



COLORADO
MUNICIPAL
LEAGUE

NEWSLETTER

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PHOTO BY ROBERT SHEESLEY

The CML Executive Board met following the board election held during the CML Annual Business Meeting on June 26. Pictured in the back row, from left, are Rachel Medina, Dan Kramer, Jason Gray, Seth Hoffman, Joshua Rivero, James Marsh-Holschen, Scott Trainor, Dave Frank, Angela Lawson, and Sarah Johnson. In the front row, from left, are Anna Stout, Liz Hensley, Laura Weinberg, Wynetta Massey, Duane Gurulé, Hollie Rogin, Carol Saade, Sharon Davis, Michelle Eddy, Candy Meehan and Dale Hall.

CML MEMBERS ELECT EXECUTIVE BOARD

By Denise White, CML engagement & communications manager

AT the Colorado Municipal League's Annual Business Meeting, held June 26 in Breckenridge, municipal officials from across the state elected new and returning members to the CML Executive Board. The meeting took place as part of the League's 103rd Annual Conference, which brought together nearly 1,300 attendees for a week of learning, leadership, and connection.

Twenty candidates ran for 11 open positions across four population categories. Six individuals were newly elected to the Board, including Sharon Davis (Arvada council member), Jason Gray (Castle Rock mayor), Duane Gurulé (Rocky Ford mayor), Sarah Johnson (Colorado Springs city clerk), Angela Lawson (Aurora council member), and Scott Trainor (Fountain city manager). Five members were re-elected to continue their service, including: Michelle

Eddy (Blue River town manager/clerk), Dave Frank (Montrose mayor), Liz Hensley (Alamosa mayor pro tem), Carol Saade (Breckenridge council member), and Anna Stout (Grand Junction councilmember).

Officers for the coming year were also confirmed: Seth Hoffman (Lone Tree city manager) will serve as president, Laura Weinberg (Golden mayor) as vice-president, and Carol Saade (Breckenridge council member) as secretary/treasurer. Wynetta Massey (Colorado Springs) will serve as immediate past president.

Board members, elected in 2024, continuing their service include: Dale Hall (Greeley mayor pro tem), Dan Kramer (Estes Park town attorney), James Marsh-Holschen (Broomfield council member), Rachel Medina (Cortez mayor), Candy Meehan (Norwood mayor), Joshua Rivero (Parker mayor), and Hollie Rogin (Lyons mayor).

Empowered cities & towns, united for a strong Colorado

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CML UPDATE



This month marks Legislative Advocacy Manager Heather Stauffer's sixth anniversary at CML. Heather joined the League in 2019 as a Legislative & Policy Advocate and in 2023 was promoted to lead the League's advocacy team. Heather lobbies for municipal interests before the state legislature. Her issues include building codes, natural resources and environment, elections, governmental immunity, oil and gas, open meetings/open records, severance tax/FML/energy impact, water and wastewater/water quality, and wildfire.

UPCOMING EVENTS & EDUCATION

UNDERSTANDING & MANAGING SHORT-TERM RENTALS

Utah State University is offering an online course designed to help municipal leaders learn about the short-term rental industry. The course is aimed at small, rural, gateway, and high amenity communities. It will explore short-term rental industry trends and how to navigate the development of balanced policies and regulations to reach the outcomes communities want. Each lesson in this course highlights an important part of understanding and managing short-term rentals. Members of the Colorado Association of Ski Towns contributed significantly to course content. More information and registration are available at tinyurl.com/yc3mz8aj.

EPR & THE STATE

July 23 at 2 p.m.

Join CML and Recycle Colorado for the sixth and final installment of the Extended Producer Responsibility (EPR) recycling program webinar series. The state's EPR Program Manager Darla Arians will provide an overview of how the program will affect local governments. Register at tinyurl.com/yc57bzj9.

