

# Colorado Municipalities

---

Vol. 98, No. 1, January 2022

## HOW A BILL BECOMES A LAW IN COLORADO

---

The Colorado Legislature has 100 members:  
35 Senators and 65 Representatives.

## HIGHLIGHTS FROM GOV. POLIS' BUDGET

---

The budget incorporates state tax revenue  
and federal coronavirus relief dollars and  
calls for an 8.5% increase in discretionary  
spending by the legislature.

## CML'S POLICY DEVELOPMENT PROCESS AND CML'S 2022 LEGISLATIVE PRIORITIES

---

Going into each legislative session, CML  
begins its policy development process which  
guides our legislative priorities when the  
General Assembly meets in January.

A photograph of the Colorado State Capitol building, a grand neoclassical structure with a prominent golden dome. The building is surrounded by lush green trees and a well-maintained lawn. The sky is a clear, bright blue with some light clouds. The text 'LEGISLATIVE EDITION' is overlaid in white at the bottom center of the image.

LEGISLATIVE EDITION

# IMPROVING OUR WORLD ONE PROJECT AT A TIME

*Piney Creek / Aurora, Colorado*



We're Olsson, a nationally recognized engineering and design firm that adds purpose to every project we create. We have three offices in Colorado to serve our clients throughout the state. Learn more at [olsson.com](http://olsson.com).

## ABOUT US

Since 2008, the Colorado Employer Benefit Trust has partnered with the Colorado Municipal League to provide benefit solutions that are superior and affordable. Currently, CEBT covers over 34,000 members representing over 400 public employers, including 82 municipalities. CEBT is recognized for its comprehensive benefit offerings, exceptional customer service and ability to customize to meet each client's unique needs.

## MEDICAL - DENTAL - VISION - LIFE



## WHAT YOU CAN EXPECT

By joining CEBT's self-insured pool you can enjoy:

- ✓ Sharing Risk
- ✓ Reduced Administrative Costs
- ✓ A Long-term Stable Solution for Your Municipality

## OUR MISSION

"To provide quality health benefit options at a competitive cost with superior service to eligible employer groups."

### For more information contact:

- ☎ 303-803-9105
- ✉ [Jim.Hermann@WillisTowersWatson.com](mailto:Jim.Hermann@WillisTowersWatson.com)
- 🌐 [www.cebt.org](http://www.cebt.org)

# CEBT

Benefit by Trust



## LEADERSHIP FOUNDATION PROGRAM

This unique three-month program recognizes the importance of developing leaders for successful careers. These current and future leaders will gain meaningful insights into their talents and developmental needs, helping them to influence others, productively communicate, build quality relationships, and develop interpersonal strength - all factors critical to having a solid leadership foundation.

### A Skills Building Initiative

A very experienced professional staff employs the latest and best practices in leadership development to deliver this strength-based, very applied foundational leadership experience that helps participants build themselves, their team, and their organization.

### Center for Sports Psychology (C4SP)

With 40 years of experience, we capitalize on personal strengths to empower emerging leaders. The Leadership Foundations Program brings evidence-based research together with appropriate applications to identify the paths to positive leadership, winning environments, and personal success.

### Program topics:

- Knowledge, understanding and appreciation of self and others
- Influencing others
- Building high-performance teams
- Conflict resolution
- Emotional intelligence
- Communication skills
- Interpersonal growth - Building trust
- Health and lifestyle
- Dealing with STRESS
- Professional executive coaching 1 on 1

### Past Agencies, Cities, State and Local Municipalities who have attended:

WAPA, FEMA, DOE, City of Morrison, City of Thornton, VA, City of Wheat Ridge, NOAA, US Mint, Social Security Admin., Bureau of Reclamation, EPA, USDA, National Park Service, Thornton Fire, Thornton PD, Berthoud Fire, Homeland Security, SBA, Tri Lakes Fire Dept., Craig PD, Larimer County Sheriff, South Adams Fire, Big Sky Fire Dept and more.

### PROGRAM DATES

March 16 & 17, 2022  
April 13 & 14, 2022  
May 18 & 19, 2022  
June 15, Graduation Day



Register by telephone or email  
Email: [johnjrcsp@aol.com](mailto:johnjrcsp@aol.com) | Cell: 303-263-2477



COLORADO  
MUNICIPAL  
LEAGUE

# CML Annual LEGISLATIVE WORKSHOP

9 a.m. – 4:30 p.m.

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

4:30 – 6 p.m.

Legislative Workshop Reception at CML, 1144 Sherman St.

### Cost

Member: \$110 before Feb. 3 and \$140 after Feb. 3

Non-member: \$225 before Feb. 3 and \$255 after Feb. 3

Registration closes Feb. 9

Visit [cml.org](http://cml.org) to view the agenda and hotel block details and to register.

# Executive Board

## PRESIDENT

**Robert "Bob" Widner**, Centennial city attorney

## VICE PRESIDENT

**Dale Hall**, Greeley mayor pro tem

## SECRETARY/TREASURER

**Jessica Sandgren**, Thornton mayor pro tem

**Larry Atencio**, Pueblo council president

**Rick Bain**, Brush mayor

**Barbara Bynum**, Montrose councilmember

**Greg Caton**, Grand Junction city manager

**Sharon Craig**, Ignacio trustee

**A. J. Euckert**, Dacono city manager

**Liz Hensley**, Alamosa councilmember

**Susan Jung**, Rocky Ford mayor

**Angela Lawson**, Aurora councilmember

**John Marriott**, Arvada councilmember

**Wynetta Massey**, Colorado Springs city attorney

**Andrea Samson**, Loveland councilmember

**Katie Sickles**, Bayfield town manager

**Russell Stewart**, Cherry Hills Village mayor

**Laura Weinberg**, Golden mayor

**Charles "Charlie" Willman**, Glenwood Springs mayor pro tem

**Melissa Youssef**, Durango councilmember

## CML STAFF

**Kevin Bommer**, executive director

**Megan Decker**, law clerk

**Meghan Dollar**, legislative advocacy manager

**Leslie Hough**, publication and design specialist

**Lara Larkin**, executive assistant

**Meghan MacKillop**, legislative and policy advocate

**Melissa Mata**, municipal research analyst

**Karen Rosen**, meetings and events planner

**Robert Sheesley**, general attorney counsel

**Heather Stauffer**, legislative and policy advocate

**Jennifer Stone**, engagement and communications manager

**Makenna Sturgeon**, training and marketing specialist

**Mark Vanderbrook**, database specialist

**Allison Wright**, finance and administration manager

## CML SECTION CHAIRS / LIAISONS

### ATTORNEYS

**Kathie Guckenberger**, Bow Mar town attorney

### BUILDING OFFICIALS

**Greg Wheeler**, Thornton chief building official

### COMMUNICATIONS POLICY

**Randy Simpson**, AuroraTV production supervisor

### COURT ADMINISTRATORS

**Karla McCrimmon**, Castle Rock court administrator

### FINANCE DIRECTORS

**Cheryl Pattelli**, Boulder chief financial officer

### FIRE CHIEFS

**Doug Hall**, Westminster fire chief

### HUMAN RESOURCES DIRECTORS

**Lauren Mueller**, Frederick director of human resources

### INFORMATION TECHNOLOGY

**Chris J. Neves**, Louisville director of information technology

### LIBRARIANS

**Diane Lapierre**, Loveland library director

### MANAGERS

**Matt LeCerf**, Johnstown manager

### MAYORS AND COUNCILMEMBERS

**Colleen Whitlow**, Mead mayor

### MUNICIPAL CLERKS

**Tobi Duffey**, Castle Pines

### MUNICIPAL ENERGY UTILITIES OFFICIALS

**Dan Hodges**, Colorado Association of Municipal Utilities executive director

### MUNICIPAL JUDGES

**Katie Kurtz**, Lakewood judge

### PARKS & RECREATION

**Karen Palus**, Colorado Springs director of parks, recreation, and cultural services

### PLANNING OFFICIALS

**Joni Marsh**, Longmont planning and development services director

### POLICE CHIEFS

**Rick Brandt**, Evans chief of police

### PURCHASING

**Nancy Allen**, Arvada purchasing manager

## PUBLIC INFORMATION OFFICERS

**Kelli Narde**, Littleton director of cultural and media services

## PUBLIC WORKS DIRECTORS

**Keith Reester**, Littleton public works director

## DISTRICT CHAIRS

### DISTRICT 1

**Rick Bain**, Brush mayor (through mid-January)

### DISTRICT 2

**Randy Ready**, Evans assistant city manager

### DISTRICT 3

**Laura Weinberg**, Golden mayor

### DISTRICT 4

**Hilary LaBarre**, Woodland Park mayor pro tem

### DISTRICT 5

**Jim Keehne**, Burlington city administrator/director of public works

### DISTRICT 6

**Susan Jung**, Rocky Ford mayor

### DISTRICTS 7/14

**Heather Hillis**, La Vega deputy clerk

### DISTRICT 8

**Dale Becker**, Monte Vista mayor

### DISTRICT 9

**Andrea Phillips**, Pagosa Springs town manager

### DISTRICT 10

**Ethan Funk**, Ouray mayor

### DISTRICT 11

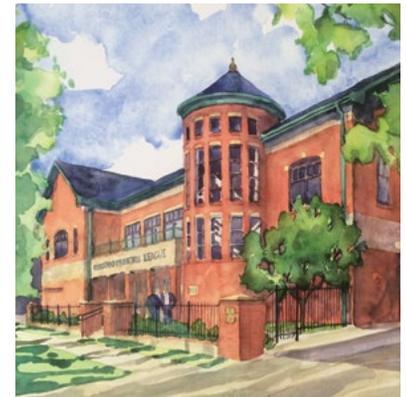
**Melissa Kindall**, Meeker town manager

### DISTRICT 12

**Torre**, Aspen mayor

### DISTRICT 13

**Ashley Smith**, Cañon City mayor



## About CML

The Colorado Municipal League is a nonprofit association organized and operated by Colorado municipalities to provide support services to member cities and towns. The League has two main objectives: 1) to represent cities and towns collectively in matters before the state and federal government; and 2) to provide a wide range of information services to help municipal officials manage their governments.

