



COLORADO
MUNICIPAL
LEAGUE

NEWSLETTER

Vol. 48, No. 3, February 11, 2022

Two new CML Executive Board members appointed

The CML Executive Board held its first meeting of 2022 on Friday, Jan. 28. At the beginning of the meeting, the Board unanimously approved Carrie Hartwell, Town of Julesburg clerk and treasurer, and Nicole Samson, City of Lafayette councilor, to fill the vacancies in the small and medium municipalities categories, respectively.

Hartwell and Samson, who were selected from a large group of highly qualified candidates, will serve out the remaining term and then may run to be elected at the Annual Business Meeting in June.

Hartwell becomes the first municipal clerk to serve on the CML Board since Jean Rogers, former Lakewood city clerk, who served on the Board from 1977-1981. Hartwell is certainly the first clerk-treasurer combination. Samson has held key staff roles for both the City of Brighton and City of Thornton and is the current grant administrator for Adams County, in addition to her role as councilor in Lafayette.

The next regular meetings of the current CML Board will be Feb. 25 and Apr. 22, and the new Board will meet immediately after the election at the Annual Business Meeting scheduled for June 23 in conjunction with the 100th CML Annual Conference in Breckenridge.



Carrie Hartwell



Nicole Samson



**Registration
opens soon!**

SAVE THE DATE

CML 100th Annual Conference

June 22 - 24, 2022 | Breckenridge, CO

CML's 100th Annual Conference is sure to be one to remember. With over 40 sessions, two keynotes, and a 100th Conference celebrations on Wednesday, you won't want to miss it See you there!

40+
Sessions

2
Keynotes

1
Celebration

For more information about 100th Annual Sponsorships
email msturgeon@cml.org

Empowered cities and towns, united for a strong Colorado

Congratulations



We're celebrating Database Specialist Mark Vanderbrook's three-year anniversary. Congratulations, Mark!

The League welcomes new Designer, Alex Miller



Welcome Alex Miller, CML's new publication and design specialist! Alex is a former journalist who worked as a designer and editor at newspapers including

the Pittsburgh Post-Gazette, St. Paul Pioneer Press, Chattanooga Times Free Press, and the Hawaii Tribune-Herald. Alex will join the CML engagement and communications team on Feb. 14.

Sam Mamet Good Governance Award

CML is now accepting applications for the Sam Mamet Good Governance Award.

The deadline for submissions is April 1, 2022. The Sam Mamet Good Governance Award shall be awarded annually to up to three individuals that exemplify and seek to expand the application of principles of good governance, which may include:

1. Efficiency and effectiveness of government
2. Responsiveness to need
3. Openness and transparency
4. Respect for the rule of law
5. Accountability to self and others
6. Inclusivity
7. Ethical behavior and conduct
8. Innovation
9. Representation of all constituencies
10. Fiscal accountability

The award will be presented at the Thursday Lunch at the CML Annual Conference. Recipients will be given a complimentary registration to the following year's annual conference and invited to assist in presentation of the award to their successor or successors. A plaque containing the names of all recipients and the year of the award will be maintained at CML.

Any municipal elected official, staff member, or other individual in municipal public service (i.e., board or commission member, volunteer) who exemplifies principles of good governance is eligible to receive the award. Current CML board members are not eligible for nomination. Anyone can nominate eligible individuals through the completion and submission of this form (<https://bit.ly/3B1Y8Oj>). Additionally, CML Board members and the CML executive director may also add nominees with approval from the Board president.

Final selection of the recipient will be made by the CML Executive Board at its regular April meeting prior to the Annual Conference, and recipients will be notified and provided with a per diem reimbursement for expenses and one night of lodging, if not already registered to attend the conference.

Deadline for submissions is Friday, April 1, 2022.

Information on last year's winner is available at <https://bit.ly/3J9VjxI>

Please share with anyone who you think may be interested.

