

SUBJECT: 2025 CITY OF LOUISVILLE LEGISLATIVE AGENDA

DATE: JANUARY 7, 2025

PRESENTED BY: SAMMA FOX, INTERIM CITY MANAGER
MEREDYTH MUTH, INTERIM DEPUTY CITY MANAGER

SUMMARY:

The legislative agenda serves as a guiding document for the City's engagement in legislative affairs prior to and during the legislative session. The proposed legislative agenda reflects the City's policy goals as well as local and regional policy issues of importance to the Louisville community.

Council reviewed a draft agenda and gave feedback on December 17; that feedback is incorporated into the attached draft. Additionally, Councilmembers sent proposed changes to staff; those are noted in the draft and in the presentation.

Council should discuss the proposed changes and determine which ones the group supports and which, if any, should be removed in the final document. Council may vote on the legislative agenda at the meeting or may ask staff to bring back another draft at a later meeting for further review.

Council and staff may begin to use the agenda once the Council has formally adopted it. The 2024 legislative session began on January 3.

FISCAL IMPACT:

There is no fiscal impact related to this item.

PROGRAM/SUB-PROGRAM IMPACT:

One objective of the Governance & Administration Sub-Program is to provide governance based on a thorough understanding of the community's diverse interests executed through clear and effective policy direction.

RECOMMENDATION:

Staff requests that the City Council provide feedback and approve a 2025 Legislative Agenda.

ATTACHMENT(S):

1. Redlined 2025 Legislative Agenda with updates from 12/7 meeting and proposed changes from Councilmembers Hoefner and Cooperman
2. CML 2024-2025 Legislative Agenda and 2025 Legislative Preview
3. DRCOG Draft Legislative Agenda
4. Presentation

SUBJECT: 2025 LEGISLATIVE AGENDA

DATE: DECEMBER 17, 2024

PAGE 2 OF 2

STRATEGIC PLAN IMPACT:

☒	 Financial Stewardship & Asset Management	☐	 Reliable Core Services
☐	 Vibrant Economic Climate	☐	 Quality Programs & Amenities
☒	 Engaged Community	☐	 Healthy Workforce
☐	 Supportive Technology	☒	 Collaborative Regional Partner

Color Key

Red/Blue – Changes from 12/17 Council Meeting

Pink – Councilmember Hoefner suggestions

Green – Councilmember Cooperman suggestions

2025 City of Louisville Legislative Agenda

Purpose and Use

The legislative agenda serves as a guiding document for the City's engagement in legislative affairs and ~~is~~ a resource for staff and council.

Members of the City Council may represent the City in regional efforts such as the Colorado Municipal League Policy Committee, Denver Regional Council of Governments, Northwest Mayors and Commissioners Coalition, Metro Mayors Caucus, and more, and may ~~be asked to~~ guide or express positions on legislation.

~~Council members may express support, opposition, and/or recommended amendments regarding legislation to policy statements of those organizations if they are consistent with the legislative agenda. If this legislative agenda clearly states the City's position, council members may express support, opposition, or recommend amendments.~~ When this occurs, council members should share with all of council during council reports at the next regular council meeting. If the issue is not clearly addressed in this legislative agenda, council members should seek City Council approval before taking any formal action (such as signing a letter or taking a vote) to support or oppose legislation.

Home Rule/Local Control

The City supports local control and municipal government home rule authority. In most cases, local problems are best addressed at the local level and the current authority and powers of municipal governments such as land use, zoning, personnel matters, sales tax, etc. should not be diminished. However, certain issues require statewide and multi-jurisdictional response, which are best addressed through early and meaningful engagement and collaboration with local municipalities.

Positions:

- The City urges ~~state~~ officials to respect Colorado's tradition of local control and allow municipal officials to address local problems at the local level.
- The City generally opposes ~~state~~ legislation that creates unfunded mandates on local municipalities without ~~state~~ funding or other sources of revenue. Unfunded mandates shift the cost burden of state or federal mandates onto local governments, limiting a municipality's ability to provide locally identified government services.
- The City supports liquor, ~~and~~ marijuana licensing, and natural medicine that allows for local decision-making and collaboration between local and state licensing entities, including but not limited to local opt-in provisions for any new permitting or licensing requirements.
- The City supports maintaining greater local government authority to regulate oil and gas development at the local level, and the establishment of state rules and regulations that reflect such authority.

- The City supports legislation that provides local governments with additional flexibility, resources, and/or guidance in meeting the challenges of ensuring technology and digital resources are fully accessible.

Community Recovery and Resiliency

The Marshall Fire served as a sobering reminder that all communities in Colorado, regardless of socioeconomic status, must be prepared for climate disasters at all times. While the City continues to recover from the Marshall Fire, the community is working together to increase resilience and preparedness for the next disaster. Ongoing state action and investment is needed in order to mitigate future disasters and ensure our communities are prepared when disaster strikes. The front-end investment in community resiliency will reduce the local, state, and federal costs of the severe climate disasters we are experiencing today.

Positions:

- The City supports the taskforce to explore a statewide minimum building code for wildfire risk reduction that addresses the expansion of the wildland urban interface into the plains areas, consider suburban community building patterns, and establish a minimum standard that can be applied across various environments and exceeded based on specific geographic needs.
- The City supports increased wildfire mitigation funding for local communities in the plains areas to establish and maintain risk reduction measures on public lands **including other climate change adaption strategies such as restoration of native habitats.**
- The City of Louisville supports insurance reform that helps residents be better prepared and able to recover from climate disasters, while promoting the homeowners', renter's, and landlord's roles and responsibility in securing insurance coverage. Examples of desired insurance reform include legislation that:
 - Reduces system-wide underinsurance
 - Improves the transparency of the coverage gap that a private property owner or renter has with their existing policy
 - Eliminates the practice of insurance companies requiring contents itemization in total losses to receive the contents' coverage stated in a policy
 - Supports regulating the loss ratio for property and casualty insurance so that premiums paid go to cover losses and do not become excessive
 - Supports exploration of reinsurance for disaster impacts
 - Addresses insurance availability to ensure community members have access to insurance
 - Supports the exploration of public insurance to address availability
 - **Supports programs for affordable insurance for those with less means.**
- The City recommends CDPHE establish standards for acceptable levels of contaminants in water systems, soils, homes, businesses and schools. Without these standards there is no FEMA reimbursement opportunity or insurance standards for coverage.

Tax and Finance Policy

The City supports a fair and consistent ~~state~~ tax policy that preserves and expands the authority of local governments and opposes ~~state~~ exemptions that erode municipal sales taxes, use taxes, property taxes, and other revenue sources.

Positions:

- The City supports fiscally responsible government spending, ~~but and~~ believes it is important the legislature understands to address the layers of constraints on ~~state and~~ local government budgets resulting from the Taxpayer's Bill of Rights (TABOR).

- The City supports equitable sharing with municipalities of existing and future state revenues derived from state-collected, locally shared revenues, such as the Cigarette/Tobacco/Vaping Tax, Highway Users Tax Fund, Lottery funds, and Marijuana tax funds.
- With the repeal of the Gallagher Amendment and new tax cuts and exemptions, the City believes it is critical to maintain ongoing residential and commercial property taxes to preserve public service revenues to the state, local governments, fire districts, schools, health providers, and others dependent on property taxes to deliver essential services.
- The City supports state tax and financial policies and structures that speed the transition away from fossil fuels.
- The City supports equitable tax structures and financial policies.

Municipal Administrative Services

The City's administrative services help ensure a high-performing government, including the effective and efficient use of taxpayer funds in providing City services. This includes information technology, human resources, records management, elections, and general government administration. The City supports efforts to ensure that these services can be delivered in a transparent and cost-effective manner.

Positions:

- The City supports increased funding and resources to elevate cyber-security prevention, response, and recovery/rebuilding when attacks occur.
- The City has implemented accessibility measures that assist persons with disabilities in accessing City information and services, as required by HB21-1110. The City supports accessible digital communications but opposes unfunded mandates on local governments without reasonable opportunity to remediate complaints. Given the expense involved with remediation, the City supports dedicated funding and amendments to HB21-1110 to allow reasonable time for municipalities to come into compliance.
- The City supports the exploration of an accessible database to facilitate information and data sharing between the state and municipal courts.
- The City supports state funding for municipalities to help better serve non-English speaking residents.

Public Health and Safety

The City supports law enforcement and municipal court policies that ensure public health and safety, thereby improving the quality of life in partnership with the community. (Add additional aspects of health and safety in this heading.)

Positions:

- The City supports state-level actions to address gun violence. While regional and local legislation can be effective in reducing gun violence, state action is needed to improve safety and regulatory consistency across jurisdictions.
- The City supports access to quality and affordable healthcare for residents and businesses across Colorado.
- The City supports continued efforts to improve municipal court and law enforcement practices and further refinement of such changes to ensure that victims and defendants are adequately protected.
- The City supports statewide efforts to expand mental/behavioral health services, reduce barriers to care, and provide funding to support such initiatives. This includes additional assistance for law enforcement to address community-wide mental health impacts, and mitigate the costs for healthcare and mental health services for persons in custody.
- The City opposes legislation that would prohibit the use of red light cameras and speed radar.

Energy/Environment

The City supports legislation to address climate change by improving energy efficiency, increasing the use of cost-effective renewable energy, and reducing greenhouse gas emissions and dependence on fossil fuels while maintaining the reliability and resilience of energy delivery and local control.

Positions:

- The City supports the state's plan to reduce greenhouse gas emissions through reduced energy consumption, increased use of clean energy and transitioning away from fossil fuels.
- The City supports statewide policies that reduce overall energy demand and consumption, while preserving and expanding local governments' ability to reach their sustainability and climate action goals.
- The City supports the preservation of air quality **improvements**, renewable energy production and emission reductions through legislative, administrative, and regulatory actions.
- The City supports **state** efforts to reduce noise impacts and air pollution, and lead pollution associated with local metropolitan airport activities.
- The City supports opportunities and funding for municipalities to implement local clean energy strategies and solutions.
- The City supports a regional approach to **implementation of energy efficient building codes implementation to increase greenhouse gas emission reductions and consistency for builders throughout the region.** ~~have a greater effect on greenhouse gas emissions and to increase consistency throughout the region, creating less confusion for builders.~~
- The City supports state actions that effectively address the metro region's violations of Clean Air Act standards in a timely manner. (additional information [here](#))
- The City supports repeal of state preemptions of local pesticide regulations. (additional information [here](#))

Transportation

Colorado's transportation infrastructure, which connects our communities and facilitates the movement of people and goods, is essential to the economic vitality of our state and necessary to maintain the high quality of life enjoyed by Coloradans. Appropriate investments in transportation, as one of the largest sectors of greenhouse gas emissions, also further the City's energy and environmental goals.

