



CML Board's first meeting of 2021 features special guests



Gov. Jared Polis



Mayor Laura Weinberg

By Kevin Bommer, CML executive director

The CML Executive Board held its first meeting of 2021 on Friday, Jan. 22 and kicked off the New Year by filling a vacancy and hosting two special guests. At the beginning of the meeting, the Board unanimously approved Mayor Laura

Weinberg from Golden to fill the medium municipality vacancy created last month with the resignation of Darrin Tangeman, former Woodland Park manager. Tangeman is now the administrator in Truro, Mass.

Weinberg, who was selected from among four highly qualified candidates, will serve out the remaining term and then may run to be elected at the Annual Business Meeting in June.

The Board occasionally invites special guests to meet with them, and this meeting featured two of them. Gov. Jared Polis joined the Board to talk about Colorado's response to COVID-19, programs and efforts benefitting municipal interests, and the strong state-local partnership that has existed since he took office. Gov. Polis also answered questions from the CML Board on recent issues with unemployment insurance fraud.

The very fluid U.S. Senate schedule prevented newly elected Sen. John Hickenlooper, Colorado's former governor and former mayor of Denver, from being able to join the meeting. However, his state director, Shad Murib, was able to give some

remarks and take a couple questions, and Sen. Hickenlooper will attend a future CML Board Meeting. CML has always maintained strong relationships with Colorado's federal delegation, and Sen. Hickenlooper's willingness to meet with CML's Board is greatly appreciated.

Other business of the Board included an update on CML's commitment to equity and diversity. CML Executive Board President Bob Widner, Centennial city attorney, has made the issue his President's Initiative. As part of the initiative, the Board established a Subcommittee on Equity and Diversity, which has been meeting with staff to guide the inclusion of additional content on the issues in training and publications for members. The subcommittee has also provided direction for additional training for both the CML Board and staff.

The next regular meetings of the current CML Board will be **Feb. 19** and **Apr. 23**, and the new Board will meet immediately after the election at the Annual Business Meeting scheduled for **June 24** in conjunction with the CML Annual Conference in Snowmass Village.

Summary of the first three days of the 2021 Legislative Session

By Meghan Dollar, CML legislative advocacy manager

The legislature met for three days starting Jan. 13, 2021 and wrapped up Friday, Jan. 15. Unlike most sessions, this brief convening of the legislature did not include pomp and circumstance such as speeches from legislative leadership and the governor. The goal was to get in and get out in three days to pass necessary legislation without exposing anyone to COVID-19. The General Assembly ultimately passed seven pieces of legislation. The legislation included anything time sensitive and

COVID-19 related. An example is SB 21-001, which extended application deadlines in SB 20B-001, the business relief legislation that passed during the special session. CML followed all introduced legislation closely, however, the only one with municipal impact was SB 21-001. Following Friday, Jan. 15, the legislature temporarily adjourned. During the hiatus, legislators and some Capitol staff will receive the COVID-19 vaccine. The number of legislators and staff that receive the vaccine will ultimately dictate the official return of the General Assembly. The current

projected return date is **Tuesday, Feb. 16**. In the meantime, the CML Advocacy Team is working to move our legislative priorities forward. Those priorities include addressing affordable housing, making changes to the Law Enforcement Integrity Act, allowing local governments to regulate plastics, and making clarifying changes to Colorado's open meetings law.

For questions about the 2021 legislative session please contact Meghan Dollar at mdollar@cml.org.

CML welcomes Meghan MacKillop



CML is pleased to announce that Meghan MacKillop joined the team as a legislative and policy advocate on Jan. 25. Meghan has eight years of experience working with

the General Assembly, spending the past six years as a policy and research analyst with Legislative Council Staff. During her time at Legislative Council, she staffed the Education, Judiciary, and Agriculture committees. Meghan received her BS in Political Science from the University of Colorado and is a devoted Buffs fan. Meghan loves to cook and bake, and she's developed a talent for baking sourdough (her starter is named Ruth Baker Ginsburg)! She is a Colorado native and lives in southwest Denver with her husband, one-year-old-son, and hound dog. Meghan will focus on transportation, economic development, sustainability, immigration, telecom and broadband, public safety, and utilities for the CML advocacy team.



