

# 2024 LEGISLATIVE POLICY AGENDA

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## **INTRODUCTION**

Fort Collins is a community of approximately 175,000 residents. Incorporated in 1873, it has grown to become the commercial, educational and cultural hub of Northern Colorado. The City adopted a home rule charter in 1954 and operates under a council-manager form of government.

The City provides exceptional service for an exceptional community and works toward its vision of fostering a thriving and engaged community through its operational excellence and culture of innovation. City leaders seek creative, data-informed solutions to issues facing Fort Collins and are often willing to leverage emerging technologies.

The Fort Collins City Council annually adopts a Policy Agenda ahead of the upcoming Colorado General Assembly session for the purpose of guiding legislators and staff in supporting community goals.

The Policy Agenda is a broad set of policy statements meant to convey positions on issues that affect the community's quality of life and governance. It is structured to address areas of local concern and to also reflect the strategic planning that guides the City's organizational resource allocation and decision-making.

Fort Collins welcomes opportunities to work in partnership to leverage additional resources and participate in regional dialogue to achieve shared outcomes.

The City has identified seven outcome areas to ensure appropriate and effective resource allocation supporting the community's priorities:

- Culture & Recreation
- Economic Health
- Environmental Health
- High Performing Government
- Neighborhood Livability & Social Health
- Safe Community
- Transportation & Mobility

The Policy Agenda identifies this alignment as it is important for City staff to ensure that advocacy supports specific desired outcomes.

## **CITY OF FORT COLLINS LEGISLATIVE REVIEW COMMITTEE**

The Legislative Review Committee (LRC) is a representative group of Councilmembers that reviews and reacts to proposed legislation on behalf of City Council and the City.

In taking a position on bills, the LRC interprets and applies the various policies that are included in the Legislative Policy Agenda.

Councilmembers presently serving on the Legislative Review Committee are:

- Councilmember Tricia Canonico, Chair
- Councilmember Shirley Peel
- Mayor Jeni Arndt

## **LEGISLATIVE REVIEW PROCESS**

In 2023, the City of Fort Collins will rely heavily on the Legislative Policy Agenda, the Colorado Municipal League, and the Colorado Communities for Climate Action organizations for the majority of bill tracking and identification.

The City currently maintains memberships with the Colorado Municipal League (CML) and Colorado Communities for Climate Action (CC4CA); both groups maintain a full-time presence at the capitol and engage in bill identification and advocacy consistent with their own adopted policy agendas. The City influences both groups' policy agendas and, while not perfectly consistent with the City's, both generally advance and protect the City's interests.

Bills introduced in the Colorado General Assembly, United States Congress, and federal, state or county regulations or rule- makings are reviewed by City staff. Bills, regulations and rules that are identified as having a potential impact on the City will be brought to the LRC for discussion. If LRC adopts a position, staff will convey that information to the appropriate state or federal representative and advocate for the adopted position.

If staff or Councilmembers are contacted regarding letters of support or opposition from CML, CC4CA or representatives, staff will ensure alignment with LPA and provide a letter signed by the Mayor. If staff or Councilmembers are contacted by lobbyists or other interest groups with requests for letters of support or opposition, no action will be taken unless directed by the LRC.

Due to the time-sensitive nature of the General Assembly, if a bill's subject matter is addressed in this Policy Agenda, staff will proactively work with state and federal representatives to advance the City's position as expressed in this legislative policy agenda and other Council-adopted plans and policies. Staff will provide regular updates to the LRC and the full City Council regarding bills of consequence to the City and will consult with the LRC regarding bills for which direction under the adopted policy is unclear.

Staff liaisons support the LRC by contributing expertise in various areas of municipal service. The City Attorney's Office also reviews selected bills and may provide confidential legal analysis. Fort Collins also works with community partners to support local projects and staff collaborates with representatives of other municipalities on mutually held priorities. Fort Collins actively seeks innovative partnerships to leverage positive outcomes for residents.

The City works closely with the Colorado Municipal League (CML) and the National League of Cities (NLC) on many legislative items facing cities. Fort Collins maintains membership with Colorado Association of Municipal Utilities (CAMU), which represents 29 municipal utilities throughout the state on utility issues, and Colorado Communities for Climate Action (CC4CA), which represents municipalities on climate issues. In addition, Fort Collins actively participates in various trade organizations that represent specific areas of interest to City operations.

## 2024 LEGISLATIVE POLICY STATEMENTS

### HOME RULE AND LOCAL CONTROL

In order to consider and manage local conditions and desires, community issues and needs should be addressed locally. For this reason, home rule authority is of utmost importance to the City of Fort Collins. The City must be free to regulate local activities that primarily impact the area within the City's boundaries, such as the speed of local traffic or the effects of particular land use developments. The City also understands the cumulative effect of these and other activities has statewide ramifications that may call for statewide regulation to effectively manage such things as overall growth and development in the state, water, traffic congestion in major transportation corridors and environmental quality.