Positions:

- The City supports ongoing state and federal funding sources for transportation projects, such as **those along the CO Highway 42 corridor** and South Boulder Road, that provide funding for the maintenance of existing infrastructure, multimodal improvements, **accessibility improvements** and other investments that reduce greenhouse gas emissions.
- The City supports regulation and investments that accelerate transportation electrification and other innovative transportation technologies that reduce emissions and congestion.
- The City supports investments that enhance safe, convenient **and accessible** multimodal transportation, including Complete Streets which increase transportation options, improve mobility, and reduce congestion and greenhouse gas emissions, and Vision Zero strategies which improve safety. The City also supports funding for the design and construction of pedestrian underpasses, which achieve many of the goals of Complete Streets and Vision Zero programs.
- The City supports funding for the construction and operation of the Northwest Rail line and the Front Range Passenger Rail to expand multi-modal transportation in the northwest metro region. ~~The City also supports ensuring rail services along this line includes a stop in Louisville, supporting the much-delayed obligation of RTD for transit investment in our community.~~ The City strongly supports the inclusion of a stop in Louisville along both of these rail services, fulfilling the much-delayed obligation of RTD for transit investment in our community.

- The City supports full restoration of transit services that were reduced or cut by the Regional Transportation District (RTD) during the COVID pandemic.
- The City opposes efforts to divest state-owned roads to municipalities without adequate short and long-term funding to meet additional maintenance and operational responsibilities.

Utilities, Telecommunications, and Broadband

The City supports policies that protect Colorado’s natural resources and allow the City to maintain facilities efficiently, allowing for reasonable and equitable rates while maintaining optimal quality. The City also supports the local authority to manage all matters related to local telecommunications policy, cable franchising, wireless communication facilities, broadband deployment, public safety communications, rights-of-way management and government access channels.

Positions:

- The City supports the inventorying and protection of water rights, including the protection of municipal water **rights**.
- The City supports appropriate water conservation efforts and sustainable water resource management practices by all users.
- The City supports efforts to improve water quality through compliance with state and federal regulations.
- The City supports state policy for consumer protections of utility customers, including broadband customers.
- The City opposes state and federal efforts that complicate deployment of small cell and other wireless infrastructure and create unfunded mandates on local governments **and while the City** supports federal and state actions removing these preemptions of local control.
- The City supports state efforts to determine the most effective ways to distribute federal funding to promote broadband deployment and equity in the availability and accessibility of broadband services to all Coloradans.
- The City supports **state** policy and funding to improve public safety telecommunications.
- The City supports the clarification that franchise fees do not include in-kind franchise obligations and supports the repeal of FCC action that creates these limitations on local franchising authority.
- **The City supports state efforts requiring utilities to generate more electricity renewably and transition away from fossil fuels.**

Land Use, Development and Revitalization, Housing

The City has a long-standing commitment to managed growth. The City believes strongly that local control and land use planning enhance our ability to meet the goals/mission of the City Comprehensive Plan and improve the overall quality of life. In addition, the City is working to redevelop and revitalize certain areas within the community, and appropriate urban renewal tools must be preserved to support these efforts.

Positions:

- The City supports policies and investments that improve the coordination of land use and transportation, and regional cooperation in land use planning and economic development activities.
- ~~The City supports increased local government funding for the statewide expansion of affordable housing.~~
- **The City supports state housing trust funds, tax credits, and other financing mechanisms that help close the feasibility gap for affordable housing development and enable jurisdictions to meet regional housing needs. OR The City supports increased state funding for local governments’ expansion of affordable housing.**

- The City supports increased local government and community engagement and impact analysis around the expansion and development of airports.
- The City supports enhancements to Colorado Urban Renewal law that do not unreasonably restrict the use of tax increment financing or eminent domain for redevelopment projects.
- The City supports legislation that encourages and facilitates historic preservation and rehabilitation.
- The City supports transit-oriented development principles, but believes that House Bill 24-1313 – Housing in Transit Oriented Communities may not provide a feasible path for local implementation without bill amendments or clarifications. The City encourages collaborative amendment development with local governments.
- The City supports consideration of environmental sustainability in land use and development policies, for instance, the prioritization of walkable and bikeable communities.
- The City supports state efforts to conserve open spaces.
- The City supports efforts to ensure equitable access to housing.

Economic Vitality and Business Development

Colorado's economic competitiveness requires coordinated state efforts to attract and retain employers while supporting workforce development.

Positions:

- The City supports ~~state~~ legislation that provides resources to help local governments attract new employers and support business expansion.
- The City supports ~~state~~ legislation that strengthens economic development tools and incentives for attracting and retaining primary employers, particularly in industries that provide high-wage jobs and opportunities for career advancement.
- The City supports policies that enhance Colorado's competitiveness through strategic investments in transportation infrastructure, broadband connectivity, and other critical systems that enable business growth and expansion.
- The City supports state workforce development initiatives that align education and training programs with industry needs, including partnerships between employers and educational institutions.
- The City supports programs that encourage small business development and entrepreneurship through technical assistance, access to capital, and resources for startups and growing companies.
- The City opposes ~~state~~ regulations that create significant new compliance costs or administrative burdens for businesses without demonstrating clear public benefit.
- The City opposes policies that reduce local flexibility to implement economic development strategies tailored to community needs and opportunities.

Additional Section – Title?

- The City supports state efforts to address the recommendations of the Truth, Restoration, and Education Commission of Colorado concerning American Indian History and Treaty Rights in Colorado. (additional information [here](#))



COLORADO
MUNICIPAL
LEAGUE

POLICY STATEMENT

2024-2025





CML POLICY STATEMENT

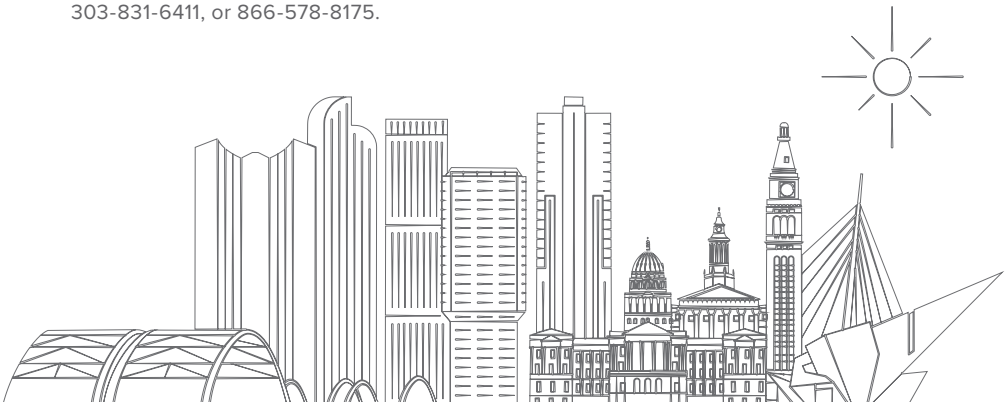
The Colorado Municipal League (CML) supports cooperation among local, state, and federal officials to provide a strong partnership with Colorado's cities and towns. CML employs a dedicated advocacy team, a reliable source of information about legislative issues and their impact on Colorado's cities and towns and their residents.

The CML Policy Statement has evolved throughout the history of the League and guides the CML Executive Board, committees, and advocacy team during the legislative session and throughout the year. The CML Policy Committee, which is open to representation from each municipal member and CML professional section, is charged with developing policy recommendations and proposing amendments to the Policy Statement. During the business meeting (held each year at the CML annual conference), CML members consider any recommendations and adopt the Policy Statement for the next year.

The CML Policy Statement consists of several major policy items, but is not exhaustive. When legislation or policy issues are considered, the CML staff, Policy Committee, and Executive Board look first to the Policy Statement to develop recommendations and formal positions. If a specific issue is not found within the Policy Statement, the Policy Committee and the Executive Board will consider and establish a CML position, if any.

We welcome input and suggestions from members on CML policy and positions. We remain proud to be your source for advocacy, information, and training.

If you have questions or comments about CML policies, please contact CML Legislative Advocacy Manager Heather Stauffer at hstauffer@cml.org, 303-831-6411, or 866-578-8175.



CML 2024-2025 POLICY STATEMENT

LOCAL CONTROL AND MUNICIPAL HOME RULE

In order to consider local conditions and address local requirements, community issues and needs should be addressed locally. State and federal government interference can undermine home rule and local control. Therefore, the League:

- Urges state and federal officials to respect Colorado's tradition of local control and allow municipal officials to address local problems without interference from the state and federal government.
- Urges Congress and the executive branch to respect the roles and responsibilities of states and local governments and similarly urges state officials to avoid preempting local authority.
- Supports state enabling legislation that provides municipalities with authority and flexibility to address local needs.
- Recognizes the desire of the citizens statewide and in many local communities – with adoption of a constitutional amendment in 1902 and expanded amendments approved in 1912 and 1970 – to establish municipal home rule and opposes state action that attempts to weaken home rule authority and flexibility.

INTERGOVERNMENTAL COOPERATION

Citizens are best served when officials of federal, state and local government (including municipalities, counties, special districts and school districts) respect the roles of each entity and work toward common solutions. Therefore, the League:

- Supports increased dialogue and cooperation among federal, state and local officials and the development of cooperative intergovernmental solutions to common problems.

STATE AND FEDERAL MANDATES

Programs and regulations mandated by the state or federal government stretch the financial resources of municipalities. These costs, if not paid by the state or federal government, prevent municipalities from fulfilling local needs and priorities.

Therefore, the League:

- Opposes unfunded state and federal mandates that impose financial burdens on municipalities and their citizens.
- Supports the statutory requirement for the General Assembly and Congress to reimburse municipalities for the cost of state mandates and to make clearer this requirement in state fiscal notes prepared for the General Assembly and Congress.

STATE FISCAL FAIR PLAY

Municipal finances are closely interrelated with state finances and policies. State adherence to fiscal fair play policies will greatly help municipalities and their citizens. Therefore, the League:

- Supports appropriate action to address the state and local financial crises caused by the interaction of various constitutional amendments and the economy.
- Supports continued state sharing with municipalities of equitable portions of existing and future revenues derived from traditional state-collected,

municipally shared sources.

- Urges the state to avoid or exercise restraint in relying on fees, charges and other cash funding of programs that affect municipalities, especially in the areas of technical assistance, in programs where municipal participation is mandated by state law, and in regulatory programs that affect municipalities.
- Opposes state granted exemptions or other state actions that erode municipal sales, use, property and other revenues unless the state provides adequate replacement revenues.
- Opposes disproportionate cuts in state programs that benefit municipalities.
- Opposes the state utilizing local funds or requiring local governments to collect state revenues in order to fund state programs.

