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2024 Spring District Meeting

- ❖ **Welcome letter from Kevin Bommer, CML executive director**
- ❖ **CML advocacy update**
- ❖ **2024 statewide ballot measures**
- ❖ **Civility handout**
- ❖ **CML resources**
- ❖ **CML executive board and staff**




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To: CML District Meeting attendees
From: Kevin Bommer, Executive Director
Date: May 14, 2024
Subject: 2024 Spring District Meetings

After a successful 100th anniversary celebration and the 25th anniversary of the Ken Bueche Municipal League Building last year, all of us at CML are glad to be back on the road with our CML members. This spring we are bringing our fall district meeting format into the spring – something that has not been done outside of District 1 in nearly three decades! We are hopeful this format will allow more members to participate in a way that fosters connection through networking and social interaction, while learning what municipalities can expect after a grueling legislative session.

While we are fortunate to have many members participate in our Annual Conference each June, we recognize that many elected officials and staff have challenges and conflicts that prevent them from taking time away from their municipalities to attend. CML has always placed a high priority on our outreach efforts to provide accessible opportunities to network and learn from CML and each other. The entire staff at CML appreciates that *your time is valuable*. We appreciate the opportunity to come to you, and we know that is what you expect of your League.

What to expect

As always, CML exists *for* our members and *because* of our members. The League is your partner in municipal leadership, helping you serve the needs of your communities and excel at what you do.

You also have a role in making sure CML represents and protects the interests of all Colorado's municipalities. Your feedback and suggestions help us better serve your needs. These meetings give **YOU** a chance to provide direct input into CML's advocacy, information, and training, ensuring we deliver what you and your colleagues want.

You can also expect more time to connect with your friends and colleagues from other municipalities, as well as associate members and honored guests. A favorite quote of ours is "the answers are in the room." That could not be truer, and there will be ample time to ask questions and answer those of others.

As always, you may feel free to contact me directly with any questions, concerns, or requests for assistance at kbommer@cml.org or call me at (866) 578-0936 or (303) 831-6411.

Again – thank you for your service to your communities and your participation in CML!



To: CML Membership
From: CML Advocacy Staff
Date: May 15, 2024
Subject: 2024 CML Advocacy Update

This memo is intended to introduce CML's membership to the CML Advocacy Team and provide a wrap-up for the 2024 legislative session.

Meet the CML Advocacy Team

The four members of CML's Advocacy Team are responsible for advocating municipal interests before the state legislature.

- **Legislative Advocacy Manager: Heather Stauffer**
Heather's issues include building codes, natural resources and the environment, elections, governmental immunity, oil and gas, open meetings/open records, special districts, severance tax/FML/energy impact, water and wastewater/water quality, and wildfire. She also assists in training and answering inquiries from municipal officials on various topics.
- **Legislative and Policy Advocate: Beverly Stables**
Bev's issues include affordable housing, land use, transportation and transit, sustainability, public health, substance use disorders, and air quality. She also assists in training and answering inquiries from municipal officials on various topics.
- **Legislative and Policy Advocate: Jeremy Schupbach**
Jeremy's issues include regulated substances, hemp, criminal justice, municipal courts, public safety, special districts, immigration, telecom/ broadband/ IT, and utilities. He also assists in training and answering inquiries from municipal officials on various topics.
- **Legislative and Policy Advocate: Elizabeth Haskell**
Elizabeth's issues include beer and liquor, employment and labor, economic development, retirement/pensions, taxation and fiscal policy, lottery and gaming, historic preservation, municipal debt and finance, and purchasing. She also assists in training and answering inquiries from municipal officials on various topics.

Overview of 2024 Legislative Session

During the 2024 legislative session, CML took positions on 109 bills. On Sine Die, CML was opposed to 26 bills, of which 13 died. We were able to remove our opposition after receiving amendments to an additional 19 bills. CML supported 56 bills, 44 of which passed the legislature. CML remained neutral or didn't receive amendments to allow a support position on an additional nine bills.

