



COLORADO  
MUNICIPAL  
LEAGUE

# NEWSLETTER

Vol. 48, No. 1, January 14, 2022

## Marshall Fire tears through Superior and Louisville

*By Kevin Bommer, CML executive director*

The most destructive wildfire in Colorado history started near midday on Dec. 30, 2021. By the end of the day, over 6,000 acres of Boulder County and two municipalities were burned, along with nearly 1,000 homes.

The Colorado Municipal League extends our deepest sympathies to all those impacted by the disaster. Friends and neighbors in Boulder County, the Town of Superior, and the City of Louisville lost homes, many or all their possessions, and far too many pets. While the loss of human life appears to be only two individuals, it is two too many.

The League also would like to acknowledge the incredible response from the family of municipalities and other local governments, as well as the quickly organized relief efforts from Boulder County, several state agencies, the federal government, and countless non-profit organizations. For individuals wishing to help in some way, the best place to start is [www.coloradogives.org](http://www.coloradogives.org).

Finally, stories of the heroic efforts of public safety personnel from numerous jurisdictions continue to come in. The



League joins many in an expression of gratitude for the selfless acts of those individuals that put themselves in harm's way to save lives and property, often while some of them knew that their own homes were in danger or destroyed.

For additional information on current relief efforts, additional donation opportunities, and status updates, go to Boulder County's Office of Emergency Management website: <https://www.bouldercounty.org/disasters/wildfires/marshall/>



## Upcoming Events

**Colorado Resiliency Summit - Jan. 20, 2022**  
(<https://bit.ly/3HJqak1>)

**Statehouse Report Webinar - Jan. 28, 2022**  
(<https://bit.ly/3Fd5rmZ>)

**Statehouse Report Webinar - Feb. 11, 2022**  
(<https://bit.ly/3lcsVKX>)

**Legislative Workshop - Feb. 17, 2022**  
(<https://bit.ly/3ndU6Na>)

**Election Webinar - Mar. 10, 2022**  
(<https://bit.ly/3nhUuu7>)

**Empowered cities and towns, united for a strong Colorado**

## Congratulations

On Jan. 1, we celebrated Allison Wright, CML finance and administration manager's 16th anniversary! Congratulations, Allison!



## League welcomes new advocacy team member Jaclyn Terwey



CML is pleased to announce that Jaclyn Terwey has joined the CML advocacy team. She began on Jan. 5 and has already hit the ground running as she prepares for the legislative session. She comes to CML with extensive experience in lobbying at the state capitol as the Government Affairs Director at CORE Electric Cooperative and the Government Affairs Manager for the Colorado Association of Realtors. She is a great addition to the team.



### COLORADO MUNICIPAL LEAGUE NEWSLETTER

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## Innovative Affordable Housing Strategies Planning Grant Program fourth funding round deadline extended to Jan. 31

The next application deadline for the HB21-1271 Planning Grant Program (IHOP) has been extended to **Jan. 31, 2022**. The Colorado Department of Local Affairs (DOLA) can expedite the processing of applications from communities trying to adopt qualifying strategies in time for the main round of the Incentives Grant Program (IHOP) in the fall of 2022. Please contact Community Development Office staff if your community has concerns about the deadline extension.

The Planning Grant Program has \$5,157,050 in funding available to local governments to help them understand their housing needs and adopt policy and regulatory strategies to qualify for the Incentives Grant Program. Planning Grants can fund data collection (e.g., housing needs assessments, code audits, and/or housing action plans) if paired with strategic policy and regulatory updates from the list of qualifying strategies to

remove barriers and incentivize affordable housing.

- Eligible Organizations: Colorado municipalities and counties
- Funding Available: \$5,157,050
- Award Amount: No set max, but so far, awards have been made between \$45,000 and \$200,000
- Local Match: 25% local match of the total project cost required, with option to request a reduced match after consulting with your DOLA Regional Manager
- Next Application Deadline: **Jan. 31, 2022**
- Award Expenditure Deadline: June 30, 2024

Program guidelines, application, and FAQs are posted on the HB21-1271 program website <https://bit.ly/3fkSQUi>. Email Carrie Latimer, [carrie.latimer@state.co.us](mailto:carrie.latimer@state.co.us), with questions about the Planning Grant Program.