SALES AND USE TAXES

The primary revenue sources for municipalities are local sales and use taxes. Statewide, municipalities generate more than \$5 in these taxes to every \$1 of property taxes. Sales and use taxes have enabled municipalities to fund public services and improvements and keep municipal property taxes relatively low. Appropriate actions at federal, state and local levels should preserve or enhance these local revenues. Therefore, the League:

- Supports retention of authority for all municipalities to set local tax rates and for home rule municipalities to collect their own taxes and determine their own tax bases.
- Supports broadening the state and local sales and use tax base.
- Supports appropriate legislation or court action allowing state and local governments to require businesses to

collect state and local sales and use taxes on remote sales.

- Supports cooperative efforts among municipalities to standardize municipal sales and use tax practices and utilization of technology for the convenience of taxpayers, the business community, and municipalities.
- Supports a level playing field between local brick-and-mortar businesses and remote sellers through the requirement for remote sellers to collect and remit municipal sales taxes based on the point of delivery
- Supports programs that allow businesses to remit state and local sales taxes to a single point while preserving home rule authority over tax rates, base, and audit authority.
- Opposes further reductions in the state and local sales and use tax base.
- Opposes legislation that would preempt the authority of state and local governments to apply their sales and use taxes to remote sales.

MUNICIPAL FINANCE

Capital Financing

The League:

- Supports enhancement of municipalities' flexibility to finance public projects economically and efficiently.
- Opposes any efforts to abolish or impair the effectiveness of the municipal bond interest exemption.

Census

The League supports sufficient federal funding support of the decennial census in order to assure a complete and accurate count that reflects population, municipal borders, regional equity, and hard to count populations.

Double Taxation

The League supports state legislation and local practices that eliminate the financial

inequities created by the imposition of taxes on municipal residents for county services that are provided primarily or solely to residents in unincorporated areas.

Federal Policies

The League:

- Supports distribution of federal funds to municipal governments with a minimum of red tape and without excessive diversion at the federal and state levels.
- Supports establishment of advisory committees comprised of local government officials to ensure ongoing local input on state assumption and administration of federal programs that affect local governments.
- Supports continued funding of the Community Development Block Grant program.
- Supports continued direct funding of federal housing programs.
- Supports funding the Energy Block Grant program.
- Supports repeal of the Davis-Bacon Act or revisions thereto, including raising the project exemption amount, to eliminate wasteful red tape and enable state and local governments to stretch tax dollars for public works projects.
- Supports repeal or revisions in the application of the Fair Labor Standards Act to local governments to avoid the Act's costly and burdensome impacts on local government operations.
- Encourages recognition of Colorado's unique economic, social and physical characteristics when federal action affects programs or projects of local concern.
- Opposes the direct or indirect taxation of the activities and operations of municipal government.
- Opposes tax reform proposals that would exacerbate the federal deficit, increase the cost of municipal capital

- investment, interfere with traditional state and local tax systems or preempt the deductibility of state and local taxes.
- Opposes the denial of funds based upon a state's or municipality's failure to meet requirements of an unrelated program or because of factors beyond the control of the state or municipality.
- Opposes cuts in federal programs that disproportionately affect municipalities.
- Opposes imposition of federal standards upon local government operations and employees that do not apply equally to federal and state government operations and employees.
- Opposes the sale of federal lands to finance federal programs without local input.
- Supports the efficient and effective use of Federal passthrough funding administered by the State of Colorado with special attention to lowering project overhead costs and increasing local flexibility within federally mandated and reviewed companion regulations. The suitability of administrative requirements should be proportionate to project complexity, such as the difference between an Environmental Assessment and a more complex and expensive Environmental Impact Statement.

BEER AND LIQUOR

The League:

- Supports the greatest amount of local control possible for liquor licensing and permitting.
- Supports coordination with the Colorado Liquor Enforcement Division.

CONSOLIDATION OF GOVERNMENTS

The League supports voluntary consolidation of local government entities and services by mutual agreement.

CRIMINAL JUSTICE

The League:

- Supports state – and community -based intervention, prevention and rehabilitation programs and state initiatives that respect the key role of communities and local government officials.
- Supports ensuring that municipal governments retain flexibility in implementing federal and state criminal justice programs.
- Supports state funding for regional and local public safety programs that rely on the co-responder model which partners mental and behavioral health professionals with law enforcement for contacts with individuals with mental and behavioral health issues.
- Opposes state preemption of municipal authority to regulate firearms within municipalities.

ECONOMIC DEVELOPMENT

The League:

- Encourages the state to provide adequate funds and staff for strong, multifaceted programs to promote the economic vitality of Colorado that:
 - » Encourage the diversification and expansion of local economies, including support for existing business, creation of new jobs, regional partnerships, and promotion of tourism.
 - » Are closely coordinated with local governments.
 - » Ensure the state will not promote a specific economic development project against the wishes of the community or communities most directly affected by the project.
- Encourages the federal government to support state and local government activities promoting economic

development.

- Supports incentives to promote and encourage the rehabilitation and revitalization of local economies and downtowns.

EDUCATION

The League supports education as a community-wide value. The League believes effective early childhood and pre-kindergarten through adult education systems supply our municipalities with an educated community. The most effective programs are those partnerships among our educational institutions, local stakeholder and local governments.

ELECTIONS

The League:

- Supports the right of all municipalities under the Colorado state statutes to conduct free and fair nonpartisan elections at the municipal level that are unencumbered by state and federal overreach.
- Supports the continued retention of authority for home rule municipalities to administer the election process as a matter of local concern.
- CML supports municipal control over alternative voting methods in local elections, and options for alternative voting methods in coordinated elections.

ELECTRIC AND NATURAL GAS SERVICES

The League:

- Opposes federal or state restrictions that would limit the ability of municipalities to create new municipally-owned utilities.
- Opposes federal restrictions that would dictate territorial service areas or restrict the ability of municipally owned utilities to service customers

within their municipalities, including newly annexed areas.

- Opposes federal legislation requiring states to implement retail competition.
- Opposes federal or state restructuring of the electric or natural gas industry if such restructuring restricts municipal authority to regulate the use of rights-of-way and to franchise and tax utilities and services, interferes with services provided by municipally owned utilities, fails to protect interests of all consumer classes or sacrifices environmental and social objectives protected under existing regulatory policies.
- Opposes efforts to prevent municipalities from extending utility services to newly annexed areas or providing utility services to customers in unincorporated county properties adjacent to the municipality.

EMERGENCY SERVICES

The League:

- Supports local control of local emergency services and involvement of the state as a resource to local government in the areas of information, coordination and training.
- Supports state funds for those state agencies that serve as a resource to local emergency services.
- Supports a voluntary uniform statewide fire incidence reporting program.
- Supports close cooperation at all levels of government and increased federal funding to assist local government homeland security and first responder responsibilities.
- Supports increased funding for emergency communications, accounting for the loss of landlines and the increased use of mobile devices, as well as legislation allowing local governments to increase fees for

support of emergency communication.

ENERGY

Energy Planning

The League recognizes several compelling reasons for developing a comprehensive energy policy. Energy conservation saves dollars. Energy conservation and renewable energy production creates jobs, reduces greenhouse gas emissions, and supports local economic development efforts. Energy conservation reduces our nation's dependence upon foreign oil and improves our energy security. Municipalities are in a position to lead by example. Municipalities are able to provide education and access to information that advocates the economic and environmental benefits of increased energy efficiency. Therefore, the League:

- Supports the development of a balanced, long-term statewide energy plan with an overall goal of reducing greenhouse gas emissions through a mix of non-renewable fossil fuels, renewable energy sources, and energy efficiency and conservation programs.
- Supports the creation and expansion of statewide goals that provide targets and incentives for the implementation of renewable energy strategies and that also recognize the unique concerns of municipal electric and gas systems.
- Supports empowering municipalities to implement sustainable, reliable, and resilient long-term municipal energy needs.
- Supports municipal efforts to assess energy efficiency opportunities in their own operations and in their communities as a whole, setting energy efficiency targets, and creating local action plans.
- Supports retrofitting municipal facilities with energy efficient technologies, policies that enhance municipal energy

conservation, and programs that promote the generation of alternative energy sources.

- Supports working with appropriate state and local agencies to educate municipalities on the use of energy efficient building codes.
- Opposes state preemption of municipalities in setting and implementing long-term renewable energy goals.

Natural Resource Production

Municipalities are directly and indirectly affected by the impacts of energy extraction activity and understand the boom-and-bust nature of it. The League also acknowledges the importance of the extraction industry to the state and local economy. Therefore, the League:

- Supports enhanced local input and mitigation powers of municipalities in addressing the environmental, health, safety, and economic impacts of energy extraction.
- Supports the Colorado Oil and Gas Conservation Commission and the Colorado Department of Public Health and Environment substantively involving local governments affected by energy extraction, including recognition of local health, safety, and environmental impacts.

Severance Tax and Federal Mineral Lease Revenue

The League:

- Supports a continued dialogue with local governments regarding the collection and distribution of severance tax and federal mineral lease revenues.
- Supports raising the severance tax rate and removing severance tax exemptions in order to generate additional revenue for local governments.
- Supports DOLA's continuing administration of the Energy Impact

Loan and Grant program to assure greater transparency and accountability of the funds.

- Supports the development of a permanent trust fund using a portion of existing and/or any new revenues from severance taxes and/or federal mineral lease revenues so long as such revenues in a trust fund can be made available to municipalities and counties impacted by energy extraction.
- Opposes any reduction in the existing revenue streams of severance tax and federal mineral lease revenue to counties and municipalities.
- Supports financial and technical assistance to local governments affected by the development of coal, oil shale, and other natural resources to permit planning for, and provision of, municipal services and facilities.
- Opposes the appropriation of energy impact and mineral lease funds, historically set aside for local governments, to finance state programs and administrative costs of state government.

ENVIRONMENT

In addressing environmental concerns, the League:

- Supports federal and state programs that encourage cleanup and reuse of "brownfield" property.
- Supports full federal funding for cleanup and ongoing maintenance and monitoring of contaminated federally owned or managed sites.
- Supports reasonable and practical application of air and water pollution control laws by federal and state administrative officials and encourages restraint in modifying legislation and regulations that have a fiscal impact on municipalities. Particularly in the area

of water quality, enforcement should be correlated with the availability of funds necessary to achieve stated goals.