## MISSION

*Colorado Municipalities* is published to inform, educate, and advise appointed and elected municipal officials about new programs, services, trends, and information to help them perform their jobs and better serve their citizens and communities.

## Letters to the editor

Have thoughts about an article that you read in *Colorado Municipalities*?

Want to share those thoughts with your colleagues across the state?

CML welcomes thought-provoking letters to the editor! Send comments to CML Engagement and Communications Manager Jennifer Stone at [jstone@cml.org](mailto:jstone@cml.org).

## Advertise

Each issue of *Colorado Municipalities* reaches 5,000 municipal officials and decision makers. To reach those who lead Colorado cities and towns, contact CML Training and Marketing Specialist Makenna Sturgeon at 303-831-6411 or [msturgeon@cml.org](mailto:msturgeon@cml.org).

# Contents



## Features

- 7**  
CML's Policy Development Process and CML's 2022 Legislative Priorities
- 12**  
How a bill becomes a law in Colorado
- 16**  
Meet the former municipal officials currently serving at the Capitol
- 20**  
Legislature convenes task forces to recommend transformational ways to spend American Rescue Plan Act Dollars
- 26**  
Sustainability of the transportation system
- 31**  
Solving for a complex sales tax landscape

- 10**  
Get to know CML's Policy Committee chair & Montrose mayor pro-tem
- 14**  
There is no "I" in advocacy
- 17**  
Highlights from Gov. Polis' budget
- 24**  
Contentious employment legislation and rulemaking expected in the 2022 session
- 28**  
Colorado's new water plan 2.0 to support vibrant communities, resilient planning
- 32**  
Partners at the Capitol

## Go digital



An e-version of *Colorado Municipalities* is available on [cml.org](https://www.cml.org) once the issue is published. Between editions, keep up with CML via Facebook, Twitter, or LinkedIn.

## Join CML

For associate membership information, contact CML Training and Marketing Specialist Makenna Sturgeon at [msturgeon@cml.org](mailto:msturgeon@cml.org).

# About some of our contributors



**Meghan Dollar**, CML's legislative advocacy manager, is responsible for advocating municipal interests before the state legislature. Her issues include affordable housing; criminal justice and courts; immigration; employment and labor; retirement/pensions; and taxation and fiscal policy. She also assists in training and answering inquiries for other municipal officials on various topics. Dollar joined CML in 2011.



**David M. Frank** was born in 1962 in Montrose Memorial Hospital to Clarence Jacob Frank and Sharon Alice (Mohney) Frank. He spent three years in Montrose before his father's job with the Colorado Highway Department transferred the family to Grand Junction. The family moved back to Montrose in 1972 and Dave graduated from Montrose High School in 1980. After graduation, he joined the Sky Ryders Drum and Bugle Corps and joined the U.S.A.F. in 1981. Dave achieved the rank of sergeant, teaching electronics at Lowry AFB in Denver, Colorado. He was honorably discharged in 1987. Dave retired from a 25-year career in the culinary world in 2006 with the title "Chef de Cuisine". Dave continues to host charity wine pairing dinners to this day. He has been working in the construction field for nearly as long, getting his first job as a carpenter in 1980. He still owns Whitetree Enterprises LLC, a construction and home inspection company, but has retired from both.

In 1991 Dave married Susan B. Patterson, becoming a father to Zachary Clarence Frank. In 2009 he was blessed with a granddaughter, Addison Rose Frank, and two more granddaughters in 2014, Tristan Noel and Susan Marie.

Dave has been active in both church and the Magic Circle Players community theater, serving as a deacon and worship minister, and on the board of Governors at MCP. He has previously served on the board of Directors of the Dolphin House and as a member of the Montrose Republican Central Committee.

Dave is active in the community, currently serving on the Montrose Community Foundation and on the Board of Directors of the Montrose Rotary, as well as serving as Assistant Governor for Rotary District 5470.



**Sara Leonard**, is the marketing and communications director for the Colorado Water Conservation Board (CWCB). She works with CWCB's staff on stakeholder and public communications for various projects and programs, from Colorado River matters and drought mitigation to stream and lake protection to ensuring all Coloradans know the latest on the Colorado Water Plan 2.0 process and grant opportunities.



**Meghan MacKillop**, CML legislative and policy advocate, is responsible for advocating municipal interests before the state legislature. Her issues include transportation; economic development; sustainability; immigration; telecom and broadband; public safety; and utilities. She also assists in training and answering inquiries for other municipal officials on various topics. Meghan joined the League in January 2021.



**Brendon C. Reese**, is the senior director of taxation for the Colorado Department of Revenue where he oversees the operations of the four major divisions of tax including 1) Taxpayer Services, 2) Tax, Audit and Compliance, 3) Tax Conferee, and 4) Office of Tax Policy. Mr. Reese joined the Department in May 2017 as the deputy director of tax policy and legal analysis. Prior to joining the Department, Mr. Reese was an assistant attorney general for the Colorado Department of Law where he represented the Department of Revenue in tax controversies and regulatory matters for 8½ years. Mr. Reese earned his Juris Doctor from Creighton University School of Law and his LL.M in Taxation from the University of Denver.



**Heather Stauffer**, CML legislative and policy advocate, is responsible for advocating municipal interests before the state legislature. Her issues include: water and wastewater; oil and gas; natural resources and environment; severance tax; open meetings and open records; special districts; and elections. She also assists in training and answering inquiries from other municipal officials on various topics. She joined CML in 2019.



**Beauclarine Thomas**, former CML legislative and policy advocate, is responsible for advocating municipal interests before the state legislature. Her issues include beer and liquor/marijuana; building codes; healthcare; hemp; land use and annexation; historic preservation; lottery and gaming; state budget/JBC; and substance abuse. She also assists in training and answering inquiries for other municipal officials on various topics. Beauclarine was with CML through Dec. 2021.



CML's Policy Development Process and  
**CML'S 2022  
LEGISLATIVE PRIORITIES**

By CML advocacy team

Going into each legislative session, CML begins our policy development process which guides our legislative priorities when the General Assembly meets in January. Below is an overview of CML's Policy Development Process as well as CML's legislative priorities.

## **CML'S POLICY DEVELOPMENT PROCESS**

The largest driver of CML's policy development is the CML Policy Committee, and all members are encouraged to take advantage of the opportunity to be represented. Each member municipality of CML is entitled to designate one representative to the League's Policy Committee. One alternate may also be designated, and that alternate should attend only if the appointed member is unable to attend. (Cities over 100,000 population are entitled to designate two representatives and one alternate.) In addition, CML Section chairs are automatically appointed as non-voting members of the Committee. The Chair of the Policy Committee is appointed by CML's current Board President.

The Policy Committee has significant policy development responsibilities. The committee is responsible for:

1. Reviewing requests from member municipalities for CML-initiated legislation and recommending specific positions to the CML Board.
2. Reviewing requests for policy positions from member municipalities and recommending specific positions to the CML Board.
3. Reviewing known or potential legislative issues or bills, considering staff recommendations, and recommending specific positions to the CML Board.
4. Reviewing the League's Annual Policy Statement that guides League positions on policy issues affecting municipalities and proposing revisions, if necessary. (Any recommended changes are voted on by CML members at the Annual Business Meeting that takes place as part of CML's Annual Conference.)

The CML Policy Committee has met virtually in October and December of 2021 and will meet again in February of 2022. Below are CML's specific legislative priorities going into the 2022 Legislative Session.

