003 — Rural Jump Start — The bill extends and expands the Rural Jump-Start Program, a popular and widely utilized state incentive program that helps support small business in economically distressed communities throughout state and will be critical for main streets across Colorado as they begin to reopen for business.
- HB 20-1293 — Emergency Telephone Service Charges — HB 20-1293 changes the surcharges assessed by both state and local governments on 911 services (including prepaid 911 wireless, supporting the current migration of 911 services to the updated system. While carrying some fiscal impact to the state, HB 1293 was identified as a priority piece of legislation.
- SB 20-056 — Surplus Military Vehicles Firefighting — The allows local governments to use surplus military vehicles on state highways for fire mitigation purposes. Currently, 58 surplus military vehicles are owned by local

land in a way that would violate a restrictive covenant, such as a covenant-controlled subdivision that only allows for property to be used for residential purposes. This is an important win for all municipalities as it limits the amount of money a municipality needs to pay to condemn a piece of property within one of these covenant-controlled communities.

governments or fire protection districts for this purpose but due an unintended consequence related to legislation passed last year they were no longer deemed road worthy by the state.

- SB 20-218 — CDPHE Colorado Department of Public Health and Environment Hazardous Substances Response — CML supported the passage of SB20-218 because the bill establishes the perfluoroalkyl and polyfluoroalkyl substances (PFAS) cash fund within CDPHE. The cash fund will be used to fund the PFAS grant program which will provide resources for communities impacted by PFAS contamination.
- SB 20-213 — Alcohol Beverage Retail Takeout and Delivery — The bill allows certain liquor licenses (such as restaurants, taverns, breweries, etc) to sell alcohol as part of their takeout orders or provide delivery. CML worked with the bill sponsors, proponents, and other stakeholders to craft an amendment that provides for a local permitting option.

Examples of CML opposed legislation defeated:

- HB 20-1138 — Public Real Property Index — Throughout the legislative session CML actively lobbied against HB 20-1138 because it puts an unfunded mandate on the backs of local governments to collect, maintain, and report property data to the state. CML was pleased that this bill did not move forward in the June session and died on the legislative calendar due to the cost to the state.
- SB 20-216 — Workers' Compensation COVID-19 — The bill provided that, for purposes of the "Workers' Compensation Act of Colorado," if an essential worker who works outside of the home contracts COVID-19 there was a presumption that they contracted it on the job. CML and other public and private employers had concerns over costs. The bill ultimately failed due to the significant cost to the State.

Without this limitation, condemning property would be far more expensive and would deter a municipality from doing necessary activities, such as widening a road or putting up a much needed water tank.

CML congratulates the Town of Monument on this important victory.

Brave of Heart fund provides charitable and emotional support to healthcare workers and their families

The New York Life Foundation and Cigna Foundation created the Brave of Heart Fund at E4E Relief to provide charitable and emotional support to eligible family members of frontline healthcare workers and healthcare volunteers who lose a loved one because of COVID-19.

The Brave of Heart Fund is dedicated to supporting those you love. The fund honors the efforts and sacrifices of healthcare workers during the pandemic by offering

charitable financial assistance to eligible family members for common needs such as housing, food, transportation, education, and medical care. Eligible healthcare workers include doctors, nurses, technicians, orderlies, cafeteria workers, custodians, volunteers, and others on the front lines.

Cigna behavioral and emotional health support is available. Cigna is committed to providing free emotional and behavioral health services to aid families' recovery.

Healthcare workers, volunteers, and their families can immediately access Cigna's behavioral and wellness services as they get on the path to physical and emotional wellbeing.

Live guided relaxation session are available on Tuesdays at 5 p.m. Call 866-205-5379 and use passcode 113 29 178.

Grief and bereavement help New York Life will provide a variety of resources to help grieving families in this exceptional time.

Caton participates in NLC webinar



Grand Junction City Manager and CML Executive Board Member Greg Caton participated in a National League of Cities (NLC) Webinar titled "Cities are Essential: Protecting and Growing America's

Economic Recovery National League of Cities Virtual Hill Briefing" on June 11. The webinar covered the economic impact of COVID-19 on municipalities nationwide, as well as NLC's advocacy efforts to support federal legislation that includes direct federal aid for municipalities.

Caton emphasized the need for federal relief to aid in recovery and spoke about the actions that Grand Junction took during

the pandemic, including opening a daycare to fill a need for employees while many daycares were closed. He also talked about the financial impacts to the City of Grand Junction and the steps the city took to reduce expenditures and help businesses.

This webinar was part of NLC's Cities are Essential campaign. You can learn more about the campaign at bit.ly/37ATOqO.

SIPA announces Dr. Catherine Kunst as acting executive director

On June 1, Colorado Statewide Internet Portal Authority's (SIPA) Board of Directors named Chief Operating Officer, Dr. Catherine Kunst, as acting executive director. Dr. Kunst started with SIPA in 2013 overseeing operations, finance, human resources and much more. Dr. Kunst also played an integral part in

SIPA's expansion of services to governments across the state. Dr. Kunst will serve as both acting executive director and COO until a new executive director is appointed. The Board of Directors has contracted with search consultant, Kittleman & Associates, to assist the Board in attracting a qualified and

diverse set of candidates and hiring the right executive director who will successfully direct our mission-based organization.

CML wants to extend a congratulations to Dr. Kunst and looks forward to the continued collaboration and work that occurs between municipalities and SIPA.

Research corner: Census launches multiple tools to guide COVID-19 recovery efforts

The U.S. Census Bureau has launched multiple tools designed to help guide COVID-19 recovery efforts by making key economic and demographic data easily accessible.

