



CML holds Annual Business Meeting virtually, elects 2021-2022 Executive Board

By Kevin Bommer, CML executive director



On Monday, June 21, over 100 municipal officials representing 75 municipalities from throughout the state participated

in CML's Annual Business Meeting. Normally held at the Annual Conference, the business meeting was conducted virtually again in 2021 due to the cancellation of the June conference.

Under CML's bylaws, the required election of Board members, notice of the following year's dues, consideration of the Annual Policy Statement, and any proposed changes to the CML Bylaws must occur at the Annual Business Meeting. This year, an update on the legislative session that just ended was provided, since that proves to be one of the popular regular sessions at annual conferences.

During the meeting, the following individuals were elected to the CML Board:



- Angela Lawson, Aurora councilmember
- John Marriott, Arvada councilmember
- Susan Jung, Rocky Ford mayor
- Melissa Youssef, Durango councilmember

The following Board members were reelected to another term:

- Barbara Bynum, Montrose councilmember
- Greg Caton, Grand Junction city manager
- A.J. Euckert, Dacono city manager
- Dale Hall, Greeley mayor pro tem
- Liz Hensley, Alamosa councilmember
- Russell O. Stewart, Cherry Hills Village mayor
- Laura Weinberg, Golden mayor

These Board members join the remaining ten Board members whose terms are up in 2022.

Attendees at the Annual Business Meeting also voted to approve changes to CML's Annual Policy Statement proposed by the CML Policy Committee. The updated policy statement can be viewed on CML's website at bit.ly/3x3jUHM.

Finally, the attendees also overwhelmingly approved amendments to the CML Bylaws – a vote which required at least two-thirds of those attending to vote "yes." The amendments will help the League govern more easily should there ever be another event like the pandemic, which required virtual business meetings and Board meetings. Certain aspects of the bylaws written decades ago made that a challenge. The updated bylaws can be viewed on CML's website at bit.ly/3A6UQsa.

Meyer elected as new CML Executive Board president



By Kevin Bommer, CML executive director

Following the 2021 Annual Business Meeting, newly elected and returning CML Executive Board members held their first meeting. Prior to conducting business, the Board met in executive session to elect a new slate of officers.

Steamboat Springs Council President Pro Tem Kathi Meyer was elected by her colleagues as president for 2021-2022.

Meyer first served on the Steamboat Springs City Council in 2015 (at-large) before being reelected in November 2017 to the four-year District II seat. Prior to her work on council, she served two terms on the Steamboat Springs Planning Commission. She spent 25 years in the banking and financial management field working for employers such as Colorado National Bank (US Bank), GE Capital, and Southern California Savings. She is also the past president of the Board of the Yampa Valley Housing Authority, having been on that board since its inception in 2004, and has served as treasurer and president of the Regional Affordable Living Foundation. She has volunteered with the Yampa Valley Medical Center,

was a trustee for the Leukemia Society of America and the past president of Routt County Habitat for Humanity.

Meyer will be joined by Greeley Mayor Pro Tem Dale Hall, who was elected vice-president, and Thornton Mayor Pro Tem Jessica Sandgren, was elected secretary-treasurer.

Centennial City Attorney Robert "Bob" Widner handed over the gavel, virtually, to Meyer. Widner will serve as immediate past president for 2021-2022.

CML congratulates the new executive officers and extends Bob Widner the deepest thanks and gratitude for his leadership through very challenging times.

Congratulations

CML congratulates Sarah Werner and Heather Stauffer, who celebrate their work anniversaries in July.



Sarah Werner
Engagement and
Communications Manager
2 years



Heather Stauffer
Legislative and Policy Advocate
2 years



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 energy expenses, are invited to a free webinar, "Energy Incentives on

Main Street," July 22, 9 to 10:30 a.m. 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. Speakers include:

- Jock Tuttle, technical specialist of the Colorado Energy Office's Energy Performance Contracting (EPC) program.
- Tracy Phillips, Director of Colorado's Commercial-Assessed Clean Energy (C-PACE) program.
- Carlos Contreras, Business Programs Loan Specialist / Energy Coordinator for USDA Rural Development - New Mexico. Register in advance at bit.ly/3jmP0go.