## **COLLECTIVE BARGAINING**

CML will oppose proposed legislation that confers collective bargain rights to public employees of municipalities - as well as school districts, library districts, fire authorities, special districts, any other local government. The bill, among many things, mandates what must be bargained. Additionally, it mandates the process for bargaining and allows for binding arbitration. The draft will also impact existing municipal collective bargaining agreements and processes as the draft states that upon their expiration, the state law will then apply. CML's policy statement is clear that the league opposes the state interfering in the municipal employer/employee relationship. Additionally, CML has historically opposed any legislation both mandating it or prohibiting collective bargaining, arguing that it is an unconstitutional infringement by the state on home rule authority over the terms of municipal employment and an egregious infringement of local control for all municipalities.

## **FUNDING FOR AFFORDABLE HOUSING**

Like in 2021, CML is focused on affordable housing. CML is working with the legislature to prioritize a permanent source of affordable housing funding. CML is also advocating for part of the American Rescue Plan Act funding to go directly to local governments to develop projects. Additionally, CML will support legislation that funds and allows for the rehabilitation of existing affordable housing.

## **MOBILE HOME PARKS**

CML staff was directed to pursue legislation that creates more opportunities and flexibility for residents to purchase mobile home parks. This could include allowing governmental entities to act as a third party, increase transparency, and extend the timeline for residents to make an offer. Legislation is currently being drafted and CML will work to make sure there are more opportunities for residents in the bill.

## **REMOVE COMPETITIVE BIDDING PROHIBITION**

CML will run legislation to remove the prohibition on competitive bidding for undergrounding projects outlined in C.R.S § 29-8-132. Removing this prohibition modernizes statutory language, increases transparency between local governments and utility providers, and ensures good fiscal stewardship of municipal monies. Municipalities are currently responsible for covering the overall cost of utility undergrounding projects. Most local governments use internal funds or create local assessment districts to cover the costs of the project. CML and our 270 member municipalities recognize the benefits of undergrounding projects, including improving the area aesthetic, minimizing noise, and maintaining property value. CML seeks to increase transparency, feasibility, and equity in the undergrounding project process by allowing the use of competitive bidding for these contracts. All source competitive bidding is common practice in Colorado and nationwide for local government funded projects. Undergrounding projects are one of the only types of projects where statute specifically prohibits the use of competitive bidding. Striking language prohibiting competitive bidding for undergrounding projects provides transparency in costs and ensures good fiscal stewardship of public monies. It also helps already burdened municipal procurement/budget offices by standardizing procurement and contracting practices and ensuring that the projects are cost effective.

## **STATEWIDE "SAFETY STOP" STANDARD FOR INTERSECTIONS**

In 2018, the General Assembly passed a "Safety Stop" law, giving municipalities the authority to pass ordinances allowing cyclists to "roll" through stop signs rather than coming to a complete stop. There are currently seven municipalities that have passed this

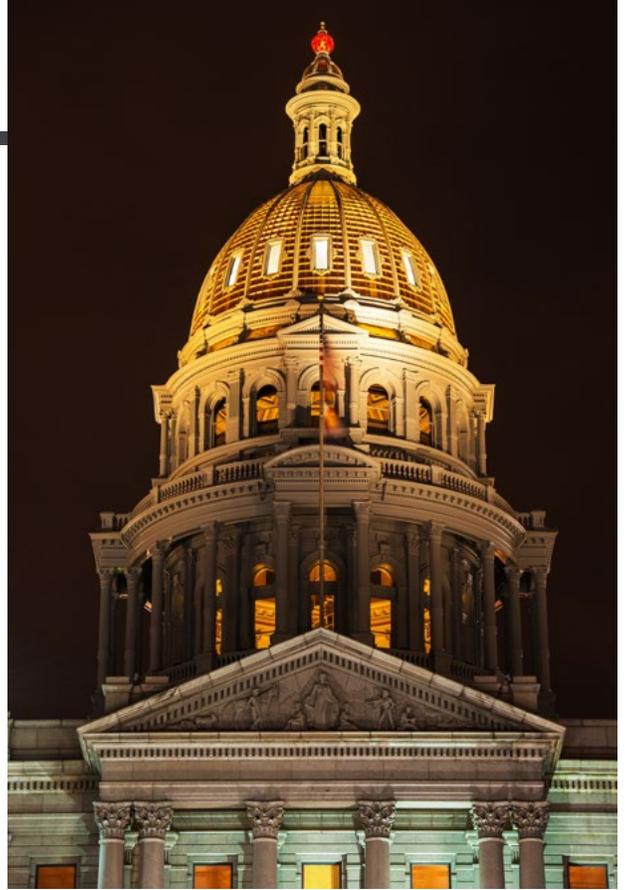
ordinance, as well as Summit County. Over the interim, the Transportation Legislation Review Committee approved legislation that creates a statewide “Safety Stop” for cyclists. The bill would supersede any conflicting local ordinance or resolution and would expand the safety stop to traffic lights. Because the proposed legislation overrides local control of traffic stops and lights, CML will be opposing the bill in the 2022 legislative session.

### TEXT REMINDER PROGRAM

CML is working on legislation to establish a grant program for municipal courts to create text message reminder programs. This is in response to House Bill 21-1314 which repealed the Department of Revenue’s discretionary and mandatory authority to cancel, deny, or deny reissuance for a driver’s license or minor driver’s license for having any of the following: an outstanding judgment for a violation related to the regulation of motor vehicles or traffic; having a bench warrant for failure to appear to answer for a traffic situation; or an outstanding judgement for failing to present a valid transit pass or coupon. This repeal created a gap in municipal law and left localities without an enforcement mechanism for individuals that have traffic violations. During the 2021 legislative session, CML successfully amended the bill to include the creation of a study group to utilize evidence-based policy to design new equitable accountability tools. CML wants to create a grant program for municipal courts that wish to establish a text reminder system. Text message reminders are an evidence-backed method to get people to show up to the court dates. This policy also has support from a variety of stakeholders, including the Colorado State Patrol.

### WILDFIRE IMPACTED COMMUNITIES

Colorado’s large-scale wildfires have taken a devastating toll on local communities and local economies. Wildfire impacted municipalities are putting more and more of their resources



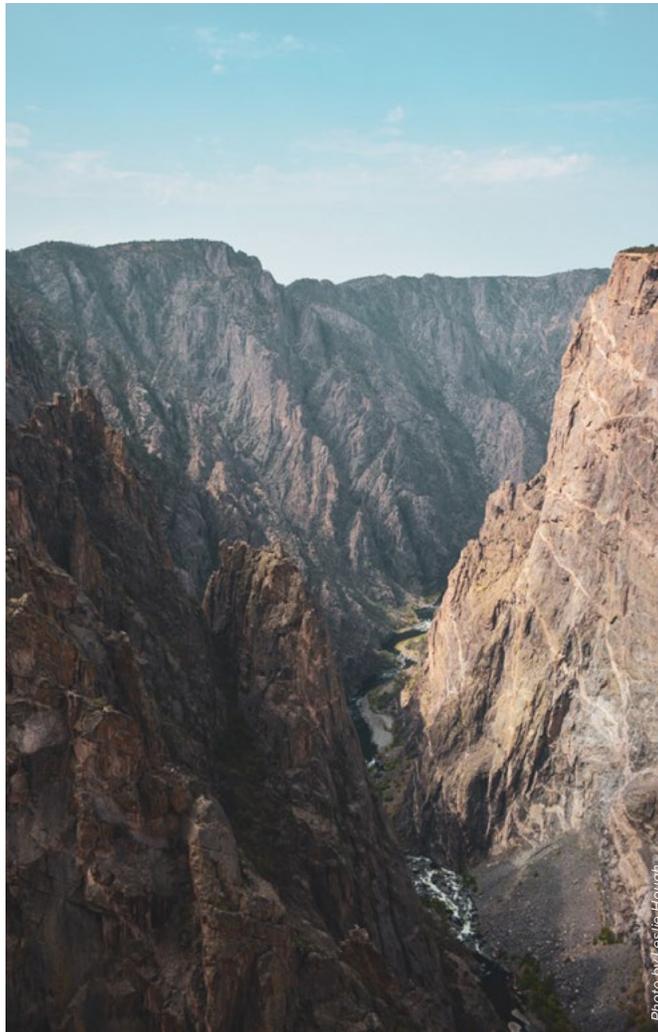
towards proactive mitigation work and combating wildfires during an increasingly long wildfire season. Efforts to provide grants and funding have only scratched the surface of what’s needed to adequately address Colorado’s large-scale wildfires. CML supports legislation that aims to help municipalities recover from large-scale wildfires and prevent future wildfires through proactive fire mitigation efforts. Legislation should also allow municipalities the ability to identify and implement the most appropriate means of mitigation and fire prevention for their individual community. To that end, CML is supporting legislation in the upcoming legislative session which will provide state matching funds to local governments that raise dedicated revenue for forest management and wildfire mitigation. CML will also support legislation that provides reimbursements for local fire departments primarily staffed by volunteer firefighters for wildland fire suppression activities and to support recruitment and retention of volunteer firefighters.



