

City Council

Special Meeting Agenda

Tuesday, October 8, 2019
Library Meeting Room
951 Spruce Street
7:00 PM

**Note: The time frames assigned to agenda items are estimates for guidance only.
Agenda items may be heard earlier or later than the listed time slot.**

1. **CALL TO ORDER**

- 7:00 – 7:30 PM 2. **PRELIMINARY DISCUSSION ON 2020 BUDGET FOR URBAN REVITALIZATION DISTRICT AND REVIEW OF CALCULATION FOR REVENUE PLEDGED TO DEBT SERVICE**
 - Staff Presentation
 - Public Comments (Please limit to three minutes each)
 - Council Questions & Comments

- 7:30 – 8:00 PM 3. **DISCUSSION/DIRECTION – DRAFT 2020 LEGISLATIVE AGENDA**
 - Staff Presentation
 - Public Comments (Please limit to three minutes each)
 - Council Questions & Comments

- 8:00 – 8:30 PM 4. **DISCUSSION – CURRENT CITY MEMBERSHIPS/ ASSOCIATIONS**
 - Staff Presentation
 - Public Comments (Please limit to three minutes each)
 - Council Questions & Comments

- 8:30 – 8:45 PM 5. **ADVANCED AGENDA & IDENTIFICATION OF FUTURE AGENDA ITEMS**

- 8:45 PM 6. **ADJOURN**

Citizen Information

If you wish to speak at the City Council meeting, please fill out a sign-up card and present it to the City Clerk.

Persons with disabilities planning to attend the meeting who need sign language interpretation, assisted listening systems, Braille, taped material, or special transportation, should contact the City Manager's Office at 303 335-4533. A forty-eight-hour notice is requested.

**SUBJECT: PRELIMINARY DISCUSSION ON 2020 BUDGET FOR URBAN
REVITALIZATION DISTRICT AND REVIEW OF CALCULATION
FOR REVENUE PLEDGED TO DEBT SERVICE**

DATE: OCTOBER 8, 2019

**PRESENTED BY: HEATHER BALSER, CITY MANAGER
KEVIN WATSON, FINANCE DIRECTOR**

SUMMARY

The Louisville Revitalization Commission (LRC) must approve a budget each year for the Urban Revitalization District (URD). In accordance with the Cooperation Agreement between the City of Louisville and the LRC, the annual budget proposed by the LRC must be submitted to the Louisville City Council for review and approval prior to final adoption by the LRC. The LRC is scheduled to make a final review of the proposed budget at their meeting on October 14, 2019. The City Council is scheduled to review the proposed budget at the regular meeting scheduled for Tuesday, October 15, 2019. The LRC is scheduled to adopt a final budget by resolution on November 18, 2019.

The following table summarizes the current status of the 2020 proposed budget for the URD. It also contains information on 2017 and 2018 actuals, as well as the current 2019 budget and 2019 estimates. *Please note that this budget is still preliminary. It has not been approved by the LRC to be brought forward for formal approval by the City Council.*

SUBJECT: URD BUDGET AND CALCULATION OF PLEDGED REVENUE**DATE: OCTOBER 8, 2019****PAGE 2 OF 6****Urban Revitalization District
Proposed Budget for 2020**

	2017 Actual	2018 Actual	2019		2020 Budget
			Budget	Estimate	
Beginning Fund Balance	3,398,940	768,444	921,851	921,851	669,581
Revenue:					
Property Tax	795,640	1,259,070	1,615,382	1,675,100	1,998,540
Interest Earnings	21,770	30,379	2,000	25,000	30,000
Total Revenue	817,410	1,289,448	1,617,382	1,700,100	2,028,540
Expenditures:					
Support Services - COL	25,577	34,900	60,000	60,000	60,000
Cap Contr - COL - Underpass	75,000	300,118	948,107	948,110	-
Cap Contr - COL - South St Reconstruct	178,327	24,905	-	-	-
Regional Detention Land Comp - COL	202,500	-	-	-	-
Cap Contr - COL - Undergrounding	-	-	170,000	170,000	-
Cap Contr - COL - Downtown Lights	-	-	70,000	70,000	72,000
TIF Refund - Boulder County	56,035	88,673	115,500	119,770	142,900
TIF Refund - Fire District	-	-	-	-	75,870
TIF Rebate - Loftus Developmen	102,911	192,123	-	-	-
Bond Maint Fees - Paying Agent	6,500	7,150	7,150	7,150	7,150
Professional Services - Investment Fees	3,176	3,484	200	3,500	3,500
Professional Services - Other	1,221	21,870	-	24,470	20,000
Payments from Construction Acct - DELO	2,465,745	127,518	-	-	310,000
Principal-Bonds	-	-	153,391	205,000	355,000
Interest-Bonds	330,914	335,300	344,374	344,370	330,020
Total Expenditures	3,447,906	1,136,041	1,868,722	1,952,370	1,376,440
Ending Fund Balance	768,444	921,851	670,511	669,581	1,321,681

Beginning Fund Balance

Staff is projecting a 2019 ending fund balance of **\$669,581**, which is the beginning fund balance for 2020.

Revenue

Staff has received the *preliminary* 2019 assessed valuation from the Boulder County Assessor. This valuation, along with the overlapping mil levies, will determine the amount of property tax revenue received by the URD during 2020. The *final* assessed valuation will not be available until the end of November.

Based upon the preliminary information, the URD's gross assessed valuation increased from \$61,021,831 in 2018 to \$66,856,634 in 2019. The URD's base assessed valuation increased from \$41,986,395 in 2018 to \$45,237,015. The difference between the gross valuation and the base valuation equals the incremental valuation, which multiplied by the overlapping levies is the amount of property tax revenue captured by the URD. The URD's incremental assessed valuation for 2019 is \$21,619,619. The overlapping levies are estimated at 93.849 mils. Multiplying these amounts, and accounting for Boulder County's collection fee, results in an estimated property tax revenue of **\$1,998,540** for 2020. The actual amount of overlapping levies will not be known until all entities certify their levies to Boulder County in December.

Interest Earnings are currently proposed at **\$30,000** for 2020. This amount is based on an expected rate of return and the amount and timing of budgeted revenue and expenditures.

Expenditures

Support Services are payments to the City of Louisville for services such as accounting, budget, revenue collection, disbursements, debt administration, and general administration. The proposed 2020 budget is **\$60,000**.

The LRC agreed to assist the City with funding for the Downtown Lights Project in the amount of **\$72,000** for 2020.

Under the Tri-Party Agreement, the URD is required to remit 7.15% of net property tax revenue back to Boulder County. The proposed budget for 2020 is **\$142,900**.

The LRC has been in discussions with the Louisville Fire District about refunding a portion of the property tax revenue captured through the Fire District's overlapping levy. The proposed budget amount of **\$75,870** assumes:

- A 25% refund of the Fire District's current 6.686 mil levy; plus
- A 100% refund of the Fire District's new levy, estimated at 3.900 mils.

Note: Unlike the refund to Boulder County, this refund can only be calculated on the incremental valuation outside the Core Area.

Bond Maintenance Fees (**\$7,150**) are fees charged by the Paying Agent for the 2014 Property Tax Increment Revenue Bonds. Investment Fees (**\$3,500**) include fees charged by USBank to maintain the DELO Construction Account and fees charged by the City of Louisville's Investment Advisor for funds on deposit at the City.

Professional Services includes a proposed 2020 budget of **\$20,000** for possible 3rd party reviews of TIF agreements in 2020.

Payments from the DELO Construction Account are disbursements made by USBank at the URD's request. These are the disbursements from the 2014 Property Tax Increment Revenue Bond proceeds, the owner's funds, and the City's storm drainage contributions, for the benefit of the DELO Construction Project. The proposed budget of **\$310,000** approximates the remaining balance in the account.

The 2014 Property Tax Increment Revenue Bonds are accretion and cash flow bonds that were issued in 2014-2015 in the amount of \$4.5 million. Under this bond structure, the URD calculates an annual amount of "pledged revenue" and deposits it with the Paying Agent. The pledged revenue calculation is defined in the Bond Resolution. If the annual calculation does not cover all interest due, the remaining interest is compounded as accreted interest.

With assistance from Bond Counsel and based on definitions within the Bond Resolution, staff has modified the pledged revenue calculation, which has resulted in a greater amount of revenue pledged to debt service. This adjusted calculation has been implemented for both the 2019 estimate and the 2020 proposed budget. The 2020 proposed budget includes **\$355,000** in principal and **\$330,020** in interest.

The following table summarizes:

- The growth in valuation for the Core Area and URD;
- The valuation comparison between the Core Area and URD; and
- The calculation of pledged revenue for debt service.

SUBJECT: URD BUDGET AND CALCULATION OF PLEDGED REVENUE**DATE: OCTOBER 8, 2019****PAGE 5 OF 6**

Urban Revitalization District
Calculation of Revenue Generated by Core Area & Pledged to Debt Service
2015-2020

Levy Year Collection Year	2014 2015	2015 2016	2016 2017	2017 2018	2018 2019	2019 2020
Urban Revitalization District:						
Gross Assessed Valuation	32,983,771	44,334,564	46,653,134	58,141,776	61,021,831	66,856,634
Base Valuation	28,419,543	37,803,464	37,239,976	43,188,951	41,986,395	45,237,015
Incremental Valuation	4,564,228	6,531,100	9,413,158	14,952,825	19,035,436	21,619,619
Core Area:						
Gross Assessed Valuation		2,786,692	2,932,428	5,219,742	8,027,810	9,082,594
Base Valuation		1,080,337	1,080,337	1,080,337	1,080,337	1,080,337
Incremental Valuation		1,706,355	1,852,091	4,139,405	6,947,473	8,002,257
Core Area/Urban Revitalization District:						
Core Area Gross/URD Gross		6.29%	6.29%	8.98%	13.16%	13.59%
Core Area Base/URD Base		2.86%	2.90%	2.50%	2.57%	2.39%
Core Area Increment/URD Increment		26.1%	19.7%	27.7%	36.5%	37.0%
Core Area TIF Revenue		142,288	162,947	362,450	620,680	751,002
TIF Refund - Boulder County		(10,174)	(11,651)	(25,915)	(44,379)	(53,697)
Allocation of Support Costs		(2,306)	(1,608)	(3,133)	(7,893)	(8,151)
Allocation of Underpass		(6,914)	(4,714)	(26,943)	(124,730)	-
Revenue Pledged to Debt Service		122,894	144,974	306,459	443,678	689,154
Accumulated Pledged Revenue			267,868	574,327	1,018,005	1,707,160

As of December 31, 2018, the accreted value of the bonds was \$4,919,631. If the bonds are not fully paid at the end of the URD's life, they dissolve without default.

The following table summarizes the current and projected accreted value of the bonds.

SUBJECT: URD BUDGET AND CALCULATION OF PLEDGED REVENUE**DATE: OCTOBER 8, 2019****PAGE 6 OF 6**

Urban Revitalization District
Calculation of Bond Principal Outstanding
2015-2020

	2015	2016	2017	2018	2019	2020
Beginning Accreted Value	750,000	808,042	4,669,308	4,790,001	4,919,631	4,714,631
Additional Debt Issuance	-	3,750,000	-	-	-	-
Updated Accreted Value	750,000	4,558,042	4,669,308	4,790,001	4,919,631	4,714,631
Accrued Interest	58,042	166,521	326,852	335,300	344,374	330,024
Interest Paid	-	55,255	206,159	205,669	344,374	330,024
Accreted Interest	58,042	111,266	120,693	129,631	-	-
Principal Payment	-	-	-	-	205,000	355,000
Total Payment	-	55,255	206,159	205,669	549,374	685,024
Accumulated Payments			261,414	467,083	1,016,457	1,701,482
Ending Accreted Value	808,042	4,669,308	4,790,001	4,919,631	4,714,631	4,359,631

Ending Fund Balance

The preliminary budget calculates a 2020 ending fund balance of **\$1,321,681** (last line in the table on page 2). This allows the LRC to begin discussion on proactive projects to alleviate blight conditions, which may encourage additional economic activity within the area.

Such projects might include:

- Tax Increment Financing assistance for future redevelopment projects;
- Highway 42 transportation improvements – roadway, bike/pedestrian connections, underpasses, etc.;
- South Boulder Road transportation improvements – roadway, bike/pedestrian connections, underpasses, etc.;
- New amenities in downtown; and
- Parking spaces/infrastructure (not a structure).

RECOMMENDATION:

This is presented for City Council review and discussion only. No formal action is requested.