Panel discussion on the state of homeownership in underserved communities

Fair Housing and Equal Opportunity (FHEO) Region VIII, in collaboration with Office of Field Policy and Management (FPM), is hosting a virtual panel Discussion on the State of Homeownership in Underserved Communities on **Feb. 24, 2022, from 12 to 1 p.m.** Panelists will include local real estate and housing counseling agencies from the Denver metro area who will discuss racial equity in homeownership in underserved communities; best practices to promote and increase homeownership in underserved communities; and local, state, and federal resources available to assist persons living in underserved communities to achieve the dream of homeownership. FHEO will discuss and highlight fair housing and fair lending laws throughout the event.

The event is open to the public, HUD staff, HUD partners and stakeholders, housing agencies, housing advocates, and other interested parties.

The event supports the Biden/Harris initiative to advance racial equity and equal opportunity in housing and homeownership.

Registration closes Feb. 21, 2022.

After Feb. 21 participants will receive a Microsoft TEAMS invite to join the event. Space is limited. Visit <https://bit.ly/3Jiy70n> to register.

For more information, please contact FHEO Program Analyst Lynn Neely-Edmonds at lynn.neely-edmonds@hud.gov.



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CML Newsletter (ISSN 7439903) is published biweekly by the Colorado Municipal League, 1144 Sherman St., Denver, CO 80203-2207, for Colorado's municipal officials. (USPS 075-590) Periodical postage paid in Denver, Colorado.

Designer and editor: Deborah Beebe
Circulation/mailling lists: Mark Vanderbrook

POSTMASTER: Send address change form 3579 to Colorado Municipal League, 1144 Sherman St., Denver, CO 80203-2207; (p) 303-831-6411 / 866-578-0936; (f) 303-860-8175.

Subscription to *CML Newsletter* is offered as a portion of member dues. Cost to nonmembers is \$300 a year.

Get this newsletter by email. The *CML Newsletter* is available by email three days before it arrives in the mail! Sign up at bit.ly/CMLNewsletter.

CHFA launches Colorado Affordable Housing Developer's Guide

Colorado Housing and Finance Authority (CHFA) is pleased to announce the launch of the Colorado Affordable Housing Developer's Guide.

The intention of the Guide is to help support local for-profit and nonprofit developers, community leaders, and advocates seeking to ensure that safe, decent, and affordable housing is an intentional and integrated part of their community fabric.

"The Guide is dedicated to all Coloradans who are seeking housing stability and economic prosperity. CHFA hopes this resource paves a path forward for a brighter and stronger future for the entire state," said Cris White, CHFA executive director and CEO. "CHFA would like to thank the numerous partners and collaborators who helped make the Colorado Affordable Housing Developer's Guide possible."

To help prospective developers utilize the Guide, CHFA will be hosting an Affordable Housing Developer's Guide 101 training series. The series consists of four in-person training courses in Pueblo, Alamosa, Durango, and Rifle, as well as one virtual online training. Attendees will learn how to access the Developer's Guide and use it within their organization to better understand and plan for the development or preservation of affordable housing in their community.

Specific topics covered will include an affordable housing development overview; organizational considerations; housing development models; team and roles; engaging the community; predevelopment; market feasibility; financial feasibility; project construction; operations and compliance; and a variety of tools and resources.



Affordable Housing Developer's Guide 101 Training dates:

- **Pueblo: Pueblo Community College, Tuesday, Feb. 15, 9:30 a.m. to noon.** To register visit <https://conta.cc/3gnV3yA>.
- **Alamosa: Alamosa Recreation Center Tuesday, Feb. 16, 9:30 a.m. to noon.** To register visit <https://conta.cc/3GmFsKd>.
- **Durango: La Plata County Fairgrounds, Tuesday, Feb. 22, 1 to 3:30 p.m.** To register visit <https://conta.cc/34A5uMI>.
- **Rifle: The Ute Theatre, Wednesday, Feb. 23, 1 to 3:30 p.m.** To register visit <https://conta.cc/3L4lsyu>.
- **Online: Wednesday, March 2, 9:30 a.m. to noon.** To register visit <https://bit.ly/3rokJS0>.

A recording of the Affordable Housing Developer's Guide 101 training will be available in March on CHFA's website (www.chfainfo.com).