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Member news

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Colorado Solar and Storage Association

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The Colorado Solar and Storage Association (COSSA), formerly the Colorado Solar Energy Industries Association (COSEIA), is the state's 30-year old solar and storage trade association. Our mission is to help advance solar and storage deployments, highlight emerging trends, and improve industry connections throughout our beautiful state. We're here to serve our state and help lead Colorado toward its 100% clean energy goal.



COLORADO MUNICIPAL LEAGUE NEWSLETTER

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State passes new grant opportunities and funds existing programs using state and federal stimulus funds



By the CML Advocacy Team

The 2021 Legislative Session concluded with unprecedented grant and loan opportunities. Whether it is housing, transportation, economic development, or water infrastructure, almost all the programs can positively impact and provide much needed funding to municipalities. This article lists all the applicable grant programs and the lobbyist to contact for more information.

HB21-1253: Renewable and Clean Energy Project Grants

HB21-1253 transfers \$5 millions 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. For more information, contact Heather Stauffer (hstauffer@cml.org).

HB21-1260: General Fund Transfer Implement State Water Plan

HB21-1260 authorizes a \$20 million transfer from the General Fund to the Colorado Water Conservation Board to help implement the state water plan. Some of the funding can be used for grants which municipalities are eligible to apply for. The act lowers the matching fund requirements of these CWCB grants from 50% to 25% and further specifies that the CWCB may award grants in 2021 and 2022 with further reduced matching fund requirements. For more information, contact Heather Stauffer (hstauffer@cml.org).

HB21-1263: Meeting and Events Incentive Program

HB21-1263 creates the Colorado Meeting and Events Incentive Program within the Colorado Tourism Office to provide support for events like meetings, conferences, or festivals. The program may provide rebates of up to 10% of the hard costs of an event and up to 25% of cost related to complying with public health requirements due to COVID-19 restrictions. To be eligible for funding, an event must occur between **July 1, 2021**, and **Dec. 31, 2022**, and must generate at least 25 paid overnight stays in a hotel or other vacation rental. For more information, contact Meghan MacKillop (mmackillop@cml.org).

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HB21-1271: Department of Local Affairs Innovative Housing Strategies

HB21-1271 creates three different grant programs in the Department of Local Affairs (DOLA). The first program is called Local Government Affordable Housing Development Incentives Grant Program. The program allows a local government to apply for a grant if they adopt at least four policies to incentivize development. The second grant program is the Local Government Planning Grant Program. Money under the planning grant program will be available to a local government to enable them to retain a consultant to identify housing needs. Finally, the act creates the Affordable Housing Guided Toolkit and the Local Officials Guide Program. The purpose of the housing toolkit program is to provide local governments the tools to begin the process to identify their housing needs. For more information, contact Meghan Dollar (mdollar@cml.org).

HB21-1285: Funding to Support Creative Arts Industries

HB21-1285 provides funding to support the creative arts industries and arts-related economic development. \$5 million is allocated to the Colorado Office of Film, Television, and Media Operational Account Cash Fund for use in awarding performance-based incentives for film production in the state, as well as for the loan guarantee program to finance production activities. \$5 million is allocated to the Creative Industries Cash Fund to fund the arts relief program and to fund grants to cultural facilities that focus on programming for historically marginalized and under-resourced communities. For more information, contact Meghan MacKillop (mmackillop@cml.org).

HB21-1288: Colorado Startup Loan Program

HB21-1288 creates the Colorado Startup Loan Program in the Office of Economic Development to provide loans and grants to businesses seeking capital to start, restart, or restructure businesses. For more information, contact Meghan MacKillop (mmackillop@cml.org).