## Affordable Housing Development Incentives Grant Program

The Community Development Office (CDO), within the Colorado Department of Local Affairs (DOLA), received 27 letters of interest (LOIs) for the first funding round for catalyst projects, with a total request amount of approximately \$41 million. CDO and Division of Housing partners have concluded holding pre-application meetings with all communities that submitted an LOI; DOLA is now in the process of selecting who may formally apply for funding.

- Eligible Organizations: Colorado municipalities and counties
- Funding Available: \$37,728,000
- Award Amount: Individual awards expected to be ~\$500,000-\$1,000,000

(suggested max award amount \$3,000,000)

- Local Match: 20% local match of the total project cost required, with option to request a reduced match after consulting with your DOLA Regional Manager
- Main funding round: Opens Fall 2022
- Award Expenditure Deadline: **June 30, 2024**

Program guidelines are posted on the HB21-1271 program website at <https://bit.ly/34vODE3>. The application and updated FAQs will be added in the coming weeks and the website will be updated frequently. Email KC McFerson, [KC.McFerson@state.co.us](mailto:KC.McFerson@state.co.us), with questions about the Incentives Grant Program.

## HB21-1271 Consultant Resources

DOLA is partnering with APA Colorado <https://bit.ly/3rcU8G6> to develop a robust consultant list to support the local government planning work supported by HB21-1271. Please refer to this consultant directory at <https://bit.ly/34vODE3> if your

community is planning on embarking on this work in the future. If you're a planning consultant with relevant expertise, ask to be added to the directory by filling out the Google Form linked on that page.

# Colorado Department of Local Affairs awards \$8.6 million in Energy Impact Grants

The Colorado Department of Local Affairs (DOLA) through the Division of Local Government (DLG) manages the Energy and Mineral Impact Fund (EIAF), which grants money to help areas socially or economically affected by the development, processing, or energy conversion of minerals and mineral fuels.

DLG recently awarded a total of \$8.6 million in EIAF grants in two application rounds: \$7 million for 17 projects in Tier II (requesting more than \$200,000 in grant money) and another \$1.6 million for 14 projects in Tier I (requesting less than \$200,000).

Among the EIAF awards are the Town of Idaho Springs, Gunnison/Hinsdale Combined Emergency Telephone Service Authority (GHCETSA), Town of Eckley, Morrison Creek Metropolitan Water & Sanitation District, Mesa County, Town of Green Mountain Falls, City of Leadville, Elbert County Communications Authority, and Yampa Valley Housing Authority.

“Colorado’s local governments work hard to ensure sustainability and resiliency in their communities,” said DLG Director Chantal Unfug, “And DOLA is proud to support their efforts.”

DOLA awarded Idaho Springs Public Works \$600,000 to move out of a 90-year-old gas station and into a new 4,865-square-foot building to centralize equipment, vehicles, offices, and will include an enclosed salt storage structure. The facility will provide for future growth, accommodate a larger workforce, and maximize workflow efficiency.

DOLA awarded GHCETSA \$246,417 to replace communication consoles to improve public safety. The new equipment will improve radio communications among public safety agencies including police, fire, EMS,

public works, search and rescue, mental health crisis teams, and state and federal partners, who serve 22 user agencies over 3,777 square miles.

DOLA awarded the Town of Eckley \$450,000 for a new 175,000-gallon elevated water storage tank to provide necessary storage for daily demand and fire flows, and to improve impurity removal and increase capacity. The improvements will decrease risks to public health and economic strain on the town.

DOLA awarded Morrison Creek Metropolitan Water & Sanitation District \$600,000 to help replace a 50-year-old wastewater treatment plant, ensuring that standards will continue to be met in discharges into Stagecoach Reservoir. The natural resources of the Stagecoach Reservoir area will be well protected with a new state-of-the-art facility.

DOLA awarded Mesa County \$300,000 to complete the architectural design and engineering for the Mesa County Early Childhood Education Center, which will provide high quality childcare for approximately 174 children. The center will include classrooms, commercial kitchen, recreation areas, and a family centered community hall for family activities and after school programming.

DOLA awarded the Town of Green Mountain Falls a little over \$52,000 to help the community with its top priority of a comprehensive plan for road and drainage improvements for the safety of its residents. This plan will provide the town with a blueprint of their road system to prioritize resources and maintenance for long-term sustainability, particularly in addressing the potential for fires and floods prone to the area.