## DAVE FRANK

Get to know CML's Policy Committee chair & Montrose mayor pro-tem

Hello. Allow me to introduce myself. I'm Dave Frank, Montrose mayor pro tem, and the new policy committee chair for CML. This is my second year on the policy committee, and I have been very impressed with the number and scope of issues that CML had a positive impact on. I would encourage anyone to look at the legislation that the CML policy committee is involved in and ask your representative about them. Chairing this committee is an honor and a privilege and although I am fairly new in the position, it has been great to work with such a thoughtful and engaged group of people.



I have been active in our local area for many years, serving on volunteer boards and working with local charity groups. A few years ago, I was on a city citizens advisory committee and a few people mentioned that they were concerned about maintaining a consistency with projects our city council had spent so much time setting up, and were worried that a dramatic shift in philosophy might jeopardize some of those projects. It wasn't until the outgoing council member asked me to run that I seriously considered it.

I was elected in the spring of 2020. I know—not an ideal time to start my term. I spent the first year meeting our staff on Zoom calls and trying to get acclimated in a truly bizarre environment. Thankfully, our excellent staff and council have worked very hard to maintain a stable and productive local government. Although the pandemic has created, and continues to create, unique and challenging situations, I am still surprised by how few citizens truly understand

what we do and expect us to fix problems that are far outside our sphere of influence. It is a challenge to sit down with them and help them understand what we can and cannot do, but it is rewarding when they gain a better understanding of how local government works.

Let me tell you a little about Montrose. We are a western slope city of around 21,000 residents in the city limits. We are a regional transportation and airline hub for a large portion of western Colorado. We are developing as an outdoor equipment manufacturing hub as well as our heavy load of tourism. As with most communities, we are facing housing issues, but we have spent the last few years seeking and implementing innovative ways to help with construction of new market rate housing. We are centered in an agricultural area and have a lot of our citizens dwelling in the county but relying heavily on our city infrastructure (as many Colorado communities do). It is truly a blessing to live and work in such a wonderful community.



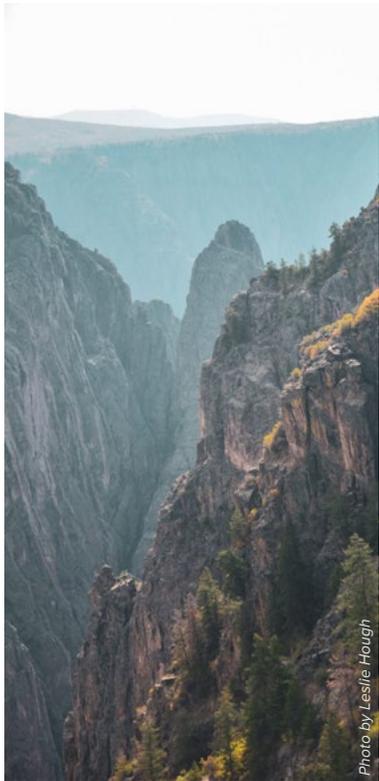


Photo by Leslie Hough

# How a bill becomes a **LAW IN COLORADO**

The Colorado Legislature has 100 members: 35 senators and 65 representatives. There are two chambers: Senate and House. The process by which a bill is passed is a series of hearings and votes. Passage of a bill requires a majority: 33 votes in the House and 18 votes in the Senate.



## **Introduction in either the Senate or the House**

A senator or representative introduces a bill as the bill's sponsor. Other legislators may sign on as co-sponsors. A bill has a House sponsor and a Senate sponsor.



## **First Reading:**

The bill is read in the House or Senate (wherever it is introduced) and is given a number and a committee assignment. The bill may be assigned to more than one committee.



## **Committee Hearing**

The committee reviews the bill in a hearing. Supporters and opponents can testify for or against the bill; citizens can attend the hearing and testify on the bill. The committee decides whether to amend the bill (by adding language, taking language out, substituting language for the original language, and voting on the amendment) or vote on it as introduced. Then the committee votes to pass the bill, refer the bill to another committee, or kill the bill. Killing the bill is technically called "Postponing Indefinitely" or PI. (If the committee refers the bill to another committee, that committee has a hearing on the bill.)



## **Second Reading**

If the committee passes the bill, it goes to the House or Senate floor, depending on which chamber introduced it. The bill is read to the entire House or Senate. The legislators can amend the bill (and vote on the amendment). Then they vote on the bill in its final form. When a bill is killed on the floor of either house, it is considered "Lost."



### Third Reading

If the full chamber passes a bill, it takes a “third reading” vote as its final approval before sending it to the other house. Or it can kill the bill on third reading.



### Repeat of process

If the first chamber passes a bill, the bill goes to the other house and the process repeats.



### Conference Committee

If a bill passes both chambers, but the version of the bill are different, the bill goes to a conference committee. The House and Senate leaders appoint conference committee members who try to work out the differences and end up with one compromise bill. The compromise bill then goes back to both chambers for final votes.



### Governor

If a bill passes both chambers (with or without a conference committee), it goes to the Governor for his signature. The Governor can sign the bill (make it law); not sign the bill and allow it to become law without his approval; or veto the bill. If he vetoes a bill, the bill returns to the Legislature where the Senators and Representatives may try to override the Governor’s veto.



## There is **NO “I” IN ADVOCACY**

By Heather Stauffer, CML legislative and policy advocate

The CML advocacy team works hard year-round to make sure Colorado municipalities have a voice in the policy making process. And while we will always represent your voices, our advocacy work is greatly benefited by CML members' participation in the legislative process. Being informed and conveying your expertise and lived experiences directly to decision makers ensures the best outcomes for all of us. And there are lots of ways that you can be involved!

## STAY INFORMED

CML offers lots of resources to help members stay informed about the latest legislative developments. Updates can be delivered to your inbox each week. Sign up on CML’s website at [bit.ly/31t5Xiv](https://bit.ly/31t5Xiv).

- **CML’s legislative priorities**, published ahead of the legislative session, offer members a broad overview of the issues we will be working on during the legislative session, including CML initiated legislation.
- **CML’s bill list** is designed to give detailed information about specific bills we’re working on including legislative summaries, CML’s position, and the bill status within the legislative process.
- **Advocacy staff send the Statehouse Report** every Monday during the legislative session, which delivers up-to-date information about the legislation that impacts you. New in 2022, the team will host biweekly webinars to help you stay on top of activity at the Capitol. Register for the series at [bit.ly/3pzFCYv](https://bit.ly/3pzFCYv).
- **CML position papers** are available to CML members and summarize the arguments for or against specific legislation.
- **Colorado Laws Enacted Affecting Municipal Governments** is published each year after the legislative session wraps. It summarizes the various bills passed and their impact on municipalities.
- **Municipal Caucus** is held every other week during the legislative session and is open to members. Municipal Caucus is a way for CML members to hear reports from advocacy staff, ask questions, and share information amongst one another related to legislation.
- Because the legislature moves at lightning speed, **CML Action Alerts** provide our members with real time information about legislative actions and involvement that we need from our members.
- **Contact us!** Your CML advocacy team is always available and happy to answer questions or give updates on legislation. You can find each of our issue areas and contact information [bit.ly/3xcxsY1](https://bit.ly/3xcxsY1).

## COMMUNICATE

Regular communication with your legislators is a vital aspect of municipal governance. You can find your legislator’s name and contact information at [bit.ly/3y250K9](https://bit.ly/3y250K9).

- **Get to know your legislators.** Lay the groundwork and get to know your legislators. Make an effort to meet informally with your legislators and get to know them on a first-name basis. They are readily accessible and want to know your views as a municipal official. Involve your legislators in community events, like a ribbon-cutting for a new facility. Have legislators in for a day at the municipal building. Nothing beats a good personal relationship between your municipality and your legislators.
- **Be prepared.** When trying to influence the outcome of a vote with your legislators be prepared with sufficient information to articulate your arguments, to respond to questions, and to be able to counter the opposition. Wherever possible, quantify the impact of a proposed bill and explain how it will affect specific projects in your city or town. This is the kind of information a legislator can use and appreciates having.
- **Always say thanks.** Don’t forget to say “thank you” to your legislators. When your legislators do support your efforts, a thank-you note or other special recognition is really appreciated and goes a long way to solidifying relations.
- **Keep the League informed.** When you communicate with your legislator on legislation, please keep CML informed. Knowing about your advocacy helps us with our advocacy efforts.

## GET INVOLVED

Take action and lend your voice to the legislative process!

- **Schedule a meeting with your legislators.** An in-person or virtual meeting is an effective way to inform your legislators about issues important to your municipality and build relationships with your elected officials.
- **Testify on legislation.** Committee hearings offer important opportunities to influence the outcome of a vote during public testimony, and we encourage municipal officials to regularly testify on the bills that impact them. There are both in-person and often virtual testimony options available. CML’s advocacy team are testimony experts and are happy to help you prepare, answer questions, and be there to guide members through the process the day of.

