



COLORADO
MUNICIPAL
LEAGUE

Newsletter

Vol. 46, No. 11, June 5, 2020

CML to hold virtual Annual Business Meeting on June 25

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 and we encourage you to attend. This meeting is your opportunity to vote on CML Executive Board members; adopt the 2020–2021 CML Policy Statement, review 2021 dues, and hear a brief annual report of league activities, including an important advocacy update.

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 participate in 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 to be designated. Predesignation of voting delegates is required and must be completed by midnight on **June 22**.

Prior to the Annual Business Meeting, CML will post information about the individuals who have applied to be candidates for the

CML Executive Board on the CML website at www.cml.org. Applications for the CML Executive Board will be accepted through 5 p.m. on Wednesday, **June 10**. More information on applying for the CML Executive Board is available at bit.ly/3evgzyA. Please visit bit.ly/2A1kJKI to register to attend the virtual Annual Business Meeting. All registered attendees will receive a link to the virtual meeting on **June 24**. We look forward to (virtually) seeing you there!

What is happening with Gov. Jared Polis' proposal to allow remote signatures on state initiative petitions?

By David W. Broadwell, CML general counsel



On May 27, the Denver District Court upheld the authority of Gov. Jared Polis to allow state initiative petitions during the current public health emergency to be "signed" via mail or

email, in addition to the normal practice of signing petitions in-person in the presence of a petition circulator. This decision is expected to be appealed rapidly to the Colorado Supreme Court for a final decision.

Newly-issued regulations from the Secretary of State confirm that an "electronic signature" will not be enough. "Signing" of a petition via email will require submission of an actual "wet signature" to allow verification of the petition.

State public health orders have never really prohibited petition circulators from obtaining signatures the old fashioned way. As the state continues to reopen and foot traffic in public places increases throughout the state this summer, opportunities to obtain signatures on state petitions before the **Aug. 3** deadline will only increase. But Gov. Polis takes the

position that remote signing of petitions must be allowed to protect public health, and to ensure that petition proponents are not deprived of their constitutional right to initiate laws.

Municipal perspectives on petitioning

When the Colorado Constitution was amended in 1910 to create initiative and referendum rights, the rights were extended to municipal voters as well as state voters. The Constitution also recognizes the authority of citizens in home rule municipalities to initiate charter amendments as well as ordinances.

However, the Governor's executive order allowing remote signatures on petitions does not address petitioning procedures at the municipal level, as set forth in Title 31 of the Colorado Revised Statutes and in home rule charters and ordinances. Furthermore, CML has received no indication to date that the Colorado General Assembly intends to adopt any changes to statutory procedures governing municipal petitions or modify the conventional requirements for in-person signatures at the municipal level.

There are a couple of key differences to the way the initiative process works at the municipal level, differences that make the "social distancing" challenges associated with COVID-19 in the summer of 2020 less daunting.

For decades now, the challenge associated with garnering the massive number of signatures required on a statewide petition has required a sophisticated level of organization and, almost always, the use of paid petition circulators. But municipal initiative petitions tend to be grass-root efforts, and the relatively modest number of signatures required to qualify for the ballot make the effort more doable, even in a pandemic.

Also, a higher degree of urgency applies to state petitions. Most initiated measures at the state level can only be submitted to the ballot at the biennial general election such as the one on **Nov. 3**. If pending petitions do not make the ballot this year, the proponents must wait until 2022 to try again. But municipal initiatives can be voted virtually any time throughout the year via a special election.

Empowered cities and towns, united for a strong Colorado

CML welcomes a new law clerk, Samantha Byrne



Samantha Byrne will be a 2L at the University of Denver's Sturm College of Law this fall. Originally from the Chicago area, Samantha moved to Denver in 2016 to pursue a master's degree in Public Policy at the University

of Colorado Denver. While working toward her degree, she served as the assistant town administrator for the Town of Lochbuie through DOLA's Best & Brightest Internship Program. Through serving the town, Samantha discovered an affinity for municipal government and is excited to continue to grow her knowledge base, particularly the legal aspects, while serving as CML's Law Clerk.

DOLA announces CARES Act reimbursement program for local governments

By Kevin Bommer, CML executive director

On May 29, the Department of Local Affairs (DOLA) announced the allocation of \$275 million in Coronavirus Relief Funds (CRF) for local governments. The CRF was part of the CARES Act that was directed to states and local governments over 500,000 population to reimburse unbudgeted expenses in response to the COVID-19 pandemic. States were expected to allocate funds to local governments that did not receive direct allocation, according to guidance from the U.S. Treasury.