Therefore, the City:

1. Supports strengthening and preserving home rule authority of municipal governments.
2. Opposes State or Federal intervention in matters of local concern or matters that unnecessarily or adversely affect the City's ability to manage and operate pursuant to its home rule authority.
3. Opposes changes that increase (and supports changes that lessen) the burdens and limits on municipalities associated with public or other government records, public meetings and establishment of ethics standards and procedures, operation of municipal courts, and other matters of municipal operations or authority including added cost burdens.
4. Supports enabling cities to choose the provision of services through private enterprise in a manner that fosters cost effective, sustainable, quality services.
5. Supports local control of the awarding of contracts and the accountability of local officials for those actions.
6. Opposes unfunded mandates that increase the complexity and cost of services.
7. Supports collaborative regional efforts for the benefit of participating communities.

### ACCESSIBILITY - ONLINE AND PUBLIC MEETINGS

#### HIGH PERFORMING GOVERNMENT

The City recognizes the importance of making digital content and public meetings accessible for all. The City is committed to advancing statewide efforts to improve accessibility while believing that such efforts must be practical and achievable for impacted entities.

Therefore, the City:

1. Supports clear definitions for public meetings requiring online accessibility.
2. Supports unified federal standards for web and online accessibility requirements and reasonable timelines to comply after standards and rules are made known, at either the state or federal level.
3. Supports ensuring municipalities' ability to engage vendors to ensure compliance with technology accessibility requirements.
4. Supports allowing local governments to exempt archived documents and allow "safe harbor" while working towards compliance.

**AIR QUALITY**

**ENVIRONMENTAL HEALTH**

The City's Air Quality Plan reiterates the adopted City Plan strong overall goal "to protect human health and the environment through continuous improvements in air quality."

Therefore, the City:

1. Supports programs and policies that improve public health and indoor and outdoor air quality, including attainment of National Ambient Air Quality Standards for ozone.
2. Supports local government authority to improve indoor and outdoor air quality beyond minimum State or Federal requirements.
3. Supports implementation of expanded air quality monitoring programs.
4. Supports adequate authority and resource at all levels of government to enforce air quality regulations.
5. Supports economic incentives, disincentives and other market approaches that promote low emission and zero emission alternatives to carbon-based fuels.
6. Supports strengthening vehicle and fuel efficiency standards, including programs and policies that promote the use of zero and low emission vehicles (e.g., electric) and the development of infrastructure needed to support the use of those vehicles.
7. Supports programs or incentives that reduce vehicle miles traveled through transit-oriented development and enhanced access to alternative modes (e.g., walking, biking and transit).

**BEER AND LIQUOR**

**SAFE COMMUNITY**

The City issues and renews liquor licenses, enforces license rules, and holds hearings for liquor license violations.

Therefore, the City:

1. Supports greater local licensing final authority for all types of licensing and related fees (New, Transfers, Modifications, and Manager Registration.)
2. Supports a sharing of accountability of serving violations between license holder and individual server or store clerk.
3. Supports permanent ability for licensees to service alcohol on a temporary/permanent basis in non-contiguous areas.

**BROADBAND AND CABLE**

**ECONOMIC HEALTH**

Reliable, high-speed and affordable access to broadband and cable programming throughout the community remains a priority and a long-term goal for the City to ensure economic vitality and allow equal access for all residents and businesses.

Therefore, the City:

1. Supports maintaining local franchising authority to preserve local governments' ability to negotiate in the public interest for cable channel space, institutional networks and public

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education and government (PEG) programming, and to charge franchise and PEG fees to support local programming and compensate for the use of rights-of-way.

2. Supports allowing communities to offer and/or partner to offer high speed internet, Wi-Fi and other enhanced telecommunication services to residents, schools, academic institutions and businesses.
3. Opposes restrictions on providing telecommunication services within City-owned facilities and on City property, and related restrictions on the manner in which such services may be financed, funded or structured.
4. Opposes infringement on municipalities' ability to compete in the broadband marketplace.
5. Opposes right-of-way use contrary to existing aesthetic policies and practices, including the addition of any above- ground cabling.
6. Supports revisions to the Colorado Open Meetings Law to allow local jurisdictions that provide or arrange for telecommunications services or facilities to authorize executive sessions for discussion of matters pertaining to competition in the provision of telecommunication services and facilities (such as matters subject to negotiation, strategic planning, pricing, sales and marketing, and development planning), along with any other conforming statutory changes.
7. Supports prioritizing state and federal broadband grants and funding to municipal and co-op broadband operations.

### **CHILDCARE**

#### **ECONOMIC HEALTH, NEIGHBORHOOD LIVABILITY & SOCIAL HEALTH**

The City of Fort Collins recognizes the criticality of quality, affordable and accessible childcare for families and businesses in the community. The City's role is to help reduce barriers, increase capacity, leverage assets, identify and respond to childcare needs, and lead by example as an employer.

Therefore, the City:

1. Supports programs and policies that improve the severe shortage of childcare openings with licensed providers, including programs and incentives that promote the expansion of existing childcare centers and development of new centers, particularly those serving low-income families and offering extended hours of operation.
2. Supports regulations that streamline requirements and reduce the complexity and cost of childcare services, including licensing and educational requirements, when those mandates are not clearly benefiting the health and safety of children and the community.
3. Supports increased funding for early childhood education.
4. Supports workforce development in the early care and education field, including scholarships, training programs and simplified credentialing processes.
5. Supports increased and sustainable public subsidization of childcare costs, including proposals to support living wages for providers and those that reduce the cost burden on families.