HB21-1289: Funding for Broadband Deployment

HB21-1289 funds grant programs to support broadband infrastructure using federal relief funds from the American Rescue Plan Act of 2021 (ARPA). Four grant programs are funded through the act—Digital Inclusion, Broadband Stimulus, Interconnectivity, and Connecting Colorado Students. Local governments can apply for grant funding through the programs. A total of \$75 million is appropriated from the Economic Recovery and Relief Cash Fund created in SB21-291 to fund the grant programs. For more information, contact Meghan MacKillop (mmackillop@cml.org).

HB21-1290: Additional Funding for Just Transition

HB21-1290 provides funding for the Office of Just Transition and the Coal Transition Worker Assistance Programs. The Office of Just Transition is appropriated \$8 million to implement the final just transition plan and to provide supplemental funding for existing state programs that the office identifies as the most effective vehicles for targeted investment in coal transition communities. The act also appropriates \$7 million to the Coal Transition Worker Assistance Program for assistance programs that directly assist coal transition workers and to support families of coal transition workers. For more information, contact Meghan MacKillop (mmackillop@cml.org).

HB21-1318: Create Outdoor Equity Grant Program

HB21-1318 creates the Outdoor Equity Board and the Outdoor Equity Grant Program in the Division of Parks and Wildlife in the Department of Natural Resources to increase access and opportunity for underserved youth and their families to experience Colorado's outdoor resources. The grant is available to applicants that engage underserved youth, offer outdoor-based educational opportunities, and reduce barriers to the outdoors, which includes governmental entities. For more information, contact Heather Stauffer (hstauffer@cml.org).

HB21-1329: American Rescue Plan Act Money Fund Affordable Housing

HB21-1329 creates the Affordable Housing and Home Ownership Cash Fund to provide assistance to households or populations disproportionately impacted by the COVID-19 public health emergency and to support programs or services that address housing insecurity, lack of affordable housing, or homelessness. The act transfers \$550 million from the American Rescue Plan Act Cash Fund to the newly created Affordable Housing and Home Ownership Cash Fund and appropriates \$98.5 million to the Division of Housing in the Department of Local Affairs to provide gap financing to assist persons disproportionately impacted by the COVID-19 public health emergency to obtain affordable housing. For more information, contact Meghan Dollar (mdollar@cml.org).

SB21-110: Fund safe revitalization of Main Streets

SB21-110 funds the Revitalizing Main Streets Program in the Colorado Department of Transportation. Within the program there are two grant programs that are available to local governments: Larger Safety Infrastructure Grants and Small Multimodal and Economic Resiliency Project Grants. For more information, contact Meghan MacKillop (mmackillop@cml.org).

SB21-204: Rural Economic Development Initiative Grant Program Funding

SB21-204 provides an appropriation to the Department of Local Affairs for the Rural Economic Development Initiative Grant Program, which provides grants that create new jobs in rural communities through a new employer or an expansion of an existing employer, or that create diversity and resiliency in a rural community's local economy. The funding may also be used for the Rural Economic Advancement of Colorado Towns program, which assists the state in responding to significant economic impacts in rural communities. For more information, contact Meghan MacKillop (mmackillop@cml.org).

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SB21-221: Projects under Wildfire Risk Management Grant Program

SB21-221 works in conjunction with a budget appropriation of \$7 million, and removes the \$1 million limit for the grant share of individual projects to allow for larger projects to take place. It also directs the Colorado Forest Service Technical Advisory Panel who reviews grant applications to show preference to hazardous fuel reduction projects from communities who have, or plan to, adopt local measures that reduce wildfire risks which complement funds provided through the program. For more information, contact Heather Stauffer (hstauffer@cml.org).