Recently, Gov. Jared Polis issued Executive Order D 20-070, which was subsequently amended by Executive Order D 20-081. The order directs the distribution of \$1.67 billion of CRF dollars held by the state, and further directed that 16% of the funds – or \$275 million – will be made available to municipalities, counties, and special districts for eligible expenses. Under the executive order, nearly \$1 billion of the CRF dollars are directed to education. CML had requested 25% of the funds or \$418 million, and a recent update to U.S. Treasury guidelines

suggests that 45% should be directed to local governments under 500,000 population. In Colorado, that would amount to around \$750 million. CML is contemplating a request to Gov. Polis to revisit his allocation decisions, given the guidance from the federal government that CML believes is more consistent with legislative intent.

Regardless, the decision to recognize that local governments on the front lines of the COVID-19 pandemic have direct costs that should be reimbursed is appreciated. CML is grateful for the continued state-local partnership that has existed from the beginning of the pandemic. Aside from Gov. Polis, CML is particularly grateful for the leadership of Speaker of the House KC Becker, who led the charge in support of local governments, as well as Rep. Julie McCluskie and Sen. Bob Rankin.

Additional details on the manner in which funds will be allocated and how local governments will apply for reimbursement are available at on DOLA's website, visit bit.ly/2MjSi2h.

Save the date

Bringing municipal facilities back online after COVID-19

How do I prepare my municipal facilities so that they can be woken back up after being un-occupied or partially occupied during COVID? Join CML and McKinstry on **June 11** at 10 a.m. as a panel of experts sift through fact-based best practices from misinformation across engineering, commissioning, issue detection, operations and maintenance, and more before you open your facilities back up to the public. This session dives deeper into methods and approaches for properly bringing your municipal facilities back online after COVID and how to wake facilities back up before your users return. This webinar will focus specifically on facilities in the Colorado region and will be led by a local team of McKinstry experts. To register for this webinar, visit bit.ly/2XQLILC.

Juneteenth Virtual Music Festival

The U.S. Census Bureau will be one of the Marketplace Vendors with information,

videos, and PSAs to encourage response to the 2020 Census throughout the day. This event is **June 18th** from 9 a.m. to 7 p.m. For more information, email Lee Morning at lee.a.morning@2020census.gov.

Denver PrideFest

The U.S. Census Bureau continues to work to promote response to the 2020 Census in this virtual environment. On **June 19** from 8 p.m. to 10 p.m., drag artists Dixie Krystals and Jessica L'Whor will co-host a Drag and Variety Show that is festive and family-friendly. During the event, PSAs by Gov. Jared Polis, LGBTQ Activist Laila Ireland, and Mr. and Miss Gay Pride Colorado (Lushes La'Rell and Chase Pelletier) will be shown. This event is sponsored by Adams County, Denver Health, and The City of Aurora. For more information, email Noel Villarreal at noel.b.rincon.villarreal@2020census.gov.

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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: Courtney Forehand
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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Software replacement plans canceled? Optimize your company's existing enterprise system

By Mark Warner, Plante Moran partner, Tracey Rau, Plante Moran senior manager, and Judy Wright, Plante Moran partner

If you can no longer afford a new Enterprise Resource Planning (ERP) system, what is your next best option? Finding ways to work with what you have. Consider these 12 ideas to optimize your current system to drive efficiency across your organization.

While there is a significant amount of uncertainty caused by the COVID-19 pandemic, one fact seems certain. State and local governments, K-12, higher education, and other public sector agencies will likely see their revenue or funding negatively impacted this upcoming year. The financial shortfalls stem from decreases to property taxes, income taxes, student enrollment, various state and federal sources, fees for service, or other revenue streams. Therefore, organizations are pulling out their budget-balancing playbooks from the Great Recession to find the best ways to sustain operations with their available resources. One item that should be in that playbook? Making sure your ERP system is providing maximum value to your organization.

Sure, a new ERP system would be nice to have — you may even have been planning for it — but if the COVID-19 pandemic killed your project funding, you may instead want to consider the legacy solution you have now. When you harness its untapped potential, you can deliver substantial benefits to your organization while avoiding the cost and time of selecting and implementing a new system.