- Supports adequate state regulation and enforcement of drilling and mining sites, production facilities and waste product storage and disposal facilities.
- Supports practices to assure public health, safety, environmental protection and the protection of domestic water sources;
- Opposes state preemption of local land use and watershed regulations.
- Supports the local control of the regulation of plastics and single-use containers.
- Opposes inequitable increases in the proportion of municipal cash funding support for state environmental and hazardous waste programs.
- Opposes state preemption of local government authority to adopt environmental ordinances.
- Opposes additional state mandates or regulations on locally owned or operated landfills that do not provide the subsequent funding necessary to comply with the new requirements.

EQUITY

The League supports efforts to end inequity based on race, gender, gender identity, religion, nationality, sexual orientation, age or disability. The League supports the protection of the rights and dignity of individuals, and encourages programs and policies that address equity in areas such as criminal justice, employment, environment, housing, homelessness, health care, education, substance abuse treatment, and mental health.

HOUSING

The availability and affordability of

attainable and habitable housing is an important concern to Colorado's municipalities. Therefore, the League:

- Supports an adequate supply of diverse housing options, regardless of income level, and continued public—and private—sector support for such an effort.
- Supports clarifying state statute to reflect that local governments have the authority to require affordable housing in new developments.
- Supports increased financial assistance from the federal government for housing needs of low—and moderate—income families.
- Supports state financial support for the Division of Housing's loan and grant program for low—and moderate—income housing.
- Supports the continued efforts of the Colorado Housing Finance Authority to work with municipalities on the Authority's various housing loan programs.
- Supports efforts to upgrade substandard housing.
- Supports the preservation, revitalization and redevelopment of existing neighborhoods.
- Supports public and private financial assistance programs to address the needs of the persons experiencing homelessness.
- Supports state funding to support programs to address persons experiencing homelessness.
- Supports programs that involve municipalities in addressing foreclosures.
- Supports the creation of an adequately financed statewide housing trust fund.
- Opposes state preemption of local authority to adopt and enforce ordinances that regulate use of public spaces.

INITIATIVE REFORM

The League:

Supports efforts to maintain the state constitution as a basic framework for government rather than as an embodiment of statutory law, while maintaining the citizen lawmaking process, by supporting additional protections for statutory law made by citizen initiative.

LIMITED GAMING

Recognizing the important role that gaming plays in the economies of Colorado's gaming towns and cities, and surrounding communities, the League:

- Supports Colorado's limited gaming framework as written in the Colorado Constitution.
- Supports preservation of the limited gaming fund which distributes portions of the proceeds of tax collected to the state historical fund and gaming cities and towns.
- Supports preservation of the local government limited gaming impact fund which provides grants to local communities for gaming impacts.

LOTTERY

The League supports preserving all lottery proceeds for park, recreation, open space, and wildlife purposes pursuant to the Great Outdoors Colorado program adopted by Colorado voters.

MARIJUANA AND HEMP

Per the language of Amendment 64, the League:

- Supports maximum local control for municipal regulation and licensing of cultivation facilities, product manufacturing facilities, testing facilities, and retail stores.
- Supports local option to prohibit cultivation facilities, product

manufacturing facilities, testing facilities, and retail stores.

Additionally, the League:

- Supports maximum local control for municipal regulation and licensing of hemp cultivation, both indoor and outdoor; manufacturing; testing; extraction; and retail stores.
- Supports maximum local control to enforce local ordinances on both marijuana and hemp.

MUNICIPAL COURT OPERATIONS

The League supports the authority of home rule municipalities to provide, regulate, conduct and control municipal courts as stated in Art. XX of the Colorado Constitution. Specifically, the League:

- Supports state funding for municipal specialty courts and restorative justice programs to deliver necessary resources and reduce recidivism.
- Opposes imposition of state surcharges on municipal court fines for the purpose of funding state programs.
- Opposes limitations on the authority of municipalities to enforce their own ordinances in municipal courts.

MUNICIPAL DEVELOPMENT AND LAND USE

The League supports local control and determination of local land use issues. In general, the League supports state laws and policies that encourage new residential, commercial and industrial development to occur within existing municipalities and that discourage the sprawl of urban, suburban or exurban development into rural and unincorporated areas of the state. In addition, the League specifically:

- Supports prohibition of the incorporation of new cities and towns adjacent

to, or within the service areas of, existing municipalities.

- Supports increased municipal and, within unincorporated areas, county controls over the formation of special districts, placing additional limitations on the powers exercised by such districts and, where practicable, providing for the dissolution or phasing out of special districts.
- Supports appropriate efforts to permit application and enforcement of municipal ordinances, such as building codes, fire codes, subdivision regulations and zoning ordinances, to buildings and improvements proposed to be constructed by government entities.
- Supports municipal discretion concerning the imposition of development fees and requirements.
- Supports municipal discretion to adopt, update, and enforce local building codes, including those that meet or exceed state standard.
- Supports the clear authority of municipalities to collect an impact fee for schools.
- Supports financial and technical assistance to municipal governments in the areas of planning and land use.
- Supports municipalities, when appropriate, in utilizing sub-local governments (neighborhood, nonprofit, and civic organizations and homeowners' associations) in developing and implementing solutions to specific localized issues.
- Encourages measures that promote intergovernmental cooperation on land use issues.
- Encourages coordination of land use and transportation planning.
- Encourages municipalities when using tax increment financing to promote

communication and intergovernmental cooperation with affected local governments.

- Opposes efforts to restrict municipal annexation authority.
- Opposes delegation of municipal land use authority to state agencies or preemption of municipal land use controls.
- Opposes federal or state restrictions, beyond those constitutional restrictions that have been defined by recent Supreme Court decisions, on the ability of federal, state or local governments to regulate private property or to exercise the power of condemnation for the benefit of public health, safety and welfare.
- Opposes unreasonable restrictions on urban renewal authorities and downtown development authorities.
- Opposes federal or state preemption of municipal land use with the wildland urban interface.

NATURAL DISASTERS

The League:

- Supports specific modifications to the Taxpayer's Bill of Rights (TABOR) to better define an "emergency," specify the amount of time for repayment of any TABOR reserve dollars spent, and to create clarity to ensure state financial assistance can be used specifically for recovery without violating TABOR revenue and spending limitations.
- Supports state financial support to assist local governments with disaster mitigation, response, and recovery in their communities.
- Supports legislation that reduces systemwide underinsurance and improves the transparency of the coverage gap that a private property owner has with their existing policy.

- Supports eliminating the practice of insurance companies requiring contents itemization in total losses to receive the contents coverage stated in a policy.
- Supports regulating the loss ratio for property and casualty insurance so that premiums paid go to cover losses and do not become excessive.
- Supports exploration of reinsurance for disaster impacts and supports legislation to address insurance availability to ensure community members have access to insurance.
- Supports exploration of public insurance to address availability.

POLICE, FIRE AND OTHER PENSION AND EMPLOYEE BENEFITS

The League:

- Supports equitable levels of state funding for volunteer firefighters' pensions.
- Opposes mandates that increase the cost of or create inequities among municipal employee pension, workers' compensation, or other employee benefits.
- Opposes mandated Social Security or Medicare coverage for public employees, mandated benefit levels or funding standards for municipal employee pension plans, or other unreasonable burdens or restrictions in connection with the administration of municipal employee benefit plans.
- Opposes mandated "Police Officers Bill of Rights" interfering with the management and budget prerogatives of local governments.

POSTAL SERVICE

The League supports legislation and administrative action by the United States Postal Service requiring use of mailing

addresses and ZIP codes that reflect the corporate boundaries of cities and towns in order to eliminate confusion among citizens and businesses and to reinforce community identities.

PRIVATIZATION

The League supports the use of private-sector businesses to provide public services when determined by municipal officials to be in the public interest.

PUBLIC EMPLOYMENT

The League opposes efforts to interfere with a municipality's ability to determine the terms and conditions of municipal employment.

PUBLIC LIABILITY

Because of the financial burdens caused by the increasing number of lawsuits against municipalities and their officers and employees, the deterrent that litigation presents to continued service by public officials and the need to assure that municipal liability does not impair the provision of necessary services to the public, the League:

- Supports the availability of public liability insurance at reasonable costs and the ability of municipalities to reduce such costs through selfinsurance or other reasonable means.
- Supports reasonable federal limitations on and reduction in the liability for monetary damages payable by public entities, public employees, and elected officials in suits brought under federal laws.
- Supports limitations on the liability of municipalities and their officers and employees.
- Opposes efforts to expand the liability of public entities and public employees.

PURCHASING

The League supports the authority of municipal officials to determine local purchasing and contracting procedures.

RECORDS

The League:

- Supports transparent record-keeping practices and the right of municipal governments to keep, maintain their own records.
- Opposes undue burdens placed upon municipalities to report or provide municipal records to the public, state, or federal government.
- Supports the authority of municipalities to charge research and retrieval fees for open records requests.

REGULATION OF NICOTINE PRODUCTS

The League:

- Supports the greatest amount of local control possible for the regulation of nicotine products.

SUBSTANCE ABUSE

The League supports state funding for local treatment, prevention, diversion, and recovery programs to address impacts of the substance abuse, mental health, and opioid epidemic in Colorado.

SUSTAINABILITY

The League:

- Supports the concept of sustainability and sustainable solutions that meet the needs of the present population without compromising the ability of future generations to meet their needs.
- Opposes state preemption of local government authority to adopt environmental ordinances that are more protective than state standards.
- Supports state and local partnerships

and resources to improve waste diversion and recycling programs across the state in a manner that respects local control.

TELECOMMUNICATIONS

The League:

- Supports the retention of municipal regulatory authority over cable television systems.
- Supports affordable access by all municipalities to redundant high speed broadband, telecommunication and information services.
- Supports options to level the playing field for smaller broadband and telecommunications providers to compete throughout Colorado.
- Supports federal and state resources for the development of broadband infrastructure in unserved and underserved areas and enhanced service in all service areas.
- Opposes federal or state restrictions on local control of municipal rights-of-way.
- Opposes federal or state restrictions on the authority of local governments to develop or acquire their own broadband or telecommunications infrastructure.
- Opposes federal or state restrictions on municipal franchising, regulatory and taxing authority over telecommunications systems.

TRANSPORTATION

The League:

- Supports a comprehensive statewide solution that solves Colorado's long-term transportation challenges at every level government and provides a sustainable revenue source that meets the needs of Colorado citizens today as well as future generations , including funding to assist local governments to improve air quality.