# Meet the former municipal officials currently serving **AT THE STATE CAPITOL**



## **Rep. Shannon Bird**

Former member of Westminster City Council 2015-2019

Represents House District 35

Serves as chair of House Finance Committee and member of House Business Affairs & Labor Committee



## **Rep. Meg Froelich**

Former member of Greenwood Village City Council 2003-2007

Represents House District 3

Serves as member of House Energy & Environment and member of House Transportation & Local Government



## **Senate President Leroy Garcia**

Former member of Pueblo City Council 2009-2012

Represents Senate District 3

Serves as president of the Senate, chair of the Executive Committee of Legislative Council, and chair of Legislative Council



## **Senator Dominick Moreno**

Former member of City Council of Commerce City 2009-2012

Represents Senate District 21

Serves as chair of Joint Budget Committee, vice-chair of Senate Appropriations, member of Legislative Council, member of Capitol Building Advisory Committee, and member of Statutory Revision Committee



## **Rep. Andres Pico**

Former member of Colorado Springs City Council 2013-2020

Represents House District 16

Serves as member of House Energy & Environment Committee, member of Transportation & Local Government Committee, and member of Statutory Revision Committee



## **Rep. Marc Snyder**

Former mayor of the City of Manitou Springs 2010-2016

Represents House District 18

Serves as vice-chair of Finance Committee, member of House Business Affairs & Labor Committee, and member of Committee on Legal Services



## **Senator Faith Winter**

Former member and mayor pro-tem of Westminster City Council 2007-2015

Represents Senate District 24

Serves as chair of Transportation & Energy Committee and member of Senate Finance



# Highlights from GOV. POLIS' BUDGET

By Meghan Dollar, CML legislative and policy manager

On Nov. 1, Gov. Jared Polis released his \$40 billion state budget proposal for fiscal year 2022-2023. The budget incorporates state tax revenue and federal coronavirus relief dollars and calls for an 8.5% increase in discretionary spending by the legislature. Below are key highlights of the governor's fiscal year 2022-2023 budget. It is important to note that the legislature has the final say in the state's budget. Over the next few months, the General Assembly and the governor will negotiate the final fiscal allocations. The fiscal year 2022 budget will be finalized by late May and will take effect July 2, 2022.



## FISCAL RESPONSIBILITY

- The budget expands the state's General Fund reserve to 15% and includes a \$1.84 billion investment to prepay some of the state's most important programs to ensure funding of these essential services and protect our future fiscal foundation.

This includes funding for transportation, housing affordability, and behavioral health.

## WORKFORCE

- \$51 million to help businesses find workers and help workers find good-paying jobs through short-term credentials and apprenticeships.
- \$600 million for Relief from Pandemic-Related Unemployment Insurance charges to save employers money and protect worker wages.
- \$104 million in fee relief for individuals and businesses, including making it free to start a business, FAMLI Paid Family and Medical Leave premium relief, and healthcare professionals fee relief.
- \$30 million to create more childcare facilities.

## HEALTH CARE

- \$530 million over three years to protect and transform home and community-based services; raise wages for caregiving workforce to \$15 per hour to ensure Medicaid access to services.
- \$11 million investment by the Office of eHealth Innovation to help rural health care providers access critical data and technology, improve care coordination, and enhance the efficiency of care delivery to rural patients.
- \$30 million of federal stimulus dollars to help rural hospitals and clinics.
- \$550 million in federal funds to address structural gaps in the behavioral health continuum.

## PUBLIC SAFETY

- \$16.6 million in public safety workforce transformations: Investments include funding to support access to mental health services and to help train and recruit law enforcement officers to support diversity of the workforce to reflect the communities they serve.
- \$35.9 million in community public safety investments, including funding to make streets safer through lighting improvements and increased community watch and to provide grant resources for school safety enhancements.





### HOMELESSNESS RESPONSE AND SOLUTIONS

- \$100 million that will be leveraged with local and external resources twice for a competitive matching grant program designed for local governments to invest in a community-based continuum of responses for people at risk of or experiencing homelessness.

### INVESTING IN COLORADO'S MAIN STREETS FOR SAFE AND THRIVING COMMUNITIES

- \$40 million in dedicated funds for designing and building safer streets using CDOT's Main Streets program.

### AFFORDABLE HOUSING

- \$100 million for local infrastructure grants to help support and catalyze affordable housing development and further Colorado's sustainable development patterns, provide community benefits, ensure multimodal connectivity, reduce greenhouse gas emissions, and strengthen social and environmental equity.
- This will also build upon efforts and investments made in HB21-1271.
- \$25 million for financing energy improvements in affordable housing.
- \$25 million for housing innovation incentives to support and grow businesses in prefabricated housing (e.g., modular, 3D printed, manufactured, kits, and other innovative housing technologies).
- \$25 million for Colorado Housing and Finance Authority's Middle Income Access Program.



Legislature convenes task forces to recommend transformational ways to spend

# AMERICAN RESCUE PLAN ACT DOLLARS

By the CML advocacy team

At the end of the 2021 legislative session, the General Assembly passed a package of legislation that identified spending for funds from the American Rescue Plan Act (ARPA). They did not, however, spend all available dollars immediately. Three task forces were created to gather input from experts in each field and allow for stakeholder feedback. The task forces are not subject to Joint Rule 24A and therefore do not have the authority to introduce committee bills. What they will do is provide reports of recommendations to the General Assembly on best opportunities to spend the funding.





The goal is to make transformational change in the areas of housing, behavioral health, and economic recovery. While the task forces are merely submitting recommendations, CML has followed the entire process and participated through submitting letters and providing testimony. To the extent any recommendations become legislation, CML will surely remain active to make sure municipalities are served.

### AFFORDABLE HOUSING TRANSFORMATIONAL TASK FORCE

Created by HB21-1329, the Affordable Housing Transformational Task Force is made up of legislators and members of the governor's cabinet who are tasked with issuing a report with recommendations to the General Assembly and the governor on policies to create transformational change in affordable housing using \$400 million of the federal Coronavirus State Fiscal Recovery Fund. There is also a subpanel made up of local governments, non-profits, housing advocates, and developers. Mayor Adam Paul of Lakewood is the municipal representative. The Task Force will present a report to the full legislature that will include recommendations on how to spend the \$400 million to make the largest transformational change in the space of affordable housing. At the time of this writing the report has not been drafted but the Task Force is discussing recommendations. These recommendations include:

- Revolving Loan Fund: new and existing capacity AND gap financing including expansion of tax credit programs;
- maintain existing affordable housing;
- resident-owned communities, mobile home parks, and land banking; and
- discretionary Housing Innovation Fund for Division of Housing.

CML has worked in partnership with Colorado Counties Inc. (CCI), County Commissioners Acting Together (CCAT), and Colorado Association of Ski Towns (CAST) to advise the task force on local needs around Colorado and how local governments play a significant role in creating housing for their communities. Once the report is finished and made available, CML will provide that information to our members. For more information contact Meghan Dollar at [mdollar@cml.org](mailto:mdollar@cml.org).

### BEHAVIORAL HEALTH TRANSFORMATIONAL TASK FORCE

Created by SB21-137, the Behavioral Health Transformational Task Force is made up of 16 elected officials and members of the governor's cabinet who are tasked with issuing a report with recommendations to the General Assembly and the governor on policies to create transformational change in behavioral health using \$450 million of the federal Coronavirus State Fiscal Recovery Fund. The Task Force's recommendations are guided and supported by a subpanel of experts who examine policies that improve access to mental health and substance use disorder services. Funding and policy proposals are rooted in innovation and funding gaps in the system that help overcome disparities. CML advocated for the following policies during the task force process:

- Local control of funds for programming that is specific to the needs of the community and reduces travel time to access services in more rural and remote areas.
- Additional funding for municipalities to get access to naloxone and fentanyl testing strips.
- Additional funding for local governments to get behavioral health outreach staff in schools and in city halls.





- Increase local access points (outreach, services, and beds) to avoid reaching crisis levels of substance abuse.
- Fund additional criminal justice diversion opportunities such as co-responder, LEAD, and drug court.
- Expand entry way points to access services.
- Fund additional local drop-in crisis centers throughout the state.
- Fund substance abuse services to address people who use meth.
- Fund services for individuals experiencing homelessness and a behavioral health crisis.

The governor and legislature will now review the recommendations to finalize the allocation of the \$450 million. Once the report is finished and made available, CML will provide that information to our members. For more information contact Meghan Dollar at [mdollar@cml.org](mailto:mdollar@cml.org).

### **TASK FORCE ON ECONOMIC RECOVERY AND RELIEF CASH FUND**

The third and final task force was created to address the overall economic impacts of the COVID-19 Pandemic. SB21-291

directed the Executive Committee of Legislative Council to create a task force to meet and make recommendations to the General Assembly that:

- provide a stimulative effect to the state's economy;
- provide necessary relief for Coloradans; or
- address economic disparities resulting from the pandemic.

The Task Force is made up of legislators and members of the governor's cabinet. In order to guide the Task Force in their recommendations, the legislation also ordered the creation of a subpanel comprised of five economists, appointed by General Assembly leadership and the governor's office.