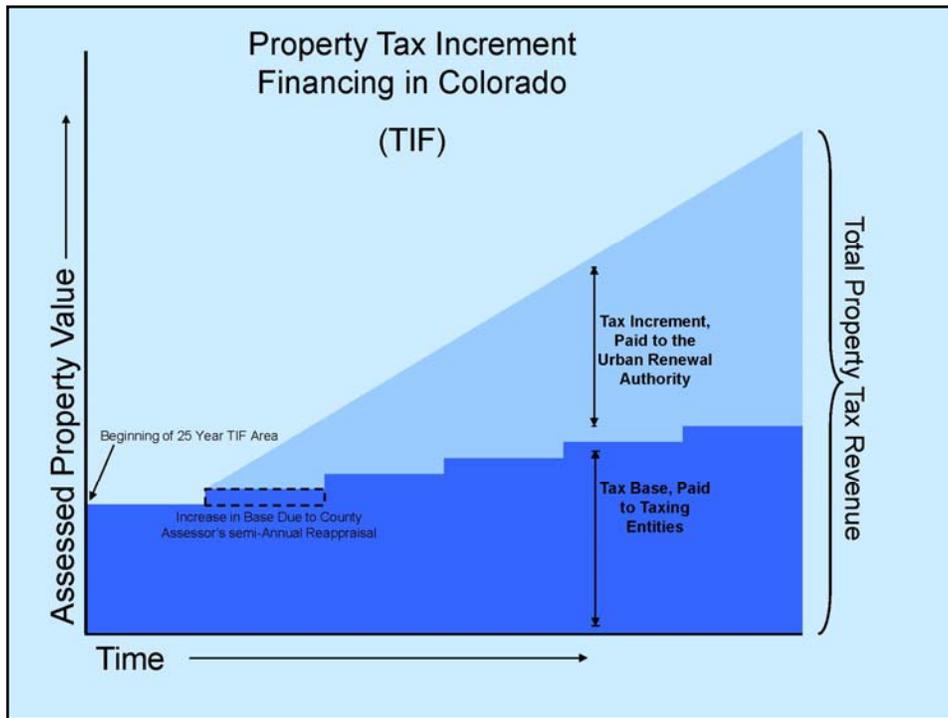
ATTACHMENTS:

1. Presentation

Preliminary Budget for Urban Revitalization District & Calculation of Pledged Revenue

October 8, 2019

Urban Revitalization District Proposed Budget for 2020					
	2017	2018	2019		2020
	Actual	Actual	Budget	Estimate	Budget
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**Calculation of Bond Principal Outstanding
2015-2020**

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Ending Accreted Value	808,042	4,669,308	4,790,001	4,919,631	4,714,631	4,359,631

**SUBJECT: DISCUSSION/DIRECTION – DRAFT 2020 LEGISLATIVE
AGENDA**

DATE: OCTOBER 8, 2019

PRESENTED BY: MEGAN DAVIS, 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 agenda is informed by the City’s strategic goals, current project and service priorities, as well as any challenges and barriers that the City may be facing in fulfilling its duties and responsibilities. In addition, the City has identified priorities through our legislative delegation members, professional trade associations, municipal and local government partners, stakeholders, advocacy groups, constituents and other City partners.

In addition, the proposed Legislative Agenda reflects the current legislative and policy context in Colorado, and anticipates how these factors may impact the City’s policy goals. This includes recent election outcomes, policy changes at the federal level that may impact state and local government, and state legislative interim committee outcomes.

The attached 2020 Louisville Legislative Agenda contains sections that relate to the core service areas provided by the City. Grounded in our fundamental priorities around home rule authority and maintaining local control, the legislative agenda addresses current or expected issues that may arise in the upcoming session.

Staff is requesting City Council input on the proposed 2020 Legislative Agenda, including any proposed language changes or additions to the policy positions.

FISCAL IMPACT:

There is no fiscal impact related to this item.

PROGRAM/SUB-PROGRAM IMPACT:

One of the objectives of the Governance & Administration Sub-Program is providing governance based on a thorough understanding of the community’s diverse interests executed through clear and effective policy direction. The City’s Legislative Agenda helps inform delegates of the City’s interests and provides direction at the state and federal level.

RECOMMENDATION:

Staff requests City Council provide any changes or additions to the legislative agenda.

ATTACHMENT(S):

- 1. Draft 2020 Legislative agenda (redline from 2019)
- 2. Draft 2020 Legislative agenda (clean version)

STRATEGIC PLAN IMPACT:

<input type="checkbox"/>	 Financial Stewardship & Asset Management	<input type="checkbox"/>	 Reliable Core Services
<input type="checkbox"/>	 Vibrant Economic Climate	<input type="checkbox"/>	 Quality Programs & Amenities
<input checked="" type="checkbox"/>	 Engaged Community	<input type="checkbox"/>	 Healthy Workforce
<input type="checkbox"/>	 Supportive Technology	<input checked="" type="checkbox"/>	 Collaborative Regional Partner

~~202019~~ Louisville Legislative Agenda

Home Rule/Local Control

The City supports local control and maintaining home rule authority. In general, the City believes 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. Collaborative local and state opportunities to address problems should be promoted without state mandates.

Positions:

- The City urges state officials to respect Colorado's tradition of local control and allow municipal officials to address local problems without state interference.
- The City supports a balanced approach to liquor and marijuana licensing that allows for cooperation and collaboration between local and State licensing entities.
- ~~The City supports maintaining home rule authority to regulate oil and gas development within our communities, codifying best management practices to mitigate operator impacts, and improved communication and notification to all impacted communities.~~

Tax and Finance Policy

The City supports a fair and consistent state tax policy that respects 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 believes it is important to address the layers of constraints on state and local government budgets resulting from the Taxpayer's Bill of Rights (TABOR) and the Gallagher Amendment.
- The City opposes legislation that preempts local authority to set sales tax policy and administer the collection of sales and use taxes.
- Supports the equitable distribution of sales tax collections with local governments from e-commerce or internet sales tax.
- ~~The City opposes state granted exemptions or other state actions that erode municipal sales taxes, use taxes, property taxes, and other revenue sources unless the state provides adequate replacement revenues.~~
- The City supports equitable sharing with municipalities of existing and future state revenues derived from state-collected, locally shared revenues, such as the Cigarette Tax, Highway Users Tax Fund, Lottery funds, and Marijuana tax funds.

Commented [MD1]: Redundant with the above blanket policy

Internal 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 fair and cost-effective manner.

Positions:

- The City supports maintaining our ability to make decisions on employment issues, including compensation and benefits, to ensure an equitable work environment.
- The City seeks to ensure that any state-imposed family leave programs work in conjunction with federal Family Medical Leave Act (FMLA) and do not cause undue financial burden to local governments.

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.

Position:

- ~~The City supports opportunities to mitigate costs for municipalities that provide healthcare for persons in custody, and legislation that amends current statute requiring municipalities to cover the cost of medical treatment for suspects while in custody.~~
- The City supports state funding for municipalities to provide counsel at an initial appearance in municipal court.
- The City opposes legislation that would prohibit the use of red light cameras and speed radar.
- ~~The City supports/opposes legislation that upholds/would diminish local government authority related to marijuana consumption, and allows for local opt-in provisions for any new permitting or licensing provisions, to approve or ban the public consumption of marijuana and establishment of marijuana consumption clubs.~~
- The City supports state and local authorities to regulate the access to and use of vaping and e-cigarettes, and to increase funding to support tobacco product use prevention and cessation.

Commented [MD2]: Replace with funding for mental health services for LE/PD?

Commented [MD3]: Do we still need this?

Commented [MD4]: Do we need this still?

Commented [MD5]: I am not sure if there is anything likely to come forward here?

Energy/Environment

The City supports legislation to address climate change by improving energy efficiency, increasing use of renewable energy, and reducing greenhouse gas emissions and dependence on fossil fuels while maintaining local control and authority for implementation.

Position:

- The City supports the development of a balanced, long-term statewide energy plan with an overall goal of reducing greenhouse gas emissions by reducing energy consumption, increasing the use of clean energy and transitioning away from fossil fuels.
- ~~The City supports the creation and expansion of statewide climate change mitigation goals that provide targets and incentives for the implementation of renewable energy strategies without imposing any unfunded state mandates on local governments.~~
- ~~The City supports the development of a new statewide inventory and forecast of greenhouse gas emissions reflecting existing Colorado law and policy, using a methodology that is comparable and meaningful at the local government level, and which can be updated on a regular basis.~~
- ~~The City supports the pursuit of policies that reduce overall energy demand and consumption, while respecting local authority in implementing such policies.~~
- The City supports solid waste reform that reduces plastic waste and increases waste diversion.
- The City supports legislation that incentivizes green building and sustainable design for residential, commercial and industrial properties without imposing unfunded mandates.
- The City supports the preservation of air quality and emission reductions through legislative, administrative and regulatory actions.

Commented [MD6]: Passed last year – HB19-1261 Climate Action Plan To Reduce Pollution

Commented [MD7]: Placeholder until we get more info from the solid waste interim committee priorities.

Transportation

Colorado's transportation infrastructure, which connects our communities and facilitates the movement of people and goods, is vital to the economic vitality of our state and necessary to maintain the high quality of life enjoyed by Coloradans.

Positions:

- The City supports one or more new, designated state funding sources for transportation that are not reliant on the State General Fund and that provide a local share to support local and regional transportation investments.
- The City supports efforts to identify a new transportation funding structure that promotes alternative fuel vehicles while ensuring adequate investments in the maintenance and expansion of the state and regional transportation network, including roads, bridges and transit projects.
- The City supports investments in ,as well as improved multi-modal strategies that increase transportation options, improve mobility and reduce congestion and greenhouse gas emissions, including-
~~The City supports increased funding that allows for~~ greater flexibility in current funding programs for multi-modal transportation systems and programs.
- The City supports completion of the Northwest Rail line, including phased implementation strategies such as ~~initial~~ Peak Rail Hour operations, and the pursuit of ~~additional~~ creative financing mechanisms to launch service sooner than is currently planned 2042.
- The City 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, and the use of these funds for non-transportation purposes.
- ~~The City opposes the use of Highway Users Tax Fund for non-transportation line items.~~
- The City opposes legislation to divest transfer maintenance responsibility of state-owned roads to municipalities without adequate short and long-term funding to meet these additional responsibilities.
- ~~The City opposes the unilateral authority by counties to reduce the municipal share of road and bridge property taxes without input from local communities.~~
- The City supports new bonding or other borrowing for transportation projects only if there are new or existing designated sources of funding identified to pay off those obligations.
- The City opposes any efforts to preempt local authority to determine the most appropriate truck routes through local jurisdictions.

Commented [MD8]: I don't think this is a state/legislative issue.

Utilities and Telecommunications

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 protection of interests in all matters related to local telecommunications, including telecommunications law and 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.
- 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 appropriate coordination of municipal water use with other uses, including agriculture, mineral resource development, energy development, recreation and open space.
- The City supports stakeholder input and involvement in developing laws and regulations related to water and wastewater issues.
- ~~The City supports the reestablishment of the right for local government entities to provide better telecommunication services for our businesses and residents.~~

- ~~The City supports additional resources for local broadband deployment that upholds local, voter-approved authorities.~~
- The City opposes federal efforts that complicate existing efforts to deploy small cell infrastructure and create unfunded mandates on local governments.
- The City opposes federal efforts to eliminate or reduce local funds for government access channels.

Commented [MD9]: Not likely for action in this area.

Land Use, Development and Revitalization

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 that improve the coordination of land use and transportation and regional cooperation in land use planning and economic development activities.
- The City opposes any efforts that limit local government authority to regulate land development.
- The City supports legislation that facilitates the creation of locally approved Transit-Oriented Developments (TOD).
- The City supports ~~maintaining or enhancing additional~~ funding for statewide affordable housing mechanisms, such as the State Low Income Housing tax credit program and affordable housing grant funding, affordable housing trust fund, that would bolster local and regional efforts to increase affordable housing.
- The City supports enhancements to 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.

2020 Louisville Legislative Agenda

Home Rule and Local Control

The City supports local control and maintaining home rule authority. In general, the City believes 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. Local collaboration opportunities should also be promoted without state involvement.

Positions:

- The City urges state officials to respect Colorado's tradition of local control and allow municipal officials to address local problems without state interference.
- The City supports state and local authorities to regulate the access to and use of vaping and e-cigarettes, and to increase funding to support tobacco product use prevention and cessation.

Tax and Finance Policy

The City supports a fair and consistent state tax policy that respects 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 believes it is important to address the layers of constraints on state and local government budgets resulting from the Taxpayer's Bill of Rights (TABOR) and the Gallagher Amendment.
- The City opposes legislation that preempts local authority to set sales tax policy and administer the collection of sales and use taxes.
- The City supports equitable sharing with municipalities of existing and future state revenues derived from state-collected, locally shared revenues, such as the Cigarette Tax, Highway Users Tax Fund, Lottery funds, and Marijuana tax funds.

Internal 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 fair and cost-effective manner.

Positions:

- The City supports maintaining our ability to make decisions on employment issues, including compensation and benefits, to ensure an equitable work environment.
- The City seeks to ensure that any state-imposed family leave programs work in conjunction with federal Family Medical Leave Act (FMLA) and do not cause undue financial burden to local governments.

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.