You know that ERP systems are complex. To re-energize a software solution already in production, you will need to explore the many dimensions of how your team interacts with that system. Focus on these 12 areas to improve your ERP efforts:

- **Build on prior successes:** Your previous software implementation wasn't a total failure — even if a couple of critical areas presented challenges. Determine which areas were the most successful and why. Was it because of a particular staff, or the amount of time someone was given to invest in mastering it? It is likely you can take the lessons learned where things went smoothly and apply them to the areas where your deployment fell short of expectations.
- **Conduct a post-game analysis:** Evaluate why your organization did not fully

realize the original goals of the software deployment. Were there hiccups with the project team, the vendor's consultants, or internal sponsorship? Did you run out of time or funding or fail to use certain functions? Your findings can help you focus future efforts to target effective improvements.

- **Review your business processes:** At the heart of the effort, you will need to evaluate your key business processes to determine if they are consistent with peer organizations. There may be untapped potential within best-practice functionality built into the system but "deconfigured" during the implementation.
- **Automate business processes:** If your system does not have functionality to improve all your processes, can you automate a few with robotic process automation (RPA)? RPA can be programmed to mimic the routine, frequent tasks that your staff perform in order to free up their time for other value-added activities.
- **Retrain staff:** Take this time to assess your staff's understanding of practices, procedures, and outcomes. Then customize plans for growth and development opportunities to fully support them to maximize the effectiveness of your technology investment.
- **Analyze vendor services:** Your organization's software solution is only as good as the service that you receive when you're having an issue. You will want to evaluate the level of support and service that your technology vendor provides compared to industry-acceptable performance standards and best practices to ensure that you are optimizing their offering.
- **Consider governance and decision-making:** Are your decision-making processes and methodology for people, processes, systems, and data aligned with the roles and responsibilities associated with your new technology? It is critical that you define a framework for managing and coordinating all people and pieces.
- **Leverage your peers' successes:** Are your problems unique, or do your peers have them as well? Whether you are a school, a city, a college, or an airport, water, or transit authority, sometimes you need to look outside of your organization. Coordinate

with other entities using the same software to see if they can provide insights on alternative methods for configuring the system to your needs.

- **Harness data analytics:** Is your team effectively managing your data? It will be important to assess your analytics infrastructure and delivery, including the ability to manage, retrieve, and interpret the information you manage.
- **Assess your team:** You will want to consider your team's perspective and willingness to reinvest in the system. Assessing this will identify the areas where you can immediately focus so that your teams are ready and capable of reenergizing your implementation efforts.
- **Maximize product licensing:** Are you using all of the software that you paid for, and is the licensing rightsized to the parameters around how licensing is determined? Evaluating this area will ensure that you are only paying for what you need both near term and long term.
- **Reconsider deployment models:** Have you effectively evaluated whether your solution is most appropriately housed as an on-premise or vendor-hosted solution if both options are available? While the public sector marketplace was initially more cautious in considering cloud options, many organizations are now becoming more comfortable with a remote hosting model as these cost-effective alternatives continue to mature.

Your organization's software solution is only as good as the service that you receive when you are having an issue.

Newer is not always better.

The old adage, "Don't throw the baby out with the bath water" may apply to your prior software investment, especially now that capital budgets are more constrained than ever. It is not too late to improve your situation while achieving your original objectives. The time has come to reassess and refocus your efforts, realign your investment with your organization's strategic goals, and recommit to optimizing your existing software solution. Our dedicated public sector team has helped countless organizations assess, select, implement, and optimize their enterprise software solutions. Our focus on public sector processes and best practices will help guide you through these uncertain times.



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CITIES ARE ESSENTIAL

and National League of Cities is proving it!

NLC and your state league is asking Congress to provide at least \$500 billion in funding to cities, towns, and villages to address the significant financial impact of COVID on these communities.

Local governments are calling for direct federal funding to protect families, municipal workers and America's economic future.

Communities will use federal aid and support to facilitate a reopening of the national economy.

CITIES ARE ESSENTIAL TO AMERICA'S ECONOMIC RECOVERY.

Learn more at nlc.org/CitiesAreEssential
Support the campaign on social media [#CitiesAreEssential](https://twitter.com/CitiesAreEssential)

