

MINUTES
CML Executive Board Meeting
October 15, 2021, Denver, Colorado

Board members present: President Kathi Meyer, Council President Pro Tem, Steamboat Springs; Vice President Dale Hall, Mayor Pro Tem, Greeley; Secretary/Treasurer Jessica Sandgren, Mayor Pro Tem, Thornton; Immediate Past President Robert Widner, City Attorney, Centennial; Larry Atencio, Council President, Pueblo; Rick Bain, Mayor, Brush; Barbara Bynum, Council Member, Montrose; Greg Caton, City Manager, Grand Junction; Sharon Craig, Trustee, Ignacio; A.J. Euckert, City Manager, Dacono; Liz Hensley, Council Member, Alamosa; Susan Jung, Mayor, Rocky Ford; Angela Lawson, Council Member, Aurora; John Marriott, Council Member, Arvada; Wynetta Massey, City Attorney, Colorado Springs; Andrea Samson, Council Member, Loveland; Katie Sickles, Town Manager, Bayfield; Russell Stewart, Mayor, Cherry Hills Village; Laura Weinberg, Mayor, Golden; Charlie Willman, Mayor Pro Tem, Glenwood Springs; Melissa Youssef, Council Member, Durango.

Board members absent: none

CML Staff members present: Kevin Bommer, Executive Director; David Broadwell, General Counsel; Megan Decker, Law Clerk; Meghan Dollar, Legislative Advocacy Manager; Leslie Hough, Publication and Design Specialist; Meghan MacKillop, Legislative and Policy Advocate; Melissa Mata, Municipal Research Analyst; Karen Rosen, Meetings and Events Planner; Heather Stauffer, Legislative and Policy Advocate; Makenna Sturgeon, Training and Marketing Specialist; Beauclarine Thomas, Legislative and Policy Advocate; Mark Vanderbrook, Database Specialist; Allison Wright, Finance & Administration Manager; Dianne Backhus, Executive Assistant.

The meeting was called to order by President Meyer at 9:00 a.m. Attendance was taken and a quorum was established, with seven Board members attending in person and the remainder via Zoom.

Susan Jung MOVED AND Barbara Bynum SECONDED A MOTION TO APPROVE THE MINUTES FROM SEPTEMBER 23, 2021 AS SUBMITTED. The motion passed unanimously.

Legislative Advocacy Manager Meghan Dollar and the advocacy team presented information on recommendations made by the CML Policy Committee at their October 8th meeting. There were six member proposals requesting CML-initiated legislation or establishment of a CML policy position. One request was for CML to support the creation of a statewide database allowing information sharing between state and municipal courts. While the information available would be valuable, participation would not be mandatory, and there could be a significant fiscal impact on smaller municipalities. A request for a CML-initiated bill would shift the costs of undergrounding utilities projects to the regulated utility providers, allowing for competitive bidding and reducing municipal financial burdens. Another request for CML-initiated legislation would seek to remove the prohibition on real estate transfer tax, with the goal of creating a funding source for housing. This would require amending TABOR and would therefore need to pass by a 2/3 vote in both chambers to appear on the ballot. Although this legislation would face strong opposition, Board members felt that it was important for CML to take a stand on the issue. There was also a request for CML to take a policy position supporting the treatment of short-term rentals as commercial property for taxation purposes, with the possibility of encouraging owners to shift properties to long-term rentals, thereby increasing workforce housing. There was considerable discussion on what constitutes a short-term rental. Staff felt that lawmakers are likely to introduce legislation on this issue in the coming session, possibly with competing bills. The Policy Committee did not recommend taking a position on this issue at present. Another request was for CML-initiated legislation to strengthen the process created in HB20-120, requiring property owners of mobile home parks to engage in discussions with residents and governmental agencies when issues arise. A CML policy position was requested to create a process to allow for repair and refurbishing of dilapidated housing without evicting or removing residents. It was felt this could be a function of the Affordable Housing Transformational Task Force.

After considerable discussion on all the requests, it was MOVED by Larry Atencio AND SECONDED by Dale Hall THAT THE BOARD ACCEPT THE RECOMMENDATIONS OF THE POLICY COMMITTEE ON ALL SIX REQUESTS (FOR

CML TO SUPPORT ALL EXCEPT THE SHORT-TERM RENTALS REQUEST). The motion passed with three dissenting votes.

The advocacy team also provided information on two action items. The first would enhance municipal courts' ability to encourage accountability for court appearances, e.g., for traffic violations. Staff recommends CML-initiated legislation to create a state-level text message reminder program for municipal courts to opt into, including funding for administration and staffing of the program. The Policy Committee recommended supporting this item. The second was a request for approval of legislation allowing "safety stops" for cyclists state-wide (permitting cyclists to roll through stop signs and possibly traffic lights). Such ordinances currently exist in six municipalities and one county in Colorado. A state-wide law would override local control, and the Committee recommended opposing this item. A MOTION WAS MADE by Greg Caton TO REMOVE THE REQUEST FOR SAFETY STOP LEGISLATION FROM THE BOARD'S ACCEPTANCE OF POLICY COMMITTEE RECOMMENDATIONS. However, no second to the motion was made, and that motion was withdrawn. Barbara Bynum MOVED AND Larry Atencio SECONDED A MOTION TO ACCEPT THE RECOMMENDATIONS OF THE POLICY COMMITTEE ON BOTH THESE ACTION ITEMS. The motion passed with one dissenting vote.

