



COLORADO
MUNICIPAL
LEAGUE

NEWSLETTER

Vol. 47, No. 13, June 18, 2021

Registration now open for CML's Special Conference!



Registration is now open for CML's Special Conference, Sept. 22–24 in Westminster, and CML's Virtual Special Conference, Sept. 30–Oct. 1. Space at the in-person conference is limited, so register early to ensure your spot at the premiere training event for municipal officials in Colorado!

Among this year's highlights are:

- All in-person Special Conference registrants receive a complimentary registration for the Virtual Special Conference.
- More than 35 in-person sessions, plus 16 virtual sessions.
- Keynote addresses by national speaker Kevin Brown and Dr. Dwinita Mosby Tyler.

- Extensive networking opportunities.

CML will be strictly following all state and local health guidelines in an effort to ensure a safe event.

It's been a while since we've been together - let's meet up in Westminster!

Register for in-person CML Special Conference at bit.ly/3zmPVmB.

Register for Virtual Special Conference at bit.ly/2U5Kfxl.

For lodging information, bit.ly/3ghBwRg.

For more information, visit cml.org/conference.

2021 CML Executive Board candidates*



CML's 2021 Annual Business Meeting is June 21. One of the main components of this meeting is the election of CML Executive Board members. These Board members will represent the interests of municipalities statewide throughout their term in office. Each municipality has one voting delegate who will cast the vote, but that delegate is voting on behalf of the municipality as a whole. For more information on voting delegate designation, contact your municipal clerk.

CML is excited to have a great slate of candidates for election to the Executive

Board. Because we will not meet prior to the election, we have created a candidate page where you can find more information about these candidates. We encourage you to take a look at this candidate page prior to the meeting to help your voting delegate make an informed decision. You can find the candidate page at bit.ly/3v3KI5i.

A list of candidates is also available below:

Largest category (one position)

- Angela Lawson, Aurora councilmember

Large category (three positions)

- Greg Caton, Grand Junction city manager
- Dale Hall, Greeley mayor pro tem
- John Marriott, Arvada councilmember
- Don Sheehan, Centennial councilmember

Medium category (four positions)

- Cathie Brunnick, Lone Tree Mayor pro tem

- Barbara Bynum, Montrose councilmember
- Tracie Crites, Frederick mayor
- Liz Hensley, Alamosa councilmember
- Dave Kerber, Greenwood Village councilmember
- Laura Weinberg, Golden mayor
- Melissa Youssef, Durango councilmember

Small category (3 positions)

- AJ Euckert, Dacono city manager
- Susan Jung, Rocky Ford mayor
- Dave Ott, Lochbuie mayor pro tem
- Russell Stewart, Cherry Hills Village mayor
- Nicholas Wharton, Severance town administrator
- Zach Wuestewald, Hayden mayor

All candidates are at large, so the voting delegate will vote in all categories.

To attend the Annual Business Meeting, be sure to register at bit.ly/3wbL9X1. Thank you for your participation!

**The slate of candidates will be official upon approval of the Nominating Committee on Friday, June 18.*

Empowered cities and towns, united for a strong Colorado

Classified

The City of Dacono has surplus office furniture and accessories available **FREE** of charge in anticipation of an upcoming campus remodeling project. Since the remodeling will occur in multiple phases, some items are available now, and other items will be available in late July. The following list is not inclusive of everything available. Please contact Jennifer Krieger at jkrieger@cityofdacono.com or 303-833-2317 ext. 127 if interested.

- Conference table.
- Assorted lateral file cabinets (faux wood).
- Assorted side/small computer tables.
- Office side chairs (multiple).
- Assorted desks, credenzas, and returns.
- Bulletin & whiteboards.
- 55+ conference/banquet style chairs (available after Aug. 5).
- Eight high-back City Council chairs (blue), (available after Aug. 5).



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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.

American Rescue Plan funds received by state for over 250 municipalities



By Kevin Bommer, CML executive director

Other than the 18 municipalities in Colorado that receive American Rescue Plan (ARP) funds directly from the U.S. Treasury, the funding for Colorado cities and towns will pass through the Department of Local Affairs (DOLA) in two tranches. The state received the first \$132.5 million for municipalities from Treasury and opened the portal on June 7 for municipalities to claim their respective allocations. Around this time next year, the state will receive the remaining funding to distribute.

