



NEWSLETTER

Vol. 49, No. 4, February 24, 2023

LEGISLATIVE WORKSHOP

CML brings local officials together to talk legislation, housing, land-use, water policy

Mayor Michael Hancock welcomed CML's 2023 Legislative Workshop to Denver and espoused upon the importance of local control and the impact of auto-theft crimes on the city and its residents, and he reminded us all that local governments and staff are the on-the-ground experts in their communities.

CML's legislative advocacy team summarized the most pressing issues being discussed in the first six weeks of the Colorado General Assembly's legislative session. Issues included building codes, auto theft and public safety, public health, and employment issues. Staff also gave an overview of what we know about the much anticipated legislation around land use and zoning for

See **LEGISLATIVE** on page 6



Denver Mayor Michael Hancock speaks at the 2023 Colorado Municipal League Legislative Workshop on Feb. 16 at History Colorado in Denver.

Empowered cities and towns, united for a strong Colorado

CITY OF LONGMONT RECOGNIZED FOR OUTSTANDING ACHIEVEMENT IN SERVICE TO RESIDENTS

In a customer satisfaction survey conducted by ETC Institute, Longmont scored among the top 10% of all cities and counties in the United States, earning a Leading the Way Award for its performance. The award is based on satisfaction scores with overall quality of services, customer service provided by employees, and satisfaction with the value residents think they receive for local taxes and fees.

The survey, which is conducted every two years on behalf of the city, provides valuable feedback to the organization about its strengths and opportunities, and helps identify focus areas that would yield the most benefit to the community.

ETC Institute's DirectionFinder Survey was developed in 1999 to help local governmental leaders use input from residents as an integral part of decision-making. It objectively assesses resident satisfaction with local governmental services along with the priority residents place on those services.

CITY OF MONTE VISTA HOSTS RECREATION ECONOMY FOR RURAL COMMUNITIES WORKSHOP FOLLOWING EPA GRANT AWARD

The City of Monte Vista is hosting a three-day workshop this month to hear community perspectives on the creation of an action plan to grow the outdoor recreation economy, create opportunities for physical activity and health, revitalize Monte Vista's Historic Downtown and Main Streets, and become better stewards of their natural resources.

The City of Monte Vista with its partner, San Luis Valley Great Outdoors, was among 25 communities nationwide selected to participate in the U.S. Environmental Protection Agency "Recreation Economy for Rural Communities" planning assistance program. The program is a collaboration between the EPA, U.S. Department of Agriculture, Appalachian Regional Commission, and Northern Border Regional Commission. The planning assistance program helps communities identify strategies to grow their outdoor recreation economy and revitalize their Main Streets.

TOWN OF MEAD POLICE DEPARTMENT RECEIVES HEALTH SERVICES GRANT

The Mead Police Department received a \$19,200 grant from the Colorado Department of Local Affairs to provide behavioral health services to police officers and their families.

The Peace Officers Behavioral Health Support and Community Partnerships grant program, administered by the Department of Local Affairs, has assisted public safety organizations with behavioral health services since 2018. Mead Police Department will utilize the grant through a partnership with First Responder Trauma Counselors, which specializes in providing licensed counselors with previous experience as first responders, critical incident processing, and stress reduction techniques. They also provide access to a network of regional peer support services for both law enforcement personnel and their families.

TOWN OF SAN LUIS AWARDED GRANT BY COLORADO TRUST

The Town of San Luis was among the first grants awarded as part of the Culminating Phase of Colorado Trust's Community Partnerships Strategy. The town was awarded \$100,380 to support the Envision San Luis Entrepreneurial Bootcamp, which will engage, empower, and encourage community members of all ages to find ways to increase their income and financial stability. This program will include business development opportunities through educational training and workshops, aid for participants to start their own micro-business, internships, and hands-on support after the program is completed.

This grant was part of \$5 million committed by the Colorado Trust to provide one-time grants for local leaders and teams to reduce health inequities within their respective local areas.



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NEWSLETTER

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CELEBRATE WITH CML

CML wants to hear about your community's successes.

Tell us about a new grant you've won, water tank that's finally finished, housing initiative, or anything else you're excited about! To share your good news, please email

CML Research Analyst Melissa Mata, mmata@cml.org, or complete the form at <https://bit.ly/3YF8XRM>.

MUNICIPAL GRANTS & FUNDING OPPORTUNITIES



FTA ANNOUNCES \$1.7 BILLION TO MODERNIZE FLEETS AND DEPLOY CLEAN TRANSIT BUSES

The Federal Transit Administration announced the availability of nearly \$1.7 billion through two programs that will support state and local efforts to modernize aging transit fleets with low- and no-emission buses, renovate and construct bus facilities, and support workforce development.