Positions:

- The City supports state funding for municipalities to provide counsel at an initial appearance in municipal court.
- The City supports legislation that upholds local government authority related to marijuana consumption, and allows for local opt-in provisions for any new permitting or licensing provisions.

- The City supports state and local regulatory authority regarding the access and use of vaping and e-cigarettes, and increased funding for tobacco product use prevention and cessation.

Energy and Environment

The City supports legislation to address climate change by improving energy efficiency, increasing use of renewable energy, and reducing greenhouse gas emissions and dependence on fossil fuels while maintaining local control and authority for implementation.

Positions:

- The City supports the development of a balanced, long-term statewide energy plan with an overall goal of reducing greenhouse gas emissions by reducing energy consumption, increasing the use of clean energy and transitioning away from fossil fuels.
- The City supports policies that reduce overall energy demand and consumption, while respecting local authority in implementing such policies.
- The City supports solid waste policies that reduce the use of disposable/single use products and that foster infrastructure, incentives and programs for recycling and composting.
- The City supports legislation that incentivizes green building and sustainable design for residential, commercial and industrial properties without imposing unfunded mandates.
- The City supports the preservation of air quality and emission reductions through legislative, administrative and regulatory actions.

Transportation

Colorado's transportation infrastructure, which connects our communities and facilitates the movement of people and goods, is vital to the economic vitality of our state and necessary to maintain the high quality of life enjoyed by Coloradoans.

Positions:

- The City supports one or more new, designated state funding sources for transportation that are not reliant on the State General Fund and that provide a local share to support local and regional transportation investments.
- The City supports efforts to identify a new transportation funding structure that promotes alternative fuel vehicles while ensuring adequate investments in the maintenance and expansion of the state and regional transportation network, including roads, bridges, multi-modal and transit projects.
- The City supports investments in multi-modal strategies that increase transportation options, improve mobility and reduce congestion and greenhouse gas emissions, including greater flexibility in current funding programs for multi-modal transportation systems and programs.
- The City supports completion of the Northwest Rail line, including phased implementation strategies such as Peak Rail operations, and the pursuit of creative financing mechanisms to launch service sooner than 2050.
- The City 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, and the use of these funds for non-transportation purposes.
- The City opposes legislation to divest state-owned roads to municipalities without adequate short and long-term funding to meet these additional responsibilities.
- The City supports new bonding or other borrowing for transportation projects only if there are new or existing designated sources of funding identified to pay off those obligations.

Utilities/Telecommunications

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 protection of interests in all matters related to local telecommunications, including telecommunications law and 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.
- 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 appropriate coordination of municipal water use with other uses, including agriculture, mineral resource development, energy development, recreation and open space.
- The City supports stakeholder input and involvement in developing laws and regulations related to water and wastewater issues.
- The City opposes federal efforts that complicate local actions to deploy small cell infrastructure and create unfunded mandates on local governments.
- The City opposes federal efforts to eliminate or reduce local funds for government access channels.

Land Use/Development/Revitalization

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 that improve the coordination of land use and transportation and regional cooperation in land use planning and economic development activities.
- The City opposes any efforts that limit local government authority to regulate land development.
- The City supports maintaining or enhancing funding for statewide affordable housing mechanisms, such as the State Low Income Housing tax credit program and affordable housing grant funding.
- The City supports enhancements to 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.

**SUBJECT: DISCUSSION – CURRENT CITY MEMBERSHIPS/
ASSOCIATIONS**

DATE: OCTOBER 8, 2019

PRESENTED BY: MEGAN DAVIS, DEPUTY CITY MANAGER

SUMMARY:

The City has long been involved in regional partnerships, organizations, and collaborations that help advance the city’s goals and leverage the resources realized through collaborative efforts. Some prominent examples include the reconstruction of US 36 and addition of the Flatiron Flyer Bus Rapid Transit, the construction of the diverging diamond intersection (DDI) at McCaslin and US 36, the RTD Park and Ride on US 36, the Sustainability Action Plan, and numerous Open Space purchases.

The City’s strategic plan identifies collaborative regional partnerships as one of our eight critical success factors, recognizing the importance of these partnerships in our ability to be effective in serving the Louisville community. Some of these partnerships informal while others are formalized through participation in regional and statewide groups.

For many years, the City of Louisville has formally participated in various local and statewide member organizations that provide services and add-value to the work of the city. Local government membership organizations may provide information and education, networking, benchmarking, training, policy insights, technical advice and guidance. In addition, several of these membership organizations provide state and federal lobbying assistance on legislative and policy matters that are of importance to the city. Louisville currently maintains a membership in the following City-council involved membership organizations.*

Colorado Municipal League (CML)

Founded in 1923, the Colorado Municipal League is a nonprofit, nonpartisan organization providing services and resources to assist municipal officials in managing their governments and serving the cities and towns of Colorado.

The League is the premier municipal membership organization for the state of Colorado, and provides municipal leaders with advocacy, member engagement, training, research, information and education, legal analysis, and leadership opportunities. CML hosts an annual conference, regular webinars, workshops, and other learning opportunities for both elected and professional municipal officials in a variety of areas including employment law, economic development, energy issues, telecommunication/technology infrastructure, tax and finance, and many other topics. CML maintains a member directory to assist municipal officials to connect and learn from one another.

CML actively tracks and engages with state legislation that would have an impact on municipalities, and is considered a strong lobbying force at the Colorado State Capitol. Each year CML develops a policy statement reflecting its priorities and areas of interest. (Attachment 1) The organization communicates regularly about the potential impacts of bills and provides regular opportunities for legislative engagement. CML publishes an annual update of any statutory changes that will affect municipalities, complete with a summary and interpretation of the new laws and how they may be implemented.

Over the past year staff participated in all CML Policy Committee meetings, some other topical meetings of interest and attended the annual CML conference. Council members and staff receive CML publications – email and mail newsletters and magazines, as well as special briefs on hot topics facing cities across the state. City Council members are also invited to participate in CML meetings and events.

Annual membership dues are approximately \$19,900.

Colorado Communities for Climate Action (CC4CA)

In 2018 the City of Louisville became a member of CC4CA, a coalition of 28 local governments working to strengthen state and federal climate policy. CC4CA represents local government and elected officials' unique perspective on climate change, and the important role that local communities play in addressing these challenges. CC4CA also recognizes that many local governments have their own climate goals that cannot be effectively reached without state and federal policy changes.

CC4CA operates as a consensus based organization, annually adopting a policy agenda (attachment 2) that helps guide its work. The organization has retained a state lobbyist to assist with advancing the policy agenda, and supporting the engagement of member communities in legislative, administrative and regulatory processes that can benefit from local government voices and perspectives. The organization educates members about current state and federal conversations and decisions related to climate change, and coordinates advocacy among its members.

Staff and City Council are invited to participate in any of the organizational meetings, which include steering committee meetings, budget/policy, and legislative committee meetings.

City Council has appointed Councilmember Stolzmann as the representative to CC4CA.

Annual membership dues are \$5,000.

Commuting Solutions

Commuting Solutions is the Transportation Management Association (TMA) for the US 36 corridor and Boulder County region. TMA's are nationally recognized as the regional organization responsible for the implementation of transportation demand management

(TDM) programs and services in a community. Commuting Solutions supports and implements innovative transportation options that connect commuters to their workplace. Commuting Solutions membership includes businesses, local governments, chambers, and any other organizations interested in multi-modal transportation solutions that reduce commuter impacts.

Commuting Solutions advocates for infrastructure and transportation improvements, partnerships and education, and flexible transportation solutions. They also provide marketing, design of service, coordination with service providers such as RTD, CDOT and local governments and travel demand management programs.

The City receives both direct and indirect benefits from the work of Commuting Solutions. The meetings and forums serve as an opportunity to network with other neighboring jurisdictions, share ideas and practices. These opportunities also provide staff and council with new information on transportation trends from around the region, nation, and globe.

Over the past year Commuting Solutions partnered with the City of Louisville to educate the business community about EcoPass opportunities, expand the 228 bus route, improve ridership on all RTD routes including FlexRide, and apply for a DRCOG grant to determine the feasibility of a circulator route through Louisville and the CTC. In addition Commuting Solutions has partnered with Louisville on “How to Ride the Bus” and sustainability series programs.

Staff attends Commuting Solutions membership meetings, transit promotional events and other key programs, such as the Sustainable Transportation Summit. In 2019, the Mayor appointed Councilmember Loo as the council representative to attend the membership meetings.

Annual membership dues are approximately \$6,200.

Denver Regional Council of Governments (DRCOG)

DRCOG is the federally designated Metropolitan Planning Organization (MPO) for the Denver metro region. Representatives from the entire region’s counties, cities and towns (including Boulder County and the City of Louisville) work together to address regional planning around transportation, growth, and development and aging and disability resources. The work of DRCOG is guided by the Metro Vision regional growth and development plan, which defines goals and actions needed to ensure the region remains a great place to live, work and play. DRCOG is not only a planning organization, it also provides technical assistance, data, maps and modelling, education, advocacy and grant management for its members. DRCOG develops a policy statement regarding state and federal policy annually. (Attachments 3 and 4)

Each city and county within the planning area is invited to appoint one elected official from their elected body to serve as their Director (or representative) to DRCOG. DRCOG has 58 participating member governments and each has an elected official as its representative to the Board. In addition, the governor appoints three non-voting representatives to the Board and RTD has a non-voting representative. The City of Louisville has appointed Councilmember Stolzmann as its Director, who also serves as the Secretary of the Board of Directors.

Approximate annual membership dues are \$8,800.

In addition, there are regional collaborative groups specifically for Mayors. Again, these groups may be formal or informal, and include opportunities for Mayors to learn about regional issues, network, share best practices and community concerns, and collaborate on common issues.

Metro Mayors Caucus

The Metro Mayors Caucus was formed in 1993 by a small group of Denver area mayors to address the multi-jurisdictional nature of many of their core challenges. The Caucus serves as a forum for regional dialogue from which consensus solutions may emerge. The Caucus, a voluntary and collaborative regional association of mayors, now includes 40 cities and towns from across the Denver metropolitan region.

The Caucus holds quarterly meetings that are open to Mayors and city staff. Meetings typically focus on a specific area of interest to communities in the Denver metro area, such as housing and homelessness, transportation, water, growth and development and energy. The Caucus takes consensus-based positions on specific issues as the interest arises, vs. developing an annual policy agenda.

US 36 Mayors and Commissioners Coalition

The US 36 MCC is a coalition of mayors and commissioners representing the northwest metro region who share an interest in improving transportation and transit systems within and surrounding our region. The US 36 MCC is solely focused on transportation issues. The group includes representation from the Boulder County Commissioners, the mayors of all Boulder County municipalities, plus Westminster, and the City and County of Broomfield. Commuting Solutions serves as the coordinator/facilitator for the group. The group is largely focused on promoting multi-modal transportation and funding investments that increase transportation options.

The MCC works to build consensus around regional transportation issues, projects, funding, and advocacy. Each year the MCC reviews and updates its policy agenda (attachment 5), which reflects the transportation interests of the regional partners. The collaborative retains and state and federal lobbyist to assist with advancing transportation priorities and increasing funding investments in our region. The lobbyists

assist with federal grant applications and ensuring our priorities are included in state funding opportunities.

The MCC has a technical/staff team that meets monthly and the MCC members meet monthly as well.

There are no annual membership dues, but the City contributes to the administrative costs for the MCC and the state/federal lobbyists, approximately \$2,500 and \$6,500 (respectively) per year.

FISCAL IMPACT:

The dues outlined above for each of the membership organizations are included in the 2020 budget. The City will reevaluate these memberships during the biennial budget process in 2020.

* This list only involves those organizations with which City Council is directly involved. There are many organizations in which the city is involved within individual departments. For example, the Chamber of Commerce, SHRM (State Human Resources Management), and other associations and collaborations relevant to the work of the City.

PROGRAM/SUB-PROGRAM IMPACT:

These memberships and collaborative partnerships help address numerous issues impacting the City, and therefore impact several program areas, including transportation, economic prosperity, community design, utilities and more. They also support the Governance and Administration sub-program, specifically the objective of governance based on thorough understanding of the community's diverse interests executed through clear and effective policy direction, and supporting informed policy-making.

RECOMMENDATION:

Staff is providing this update on membership organizations for discussion.