SB21-229: Rural Jump-Start Zone Grant Program

SB21-229 creates the Rural Jump-Start Zone Grant Program in the Office of Economic Development and International Trade (OEDIT). Eligible businesses located in a rural jump-start zone may receive tax benefits, including a tax credit equal to 100% of the income taxes imposed on a new business for income generated within a rural jump-start zone, and a full sales and use tax refund for purchases of any tangible personal property acquired by the new business and used exclusively within the rural jump-start zone. Additionally, new employees of eligible businesses may also receive a 100% income tax credit for work performed in a rural jump-start zone. For more information, contact Meghan MacKillop (mmackillop@cml.org).

SB21-242: Housing Development Grants Hotels Tenancy Support Program

SB21-242 expands the use of the Housing Development Grant Fund in the Department of Local Affairs (DOLA). The funds may be used for tenancy support services, including those that target individuals experiencing homelessness, and for grants and loans to local governments and non-profits for the rental, acquisition, or renovation of underutilized hotels, motels, and properties to provide noncongregate sheltering or affordable housing. For more information, contact Meghan Dollar (mdollar@cml.org).

SB21-252: Community Revitalization Grant Program

SB21-252 creates the Community Revitalization Grant Program in the Division of Creative Industries (DCI) in the Office of Economic Development and International Trade, and it appropriates \$65 million to fund the grant program. Local governments may receive grants from the program to support creative projects that revitalize or construct mixed-use commercial centers. DCI must collaborate with the Division of Local Government in the Department of Local Affairs to administer the grant program. For more information, contact Meghan MacKillop (mmackillop@cml.org).

SB21-258: Wildfire Risk Mitigation

SB21-258 appropriates millions of dollars to various wildfire prevention and response programs at the state. These include funding for mitigation and preparedness on the local level as well as additional funding for state tools used for fire suppression. For more information, contact Heather Stauffer (hstauffer@cml.org).

SB21-291: Economic Recovery and Relief Cash Fund

SB21-291 creates the Economic Recovery and Relief Cash Fund to help small businesses, industries, unemployed workers, and communities disproportionately impacted by the COVID-19 pandemic, or help with certain infrastructure projects. For more information, contact Meghan MacKillop (mmackillop@cml.org).



SB21-260: signed

Gov. Jared Polis signed the landmark transportation funding bill on June 17. CML staff was in attendance, along with Mayors John Suthers (Colorado Springs), Jackie Millet (Lone Tree), Anita Seitz (Westminster), and Adam Paul (Lakewood). The bill will generate over \$5 billion in new revenue, including over \$900 million of revenue for local governments in the Highway Users Tax Fund. The bill includes funding to create a robust electric vehicle charging infrastructure, boost mass transit, and mitigate air pollution.

CML LEGAL CORNER



Red, white & boom! Regulation of fireworks in Colorado



By Laurel Witt, CML
associate counsel

Fireworks in the United States date back to the first Independence Day fireworks display in

Philadelphia, but the origins of fireworks date back centuries before 1777. The earliest form of pyrotechnics arose during the Chinese Han Dynasty in 200 B.C., where citizens set fire to bamboo sticks, which sizzled until the air inside the hollow stalks exploded. Several hundred years later, Chinese alchemists took the exploding bamboo practice and expanded it by filling the bamboo shoots with gunpowder and throwing the shoots into a fire pit. Steel dust or cast-iron shavings were added to make the explosions sparkle. These early versions of firecrackers were often used during festivals and weddings to scare off evil spirits.

These early forms of fireworks made their way to Europe in the 13th century and then onto America for the first Independence Day celebration. At the time, during the Revolutionary War, the celebrations included cannons and guns to create an explosive atmosphere and to lift the spirits of Americans. With concern for public safety, future celebrations omitted cannons and guns, leading to the firework festivities that exist to this day.

Firework regulation in Colorado

Despite the idea that fireworks are safe for citizens to use, concern grew around the safety of the modern-day fireworks. According to the Colorado Division of Fire Prevention and Control (DFPC), amateurs who set off fireworks caused an estimated 19,500 fires and generated around 9,000 emergency room visits over the entire year in the U.S. in 2018.

