



CML Executive Director Kevin Bommer visits the Town of Dove Creek as part of the League's Spring Outreach campaign.

SPRING OUTREACH

CML amplifies voices of Colorado municipalities

IN May, CML embarked on a series of visits, Spring Outreach, across the state to provide an update on the end of the 2023 legislative session, an opportunity for neighboring municipalities to get together, and a chance to actively listen to CML members.

From Greeley and Cheyenne Wells to Walsenburg and Cortez to Fruita and Hayden, CML staff covered a lot of territory to gain a deeper understanding of the nuances in the issues that matter most to local communities. More than 300 CML members across 18 meetings attended to learn about the dynamics of the 2023 legislative

session and the new laws that affect how they serve their communities. Crucial legislative developments were discussed, providing insights into the potential impact on local governance and the services delivered to communities. Of interest were discussions on SB23-213 and Prop 123, the immediate impacts and how these may continue to evolve in future sessions.

Members gathered to engage in fruitful discussions and share the work going on in each community, from

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EMPOWERED CITIES AND TOWNS, UNITED FOR A STRONG COLORADO



COLORADO MUNICIPAL LEAGUE **NEWSLETTER**

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LEGISLATIVE WRAP UP

The CML advocacy team hosted a webinar summarizing the work they did to promote municipal interests during this year's Regular Session of the Colorado General Assembly. The team outlined the League's successful effort to organize opposition to the Land Use bill (SB23-213), as well as CML's support for measures supporting criminal justice and housing affordability. A recording of the Legislative Wrap Up webinar is available on CML's website, <https://tinyurl.com/4znjpa7x>.

UPCOMING WEBINAR

WEBINAR ON APPLYING FOR FUNDING THROUGH BIPARTISAN INFRASTRUCTURE LAW

Colorado Senators John Hickenlooper and Michael Bennet are organizing federal grant webinars to review funding opportunities within the Bipartisan Infrastructure Law. These two workshops will bring together representatives from five federal agencies, providing cross-agency

descriptions of funding and grants available as well as recommendations for successful grant applications. Representatives from the Environmental Protection Agency, Department of Transportation, Department of Energy, National Telecommunication and Information Administration, and Bureau of Reclamation will take part in the webinars. The next grant webinar will take place June 27. Participants can register at <https://tinyurl.com/yc4e5skh>.

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, or anything else you're excited about! Email CML Publication & Design Specialist Alex Miller, amiller@cml.org, or complete the form at <https://bit.ly/3YF8XRM>.

ANNUAL SEMINAR ON MUNICIPAL LAW

CML's 2023 Annual Seminar on Municipal Law will provide expert Colorado-specific information directly relevant to the daily practice of municipal attorneys in the state, as well as opportunities to network with peers.

October 6-7 in Mt. Crested Butte, Colorado

Regional summits on Bipartisan Infrastructure Law funding

The Infrastructure Investments and Jobs Act, commonly referred to as the Bipartisan Infrastructure Law, offers Colorado communities funding opportunities for a wide variety of projects. Matching projects to available funding sources, putting together a successful application, and understanding the administrative obligations that go with federal funding can all feel overwhelming.

To assist local governments and special districts in navigating these funding opportunities, Colorado is holding a series

of regional summits that will provide information and directions on how to successfully apply for and administer federal funds. More information about each individual summit is available online, <https://tinyurl.com/3b572t7u>.

- **June 21** - Regions 1, 5 & 6 - Old Town Museum, Burlington
- **July 11** - Region 10 - Ouray County Fairgrounds, Ridgway
- **July 12** - Region 9 - Durango Community Recreation Center, Durango

- **July 13** - Region 8 - Adams State University, Alamosa.
- **July 18** - Region 12 - Colorado Mountain College, Breckenridge
- **July 19** - Region 11 - Grand River Hospital, Rifle



CML Legislative Advocacy Manager Heather Stauffer, front row, fifth from left, visits the Town of Eagle as part of the Colorado Municipal League's Spring Outreach campaign.



Representatives of the City of Vail pose for a photo during a CML Spring Outreach meeting.

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celebrating accomplishments to identifying ongoing challenges. Among the topics that garnered significant attention across the state were water management, infrastructure, and housing. Municipalities voiced their concerns, highlighting the challenges and opportunities associated with these vital aspects of community life. The discussions enabled participants to exchange ideas, share best practices, and explore potential solutions to tackle these pressing issues collectively.

In addition to the meetings, CML staff stopped in 38 cities along the way as part of CML's special 100th Anniversary appreciation tour. This tour is a gesture of gratitude and celebration, recognizing the enduring partnership between our municipality members and CML throughout the decades. The visits are an opportunity to personally express appreciation for the dedicated service of Colorado's municipal staff. To date, CML has visited 135 municipalities with a goal of hitting visting all 270 by the end of the year.



CML Executive Director Kevin Bommer, second from left, visits Pagosa Springs.