ATTACHMENT(S):

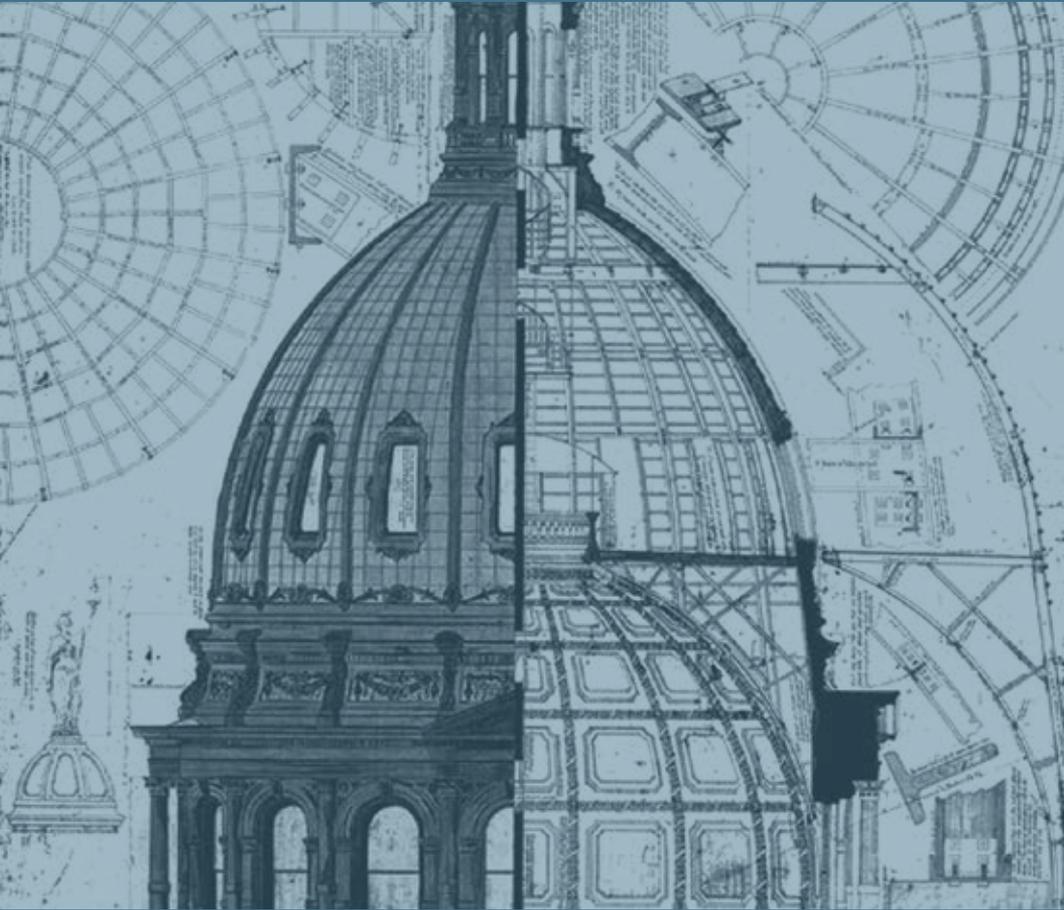
1. CML Policy Positions 2019 - 20
2. CC4CA Policy Agenda
3. DRCOG Policy Statement on State issues
4. DRCOG Policy Statement on Federal issues
5. US 36 Mayors and Commissioners Coalition Policy Agenda

STRATEGIC PLAN IMPACT:

<input type="checkbox"/>	 Financial Stewardship & Asset Management	<input type="checkbox"/>	 Reliable Core Services
<input type="checkbox"/>	 Vibrant Economic Climate	<input type="checkbox"/>	 Quality Programs & Amenities
<input type="checkbox"/>	 Engaged Community	<input type="checkbox"/>	 Healthy Workforce
<input type="checkbox"/>	 Supportive Technology	<input checked="" type="checkbox"/>	 Collaborative Regional Partner

Colorado Municipal League Policy Statement

2019–2020



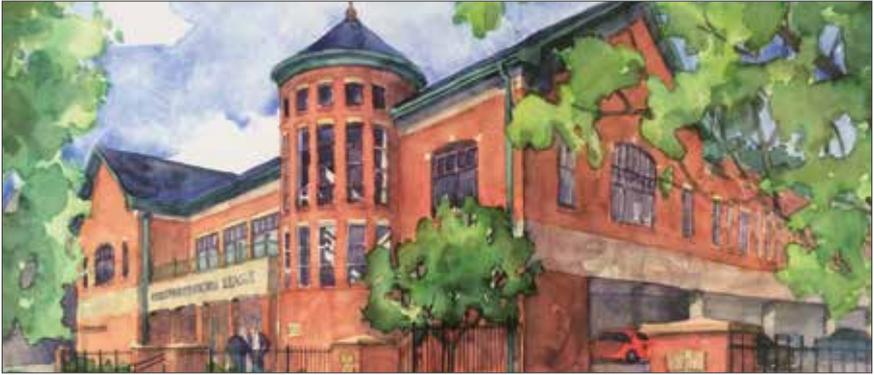
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Published September 2019
by the Colorado Municipal League.

About the 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 all inclusive. 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 and Policy Advocate Meghan Dollar at mdollar@cml.org, 303-831-6411, or 866-578-8175.

CML 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 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 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 base.
- Supports broadening the state

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 the promotion of local brick-and-mortar businesses and equity in the collection of sales and use taxes either through congressional action to enact marketplace fairness legislation or a decision by the U.S. Supreme Court overturning *Quill Corp. vs. North Dakota*.
- 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.

Miscellaneous finance issues

Capital financing

The League:

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

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.

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.

- 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 a strong, multifaceted program to promote the economic vitality of Colorado. This program should encourage the diversification and expansion of local economies, including support for existing business, creation of new jobs and promotion of tourism. The program should be closely coordinated with local governments and the state should never 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.
- Encourages a continued comprehensive effort among state and local governments and the private sector to

manage a coordinated tourism promotion program.

Education

The League believes an effective education system supplies our municipalities with an educated and well-trained community and workforce who will both allow existing businesses to expand and attract new business investment. The most effective programs are those partnerships among our educational institutions, local stakeholder and local governments. Due to its importance to our communities, the League supports education as a community-wide value.

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, or 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.

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 create jobs and support 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 municipal efforts to assess energy efficiency opportunities in their own operations and in their communities as a whole; to set energy efficiency targets; and to create 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.

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's 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 State 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 the Colorado Department of Local Affairs' 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, such as Rocky Flats.

- Opposes increases in the proportion of municipal cash funding support for state environmental programs.
- Opposes state preemption of local government authority to adopt environmental ordinances.
- Supports the concept of sustainability and sustainable solutions that are aimed to meet the needs of the present population without compromising the ability of future generations to meet their needs.
- 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, waste product storage, and disposal facilities.

- Supports practices to assure citizen safety, environmental protection and the protection of domestic water sources; and opposes state preemption of local land use and watershed regulations.

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 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 the preservation, revitalization and redevelopment of existing neighborhoods.
- Supports public and

private financial assistance programs to address the needs of the homeless.

- Supports programs that involve municipalities in addressing foreclosures.
- Supports the creation of an adequately financed statewide housing trust fund.

Human rights

The League supports programs that protect the rights and dignity of the individual and encourages programs that address such issues as employment, housing, health care, substance abuse and equal opportunity.

Initiative reform

The League:

- Supports efforts to reform the state's initiative and referendum procedures by increasing the number of signatures required to place a constitutional amendment citizen initiative on the ballot.
- Supports efforts to maintain the state constitution as a basic framework for government rather than an embodiment of statutory law while maintaining the citizen lawmaking process by supporting additional protections for statutory law made by citizen initiative.

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.

Municipal court operations

The League:

- 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 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 to promote communication and intergovernmental cooperation with affected local governments when using tax increment financing.
- Generally opposes efforts to restrict municipal authority to annex territory.
- 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.

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 in their communities.
- Opposes federal or state preemption of municipal land use within the wildland urban interface.

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 pensions, 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 self-insurance 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.

Telecommunications

The League:

- Supports the retention of municipal regulatory authority over cable television systems.
- Supports affordable access by all municipalities to state-of-the-art broadband and telecommunication and information services.
- 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.
- Supports options to level the playing field for smaller broadband and telecommunications providers to compete throughout Colorado.

Transportation

The League:

- 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.
- Supports limitations on "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 allocation of all federal transportation taxes and funds for their intended transportation purposes.
- Supports efforts to improve air transportation throughout Colorado.
- 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 roadway, bicycle, pedestrian, transit, carpool/vanpool 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 multimodal 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.
- Greater flexibility and increased revenues for multimodal transportation systems.

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.

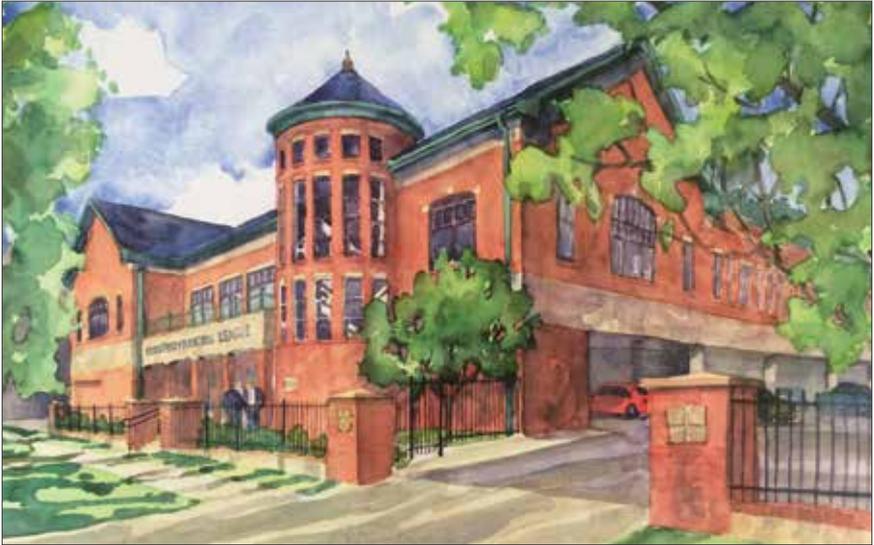
- Supports stakeholder input and involvement in developing laws and regulations related to water and wastewater issues.
- Encourages ongoing communication by federal land managers with affected municipalities regarding the leasing of federal lands that might impact local land use and environmental policies including, but not limited to, local watershed ordinances.

Youth

The League:

- Supports municipal and other efforts to address youth issues and needs.
- Recognizes the influence that parents in partnership with non-profit 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. Of Colorado's 272 Colorado cities and towns, 270 are members of CML, representing more than 99% of the municipal population 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 you need to serve your municipality and its residents. Each year, staff responds to individual inquiries with information, advice, and sample documents. CML periodicals include the award-winning bimonthly magazine, *Colorado Municipalities*; biweekly *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, www.cml.org, and presence on social media platforms, 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 League services, contact the League office in Denver at 303-831-6411 / 866-578-0936.

Colorado municipal facts

Number of incorporated municipalities: 272

Population (2017 estimates)

State:	5,609,445
Municipal:	4,159,526
Municipal as percent of state:	74%

Range in municipal population:

Lakeside: 8 Denver: 705,651

Municipalities with CML membership: 270

Structure of Colorado municipal governments

Structure	#	Population	% of municipal population
Home Rule	102	3,886,636	93.44%
Statutory	169	271,815	6.53%
Territorial Charter	1	1,075	0.026%

Municipal finance

Property tax (2017)

Assessed valuations

State:	\$111.63 billion
Municipal:	\$74.99 billion
Municipal as percent of state:	67.2%

Sales tax (2019)

Total municipalities levying a local sales tax: 222

Municipalities with self-collected sales tax: 71

Low: 1% High: 7%

Municipal elections (1993-April 2019)

Ballot issues	Passed	Failed	% Passed
TABOR revenue and spending changes	494	78	86%
Municipal tax/tax rate	636	414	61%
Municipal debt/obligation	313	138	69%

Other facts

- Colorado has 272 municipalities (including the City and County of Denver and the City and County of Broomfield).
- There are approximately 1,800 municipal elected officials in Colorado (mayors, mayor pro tems, councilmembers, trustees).
- Pay for mayors, councilmembers, and trustees is determined locally. Compensation varies from no compensation to modest compensation levels for part-time officials. There are a few full-time paid positions, i.e., mayors in Denver and Aurora.

Compiled by the Colorado Municipal League, April 2019

Empowered cities and towns,
united for a strong Colorado



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POLICY STATEMENT
ON STATE
LEGISLATIVE ISSUES

2019



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 positions and actions taken by the DRCOG Board, its staff and members during the 2019 state legislative session.

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.



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 April 18, 2018.

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 inter-related 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.





The signers of the Mile High Compact agreed that their comprehensive/master plans will follow specific principles, contain specific elements and ensure consistency between local plans and Metro Vision.