DOLA awarded the City of Leadville nearly \$185,000 to hire a city administrator to transition from a mayor–council form of management to a new municipal administrator organizational structure. The grant award is for a three-year period, allowing the city to develop plans for long-term financial and staffing stability. This restructuring will allow the local government to be more responsive to the community, creating a more sustainable future for growth and development.

DOLA awarded the Yampa Valley Housing Authority \$200,000 for a plan to address a crisis in affordable housing for workers, including teachers, law enforcement, and childcare providers. The plan will support the development of a self-sufficient and sustainable community to include housing options, open space, commercial opportunities, daycare and other community needs.

DOLA awarded the Elbert County Communications Authority \$200,000 for a digital trunked radio system (DTRS) to expand coverage of emergency services. A new communications shelter, tower, and antennas will be part of a statewide system to support all users including emergency services in Elbert County, Colorado State Patrol, Colorado Department of Transportation, and neighboring counties. The DTRS system invests in better emergency services benefiting the communities now and into the future.

EIAF awards help achieve Governor Jared Polis’ Four Bold Goals at <https://bit.ly/34Yrbf> for renewable energy, education, health, and economic development, while also meeting the needs vocalized by rural communities.

“It is more critical than ever to leverage funding toward public infrastructure,” Unfug added.

## Supporting your passion in public service

In 2007, Congress started the Public Service Loan Forgiveness (PSLF) program to help ease the burden of student loan debt and incentivize workers to go into public service. The law allowed employees of qualifying public service organizations and agencies who received direct federal loans and were in income-based repayment plans to have the rest of their loans forgiven after 120 payments or 10 years.

The incentive has supplied high-need areas around the country with qualified

teachers, doctors, nurses, and many other professionals. Recently, the U.S. Department of Education announced several temporary and ongoing reforms to the PSLF program that may benefit municipal employees.

The State of Colorado has updated a central web page (<https://bit.ly/3EZ3YAz>) outlining these reforms. The web page links back to the Office of Federal Student Aide in the U.S. Department of Education with helpful information about qualifying for PSLF and

teacher loan forgiveness as well as tips for repaying student debt.

The tools and resources available are not all-inclusive, but the state hopes to help facilitate loan forgiveness for dedicated public employees in need of debt relief. If you would like to inquire about a current federal loan, please reach out to FedLoan Servicing <https://bit.ly/3qQ8IJd> at 1-855-265-4038.



# American Rescue Plan Act funds millions for broadband projects

Colorado Broadband Office (CBO) is receiving \$171 million in Capital Projects Funds (CPF) from the American Rescue Plan Act. This is in addition to the \$70 million in State and Local Fiscal Recovery Funds from HB21-1289, at least \$100 million from the Infrastructure Investment and Job Act (IIJA), and any other potential legislation that is run in 2022 for broadband. Below is a federal

funding chart comparing the three major funding buckets.

CBO is starting to plan for the use of CPF and IIJA funds across the state. The governor and the CBO want to ensure that the state works closely with local governments on broadband needs so they do not duplicate efforts and partner to provide the biggest impact for Coloradans. If

your county is working on broadband plans, reach out to your DOLA Regional Manager to collaborate on broadband deployment.

Please participate in the development of the state broadband plan through upcoming listening sessions hosted by the CBO. Email Sarah Smith, senior project manager at [sarah.smith@state.co.us](mailto:sarah.smith@state.co.us) to be added to the stakeholder list and emails.

	HB21- 1289	CPF	BEAD
Dollars	\$75M	\$171M	CO is guaranteed \$100M (additional dollars will be allocated based on high cost areas in state and then unserved areas in state)
Speed Requirement	100/100 or if not geographically, topography, or excessive cost 100/20 and scalable to 100/100	100/100 or if not geographically, topography, or excessive cost 100/20 and scalable to 100/100	100/20 and latency and outage requirements
Unserved and UnderServed Definition	unserved and underserved are those that are not served by a wireline connection that delivers at least 25/3	no comment on unserved/underserved based on speeds but does mention unserved in accordance with EO13985.	unserved- not less than 80% of serviceable locations lack access to service that 25/3 or less underserved- not less than 80% of serviceable locations lack access to service that is not 100/20
Eligible Use	-to provide service to unserved or underserved households and businesses -if middle mile, there is a commitment for last mile connection	1. directly enable work, education and health monitoring 2. critical need that was exacerbated by COVID 19 3. critical need of community being served  Prioritize: - last mile investment - if middle mile, there is a commitment for last mile connection - fiber technology	- infrastructure - middle mile and connection to Anchor Institutes - planning, mapping, data collecting - installation and affordability of multi family units - adoption and affordability programs
Federal Timeline for Spending	funds must be obligated by Dec 31, 2024 and projects completed by Dec 31, 2026	funds must be obligated by Dec 31, 2024 and projects completed by Dec 31, 2026	service must be provided within 4 years of grant
CO Timeline	Grants open now and early 2022	Grants through State near end of 2022 and into 2023	CO does not anticipate receiving funding until 2024
Match	\$35M last mile through Broadband Fund requires 25% match	no match	25% match for state or state subrecipients