EDCC ANNUAL CONFERENCE

Oct. 26-29

The Economic Development Council of Colorado (EDCC) will host its annual Drive | Lead | Succeed Conference at the Pueblo Convention Center in Pueblo, Colorado. The conference unites leading industry influencers and thought leaders to exchange valuable insights. It will introduce innovative tools and solutions to address pressing economic issues within Colorado's professional economic development community, and it will facilitate the flow of fresh ideas among Colorado's foremost economic development professionals, business and non-profit leaders, and government officials. Elected officials can register for the same discounted rate as EDCC members, and the council is extending the early bird registration rate to July 15. More information on the conference is available on the EDCC website, tinyurl.com/2hddu36h.

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, to have your community featured in the CML Newsletter.

Lakewood inducted into All-America City Hall of Fame

The National Civic League is excited to announce that Lakewood, Colorado, is the 2025 All-America City Hall of Fame Inductee. An All-America City in 2011 and 2016, Lakewood is being recognized for the collective work of its Sustainable Neighborhoods Program.

SUSTAINABLE NEIGHBORHOODS PROGRAM: THE GREENING OF LAKEWOOD

Starting over a decade ago, Lakewood began to examine ways to accomplish the “greening of Lakewood,” which was a shared vision of residents, businesses, and the city to create a more sustainable community. The most high-profile, resident-driven program that has grown from this mission is Lakewood’s Sustainable Neighborhoods Program. The program was conceived as a way for residents to establish more sustainable lifestyles and reduce their ecological footprints. From its conception onward, the program has been based on a simple principle: having residents and the collective efforts of their neighborhoods determine and direct how they want to accomplish sustainability. Residents are the decision-makers, action-takers, and community builders who shape the program. The city supports the program by publishing the sustainable neighborhoods’ newsletters, mailing event and informational postcards, providing connections to experts, arranging trainings, and discussing strategies. Based on the neighborhoods’ breadth of activities and endeavors, each year the city certifies neighborhoods as either a Participating Sustainable Neighborhood or an Outstanding Sustainable Neighborhood, and the city erects a sign in those neighborhoods to show off that certification.

The impact of the program has been nationwide. What began as a pilot program with one neighborhood in Lakewood has grown to a network of cities called the Sustainable Neighborhood Network. In 2014, when Denver heard about the program and wanted to harness their residents’ passion for sustainability, Denver’s staff worked with Lakewood to adopt the



program, thus forming the Sustainable Neighborhood Network. Since that time, Wheat Ridge; Fort Collins; Sedona, Arizona; and Portland, Maine, have joined the network. Lakewood’s program serves as a national model.

In Lakewood, the program now includes 10 neighborhoods, with 21,939 households participating. Over the past 10 years, neighborhoods organized more than 1,260 events, programs, workshops, and activities, with more than 100,450 residents joining in. Bee-safe gardens have been planted, composting has increased, paint has been recycled, energy audits have been conducted, and most impressively, 15 tons of electronics and metal have been recycled each year through a now-annual event that the neighborhoods coordinate to offer city-wide to all Lakewood residents.

This February, the city organized a discussion for Sustainable Neighborhood volunteers on engaging diverse audiences with their projects, and the conversation included examining how to reach out to people and develop anti-racist practices. With grant funds the city secured in 2022, Lakewood coordinated a speaker series and developed an online “Best Practices Guide for Engaging Diverse Au-

diences in the Sustainable Neighborhood Program.” Four speakers shared ideas and resources during the series, and the city developed a guide and summary that’s available on the Sustainable Neighborhood website.

Lakewood’s Sustainable Neighborhoods Program brings to life the values and criteria of the All-America City Award. Welcome to the Hall of Fame, Lakewood!

Lakewood is the eighth Hall of Fame Award Inductee. The National Civic League created the All-America City – Hall of Fame Award in 2019 to celebrate the ongoing work of past All-America Cities. The award recognizes communities that have implemented a community-driven initiative that resulted in significant local impact due to community engagement.

Submissions are evaluated based on the National Civic League’s civic infrastructure measurement tool, the Civic Index. Applicants must show that the community initiative featured a Shared Vision, Civic Engagement, Inclusiveness and Equity, Collaboration, Innovation, and Impact.

More information about the award and past winners is available at tinyurl.com/3tysd4w8.