The Low or No Emission (Low-No) Program helps transit agencies buy or lease U.S.-built zero-emission and low-emission transit buses along with charging equipment and supporting facilities. For fiscal year 2023, about \$1.22 billion in grants will be available.

The Grants for Buses and Bus Facilities Program supports transit agencies in buying and rehabilitating buses, vans, and related equipment and building bus facilities. For fiscal year 2023, approximately \$469 million for grants will be available.

Application and eligibility information can be found at [grants.gov](https://www.grants.gov) (FTA-2023-002-TPM-LWNO; FTA-2023-003-TPM-BUS). Complete proposals must be submitted electronically through the [grants.gov](https://www.grants.gov) by **April 13**.

COMING SOON: SAFE STREETS AND ROADS FOR ALL NOTICE OF FUNDING OPPORTUNITY

The Bipartisan Infrastructure Law established the new Safe Streets and Roads for All discretionary program with \$5 billion in appropriated funds over the next five years. The program funds regional, local, and tribal initiatives through grants to prevent roadway deaths and serious injuries. The U.S. Department of Transportation launched a data visualization tool, <https://bit.ly/3IP4qNY>, that shows crash hotspots that can help target needed resources.

\$800 million in awards were announced in February, including \$6 million awarded to Colorado local governments. View all the awards at <https://bit.ly/3kcdbrk>.

The fiscal year 2023 Notice of Funding Opportunity is expected to open in April for the second round of Safe Streets and Roads for All grants.

BHA RELEASING \$130 MILLION IN COMMUNITY GRANT PROGRAMS

The Behavioral Health Administration has made available over \$130 million of grant opportunities for local governments through four programs, the Criminal Justice Early Intervention Grant Program (\$49 million),

Community Investment Grant Program (\$34 million), Children, Youth, and Families Grant Program (\$39 million), and Substance Use Workforce Stability Grant Program (\$14 million).

The administration is accepting applications on a rolling basis with periodic review through February 2024 or until all funding is allocated. The administration will offer technical assistance and support for local governments submitting applications. For more information, visit <https://bit.ly/3Pcul7p>.

DOLA HOUSING TOOLKIT

The toolkit includes trainings and assistance for municipalities to increase housing options for their communities. Trainings offered range from introductory trainings, such as Affordable Housing 101, to more robust policy strategies, like Development, Land Use, and Planning, Housing Funding and Financing, and Local Housing Policy. The toolkit can help municipalities explore different housing solutions and discusses best practices for creating housing.

The toolkit has information on how to apply for technical assistance funding. DOLA is accepting applications for technical assistance through **March 1**. The toolkit is online at <https://bit.ly/3ILrDk3>.

NLC NATIONAL LEAGUE OF CITIES

CONGRESSIONAL CITY CONFERENCE

March
26-28
2023

EXECUTIVE EDUCATION AND PRE-CONFERENCE ACTIVITIES MARCH 24-25, 2023

**National Connections,
Local Solutions**

Register at <https://ccc.nlc.org>

UPCOMING WEBINARS

Boost Your Employee Benefits with Colorado's 529 College Savings program

Tuesday, March 7, 12-12:30 pm

This 30-minute training will teach you and your Human Resources team about CollegenInvest and how to offer your employees access to the 529 College Savings Program. CollegenInvest is a division of the Colorado Department of Higher Education. Register at <https://bit.ly/3kUpr9f>.

Municipal Philanthropy: Lessons From City Give

Wednesday, March 29, 2023, 12-1 pm

In 2019, the City of Fort Collins launched City Give, a formalized structure for philanthropic partnerships and charitable giving. This "in-house" approach to philanthropy allows the city to respond to strategic priorities and community needs that fall outside the city budget but are well-positioned for private funding. Presented by City Give Director Nina Bodenhamer, this webinar will cover topics ranging from charitable tax receipts to philanthropic policy from financial



governance to accepting cash of real property, from how best to partner with friends groups to naming rights. Register at <https://bit.ly/3HrSNDv>.

Legislative Update

Friday, April 7, 2023, 12-1 pm

Get the latest news on this session of the Colorado General Assembly during this webinar with the CML advocacy team. You will have the opportunity to hear about potential legislation and to ask questions about issues that could affect your city or town. Register at <https://bit.ly/3DvGWDe>.

CUSTOMS AND BORDER PROTECTION — A LOOK AT LOCAL RESOURCES AND OPERATIONS AND EFFORTS TO INTERRUPT DRUG FLOWS

Tuesday, April 11, 12-1 pm

The webinar will provide an overview of the U.S. Customs and Border Protection agency, its Office of Field Operations, and drugs at U.S. borders. Attendees will learn about the agency's operational footprint in Colorado, how it is always prepared to respond to emerging challenges, and the agency's plans for the future. The agency's Office of Intelligence will provide an analysis and statistical overview of tactics, techniques, and procedures for illicit drug smuggling at the borders and within the international mail and express consignment environment. This overview will highlight the effects of the post-COVID border restrictions and how international mail is being used to deliver drugs direct-to-consumer through illicit e-commerce. Register at <https://bit.ly/3kkun7r>.