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 (metrovision.drcog.org).**

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, including but not limited to: a) providing the Regional Transportation District (RTD) with the ability to manage its park-and-ride facilities using best practices that help the region reduce vehicle miles traveled (VMT); b) expanding the ability of RTD and local governments to enter into joint-development agreements; and c) protecting 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. **DRCOG supports the use of comprehensive/master plans as the foundation for 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. Therefore, **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 state financial support for loan and grant programs for low- and moderate-income housing, including associated amenities that promote 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:**

- the 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 as well as 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 consultations between state, regional and local agencies to coordinate statewide system and project planning efforts, as well as to coordinate transportation, land use and air quality planning efforts. DRCOG 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 and programming funds for a 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. Consensus between state and regional transportation agencies also is critical. **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 applicable regional transit agencies in selecting projects to be funded to ensure that local, regional and state transportation needs are met 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



Transportation financing

Colorado and the Denver metro area face serious funding shortages for meeting their transportation needs. Regional and statewide analyses show existing revenue sources are inadequate to maintain current infrastructure, let alone address congestion, provide multimodal options desired by the public, address needs in agricultural and energy-impacted areas, and ensure safe travel throughout the state. The region's long-term economic vitality requires a built environment that includes effective and convenient transportation options. 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, address congestion and safety, and provide multi-modal options for people of all ages, incomes and abilities.
- Reduce or eliminate off-the-top appropriations from the Highway Users Tax Fund.
- Consider alternative revenue and financing mechanisms, such as road usage charges, and, under certain circumstances, tolling and congestion pricing of existing roadways.
- Provide an appropriate share of new or increased revenues back to local governments.
- Consider the effects of land use decisions on transportation infrastructure needs.



- Protect and expand the authority of regions to implement regional financing tools.
- 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.
- 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.
- 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 demand 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.**

Coordination of regional and statewide transportation efforts

The DRCOG area generates a significant number of trips throughout the state of Colorado. At the same time, residents from throughout Colorado travel to, and through, the metro area. Coordination of transportation planning and funding efforts between DRCOG and neighboring councils of governments, transportation planning regions and coalitions, especially in the primary north-south (Interstate 25) and east-west (Interstate 70) corridors will provide mobility and economic benefits not just for the DRCOG region but for the entire state. Regional consensus through the existing planning processes is critical for defining large-scale projects in the state's major transportation corridors, establishing their priorities, and broadening the base for their funding. **DRCOG supports regional and statewide efforts to enhance consensus-building among partners and will work to pursue multimodal transportation solutions. DRCOG supports using the regional and statewide transportation planning processes to explore and identify transportation solutions and will evaluate state legislative and administrative actions for consistency with this policy.**

Advanced mobility

Rapidly changing technology is revolutionizing transportation mobility. From dockless scooters and e-bikes (electric bicycles) to the potential for connected and automated vehicles, the transportation sector is undergoing a rapid and uncharted evolution toward mobility on demand and mobility as a service. In 2018, DRCOG participated in Mobility Choice Blueprint – a one-of-a-kind planning and funding partnership among CDOT, DRCOG, RTD and the Denver Metro Chamber of Commerce to help the Denver region identify how to best prepare for the era of advanced mobility. Through the Mobility Choice Blueprint process, DRCOG has identified leadership opportunities in the areas of advanced mobility governance and data management. As the MPO, DRCOG coordinates the region's transportation planning process among DRCOG, CDOT and RTD. Advanced mobility represents a natural extension of DRCOG's MPO role as the region implements and expands the Mobility Choice Blueprint process. Similarly the cooperative and collaborative data management essential to the region's successful integration of new and emerging transportation technologies will be facilitated by DRCOG's experience leading the Denver Regional Data Consortium and creating or serving as a repository of numerous land use, transportation, traffic, GIS and other data sets. **DRCOG encourages the General Assembly and state agencies to support efforts to provide local governments with planning tools, technical assistance and the other resources necessary to prepare for new and emerging transportation technologies.**

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 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 the following principles and programs to promote transportation demand management efforts:

- a coordinated regionwide effort (Way to Go) to promote and encourage adoption of non-single-occupant-vehicle (non-SOV) travel options
- active transportation to encourage healthier travel choices, including bicycling and walking
- transit
- telecommuting, flextime and other changes to normal work patterns to avoid 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





Safe and effective management of the transportation system

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 approaches that make use of the roadways and transit facilities more efficient, 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.**

DRCOG's board-adopted Metro Vision plan includes a safety performance measure to reduce the number of traffic fatalities to fewer than 100 annually by 2040. Additionally, the board will focus its investments in the next Transportation Improvement Program on improving the safety and security of the transportation system. **DRCOG supports educational, enforcement and engineering approaches that enhance safety to reduce crashes, serious injuries and fatalities. These include approaches to optimize the multimodal transportation system to improve the safe and reliable flow of people and goods such as incident management, safety education and awareness, driver safety measures and other measures proved to enhance safety.**



Transportation for older adults and vulnerable populations

Access to transportation is critical for older adults and individuals with disabilities, low incomes, veterans and other vulnerable populations. Transportation allows them 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 general and Medicaid transportation services for older adults and other vulnerable populations



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:**



an ADRC, including policies, projects, programs and funding to improve data collection and analysis of cost effectiveness.

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
- 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.

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 and interests, consistent with state and federal laws. DRCOG supports collaboration and partnerships to better meet service needs consistent with DRCOG's responsibilities as an Area Agency on Aging and**





- 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.
- 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. **DRCOG supports increases in 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

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. **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

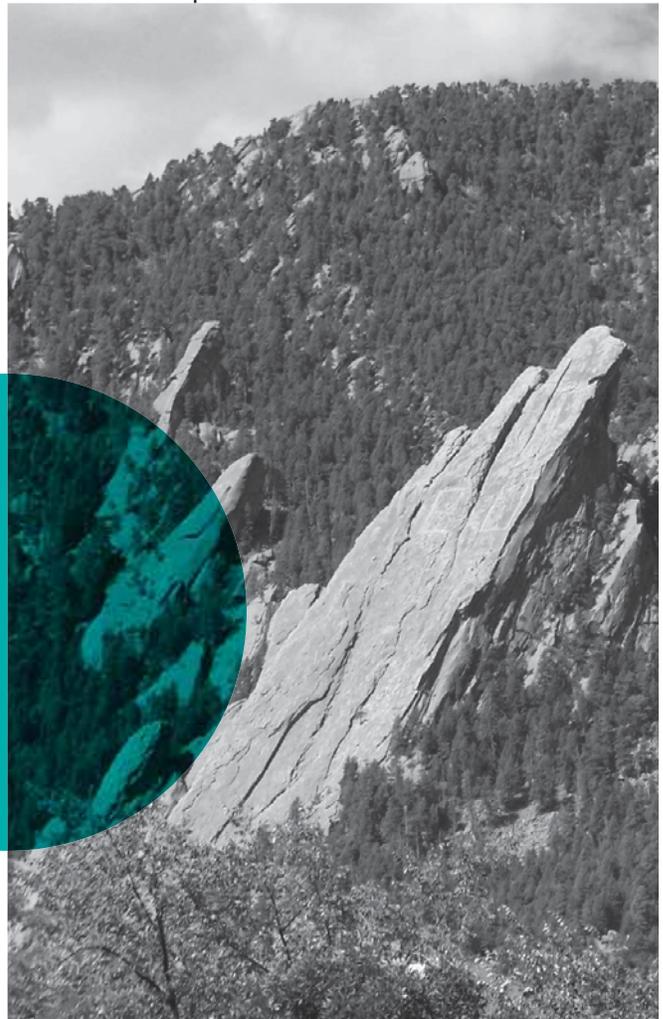
An adequate, dependable supply of water is necessary for urban, agriculture, recreation and open-space priorities both in the Denver metro area and throughout the state. Metro Vision calls for maximizing the wise use of water resources through efficient land development and other strategies. **DRCOG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



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EO-RP-19STATEPOLICY-19-01-25-v1



POLICY STATEMENT
ON FEDERAL
LEGISLATIVE ISSUES

2019



INTRODUCTION

This paper outlines the key federal policy issues of the Denver Regional Council of Governments.

It identifies policy positions intended to inform the Colorado congressional delegation, Congress, federal and state executive branch officials, and others as they develop and implement national policy on these issues. This policy statement guides DRCOG's federal legislative positions and actions during the coming year.

DRCOG is a membership organization of more than 50 cities, towns and counties in the Denver metropolitan area. Under federal law, it serves as the Area Agency on Aging for eight counties to aid the 60-and-older population and the metropolitan planning organization (MPO) to coordinate transportation planning with air quality goals.

Under state statutes, DRCOG is a regional planning commission, responsible for preparing a regional plan for the development of the metro area.

REGIONAL PLANNING

Comprehensive planning and land use.

Although comprehensive planning and land use are primarily matters for local determination and regional coordination, the federal government can play a supportive role in encouraging local and regional efforts through funding, technical assistance and other incentives. DRCOG's Metro Vision plan represents a shared regional vision for creating sustainable, livable communities that allow people of all ages, incomes and abilities to succeed. Metro Vision further recognizes that the success of the region's visionary 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.

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. Achieving Metro Vision goals requires coordinated investment in a wide range of planning and implementation activities that transcend traditional funding categories. **DRCOG supports those efforts that help the region achieve the shared outcomes described in Metro Vision and encourages federal entities to align their policies and investment decisions to advance regionally determined objectives where appropriate.**

DRCOG's Metro Vision plan emerged from a collaborative process that spanned more than four years. During this time, DRCOG's policy committees, member governments, partner agencies, regional stakeholders and the community at large worked together to create a shared vision for action for shaping the future of the Denver metro area. The plan's shared vision of the future is captured in five overarching themes and 14 inter-related aspirational outcomes, which describe a future that DRCOG, local governments and partners will work toward together. **DRCOG may support or oppose legislative proposals that affect the ability of the region to achieve these outcomes and the associated performance measures and targets.**



Outcomes: 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 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 built and natural 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.



DRCOG further urges Congress to consider the following in support of local and regional planning:

- DRCOG supports improving the coordination of housing, community development, transportation, energy, and environmental policy in the United States; coordinating federal policies and investments to promote sustainable development; and encouraging comprehensive regional planning for livable communities.
- DRCOG supports federal policies and investments that help local governments and the private sector develop successful urban centers, including transit station areas.
- DRCOG supports federal funding, regulatory support and other incentives to bolster local and regional efforts to increase the supply of affordable housing, including housing suitable for fixed-income older adults. Additionally, DRCOG supports effective means to create and maintain supportive services for residents in affordable housing communities.
- DRCOG supports efforts to promote affordable housing options by:
 - Promoting policies and programs that support the creation and maintenance of an adequate supply of affordable rental and ownership options integrated with the community to meet the needs of people of all ages, incomes, and abilities. This should include expansion of the Low-Income Housing Tax Credit, a critical tool for supporting private investment in the production and preservation of affordable housing in the state of Colorado and

throughout the country, and efforts to strengthen communities through investments in transportation, economic opportunities, education, health services and other amenities that promote opportunity.

- Ensuring that 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, while balancing the rights of property owners.
- Ensuring that policies, programs and other actions that affect land use and housing support the private and public sectors in providing a variety of housing sizes and types for people of all ages, incomes and abilities.
- Federal agencies and elected officials should respect and support local and regional plans and land use authority. This includes ensuring funding decisions and the siting of federal and other facilities are consistent with those plans and respect local and regional land use authority.

Federal agencies and elected officials also should ensure maximum local and regional participation in those decisions.

- The federal government should protect open space, including natural habitats, by fully funding the land conservation, preservation and infrastructure improvement trust fund programs and providing new incentives for land conservation and outdoor recreation opportunities.
- Federal investments in local and regional data and information programs help DRCOG deliver improved information, tools and services for local and regional planning and decision-making. DRCOG supports continued funding for these programs and legislation that requires local, regional and state governments to proactively share digital data with the public.



OLDER ADULTS

Older Americans Act reauthorization

DRCOG has been the designated Area Agency on Aging (AAA) for the metro area under the auspices of the federal Older Americans Act since 1973. In this capacity, DRCOG is responsible for planning and advocating for the needs of the region's older residents, as well as for providing a broad array of services and programs.

Although Congress reauthorized the Older Americans Act in 2016, the act is set to expire in 2019. Since the last full reauthorization (2006), the challenges to communities, states and the nation presented by the aging of the population have continued to accelerate across the U.S. but particularly in Colorado.

This critical national issue has continued to put pressure on services, especially the need for more tailored in-home and community-based services, the need for more focused prevention programs, the need for consumer advocacy in long-term care facilities, and increased support for family caregivers. These issues were not addressed in any substantive way in the 2016 reauthorization. The 2016 reauthorization also only partially addressed the funding imbalances in the existing Older Americans Act funding formula. The coming reauthorization offers a prime opportunity to modernize and reshape aging services in the U.S. and rebalance the allocation of Older Americans Act funds to the states. **Accordingly, DRCOG adopts the following principles for reauthorization of the Older Americans Act.**

Eliminate obsolete funding provisions in the Older Americans Act

DRCOG has expressed concerns that the current funding formula for the Older Americans Act is outdated and unfair, particularly to states with fast-growing older adult populations. The Older Americans Act funding formula generally allocates federal funds to states based on the proportion of older adults in each state. However, the full reauthorization in 2006 included a modified “hold harmless” provision to prevent slow-growing states from falling below their fiscal year 2006 funding levels. The 2006 formula also used population numbers from the 2000 Census, which quickly became outdated after the 2010 Census. Although the data was updated in the full reauthorization that passed in 2016, it will need to be updated again after the 2020 Census. This combination of obsolete data and the hold harmless provision caused Colorado to lose more funding than any other state, during both the annual appropriations as well as in the sequestration cuts in 2012.