Unless otherwise noted, all webinars take place from noon to 1 p.m.

Feb. 2 - Census Webinar

U.S. Census Bureau will present information regarding the 2020 Census. For more information and to register, visit bit.ly/3bwOM4e.

Feb. 11 - Town Hall: What Licensees Need to Know: Delivery

The Colorado Department of Revenue's Marijuana Enforcement Division is holding a Town Hall from **10:30 a.m. – noon**. Please see the Town Hall invitation at bit.ly/3iOBFv1 for all important information, including the registration link for both Town Halls. You must

register ahead of the Town Hall to receive the Zoom link. This session is open to the public and all are welcome.

Important! These webinars are free to CML municipal members. If you are asked for a credit card or payment information after going through the process to register, contact CML at 303-831-6411.

Remember! All CML accounts are registered through work emails, not private accounts. If you have issues with your username or password, please follow the instructions below:

On the login page, you will find links labeled Forgot username? and Forgot password?. Please use the appropriate link, if applicable.

- If you've forgotten your username, you will be prompted to enter your email address. An email will be sent to you with your username.
- If you've forgotten your password, you will be prompted to enter your username. An email will be sent to you with a link that will allow you to reset your password.

For more information on webinars, visit cml.org > **Networking & Events**. If you are interested in a training topic, contact Courtney Forehand, CML training and marketing specialist, at cforehand@cml.org.

CML Legislative Workshop



This popular and timely workshop is being held virtually this year. It is your opportunity to discuss the key municipal issues before the General Assembly, CML's legislative program, and what you can do to influence the legislative process.

Date: **Thursday, Feb. 11, 2021**
Time: 9 a.m. – 1:30 p.m.

For more information and to register visit bit.ly/3snFBaL. The cost of the workshop is \$49 for CML and associate members and \$99 for non-members.



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NEWSLETTER

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

Get this newsletter by email. The *CML Newsletter* is available by email three days before it arrives in the mail! Sign up at bit.ly/CMLNewsletter.

Unemployment fraud causes problems for municipalities and individuals statewide



By Laurel Witt, CML associate counsel

An alarming issue has come to our attention related to unemployment fraud. The number of fraudulent unemployment compensation claims has increased overwhelmingly throughout Colorado in the past few weeks, which has led to major problems for municipal employers as well as for any individual employees who may be the victim of identity theft. In some municipalities, we are hearing that over half of all the unemployment claims filed are fraudulent in nature.

Our municipal finance directors are reporting two particularly concerning trends:

- An unknown person filing a fraudulent unemployment claim for current or nonexistent municipal employees and, even though the claim is marked as fraudulent, the Colorado Department of Labor and Employment (CDLE) paying out the claim; or

- An employee of the municipality has received a mailing from CDLE which reports money received as unemployment compensation when the employee has not applied for unemployment compensation. The employee is then expected to pay taxes on this income they have not received.

Individual claimants and municipal staff who have attempted to contact CDLE have reported difficulty in getting ahold of the department to report fraud.

CML has contacted CDLE and they are aware of the impact these fraudulent claims are having on all employers, including municipalities. CML is working with officials in the Polis Administration, as well as the department itself, to understand how CDLE intends to prevent further fraud.

CDLE will soon be putting out information to municipalities on what the department is doing

about these issues moving forward. CDLE is also working on addressing the ongoing fraud through new programs such as ID.me, a technology that allows for online, virtual and in-person identify verification before processing a claim.

If you are the victim of unemployment fraud, please contact CDLE to file a report immediately. Reporting can be completed by going to the CDLE website, bit.ly/2YcGBAn, or via telephone at 303-318-9000. If you are looking to report a received a 1099-G form resulting from a fraudulent UI claim filed in your name, please visit bit.ly/3cbJGJ5.