### **CLIMATE**

#### **ENVIRONMENTAL HEALTH**

Making communities more resilient to disaster and the effects of a changing climate has become more important to Colorado communities over the last several years as natural disasters have caused significant human and property loss. In response to the climate emergency, Fort Collins has adopted aggressive emission reduction goals and supports policies and legislation helping communities and the state to achieve these goals and enhance the environment as detailed in the Our Climate Future Plan.

Therefore, the City:

1. Supports policies that put equity at the center of decision-making to consider systemic inequities in energy and climate impacts, based on race or socioeconomic status, to justly transition and grow a clean energy future.
2. Supports greenhouse gas (GHG) emission reduction targets, planning, mechanisms that support the gathering of data to inform greenhouse gas inventories, and implementation at all levels of government.
3. Supports incentives, regulations, and other mechanisms to reduce emissions and enhance resilience in energy, waste reduction, transportation, and water sectors, as well as in responding to wildfire and other climate related extreme weather events.
4. Supports protection of the Colorado self-audit law.
5. Supports policies promoting emerging methods of effective atmospheric carbon reduction through proven means.
6. Supports policies that influence investment decisions of public sector resources to reduce GHG emissions and increase community resilience.

## **ELECTIONS**

### **HIGH PERFORMING GOVERNMENT**

The City of Fort Collins conducts municipal elections and special elections as required by the citizen (or Council) initiative process. The City is committed to conducting a clear, legal and trustworthy elections process.

Therefore, the City:

1. Supports all efforts that assist the City in conducting fair and transparent election processes according to the City's adopted procedures.
2. Supports process improvements that encourage voter participation.
3. Supports additional mechanisms to prevent election tampering through increased cybersecurity around election data and the election processes.

## **ENERGY**

### **ECONOMIC HEALTH, ENVIRONMENTAL HEALTH**

Through its municipally owned electric utility, the City is committed to providing affordable, reliable and clean energy services to residents and businesses, as described in the Our Climate Future plan. Energy issues extend beyond electricity to also encompass the community's use of natural gas and petroleum.

Therefore, the City:

1. Supports efforts that promote energy affordability in general for residents, businesses



and institutions and specifically for households with high energy bill burdens.

2. Supports efforts that promote safety in the generation, transmission and distribution of energy.
3. Supports efforts and incentives that promote energy efficiency, conservation, distributed energy resources, electrification and grid flexibility.
4. Supports opportunities for local economic activities related to energy efficiency, clean energy production and utility operations.
5. Supports initiatives to reduce or eliminate natural gas and petroleum use via beneficial electrification for thermal and transportation needs.
6. Supports initiatives that reduce barriers to coordinated integrated planning for energy supply and demands.
7. Supports state and federal funding for resilience efforts to mitigate potential energy- and climate-related disruptions.
8. Supports implementation of the state's Clean Energy Plans to reduce emissions from electricity statewide while considering reliability, affordability and regulatory roles.
9. Opposes attempts to prevent or inhibit provision of municipal electric service in newly annexed areas.
10. Supports smart grid technology adoption and grid modernization.
11. Supports minimizing the environmental impacts of energy production, reducing fossil fuel generated electricity and eliminating the use of coal.
12. Supports efforts that promote the development of regional electricity markets.
13. Supports the local determination of electric rates and distributed resources credits that balance the impacts to participants and non-participants to create a robust local renewable generation system.

## **FINANCE**

### **ECONOMIC HEALTH, HIGH PERFORMING GOVERNMENT**

Strong fiscal planning, prudent debt management and investment policies, and preservation of the City's revenue base are vital in maintaining and improving the City's financial health.

Considering the known impacts of legislation on the City's business community can help foster a stronger tax base and retain a strong quality of life.

Therefore, the City:

1. Supports expanding municipal authority to establish alternative funding mechanisms, including financing tools such as public improvement fees (PIF) and certificates of participation (COP).
2. Supports increased funding for K-12 and higher education, specifically Colorado State University and Front Range Community College.
3. Encourages the equitable treatment of sales and use taxes to residents and corporations residing or doing business in Colorado by limiting exemptions.
4. Supports the equitable distribution sales tax collections on e-commerce transactions.
5. Opposes efforts that inhibit the City's ability and authority to increase its revenue base (i.e., sales, use and property taxes).
6. Supports protections that do not unnecessarily restrict the investments of government

entities.

7. Supports programs that provide economic assistance to organizations and individuals impacted by health emergencies.

## **HAZARDOUS MATERIALS MANAGEMENT**

### **SAFE COMMUNITY, ENVIRONMENTAL HEALTH**

It is an important concern of the City to safeguard Fort Collins' health and environmental safety by reducing risks from the unauthorized release of hazardous materials or hazardous waste.

Therefore, the City:

1. Supports strengthening the enforcement of hazardous materials regulations.
2. Supports increasing diversion of hazardous waste from landfills.
3. Supports local governments' ability and authority to review and approve locations of facilities that use or store hazardous materials or hazardous waste.