The subpanel met three times and submitted a draft report to the Task Force that examined the state's current economic state, COVID-19 impact on various industries, impact on Colorado households over the course of the pandemic, and the different levels of economic impact of the pandemic in different regions. The draft report also included a metric by which the Task Force could use to make recommendations, as

well as broad categories of aid the Task Force could consider, including cash assistance, costs avoided, direct services, and infrastructure.

The Task Force also took input from various groups, including CML and our local government partners (CCI, CCAT, and SDA). The Task Force heard from groups promoting how the Task Force could provide recovery and relief for businesses and industry, impacted workers, tourism and hospitality sectors, disproportionately impacted communities and families, and the agriculture sector.

The Task Force finalized their recommendations on Dec. 17, 2021, and must submit those recommendations to the General Assembly and the Governor by Jan. 13, 2022. CML will release the report to our members as soon as it is made available. For more information, contact Meghan MacKillop at [mmackillop@cml.org](mailto:mmackillop@cml.org).

# Contentious employment legislation and **RULEMAKING EXPECTED IN THE 2022 SESSION**

By Meghan Dollar, CML legislative advocacy manager

## **COLLECTIVE BARGAINING FOR ALL PUBLIC EMPLOYEES**

During the 2021 legislative session, there was a proposed draft of legislation that mandated collective bargaining for all public employees as well as mandating what needs to be included in the agreements. The legislation was not introduced in 2021, but CML expects it will be introduced early in the 2022 legislative session.

It is important to note that the Colorado Municipal League does not oppose the use of collective bargaining by local governments if it is a local determination. Per our Policy Statement, CML opposes efforts to interfere with a municipality's ability to determine the terms and conditions of municipal employment. The proposed legislation does exactly that.

At an extremely high level, the legislation that was proposed in 2021:

- Created a new Article 32 in Title 29, the “Public Employee Collective Bargaining Act” to allow state and local employees of any category to form an employee organization to negotiate a collective bargaining agreement for a term of 1-5 years.
- Applied to the state, counties, cities and counties, municipalities, special districts, and other subdivisions.
- Created rights of public employees including, but not limited to, the right to form an employee organization, negotiate and address grievances through their exclusive representative, engage in activities for collective bargaining and other mutual aid/protection – to the extent not prohibited by law, and communicate and distribute literature regarding employee organization issues. The proposed legislation included numerous other rights.
- Mandated what a public employer must do as a bargaining unit is starting to form as well as the public employer's statutory duties including but not limited to negotiating in good faith, the requirements for which are very specific, and if the parties can't agree on the collective bargaining agreement, the parties must use mediation/arbitration to resolve.

It is also important to note that the draft impacts local governments that currently have collectively bargained units with agreements in place that are working for everyone. If the proposed legislation were to pass, one of the impacts of this legislation is that existing local processes and negotiations will be subject to new statutory requirements. This is also a large concern for CML. The law is also silent on any limitations on public employees striking. Typically, collective bargaining statutes for public entities contain an express prohibition of striking, especially for public safety or health employees.

As the session begins, CML will follow this legislation closely and quickly take a position. The legislation will require a substantial grassroots effort from our members to educate their legislators as to why it is extremely important to allow local governments or their voters to make the determination as to whether collective bargaining works for their communities. This will be a high priority for CML during the 2022 legislation session.

## **THE POWR ACT**

SB21-176 was known as Protecting Opportunities and Workers' Rights (POWR) Act. The bill created protection against certain employer discriminatory practices. Ultimately, the legislation was defeated at the end of the 2021 legislative session, however, CML expects its reintroduction in 2022. While CML does not oppose protections for workers against discriminatory practices, the legislation went far beyond creating protections and set up an extremely problematic legal landscape for employers which included public employers. The bill was amended throughout the process, but when it ultimately died in the House Judiciary Committee there were still many concerns with the proposed legislation. Those are listed below.

### **Definition of “harassment”**

The definition included both discrimination and harassment, two distinct legal concepts, and intertwined them into a new definition to be used under the Colorado Anti-Discrimination Act (CADA). Additionally, the long-standing case law standard of “severe OR pervasive” conduct was flatly rejected within the bill.

CML joined other public and private employers stating concerns that the definition would create significant litigation based on the ambiguity of the elements listed in the bill creating a new standard.

#### **Application to independent contractors**

The bill created the ability for independent contractors to bring workplace harassment and discrimination claims under CADA. This has traditionally been a legal remedy afforded to an employee of an employer since employers cannot exercise direct control or supervision over an independent contractor. This was a significant concern since municipalities often utilize independent contractors for projects.

#### **Affirmative defense language**

The bill created an affirmative defense that included so many requirements it was an impossible standard for employers. The affirmative defense also only applied if six years had passed since an employee had filed a claim. The length of time was concerning to employers.

#### **Caregiver status**

The bill included “caregiver status” and “care recipient” as a new protected class for filing claims under CADA. Many laws including Title VII already protect marital status, family status, or having a relationship with someone with a disability. The language in the bill was duplicative of the current disability discrimination prohibition against someone due to their relationship to someone with a disability. Additionally, the term “care recipient” was highly broad and open to abuse.

#### **Imposition of fines for creating training programs**

Opponents of the bill offered to include harassment training requirements in the bill since such training programs are not required in current law. Subsequently, the bill was amended to include fines if an employer failed or mistakenly violated this provision in the bill.

As of press time, it is unclear what the legislation will include if introduced again in the 2022 legislative session. If the legislation includes any or all of the above concerns contained in the 2021 version, CML will likely oppose.

### **FAMLI RULEMAKING**

The Colorado Department of Labor & Employment began rulemaking to implement the voter-approved Family & Medical Leave Insurance Program (FAMLI) program. The FAMLI ballot initiative known as Proposition 118 passed during the November 2020 election after legislation had failed during the prior six years it had been introduced.

The department has released two sets of initial draft rules. The first set primarily addresses the employer/employee premiums and how such premiums are determined based on wage

definitions, interpretation of the “locality” of the Colorado employee, and clarifying exemptions for the size of the employer required to pay premiums. The second set of rules addresses the process for a local government to opt out of the program. It should be noted that even if a local government opts out, an employee can still opt in to the program.

CML joined Colorado Counties, Inc. and the Special District Association on joint feedback to the local government rules directly to the department. Our primary concern in the draft rules is that, should a local government opt out of the program, they must revisit the issue every four years and vote on it. In our comments, we advocated removing that requirement due to the unnecessary burden it creates on local governments. Additionally, we are asking for several clarifications on the notice and vote requirements.

At a stakeholder meeting, the sponsors of previous leave legislation added that NO substantive legislation on FAMLI will be introduced in the 2022 legislative session. The only exception to this would be if there is federal paid family and medical leave legislation that passes before the end of Colorado’s 2022 legislative session that would require aligning with any federal requirements, primarily around waivers to obtain federal funding to assist with premiums. At the time of this writing, there is no paid family and medical leave legislation that has passed at the federal level. The department also stated that they are not seeking any legislation in 2022 and will be primarily focused on rulemaking.

As of press time, neither the premium rules nor the local government opt-out rules have been completed. However, they should be ready by the beginning of 2022. CML will update our membership as the rules are drafted and finalized. Additionally, we will advocate that the local government opt-out rule does not create unnecessary burden and costs on public employers.

For questions on legislation and rulemaking regarding employment issues please contact Meghan Dollar, CML legislative advocacy manager at [mdollar@cml.org](mailto:mdollar@cml.org).

# Sustainability of the **TRANSPORTATION SYSTEM**

During the 2021 Legislative Session, the General Assembly passed SB21-260, Sustainability of the Transportation System. This act makes sweeping changes to how Colorado's transportation system is funded. Through a series of new and existing fees on gas, retail deliveries, passenger ride services, electric motor vehicle registrations, and short-term vehicle rentals, Colorado will see an estimated \$5 billion in transportation funding over the next 10 years.

Our members will see a significant increase in Highway User Tax Fund (HUTF) revenue, and they will have access to transportation funding through the Multimodal and Mitigation Options Fund (MMOF), the Nonattainment Enterprise Fund, and the Revitalizing Main Streets Program. Municipalities will also be able to take advantage of three new enterprises that help communities develop electric vehicle charging infrastructure, replace fleets with electric vehicles, and support the electrification of public transit.



\$734 million of new fee revenue supports 3 new electrification and charging infrastructure enterprises, over the next 10 years:



**CHARGING INFRASTRUCTURE & ELECTRIC VEHICLE EQUITY - \$310.2 MILLION**

- Colorado Energy Office (CEO).
- Build charging infrastructure in communities across the State, link communities throughout the State with alternative transportation options (e-bikes).
- Support electric vehicle adoption in low and moderate income communities.



**CLEAN FLEET ENTERPRISE -- \$289.1 MILLION**

- Colorado Department of Public Health and Environment (CDPHE).
- Support fleet replacement (delivery trucks, transportation network cars (TNCs), school buses, and other light/medium/heavy duty vehicles).