CML 2025 ANNUAL CONFERENCE



PHOTOS BY ALEX MILLER

CML Executive Director Kevin Bommer, left, interviews 9News Anchor Kyle Clark during the Meeting of the Minds Luncheon.

Big ideas. Bold Leaders.

ONE UNFORGETTABLE WEEK

By Denise White, CML engagement & communications manager

CML's 103rd Annual Conference brought together nearly 1,300 municipal leaders and staff for four dynamic days of learning, connection, and celebration. Attendees took part in more than 45 sessions, three mobile tours, and three preconference workshops. Highlights included a forward-looking keynote from futurist Crystal Washington (sponsored by CIRSA), an inspiring Welcome Lunch with Alamosa Mayor Ty Coleman (sponsored by Xcel Energy), a high-energy session with Kenyon Salo (sponsored by Streamline), a visit from Gov. Jared Polis, and an engaging Meeting of the Minds conversation with Kyle Clark (sponsored by Swire Coca-Cola). We honored municipal excellence with the 2025 Sam Mamet Good Governance Awards, presented to Wheat Ridge Mayor Bud Starker and Buena Vista Town Clerk Paula Barnett, and celebrated officials earning MUNiversity distinctions. From the Mayors Mingle to Small Town Connect to Exhibitor Showcases and evening receptions, the energy and engagement remained high throughout. Special thanks to our 80 sponsors and 150 incredible speakers for making the conference a standout success. Mark your calendars for next year in Westminster, June 23–26, 2026!

CML 2025 ANNUAL CONFERENCE



Keynote speaker Crystal Washington



A conference session draws a large audience.



Attendees mingle at the conference reception.



Keynote speaker and Alamosa Mayor Ty Coleman



CML Executive Board member Liz Hensley, left, and Executive Board Vice President Laura Weinberg



Buena Vista Town Clerk Paula Barnett, center, receives a 2025 Sam Mamet Good Governance Award from CML Executive Director Kevin Bommer, right, and CML Executive Board Immediate Past President Wynetta Massey.

RESEARCH CORNER

HIGHLIGHTS FROM CML ANNUAL REPORT

Data visualization by **MAEVE McHUGH**, CML municipal research analyst, and **ALEX MILLER**, CML publication & design specialist

CML's 2024-2025 Annual Report offers a snapshot of our organization's efforts over the past year. It is one way we measure our progress toward achieving our vision of "empowered cities and towns, united for a strong Colorado." Behind each number highlighted in this Research Corner is a story of Colorado's cities and towns working to serve their communities and ensure our state remains the best place to live, work, and play. We are honored to work alongside each of our member municipalities and remain committed to advancing this progress in the years to come.

CML ADVOCACY

245

Bills tracked
by CML

85

Bills CML
took a position on

79%

Percentage of CML-supported
bills that passed

64%

Percentage of CML-opposed
bills that died or were amended
to remove opposition

CML LEGAL

6

Amicus curiae
briefs written

19

Continuing Legal Education
sessions hosted

169

Attendees at CML Annual
Seminar on Municipal Law

24

Legal Corner
columns written

CITIES & TOWNS

271

CML member
municipalities

108

Home rule
municipalities

164

Statutory municipalities.
162 are CML members

1

Territorial charter town,
Georgetown

CML LEGAL CORNER



Avoiding invalid initiated land use ordinances

By Robert Sheesley, CML general counsel

Until recently, a governing body had two choices when reacting to a verified petition for an initiated ordinance — adopt the ordinance as presented or refer it to voters for approval. When the ordinance was obviously or arguably unlawful, there was no third option to allow the governing body to avoid the costs of an election, litigation, or damages or the political consequences of modifying the ordinance after adoption.

A recent law, House Bill 25-1093, offers a path to avoid wasting time and money on nuisance initiatives that violate law or exceed the scope of constitutional power. While being respectful of the people's right, governing bodies can resist abuses of the initiative to preserve municipal resources and the legislative power vested in the governing body.