As we learn new information, we will be communicating directly with our members and ensuring consistent and timely information. We understand your frustration and will be working to assist all of our members on this issue.

DOLA awards \$7.14M in Energy and Mineral Impact Assistance Funds



By Heather Stauffer, CML legislative and policy advocacy

The Department of Local Affairs (DOLA) recently awarded \$7.4 million to local governments and other political subdivisions of the state through the Energy and Mineral Impact Assistance Funds (EIAF). These funds are awarded to areas that are socially or economically affected by the development, processing or energy conversion of minerals and mineral fuels. Thirteen towns and cities received awards, including Tier 1, Renewable Initiative, and Broadband Awards. Among those towns and cities awarded was the City of Steamboat Springs, who received funds for the installation of solar panels at 13 local government facilities. The Town of Hudson also received funding for engineering and construction of an open-access, middle mile fiber project for three regions within the town.

The Energy and Mineral Impact Assistance Funds are collected based upon revenues generated by severance tax and federal mineral lease collections. Severance tax is imposed upon nonrenewable natural resources that are removed from the earth in Colorado, the largest sources of which are oil and natural gas, coal, and Molybdenum and metallics. Severance tax revenue is divided, and 50% of the revenue is allocated to DOLA.

70% of those funds allocated to DOLA are used for local impact grant/loan funds. In addition, the federal government collects revenue from companies that lease federal land for mineral production, and the state receives about half of the revenue collected.

Even in the best of times, severance tax revenue is prone to being volatile and unpredictable. In 2020, reduced domestic and international travel activity hit the oil and natural gas industry hard. International oil prices remain low and production in Colorado has slowed significantly. In addition, ad valorem credits, which allow oil and gas producers to deduct property taxes from their severance tax liability, reduced severance taxes for many oil wells to \$0 in 2020. Legislative Council Staff's December 2020 economic forecast estimated total severance tax fund revenue for FY 2020–21 at \$18.3 million, down nearly 86.1% from FY 2019–20. Because severance tax transfers are always one year delayed from when they are collected, the outlook for 2021 EIAF is likely to be significantly reduced as well. While future estimates for FY 2021–22 and FY 2022–23 show severance tax moderately rebounding, the projected revenue still falls below FY 2019–20 levels.

In memory - Remembering long-time Greeley city attorney Rick Brady



By David W. Broadwell, CML general counsel

One of our most outstanding municipal attorneys in recent memory left this world way too soon on Jan. 19 at the age of 66.

Rick Brady served in the Greeley city attorney's office from 1988 until 2012. There was one early sign that Brady was a "natural" as a municipal attorney. He started in an entry level position in Greeley, and within two years was appointed as the

head city attorney by the city council, after which he served a whole generation of councilmembers until his retirement.

Brady was a fifth generation Coloradan who grew up in Littleton originally. He was widely respected statewide by his peers and made many contributions to CML and the legal community at large.

Brady was named Outstanding Municipal attorney twice and served several stints as chair of CML's Attorney Section and the Metro City Attorney's Association, along with being elected president of the Weld County Bar Association. He also served as the Colorado state chair for the International Municipal Lawyers Association.

Brady's love of municipal law was infectious. He was always a go-to guy for other city attorneys whenever we needed a little group problem-solving or commiseration. He was generous in spirit and unfailingly projected a positive attitude that endeared him to his professional colleagues.

Since his retirement in 2012, Brady continued to serve his community and his church in various capacities, enjoyed the great outdoors, and reveled most in his wonderful family, including five kids and a growing brood of grandkids.

We will cherish his memory as a friend and an inspiration.

Be prepared for SolarWinds security threat



The guidance below is from the Office of Information Technology to provide local governments with support against any SolarWinds security issues.

1. Understand the issue

You can learn more about the SolarWinds threat in this helpful webinar: Unit42 SolarStorm Threat Briefing (bit.ly/3sRZPt7).