The Budget, Audit and Management Committee met on October 5, 2021, and are requesting Board approval of two items. Finance and Administration Manager Allison Wright presented the items. The first recommendation is that the 2022 Associate Member dues remain at \$800 per year for businesses and \$300 per year for nonprofits and non-municipal government agencies. The second item recommends that the dues formula for municipalities be adjusted to allow more balance in the distribution of the factors for population, assessed valuation and sales tax. The new formula will result in flat revenue for the first year and 2-3.5% increases each year after the year of implementation, providing a consistent revenue stream for CML. (2022 dues would not be affected, as they were already determined at the 2021 Annual Business Meeting.) Additionally, the BAM Committee requests Board approval on an amendment to the dues schedule for municipalities currently below the 80% of total dues before cap. Those municipalities that are below the 80% of the total dues before cap may volunteer to adjust their dues to the 80% level, in a lump sum, some other additional amount or through a payment plan to bring them to the 80% level over a period of time. Russell Stewart MOVED AND Larry Atencio SECONDED A MOTION TO APPROVE BOTH RECOMMENDATIONS OF THE BAM COMMITTEE AS WELL AS THE AMENDMENT TO THE DUES SCHEDULE (WITH REVISED WORDING AS DISCUSSED). The motion passed unanimously.

Executive Director Kevin Bommer presented a list of requests for CML endorsement of candidates seeking positions with the National League of Cities. Requests have been received from Mayor Stephanie Piko of the City of Centennial for reelection to the NLC Board of Directors, and from City Councilor John Fogle of the City of Loveland for election to the NLC Board of Directors and also for appointment as Vice Chair of the Information Technology and Communications Committee. Brighton City Councilmember Tim Watts has applied for three positions but has not yet sought CML endorsement. Staff requests discretion to endorse Councilmember Watts if he chooses to request CML endorsement. A MOTION WAS MADE by Dale Hall AND SECONDED by Susan Jung TO ENDORSE THE CANDIDATES AS REQUESTED. The motion passed unanimously.

Meghan Dollar reported on the progress of President Kathi Meyer's Presidential Initiative to increase the affordable housing supply in Colorado municipalities. A housing subcommittee was formed after the discussions at September's Board meeting. Serving on the committee are Board members Liz Hensley, Susan Jung, Jessica Sandgren, Russell Stewart, Charlie Willman, and Melissa Youssef. CML continues to work with the Affordable Housing Transformational Task Force at the state level, as well as other local government associations. At present, there is money available from the federal coronavirus state fiscal recovery fund. Other potential funding sources could include a revolving loan fund, direct grants, and renovation funding. Board members Katie Sickles and Laura Weinberg requested to be added to the subcommittee.

With the abundance of legislation related to criminal justice and policing from 2021 and anticipated to continue in the 2022 session, staff is requesting that a special committee on policing be created of interested CML members. This would help staff to get direct feedback from municipalities and help guide staff in making recommendations to the Policy Committee and the Executive Board. Staff has reached out directly to many members, seeking a variety of perspectives. As of this date, those wanting to serve on the committee are Junie Joseph, Boulder; Angela Lawson, Aurora; Dave Kerber, Greenwood Village; Ty Coleman, Alamosa; Anna Stout, Grand Junction; Candace Moon, Centennial; Katie Kurtz, Arvada; Aaron Jacks, Arvada; Jenna Roth, Police Legal Advisor for multiple jurisdictions. Board Vice President Dale Hall, Greeley, also asked that his name be included. Katie

Sickles MOVED AND Bob Widner SECONDED A MOTION TO CREATE A CML SPECIAL COMMITTEE ON POLICING. The motion passed unanimously.

Kevin Bommer presented proposed changes and updates to the CML Strategic Plan. Most of the revisions came out of the study done at the staff retreat, and the majority are preferable restatements and clarifications. Board members are asked to review the suggested changes and be prepared to vote on the final version of the Strategic Plan at the December Board meeting.

As discussed at the September Board meeting, President Kathi Meyer has been impacted by term limits, and will step down from her position in Steamboat Springs on November 10th. This also necessitates that she vacates her position on the CML Executive Board. The Board has the authority to select its own president, and per the discussion at the September meeting, and at the recommendation of the executive officers, Immediate Past President Bob Widner has been asked to reassume the presidency. Dale Hall MOVED AND Larry Atencio SECONDED A MOTION THAT BOB WIDNER ASSUME THE POSITION OF BOARD PRESIDENT FOR THE REMAINDER OF THE TERM. The motion passed unanimously. President Meyer was commended and thanked by CML staff and Board members for her valuable and insightful service on the CML Board over the past years. Kevin also noted that Board member Rick Bain has also reached term limits, so this is his last Board meeting. Board and staff members also thanked him for his service.

At 11:20 the meeting paused for a 10-minute break. Staff members were excused at that time.

Board members returned for an Executive Session to conduct the annual evaluation of the Executive Director based on his performance plan of December 2020.

Respectfully submitted,

Jessica Sandgren
Secretary/Treasurer