SCOPE OF INITIATIVE POWER

Although a municipality's governing body is the primary legislator for the municipality, the Colorado Constitution reserves the right of initiative — the power to propose and enact laws — to the people. (It's twin, referendum, allows the people to repeal a legislative ordinance approved through the governing body).

The power extends only to acts that are legislative in character, not to administrative or judicial functions. Legislative actions relate to "subjects of a permanent or general character" or involve a declaration of public policy (including, incorrectly in our opinion, zoning and rezoning ordinances). Administrative actions carry out existing policies and purposes, including things like setting utility rates, selecting a location and structure for a building or a sign, and negotiating leases for facilities. The gray area between "legislative" and "administrative" is massive, and home rule charters can provide further subjects for initiative.

While state statute defines the processes for initiatives, the constitution allows all cities and towns to establish standards for exercising the initiative power as to municipal laws. Colo. Const. art. V., § 1(9). The constitution sets only one invariable procedural standard for exercising the initiative power — municipalities cannot require signatures of more than 15% of registered electors.

UNACCEPTABLE CHOICES

Initiative petitions that address non-legislative subjects can be disposed of during the verification process or while under consideration by the governing body. Colorado courts have held, however, that municipalities cannot avoid unconstitutional initiative ordinances simply because the proposal is not constitutional. Initiated measures, like council-enacted ordinances, are presumed valid and "actual validity may be considered by the court only if and when it is adopted into law by the electorate." *McKee v. City of Louisville*, 616 P.2d 969 (Colo. 1980); see also *City of Rocky Ford v. Brown*, 293 P.2d 974 (1956).

The structure forces a municipality to adopt an invalid ordinance or spend tens or hundreds of thousands of dollars on an election, and then to defend the bad laws in court. Theoretically, a governing body could adopt the proposed ordinance and later repeal or modify the law (unless restricted by a local rule). But practically, such a decision could be seen as restricting the initiative right and have serious political consequences, despite the underlying policy not having voter endorsement.

The City of Lakewood, for example, last year faced a proposed ordinance that required the dedication of land for parks or open space according to a strict formula that would have required constitutionally excessive land dedications, among other infirmities. Instead of spending an estimat-

ed \$175,000 to \$350,000 on an election and certain litigation, the city council adopted the ordinance, despite the law's obvious problems and negative impacts on development of housing, and was forced to defend a lawsuit by landowners. Later, the city modified the ordinance to make the law legally acceptable.

HB25-1093 ATTEMPTS A SOLUTION

HB25-1093 allows a municipality to circumvent the wasteful expenses of an election and litigation by preemptively asking a court to determine that a proposed initiative land use ordinance is invalid. The law (C.R.S. § 29-20-203(3)) only allows a court to review such an ordinance against the federal or state constitutions or certain state statutes dealing with development rights.

Whether the courts will accept HB25-1093's alternative is unclear. Courts have been unwilling to render "advisory opinions" on proposed laws, and the *McKee* case suggests the existence of a "constitutional right to have [an] initiated measure submitted to the electorate," notwithstanding the invalidity of the measure itself.

For wise stewards of public funds, the idea of a fundamental right for the electorate to vote on an unconstitutional law is a no-win situation. If voters reject the law, the municipality has spent untold sums and potentially disrupted development projects. Approval of the law merely adds to that cost.

But voters don't get to decide whether a law is constitutional or not. Where the invalidation of a law is a foregone conclusion, governing bodies can both respect the right of initiative while preserving its boundaries and preserving municipal resources.

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



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END OF PRINT

This is the final print edition of the CML Newsletter. Starting July 22, the newsletter will be fully digital and delivered straight to subscribers' email inboxes. The new format newsletter will be more accessible, easier to navigate, and reflects our commitment to using member resources effectively. We look forward to staying connected with you online!

Print copies of the CML Newsletter will no longer be mailed. To keep receiving updates, make sure we have your preferred email address. Contact CML Database Specialist Mark Vanderbrook, mvanderbrook@cml.org.

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- Lakewood inducted into All-America City Hall of Fame
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Featured in this issue

FINAL PRINT EDITION

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