- Supports increased funds to finance pressing surface transportation needs as long as an equitable portion of new revenues is returned to cities and towns.
- Supports state Department of Transportation assumption of street lighting and general maintenance costs on state highways within municipalities.
- Opposes additional “off-the-top” diversions from the Highway Users Tax Fund.
- Supports clarification that federal railroad laws do not preempt local governmental authority to protect the safety and environment of citizens.
- Supports preservation of the federal funding guarantees for transportation and proportional allocation of all federal transportation taxes and funds for their intended transportation purposes.
- Supports efforts to improve commercial and general aviation throughout Colorado.
- Supports close cooperation among Colorado Department of Transportation, counties, municipalities and interested stakeholders in improving Colorado’s multi-modal transportation system.
- Supports legislation that enables and encourages autonomous vehicles that are clean-fueled and safe, while preserving local control over regulation and local implementation.
- Encourages a balanced state transportation policy that addresses the need to maintain and expand alternative transportation modes and public infrastructure adjoining roadways and rights-of-way, and demand management options to improve Colorado’s transportation system by supporting:
 - » Close cooperation among Colorado Department of Transportation, counties, municipalities and interested stakeholders in improving

Colorado’s multi-modal transportation system;

- » Preservation of the constitutional requirement that highway user revenues be used for the construction, maintenance and supervision of the public highways of the state, comprising all modes including, but not limited to, facilities for air, transit, bicycle, and pedestrian travel, and;
- » Greater flexibility and increased revenues for multi-modal transportation systems.
- » Fair and equitable funding for the development and implementation of electric vehicle infrastructure across the state.

WATER

In addressing statewide water concerns, the League:

- Supports water policies that protect Colorado water resources.
- Supports the constitutional doctrine of prior appropriation and the constitutional priority given to domestic water use.
- Supports the inventorying and protection by municipalities of their water rights.
- Supports appropriate water conservation efforts and sustainable water resource management practices by all users.
- Supports efforts to increase knowledge of water-related issues of concern around the state to municipalities.
- Supports participation in statewide discussions of water use and distribution.
- Supports appropriate coordination of municipal water use with other uses including agriculture, mineral resource development, energy development, recreation, and open space.

- Supports federal and state financial aid programs assisting municipalities, including recognition of the special needs of smaller municipalities, with the construction and improvement of water systems to protect water quality and to comply with federal and state mandates.
- Supports continued federal and state funding for wastewater treatment and drinking water facilities to reduce local costs and expedite construction of necessary treatment and collection facilities.
- Supports stakeholder input and involvement in developing laws and regulations related to water and wastewater issues.
- Encourages on-going communication by federal land managers with affected municipalities regarding the leasing of federal lands that might impact local

land use and environmental policies including, but not limited to, local watershed ordinances.

- Supports continued and additional funding for the Colorado Water Plan and programs to implement its goals.

YOUTH

The League:

- Supports municipal and other efforts to address youth issues and needs.
- Recognizes the influence that parents in partnership with nonprofit and religious organizations, local businesses and other governmental jurisdictions have on the development of youth.
- Encourages utilization by public schools in cooperation with local governments of League-published or other civics curriculum to educate students in state and local government.

About CML



Founded in 1923, CML is a nonprofit, nonpartisan organization that represents and serves Colorado's cities and towns. The Colorado Municipal League counts as members all 271 cities and towns in the state.

The Colorado Municipal League believes that local problems are best resolved at the local level of government and that people are best served by a strong and responsive local government.

The League's core functions are advocacy, information, and training.

ADVOCACY

CML represents the interests of Colorado municipalities before the state and federal governments and in the courts.

The League employs a team of legislative and legal advocates to ensure that all municipalities are well-represented in the state capitol and that the interests of cities and towns and their residents are protected through participation in certain appellate court cases. The work of state agencies also is under the watchful eye of CML, as are statewide ballot issues.

INFORMATION

CML provides accessible information that helps municipal officials and staff serve their communities and residents. Each year, CML staff respond to individual inquiries with information, advice, and sample documents. CML periodicals include the award-winning quarterly magazine, *Colorado Municipalities*; bi-weekly *CML Newsletter*; and *Statehouse Report*, a weekly report on legislation of municipal interest that is sent while the General Assembly is in session.

Publications produced by CML reflect important technical and legal research on a variety of issues impacting municipal government.

The CML website, *cml.org*, and social media presence, ensure that the most up-to-date information is available to our members. CML also produces short, informative videos on topics important to municipal officials; visit the CML website to view.

TRAINING

Each year, CML offers dynamic events and workshops to support your continuing education and training on such topics as leadership, council collaboration, municipal finance, land use and planning, personnel issues, telecommunications, legislative issues, strategic planning, and more.

MUNiversity recognizes the efforts of officials who go the extra mile to increase their knowledge and their capacity to lead. Since 1991, hundreds of municipal elected officials have participated in this highly successful program.

MUNiversity is based on interactive, affordable, capacity-building learning opportunities that promote a better understanding of municipal government and provide the tools to be a more effective community leader. The program is simple:

- Any municipal elected official may participate. This includes mayors, councilmembers, and trustees.
- There is no cost for enrolling.
- There are no required courses. You select the credited training that fits your specific needs from CML workshops and conferences.

For more information about this program and other CML services, contact the CML office in Denver at 303-831-6411 / 866-578-0936.



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NEWSLETTER

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2025

Legislative Preview

BY HEATHER STAUFFER, CML LEGISLATIVE ADVOCACY MANAGER

During the upcoming Colorado General Assembly legislative session, CML expects to see a range of policy proposals and priorities that will have a direct impact on local governments across the state. With a continued focus on affordability, sustainability, taxation and criminal justice, municipalities should prepare for discussions on critical issues such as housing affordability, transportation infrastructure, climate resilience, municipal court sentencing, and local revenue mechanisms.

The budget is expected to take center stage during the Colorado legislative session. As the Joint Budget Committee (JBC) grapples with the arduous task of cutting millions of dollars from the state budget, lawmakers will face critical decisions on funding priorities and the allocation of resources across a range of programs. Given the complexity of the fiscal landscape, CML will be closely monitoring the JBC's recommendations, as cuts to state programs often have direct impacts on local funding, and to ensure that fiscal burdens are not shifted to the local level.

With the outcome of the 2024 elections shaping the legislative landscape, this session may bring shifts in party dynamics and policy direction that will impact the type of legislation we see. CML will be keeping a close watch on emerging legislation and be poised to advance the interests of municipalities across the state.



Below are CML's specific legislative priorities, at the time of this writing, going into the 2025 Legislative Session.

HOUSING

The availability and affordability of housing is of utmost concern to Colorado's municipalities. CML supports state incentives that support communities' efforts to build affordable housing and appropriate state assistance in strategic planning. CML supports the state addressing construction defects litigation reform to increase the availability of affordable housing. CML opposes state preemption of local authority to adopt and enforce zoning and land use ordinances and any interference with home rule authority granted by Art. XX, S. 6 of the Colorado Constitution. CML supports protecting municipal authority to establish and

CONTINUED ON PAGE 5

Empowered cities & towns, united for a strong Colorado



LEGISLATIVE PREVIEW

FROM PAGE 1

enforce permitting processes, including those that apply to housing development.

CRIMINAL JUSTICE

CML supports legislation that gives municipalities the tools to address repeat offenders who are released on Personal Recognizance (PR) bonds and fail to appear in court, as municipalities across the state have seen a rise in petty and misdemeanor crimes. CML supports programs that increase access to the right to counsel for people facing jail sentences. CML supports protecting municipal authority to address alleged police misconduct. CML opposes prescriptive mandates on police and court operations, the expansion or removal of liability caps, and legislation that would require municipal sentencing to mirror state court limits.

ECONOMIC DEVELOPMENT

CML supports measures that promote intergovernmental cooperation on land use issues and supports state laws and policies that encourage sustainable residential, commercial, and industrial development to occur within existing municipalities. CML supports the prohibition of the incorporation of new cities and towns adjacent to, or within the service areas of, existing municipalities. CML

opposes efforts to restrict municipal annexation authority.

TAXATION

CML supports the state extending excise taxing authority to statutory municipalities as a means of generating revenue to address local concerns and fund essential public services. Additionally, CML supports explicit state authorization allowing statutory municipalities the option to levy a vacancy tax with the approval of voters.

TRANSPORTATION

CML supports state funding for transportation system infrastructure improvements that seek to prevent vehicular collisions with vulnerable road users. CML opposes “off-the-top” diversions from the Highway Users Tax Fund (HUTF) and further opposes efforts to alter HUTF allocations that result in reduced funding for local governments to invest in roads and bridges. CML supports state efforts to improve the safety and reliability of public transportation through investment of state and federal funds. CML opposes state preemption of municipal authority for transportation planning at the local level.

UNFUNDED MANDATES

CML opposes state statutes that violate the state’s unfunded mandate statute,

as well as the prohibition on unfunded mandates in the Taxpayers Bill of Rights (TABOR), and place additional fiscal burdens on local governments and their taxpayers.

STATE BUDGET

CML opposes cuts to the state budget that disproportionately impact municipalities, as these reductions threaten vital services and programs that municipalities rely on to serve their communities. CML opposes the sweeping of severance tax revenue — funds that were intended to support municipalities impacted by energy development — into the state’s general fund or for any other purpose.

MUNICIPAL LIABILITY

CML opposes legislation that attempts to increase liability for municipalities through either expansion of private rights of action, removal of caps or limits on damages, or removal of remedies provisions in law. Increased liability places an undue financial burden on local governments which could divert limited resources away from critical public services and undermine the ability to serve communities effectively. Exposure to excessive liability could lead to higher insurance premiums, which would further strain public finances and could result in cuts to essential programs like public safety, infrastructure, and community services.

POLICY STATEMENT ON STATE LEGISLATIVE ISSUES 2023

INTRODUCTION

This paper outlines the key state policy issues of the Denver Regional Council of Governments (DRCOG).

It identifies policy positions intended to inform the General Assembly, state executive branch officials and others as they develop and implement state policy on these issues. This policy statement guides state legislative positions and actions taken by the DRCOG Board, its staff and members during the coming year.

DRCOG is a membership organization of local elected officials representing 48 municipalities and nine counties in the Denver metro area. Under federal law, DRCOG serves as the metropolitan planning organization (MPO) coordinating transportation planning with air quality goals and serves as the Area Agency on Aging in eight counties to aid the 60-plus population. Under state statutes DRCOG, as the regional planning commission, prepares and adopts a regional plan for the metro area and has regional responsibility for oversight of transit projects and certain state-sponsored and private toll-road projects.

As the designated council of governments, regional planning commission, area agency on aging, and metropolitan planning organization for the Denver region, DRCOG recognizes the important role it plays in building and maintaining an equitable region where all residents and communities can thrive. DRCOG acknowledges its role in ensuring our region remains a diverse network of vibrant, connected, lifelong communities.