CML priorities that passed the legislature

- SB24-174 Sustainable Affordable Housing Assistance
- HB24-1107 Judicial Review of Local Land Use Decisions
- HB24-1283 Secretary of State Review of Municipal Campaign Finance Complaints
- SB24-231 Alcohol Beverage Liquor Advisory Group Recommendations

CML oppose priorities that did not pass or were amended to remove CML opposition

- HB24-1168 Equal Access to Public Meetings (Died)
- HB24-1026 Local Government TABOR Prior Voter Approval Requirement (Died)
- HB24-1460 Law Enforcement Misconduct (Died)
- HB24-1372 Regulating Law Enforcement Use of Prone Restraint (amended to remove opposition)
- HB24-1173 Electric Vehicle Charging System Permits (amended to remove opposition)
- HB24-1172 County Revitalization Authorities (amended to remove opposition)
- HB24-1050 Simplify Processes Regarding Certain Local Government Taxes (amended to remove opposition)
- HB24-1041 Streamline Filing Sales & Use Tax Returns (amended to remove opposition)
- SB24-023 Hold Harmless for Error in GIS Database Data (amended to remove opposition)
- SB24-024 Local Lodging Tax Reporting on Sales Return (amended to remove opposition)
- SB24-025 Update Local Government Sales & Use Tax Collection (amended to remove opposition)

2024 Legislative Wrap-Up

During the 2024 session, affordable housing and land use once again took center stage. We saw similar concepts to SB23-213 re-emerge in four separate bills: HB24-1007, HB24-1304, HB24-1152, and HB24-1313. Throughout the session, staff worked to amend out punitive measures included in the transit-oriented communities bill (HB24-1313), which as introduced included the ability of the state to withhold Highway Users Tax Fund (HUTF) money and the ability of the Department Of Local Affairs to seek an injunction on local governments who do not meet requirements of the bill. Staff also worked hard to significantly narrow the scope of the minimum parking requirements bill (HB24-1304) and increase flexibility for local governments to regulate accessory dwelling units in HB24-1152.

Like the 2023 legislative session, we again saw an 11th hour property tax bill introduced a few days before the end of the session. Starting with the 2025 property tax year (PTY), SB24-233

creates a local government property tax revenue growth limit of 5.5% annually. There is a significant list of exclusions from the revenue limit. Schools and home rule jurisdictions, as well as local governments that are still subject to TABOR or the pre-existing 5.5% limit, are not subject to this new limit. Local governments may ask voters to waive the limit on a single year or multi-year basis. Local governments may also ask voters to approve a floating mill levy to allow their mills to float as needed to maximize the 5.5% limit. The bill reduces assessment rates over the next few years for both nonresidential and residential property. The bill provides approximately \$10 million in backfill for non-school local governments that have a negative change in assessed value from the 2022 PTY to the 2024 PTY.

We are pleased to report that CML-initiated legislation SB24-174, State Support for Sustainable Affordable Housing, passed the legislature. The bill uses state support to focus local government planning efforts on housing with an emphasis on improving affordability and avoiding displacement, while providing flexibility to develop community-based strategies for growth. Local governments can plan to accommodate growth responsibly and equitably. With state support, communities can reach their housing goals while addressing their communities' unique needs.

In addition to these bills, many other important bills impacting municipalities were passed this session. Please see CML's laws for immediate attention article in the May 17 edition of the *CML Newsletter* and keep an eye out for our 2024 Laws Enacted online publication coming out in June.

The CML Advocacy Team is indebted to our members for their expertise, witness testimony, grassroots efforts, and general legislative assistance – all of which are key to CML's success. Please also take the opportunity at this year's District Meetings to provide your input on what CML's legislative priorities should be for the upcoming session, and make sure you take a copy of CML's Annual Policy Statement or download it from the home page at www.cml.org.

For questions on legislation please contact Heather Stauffer, CML advocacy manager at hstauffer@cml.org.



2024 Statewide Ballot Measures of Interest to Municipalities

Colorado voters could see several statewide measures on their November ballot in addition to any local questions. For each statewide measure that will be on the ballot, a detailed analysis by the General Assembly's Legislative Council Staff will be available at <https://leg.colorado.gov/BallotAnalysis>. CML has taken no position regarding these measures. Any consideration of positions will be done by the CML Executive Board later in the year once it is clear what will be on the November ballot.

Dozens of citizen-initiated measures may still qualify for the November ballot and remain at varying stages of the process. These measures may be of particular interest to municipal officials, but it is unclear which will be advanced by their supporters or make it to the ballot. All measures would change Colorado statutes unless noted otherwise.

Property Tax: Several initiatives were filed by stakeholders in property tax discussions that influenced related legislation in 2023 and 2024. Many of these are largely duplicative with minor variations. With the enactment of SB24-233, some of these initiatives may not proceed. Notably, SB24-233 will not take effect if an initiative reducing valuations for assessment or that requires voter approval for retaining property tax revenue over a certain limit passes.