In response, Colorado adopted regulations on the sale and use of fireworks. It is currently illegal for a person, other than a licensed firework professional, to use fireworks, other than permissible fireworks, anywhere in the state. Firework professionals can be granted permits by the state and local governments for performance displays. Permissible fireworks are small firework devices designed to produce audible or visual effects by combustion, with an enumerated list of what that includes found in statute. Examples include fountains, ground spinners, illuminating torches, dipped sticks and sparklers, toy propellants, trick noise makers, and tube devices. Most people think fireworks like firecrackers, rockets (including bottle rockets), roman candles, cherry bombs, mortars, and similar items, such as M-80s, are legal, but they are actually illegal in Colorado, except for use in professional displays.

Additionally, under the governor's power to enact executive orders, the governor may ban the use of fireworks statewide when conditions of extreme fire danger exist. The executive order would be enacted to reduce the danger of forest fires throughout the state. The ban is removed when hazardous conditions no longer exist. The governor has exercised this power several times, including as recently as last year.

Wildfires and municipal regulation of fireworks

Municipalities can further restrict the types of fireworks that can be sold or used within their boundaries and may ban the sale and use altogether. According to the DFPC, fireworks start an average of 18,500 fires per year, including 1,300 structure fires, 300 vehicle fires, and 16,900 outside and other fires.

With the increase in wildfires recently in Colorado, municipalities have been more wary and restrictive when it comes to both professional and amateur use of fireworks. Many municipalities are choosing to use their legal authority to restrict fireworks displays this year. For example, all fireworks, except professional displays, are illegal in Denver, Lakewood, and Golden. Breckenridge, Frisco, Manitou Springs, and Cañon City will not be having professional firework displays due to concerns about fire risks. And instead of fireworks, some municipalities have opted for other visual displays. Aspen has decided to have a drone show, and Glenwood Springs will be hosting a laser show this year.

Penalties for violating firework regulations

Local law enforcement agencies enforce the state and local fireworks laws. Colorado law states that illegally selling or using fireworks is a class 3 misdemeanor, punishable by up to six months in prison or a \$750 fine, or both. Municipalities may prescribe and enforce more severe penalties for any violations of their ordinances restricting the sale and use of fireworks. If the use of fireworks results in fires, the fines and jail time can be much more severe, including restitution for any damages caused by the fire.

In a recent press release, DFPC Fire and Life Safety Section Chief Chris Brunette stated, "a fun and exciting Fourth of July season that is SAFE is our top priority. That's why you should leave the big shows to the pros."

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: Legislative Council staff releases June 2021 economic forecast

Legislative Council staff recently released a cautiously optimistic June 2021 economic & revenue forecast, which presents the budget outlook based on current law and June 2021 economic forecast expectations. The report includes:

- General Fund revenue, cash fund revenue, and TABOR forecasts;
- summaries of expectations for the U.S. and Colorado economies; and
- an overview of current economic conditions in nine regions of the state.

The full report can be viewed at bit.ly/35SNJ8S, and presentation slides can be viewed at bit.ly/3qoweqp.



HIGHLIGHTS INCLUDE:



11.4%

Growth of state General Fund revenue collections in Fiscal Year (FY) 2020-21, relative to year-ago levels



\$1.6 billion

increase of FY 2020-21 revenue expectations relative to March 2021 forecast



3.7%

Growth of state General Fund revenue collections in FY 2021-22, relative to year-ago levels