REGIONAL PLANNING & DEVELOPMENT

Regional growth and development is of significant concern for metro area residents, policymakers and community leaders. The counties and municipalities of the Denver region have been advancing a shared aspirational vision of the future of the metro area for more than 60 years. Working together to make life better for our communities and residents, that vision has taken various forms over the years— most recently as a regional plan known as Metro Vision.

Metro Vision fulfills DRCOG's statutory duty to make and adopt a regional plan for the physical development of the region's territory. The plan remains advisory for a local jurisdiction unless its planning commission chooses to adopt it as its official advisory plan under Colorado Revised Statutes 30-28-106(2). The current Metro Vision plan was most recently adopted by DRCOG's board of directors on May 15, 2019.

Metro Vision guides DRCOG's work and establishes shared expectations with our region's many and various planning partners. The plan outlines broad outcomes,



objectives and initiatives established by the DRCOG board to make life better for the region's residents. Metro Vision is aspirational and long-range in focus, but it has historically served to inform nearer-term policies and initiatives.

The DRCOG board of directors recognizes that the success of the Metro Vision plan requires the coordinated efforts of local, state and federal governments; the business community; and other planning partners, including philanthropic and not-for-profit organizations.

DRCOG supports those efforts that contribute to the achievement of Metro Vision's regional outcomes and encourages state and regional entities to align their policies and investment decisions with Metro Vision and other regional agreements to advance shared objectives.

Metro Vision establishes 14 interrelated aspirational outcomes, which describe a future that DRCOG, local governments and its partners will work toward together. DRCOG may support or oppose legislative proposals based on their potential to impact the region's ability to achieve these outcomes and the associated performance measures, targets and action elements.

These Metro Vision outcomes are as follows:

Outcomes – An efficient and predictable development pattern

- The region is comprised of diverse, livable communities.
- Through a coordinated effort between DRCOG and local communities, new urban development occurs in an orderly and compact pattern within regionally designated areas.
- Connected urban centers and multimodal corridors throughout the region accommodate a growing share of the region's housing and employment.

Outcomes – A connected multimodal region

- The regional transportation system is well- connected and serves all modes of travel.
- The transportation system is safe, reliable and well-maintained.

Outcomes – A safe and resilient natural and built environment

- The region has clean water and air, and lower greenhouse gas emissions.
- The region values, protects and connects people to its diverse natural resource areas, open space, parks and trails.
- The region's working agricultural lands and activities contribute to a strong regional food system.
- The risk and effects of natural and human-created hazards is reduced.



Outcomes – Healthy, inclusive and livable communities

- The built and natural environment supports healthy and active choices.
- The region's residents have expanded connections to health services.
- Diverse housing options meet the needs of residents of all ages, incomes and abilities.

Outcomes – A vibrant regional economy

- All residents have access to a range of transportation, employment, commerce, housing, educational, cultural and recreational opportunities.
- Investments in infrastructure and amenities allow people and businesses to thrive and prosper.

Metro Vision also includes numerous objectives and strategic initiatives that identify areas for continuous improvements and specific voluntary opportunities that DRCOG and our many partners can consider. To help track the region's progress toward our shared outcomes, the plan establishes a series of regional performance measures.

More information on the Metro Vision plan, including objectives and performance measures that may inform DRCOG's position on legislative proposals can be found on the DRCOG website (<https://drcog.org/growth-development/metro-vision>).

Transit-oriented development

The residents of the Denver metro area have made a significant financial commitment to expand the region's rapid transit system. To maximize the benefit of this investment, the areas surrounding existing and future transit stations should be developed or redeveloped to include appropriate higher-density, mixed-use, pedestrian- and bicycle-oriented development that supports transit use.

DRCOG supports legislative initiatives that foster transit-oriented development. DRCOG also supports initiatives that a) provide the Regional Transportation District (RTD) and local jurisdictions with the ability to manage parking facilities using best practices that help the region reduce vehicle miles traveled (VMT); b) local infrastructure investment support; c) expand the ability of RTD and local jurisdictions to enter into joint-development agreements; and d) protect local authority to use tax-increment financing to leverage development in areas around transit stations.

Local land use authority and planning

Local comprehensive/master plans provide a framework for the exercise of local land use authority. They form the basis for local growth and development decisions. Local governments analyze and consider interrelated factors and decisions with extensive



resident and business engagement to find consensus on local vision and goals.

DRCOG supports the use of comprehensive/master plans as the foundation for local land use decision-making.

DRCOG encourages the General Assembly to address statutes enabling local comprehensive/master plans so that local governments can integrate considerations related to issues of statewide concern comprehensively alongside interrelated issues before overriding local land use decision-making.

Private property rights

DRCOG respects private property rights within a legal context that protects local land use authority and emphasizes that governmental actions often add value to private property. While acknowledging that there are concerns over a potential for inappropriate uses of that authority, DRCOG believes that U.S. Supreme Court decisions defining constitutional restrictions on local government regulation of private property are adequate to protect both public and private rights. When these restrictions are coupled with established precedents of the Colorado Supreme Court, protections accorded to landowners are reasonable, appropriate and balanced.

DRCOG opposes further restrictions on the ability of governmental entities to regulate private property for the benefit of the public and opposes takings and eminent domain legislation that goes beyond the existing rulings of the U.S. Supreme Court and the Colorado Supreme Court as an attempt to unconstitutionally restrict local land use authority.

Planning data and technical support

DRCOG recognizes the importance of unbiased, reliable and consistent data in effective local and regional planning and decision-making. DRCOG also collaborates with the state to provide a variety of planning and technical assistance services to small communities.

DRCOG encourages the General Assembly and state agencies to further support efforts that would provide local governments with planning tools, technical assistance and other resources needed to enhance local and regional decision-making.

DRCOG supports legislation that ensures readily available access to public data sets, including digital data, for use in planning analysis.

Housing

An adequate supply and mix of housing options continues to be a concern of local



governments. Housing choices allow individuals and families to find desirable housing that is affordable and accessible in communities throughout the region, allowing them to stay in their community of choice as their economic or life circumstances change. A range of housing options across the region benefits both individuals and families and can improve the economic vitality and diversity of local communities.

DRCOG supports the following principles pertaining to the quality, quantity and affordability of housing in the Denver metro area:

- Policies and programs that support the private and public sectors in the creation and maintenance of an adequate supply of affordable rental and ownership options and providing a variety of housing sizes and types integrated with the community to meet the needs of people of all ages, incomes, and abilities.
- Regional approaches to addressing the affordable housing issue that incentivize local efforts, particularly as they relate to preservation of existing affordable housing stock.
- An adequate supply of permanently affordable housing located near job and transit hubs and continued public- and private-sector support for such an effort.
- Increased opportunities for diverse housing accessible by multimodal transportation to meet regional housing needs in connection with the regional multimodal transportation system.
- Collaboration between localities and regional entities to meet local housing needs in a regional context.
- DRCOG supports state policy that incentivizes local governments to adopt land use policies aimed at increasing a diverse supply of housing stock. State policies related to local comprehensive plans or zoning codes should encourage regional cooperation and provide for flexibility in implementation.
- Increased state financial support for loan and grant programs for low- and moderate-income housing, including associated supportive services and programs that promote wellness, stability and access to opportunity.
- Collaboration among public and private entities, including efforts to develop loan programs and address the jobs-housing connections.
- Renters and homeowners (including manufactured home owners) have appropriate protections from discrimination and displacement. Policies should emphasize the rights of residents and minimize disparities in treatment under the law.
- Actions to provide more accessible and obtainable housing options for seniors.



TRANSPORTATION PLANNING

Federal and state laws and regulations establish a critical role for the metropolitan planning organization (MPO) in the transportation planning process. Congress has emphasized the importance of local government involvement, through the designated regional planning agency, in selecting projects and prioritizing funding for transportation.

DRCOG supports the process established between DRCOG, the Regional Transportation District (RTD) and the Colorado Department of Transportation (CDOT) to address the following issues before final adoption of the Statewide Transportation Plan and will evaluate state legislative and administrative actions for consistency with this process, including:

- The fair and equitable distribution of estimated future transportation revenues and the range of certainty regarding estimated funding allocations.
- Rules and criteria for determining regional transportation project selection, including system preservation projects and immediate and future transportation priorities based on the Regional Transportation Plan.
- A dispute-resolution process to mediate disputes related to these requirements.

The synergy between transportation and land use affects the region's growth and development, use of transportation facilities and environmental quality. A coordinated approach between the state and regional transportation systems' planning efforts and local project development is crucial to ensure environmental compatibility, efficient system performance and cost-effective solutions. Although individual local governments can take actions to address these issues in their own jurisdictions, a regional approach to addressing them also is necessary.

DRCOG supports early and, frequent, and meaningful consultations between state, regional and local agencies to coordinate regionwide system and project planning efforts, as well as to coordinate transportation, land use and air quality planning efforts and will evaluate state legislative and administrative actions for consistency with this policy.

Role of the MPO

The interdependence of transportation systems in metropolitan areas, particularly in the context of population growth and its demands on resources, necessitates a regional approach to transportation problem solving. As the MPO for the Denver metro area, DRCOG is responsible for planning, prioritizing and programming investments in the regional multimodal transportation system.

The role of the MPO and the importance of cooperation among transportation agencies are recognized in federal law and regulation. The MPO serves as the forum for collaborative decision-making on regional transportation issues and brings together



decision-makers from local governments, other regional agencies and state transportation agencies to consider strategic and innovative solutions. The critical role of the MPO needs to be recognized and supported at the state level.

DRCOG supports the following principles with regard to the role of the MPO:

- Transportation planning that is coordinated between DRCOG, CDOT, RTD and local communities, with each participating transportation agency's plan recognizing the region's priorities in the context of statewide transportation priorities.
- A strong role for MPOs placing them on equal footing with CDOT and regional transit agencies in selecting projects to be funded consistent with regional transportation plans to ensure that local, regional and state transportation needs are addressed in a coordinated and cooperative manner.
- Legislation that reinforces collaboration between state and regional transportation agencies and recognizes their respective roles, responsibilities and interests.
- Legislation to ensure that representation on the Transportation Commission reflects approximately equal populations based on the most recent population census.
- Increase the representation through membership or voting of DRCOG and other MPOs on state transportation committees.

Transportation financing

The region's long-term viability requires a built environment that includes effective and convenient transportation options that keep pace with growth and address the region's transportation, economic, and quality of life objectives. Colorado and the metro area need a revenue system that is reliable and sufficient to maintain the existing transportation system in good condition and to invest in the system to keep pace with population growth. Thus, enhancements to existing revenue sources and the enactment of new revenue sources are necessary.