DRCOG opposes the inclusion of the hold harmless provision when allocating Older Americans Act funds.

The full reauthorization only included a small change to the funding formula in the direction of fairness. All nine members of the Colorado congressional delegation in a bipartisan manner have sent multiple communications to House and Senate leadership and the administration urging them to ensure the next reauthorization of the Older Americans Act treats all seniors fairly by eliminating the hold harmless provision. DRCOG appreciates the continued support of the Colorado delegation for this issue.



Encourage meaningful coordination with other systems and programs

The Administration on Aging should adopt rules and regulations incorporating the following specific concerns:

- Require states, area agencies on aging, Medicaid long-term care agencies and other relevant entities to continue efforts to better coordinate regional and statewide planning of services and programs for seniors.
- Coordinate all federal programs and planning processes that serve older adults, such as Older Americans Act, Medicaid, Fixing America’s Surface Transportation (FAST) Act and Section 202 housing programs.
- Establish new policy and program guidelines to improve coordination and optimize all public and private benefits, services and resources aimed at promoting elder economic security.
- Remove institutional barriers to the coordination of elderly and disabled transportation services by providing the flexibility to allow trips for elderly and non-elderly disabled persons and for meal, medical and personal services to be served by the same provider using a combination of U.S. Department of Health and Human Services and U.S. Department of Transportation funding.
- Avoid shifting the cost burden from cash-strapped programs such as Medicaid to the Older Americans Act programs, simply to bail out those programs.

- Strengthen the collaboration between the area agencies on aging and federal, state and local governments with community-based organizations and national organizations that work with diverse older adults by providing resources, including funding research, programs and training to more effectively respond to changing demographics and target services to those most in need.

Establish a federal services identification database for senior services

To better provide coordinated services to seniors, DRCOG supports the creation of a federal database which will summarize all care that a patient is receiving regardless of which federal agency is providing the care. Currently, DRCOG has no ability to understand the complete umbrella of services a patient is receiving because there is no way to access information about that patient outside of the information that DRCOG has. This data sharing will allow the Area Agency on Aging to better shape and provide services for aging adults.

Maximize flexibility in use of Older Americans Act funds

Most federal funding provided to state and local entities under the federal Older Americans Act is specifically earmarked to particular services. Although all of the Older Americans Act-funded services, such as meals and transportation, are critically important, the area agencies on aging, local governments and service providers are in the best position to assess the specific needs in the local areas. **Increased flexibility in the use of program funds would allow area agencies on aging to better meet the needs of older adults.**

- Simplify rules and regulations to allow better coordination of senior services thus enabling area agencies on aging and service providers to more efficiently and effectively use federal funds to address local priorities. This could include the



consolidation of certain funding categories to improve administration of the affected programs. For example, the Title III C-1 congregate meal and Title III C-2 home-delivered meal programs could be merged.

- Create flexibility in state- and federally specified allotments of Older Americans Act funds allowing area agencies on aging to use regional priorities to determine funding distributions at the local level, consistent with the goals of the act.
- Set required local match at 10 percent and required state match at 5 percent across all programs of the Older Americans Act. Currently, required local and state funding match percentages vary widely. For example, state/local match for the National Family Caregiver Support Program is 25 percent, while the Nutrition and Supportive Services Programs require a 15 percent state/local match. In some cases, states can completely opt out of providing a state match, as with the National Family Caregiver Support Program.

Fund aging-related planning for local communities

The 2006 reauthorization established new requirements for area agencies on aging to broaden their planning efforts beyond service needs to include senior-friendly

community planning to promote livable communities for all ages but did not include funds for this new mandate. **To ensure these requirements are met, Congress must appropriate funds for state, regional and local collaboration, planning, community capacity-building and technical assistance. This should include funds for conducting analyses of the strengths and needs of seniors in a given area.**

Increase federal funding for Older Americans Act programs

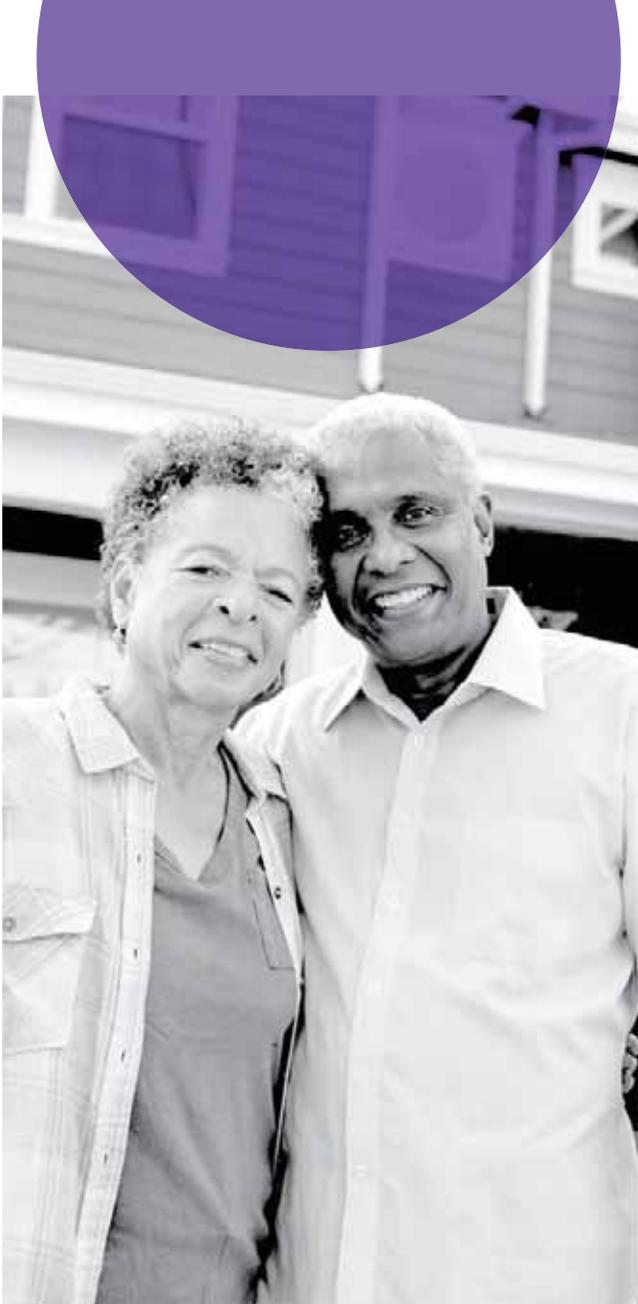
The funding provided through the Older Americans Act has proved critical in maintaining a quality standard of living for many of the nation's older adults. For years, however, Older Americans Act funding has not kept pace with inflation or the growing population of individuals eligible for services. Yet, demand by at-risk older adults in need of supportive services has risen and will continue to rise with the growth of the aging population. This long-term gap in funding translates to greater numbers of older adults and family caregivers with unmet needs and increasing pressures on state and local agencies, service providers and families. Meanwhile, waiting lists for Older Americans Act-funded services, such as Meals on Wheels, rides to medical appointments and in-home care, have burgeoned throughout the country.

Compounding these problems, financial pressures on other programs that provide services to seniors, such as Medicare and Medicaid, have led to reductions in the services provided by those programs, and a related increase in demands on Older Americans Act programs. At the same time, there are proposals for addressing the nation's long-term debt that actually would result in significant cuts in funding for these programs.

Funding cuts, such as those in the Budget Control Act of 2011 under sequestration, have had devastating consequences for vulnerable older adults in the metro area and across Colorado. Congress should fund the Older Americans Act adequately now and into the future in preparation for the aging of the baby boomers. **DRCOG specifically supports:**

- A balanced approach to addressing the nation's budget deficits and long-term debt.
- Any approach must protect those older adults in greatest social and economic need by fairly balancing increased revenues and targeted spending reductions and taking no actions that increase economic vulnerability or poverty.
- Significant annual increases in the overall funding for the Older Americans Act programs, which are necessary to catch up with the lag in historical funding. DRCOG supports the position of the National Association of Area Agencies on Aging, which is advocating total funding for Older Americans Act be increased to at least fiscal year 2010 levels to restore the capacity of Older Americans Act programs, with special attention to Title III B Supportive Services, Title III E National Family Caregiver Support Program and Title VII State Long-Term Care Ombudsman program, as these programs have had no relief from the sequester.
- Future authorized appropriations at levels adequate to fund identified needs but at least commensurate with the rates of growth in inflation and the economically needy older population.





- Priority for funding given to those Older Americans Act programs and services, especially nutrition services that emphasize assisting clients to live in their homes as long and as independently as possible.
- Support evidence-based health and wellness programs.
- Bridging the gap between community services and health care through programs that promote care transitions and care coordination and encourage community-based models.
- Increases in the funding for family caregiver support services (including training, respite care,

counseling, and information and assistance) and the continued distribution of these monies through area agencies on aging, which are important to address the growing needs of families who provide extensive care to their loved ones.

- Increases in funding for Long-Term Care Ombudsman programs, which are necessary to improve the ability to respond to complaints and safeguard residents' rights.
- Congress also should change budget rules to allow credit for discretionary programs that save money in mandatory programs.

Provide a path for private sector investment in Older Americans Act services

As part of the Older Americans Act reauthorization, as well as other federal programs like Medicare Advantage Plans, Congress should allow for and incentivize citizens and insurance companies to purchase private insurance benefits that would be coordinated with the AAAs across the country to provide low-cost senior services such as Meals on Wheels and trips to the doctor's office.

Long-term care facility quality of care

Older adults living in long-term care communities (i.e., nursing homes and assisted living) are some of the most vulnerable members of society. As the Long-Term Care Ombudsman for the region, DRCOG is an advocate for the rights of residents in long-term care communities and for improvement in the quality of care in such facilities. The quality of care provided by long-term care facilities is an ongoing concern to facility residents, their families, local governments and resident advocates. **DRCOG supports increases in consumer protections for older adults and their caregivers and, in particular, strengthening the role of the Long-Term Care Ombudsman as a resident/consumer advocate and reimbursement for long-term care communities structured to enhance the quality of care for residents. DRCOG believes the following issues require particular attention by Congress and federal agencies.**

- Federal regulations designed to ensure the quality of care in long-term care facilities are not fully enforced, largely due to inadequate staffing levels in state enforcement agencies. There also are several actions that could be added to the regulations to improve enforcement. These include increased inspections and penalties on long-term care facilities failing to comply with regulations. DRCOG supports such improved enforcement of long-term care regulations and an increase in funding for enforcement actions.
- Most complaints investigated by DRCOG ombudsmen are traceable to staffing issues in the long-term care facilities. The inability to maintain adequate staffing is a critical concern that negatively impacts long-term care facility quality of service. DRCOG supports federal legislation, policies and programs to improve the quality of service in long-term care facilities, including setting minimum staffing levels and providing financial and technical assistance for the recruitment, training and retention of long-term care facility employees.
- Nursing home transparency is an ongoing issue in advocacy for the rights of residents. Occasionally legislation has been proposed to enhance families' access to information about the quality of care in nursing homes and improve the government's ability to ensure quality care and a better-trained staff in those facilities. DRCOG supports legislation that includes stronger disclosure of ownership and control of facilities, better oversight of quality of care indicators, improved consumer information, and an enhanced complaint and penalty process.

Fund the Elder Justice Act

This legislation provides critical protection for residents living in nursing homes and assisted living; provides needed resources and coordination to address the problem of elder abuse; and includes increased funding for the Long-Term Care Ombudsman program. The Elder Justice Act sets out a comprehensive approach to preventing and combating elder abuse, neglect, exploitation and self-neglect.

DRCOG supports full funding and implementation of the Elder Justice Act, consistent with the following principles:

- Provide a stronger and more coordinated federal response to promote elder justice.
- Increase federal support to states and communities for elder justice activities.
- Provide funding and training support to adult protection programs.
- Improve consumer protection by requiring the reporting of crimes by nursing facilities or employees and communication of consumer rights information.
- Provide new funding to improve ombudsman capacity and training, and for training of health department surveyors investigating allegations of abuse.

Other health and community services

There are numerous other health and home care issues not covered under the Older Americans Act. In general, the following policies address concerns regarding consumer protection, access to treatment and access to services that increase independence. DRCOG believes it is appropriate for federal legislation, regulations and policies to promote access to health care coverage and the integration of long-term care into a continuum of medical and non-medical services, including health promotion and disease prevention.

- **Enhancing health and security of older adults.**
The Affordable Care Act contains several provisions regarding older adults and their ability to stay healthy and age in the community. These include provisions for aging and disability resource centers, prevention and wellness programs, care transitions and coordination, and efforts to rebalance the long-term care system relative to institutional and community care. The area agencies on aging are positioned to play a key role in implementing these provisions. **DRCOG urges Congress and federal agencies to recognize the full potential of the**



Aging Network and use area agencies on aging in implementing these Affordable Care Act provisions.