- Several initiatives seek to impose significant caps on property tax revenue or make significant cuts to assessment rates while also restricting local flexibility to retain revenue. **Initiative #50** (qualified for ballot) would amend the constitution to require voter approval for "government" to retain additional revenue if "statewide property tax revenue" is projected to increase by over 4%; this could mean that a statewide election is required for any government to retain additional revenue based on statewide increases. **Initiative #108** (approved for circulation) would reduce the valuation for assessment of all property, excluding residential, mines, and oil-producing lands, to 24% of actual value beginning in property tax year 2025; the residential assessment rate would be reduced to 5.7%. Initiative #108 would require the state to reimburse local districts for lost revenue. Similar initiatives include **Initiative #245, #248, #296, #298, and #300** (pending Supreme Court review).
- In contrast, **Initiative #95** (title set) would make statewide limits on property tax revenue growth subject to approval by local voters. **Initiative #96** (title set) would establish a tax on "luxury residential real property" when a statewide limit on property tax revenue reduces tax revenue; the tax would replace the revenue reduction and be exempt from the statewide limit. **Initiative #261** (title set) would allow the state to retain and spend excess revenues to backfill local governments for revenue lost to local taxing authorities due to statewide limits on tax authority.
- **Initiative #269** (title set) would set a floor of 32% for the nonresidential assessment rate (excluding small business property) in years where local school funding falls below a certain ratio statewide.
- **Initiative #97** (title set) would tie valuation increases to inflation (but not more than 2.5%) and set property valuations at the amount of the most recent sale of the property or its

2021 assessed value. **Initiative #148** (pending Supreme Court review) would tie residential real property valuations to the amount of the most recent sale of the property.

Revenue/Taxpayer Bill of Rights:

- **Initiative #252** (approved for circulation) would limit voter-approved revenue changes to 4 years unless voters approve additional 4-year periods.
- **Initiative #283** (pending Supreme Court review) would amend constitutional TABOR provisions to define the term “fee” as a voluntarily incurred charge for a specific benefit and require that it be “reasonably approximate” to the payer’s fair share of the costs incurred for the specific benefit. As government fees are not currently subject to or addressed in TABOR, the initiative appears intended to significantly narrow what government charges would be considered fees and to increase those that may be considered taxes subject to TABOR. For municipalities, this could extend to charges for services (e.g., permit review fees, recreation center charges) and impact fees.
- **Initiative #284** (pending Supreme Court review) would amend the Colorado Constitution to require that fees for funding mass transportation (excluding roads, highways, and bridges) only be assessed to persons making transactions in an area served by the mass transportation be subject to approval of voters in the state or political subdivision where fees will be collected.

Energy: **Initiative #116** (approved for circulation) would require that the state and local governments “allow consumer choice” in the energy source used for providing utility service to a home or business. The measure would affect local building code requirements and prohibitions on the use of a type of energy, such as natural gas or solar.

Law Enforcement: **Initiative #157** (approved for circulation) would appropriate \$350 million in state funds to provide grants to local law enforcement agencies to increase salaries, improve employee retention, address specific criminal activities, and offer training. The initiative would provide a \$1 million death benefit for peace officers killed in the line of duty.

Elections:

- **Initiative #136** (title set) would amend the Colorado Constitution to require immediate processing of ballots upon receipt and on election day.
- **Initiative #201** (approved for circulation) would amend the Colorado Constitution to prohibit ranked choice voting for any election, including municipal elections. Several other measures would create ranked choice voting systems for non-municipal offices.

Land Use: **Initiatives #291, #292, and #293** (pending Supreme Court review) would amend the Colorado Constitution to grant local governments exclusive control over land use regulations and decisions in their jurisdictions. The initiatives prohibit the state government from withholding permits needed for a property that has a local approval or taking adverse actions against a local government based on a local land use decision. The initiatives vary based on their exception of water-related matters and the implementation of federal requirements.



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CML 2024 PRESIDENT'S INITIATIVE CIVILITY STARTS HERE

WHAT IS CIVILITY?

Civility is the steadfast practice of respect, even in disagreement, that fosters constructive dialogue and connection, recognizing the inherent dignity of every person.

GUIDING PRINCIPLES

While a definition provides a clear understanding, the true essence of civility lies in its application. The following guiding principles illustrate how civility translates into practical actions to foster respectful and productive interactions within local government. These principles serve as a roadmap, guiding municipal officials, staff, and the public in navigating complex issues and achieving positive outcomes for Colorado communities.

1. Listen as intently as you speak

Practice active listening and consider briefly summarizing what you heard to ensure understanding.

2. Focus on issues, not individuals

Dig into the substance of the problem, and if you disagree, disagree with the idea, not the person. Acknowledging differing perspectives can help everyone to reach a more well-rounded decision.