2. Take action

The chart (bit.ly/39djX1a) provides a very good summary of which actions you should take, based on what version(s) of SolarWinds you are running.

3. Consider a forensic examination

For organizations running (or with a powered off) SolarWinds Orion server, Palo Alto will perform free forensics. They require that you provide your organization's external IP address(es) and domain(s) and they will ask you to run a forensic file on your Orion server(s). Armed with that information they will report whether they find any signs of compromise. For information on PA SolarWinds Rapid Response visit bit.ly/39dG1Zt. Note: you do NOT need to be a customer to take advantage of this service!

4. For additional guidance

The MS-ISAC created a website to provide SolarWinds SLTT guidance; and other resources at bit.ly/3iG3SEr.

5. Join the threat sharing community

Lastly, if you are not a member of the Colorado Threat Information Sharing (CTIS), you can sign up at this link: bit.ly/3iTs32k.

CTIS is a group of vetted state and local security personnel who share information about threats they are seeing in their environment, so that we can take action to protect ourselves. Additionally, the CTIS community has proven very valuable in providing support and assistance to each other during security events.

Member news



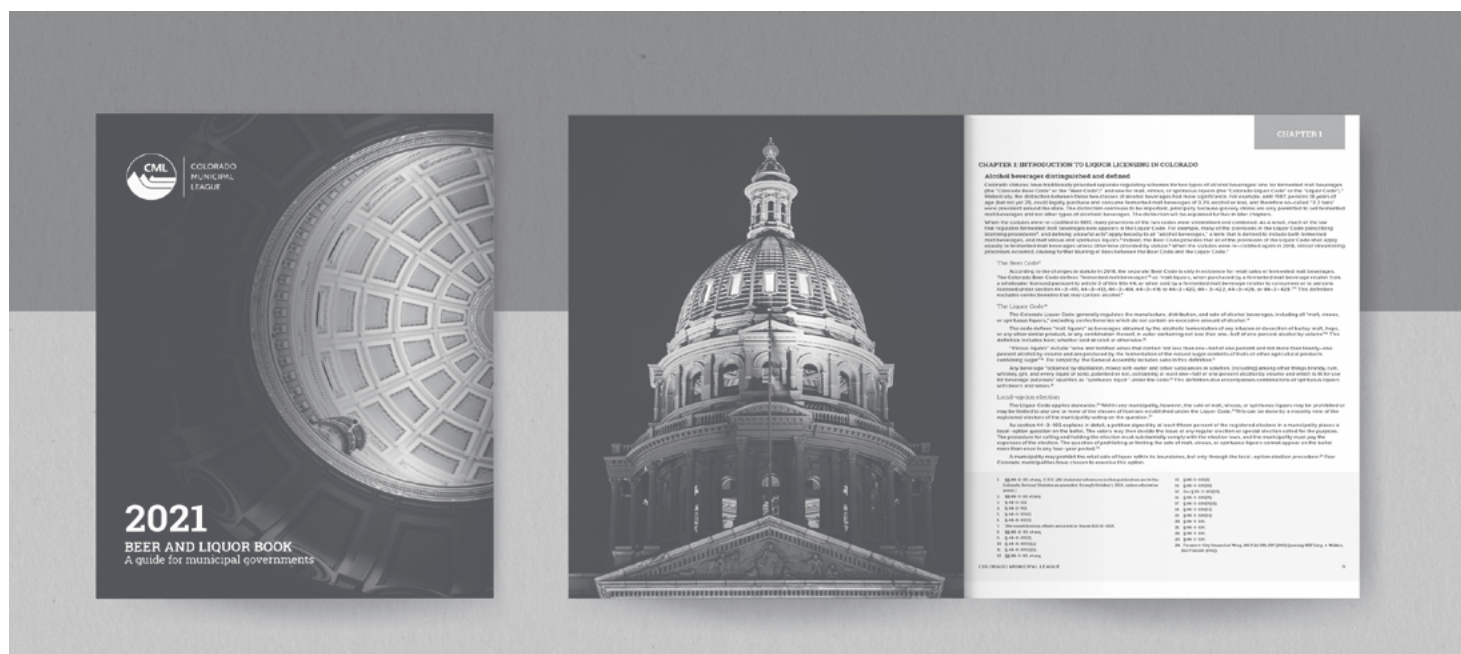
Bohannon Huston Announces Leadership Promotion

Jared Lee was promoted to senior vice president and shareholder.