- **Avoid institutional care.** Home- and community-based services are critical components in the continuum of care for the elderly and disabled and are more cost-efficient than services in institutions, particularly with regard to rural areas and for minority populations. Adequate reimbursements to providers are necessary to offset the costs of providing these important services. **DRCOG supports increased funding of home- and community-based care programs and higher Medicare and Medicaid reimbursements.**
- **Prescription medication.** Older adults typically require more medication than younger people. Even with the adoption of a prescription drug benefit under Medicare, the high cost of prescription medication will continue to be a financial hardship for many older adults and federal programs.
- DRCOG supports increased prescription drug pricing transparency.
- DRCOG supports revisions to the Medicare Part D

prescription drug benefit to simplify the application process and coverage offered, as well as address the gaps in coverage to provide a more comprehensive prescription medication benefit for all beneficiaries.

- DRCOG supports allowing the federal government to negotiate prescription drug prices for patients using Medicare, Medicaid and other federal programs to lower cost to these critical federal programs.
- DRCOG also encourages the federal government to provide additional funding for area agencies on aging to provide public education, counseling and enrollment assistance for citizens about the Medicare drug program.
- **Patients' rights.** Enforceable federal protections in areas including access to care, quality assurance, patient information, grievances and appeals, the doctor-patient relationship and physician treatment decisions are necessary to ensure that quality health care and other services are available to all. **DRCOG supports legislation**

to protect consumers in managed care plans and other health coverage.

- **Housing.** The ability to afford to live in a residence independently is a concern of older adults, especially those on fixed incomes. As the Denver metro area has grown and developed, the shortage of affordable housing has become an even more important concern. **DRCOG supports policies and programs designed to support older adults, especially those of low- and moderate-income, and persons with disabilities to live independently in the residence of their choice. This includes policies and programs to:**
 - Encourage the delivery of home- and community-based supportive services to assist older people and persons with disabilities in maintaining independence and actively engaging in their community.
 - Improve home design to promote independence and aging in place, including home modification and repair,

appropriate design features in new and rehabilitated housing (through principles such as universal design, visitability, inclusive home design and energy efficiency), and the use of innovative home products.

- Ensure that policies and funding for housing assistance and preservation programs continue to support residents who choose to remain in their homes as they age and that low- and moderate-income households have access to well-designed, safe, decent, affordable and accessible housing integrated throughout well-designed communities.
- Promote financial security of housing assets to support the availability of affordable homeownership options, safeguard home equity and promote the innovative use of housing assets to maintain and improve the independence and quality of life of older people.



TRANSPORTATION

Transportation is an essential component of multidimensional efforts to advance economic development, industry growth and competitiveness; reduce the nation's dependency on fossil fuels; increase job access and mobility; and create communities having a high quality of life for people of all ages, incomes and abilities.

Funding

The Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU)-authorized National Surface Transportation Policy and Revenue Study Commission, which released a congressionally mandated report in January of 2008, called for interim investments of at least \$225 billion annually over the next 50 years at all levels of government. The February 2009 report of the National Surface Transportation Infrastructure Financing Commission set up under SAFETEA-LU estimated we need to invest at least \$200 billion per year at all levels of government to maintain and improve our highways and transit systems. The FAST Act did not meaningfully increase transportation revenues nor provide anywhere near these levels of investment.

DRCOG supported the Fixing America's Surface Transportation (FAST) Act. However, while the FAST Act provided funding stability and delivery of long-term capital projects, the reauthorization falls short of needed investment in the nation's infrastructure and did not address a number of other important issues.

DRCOG supports the funding principles adopted by the National Surface Transportation Infrastructure Financing Commission, which includes developing a funding and financing framework that:

- Supports a goal of enhancing mobility and accessibility for users of the transportation system,
- Generates sufficient resources to meet national investment needs on a sustainable basis with the aim of closing the funding gap,
- Causes users and all beneficiaries to bear the full cost of using the transportation system to the greatest extent possible,
- Encourages efficient investment in the transportation system,
- Incorporates equity considerations, including but not limited to geography, equity across income groups, population growth, and revenue generation, and
- Synchronizes with other broad public policy objectives (and may include energy independence, environmental protection, and workforce housing).

As Congress and the U.S. Department of Transportation consider additional transportation issues and rulemaking for FAST Act and proposals for infrastructure investment that may come from the new administration, DRCOG will evaluate each for consistency with the following policies.

- DRCOG supports an energy-efficient, environmentally sustainable, multimodal transportation system that ensures America's economic competitiveness and supports livable communities for its residents.
- DRCOG supports providing additional transportation revenues to accomplish this vision.

- Any new or increased sources of funding should be distributed through **existing funding formulas** with the greatest possible share going directly to local areas to decide how it will be spent.
- Maintain transportation program's use of contract authority, allowing states to advance money for multiyear construction projects.
- While supporting a shift to national performance standards and goals, consideration must be given to equity issues (geographical/return on dollar).
- Continue and expand funding for transportation projects that improve air quality.
- If the 116th Congress brings back earmarking or modifies any discretionary programs, a number of safeguards should be included: ensure transparency of the earmarking process; fully fund each phase of an earmarked project (no partial funding earmarks should be approved); do not reduce formula funds that would affect projects already in an approved Transportation Improvement Program.
- Provide full-year appropriations at the start of the federal fiscal year to the level of the authorization. Limit the use of short-term continuing resolutions and rescissions. These tactics reduce the flow of or cut into formula funds and negatively impact fiscal constraint, responsible planning, implementation of federal requirements and project continuity.

DRCOG supports both short- and long-term federal funding policies to provide additional investment in the nation's infrastructure.

Short-term

- Boost the federal gas tax (at minimum, to restore the purchasing power of the Highway Trust Fund) and other existing Highway Trust Fund revenue.
- Index the federal gas tax to inflation.

- Reduce federal obstacles to options available to states and localities such as tolling, congestion pricing and public-private partnerships.
- Further expand current federal credit programs.

Long-term

- Carbon tax or trading programs (if Congress implements such a program) should ensure transportation activities that reduce greenhouse gas emissions receive a proportionate share of any new revenue generated by such programs.
- Transition to a new, more direct user-based system such as a road usage charge. This includes:
 - An aggressive research, development and demonstration program to address issues such as privacy rights, program administration, costs, revenues, partnerships with states and localities, and interplay with national policy objectives such as reducing vehicle miles traveled and congestion,
 - A national public education program, and
 - A national pilot program.

Multimodal solutions

Addressing the nation's transportation challenges requires investment in a comprehensive, multifaceted approach. The nation will need to implement multimodal alternatives to provide congestion relief, improve air quality, reduce household transportation costs and increase independence for people unable to drive because of age, income or ability. DRCOG's Metro Vision plan includes targets for reducing vehicle miles traveled and greenhouse gas emissions per capita, traffic fatalities, traffic congestion and single-occupant vehicle mode share.

Transit is an essential part of the metropolitan transportation system. Implementation of the Denver region's transit system is a high priority for DRCOG. Unfortunately, cost increases and revenue decreases forced the Regional Transportation District and DRCOG to remove some corridors from the fiscally constrained

2040 Regional Transportation Plan. DRCOG recognizes the importance of making transit-supportive improvements to bus and rail corridors throughout the region. The metro area has made a significant commitment of local resources for the regional transit system.

DRCOG supports adding multimodal transportation capacity appropriate to meet national and regional objectives.

- Maintain and expand funding programs that allow states and planning regions to develop, fund and implement integrated transportation solutions should be maintained and expanded. In addition, transportation funding must allow flexibility to address the multimodal, energy and environmental needs of individual urban areas.
- Establish national performance objectives and measures for increasing access and mobility for people of all ages, incomes and abilities should be established in addition to those for traffic congestion.
- Permit flexibility to allow each state and region to decide how to best make investments to show progress toward national safety, mobility and accessibility goals.
- Expand the National Freight Strategic Plan to include all major modes of freight transport including rail, water and air to better enable informed decision-making about efficient, long-distance freight movement.

DRCOG urges Congress and the administration to take the following actions in support of transit in the Denver region:

- Continue the federal investment for transit and multimodal projects in the Denver region.
- Provide dedicated sources of revenue and increased funding for bus rapid transit and rail new starts programs.
- Continue to provide federal funding for the FasTracks corridors (over time this could include

corridors that have had to be removed from the fiscally constrained regional transportation plan).

- Clarify with regard to transit-oriented developments that up to a half-mile from an existing or proposed transit station, parking and transportation infrastructure, transit-oriented development planning, land acquisition and a project or program that supports compact, mixed-use, mixed-income, bicycle/pedestrian friendly development are eligible for federal transportation funding and require that this clarification be incorporated in funding program decisions, and work to identify additional sources of funding.
- Incorporate the Partnership for Sustainable Communities' livability principles into federal policy and investment decisions.
- Improve transportation services for older adults and individuals with disabilities by giving states added flexibility in utilizing their federal funds; enhancing the planning and coordination process; providing technical assistance; and promoting innovative community programs.
- Designate the "Rocky Mountain Corridor" (from Cheyenne, Wyoming, through Colorado to Albuquerque, New Mexico, and the Interstate 70 corridor from Denver International Airport to the Utah border) and the Western Regional Alliance high-speed rail network (to provide high-speed rail connections between Denver, Salt Lake City, Reno, Las Vegas, and Phoenix) as High-Speed Rail Corridors. This action would identify them as having potential for high-speed rail activity and enable these corridors to receive federal funds that might become available for corridor studies of high-speed rail options, development of plans for high-speed rail infrastructure, construction of high-speed rail facilities and highway/rail grade crossing safety improvements.

Metropolitan mobility

Metropolitan areas account for 85.7 percent of the U.S. population and more than 90 percent of employment,



income, and production of goods and services (source: U.S. Conference of Mayors, Jan. 20, 2016). Growing congestion and reduced travel reliability, along with deteriorating infrastructure, threaten the ability of regions and the nation to compete globally. Metropolitan areas must play a stronger role in the nation's transportation programs, both in the authority to direct investment and demonstrate accountability for the system's performance.

DRCOG supports actions that minimize the barriers to the use of alternatives to the single-occupant vehicle and encourage changes to normal work patterns to avoid peak traffic conditions. DRCOG also supports efforts to provide incentives to employers, schools, rideshare agencies, and individuals to encourage alternative transportation use.

DRCOG supports transportation legislation that addresses metropolitan mobility and accessibility issues, specifically with consideration for the following:

- Enable major metropolitan areas to establish and implement overarching plans for mobility and

accessibility with focus on:

- Increased accessibility, modal choices and seamless transfers.
- Elimination of traffic chokepoints and reduction of severe traffic congestion.
- Strategies that manage transportation demand, provide transit service and implement nonmotorized methods of travel.
- Strategies for accommodating inter-regional movement of people and goods within and through the metropolitan areas.
- Fostering livable communities for people of all ages, incomes and abilities.
- Promoting the urban infrastructure necessary to support high-density development around transit.
- Performance metrics that extend beyond existing traffic congestion and motor vehicle emissions measures and consider vehicle miles traveled, reduction, economic development, environmental sustainability, global competitiveness, accessibility, etc.
- Fold Complete Streets policies into the metro-



politan planning process so that transportation agencies routinely consider designing and operating the entire right of way to enable safe access for drivers, transit users and vehicles, pedestrians, and bicyclists, as well as for older people, children and people with disabilities.

Energy efficiency and environmental sustainability

Transportation plays a key role in achieving energy independence and addressing some of the nation's environmental concerns. In the United States today, more than 60 percent of every barrel of oil is used by the transportation sector, and transportation sources accounted for 26 percent of total U.S. greenhouse gas emissions in 2016 (source: U.S. Environmental Protection Agency website). The competitiveness of our economy, the health of our citizens and the strength of our national security depend on reducing our reliance on and consumption of fossil fuels.

DRCOG supports strategies to reduce fossil fuel use and greenhouse gas emissions by the transportation sector.

- Expand investment in research and development for alternative fuels, new clean fuel technologies, more efficient vehicles and new ideas and technologies for transporting people and goods.
- Incentivize rapid conversion to more fuel-efficient and lower-emission vehicles or retrofits.
- Increase incentives for environmentally friendly replacement transportation fuels.
- Incentivize regions to more closely link land use and transportation infrastructure to reduce transportation energy consumption, increase nonvehicle transportation options and reduce vehicle miles traveled, through techniques including scenario planning and investments in projects that improve accessibility.
- Add public transit projects that enhance mobility, convenience and/or reliability to the exempt project list for Clean Air Act purposes; these types of improvements increase in importance in situations where conformity cannot be attained.



Project delivery and planning

The scope and complexity of transportation planning has increased significantly, including new performance-based planning requirements, rapidly changing vehicle technology, and changing job access and mobility needs. Efforts to streamline project planning and delivery are important but must be balanced against appropriate levels of regional and local coordination and environmental assessment.