## **HEALTH CARE**

### **NEIGHBORHOOD LIVABILITY & SOCIAL HEALTH, ECONOMIC HEALTH, HIGH PERFORMING GOVERNMENT**

The City recognizes that the rapidly increasing cost of health care and health insurance is a barrier to real wage growth, equitable health outcomes, and economic gains among many Fort Collins residents. The City further recognizes that employer-sponsored health care and varying state regulations that are not consistent across the United States have resulted in the system we have today.

Therefore, the City:

1. Supports health care policy that provides single-payer, not-for-profit health care to all residents.
2. Supports the portability of health care plans across employers and state lines.
3. Supports health care policies that end the practice in the United States of employers being the primary source of health insurance for residents.

Supports policies that allocate costs to individuals and their families proportional to their ability to pay.

## **HOUSING**

### **NEIGHBORHOOD LIVABILITY & SOCIAL HEALTH**

The City recognizes that the affordability and availability of quality housing is critical to a vibrant and diverse community. The City's Housing Strategic Plan establishes a housing-first community vision that everyone has stable, healthy housing they can afford.

Therefore, the City:

1. Supports enhancing funding for affordable housing throughout Colorado, including expanding the State Low Income Housing Tax Credit program and providing funding for affordable for-sale homes, but not increases to unrelated fees.
2. Supports legislation that would enable an affordable housing right of first refusal to encourage local government and partner acquisition of multifamily properties for the

purpose of long-term affordable housing.

3. Supports increasing local governments' ability to regulate, manage or generate alternative sources of funding for affordable housing, including public-private partnerships.
4. Supports maintaining stronger amendments to construction defect laws to promote the construction of owner-occupied attached housing.
5. Supports creating an adequate supply of housing for all income levels and continued public- and private-sector support for these efforts.
6. Supports exploring expansion of the Mobile Home Act to address rent pad stabilization, transparency in utility billing and other livability issues.
7. Supports continued funding and expansion of programs for eviction and foreclosure prevention, including provision of free legal assistance and adopting a statewide right to counsel for residents facing eviction or foreclosure.
8. Supports consideration of incentives and/or requirements to encourage land use reforms that will increase housing supply statewide, particularly through eliminating zoning barriers to accessible, healthy, affordable housing (e.g., increased density, accessory dwelling units, conversion of existing buildings to housing).
9. Supports policies that intentionally link transportation funding and housing funding so that investment is prioritized where there is policy alignment between multimodal infrastructure and transit-supportive housing densities.
10. Supports funding and regional support for housing-first approaches to homelessness including housing coordination and placement, rapid rehousing and supportive services (e.g., rental assistance, utility assistance, case management) to assist with housing retention and stability.

## **HUMAN RESOURCES**

### **HIGH PERFORMING GOVERNMENT**

The City of Fort Collins is committed to the health, safety and well-being of its employees. The City works diligently to be efficient and responsible stewards of tax dollars, ensuring that employee compensation and benefits are meaningful, equitable, market-based and competitive. The City believes that its residents, through their elected representatives on City Council, are in the best position to determine appropriate City employee compensation, benefits, appeal rights related to disciplinary action and policies.

Therefore, the City:

1. Supports the City's ability and authority to make decisions on employment issues, including collective bargaining, arbitration, compensation, appeal rights related to disciplinary action and benefits to further an equitable work environment.
2. Supports the development and expansion to the City's ability to determine how best to manage employee health and benefit programs.
3. Supports current state funding levels for police officers' and dispatchers' death and disability benefits made available by Fire & Police Pension Association of Colorado.
4. Opposes proposals that would allow employees and/or retirees with defined contribution or deferred plans to move into defined benefit plans if there is a cost to local government.

5. Opposes proposals that would limit the City's ability to test job applicants for presence of alcohol or controlled substances or employees at work for impairment due to consumption of alcohol, marijuana, or other controlled substances or to set limits related to such testing.
6. Opposes proposals that expand Colorado and federal anti-discrimination protections to allow individuals other than employees to file claims against public entities for violations, that expand the definition of "hostile work environment" beyond current state and federal protections, or that waive a public entity's sovereign immunity in an action for injuries resulting from a discrimination or unfair employment practice claim brought pursuant to Colorado anti-discrimination law.
7. Opposes proposals that require a municipality to collectively bargain with its employees in conflict with a home rule municipality's authority.

### **IMMIGRATION AND NATIONAL BORDER CONDITIONS**

#### **NEIGHBORHOOD LIVABILITY & SOCIAL HEALTH, SAFE COMMUNITY, HIGH PERFORMING GOVERNMENT**

The City recognizes that federal issues pertaining to civil rights at the United States' borders, and immigration law more broadly, have wide impacts that can directly impact the day-to-day life of Fort Collins residents. It can also impact those residents' willingness and comfort with engaging with local public safety agencies and other key service providers.