COVID-19 Hub

The COVID-19 Hub features data on more than 30 demographic, socio-economic and housing variables that officials leading recovery efforts can use to identify

vulnerable populations and communities and to support local business recovery.

At the hub, users will find interactive dashboards, maps, and downloadable data at both state and county levels. A sample of the Colorado data is available on page 5. To explore the Census COVID-19 Hub and access statistics for your county, visit www.covid19.census.gov.

The Household Pulse Survey Interactive Tool

The Household Pulse Survey Interactive Tool (bit.ly/3hvy1p2) provides data for select indicators at national and state levels. The data provide insight on employment status, spending, food security, housing, education disruptions, and health.

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"Research Corner ... " continued from page 4

The Household Pulse Survey collects data identifying ways in which people's lives have been impacted by the pandemic. While the coronavirus pandemic is causing concern for many, results released in May indicated that there are particular concerns for households with children. Adults living with children were more likely to report having at least one adult lose employment income since the start of the COVID-19 pandemic, sometimes not having enough to eat, and being less confident in their ability to pay their rent or mortgage in June than adults who do not live with minor children.

The Small Business Pulse Survey

The Small Business Pulse Survey (bit.ly/2B7ohAD) measures the changes in business conditions on the nation's small businesses during the COVID-19 pandemic. Business Pulse includes information on location closings, changes in employment, disruptions in the supply chain, the use of federal assistance programs, and expectations concerning future operations.

State COVID-19 planning report: Colorado

5,531,141
Total Population

2,113,387
Total Households

2.56
Average Household Size

36.6
Median Age

86.2%
Internet At Home

BUSINESSES

169,842
Total Employer Establishments

2,371,694
Total Employees

\$126,786,000
Total Annual Payroll (\$1,000)

517,350
Total Non-Employer Establishments

\$25,104,850
Total Non-Employer Revenue (\$1,000)

POVERTY

224,819
Households Below Poverty Level

168,243
Households Receiving Food Stamps/SNAP

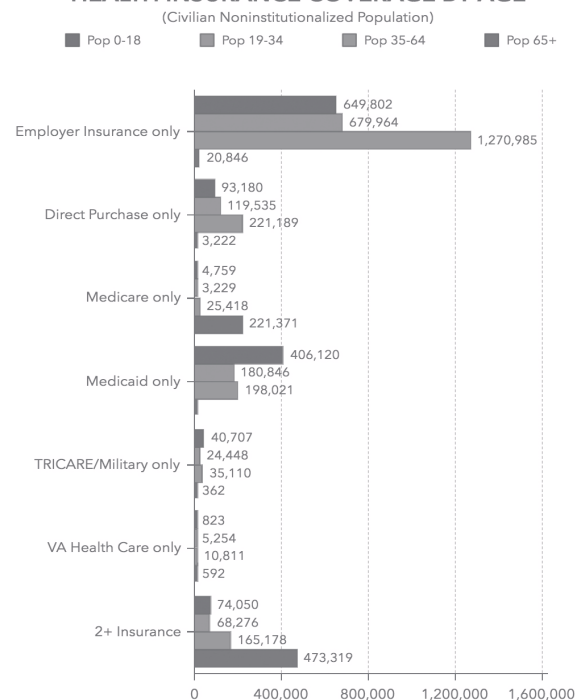
AT-RISK POPULATION

459,890
Households With Disability

195,596
Households w/Pop 65+ Living Alone

108,846
Households Without Vehicle

HEALTH INSURANCE COVERAGE BY AGE



POPULATION AND POVERTY STATUS	Total
Population for whom Poverty Status is Determined	5,409,817
Income to Poverty Ratio <0.50	269,128
Income to Poverty Ratio 0.50-0.99	321,376
Income to Poverty Ratio 1.00-1.24	200,761
Income to Poverty Ratio 1.25-1.49	199,621
Income to Poverty Ratio 1.50-1.84	309,444
Income to Poverty Ratio 1.85-1.99	134,904
Income to Poverty Ratio 2.00+	3,974,583

POVERTY LEVELS	Below	At or Above	Total
All Households	224,819	1,888,568	2,113,387
Married-Couple Family Households	39,758	1,010,277	1,050,035
Other Families Hhlds w/Male Householder	9,750	88,141	97,891
Other Families Hhlds w/Female Householder	47,391	156,366	203,757
Nonfamily Hhlds w/Male Householder	56,734	318,862	375,596
Nonfamily Hhlds w/Female Householder	71,186	314,922	386,108

LANGUAGE SPOKEN AT HOME BY AGE	5-17	18-64	65+	Total
English Only	738,258	2,919,988	656,081	4,314,327
Spanish	146,965	415,548	49,912	612,425
Speak English "very well"	124,149	240,570	30,437	395,156
English less than "very well"	22,816	174,978	19,475	217,269
Other Indo-European	15,777	82,697	19,834	118,308
Speak English "very well"	13,003	63,098	13,540	89,641
English less than "very well"	2,774	19,599	6,294	28,667
Asian-Pacific Island	15,074	77,630	11,796	104,500
Speak English "very well"	12,019	43,338	3,256	58,613
English less than "very well"	3,055	34,292	8,540	45,887
Other Languages	8,546	34,821	3,015	46,382
Speak English "very well"	6,972	23,147	1,341	31,460
English less than "very well"	1,574	11,674	1,674	14,922

Source: 2014-2018 American Community Survey 5-year and County Business Patterns (CBP) 2017



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