AARP Community Challenge grant program accepting applications

The AARP Community Challenge grant program is part of the nationwide AARP Livable Communities initiative that helps communities become great places to live for residents of all ages. The program is intended to help communities make immediate improvements and jump-start long-term progress.

AARP invites municipalities to submit applications for quick-action projects that can help your community become more livable for all (especially those age 50 and over), by improving public places; transportation; housing; civic engagement; diversity, equity, and

inclusion; federal funding implementation; and more.

Grants have ranged from several hundred dollars for smaller, short-term activities to tens of thousands of dollars for larger projects. Since 2017, the average grant amount is \$11,500 and 76% of grants have been under \$15,000. While AARP reserves the right to award compelling projects of any dollar amount, the largest grant that has been awarded under the Community Challenge is \$50,000.

The program is open to 501(c)(3), 501(c)(4), and 501(c)(6) nonprofits and government entities. Other types of organizations will be considered on a case-by-case basis.

Applications must be submitted at <https://bit.ly/3LfVDN6> and are due by **March 22, 2022, 5 p.m. ET**. Applicants will be notified of their status by email in May 2022, and all projects must be completed by Nov. 30, 2022.

Visit bit.ly/3GjBd28 to view a sample application, project examples, and FAQs. Please email questions to communitychallenge@aarp.org.

Governor's Award for Downtown Excellence

Nominations are now open for the Governor's Award for Downtown Excellence. All activity and collaborations must be completed between Aug. 1, 2019, and March 30, 2022. **Nominations are due by Feb. 25, 2022.** Find the general nomination form at <https://bit.ly/32Z7DBq>. To nominate an individual visit <https://bit.ly/3ojt0oo>.

Since 2003, the Downtown Colorado, Inc. (DCI) Governor's Awards for Downtown Excellence have recognized outstanding projects and people in Colorado that demonstrate creativity in the face of challenges, unlikely and enduring partnerships, and dedication to community to further downtown initiatives.

IN THE GAME

APRIL 12-15, 2022 COLORADO SPRINGS, CO



DCI's Annual IN THE GAME Conference

Registration is now open for **Downtown Colorado, Inc.'s annual IN THE GAME conference in Colorado Springs, April 12-15, 2022.**

Participate in talks, tours, and problem-solving exercises to get engaged with a state-wide community of Do-ers.

A hotel block is available at the Mining Exchange where the conference will be held. To reserve a hotel room, please contact the Mining Exchange directly by calling (719) 323-2000.

DCI offers a variety of exclusive sponsorship packages tailored to your specific interests. If you are interested in

conference sponsorship, please contact Morgan Pierce at communications@downtowncoloradoinc.org.

Visit <https://bit.ly/3gofrzy> for available sponsorship packages. All sponsors receive registration worth more than \$500.

DCI members receive a 25% discount on registration with a special promo code. To receive the code, please email communications@downtowncoloradoinc.org.

To learn more about the benefits of becoming a DCI member or how to get involved, please contact Membership Coordinator, Kayla Jones, at membership@downtowncoloradoinc.org.

DCI presents Tax Increment Finance 101



Downtown Colorado, Inc. (DCI) presents Tax Increment Finance (TIF) 101 for beginner and advanced urban renewal staff, board members, and partners considering how best to maximize impacts of tax increment financing in downtown and redevelopment projects. The Tax Increment Finance 101 workshop will review how the tool works, how to work with partners, and best practices that guide the use of TIF in Colorado. The workshop will be held in Pueblo on **February 23 from noon to 4 p.m.** Visit <https://bit.ly/3syAVjd> to register.

IN MEMORIAM

Lauri Dannemiller



The League is saddened to report the recent passing of Laura Jeanne "Lauri" Dannemiller, who passed away on Jan.16. Lauri was 60 years old and was executive director of the Apex Park and Recreation District in Arvada at the time of her passing. She had been Poncha Springs Town Manager, Englewood Assistant City Manager, Denver City Council Staff Director, and Denver Parks

and Recreation Director. Sam Mamet, retired CML executive director, stated, "I remember Lauri's infectious enthusiasm. We first met when she was in Poncha Springs and remained in touch throughout her wonderful career. May her memory be a blessing." A celebration of Lauri's life will take place in the spring at Sloan's Lake in Denver.