**PUBLIC TRANSIT ELECTRIFICATION -- \$134.9 MILLION**

- Colorado Department of Transportation (CDOT).
- Support electrification of public transit through electrification planning efforts, fleet replacement and associated charging infrastructure.

Revenue over 10 years  
**State: \$1.287 billion**  
**Local: \$947.5 million**



Estimate local government HUTF revenue for 2022  
**144,612,925.34**



Projected SB21-260 Revenue for FY23 for Municipalities  
**\$14,862,773**



**Estimated HUTF Revenue from SB21-260 through FY32**

Sum of FY 32  
**\$69,247,532.75**

Sum of FY 28  
**\$46,453,676.47**

Sum of FY 23  
**\$14,862,773.28**



# Colorado's new WATER PLAN 2.0 TO SUPPORT VIBRANT COMMUNITIES, RESILIENT PLANNING

By Sara Leonard, Colorado Water Conservation Board marketing and communications director

The Colorado Water Conservation Board (CWCB) is currently working away, drafting the Colorado Water Plan 2.0, the state's next version of the Water Plan. Following a full year of seeking robust stakeholder and public input on the 2015 version of the Water Plan, CWCB identified four main focus areas that represent the values of Coloradans and will shape the new Plan: Vibrant Communities, Resilient Planning, Robust Agriculture, and Thriving Watersheds.

Input came from a variety of stakeholders including several municipalities across the state. CWCB has heard from more than 2,800 stakeholders through various listening sessions, workshops, and other meetings since June 2020. In fact, the archived recordings of the Municipal & Industrial and Vibrant Cities Listening Sessions can be found on CWCB's YouTube Channel.

Municipalities are connected to all four of the Water Plan 2.0's focus areas, from finding ways to coordinate with agriculture and support local food to ensuring healthy watersheds and urban waterways are protected. However, Vibrant Communities and Resilient Planning are focus areas that will be of key interest to municipalities.

## VIBRANT COMMUNITIES

**The Vision:** *"Colorado communities have a range of municipal and industrial water needs. Communities face water supply and demand challenges which are likely to be exacerbated by uncertainties like population growth, water supplies, climate change and market conditions that impact operations and livelihoods. The Water Plan update will prepare for uncertainty by evaluating how drivers of future change may impact communities and focus on near-term opportunities that lessen those impacts."*

Water Plan 2.0 will take a deep dive into addressing some of the challenges that Colorado's communities face through providing access to and resources for innovative new tools. Plan 2.0 will seek to enhance infrastructure, including expanding water storage to meet future water

needs for a growing population and climate uncertainty; increase urban green spaces for multiple purposes including mitigating heat, reducing flood risks, and supporting physical and mental health benefits; and other efficient irrigation practices and land use policies.

## INITIATIVES TO LOOK OUT FOR AND CONSIDER:

- **Colorado Water Loss Initiative:** A free program for municipalities to receive training and technical support to prevent systemic water loss in their distribution systems.
- **Colorado Growing Water Smart:** Guidance for integrating water and land use planning effectively as communities grow and redevelop.
- **Direct Potable Reuse:** Follow the stakeholder process for changes to Colorado's Primary Drinking Water Regulations.





## RESILIENT PLANNING

**The Vision:** “Coloradans face increased risks from water shortages and natural disasters that will require inclusive solutions and public engagement and support in order to achieve greater adaptive capacity. This requires a renewed commitment to being inclusive in water discussions with an aim to broaden outreach to ensure all Coloradans are aware of important water challenges and better understand how to address and adapt to them. Resilient planning also means developing supportive governmental policies and providing equitable funding opportunities.”

Water Plan 2.0 will focus on finding ways to increase public awareness around local and state water issues including activating engagement with a diverse range of people including Tribal Nations, lower-income communities, and communities of color, as well as groups that have not historically been involved in the water conversation. Beyond awareness and education, the Water Plan 2.0 will strive to support equitable access to funding opportunities and focus on finding creative solutions in parts of the state that are disproportionately affected by hydrologic and extreme weather events. Finally, the Plan will support flexibility in laws and policies to accommodate new emerging technologies and creative ideas.

To ensure implementation of these efforts, CWCB and other state agencies together launched a Water Equity Task Force consisting of diverse representatives from across the state to bring their communities’ specific and local water concerns to the table and help inform Plan 2.0.

### Tools to look out for and consider:

- **Future Avoided Cost Explorer:** Check out this interactive tool to explore potential future economic impacts of flood, drought, and wildfire on different sectors ([cwcb.colorado.gov/FACE](http://cwcb.colorado.gov/FACE)).
- **Colorado Resiliency Framework:** Explore how to address shocks and stresses, reduce vulnerability, improve adaptability, and build social capital in the face of hazards and changing conditions: [cwcb.colorado.gov/focus-areas/hazards](http://cwcb.colorado.gov/focus-areas/hazards).

## GET INVOLVED

Colorado Water Plan 2.0 draft will be released for a 90-day public comment in June 2022 through **EngageCWCB.org**, CWCB’s engagement platform. CWCB encourages municipalities and other stakeholders to submit comments on chapters/sections of interest and spread the word to constituents and customers across the state. Water Plan 2.0 simply acts as a roadmap to support Coloradans as they pursue projects and solutions to meet our future water needs. It is up to Coloradans on-the-ground to use this resource in order to help the state create a more productive economy, vibrant and sustainable communities, productive agriculture, a strong and healthy environment, and robust recreation and tourism industries.

# Solving for a complex SALES TAX LANDSCAPE

By Brendon Reese, Colorado Department of Revenue senior director of taxation

In the wake of the *Wayfair* decision, there was significant discussion on helpful ways to simplify taxation for remote sellers. That, in addition to general taxation discussions regarding simplification, led to the creation of the Sales and Use Tax System (SUTS) at the state level. Most home rule municipalities have signed on to SUTS at the time of this writing and this article will discuss its creation on ongoing work.

SUTS was a response to Colorado businesses that needed and asked for an easier and cost-effective way to look up sales and use tax rates and to file sales and use taxes for the 600 plus jurisdictions that make up Colorado. Colorado has complex sale and use tax landscapes and the Department of Revenue (DOR), in partnership with legislators, counties, and local jurisdictions, was tasked with finding a technology solution that could simplify that landscape.

In the absence of the sweeping statutory changes that would be required to simplify the sales and use tax complexity in law, DOR and the governor's Office of Information Technology (OIT) were charged with finding a technological solution that could be offered for free and meet the needs of the many Colorado small businesses. The price tags attached to the private market technology solutions utilized by many larger companies were not feasible for most small businesses.

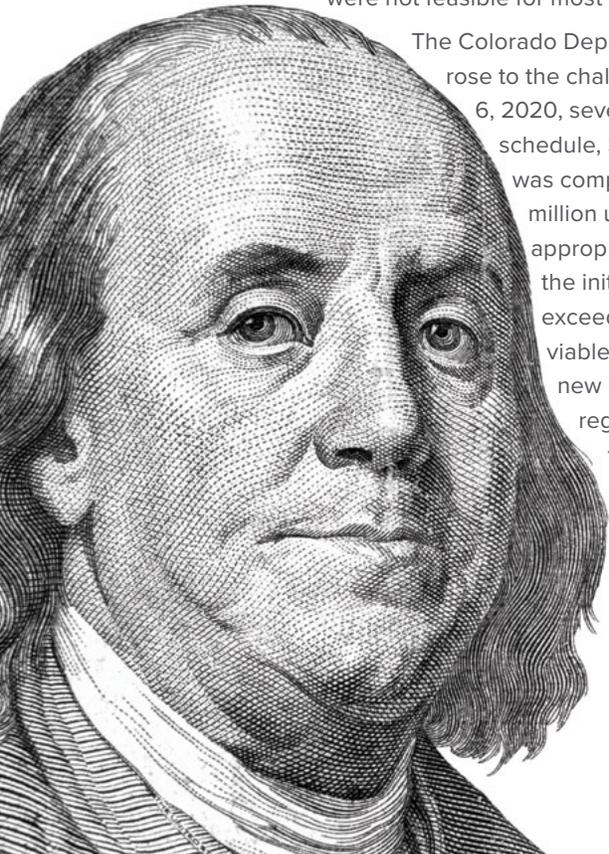
The Colorado Department of Revenue rose to the challenge, and on May 6, 2020, seven weeks ahead of schedule, SUTS was born. It was completed at \$4.9 million under the appropriated budget and the initial functionality exceeded the minimal viable product for launch. New business registration continues to grow, and as of Oct. 31, 2021, more than 14,200 businesses have registered in SUTS.