\$3.2 billion

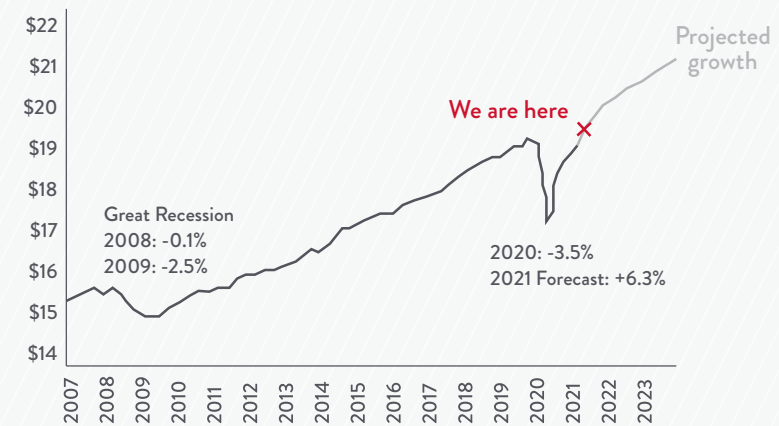
Projected increase (22.1%) in FY2022-23 General Fund revenue over FY2021-22

- Lasting economic damage (“scarring”) from the pandemic appears limited to date, though the risk remains that it may prove more severe than expected once federal stimulus effects fade.
- Even as a return to normalcy appears imminent, the economy continues to face challenges. Rather than the hoped-for strong and steady recovery accompanying the ebbing of the pandemic, economic activity has instead been choppy. Examples of the uneven return to normalcy include:
 - While unemployment remains high in many service sector industries impacted most by the pandemic, employers in other industries report difficulty finding workers.
 - Supply chain bottlenecks plague the manufacturing and homebuilding sectors, and transportation and energy prices have surged, while inflationary pressures across many other goods and services remain low.
 - Consumers are emboldened with stimulus cash and ready to spend again, particularly on in-person services. Yet, businesses in many sectors need time to ramp up operations to meet the pent-up demand.

The economy continues to recover

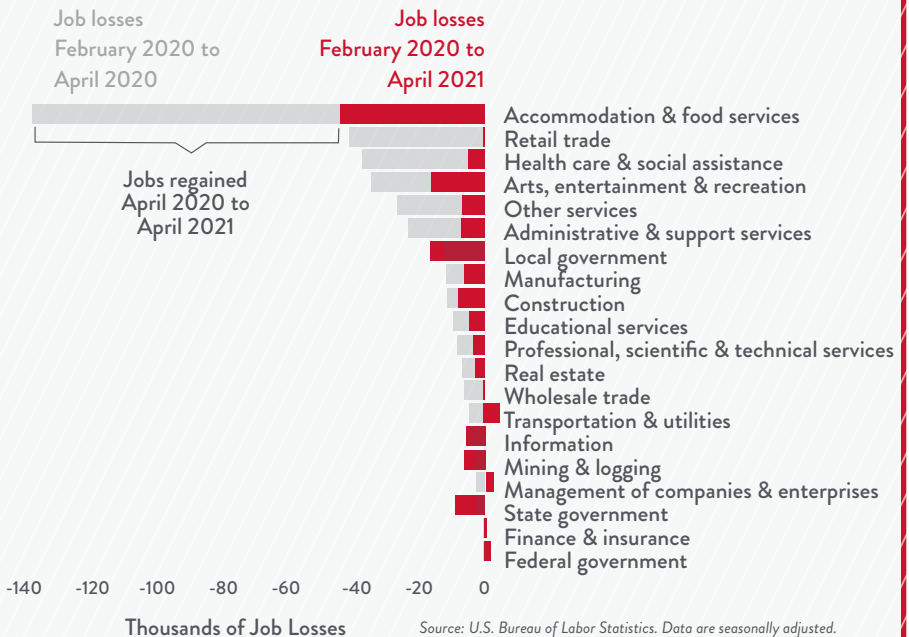
Real U.S. Gross Domestic Product

Dollars in Trillions



Source: U.S. Bureau of Economic Analysis and Legislative Council Staff June 2021 projections. Real GDP is inflation-adjusted to chained 2012 levels and shown at seasonally adjusted annualized rates.

Colorado has regained 66% of jobs lost since the pandemic began; accommodations & food services continue to see the biggest loss



Source: U.S. Bureau of Labor Statistics. Data are seasonally adjusted.



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NEWSLETTER

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