DOLA has 30 days to disburse the funds, but municipalities must first complete a checklist of requirements and then affirmatively request their funds from DOLA. To ensure that there is enough time for both, DOLA has already requested of Treasury an additional 30 days to get funds to municipalities.

Recently, DOLA sent instructions and the checklist to “chief elected officials” (generally mayors) and those assigned as “responsible administrators” in DOLA’s portal for disbursing funding to municipalities. In addition to instructions, tutorials for accessing the grant portal, and access to the portal itself, DOLA also provided additional information and the specific allocations for each municipality at bit.ly/34yoFmU.

Municipalities that will receive their ARP funds from DOLA should confirm their mayor and someone on staff received the initial email and that steps to request allocations are underway or completed. Members experiencing any problems or that have questions should contact their DOLA regional manager or CML Executive Director Kevin Bommer at kbommer@cml.org.

Cortez voters authorize exemption from SB05-152



In a June 8 special election, Cortez received overwhelming approval from voters (79% to 21%) to be exempted from the statutory restriction on providing or partnering to provide broadband or telecommunications services. This election brings the total number of municipalities that have been exempted to 116.

Four localities receive Revitalizing Main Streets grants as the program awards more than 100 grants, and Boulder celebrates downtown vitality



CDOT Executive Director Shoshana Lew, City of Boulder Mayor Sam Weaver, Executive Director of the Colorado Energy Office Will Toor, and staff from City of Boulder Transportation & Mobility and Community Vitality Departments stand along the area of Pearl Street currently closed to vehicles

As local businesses in Boulder and across the state enter the next phase of recovery from the COVID-19 pandemic, the Colorado Department of Transportation and the City of Boulder came together on Thursday to recognize the positive impacts and enduring community value stemming from the Revitalizing Main Streets Program projects awarded and completed in Boulder. In 2020, Boulder received three Revitalizing Main Streets grants to support the city's response to COVID-19 and implement transportation-related projects that improve safety and mobility in the community.

Two grants piloted shared streets (bit.ly/2RTfWJu) in several Boulder neighborhoods during fall of 2020. The third grant was for infrastructure upgrades for the West Pearl and University Hill Event Street closures, put in place for businesses to expand outdoors (bit.ly/3pR53o3) during the pandemic, which have been extended through the end of October 2021.

"Colorado is a state full of great people and great ideas. As a longtime Boulder resident, I couldn't be prouder to see my hometown developing creative programs including expanded outdoor dining and walkability areas along Pearl Street in Boulder, that attract both residents and tourists alike to our businesses," said Gov. Jared Polis. "Our

streets are shared spaces and Colorado thrives on the multi-modal approach."

"In an unconventional year, this program has awarded close to \$6 million across the state to help communities create active outdoor spaces and make walking and biking safer and more accessible," said CDOT Executive Director Shoshana Lew. "These innovative transportation-related solutions have helped local businesses stay afloat while ensuring safety and comfortability for residents and

visitors to access these spots during the pandemic."

Meanwhile, four new Revitalizing Main Streets grants were awarded this week to the Town of Lyons, Town of Georgetown, Town of Springfield, and the Town of Wellington. The four new awards bring the total Revitalizing Main Streets grant awards to 101 projects statewide and growing. Awarded projects span the entire state, from Denver and Boulder to Hugo and Limon to Frisco and Rifle. A full list of recipients is available at bit.ly/2RPTxg2. Highlights include numerous projects facilitating safe pedestrian access to outdoor dining, improved lighting, sidewalk repair, incorporating "parklets" into streetscapes, and much more.

This week's awards are as follows:

Town of Lyons - Award | \$149,999

Project: Lyons

Main Street (US-36) Lighting Improvements Activate the Main Street and 4th Avenue corridor with bollard lighting to improve safety, bike/ped mobility, engage the community and enhance the local economy. In addition to new bollard lighting, ambient string lighting will help activate the businesses by providing more access and opportunities for businesses that have outdoor seating and sidewalk displays.