FAMLI program opt-out deadline extension

The deadline for a local government to opt-out of the FAMLI program will be extended to **March 31**. According to the FAMLI Division, local governments that conduct an opt-out vote by that date will not be responsible for premiums from 2023. More information should be available on the division's website soon.

If you have already voted to opt-out and have reported that to the division, no further action is needed. To register with the division and to report an opt-out vote, visit the My FAMLI+ Employer website, <https://sforce.co/3YJ7aLo>.

Connect with your municipal colleagues on Colorado Municipal League listservs

CML has seven listservs targeted towards municipal staff.

Listservs allow groups of individuals signed up for the service to share information and ideas by email.

Any subscriber can post a question or provide information to the listserv, which then is automatically emailed to all the members of the group. All responses from other members of the group are emailed to all subscribers. All listserv subscription requests are subject to CML approval and municipal membership status.

Listservs are available for:

- attorneys
- clerks
- finance officers
- human resources
- managers
- public information officers
- public works and utilities directors.

All members of the listserv must follow the CML Listserv Rules & Guidelines, bit.ly/3bzSo3l. To sign up, visit bit.ly/3cib8U6 and click on the listserv that matches your role.

CML LEGAL CORNER



Recent liquor licensing expansions and what's next

By Rachel Bender, CML associate counsel

In recent years, Colorado experienced several changes to its Liquor Code, many of which have allowed on-premises licensees new opportunities to expand the locations in which they are able to serve alcohol. Some of these changes were spurred by the COVID-19 pandemic, while others were likely a natural progression for state liquor laws. In the Legal Corner for Aug. 13, 2021, CML reported on several of the new laws passed by the Colorado General Assembly during the 2021 session. Since then, the Colorado Department of Revenue, Liquor Enforcement Division (LED), has promulgated rules to implement those laws, and other changes have been made both to state statute and LED rules. This article provides an update on these more recent changes as well as a quick preview of possible future liquor law changes.

LIQUOR FESTIVALS

The General Assembly passed SB 21-082 during the 2021 legislative session. That bill allowed certain licensees, beyond limited wineries and wine manufacturers, to host or participate in festivals up to nine times in a 12-month period. On Nov. 7, 2022, LED adopted Regulation 47-405 for festival permits (effective Dec. 30, 2022). The rule addresses requirements for state permit applications, procedural requirements for when a local jurisdiction elects to create a local festival permit, the process for subsequent festival permit applications, tasting requirements, bases for denial, and violations.

Municipalities have the option to create a local festival permit. If a municipality chooses to do so, it should pass an ordinance laying out the local process and requirements for permits. While municipalities need to ensure that their ordinance does not conflict with any state statutes

or regulations, state law leaves plenty of room for municipalities to establish regulations that are appropriate for their communities. Of note, neither state statute nor liquor regulations address fees for local festival permits, suggesting there is room for municipalities to determine appropriate local application fees.

LICENSING OPTIONS FOR OUTDOOR AREAS

In addition to the creation of communal dining areas through the adoption of HB 21-1027 (followed by the permanent adoption of regulation 47-1103, effective Sept. 23, 2021), the COVID-19 pandemic brought about the ability for licensees to seek a temporary modification of their premises beyond the allowance for temporary sidewalk service areas already established in state regulation. The rule for temporary modification, adopted by LED during the pandemic, was intended to facilitate increased social distancing by expanding the outdoor areas where licensees could serve alcohol. Although this rule for temporary modification for outdoor areas no longer exists, LED has expanded the language in Regulation 47-302(A)(4), which previously only provided for a temporary service area on a municipal sidewalk.

The expansion of Regulation 47-302(A)(4) came about, in part, because many municipalities found that the ability for licensees to expand their outdoor service areas during the pandemic was something that both licensees and community members desired to be able to do long term. As such, CML partnered with LED to revise the regulation so that licensees can seek to permanently modify their premises to include any outside area located on property owned by a municipality so long as the licensee has the necessary local approvals to do so and satisfies the

other requirements of the regulation. This change, which brought the language in line with LED's licensing practices, makes clear that licensees may seek to expand their premises into areas such as sidewalks, rights-of-way, and publicly-owned parking spots. This rule went into effect Feb. 14, 2023.