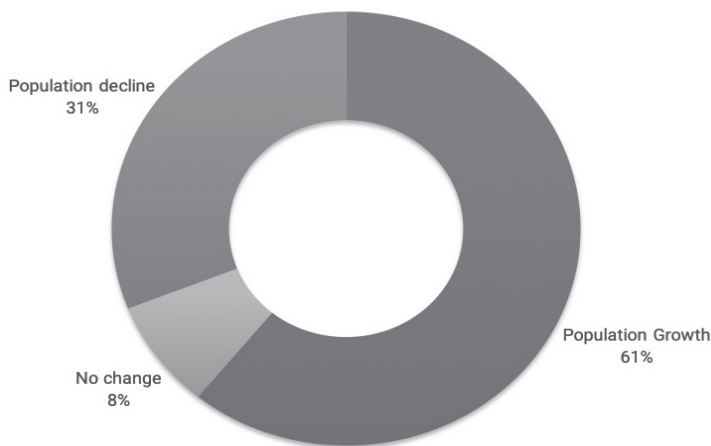
CITIES ARE ESSENTIAL

Research Corner: U.S. Census releases 2019 vintage population estimates

The U.S. Census Bureau has released 2019 population estimates for cities and towns, and once again, Castle Rock is among the 15 fastest-growing large cities (population of 50,000 or more) in the nation, with a 5.4% population increase from July 1, 2018 to July 1, 2019. Among municipalities of all sizes, two towns in northern Colorado, Timnath and Severance, have also seen incredible growth.

Year over year:

**Population Change Among Colorado Municipalities
July 1, 2018 - July 1, 2019**

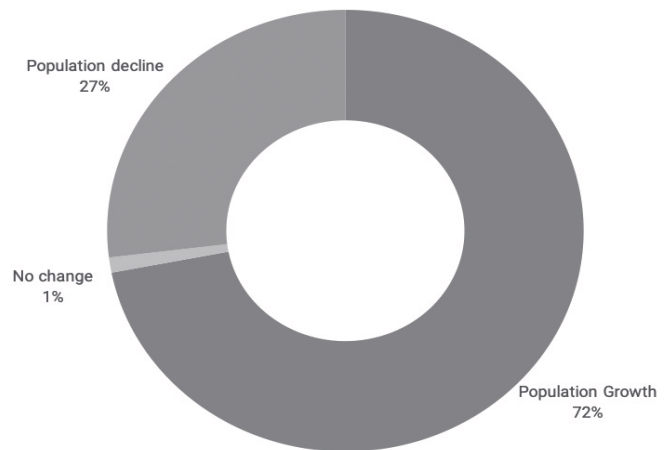


Largest numeric increase: Denver, 10,946
Largest percentage increase: Severance, 29%

To explore the full dataset, visit bit.ly/2XGsJxR.

Since Census Day (April 1), 2010:

**Population Change Among Colorado Municipalities
Census Day (April 1), 2010 - July 1, 2019**



Largest numeric increase: Denver, 127,053
Largest percentage increase: Timnath, 700%

"Save the date" continued from page 2

Continuity of Operations Planning during COVID-19

You and your water utility personnel are invited to a free training hosted by CDPHE, on Continuity of Operations Planning during COVID-19. Operators who participate can get 0.15 training units.

This course will cover:

- Continuity of Operations Plans and considerations for COVID-19 responses
- Operator in responsible charge designation
- Written Operation Plan and Standard Operating Procedure design and maintenance

All of these webinars are free and hosted online from 10:15 a.m. to noon. Due to staff availability, there are only 40 spots available per webinar. After you register, CDPHE will send an email with information on how to access the online platform.

- To attend the webinar on **June 11**, visit bit.ly/2Adoi5s.
- To attend the webinar on **June 18**, visit bit.ly/2X7Sub7.
- To attend the webinar on **June 25**, visit bit.ly/36F78d9.
- To attend the webinar on **July 9**, visit bit.ly/2X8Jdj2.
- To attend the webinar on **July 23**, visit bit.ly/2X84Gc2.

One-on-one training for COOP development and COVID-19 response is available as a follow up to this training through the division's Local Assistance Unit. If you have any questions, please contact the Local Assistance Unit team at cdphe.wqdwtraining@state.co.us.

For additional webinar resources for emergency and resilience planning, visit the EPA's Partnering for Security and Resilience webinar series at bit.ly/2ZP1ELp.

Virtual Library Story Times

The U.S. Census Bureau continues to work to promote response to the 2020 Census in this virtual environment. All libraries across the state are invited to join in hosting virtual story time events to teach children and families about the 2020 Census.

Here are some of the participating libraries:

- Pueblo City-County Library District (Bilingual Virtual Storytime on **June 15** and Live Virtual Storytime on **June 16**)
- Summit County Libraries: Virtual Storytime on **June 17** (details TBD)
- Garfield County Libraries: Virtual Storytime, (details TBD)
- Denver Public Libraries: Virtual Storytime, (details TBD)

For more information, email Elizabeth Cypers at elizabeth.cypers@2020census.gov, including a list of suggested book titles and other tools to recreate these events at your local library.



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