Concrete barriers are a part of the infrastructure upgrades to better serve the need for expanded outdoor dining and walkability areas along Pearl Street in Boulder

Continue from page 3...Four localities receive Revitalizing Main Streets grants as the program awards more than 100 grants, and Boulder celebrates downtown vitality

Town of Georgetown - Award | \$100,000

Project: Georgetown Streetscape Project
Activate public park space in the Historic Commercial District by adding tables, chairs and a public restroom. The park amenities will be open for outdoor dining and relaxing. No public restrooms currently exist in this area, so adding the restroom will make the downtown space more user-friendly and hygienic for those shopping, dining, and enjoying Georgetown.

Town of Springfield - Award | \$54,200

Project: Pedestrian Streetscape
Advance Springfield's Main Street Vision by adding streetscape to US 287, including planters, benches, trash cans, bike racks, and tables/chairs to the downtown area to help slow traffic, increase safety and encourage more bike and pedestrian users. These measures will welcome locals while also encouraging thru traffic to stop and shop in Springfield.

"As mayor, I am beyond grateful to CDOT for awarding the Town of Springfield a

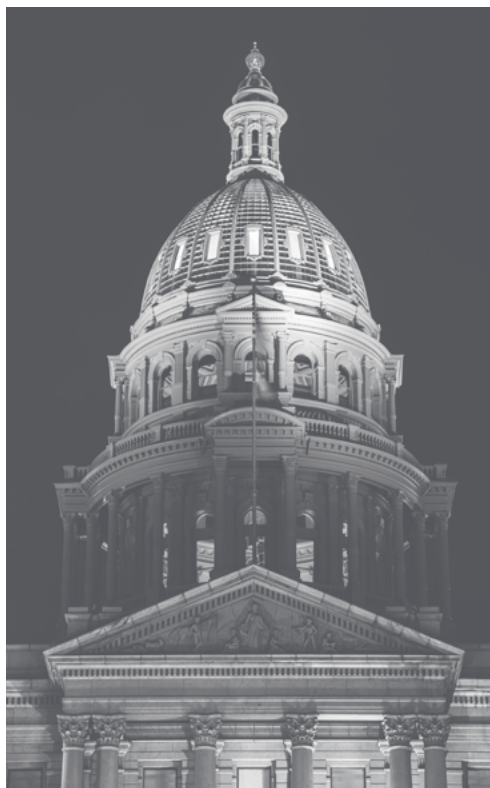
Revitalizing Main Streets Grant! Recently, Springfield applied to become an affiliate of the Colorado Main Street Program. This grant gives the town the perfect opportunity to kick off our application to become a candidate of the program and to start revitalizing our Main Street," said Town of Springfield Mayor Tyler Gibson. "The streetscape this grant will help purchase will be the beginning of a journey into a brighter future for Springfield's Main Street. On behalf of the Town of Springfield: THANK YOU to CDOT!"

Town of Wellington - Award | \$149,999

Project: Downtown Wellington Improvement and Pedestrian Safety Initiative
Purchase and install a series of equipment to address pedestrian safety, accessibility, and the health of visitors and residents in downtown Wellington. Improvements include directional lighting, waste bins, park benches, tables, bottle-filling stations, and bike racks.

The Revitalizing Main Streets grants help localities improve their roadways and community infrastructure, supporting strong economic activity and public safety. The program began last summer in an effort to mitigate the negative economic fallout from the COVID-19 crisis. The continuation and expansion of this program was made possible through a \$30 million allocation from the state legislature in March 2021 and those funds are currently available for local government competition, with significant anticipated demand. Importantly, the passage of SB-260 further extends this highly successful program beyond the current grant cycle. Communities can apply for small grants up to \$150,000 for multimodal and economic resiliency projects available on a rolling basis; large grant applications of up to \$2 million closed on May 14. For more information, visit the Revitalizing Main Streets page at bit.ly/2Pfrage.

2021 Legislative Session concludes



By Meghan Dollar, CML legislative advocacy manager

On June 8, 2021, nearly one month after the session would have typically ended, the legislature adjourned sine die. The 2021 session concluded with over \$2 billion spent in stimulus funding, the passing of a massive transportation package, and the passage of a new tool for local governments to promote affordable housing. In addition to housing, CML either initiated or helped pass priority legislation. That included legislation that clarified the law around open meetings and the use of emails as well as legislation that removed a decades old preemption on local governments regulating plastics.