3. Distinguish between fact and opinion

Seek clarity on both while being considerate of others' opinions. It's okay to agree to disagree; just make sure you understand the fundamental points of differences.

4. Get curious instead of furious

Strive to manage your emotions in the moment. If you notice yourself getting upset, pause, and take a breath

before speaking. Ask questions with the intent to learn and answer questions with respect.

5. Acknowledge knowledge

When someone makes a logical or interesting point, acknowledge it. Embrace a continuous learning mindset by staying open to new ideas and facts to expand your understanding.

6. Own your intentions and your impact

Our words and behaviors may not reflect our intent to those receiving them. Value and prioritize honesty and goodwill while striving to solve problems.

7. Seek common ground

Build bridges by prioritizing shared values and goals. Strive to find commonalities and shared understanding as a basis for productive, resolution-oriented discourse and problem-solving.

8. Be a role model

We're in this together. We can't control others' behaviors, just our own. Encourage each other to practice these behaviors and courteously challenge disrespectful behavior.

TAKE THE CIVILITY PLEDGE

Visit the CML *Civility Starts Here* resource website, where you will find a civility pledge and other resources to help foster civility in your community.





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RESOURCES

ADVOCACY

Colorado Municipal League (CML) is your voice before the state and federal government, with full-time lobbyists to ensure municipalities are well-represented at the state capitol.

CML LISTSERVS

Listsers allow subscribers to exchange information and ideas through email. Members can post questions or share information, which is then distributed automatically to all group members. Responses from other members are also shared with the entire subscriber list. Listserv groups include attorneys, clerks, finance officers, human resources, managers, public information officers, public works, and utilities directors.

ENGAGING YOUTH

CML proudly supports the popular Lessons on Local Government (LOLG) program in partnership with the Special District Association of Colorado. This free resource, available at lessonsonlocalgovernment.org, offers materials for Colorado's K-12 teachers that meet the state's social studies and civics standards. Beyond education, LOLG acts as a bridge, connecting our future leaders to the inner workings of local government and fostering their civic engagement.

INFORMATION

CML provides comprehensive, in-depth information through the publication of several books annually, along with current issue overviews available on cml.org, white papers, biweekly newsletters, and a quarterly magazine. Visit CML's online bookstore to view and order available publications.

LEGAL RESOURCES

CML's dedicated legal staff is available as a municipal resource for questions ranging from the impact of recent court decisions to guidelines on implementing statutory changes. Additionally, the League participates as amicus curiae (friend of the court) in state and federal appellate court cases that involve issues important to municipalities.

MUNICIPAL CLERK ADVISOR PROGRAM

Developed by CML, Colorado Intergovernmental Risk Sharing Agency (CIRSA), and Colorado Municipal Clerks Association (CMCA), this program is a valuable free resource designed to assist municipal clerks in navigating specific job-related questions or challenges. For information, contact Karen Goldman at charna48@comcast.net or 303-981-8022.

MUNIVERSITY

CML created the MUNiversity program to recognize municipal elected officials who invest time and resources to enhance their knowledge of municipal government and their capacity to lead. This program extends automatic enrollment to all elected officials from member municipalities, allowing them to amass credits for each training session they participate in. Officials are recognized during CML's annual conference at varying tiers achievement: Fundamental (30 credits), Leadership (60 credits), and Graduate (100 credits).

SOCIAL MEDIA

Whether you are active on Facebook, LinkedIn, or X, you are invited to join the vibrant community (collectively over 5,800 followers) already connected with CML. Get updates on upcoming CML activities, training and events, breaking news about state legislation, and information on what is going on in cities and towns across the state.

TRAINING

CML offers its members training opportunities covering various innovative and current topics through diverse formats. You can access the training calendar at cml.org > *Education & Training*. CML training options encompass:

- **Webinars**—Hour-long courses on a specific issue area or topic. These usually occur over the lunch hour and are free to members. CML provides webinars on diverse topics, including accessibility and ADA compliance, housing, parking management, retail and economic development trends, waste diversion, and more. Previous webinar materials and recordings are accessible on CML's website.
- **Workshops and seminars**—Typically one to two days long, CML holds training opportunities for elected officials, municipal staff, and municipal attorneys. These sessions feature speakers on several topics throughout the day and in-person networking opportunities.
- **Annual Conference**—CML's annual conference brings together Colorado's municipalities from across the state for training with subject matter experts and collaborative opportunities with staff and elected officials from member cities and towns. This is the League's largest training each year, typically held in June.



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