## In memoriam



Odell Barry, 1984  
Credit: Brian Gadberty/The Denver Post

### Odell Barry

Former Northglenn mayor and CML Executive Board member Odell Barry passed away on Jan. 3 at the age of 80.

Barry came to Colorado out of college, after being drafted by the Denver Broncos in 1964 and playing two seasons before retiring due injuries. In that short time, he made his mark, leaving franchise kickoff return records that still stand.

His career in municipal government began as Northglenn’s recreation director. Later, he became a small business owner and ran for the Northglenn city council, where he served as a member from 1972 to 1979 and was elected mayor in 1980. Starting as a councilmember and then as mayor, Barry served two terms on the CML Executive

Board from 1979-1981. He was also recognized for his work with young people in the community, charitable service, in real estate, and statewide politics.

Ken Bueche, CML executive director from 1974-2005 said, “I remember that Odell was a leader among Colorado municipal officials, and he was instrumental in having Northglenn host the CML Annual Conference in 1981.”

Sam Mamet, who retired as CML executive director in 2019 after fifteen years in the position and 40 years total with CML said, “Odell was on the Board when we decided to build our building and his real estate acumen was instrumental. He loved being mayor, loved Northglenn, and was always one of those ‘go to’ guys for me.”

Barry is survived by his wife, two sons, and five grandchildren. Services have not yet been scheduled.



### William "Bill" Edward Koehler

CML received word that former trustee and mayor for the Town of Eads, Bill Koehler, passed away on Dec. 7 and was laid to rest on Dec. 17.

Koehler was born in Brush in 1942 and moved to Eads in 1965, where he worked for a construction company in the nearby oil fields. He was active in the community, and coached boys baseball and girls softball in the summers. His service to the town board as trustee and mayor came in the 1980s. More recently, Koehler served a term as Kiowa County Commissioner from 2011-2014.

Koehler is survived by his wife, Jacklyn, his two children, grandchildren, a great grandchild, and many nieces and nephews.

## CML announces scholarships for 2022 Annual Conference

Plans are underway for the Colorado Municipal League's 100th Annual Conference, being held **June 21–24, 2022**, in Breckenridge.

This conference is the signature event of the year where municipal officials from around the state gather to network and exchange ideas. Year after year, attendees rave about the valuable experience and how inspired they are to get back to work to put their newfound knowledge to use.

CML is pleased to offer 10 conference scholarships to the 100th Annual Conference. Scholarships are open to all member municipalities. Applicants can be a manager, clerk, mayor, councilmember, town board member, or key department head. Scholarship recipients (one application per municipality) will receive complimentary registration; lodging (arranged by CML at a contracted

hotel); tickets for lunch on Wednesday and Thursday and one of the following on Friday: Elected Officials breakfast, Managers lunch, or Attorneys lunch; and a travel stipend. (Note: Municipalities that had a scholarship awarded to someone in their city or town in 2021 are not eligible to receive a scholarship for 2022.)

For more information and to apply, visit <https://bit.ly/2YGO4M5>. Complete the application, include all necessary paperwork, and return to CML by Friday, **Feb. 25, 2022**. Incomplete applications will not be considered. If you have any questions about the conference or scholarship opportunity, contact Karen Rosen at (303) 831-6411 or [krosen@cml.org](mailto:krosen@cml.org).



Celebrating the Colorado Municipal League's 100th Annual Conference

## Save the Date

Join us in Breckenridge  
**June 21 - 24, 2022**

Registration opens soon, at [cml.org](http://cml.org).



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## CML Annual LEGISLATIVE WORKSHOP

**9 a.m.–3:30 p.m.**

Receive state and federal updates and hear panelists discuss pertinent legislative topics.

**4–5:30 p.m.**

Legislative Workshop Reception at CML, 1144 Sherman St.