Therefore, the City:

1. Supports the humane treatment of persons who are detained by Immigration Officials and the rapid resolution of legal proceedings to determine their status.
2. Supports pathways to legal immigration into the United States that are sustainable in the long term, including removing financial barriers and increasing access to legal services.
3. Supports regulations and laws that support the use of employment eligibility verification by employers.
4. Supports the 2011 ICE memorandum on "sensitive locations" limiting its immigration enforcement actions and arrests at the following locations so as to preserve the health, safety and education of all residents:
  - a. Hospitals;
  - b. Schools and scholastic bus stops (preschools, primary schools, secondary schools, post-secondary schools, colleges and universities, and other learning institutions such as vocational or trade schools);
  - c. Churches, synagogues, mosques, or other institutions of worship, such as buildings rented for the purpose of religious services;
  - d. The site of a funeral, wedding, or other public religious ceremony; and
  - e. Public demonstrations, such as a march, rally, or parade.
5. Supports regulations and laws that add wage and labor protection requirements for workers currently excluded from minimum wages and overtime protections, breaks, and mandatory rest days.
6. Supports de minimus exemptions to Verification of lawful presence CO ST § 24-76.5-103 by adding a new section (3) (f) to the State law that exempts the City from following the verification process for any particular local public benefit that is valued at less than

\$500.00, or that is not provided directly to the beneficiary by the City.

7. Supports local control over how state and federal funding for healthcare, affordable housing and food security is allocated to meet the needs of all residents and their families regardless of immigration status.

**INTEGRATED LAND USE, TRANSPORTATION PLANNING, AND DEVELOPMENT REVIEW  
ECONOMIC HEALTH, NEIGHBORHOOD LIVABILITY & SOCIAL HEALTH**

City Plan and the Transit Master Plan guide the City's long- term decisions on land use and transportation investments and regulations. Fort Collins uses tools such as land use and building code, and well-established development review processes.

Therefore, the City:

1. Supports requirements for comprehensive land use planning that organizes and directs growth to achieve stated community vision, policies and goals.
2. Supports policies, standards or programs that require the analysis of public health, sustainability and equity in land use planning and regulation.
3. Supports local governments' ability to obtain financial compensation for additional work of inspectors through fees or other means.
4. Opposes any unfunded state-mandated review, permitting or inspection requirements.
5. Supports local governments' authority to determine zoning, development review, building and inspection standards, procedures and timelines.
6. Encourages regional cooperation in land use, transportation planning, utility and water resource planning and fostering sustainable development. Supports intergovernmental agreements between a municipality and a county to establish boundaries and annexation of a GMA and prohibit any outside parties to annex said GMA.
7. Supports municipal discretion concerning the imposition of building and development fees and requirements.
8. Supports retaining and/or increasing local authority related to the siting, design and regulation of wireless telecommunication facilities, including both small cell and macro sites.
9. Supports local adoption of building and other related codes, including addition of local amendments needed to safeguard public health and safety by regulating building construction, structural strength, sanitation, light, ventilation and energy conservation.
10. Supports local control and regulation of Building Department staff, including qualifications of building inspectors performing plumbing and electrical inspections.

**LICENSED SUBSTANCES**

**SAFE COMMUNITY**

State and local municipalities address licensing and regulations regarding the cultivation, sale, and use of tobacco, cannabis, and natural medicine and there are additional substances considered every year (Hemp intoxicants, Kratom, etc.) The City has and will have a continued interest in managing these licensed substances in a manner that balances the needs and desires of the community.

Therefore, the City:

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1. Supports communities' ability to raise necessary funds to maintain public safety and enforce licensed substances and related products possession laws.
2. Supports additional state licensed substances enforcement resources, especially for field enforcement.
3. Opposes under-21 access to marijuana and natural medicine and supports increasing penalties to those supplying to underage individuals.
4. Supports greater education and research on the harmful effects of high concentrate THC and transparency in the spending of dedicated marijuana education dollars.
5. Supports local opt-in provisions regarding new permits and/ or licenses or other licensed substance related activities allowed under state law.
6. Supports further development of laws and regulations to stop the proliferation of gray- and black-market licensed substances while coordinating with the federal level to help address safety through research and legal banking, and to reduce conflict between Colorado and federal laws.
7. Supports statewide efforts to enforce retail tobacco sales compliance as well as prohibiting the sale of intoxicating hemp and THC products to minors.
8. Supports legislation that greatly reduces or eliminates the incidence of smoking and vaping. Specific measures may include the elimination of flavored vaping cartridges, state-wide retail licensing for tobacco and vaping products, and identical treatment of vaping and e-cigarette products to traditional forms of tobacco.

### **MUNICIPAL COURT**

#### **SAFE COMMUNITY, HIGH PERFORMING GOVERNMENT**

The Fort Collins Municipal Court is responsible for administering the operations of the judicial branch of City government according to the City Charter and ordinances adopted by City Council. Cases adjudicated in Municipal Court include traffic violations, misdemeanors, civil infractions, and civil cases. Generally, cases are brought to Municipal Court by Fort Collins Police Services, Colorado State University Police Department, Animal Control, other City departments, and private residents.