Lee manages Bohannon Huston's Colorado Engineering group from their Denver office. His expertise includes leading design teams in all civil engineering aspects of various design and development projects, including both private and public infrastructure projects. He has experience in leading transportation, drainage and utility design projects, residential and commercial

developments, subdivision planning, and award-winning civil site development projects, while still maintaining an active role in the design process. As a LEED Accredited Professional, he has experience with green building practices and design services for several LEED registered and/or certified projects. Lee has been with BHI since 2003.

CML releases updated Beer and Liquor Book



Beer and liquor licensing is of significant and continuing concern to municipal officials and staff, and licensing requirements can change frequently. A recently updated CML publication, *Beer and Liquor Book*, provides a general introduction to the law and practice of beer and liquor licensing by Colorado municipalities and the interaction of municipalities with the Colorado Division of Liquor Enforcement.

The publication is available online-only for PDF download at the CML store at bit.ly/3qS1a1i and is free for CML members.

Updated appendices include fillable sample forms for municipalities to customize for their own needs.

This 2020 edition was prepared by CML Associate Counsel Laurel Witt and CML Law Clerk Samantha Byrne following changes of the beer and liquor statutes, including a recodification of the statutes. The League thanks the municipal clerks and staff who helped in the updating of this edition of the book: Robin Eaton, City of Wheat Ridge deputy city clerk; Cheryl Aragon, City of Greeley clerk; Teri Colvin, former City of

Arvada deputy clerk; Dawn Quintana, City of Longmont clerk; Mishawn Cook, City of Boulder licensing manager; and Aimee Jensen, City of Fort Collins deputy clerk. Finally, the League extends its gratitude to all the municipal clerks and other municipal officials who contributed their time and effort to this and prior editions of the publication.

CML continues to produce reference guides and best practices publications addressing key issues facing Colorado municipalities. For a complete list of CML publications, visit cml.org.

CML releases online resource listing water and wastewater funding sources for municipalities



Much of the water infrastructure that serves municipalities is reaching the end of its useful life. In a 2020 report, Colorado Concern identified a \$17.6 billion inventory of water and wastewater projects in Colorado. A recently-released, online-only CML publication, adapted and reprinted with permission from the Environmental Finance Network, provides an overview of some of the major sources of funding available to municipalities for water and wastewater projects.

This resource of federal, state, private and non-profit funding opportunities includes application information and direct links to program websites.

The publication is available at bit.ly/3pi3RJP.

The October 2020 edition of CML's magazine, *Colorado Municipalities*, also featured stories about water and water providers in Colorado. To download this edition, please visit cml.org > Publications & News > Colorado Municipalities.