### Cost

Member: \$110 before Feb. 7 and \$140 after Feb. 7

Non-member: \$225 before Feb 7 and \$255 after Feb. 7

Registration is now open at [cml.org](http://cml.org).

# CML LEGAL CORNER



## Opportunities for municipal leadership in Colorado's opioid settlement

By Robert Sheesley, CML general counsel

For several years, municipal and county governments in Colorado, along with the State of Colorado, have brought claims against the manufacturers and distributors of opioid painkillers to address those companies' roles in the opioid crisis in the state. This January, an extremely high level of participation from local governments ensured that Colorado would receive approximately \$385 million, the maximum share of funding, from pending nationwide settlements. Local governments were instrumental in bringing the claims and establishing a structure for the settlement. With the settlements nearly finalized, municipalities can look forward to their role in the distribution of settlement funds to implement abatement strategies.

The Abatement Council and Regional Councils discussed below will play a critical role for decades in addressing the opioid crisis in Colorado. Funds from the initial settlements can be paid out, in some cases, over up to 18 years. The settlement structure, including the allocations to state and local governments, will also apply to future settlements with other defendants. Claims remain pending against other manufacturers, distributors, and other entities. Settlements reached with other large manufacturers, such as Mallinckrodt or Purdue Pharma, are subject to those companies' ongoing bankruptcies.

### Abatement Council

Within 90 days of court approval of the settlement, an Abatement Council will be formed to oversee the distribution and oversight of settlement funds statewide. Local governments will provide six members to serve with state appointees.

First-year appointments will be made by Colorado Counties, Inc. and CML, with subsequent appointments made by local elected bodies through a to-be-determined collaborative process.

### Regional Councils

Once the settlements are in place, the initial settlement payments are expected in 2022. Sixty percent of the settlement funds will be allocated among 19 regions covering the state, in addition to the 20% directly allocated to participating local governments. As detailed in the memorandum of understanding executed with the settlement, the use of funds in each region will be managed by a Regional Council formed by participating local governments. Each Regional Council will make a two-year plan for the use of funds and its members will be critical in ensuring the equitable distribution of abatement funds across the region.

Several steps are needed before any funds can be released. First, the Regional Council must be formed. If not formed within 180 days of court approval of the settlement, the Abatement Council will appoint that council's members until the region formally establishes the council. Second, the Regional Council must appoint a fiscal agent that is part of one of the participating local governments. Third, the Regional Council must establish its two-year plan.

Although regions are generally free to choose the structure of their council, the memorandum of understanding includes a model intergovernmental agreement and identifies model governance structures. Regional Councils can be formed as a separate legal entity or as a less formal organization. Recommended membership

on Regional Councils includes a broad mix including voting and non-voting members representing local governments, human services and public health departments, law enforcement and courts, community members, and persons with experience in drug treatment and recovery or behavioral health.

### Next steps for regional coordination

By participating in their Regional Councils, municipal leaders can play a major role in creating effective abatement strategies that improve their communities and their broader regions. Settlement funds can be used for a wide variety of treatment, intervention, and prevention purposes that span public health, human services, judicial, educational, and law enforcement functions. Direct settlement allocations alone, however, may be insufficient to realize the goals of many local governments. Regional Councils give local governments the power to stretch settlement funds to address the effects of a crisis that crosses municipal boundaries.

Local governments have shown a remarkable level of cooperation in reaching this point. Creating effective Regional Councils will be the next progression of the collaboration among local governments in the effort to alleviate the opioid epidemic in the state. In anticipation of the final approval of the settlements, municipal officials should begin discussions with other municipal and county officials to ensure the timely organization of the Regional Councils.

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

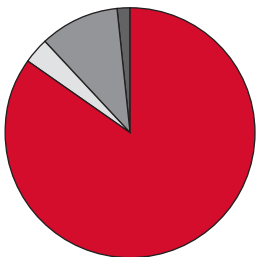
## Research Corner: Employment and wages in state and local government

In December 2021, the U.S. Bureau of Labor and Statistics published, “Occupational Employment and Wages In State And Local Government,” using May 2020 estimates from the Occupational Employment and Wage Statistics (OEWS) program to examine the occupational mix and wages in the private sector, state government, and local government.

Select statistics are below. Explore the data further at <https://bit.ly/3zxmEpR>.