## SO WHAT IS SUTS?

The SUTS system consists of two main components:

- A Filing and Payment Portal – This is a one-stop cloud-based portal for sales tax account registration and tax return filing and payment. The system allows businesses to visit one site to file and pay their sales taxes for state and state-collected jurisdictions, while also filing and paying sales tax for the currently participating 53 home-rule jurisdictions at the same time. Prior to this solution, many businesses had to file individually with each of the 72 jurisdictions on multiple platforms.
- Geographic Information System (GIS) Software – True simplification revolves around businesses being able to easily identify the correct taxing jurisdictions related to the sale of a taxable good. The GIS fits this bill with easy look-up functionality and is completely free to use. Additionally, DOR is also working on creating new application programming interfaces (API) for WooCommerce, a popular online commerce option that allows businesses to simply plug the free GIS into their Point of Sale and e-commerce systems.

SUTS, while still in its infancy, continues to grow, evolve, and improve. SUTS is, and continues to be, possible due only to the incredible support and feedback we have received from our many municipal and county partners. If organizations like CML and the many municipal governments they represent had not supported the project, it would have been doomed to failure before it ever got off the ground. The system only works if all the various taxing jurisdictions agree to participate and the response has been nothing short of amazing. It has been inspiring watching numerous local governments put their support behind SUTS for the benefit of Colorado businesses, all in the interest of simplifying the overall sales and use tax process. The Department of Revenue looks forward to continuing to work with you all and to constantly improving on SUTS for the benefit of Colorado, and we sincerely thank you for your support.



# Partners at the CAPITOL



## ECONOMIC DEVELOPMENT COUNCIL OF COLORADO

The Economic Development Council of Colorado (EDCC) is a state-wide, non-profit organization dedicated to successful and responsible economic development across the state. As a prominent economic development resource for the entire state, EDCC represents the interests of public and private sectors while connecting Colorado communities. EDCC assists CML in advocating for economic development legislation and helped pass legislation related to recovery from COVID-19.



## COLORADO WATER CONGRESS

The Colorado Water Congress is a non-profit organization established in 1958 with 400+ member organizations that represent the diverse interests and opinions of the nine Colorado river basins. They are dedicated to promoting policies that support high quality, sustainable water supplies through the protection of water rights, conservation, planning, management, and infrastructure investment.



## COLORADO MUNICIPAL CLERKS ASSOCIATION (CMCA)

The Colorado Municipal Clerks Association works to educate municipal clerks by offering professional development opportunities and promoting a better understanding of the functions and responsibilities of the municipal clerk's office. CMCA also sponsors, supports, or opposes legislation of importance to municipal clerks.



## HOUSING COLORADO

Housing Colorado is a statewide membership organization committed to providing advocacy, professional development, and issue expertise for the affordable housing community. They have been a strategic partner with CML on issues like funding affordable housing, inclusionary zoning, and construction defects. They remain a key ally in the creation of affordable housing.



#### COLORADO HOUSING AND FINANCE AUTHORITY (CHFA)

CHFA strengthens Colorado by investing in affordable housing and community development. They offer financial resources to strengthen homeownership, affordable rental housing, and businesses. Together with their partners, CHFA has invested more than \$25 billion in Colorado's economy. CHFA administers the Federal Low Income Housing Tax Credit and the State Affordable Housing Tax Credit. The latter has led to the creation of thousands of units.



#### COLORADO CHAMBER OF COMMERCE

The Colorado Chamber is a business association that works to improve the business climate for all sizes of business from a statewide, multi-industry perspective. CML works with the Chamber on economic development, employment, and taxation issues at the State Capitol. They remain a key partner in these areas and their local affiliates are key partners for CML's members.



#### MENTAL HEALTH COLORADO

Mental Health Colorado (MHC) advocates for every Coloradan who experiences mental health or substance use conditions. MHC engages policymakers, providers, and the public to promote mental well-being, ensure equitable access to mental health and substance use care, and end discrimination. Their efforts range from the Capitol to the classroom, and they are frequent partners with the League. MHC has helped secure the passage of landmark legislation requiring mental health parity, the development of a statewide crisis response system, and the formation of a 24/7 counseling and support service. They have also championed measures to integrate mental health care into the primary care system; address the shortage of mental health professionals, especially in rural Colorado; and disentangle mental health and criminal justice.



#### RECYCLE COLORADO

Recycle Colorado is a nonprofit organization focused on the advancement of infrastructure, end markets, and state and local policies in waste reduction, recovery, and diversion. Recycle Colorado advocates for both local and state policy that supports keeping valuable material resources out of Colorado landfills and was a key partner with CML in restoring local control over the regulation of plastic products in the 2021 legislative session. Recycle Colorado also advanced two key recycling grant programs available to our members: the Recycling Resource Economic Opportunity Grant and the Front Range Waste Diversion Grant Program.



1144 Sherman St.  
Denver, CO 80203-2207  
(p) 303-831-6411 / 866-578-0936  
(f) 303-860-8175

[www.cml.org](http://www.cml.org)  
[cml@cml.org](mailto:cml@cml.org)  
Copyright©2021

**COLORADO MUNICIPALITIES**

Leslie Hough, graphic designer  
Jennifer Stone, editor  
Mark Vanderbrook, circulation

Articles in *Colorado Municipalities* (ISSN 0010-1664) may not be reproduced unless permission is received from the editor and the reprinted article includes credit to the author, *Colorado Municipalities*, and the Colorado Municipal League. Viewpoints and opinions expressed by authors in any guest article are not necessarily those of the CML Executive Board, members, or staff of CML and do not represent official positions of the Colorado Municipal League.

Advertisements contained in the magazine do not reflect League endorsement of any product or service. Advertising rates provided on request.

**Manuscripts:** Original articles on subjects of interest to Colorado municipal officials accepted. Contact the editor for guidelines. Subscription rate: \$25 an issue, \$150 a year. (Colorado residents, add sales tax: in Denver, 7.72%; all others in Regional Transportation District, 4.1%; all others in Colorado, 2.9%.)

Periodical postage paid at Denver, Colorado. Postal Information: *Colorado Municipalities* (USPS 123-140) is published January, April, July and October by the Colorado Municipal League, 1144 Sherman St., Denver, CO 80203-2207, 303-831-6411 / 866-578-0936.

**POSTMASTER:** Send address changes to Mark Vanderbrook, Colorado Municipal League, 1144 Sherman St., Denver, CO 80203-2207; email: [cml@cml.org](mailto:cml@cml.org).



## Advertise

Each issue of *Colorado Municipalities* reaches 5,000 municipal officials and decision makers. Reach those who lead Colorado cities and towns, contact CML Training and Marketing Specialist Makenna Sturgeon at 303-831-6411 or [msturgeon@cml.org](mailto:msturgeon@cml.org).



COLORADO MUNICIPAL LEAGUE



# NEWSLETTER

Empowered cities and towns, united for a strong Colorado

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](https://bit.ly/CMLNewsletter).

## Go digital



An e-version of *Colorado Municipalities* is available on [cml.org](https://cml.org) once the issue is published. Between editions, keep up with CML via Facebook, Twitter, or LinkedIn.

## Join CML

For associate membership information, contact CML Training and Marketing Specialist Makenna Sturgeon at [msturgeon@cml.org](mailto:msturgeon@cml.org).

# Take part in live webinars wherever you are!

CML provides municipal officials the skills and education necessary for good governance in Colorado's cities and towns through a variety of learning opportunities (traditional in-person workshops, short lunchtime seminars, and convenient online webinars) on numerous topics throughout the year.

Visit [cml.org/home/networking-events](https://cml.org/home/networking-events) for upcoming events.



COLORADO MUNICIPAL LEAGUE



COLORADO  
MUNICIPAL  
LEAGUE

1144 Sherman St., Denver, CO 80203



**“As a working mom of three, Adams State gave me the platform for success for my professional development and career. Their cohesive approach from the admission offices, department director, and educators, provided a great learning environment for public administration.”**

**Rachel Summers**  
Deputy Town Administrator, Town of Bennett  
MPA 2020

**PRACTICAL FLEXIBLE AFFORDABLE**

**Earn your Master’s Degree in Public Administration (MPA) in less than two years.**

**ADAMS STATE UNIVERSITY**

*A fully online program designed for working professionals.*



visit [adams.edu/MPA](http://adams.edu/MPA)  
or request information: [mpa@adams.edu](mailto:mpa@adams.edu)

## 2022 All-America City Award

*By the National Civic League & Campaign for Grade-Level Reading*

**Theme:**  
Housing as a Platform for Promoting Early School Success & Equitable Learning Recovery



### Be the Next All-America City from Colorado!

- |                                    |                       |
|------------------------------------|-----------------------|
| Aurora (2008)                      | Lakewood (2011, 2016) |
| Brush (2014)                       | Lamar (1959)          |
| Colorado Springs (1981)            | Leadville (1958)      |
| Colorado Springs (Hillside) (1997) | Longmont (2006, 2018) |
| Delta (1992)                       | Montrose (2013)       |
| Fountain (2002)                    | Pueblo (1954)         |
| Grand Junction (1962)              | Wheat Ridge (2021)    |
| Greeley (1989)                     | Wray (1993)           |



Now accepting applications, due March 1<sup>st</sup>  
[nationalcivicleague.org/america-city-award/](http://nationalcivicleague.org/america-city-award/)