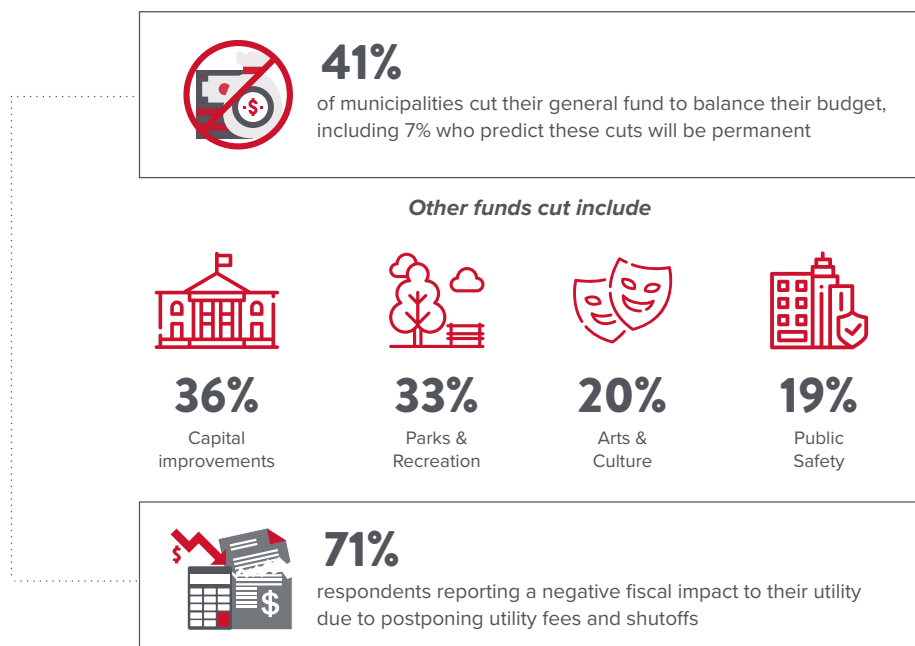
Research Corner: Survey of Colorado municipalities reveals resiliency in face of COVID-19 challenges

CML recently released the *2021 State of Our Cities & Towns Report*, which examines the operational and fiscal impacts of COVID-19. The 2021 report, which is based on results of a survey conducted in the fall of 2020 of cities and towns statewide, is being released as an interactive online data story to provide a more visual narrative and encourage a deeper understanding of the municipal experience of the COVID-19 pandemic. Findings from the 173 municipalities that responded show that while the impacts of COVID-19 on operations, revenue, and local economies are as varied as the municipalities that responded, Colorado municipal officials' commitment to serving their communities is universal.

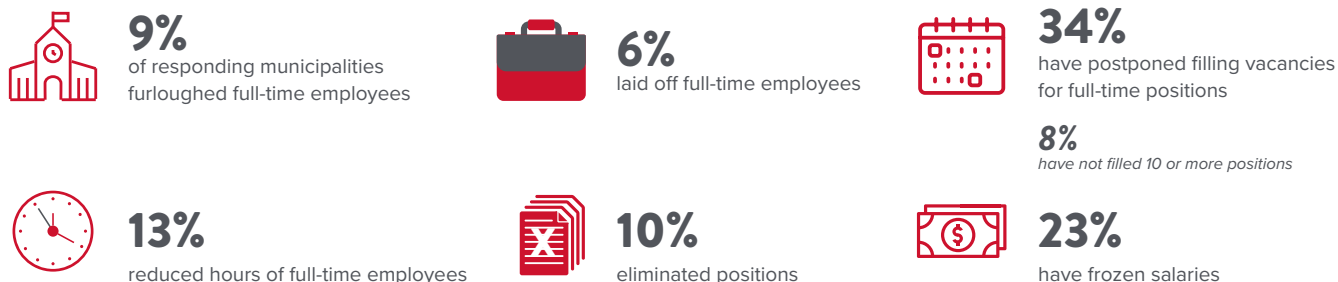
The COVID-19 pandemic, which has sickened over a quarter million Coloradans, forced the closure of schools and businesses, and killed thousands of residents, has also drastically limited the revenue available to cities and towns at a time when they are working to continue infrastructure investment, support local businesses, and keep the people in Colorado municipalities safe. The *2021 State of Our Cities and Towns Report* features stories of how the individual municipalities of Boulder, Englewood, Fruita, Lone Tree, and Rifle keep delivering for their residents despite the most challenging circumstances.

Key findings of the survey include:

MUNICIPAL BUDGET IMPACTS:



MUNICIPAL WORKFORCE IMPACTS:



The full data story can be viewed at bit.ly/3qIzNIE. Complete survey results can be found at bit.ly/2M1h5LW.



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