During the 2021 Legislative Session, the CML Advocacy Team followed nearly 300 bills. CML supported 51 pieces of legislation with a 100% passage rate. Additionally, CML opposed 27 pieces of legislation, 85% of which were either defeated or amended to remove CML's opposition.

Now that the legislative session has concluded, the CML Advocacy Team is partnering with the Legal and Communication and Engagement Teams to draft CML's 2021 Summary of Laws Enacted. The publication will be online and include summaries of all legislation that became law and affects municipalities.

On behalf of the CML Advocacy Team, I want to thank our members for their expertise, grassroots efforts, and general legislative assistance. Your support is key to CML's success.

For any questions regarding the 2021 Legislative Session, please contact Meghan Dollar, CML legislative advocacy manager at mdollar@cml.org.

HB21-1253 money available for renewable and clean energy project grants

By Heather Stauffer, CML legislative and policy advocate

The bill transfers \$5 million from the general fund to the local government severance tax fund for the purpose of funding grants to local governments for renewable and clean energy infrastructure implementation projects.

Grants will be distributed through the Department of Local Affairs by **Aug. 15, 2021** or as soon as possible thereafter.

Successfully funded projects will meet the department's eligibility criteria for funding under DOLA's Renewable and Clean Energy Initiative Program. Communities in

which renewable energy and clean energy are sparse will be prioritized for funding.

This bill takes effect immediately upon signature of the governor. For more information on these grants, please contact your DOLA regional manager at bit.ly/3zn533x.

**SAVE
THE
DATE**



What's Your Community Plan for Electric Vehicles?, June 22, noon to 1 p.m.

The number of electric cars and trucks in our communities grows every day as prices fall and model options increase. Many cities celebrate this transition. But to fully realize the potential of electric vehicles, communities need careful planning to ensure equity across socioeconomic groups. Smartly managing this transition starts with a plan. Join us and learn how to get started and why it's important to start developing your EV preparedness plan. Register at bit.ly/3hCqozp.

2022 State Revolving Fund Eligibility Surveys are now open, submittal deadline is June 30.

Access the surveys at bit.ly/3ygYiQ8. The State Revolving Fund (SRF) loan programs offer low-interest loans and grants for the design and construction of water, sewer, stormwater, and non-point source projects. To be considered for this funding, entities must complete an eligibility survey by

June 30. It is not a loan application and does not obligate an entity to apply for financial assistance. New project categories have been added to the survey including forest health projects for water source protection, lead service line replacement, and water rights purchases. Please make note to include those projects in the survey if a project is anticipated by your system. Please visit the survey website for additional information: bit.ly/3ygYiQ8.

For assistance with completing surveys, CEOS use questions, or other related needs, please contact Erick Worker at 303-692-3594 or by email at erick.worker@state.co.us (email preferred).

EV Charging Workshop and Grant information, June 29, noon to 1 p.m.

Join Blink along with Denver Metro, Northern Colorado Clean Cities and Charge Ahead Colorado on June 29 to learn about EV charging infrastructure and incentive programs that can make your location an EV charging destination. Register at bit.ly/3vnwxma.

Legislative Wrap Up: An In-depth Look at the 2021 Session and Look Ahead to November Ballot Issues, July 15, noon to 2 p.m.

Want to learn more about the bills from 2021 Colorado General Assembly that are vital to municipalities? Join CML on **July 15** at noon for this two-hour webinar as David Broadwell, CML general counsel, and Laurel Witt, CML associate counsel, thoroughly review bills and legislative themes related to municipalities, and

deliver an overview of what to expect on ballots this November. This webinar will also include the annual business meeting for the attorney's section. CLE credits have been applied for. Register at bit.ly/34zfItP.

Energy Incentives on Main Street, July 22, 9 a.m. to 10:30 a.m.