PERA Board election set for May

In May 2022, Colorado PERA will hold an election for multiple seats on the board of Trustees, including a four-year term to be filled by an active employee of a Local Government Division employer. Interested employees in PERA member municipalities may request a candidacy packet through March 1, 2022. A request for a candidate packet may be made at <https://bit.ly/3utd8n8>. Colorado PERA recommends potential applicants request a packet as soon as possible to ensure

enough time to gather all required material.

Once a completed candidacy packet request form is received, PERA will email candidacy packet materials. To be placed on the ballot, a candidate must fulfill the requirements explained in the candidacy packet materials and will be subject to a background check.

The board of trustees meets at least five times per year and is responsible

for adopting the rules and policies for the administration of PERA. Elected board members serve without pay, but are reimbursed for necessary expenses. Ballots will be mailed in early May to active members in the State, School, and Local Government Divisions. Active State Division members will vote for one candidate for the Higher Education 4-year seat and one candidate for the Special Election 2-year seat.



UPCOMING EVENTS

FEBRUARY 16:

<https://bit.ly/3uIOF3g>

Where is our water flowing?
Water conservation in Colorado

FEBRUARY 17:

bit.ly/3ndU6Na

Legislative Workshop

FEBRUARY 18:

bit.ly/3IVI1EO

APA webinar:
climate science & planning — the basics

FEBRUARY 22:

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

How Colorado will make unprecedented
investments in housing

FEBRUARY 25

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

Statehouse report webinar

March 2

<https://bit.ly/3ggcls7>

The economic importance of
managed parking

CML's Election Webinar series

We're excited to provide clerks with essential information concerning elections throughout the next few months. CML will host Karen Goldman, MMC, on a series of webinars focused on essential election practices. Goldman has provided training for municipal clerks in the elections arena during her almost 20 years as a municipal clerk in Colorado and currently runs the League Municipal Clerk Advisor Program. You can register for the next webinar at bit.ly/3nhUuu7.

CML LEGAL CORNER



Managing public comments at open meetings while effectively addressing public business

By Rachel Decker, CML associate counsel

Managing public comments in public meetings is an issue that local government officials find themselves dealing with time and time again due to new contentious topics and passionate citizens. Meetings can extend late into the night as business is delayed to accommodate an influx of people who want to speak about their concerns. These circumstances give rise to the question of how to engage citizens and respect their First Amendment rights while running a public meeting and addressing business effectively and efficiently. How a governing body engages the community through public comment can impact whether they are seen as responsive to their constituents but can also have legal implications for officials.

First Amendment framework for public meetings

Under the First Amendment, a traditional public forum, like a public sidewalk, is devoted to expressive speech. Public meetings, such as city council or board of trustee meeting, are typically considered limited or designated public forums, meaning they have been opened by government for a particular purpose. Restrictions on content (i.e., subject matter) may be proper in some circumstances, such as requiring speakers to stay on topic in a meeting or hearing that solicits comments for a particular reason; restrictions on viewpoint (i.e., the speaker's position on an issue) are not.

Although open comment periods are a traditional engagement tool, there is no legal obligation to provide such an opportunity during public meetings under open meeting laws or the First Amendment. Without a public comment period, there are ample other avenues

for communicating with local government officials. For example, phone calls, one-on-one meetings, and mail or email communications, which can even be included as part of a public meeting packet are considered sufficient communications with government officials. Of course, if local laws or policies provide for a public comment option, those requirements govern unless and until they are amended.

How to responsibly accommodate public comment

Except in focused public hearings, a local government should tread lightly in imposing any topic limitations and should never limit viewpoint. However, most communities can accomplish their goals for managing public meetings through time, place, and manner restrictions that do not consider content or viewpoint. Time limits for each speaker are a common, easily implemented solution. Other options include a total time limit for public comment, a limit on the number of speakers, or a comment period deferred until after the completion of a body's business. When limiting the total time or number of speakers, communities may use a first-come, first-served methodology; a lottery system; pre-registration; or a hybrid arrangement. One or more of these options can be used to manage public comment periods and ensure local government bodies can effectively and efficiently address the public business at hand.