Department of Local Affairs grants more than \$17 million to support the development of affordable housing statewide

The Department of Local Affairs, through the Division of Housing's State Housing Board, voted on, approved, and awarded \$17,768,700 in funding in April, providing Coloradans with 370 additional affordable housing units across the state.

The State of Colorado seeks to offer a continuum of housing options for households with various criteria and Area Median Incomes, as well as for people looking for housing combined with supportive services, to meet the challenges of a continually evolving population.

OH PAGOSA

\$400K — Adding 8 housing units

Oh Pagosa, in Pagosa Springs, is a proposed multi-family dwelling to be located downtown. The construction of the two story building will consist of two two-bedroom units and six one-bedroom units.

The project is in the heart of downtown Pagosa in a residential area. It will be adjacent to another affordable housing fourplex with surrounding single family homes.

Just south (two blocks) is a park with an ice rink, a child daycare, pickleball, and tennis courts, plus additional park advantages. North two blocks is the heart of downtown including a library, Natural Grocers, bank, coffee shop and other employers and commercial activities. The residents will have access to public transportation, including a bike/walking trail.

RESIDENCES AT DURANGO

\$5.5M — Adding 120 units

TWG Development has received gap funding to complete their project Residences at Durango, a hotel conversion project for

construction of new apartments. The property, the former Best Western Motel, is located at 21382 U.S. Highway 160 in Durango, Colorado. The property currently has 72 hotel rooms that are vacant with the additional land behind the motel as the location of 48 new apartments.

The two-story building renovation will feature new flooring, paint, doors, blinds, and a new roof. The appliances, plumbing features, and lighting package will all be energy efficient. There will be new kitchens installed into the 72-hotel units, with a sink, garbage disposal, oven, dishwasher, microwave, cabinetry, and countertops. The additional property behind the motel will have an additional 48 new construction units. The units will serve households between 30% and 60% AMI.

7001 COLORADO BLVD

\$3M — Adding 92 housing units

Prospect LLC was awarded \$3 million for the construction of 7001 Colorado Blvd, 92-units of affordable rental housing for families in Adams County. The project is located at 7001 Colorado Blvd, Commerce City, Colorado 80022. The project will include eight one-bedroom units, 26 two-bedroom units, 34 three-bedroom units, and 24 four-bedroom units.

The income level for all units will be 30% or 60% of AMI, with an average affordability of 58.37%.

RALLY HOMES

\$3.5M — Adding 100 housing units

Boulder Housing Partners (BHP), the Housing Authority of the City of Boulder, was awarded \$4.5 million for the construction of Rally Homes in the City of Boulder.

This 100-unit affordable development funded through an allocation of 4% and State Low Income Housing Tax Credits (LIHTC) will produce 24 studio, 62 one-bedroom, and 14 two-bedroom units. Ten of the units will serve households at 30% AMI, five units at 40% AMI, 22 units at 50% AMI, and 63 units at 60% AMI.

The Housing Authority will be applying their project-based vouchers to the 10 units at 30% AMI to serve individuals and families experiencing or at-risk of homelessness.

FRUITA MEWS

\$5.368M — Adding 50 housing units

IndiBuild LLC was awarded \$5,368,700 to assist with a 50 unit new construction project called Fruita Mews, located in Fruita.

The Fruita Mews will consist of 10 residential buildings, each consisting of five single-story and two-story townhome units. Each building will front a green space or street and have a covered front porch. While all the buildings have similar floor plans, the exterior architecture will vary in color and roof forms to differentiate between the townhomes.

The community will include a common house with a full kitchen, covered back porch and BBQ area overlooking a nature play/amphitheater, play structure, and community gardens.

Individual, secure bike storage and community bike maintenance amenities will be available to all residents.



CML LEGAL CORNER



Legislative intrusion into municipal courts

By Rachel Bender,
CML associate counsel

Municipal courts are created to uphold the specific needs of a municipality and, as such, help to provide a certain quality of life within that community. Municipal courts can address both civil and criminal matters, deriving their power from the Colorado Constitution, state statute, court decisions, local charters, and local ordinances. Despite the authority given to municipalities over municipal courts, particularly home rule municipalities, the legislature has taken an interest in passing laws to impose certain restrictions and requirements on municipal courts over the past several years. This year was no exception, and we will likely continue to see legislation of this nature in the future.

MUNICIPAL COURT JURISDICTION

During the 2023 legislative session, the General Assembly passed two bills that, in their initial form, would have removed municipal court jurisdiction over certain types of cases. House Bill (HB) 23-1222 initially proposed a complete prohibition on municipal courts prosecuting cases of alleged domestic violence. The final version of the bill allows municipal courts to continue to prosecute domestic violence cases so long as the municipality complies with various requirements including portions of the Victim's Rights Act, state sentencing requirements, state conditions of probation, conditions of release on bond, and issuance of protection orders. While the final bill still intrudes on municipal court operations, it allows the six municipalities that handled domestic violence cases to continue doing so, rather than forcing those cases into state court or, more likely, preventing those cases from ever being heard by a court. Similarly, the introduced version of HB 23-

1249 would have removed municipal and state court jurisdiction over the prosecution of anyone under the age of 13. A version of this bill was introduced in the 2022 legislative session but was ultimately turned into a task force to study the issue. In the final weekend of the 2023 legislative session, negotiations resulted in the scaling back of HB 23-1249. The final act allows all courts to retain their jurisdiction over 10- to 12-year-olds, and the bill simply adds reporting requirements for the Department of Human Services and bulks up county collaborative management programs to provide services for juveniles as an optional alternative to the justice system. Despite this success, this concept is likely to return in future sessions.