### U.S. employment by sector

- 85% Private sector (118 million jobs)
- 3.3% State government (4.6 million jobs)
- 10.1% Local government (14.1 million jobs)
- 1.6% Other (includes self-employed and owners, partners, and proprietors of unincorporated businesses)



### Largest occupational groups in local government



Educational instruction and library 5.3 million

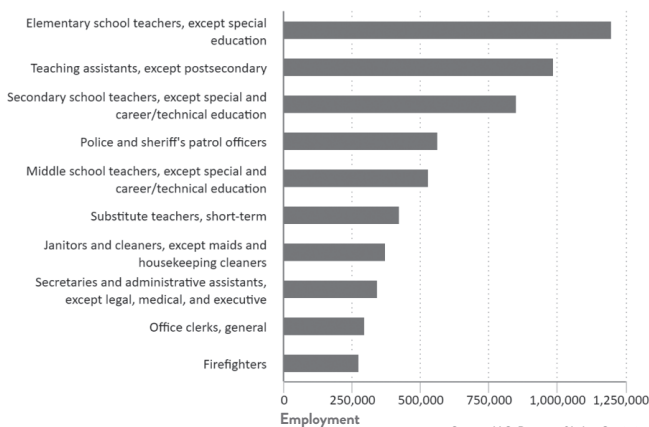


Office and administrative support 1.6 million



Protective service 1.5 million

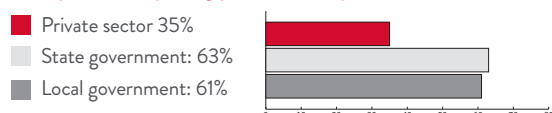
### Largest occupations in local government, May 2020



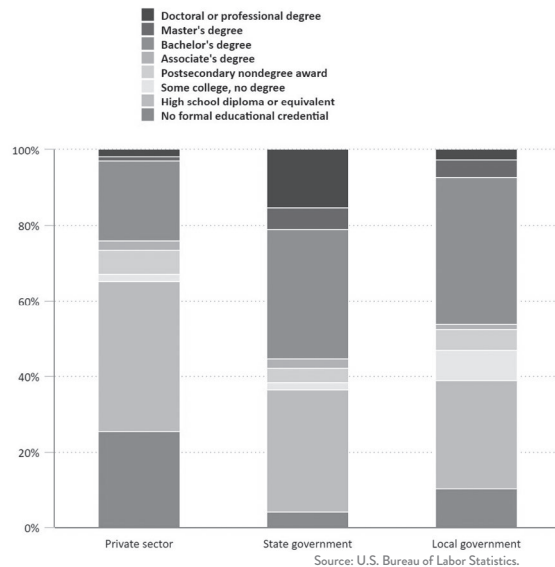
### Annual mean wages as compared to private sector

- ↑ State government: +\$9,980
- ↑ Local government: +\$1,980

### Occupations requiring postsecondary education



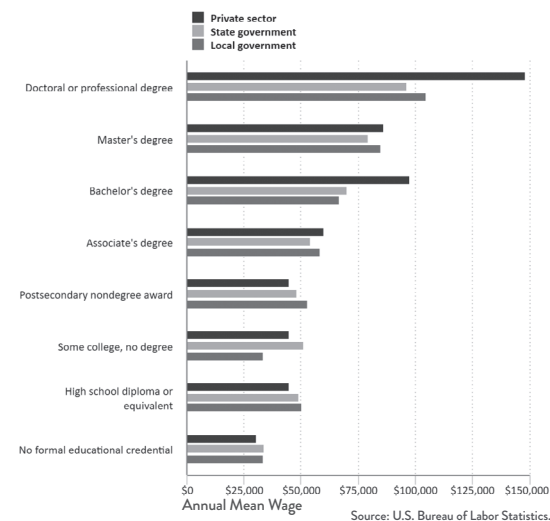
### Distribution of employment by typical entry-level educational requirement in the private sector, state government, and local government, May 2020



### Average wages by education requirement

For occupations typically requiring an associate's degree or higher for entry, average wages were lower in state and local government than in the private sector. For occupations typically requiring less than an associate's degree for entry, state and local government had higher mean wages than the private sector, with the exception of local government wages for occupations typically requiring some college, but no degree.

### Annual mean wages in the private sector, state government, and local government, by typical entry-level educational requirement, May 2020



### Covid-19 impact on employment

From March 2020 to March 2021, employment fell:

- 5.1% in state government
- 6.5% in local government
- 4.3% in the private sector



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