It is important to lay out public comment rules so that they are accessible, clear, and consistent. Those rules can be imposed at the discretion of the meeting chair, but it is best to establish written rules. Once established, the rules must be uniformly enforced otherwise local officials may run afoul of the First Amendment—for example, it is not appropriate to be lenient with a time limitation for someone who is

speaking favorably about the council or board while strictly enforcing that limitation on a critic.

Mistakes to avoid in practice

Beyond regulations, the elected body's response to public comment is important. Officials should avoid inhibiting public comments based on the speaker's content or viewpoint even if the speech is perceived as irrelevant, inappropriate, or offensive. Additionally, it is usually not appropriate to restrict passive messages on signs or clothing if those messages do not disrupt or threaten the safety of the meeting.

Lengthy dialogues between speakers and members of the governing body can unnecessarily prolong meetings, confuse issues, and degrade decorum. A better practice may be to refer issues to staff and delay action until officials have had time to thoughtfully consider an issue. Officials can also follow up with a speaker after a meeting, if needed.

Of course, speakers should not be allowed to take over a meeting, ignore rules, or threaten participants' safety. In a difficult situation, rely on the chair to thank the speaker and move to the next agenda item, turn off a microphone, or call a recess to calm a situation. In extreme cases, security could be asked to escort a speaker from the meeting. However, only law enforcement should decide whether an arrest or citation is appropriate.

For additional resources on crafting public comment policies to suit a community's needs, please visit the CML bookstore (bit.ly/3J2NtFS) and search for *Colorado Municipal Government* and *Open Meetings, Open Records*.

Research Corner: 2022 State of Our Cities and Towns

CML's 2022 State of Our Cities & Towns Report examines the continued operational and fiscal impacts of COVID-19 as well as the ongoing challenges related to housing supply and affordability, public safety, and infrastructure funding. The 2022 report is based on results of a statewide survey of cities and towns conducted in the fall of 2021.

Findings from the 162 municipalities that responded show most municipalities have quickly recovered from the fiscal hardships of 2020. However, familiar challenges remain. Lack of affordable housing is the largest issue facing municipalities in 2022, followed by a tight labor market and unfunded street/road maintenance.

View the data story at <https://bit.ly/3LafBc2>

View the full report at <https://bit.ly/3ovSDTa>

High-level findings include:

Municipalities experienced a strong fiscal recovery following the uncertainty of 2020.



64% of respondents reported a better than expected fiscal outlook compared to last year



59% of municipalities reported having a fully recovered from, or never having been impacted by, the negative fiscal impacts of the COVID-19 pandemic



64% of municipalities expected an increase in sales and use taxes as a source of revenue in 2021

Federal investment in local governments made a difference in Colorado municipal budgets.

83% of respondents reported that the funding available through the CARES Act and American Rescue Plan Act sufficiently addressed their municipality's needs.

When asked how they plan to use ARPA funds, respondents answered*:



56% Investing in water and sewer infrastructure



25% Addressing negative economic impacts caused by the pandemic



25% Replacing lost public sector revenue



13% Supporting public health infrastructure



15% Investing in broadband infrastructure



7% Providing premium pay for essential workers



24% Undecided

**Respondents could select more than one category.*

Top challenges for the next five years as reported by Colorado's municipalities



HOUSING AFFORDABILITY

All respondents

68%



Less than 2,000
municipal population



2,000 to 24,999
municipal population



25,000 or more
municipal population



BUDGET CONSTRAINTS

All respondents

56%



Less than 2,000
municipal population



2,000 to 24,999
municipal population



25,000 or more
municipal population



POLICING

All respondents

36%



Less than 2,000
municipal population



2,000 to 24,999
municipal population



25,000 or more
municipal population



TRANSPORTATION FUNDING

All respondents

34%



Less than 2,000
municipal population



2,000 to 24,999
municipal population



25,000 or more
municipal population



CLIMATE CHANGE

All respondents

31%



Less than 2,000
municipal population



2,000 to 24,999
municipal population



25,000 or more
municipal population



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