Commercial building owners and their business tenants, as well as local government officials who are interested in reducing the energy expenses, are invited to this free webinar. The Department of Local Affairs' Colorado Main Street Program will host the Colorado Energy Office, C-PACE program, and USDA Rural Development to discuss how their incentives can often be stacked with historic preservation incentives, giving a big boost to cherished downtown properties. Register in advance at bit.ly/2SxNhtB.

Effectively Engaging Diverse Communities, July 22, noon to 1 p.m.

The challenging past year has prompted a newly intense focus on a perennially important issue: How to make Colorado communities more equitable and inclusive for racially and ethnically diverse populations. Effective engagement is key but that requires adapting messages, mediums and even language to reach different communities. Two veteran Colorado communicators share their experiences and offer helpful best practices you can put to use in your community. Register at bit.ly/2TsHPiG.

CML LEGAL CORNER



New developments in medical and recreational marijuana regulation



By Megan Decker, CML
law clerk

Colorado has long been a leader and a laboratory for legalizing medical and recreational marijuana. This leadership brought with it a host of legal and regulatory challenges, including but not limited to issues involving criminal records, looping, and potency. The 2021 Colorado Legislature passed several marijuana-related bills. But before discussing those, it is important to see how we got here.

Legalizing marijuana

Although the conversation started in 1975, when Colorado de-escalated criminal penalties for marijuana possession, the real change took place in 2000 when Colorado legalized medical marijuana. Patients and their "primary caregivers" could possess two ounces or less and up to six marijuana plants. In 2006, a statewide measure to legalize marijuana made it onto the ballot. Although it failed with 58% of voters against it, Breckenridge voters approved it by more than 70%. By 2012, however, Colorado passed Amendment 64, which made Colorado one of the first states to legalize recreational marijuana. Anyone older than 21, with a valid government ID could purchase, consume, and possess marijuana. Colorado residents could buy up to one ounce in a single transaction.

Legalizing recreational marijuana led to more regulation: in 2013, Gov. John Hickenlooper signed several bills aimed at regulating recreational marijuana, including how much an out-of-state resident can buy, how much active tetrahydrocannabinol (THC) can be in the blood while driving, and voter referendums for taxation. By the end of 2013, the Department of Revenue had finalized regulations for recreational

marijuana and voters had passed Proposition AA, which put a 25% tax on recreational marijuana sales. By 2014, businesses began selling recreational marijuana for the first time. However, the legalization of medical and recreational marijuana brought with it unique and complicated legal and regulatory challenges.

Rap sheets and looping

A particularly vexing issue with legalizing marijuana has been how to handle past marijuana possession criminal convictions. Individuals who were convicted with possession of marijuana before it was legal still have those convictions on their criminal record even though measured by today's laws their past actions may have been legal. The criminal conviction can make it hard to rent a house, get a job, or maintain parental rights after a divorce. HB21-1090 aims to address this problem by requiring a court to seal a conviction record without giving the district attorney the opportunity to object, for a marijuana possession offense for possession of two ounces of marijuana or less. The bill also allows those with a class three felony marijuana cultivation conviction to petition the court to have his or her record sealed as well. The bill passed the legislature and was signed by Gov. Jared Polis on May 20, 2021.

As marijuana is becoming more accessible, HB21-1090 also doubles the recreational possession limit from one ounce to two, and Northglenn Aurora, Boulder, Broomfield, Denver, and Thornton all have ordinances that allow delivery of retail marijuana – some citizens are worried about the effect high potency marijuana products have on young people. And even though the recreational possession limit increased, this does not affect the purchasing limit, which limits

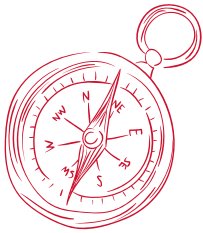
the amount of marijuana that can be purchased in a single transaction to one ounce. Some purchasers, to get around Colorado's transaction limit, will purchase an ounce of marijuana then take a "loop" around the block and come in to purchase more in a separate transaction. This is illegal and liability for "looping" falls on the business owners and the individuals executing the illegal transactions. HB21-1317, which passed with almost no resistance in either chamber (56-8 House, 35-0 Senate) and is awaiting signature from Gov. Polis, aims to alleviate some of these concerns. It requires dispensaries to, among other things, restrict daily purchase for marijuana concentrates to eight grams per person and to keep a real-time database to enforce the state laws on medical marijuana daily purchase limits. The database would help dispensaries ensure customers are not illegally circumventing Colorado's transaction laws.