DRCOG supports the following principles and actions to meet transportation financing needs:

- Increase funding for transportation to preserve the system, mitigate congestion, improve safety, and provide multi-modal options for people of all ages, incomes and abilities.
- Allocate additional state funds to support transit services within and among communities in the DRCOG area.
- Reduce or eliminate off-the-top appropriations from the Highway Users Tax Fund.
- Allocate federal and state funds to achieve funding equity statewide based on justified needs (system preservation, congestion and multimodal options) and contribution to overall revenues.
- Re-examine state formulas and procedures to ensure an adequate amount of federal



and state funds are made available to urbanized and metropolitan areas to relieve congestion, increase safety, and achieve and maintain air quality standards.

- Provide an appropriate share of new or increased revenues back to local governments.
- Protect and expand the authority of regions to implement regional financing tools.
- Consider alternative revenue and financing mechanisms, such as road usage charges, and, under certain circumstances, tolling and congestion pricing of existing roadways.
- Consider the effects of land use decisions on transportation infrastructure needs.
- Where appropriate, support the use of managed lanes, including tolled express lanes, to help drivers reliably anticipate travel time on major corridors in the Denver metropolitan area. Retain the requirement that any road, highway or tolled lane within or affecting the Denver metro area be reviewed and approved by the DRCOG board for inclusion in the fiscally constrained regional transportation plan. Ensure toll receipts remain in the regional highway system that is being tolled.
- Allow toll receipts to be used for multimodal improvements and accumulated for system reconstruction.
- Consider revising the responsibilities for maintenance and supervision of the non-National Highway System portions of the current state highway system, subject to the condition that any devolution to local governments be accompanied by the funding necessary to avoid unfunded mandates and pursuant to review by, and consent of, affected local and regional agencies.

Multimodal transportation

Efforts to address transportation needs in the region must draw upon an array of transportation modes to reduce single-occupant vehicle trips and to provide a variety of transportation choices. DRCOG strongly believes multimodal travel options are imperative to preserve and enhance our quality of life.

DRCOG supports legislation that promotes efforts to fund, maintain and expand a multimodal transportation system. DRCOG also supports measures to improve safety for users of alternative modes, especially pedestrians and bicyclists.

DRCOG supports funding for programs that provide transportation for access to jobs for low-income workers who cannot afford to live near where they work, and for safe routes to schools.

Transportation demand management

Transportation demand management programs, projects and services can help reduce congestion and improve air quality by decreasing the amount of automobile traffic, especially during high-demand periods. DRCOG sees transportation demand management as an important element of the region's long-range growth management



and transportation planning strategy.

DRCOG supports state investment in regional programs that promote transportation demand management efforts, including:

- Coordinated regionwide efforts- like the Way to Go partnership between DRCOG and eight transportation management associations (TMA) that promote and encourage adoption of non-single- occupant-vehicle (non-SOV) travel options.
- Active transportation to encourage healthier travel choices, including bicycling and walking.
- Public transportation, including buses, light rail and commuter trains and bus rapid transit.
- Telecommuting, flextime, compressed work weeks and other changes to traditional work patterns to avoid trips, particularly during peak traffic conditions.
- Carpooling, vanpooling and other forms of ridesharing including the underlying technologies to facilitate matches.
- Encouraging parents to use carpools for taking students to school and infrastructure that facilitates these transportation options.
- Non-automobile infrastructure investments by the state, counties and cities.
- Employer promotion of alternative mode use by employees.
- Coordination of transportation alternatives wherever traffic congestion occurs, such as at schools, large retail shopping centers and in connection with sporting or cultural events or major transportation infrastructure construction.
- Incentives to individuals who use alternative modes.
- Incentives to employers, including tax credits, to encourage provision and promotion of eco-friendly commute options in the workplace.

Transportation system management and operations

Efforts to promote the effective day-to-day operational management of the freeway and arterial road systems and transit facilities are important to making the best use of existing transportation investments.

DRCOG supports efforts that enhance the efficient use of roadways and transit facilities, including collaborative programs for incident management and intelligent transportation systems.

DRCOG supports efforts that improve or expand situational awareness for transportation operators and supports their ability to both effectively manage transportation systems and distribute real-time traveler information.



Safety

DRCOG's board-adopted *Taking Action on Regional Vision Zero* plan establishes a goal to eliminate traffic deaths and severe injuries on the transportation system with a proactive, preventive approach. The board will consider investments through the Transportation Improvement Program to improve the safety and security of the transportation system.

DRCOG supports efforts to improve the safety of the traveling public – drivers, transit riders, pedestrians and bicyclists.

DRCOG supports efforts to increase transportation funding to create a reliable, dedicated funding stream for safety projects; require motorcycle drivers and passengers to wear helmets; and maintain ability to use safety cameras as an enforcement technique, including red-light running and speeding.

Transportation for older adults and vulnerable populations

Access to transportation is critical for the health and independence of older adults and individuals with disabilities, low incomes, veterans and other vulnerable populations. Transportation allows people to obtain health care, food and to maintain and increase social, family and other life-sustaining relationships. DRCOG promotes the concept of regional cooperation and coordination among counties and local service providers to most effectively use the limited resources available for transportation for older adults and other vulnerable populations. **DRCOG supports the following:**

- A system that:
 - Ensures more and better service is provided to older adults and vulnerable populations.
 - Reduces administrative and service duplication.
 - Increases coordination among funding sources, providers, jurisdictions and trips.
 - Efficiently uses taxpayer dollars to provide life-sustaining mobility.
- Increased state funding for Medicaid transportation services and especially transportation services for older adults and other vulnerable populations above the Medicaid eligibility threshold.



OLDER ADULTS & INDIVIDUALS WITH DISABILITIES

As the designated Area Agency on Aging (under the federal Older Americans Act) for Adams, Arapahoe, Broomfield, Clear Creek, Denver, Douglas, Gilpin and Jefferson counties, DRCOG advocates, plans, funds and coordinates the provision of services for older adults. DRCOG also has been designated as an Aging and Disability Resource Center (ADRC) under the Affordable Care Act and in that capacity is charged with providing a coordinated and streamlined access point to long-term care services and supports for adults age 60 and over or age 18 and over living with a disability, and their caregivers. As an advocate for older adults, individuals with disabilities, veterans and their caregivers, DRCOG works with various agencies, groups and individuals to support state legislation, regulations and programs to meet their needs. DRCOG also provides the direct services of a long-term care ombudsman and information, referral and assistance.

In performing these roles, DRCOG supports the following:

Planning and delivery of services

The federal Older Americans Act and the state Older Coloradans Act mandate critical roles for area agencies on aging: planning and developing programs and services to meet the needs of older adults; advocating for and representing the issues and concerns of older adults; and distributing federal and state funds to service providers. As an ADRC, DRCOG is directed to provide older adults, individuals with disabilities, and their caregivers with information and assistance about available resources and options counseling. DRCOG works with the state, other government agencies, consumers, service providers, private and nonprofit organizations, and foundations to identify needs for services and then brings the parties together to determine the preferred approaches to address these needs.

DRCOG supports:

- State legislative and regulatory provisions reinforcing collaboration between the state and area agencies on aging and respecting their respective roles, capabilities and interests, consistent with state and federal laws.
- Collaboration and partnerships to better meet the service needs of older adults consistent with DRCOG's responsibilities as an Area Agency on Aging and an ADRC.
- Collaboration ~~in the exploration of and~~ partnerships to provide access to area agency on aging and other community-based services through public and private health insurance benefits and health care engagement programs that would be coordinated with the area agencies on aging across the state to provide cost effective community-based services.
- The establishment of local "community care hubs" with locally controlled funds



created to support community well-being and efforts that improve health outcomes and reduce the cost of health care.

Funding

Colorado and the Denver metro area face serious funding shortages related to economically and socially needy older adults, individuals with disabilities and their caregivers in the region. Regional and statewide assessments show that existing revenue sources are insufficient to meet current needs for services such as home modifications, meals, transportation to medical appointments and health promotion. Thus, enhancements to existing sources and development of more reliable sources are necessary.

DRCOG supports:

- Increased funding for programs and exploration of programs providing services to older adults, individuals with disabilities, veterans and their caregivers, especially services that support individuals continuing to live independently in their homes and communities, including efforts to improve data collection and analysis of cost effectiveness.
- Efforts to use state funds for programs that provide prescription drugs more efficiently and effectively, including efforts to increase pricing transparency and reduce the costs of purchasing such prescription drugs to enable associated programs to better serve their growing caseloads
- Increasing the appropriations to the State Funding for Senior Services line item in the Long Bill. This includes increasing the continuing appropriation to the Older Coloradans Cash Fund, as well as any additional state general fund monies that might become available. DRCOG specifically supports a stable, long-term funding source that increases to meet the growing need for services, which would provide a level of funding certainty that would improve yearly program planning for needed services.
- Action by the General Assembly to fully fund the required share to match federal funds available to the state through the Older Americans Act, including the National Family Caregiver Support Program, so as not to require an increase in the required local share. Such state or local shares or matches should not be required to come from existing program funds. Similarly, increases in federal funding should not be offset with reductions in state funds.
- Distributing State Funding for Senior Services monies, including the Older Coloradans Cash Fund, using the existing structure created to administer Older Americans Act funds. DRCOG also supports the equitable distribution of federal and state funds to area agencies on aging based on the needs and contribution of each



region.

- Re-examination of state procedures and distribution formulas for federal and state funds to ensure adequate funds are available to urbanized areas to meet the needs of older adults.

Long-term care

Older adults receiving long-term care services, including those living in long-term care communities (such as nursing homes and assisted living facilities) and those enrolled in the Program of All-Inclusive Care for the Elderly (PACE) are some of the most vulnerable members of the regional community. As the operator of the Long-Term Care Ombudsman Program for the region, DRCOG is an advocate for the rights of residents and quality of care for those in long-term care communities and participants in PACE. Ongoing conditions of already critically low staffing in long term care, exacerbated by COVID-19 pandemic, have resulted in increased complaints from residents regarding delayed care of medical needs, symptoms left unattended, rough handling, and abuse. Poor quality of care alters quality of life for residents and can leave a lasting impact on their lives, making the ombudsman program more essential than ever.

DRCOG supports efforts to improve the quality of care and consumer protections for older adults and their caregivers and, in particular, legislation strengthening the role of the long-term care ombudsman and PACE ombudsman as resident and consumer advocates. DRCOG urges the state, when making decisions regarding funding for long-term care programs, to structure such funding to protect the quality of care for residents and participants, including funding for optimal ombudsman staffing.