MUNICIPAL COURT PROCEDURES

This legislative session also brought changes that impact municipal court procedures. HB 23-1182 imposes requirements on all state and municipal courts for providing remote public access to criminal court proceedings. Despite Colorado Supreme Court Chief Justice Brian Boatright issuing a directive in April 2023, establishing rules for livestreaming criminal court proceedings in Colorado state courts, the General Assembly successfully pursued the passage of HB 23-1182.

Unlike the Court's directive, the bill requires all state and municipal courts to livestream all criminal court proceedings unless certain exceptions apply. Those exceptions include the courtroom having insufficient technological capability; members of the public being excluded from the proceeding by the court; technology, staffing or internet issues; or a finding that there is a reasonable likelihood that remote observation would compromise safety, the defendant's right to a fair trial, or a victim's rights, and there is no less re-

strictive alternative. Although HB 23-1182 remains an infringement on court operations, the exceptions in the final version of the bill brought it more in line with the Court's directive and addressed concerns raised by courts, prosecutors, defense attorneys, and victim advocates.

POSITIVE LEGISLATIVE DEVELOPMENTS

Despite ongoing restrictions and requirements on municipal courts, there was a positive legislative development this session. CML initiated HB 23-1132 to establish the Court Data-Sharing Task Force. Although there is a state-wide case management system for state courts and municipal courts each have their own case management systems, there is no simple way to share information between all state and municipal courts. HB 23-1132 will bring together members of the state judicial department, municipal courts, prosecutors, defense attorneys, and a few other groups, to consider processes for sharing data and providing access to court data systems statewide.

The hope is that the findings from this task force will result in a future bill to establish an efficient and cost-effective way to share case information among all courts in the state. If so, this may help eliminate some of the concerns that have prompted other legislation. Regardless, it will continue to be important to advocate for municipal courts before the General Assembly, including the constitutional authority of home rule municipalities over municipal courts, and maintain these important municipal institutions.

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

Conference sponsor spotlight: Colorado Retirement Association

COLORADO'S MUNICIPAL RETIREMENT EXPERTS

Colorado Retirement Association (CRA) is a unique Colorado-exclusive, non-profit, multi-employer retirement plan provider with over: 237 employer groups; 30,000 participants; and \$2 billion in assets under administration. CRA uses these economies of scale to reduce investment costs for our participants and completely eliminate employer plan costs. Additionally, with CRA's full-service plan administration, employers' fiduciary liabilities are significantly reduced.

WE HELP YOUR RETIREMENT PLAN SUPPORT YOUR GOALS AS A MUNICIPAL EMPLOYER.

The retirement and other employment benefits you offer are integral in



your pursuit to recruit talented new employees, retain your most proficient personnel, and adequately prepare your staff for a meaningful retirement.

At CRA, our association is structured to assume nearly all of the burden of retirement plan administration and fiduciary liability at no cost to the employer. Our 401(a) and 457(b) plans work in tandem to offer a combined 18 customizable features, permitting employers to design retirement plans that deliver impressive benefits and address the financial situations unique to your

municipal workforce while maximizing your budget.

According to CML's 2023 State of Our Cities & Towns Report, online at <https://tinyurl.com/mvcu962t>, 52% of municipalities have lost employees and are experiencing difficulty filling those vacant positions. As a result, 80% of municipalities increased wages and 37% increased non-wage benefits to remain competitive.

In conjunction with CRA, our municipal member employers are adopting custom retirement solutions to counteract the effects of the Great Resignation, helping them to become an "Employer of Choice."

More information is available online at <https://tinyurl.com/bdh3dthj> or by email at ContactUs@cra-online.org.

A decorative border featuring various leaves and sunflowers in shades of gray, framing the central text.

CML FALL DISTRICT MEETINGS

CML hits the road in September to visit member municipalities and provide details about our legislative agenda. Don't miss these opportunities to connect! Visit the Networking & Events page at cml.org for additional information and a schedule.

AURORA



101st ANNUAL CONFERENCE

JUNE 25-28

GAYLORD ROCKIES RESORT

CML's Annual Conference is your opportunity to meet municipal officials from across Colorado and learn from experts in municipal good governance. The final day to register for the conference is **June 15**. See you there!

<https://www.cml.org/conference>





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- Spring Outreach meetings amplify voices of cities & towns
- Webinar on applying for broadband grants
- DOLA awards \$17 million for affordable housing
- Legal Corner: Legislative intrusion into municipal courts

Featured in this issue:

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NEWSLETTER