Therefore, the City:

1. Opposes limitations on the authority of municipalities to enforce their own ordinances in municipal courts and increased procedural requirements or limitations on municipal court proceedings, such as limitations on bonding requirements related to municipal court warrants and sentencing options, and supports elimination of requirements impinging on municipal court authority and discretion.
2. Opposes the imposition of state surcharges on municipal court fines for the purpose of funding state programs.
3. Opposes any unfunded mandates imposed on municipal courts by the state.

### **OIL AND GAS**

#### **ENVIRONMENTAL HEALTH**

Fort Collins residents have expressed continuing concern about the human and environmental impacts from local oil and gas development. Additionally, community members have expressed concern over transported emissions from oil and gas operations outside of City limits that

contribute to local ozone formation.

Therefore, the City:

1. Supports local authority to regulate oil and gas operations as granted in 2019 through Senate Bill 19-181, which includes the ability to regulate the siting of new development and surface impacts.
2. Supports scientific studies that evaluate impacts of oil and gas operations on human health, the environment and property values.
3. Supports air pollution monitoring, emission characterization and modeling studies to better understand the contributions of the oil and gas industry to air pollution.
4. Supports the plugging and reclamation of older, low and non-producing oil and gas wells, and continuing assessment of the condition of abandoned wells.
5. Supports the current formula allocation of State Severance Tax and Federal Mineral Lease (FML) revenue to impacted jurisdictions so that they might address impacts from resource extraction.
6. Supports collaboration with operators, state agencies and local governments on oil and gas development within and adjacent to the City's Growth Management Area, and on City-owned properties outside of City limits.
7. Supports legislation that protects public health, safety, welfare, the environment and wildlife resources in consideration of surface owners and mineral owner rights.

## **OPEN RECORDS AND DATA MANAGEMENT**

### **HIGH PERFORMING GOVERNMENT**

The City is the collector and keeper of hundreds of datasets and recorded information and is legally bound and responsible for responding to Open Record requests. The City supports transparency and open data initiatives.

Therefore, the City:

1. Supports clear requirements that allow for reasonable requests and timeframes to provide information that is legally available.
2. Opposes mandates that include unrealistic timeframes and requests that require additional staff time with no means to recover costs.
3. Supports cybersecurity efforts that protect the City, consumers and infrastructure.
4. Supports data privacy regulations prohibiting the sharing of residents' data with federal agencies without a court- authorized subpoena, warrant or other valid order.

## **PARKS, NATURAL AREAS, AND PUBLIC AMENITIES**

### **ENVIRONMENTAL HEALTH, CULTURE & RECREATION**

The City is committed to providing the community with excellent natural areas, parks, recreation facilities, trails, cultural centers, and engaging programs. Residents and visitors enjoy improved health, less crime, a higher quality of life, and a greater sense of community because of the quality natural areas, parks and recreation programs, and other public spaces.

Therefore, the City:

1. Supports maintaining or enhancing funding for parks, trails, forestry, horticulture, natural

areas, cultural centers, and recreation services and facilities.

2. Supports local discretion to use Great Outdoors Colorado and other sources for funding municipal government projects addressing local needs and priorities.
3. Supports equal or greater funding levels of Great Outdoors Colorado grants awarded to municipalities.
4. Supports maintaining or enhancing tax incentives to private landowners for voluntary land conservation.
5. Supports protection of the Cache la Poudre River and local urban streams.
6. Supports programs and funding for equitable access to public space and services.

## **PUBLIC HEALTH**

### **SAFE COMMUNITY, NEIGHBORHOOD LIVABILITY & SOCIAL HEALTH**

The City of Fort Collins strives to be a healthy, livable city that is a welcoming and inclusive community for all, including residents who may be experiencing the challenges of homelessness, mental health issues, substance use disorders, depression, and other challenging life situations. The City also supports primary prevention strategies to reduce the injuries and deaths associated with gun violence.

Therefore, the City:

1. Supports maintaining or increasing the funds available through the state and federal government for community-focused non- profits to provide human services and housing support.
2. Supports providing communities with resources to address chronic homelessness, supportive housing, mental health and substance use disorders, including tobacco, alcohol and drug prevention programs.
3. Supports a standardized statewide approach to addressing homelessness.
4. Supports research and necessary funding related to the root causes and effects of gun violence to better inform prevention strategies.
5. Supports research, funding and/or programs to address disparities in social determinants of health (e.g., housing, income, educational attainment, access to healthcare) to improve community-wide health outcomes, including addressing root cause issues such as racism and exclusion.
6. Supports efforts to ensure the health and safety of domestic animals and appropriate penalties for cases of abuse, cruelty and neglect.

## **PUBLIC SAFETY**

### **SAFE COMMUNITY**

The Fort Collins City Council recognizes the critical importance of maintaining public safety, providing a safe environment, and protecting the lives and property of the residents of Fort Collins on a daily basis as well as through preparedness and resiliency planning efforts.

Therefore, the City:

1. Supports greater protections to victims of crime, regardless of immigration status.
2. Supports the City's right to use camera enforcement of traffic laws, reduce operational



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restrictions on the use of camera enforcement, and increase the fines associated with violations.