Conclusion

This article focused mostly on HB21-1090 and HB21-1317. However, several other marijuana related bills were passed during the 2021 Colorado Legislative session. The topics of these bills include adverse weather plans for outdoor cultivation, supporting entrepreneurs in the marijuana industry, reviewing safe consumption of THC, and more. Municipal leaders interested in marijuana related bills should attend CML's 2021 Legislative Wrap-Up Webinar hosted by CML's legal team on July 15, 2021. Registration can be found at bit.ly/3gAz2fw.

Note: This column is not intended and should not be taken as legal advice. Municipal officials are always encouraged to consult with their own attorneys

Research Corner: June is Great Outdoors Month



“Great Outdoors Week” began under President Clinton in 1998 and has grown under subsequent administrations into a month-long celebration of the outdoors. Since 2008, governors from across the country have joined in designating June as a month to celebrate the great outdoors. Source: National Park Service [bit.ly/35brw5D](https://www.nps.gov/learn/education/great-outdoors-week).



Saturday, June 5, 2021

National Trails Day

Saturday, June 12, 2021

National Get Outdoors Day

THE MOUNTAINS ARE CALLING AND I MUST GO...



58
number of
fourteeners in Colorado

14,433 feet
elevation of Mt. Elbert,
tallest mountain in Colorado



8,000
miles of rivers in Colorado



2,000
number of lakes in Colorado

Source: Colorado Tourism Office [bit.ly/3vdEkmM](https://www.colorado.gov/econdev/tourism).



3.5 million
number of gallons of water per day
produced by the Yampah spring, the
source of Glenwood Hot Springs – the
world’s largest mineral hot springs pool



122 degrees
the temperature of the water as it
leaves Yampah spring

Source: Visit Glenwood Springs [bit.ly/3wg1B91](https://www.visitglenwoodsprings.com).



Number of visitors to Colorado’s four national parks in 2019

4,670,053

Rocky Mountain National Park

432,818

Black Canyon of the Gunnison National Park

556,203

Mesa Verde National Park

527,546

Great Sand Dunes National Park and Preserve

Source: National Park Service [bit.ly/3iwLmAg](https://www.nps.gov/visiting).



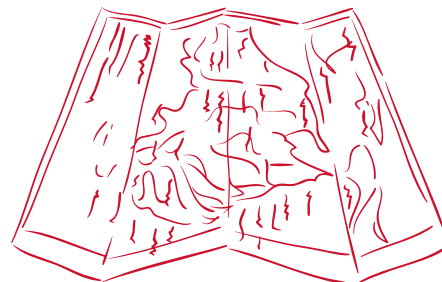
\$12.2 billion
total value added to the
Colorado economy by
outdoor recreation



3.1%
share of Colorado’s gross
domestic product (GDP)
added by outdoor recreation



3.8%
share of Colorado’s
employment supported by the
outdoor recreation economy



#1

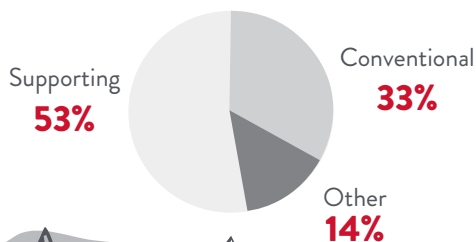
Colorado’s rank among all
states in value added by snow
activities (**\$1.7 billion**)



#8

Colorado’s rank among all
states in value added by
climbing/hiking/tent camping
(**\$118.5 million**)

Value added composition of outdoor recreation activities



Conventional ORSA activities include traditional activities such as camping, hiking, boating, and hunting.

Supporting ORSA activities are those that contribute to the core activities and include such things as construction, travel and tourism, local trips, and government expenditures.

Other ORSA activities include those activities that take place outside, such as gardening and outdoor concerts.

Source: Bureau of Economic Analysis [bit.ly/3goJMOK](https://www.bea.gov/economicanalysis).



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