STATE LIQUOR ADVISORY GROUP

After the 2022 legislative session, Gov. Jared Polis requested that a liquor advisory group convene to prepare a report "that will consist of recommendations on how to modernize, clarify, and harmonize the statutes that regulate alcohol beverages and the alcohol beverage marketplace in Colorado," given that there has not been a broad review of these laws in recent history. The advisory group contains 34 seats and both CML and the Colorado Municipal Clerks Association are represented.

To date, there have been three full group meetings, which occur monthly and are open to the public. At the last meeting, the group formed three subgroups—retail operations, marketplace structure, and licensing—which have also begun to hold regular public meetings. Additional information on the advisory group, including meeting links, can be found on LED's website, <https://bit.ly/41cUyha>.

The advisory group must have a report ready by Dec. 1, 2023. We anticipate there will likely be legislation introduced during the 2024 legislative session to significantly overhaul state liquor laws based on the results of that report.

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

Legislative

affordable housing. CML's advocacy team is following 170 bills, not all of which we had time to discuss. To see all bills CML is watching and working on, visit our website, <https://bit.ly/419fDJ9>. To receive weekly updates from the advocacy team on bills of municipal interest, sign up for CML's State-house Report, <https://bit.ly/3lyNioz>.

Workshop attendees heard from state legislators about their priorities for the year and discussed the pressing issues facing their communities. During lunch, attendees heard from Gov. Jared Polis about his priorities, and he answered questions about municipal inflation, housing and land use, and water in Colorado.

In the afternoon, workshop attendees heard from municipal colleagues from the City of Fort Collins, Town of Fraser, City of Lakewood, and City of Alamosa in a panel discussion around efforts to provide affordable housing at the local level. Water experts from Denver Water, the Colorado River District, the Colorado Water Congress, the Department of Natural Resources, and the Colorado Farm Bureau gave updates about what we can expect in terms of water legislation for the session. The panel gave insight into the ongoing crisis on the Colorado River and other interstate water compacts.

"The strength of CML is and always will be from our members," said Kevin Bommer, CML's executive director. "I was thrilled to see a packed house of municipal officials from around the state who all want the best for their city or town and want the state to help and not harm their ability to achieve it."



CML Executive Director Kevin Bommer poses for a photo with Colorado Gov. Jared Polis at the CML Legislative Workshop.



Municipal officials from all across Colorado attend the Legislative Workshop.



CML's Advocacy Team provides an update on the current legislative session. The team is, from left, Legislative Advocacy Manager Heather Stauffer and Legislative & Policy Advocates Jaclyn Terwey, Meghan MacKillop, and Mollie Steinemann,

RESEARCH CORNER

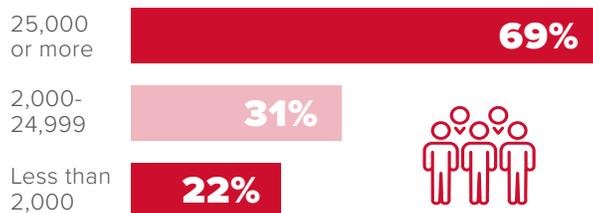
Cities & towns report staffing challenges

CML's most recent State of Our Cities and Towns survey affirms what CML staff have been hearing from our members over the past year: staffing challenges are leading to delays in projects, reduced programming or service hours, and an excessive burden on the remaining staff.

Turnover

More than one quarter (29%) of municipalities experienced more staff turnover in 2022 than in 2021, with larger municipalities experiencing more turnover than smaller municipalities.

Percentage of Colorado municipalities reporting somewhat more or much more turnover in 2022 than 2021, by population.



Impact

Sixty-two percent of municipalities report moderate to significant operational impacts due to staffing challenges. Here are some ways it affects operations.

30% reported challenges in public works/ utilities



30% reported slower turnaround/cut back on operational hours



26% reported longer hours for current employees/less capacity/larger workload



23% reported police service/public safety challenges



16% reported parks & recreation challenges



Taking Action

Actions taken by municipalities to increase hiring/retention.



Increased wages or salaries



Promoted training opportunities



Increased or improved non-wage benefits



Promoted the positive impact employees have on their communities

Success stories

Read about how two communities found solutions to staffing shortages.

CRAIG

<https://bit.ly/3S18Sox>

FRAISER

<https://bit.ly/3HXSSjB>

“Staffing shortages have required additional help from other departments to complete critical operations such as water, sanitation, electric and wastewater, resulting in us falling behind with mowing operations, parks maintenance, and street maintenance operations.”

—Home Rule City, Eastern Plains



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- Colorado governor, Denver mayor speak at CML Legislative Workshop
- Grant money available for municipal transit systems
- FAMLI Program opt-out deadline extended
- Research Corner: Cities & towns report staffing shortages
- Legal Corner: Recent liquor licensing expansions & what's next

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