3. Supports protocols and funding for shared, statewide emergency response communications, including supporting Larimer Emergency Telephone Authority (LETA) and other efforts to resolve 911 diversity (back-up/resilience) issues.
4. Opposes increased 911 provider tariffs without clear documentation of cost needs.
5. Opposes initiatives that have the potential to compromise officer safety.
6. Supports minimum training criteria and professional mediator certification that formally legitimizes the field of Alternative Dispute Resolution (ADR).
7. Opposes municipal liability for prisoners' self-inflicted wounds while in police custody or detention facilities.
8. Opposes efforts to undermine local control or enforcement of activities on public property.
9. Supports a state adopted fire and building code, the code of choice being the International Fire and Building Code, while allowing municipalities to adopt their own codes and local amendments.
10. Opposes limits to local enforcement of the International Fire Code as adopted with local amendments, imposing inspection requirements or preventing collection of permit or inspection fees as required by the local jurisdiction.
11. Opposes restricting any local jurisdiction from requiring the installation of fire sprinklers.
12. Supports the City's ability to prohibit the use and sale of fireworks and allow counties and fire districts to prohibit and otherwise control fireworks within City boundaries.
13. Supports efforts to reduce abuse and improper disposal of over-the-counter and prescription drugs.
14. Supports exclusive digital communication networks for public safety personnel during emergencies.
15. Supports the restoration of qualified immunity for government officials.
16. Supports practical standards related to use of force that appropriately balance the rights and safety of Fort Collins residents with the safety of first responders.
17. Supports increased reporting of crimes by refraining from inquiries about legal immigration status unless such inquiry is pertinent to a crime; supports continuation of non-restrictive U-Visa certification policies that allow victims of crime to access important legal protections.
18. Supports continued use of body-worn cameras (BWCs), protections for public recordings of police, and the maintenance and reporting of such data that does not compromise police operations or public safety.
19. Supports statute change to allow the deactivation of BWCs when in a law enforcement facility with active audio and video recording devices and clarify that law enforcement personnel assigned to administrative duties are exempt from the requirement to wear a BWC daily.

### **RECYCLING AND SOLID WASTE REDUCTION**

#### **ENVIRONMENTAL HEALTH**

The City of Fort Collins endorses a multi-pronged approach to waste minimization that includes

recycling, re-use, composting and source reduction, and which also applies Zero Waste principles such as redesigning systems to reduce pollution and waste. Additionally, the City has adopted a goal of diverting 75 percent of community waste by 2020, 90 percent by 2025, and 100 percent by 2030.

Therefore, the City:

1. Encourages integrated, sustainable waste management planning and implementation policy, including but not limited to centralized data collection requirements, local hauler licensing and initiatives to reach statewide diversion targets.
2. Supports a regulatory authority role for local government to ensure the efficient management of recyclable material and solid waste, including application of laws that prescribe the use of county-funded disposal facilities for certain types of wastes, and other local bans on landfill disposal for certain types of debris.
3. Encourages “buy recycled” or “environmentally preferable purchasing” policies for government agency procurement.
4. Supports incentives and funding for programs that promote waste reduction, reuse and recycling, and development of related infrastructure.
5. Supports continued or increased funding for programs to collect and monitor data on trash volumes, rates of diversion from landfill disposal and economic impacts of recycling.
6. Supports establishing a refundable deposit fee on beverage containers to increase recovery rates and pay for recycling programs.
7. Supports state and regional economic tools for existing and new businesses that provide end markets for recycled materials in support of a domestic, circular economy.
8. Supports incentives and programs to encourage the use of compost, developing end markets to help divert organic material (e.g., food and yard waste) from landfills, and developing composting infrastructure.
9. Supports incentives and programs to develop end markets for construction and demolition waste materials and other potentially recyclable materials.
10. Supports extended producer responsibility initiatives that fund recycling programs and incentivize products to be designed for reuse, recycling or composting, and maintain local control of recycling programs.

## **RISK MANAGEMENT AND LIABILITY**

### **HIGH PERFORMING GOVERNMENT**

The City of Fort Collins recognizes the dual purpose of the workers’ compensation system: providing benefits promptly to injured employees in a cost-effective manner and minimizing costly litigation. The City also recognizes that the City’s self-insurance program is a cost-efficient method to insure workers’ compensation and that government intervention or taxation can negatively impact the City.

Therefore, the City:

1. Supports improving administrative efficiency of the Division of Workers’ Compensation.
2. Opposes increased insurance premium costs to employers.
3. Opposes administrative burdens or taxes to self-insurance programs.

4. Supports limits to insurance claim litigation.
5. Opposes limiting the City's options and ability to manage workers' compensation claims, including actions like removing existing offsets to workers' compensation benefits or limiting the City's ability to designate treating physicians.
6. Opposes efforts to presumptively expand workers' compensation coverage to illnesses or injuries that are not work related.
7. Opposes efforts to reduce or weaken protections against liability through governmental immunity or other statutory provisions.

### **SMALL BUSINESS SUPPORT**

#### **ECONOMIC HEALTH, HIGH PERFORMING GOVERNMENT**

The City of Fort Collins actively supports small businesses throughout their stages of formation and growth. Changing consumer habits and increased online competition threaten to disrupt the recovery for small businesses.