Housing

Available, affordable and accessible housing is a particular concern of older adults and individuals with disabilities, who mostly live on fixed incomes. However, an equally critical concern is the ability to live independently as part of the larger community. As individuals age or experience disability, the availability of in-home and related services that enable them to remain in their homes becomes increasingly important. Growing evidence indicates older adults and individuals with disabilities are healthier and require fewer costly services when they have affordable and accessible housing choices, are provided with the ability to age in place, remain connected to the community and its networks, and have access to long-term care.

DRCOG supports:

- Increased funding and regulatory changes that improve the availability of supportive services, while maintaining consumer protections for clients and family caregivers.
- Property tax relief to help reduce a tax liability that especially burdens low-income



seniors and older adults on fixed incomes.

- Policies, programs and services that preserve existing affordable housing stock, promote access to a variety of housing options in diverse geographic locations, and provide consumer protections that enable older adults and individuals with disabilities to age in place.

Driver safety and older adults

As individuals age, their ability to drive safely may diminish. However, DRCOG is concerned that addressing this issue solely based on age imposes undue hardships on older residents who can drive safely. When older residents are not allowed to drive, the availability of transportation for medical appointments, grocery shopping and social activities is essential for seniors to maintain independence.

DRCOG supports functional assessments of driving ability rather than age cut-off as the basis for imposing limitations on driving by individuals. DRCOG supports adequate funding for providing transportation services for the elderly and individuals with disabilities.



ENVIRONMENT

Air quality and climate

Air quality affects all residents of the region and continues to be a concern. The region fails to meet current federal standards for ozone and more stringent standards are expected to be established by the Environmental Protection Agency. Meeting a more aggressive ozone standard will require continuous efforts from many parties. Surface transportation also contributes to greenhouse gas (GHG) emissions and the region is subject to state requirements to achieve certain GHG emission reductions.

DRCOG supports:

- Efforts to reduce emissions from all sources sufficient to meet federal air quality standards.
- Transportation and land use strategies that improve air quality in the region.
- Alternative fuel sources and clean-burning technology and provision of infrastructure and services for alternative fuels.
- Incentives for purchasing high fuel economy or alternative fuel vehicles or for accelerated retirement of inefficient or high-polluting personal, commercial or fleet vehicles that are beyond repair.
- Offering services, including incentives that encourage and facilitate the use of alternative modes of travel.
- Examination of the potential of select speed limit reductions.

Water supply

An adequate, dependable supply of water is necessary for urban, agriculture, recreation and open-space priorities both in the Denver metro area and throughout the state. Metro Vision calls for maximizing the wise use of water resources through efficient land development and other strategies.

DRCOG supports:

- Collaborative efforts among local governments, water providers and other stakeholders to promote water conservation.
- Data collection and research to increase understanding of the link between land development and water demand, and best practices to promote the efficient use of water resources across the region.
- Water resource planning, management and development within the existing constitutional framework and pursuant to the basin roundtables process established in the Colorado Water for the 21st Century Act (HB 05-1177), in which interbasin compacts are negotiated for the equitable distribution of the state's waters.



- Water reuse as one component in efforts to meet water supply needs and thus supports efforts to facilitate the reuse of water consistent with Colorado's constitutional water rights system.
- Policies and practices that, consistent with local government authority, protect Colorado's water resources.
- The development of Colorado's Water Plan that emphasizes conservation, storage, drought mitigation and streamlining of the regulatory processes, aligns the state's various water efforts and provides a benchmark for future collaboration in addressing Colorado's water supply needs.

Open space

Open space resources available to citizens in the Denver metro area are important to our quality of life.

DRCOG supports:

- Planning, acquisition, protection and preservation of open space resources.
- Increasing funding for open space preservation.
- Great Outdoors Colorado and other efforts advancing major land acquisitions along the Front Range that link open spaces in the metro area to protect canyons and river corridors, the mountain backdrop and prominent geographic features, freestanding community buffer areas, and the east metro plains.



INTERGOVERNMENTAL RELATIONS

Intergovernmental cooperation

The state government, local governments and regional agencies all provide critical services and implement programs for the benefit of Colorado residents. Legislative bodies and executive agencies at each level should respect the roles and responsibilities of the others.

DRCOG supports building consensus among state, local and regional entities in developing and implementing new and existing programs and improved approaches to planning and service provision.

Shared services

Many of the services provided by local governments to their residents are also provided by neighboring communities. To address related coordination and funding concerns, local governments have entered into agreements with each other and with DRCOG for shared-service delivery.

DRCOG encourages local governments to enter into shared-services agreements and supports efforts to ensure such agreements are honored and endorsed by the state.

State-regional relations

As the state's policy issues become more complex, it is evident that the solutions are not one-size-fits-all. The Denver metro area has made significant progress in developing collaborative solutions and decision-making processes for several complex issues with which it has been confronted — especially in the related areas of growth and transportation. As the regional planning commission, the metropolitan planning organization for transportation, and the Area Agency on Aging, DRCOG is in a unique position to convene parties of interest on intergovernmental issues, provide the necessary forum for their resolution and facilitate a negotiated outcome.

In recognition of the importance of regionalism, it is an appropriate role for DRCOG to act as a facilitator of regional approaches. Consequently, it is appropriate for state agencies to ensure that actions they take affecting the region are consistent with regionally derived solutions and the adopted Metro Vision plan.

Regional service delivery

The state plays an important role in the funding of public services and programs administered at the regional and local levels. When making such funding and programmatic decisions, it is appropriate for state agencies and the General Assembly



to give consideration to which programs are most appropriately implemented at the local and regional level. State administration of federal programs can be problematic for local governments, as state agencies tend to be more removed from clients and less responsive to their needs. On the other hand, individual local governments may lack the resources to achieve desired efficiencies and cost-effectiveness. Also, some programs are most appropriately and effectively addressed at the regional level. The collaborative partnerships typical of regional approaches can provide the critical mass of users and clients for services or programs to be cost-effective.

DRCOG urges the state, when making funding and programmatic decisions, including creating new programs or changing existing programs, to consider the following principles:

- Use existing local or regional service delivery systems wherever practical.
- Ensure a consultative process among federal, state and local governments and regional councils before making changes to services currently being delivered at the local or regional level.
- Ensure existing levels of services are maintained and adequate administrative funds are provided to implementing agencies.
- Ensure the state treats the continuity of service delivery as a key principle guiding any actions to create new programs or revise existing programs by respecting the local and regional programs already in existence.



2025 Legislative Agenda

January 7, 2025

Meredyth Muth, Interim Deputy City Manager



1

Purpose and Expectations

- To review the draft legislative agenda
- Consider amendments recommended by council members
- Solidify the agenda for use in the 2025 legislative session



2

New Section - Purpose and Use

- New section reviewed during the 12/17/2024 Council Meeting
- Language adjusted based on comments and recommendations during the meeting

Home Rule / Local Control

- Included federal and removed limitations to state legislature, where appropriate, based on discussion last meeting
- ADD: Natural medicine (Councilmember Hoefner)
- ADD: Support greater local authority for oil and gas development (Councilmember Cooperman)

Community Recovery and Resiliency

- ADD: Language regarding funding for climate change adaption (Councilmember Cooperman)
- ADD: Language regarding equity (Councilmember Cooperman)

Tax and Finance Policy

- Included federal and removed limitations to state legislature, where appropriate (from 12/17 meeting)
- Clarified TABOR position based on conversation at 12/17meeting
- ADD: The City supports state tax and financial policies and structures that speed the transition away from fossil fuels. (Councilmember Cooperman)
- ADD: The City supports equitable tax structures and financial policies. (Councilmember Cooperman)

Municipal Administrative Services

- ADD: The City supports state funding for municipalities to help better serve non-English speaking residents.
(Councilmember Cooperman)

Public Health and Safety

- ADD: Councilmember Cooperman would like language added to the heading to highlight areas other than law enforcement and municipal court.

Energy and Environment

- Minor changes based on conversation 12/17
- Suggested language changes from Councilmember Cooperman
- ADD: The City supports state actions that effectively address the metro region's violations of Clean Air Act standards in a timely manner. (Councilmember Cooperman)
- The City supports repeal of state preemptions of local pesticide regulations. (Councilmember Cooperman)



9

Transportation

- Language modifications (Councilmember Cooperman)



10

Utilities, Telecommunications, and Broadband

- Included federal and removed limitations to state legislature, where appropriate as discussed on 12/17
- Language modifications (Councilmember Cooperman)
- ADD: The City supports state efforts requiring utilities to generate more electricity renewably and transition away from fossil fuels. (Councilmember Cooperman)



11

Land Use, Development and Revitalization, Housing

- Remove: The City supports increased local government funding for the statewide expansion of affordable housing
- Replace with: The City supports state housing trust funds, tax credits, and other financing mechanisms that help close the feasibility gap for affordable housing development and enable jurisdictions to meet regional housing needs. (Councilmember Hoefner)
OR
- Replace with: The City supports increased state funding for local governments' expansion of affordable housing (Councilmember Cooperman)



12

Land Use, Development and Revitalization, Housing cont.

- ADD: The City supports consideration of environmental sustainability in land use and development policies, for instance, the prioritization of walkable and bikeable communities. (Councilmember Cooperman)
- ADD: The City supports state efforts to conserve open spaces. (Councilmember Cooperman)
- ADD: The City supports efforts to ensure equitable access to housing. (Councilmember Cooperman)

Proposed New Section – Economic Vitality and Business Development

Suggested addition from Councilmember Hoefner

Colorado's economic competitiveness requires coordinated state efforts to attract and retain employers while supporting workforce development.

- The City supports legislation that provides resources to help local governments attract new employers and support business expansion.
- The City supports legislation that strengthens economic development tools and incentives for attracting and retaining primary employers, particularly in industries that provide high-wage jobs and opportunities for career advancement.
- The City supports policies that enhance Colorado's competitiveness through strategic investments in transportation infrastructure, broadband connectivity, and other critical systems that enable business growth and expansion.

Proposed New Section – Economic Vitality and Business Development cont.

- The City supports state workforce development initiatives that align education and training programs with industry needs, including partnerships between employers and educational institutions.
- The City supports programs that encourage small business development and entrepreneurship through technical assistance, access to capital, and resources for startups and growing companies.
- The City opposes regulations that create significant new compliance costs or administrative burdens for businesses without demonstrating clear public benefit.
- The City opposes policies that reduce local flexibility to implement economic development strategies tailored to community needs and opportunities.

Proposed New Section – Title Needed

- The City supports state efforts to address the recommendations of the Truth, Restoration, and Education Commission of Colorado concerning American Indian History and Treaty Rights in Colorado. (Councilmember Cooperman)

Next Steps

- City Council can determine tonight what changes it would like and adopt it or ask staff to bring another version back at a later meeting for consideration and adoption.
- Council and staff may begin using the document once adopted.