Therefore, the City:

1. Supports efforts to reduce the cost of food delivery for small businesses by managing third-party delivery fees and encouraging statewide licensing of these service providers.
2. Supports efforts to enhance statewide funding for small business support, including enhanced services to support new business formation owned by women, minority, low-income, and veteran individuals.

### **TRANSPORTATION INVESTMENT**

#### **TRANSPORTATION & MOBILITY**

The City actively promotes transportation infrastructure that facilitates the safe and efficient movement of people, goods and services regardless of mode. Infrastructure improvements will support the Vision Zero plan and be in concert with land use development while being respectful of community values and the environment.

Therefore, the City:

1. Supports alternative methods of funding transportation infrastructure needs.
2. Supports funding the analysis and implementation of inter- and intra-regional transit linkages, including future commuter rail connectivity.
3. Encourages flexibility in federal funding and regulations in order to better meet the needs of small to medium-size communities.
4. Supports guaranteed levels of federal funding for transportation and allocation of all federal motor fuel taxes and other federal transportation trust funds for their intended transportation purposes.
5. Supports funding for the build-out of Interstate 25 improvements.
6. Supports additional funding options and availability to increase safety in all modes of travel.
7. Supports broadening the definition of the gasoline tax to a "fuel tax" that encompasses other fuel options as they become more prevalent.
8. Opposes reductions to the present allocation formula of 60 percent state, 22 percent

counties, and 18 percent municipalities for Highway User Tax Fund (HUTF) or any appropriations from the state using the same formula

9. Supports enhanced ability to implement railroad quiet zones in municipalities, further options in pursuing various degrees of quiet zones, and an overall reduction in train horn decibel and duration requirements.
10. Opposes divesting highway roads in urban areas from the state and making them the sole responsibility of local jurisdictions without adequate compensation for ongoing maintenance.
11. Supports safe operation of railroads through timely track inspections, joint training and communication between railroad and emergency personnel, and the use of safe equipment.
12. Supports local regulatory and design standard control of public roads, pedestrian paths and bike lanes to address all modes of transportation.

## **URBAN RENEWAL AND DOWNTOWN DEVELOPMENT**

### **ECONOMIC HEALTH**

The State of Colorado has empowered local authorities to use Urban Renewal Authorities (URA) and Downtown Development Authorities (DDA) to encourage downtown revitalization and the elimination of blight. The main funding tool for URAs and DDAs is Tax Increment Financing (TIF) generated through property taxes. In its best intention, urban renewal and downtown revitalization restores economic vitality and improves the safety of a designated area with limited financial impact to other government jurisdictions.

Therefore, the City:

1. Opposes limitations on municipalities' ability to utilize financing mechanisms such as TIF.
2. Supports maintaining the ability of downtown development authorities to utilize the full offering of tools and powers provided in the DDA Act.
3. Supports maintaining the ability of Urban Renewal Authorities to utilize the full offering of tools and powers provided for in state statute.

## **WATER, WASTEWATER, AND STORMWATER**

### **ENVIRONMENTAL HEALTH, SAFE COMMUNITY**

The City operates a water utility, a wastewater utility, and a stormwater utility in a financially sound, reliable, safe and environmentally responsible manner. The availability of adequate water supplies is critical to the City and is managed by the Water Supply and Demand Management Policy, the Water Efficiency Plan, and other water-related codes, rules, regulations, plans and policies.

Therefore, the City:

1. Supports expanding the authority delegated to the state to administer federally mandated water, stormwater, and wastewater environmental regulatory programs.
2. Supports reasonable water quality regulations that are cost- effective and can show identifiable benefits.
3. Supports municipal flexibility to manage in-stream flows to preserve or improve the

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natural environment while protecting the integrity of Colorado's appropriation doctrine, protecting the City's water supplies and preventing injury to other water users.

4. Supports financing for water conservation projects, such as turf conversions, and supports new financing opportunities for these projects including grants, zero/low interest loans, etc., with availability to all water districts and providers.
5. Supports funding for the recovery and treatment of the Fort Collins water supply, its watershed, and other waterways impacted by natural disasters and human-caused events, including fires.
6. Supports enhanced municipal authority to protect and increase the flexibility and resiliency of the City's water supplies under Colorado's appropriation doctrine, without causing injury to other water users and without adversely affecting in-stream flows or the natural environment. This includes potential bills related to treated water providers being able to more easily share treated water supplies between their distribution systems.
7. Supports reducing legal barriers and clarifying legal ambiguities related to water reuse and greywater projects while protecting the integrity of Colorado's appropriation doctrine, protecting the City's water supplies and preventing injury to other water users.
8. Supports streamlining federal and state permitting requirements for water development projects that increase coordination between permitting agencies, reduce administrative and financial burdens on permit applicants, and ensure robust and enforceable environmental protections.
9. Supports the enlargement of Halligan Reservoir as a common-sense, cost-effective and environmentally-beneficial approach to meet Fort Collins Utilities' future water supply needs.

## CITY OF FORT COLLINS LEGISLATIVE CONTACTS

### LEGISLATIVE REVIEW COMMITTEE

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| Kelly DiMartino                      | City Manager      | kdimartino@fcgov.com | 970-416-2028 |
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