DRCOG supports the following policies that promote efficiency, stability and reliability of funding, project delivery and planning:

- Allow metropolitan planning organizations to directly contract with subrecipients for non-infrastructure projects using federal funds.
- Continue to streamline project delivery and National Environmental Policy Act processes without compromising environmental or public participation values.

- Enhance and strengthen the cooperative, collaborative partnerships required under current legislation with all transportation planning partners.
- Support publication and dissemination of performance measurement results and analyses and widespread distribution of, and education about, the conditions of the transportation system.
- Increase the authority of metropolitan planning organizations to employ solutions at the regional level and provide regions and local governments the direct authority, flexibility, and funding to create a safe and efficient transportation system.
- Provide maximum flexibility so that comparatively minor changes to the planned or programmed highway and transit network do not require a full air quality conformity analysis at taxpayer expense.

DRCOG supports clarifying and enhancing the role of the metropolitan planning organization.

- The metropolitan planning process establishes a cooperative, continuous and comprehensive framework for making transportation investment decisions in metropolitan areas. In many cases, MPOs provide the only regional, multimodal transportation plans that link transportation to land use, growth



and air quality. Through the MPO process, local governments, in cooperation and collaboration with state and local transit operators, determine the best mix of transportation investments to meet the long-term transportation needs of a metropolitan area. **This important role must be strengthened to make metropolitan transportation planning successful.**

- The FAST Act requires adequate regional financial forecasts be developed with the cooperation and collaboration of the state, MPO and public transit agency for use in preparing transportation plans. However, “collaboration, cooperation and consultation” are poorly defined in the context of developing such financial forecasts. States are given wide discretion in how and when those estimates of revenues are to be provided and allowing for various interpretations of the regulations. **DRCOG supports:**
 - Expanding regulations to require all three entities (DRCOG, the Regional Transporta-

tion District and the Colorado Department of Transportation) to agree upon procedures governing the projection of future revenue estimates.

- Requiring all three agencies to agree upon distribution of estimated revenues.
- Establishing an external appeals process to the U.S. Department of Transportation if there is disagreement among the parties regarding estimate procedures and revenues.
- The FAST Act similarly requires cooperative project selection and prioritization for the TIP. **DRCOG supports:**
 - Expanding current regulations to require

all three entities to agree upon procedures governing project selection and prioritization for transportation planning and there should be consequences for not following these procedures.

- As part of the normal memorandum of agreement between an MPO, state Department of Transportation and local transit agency, requiring the three entities to cooperatively establish a process for addressing project cost overruns.
- Requiring revenue suballocation to transportation management areas (MPOs representing populations greater than 200,000) to be based on the total population within the MPO boundary.

- Establishing a population-based air quality severity formula for suballocating Congestion Mitigation and Air Quality funds within a state and requiring suballocation of Congestion Mitigation and Air Quality funds to non-attainment MPOs representing populations greater than 200,000 on the basis of the total populations within the MPO boundary.
- DRCOG views transportation demand management principles and practices as increasingly important elements of the region's long-range transportation planning strategy.



ENVIRONMENT

Water conservation. Water is a particularly scarce resource in the Denver region and the western United States, and a key consideration in planning for future growth and development. Recognizing this fact, the DRCOG Board of Directors added a water conservation element to Metro Vision, the Denver region’s long-range plan for growth. The element calls on the region to maximize the wise use of limited water resources through efficient land development and other strategies, and establishes a goal of reducing regional per capita water consumption. **DRCOG therefore supports federal policies and investments that contribute to local and regional water conservation efforts.**



- **Water quality.** Local governments in the Denver region face increasingly complex water quality challenges in an environment unique to the arid West but without the resources to respond to them appropriately. Reauthorization of the Clean Water Act could provide local governments and regional water quality planning agencies the additional planning, financing and regulatory tools needed to address our growing water quality challenges. **As the legislative process proceeds in these areas, there are a number of issues of concern to DRCOG that Congress can address.**
- **Integrated planning.** DRCOG supports an integrated approach to water quality, tying together the management of point sources, nonpoint sources and stormwater through the involvement of the various stakeholders.
- **Regional planning.** The Clean Water Act recognizes the importance of planning to address the challenges associated with both point and nonpoint source pollution. The regional planning provided for in the act is even more critical, given the growing emphasis on watershed approaches. **Congress should maintain and strengthen the regional planning process as the key component**

of the watershed approach. The planning funds provided under section 604(b) need to be increased to assist responsible parties in meeting the expanding responsibilities that accompany implementation of a watershed planning and management approach.

- **Infrastructure funding.** Colorado and the nation are at a critical juncture regarding water and wastewater infrastructure. There are significant needs for new treatment plants and upgrades to existing plants. Local governments already shoulder a significant portion of water and wastewater capital investment. **Increased funding for infrastructure investment as well as the provision of greater flexibility of these funds will allow states and local governments to determine the best use, according to local prioritization of needs.**
- **Good Samaritan protection.** Abandoned and inactive mines present a serious risk to the quality of nearby water supplies. Lack of adequate funding for reclamation and the potential liability for good Samaritans are serious obstacles that have



prevented cleanup of many of these sites.

DRCOG supports federal funding for reclamation activities. DRCOG also supports legislation encouraging federal, state, tribal and local governments, as well as mining companies and nonprofit groups that have no prior ownership or responsibility for an abandoned mine, to clean up an abandoned or inactive mining site by granting them liability protections under several environmental statutes, including the Clean Water Act.

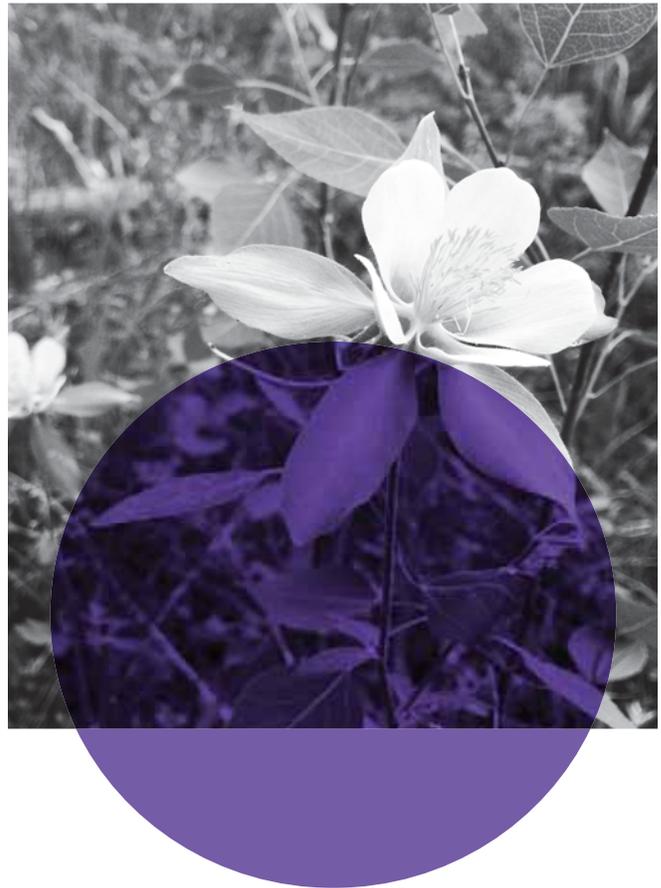
- **Superfund.** DRCOG is concerned that a number of Superfund issues have become serious problems in recent years while the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) has been awaiting reauthorization. **DRCOG urges Congress to address the following issues individually or as part of a comprehensive reauthorization.**
 - **Liability protection.** Under current law and regulation, parties interested in cleaning up a Superfund site may decide not to pursue remediation efforts for fear of being held liable for preexisting problems. Lengthy cleanup

delays have occurred in our region and elsewhere while parties litigate over responsibility. DRCOG supports federal funding for cleanup activities. **DRCOG supports legislation and regulations encouraging parties that have had no prior ownership or responsibility for a site to clean up the site by granting them liability protections under several environmental statutes, including the Superfund law. DRCOG also supports limiting liability when a party has complied with applicable environmental laws at the time of disposal to further the goal of timely and cost-effective cleanup of Superfund sites.**

- **Community participation.** Local governments often face significant community and neighborhood concerns regarding contaminated sites. Public involvement in the assessment, planning and cleanup for such sites is an important aspect of efforts to bring these sites to a safe condition. **Provisions that assist local governments in establishing and funding formal mechanisms for citizens to participate in the cleanup and land-use decision-**

making process are appropriate and necessary.

- **Funding for cleanup.** DRCOG is concerned that the federal government not reduce its commitment to assist with clean-up and redevelopment of these sites. **DRCOG supports the creation of new mechanisms to fund cleanup to the extent they are sufficient to make significant progress toward the act's goals. Allocation of cleanup costs among responsible parties should be according to the proportion of contamination caused by each.**
- **Health risk criteria.** The safety and health of populations exposed to pollution associated with Superfund sites is a primary concern related to potential redevelopment. Health risk-based criteria are necessary to guide these efforts. **These criteria must reflect the intended reuse of a site and the risks to special populations including children, the elderly and those already disproportionately exposed to pollution. Risk-based standards specific to Superfund clean-up are needed to promote redevelopment of contaminated sites while protecting human health and the environment.**
- **Brownfields.** Redevelopment of brownfields is important for economic development and



environmental and public health and safety in many areas within the Denver region. This is a specific issue related to CERCLA that is of particular significance and should be pursued separately, if inaction on the Superfund reauthorization continues. There are approximately 250 brownfields, former industrial and commercial sites, in both urban and rural areas throughout the Denver region. The redevelopment of brownfields is consistent with DRCOG's Metro Vision, which supports infill and redevelopment within the region. **DRCOG supports federal actions including increased funding to encourage the redevelopment of brownfields. DRCOG urges Congress to prioritize funding for projects that go beyond remediation and redevelopment of individual sites to focus on broader planning and economic development efforts, such as projects that incorporate brownfield remediation and redevelopment into larger infill development efforts.**



INTERGOVERNMENTAL RELATIONS

Intergovernmental cooperation. All levels of government – federal, state, local and regional – play an important role in providing critical services and implementing programs for the benefit of their residents. Legislative bodies and executive agencies at the federal and state levels should respect the roles and responsibilities of local governments and regional entities. DRCOG supports cooperation among federal, state, local and regional entities in developing and implementing new programs and improved approaches to service provision.

Federal/regional relations. The region is the nexus of local, state and federal issues and economic activities. DRCOG convenes parties of interest on intergovernmental issues, providing the necessary forum for their resolution, and facilitating a negotiated outcome. **DRCOG urges Congress, when new legislation is proposed and existing legislation is reauthorized, to identify and use regional agencies as critical partners in the implementation of such legislation, including the planning for and delivery of services.**

Regional service delivery. The federal government plays an important role in setting standards and priorities for the funding of public services and programs administered at the state, regional and local levels. **When making such funding and programmatic decisions, it is essential to consider the most appropriate level of government for delivery of such public services.**



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 the desired efficiencies and cost-effectiveness. Further, some programs, such as transportation, air quality and water quality, that address issues crossing local political boundaries, are most appropriately and effectively addressed at the regional level. Regional programs also often benefit from economies of scale. The collaborative partnerships of regional approaches can provide more cost-effective services and programs for users and clients. **DRCOG urges Congress to use existing regional service delivery systems.**

Principles for implementation. New programs or changes to existing programs must at least maintain the existing level of services and provide adequate administrative funds for implementation. Otherwise, there is a shift in responsibility without adequate funds for the services to be provided or programs administered. As such, it is important to treat the continuity of service delivery as a key principle guiding any actions to create new programs or revise existing programs. **A consultative process among the federal, state, local and regional agencies must be in place before any changes are made to services currently being delivered at local or regional levels.**





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EO-RP-19FEDPOLICY-19-04-02-v1

CC4CA Policy Statement Effective July 1, 2019

Adopted by the CC4CA Steering Committee on June 27, 2019 for Final Member Sign-Off

Colorado Communities for Climate Action is a coalition of local governments advocating for stronger state and federal climate policy. CC4CA's policy priorities for 2019-2020 reflect unanimous agreement among the coalition members on steps that should be taken at the state and federal level, often in partnership with local governments, to enable Colorado and its communities to lead in protecting the climate.

CC4CA generally focuses on legislative, regulatory, and administrative action, supporting efforts that advance the general policy principles and the detailed policy positions described below, and opposing efforts that would weaken or undermine these principles and positions.

General Policy Principles

The following general principles guide the specific policies that Colorado Communities for Climate Action advocates for:

Supports collaboration between state and federal government agencies and Colorado's local governments to advance local climate protection.

Supports state and federal programs to reduce carbon pollution, including adequate and ongoing funding of those programs.

Supports analyses, financial incentives, and enabling policies for the development and deployment of clean energy technologies.

Supports locally driven and designed programs to support communities impacted by the clean energy transformation.

Supports prioritizing policies that put people at the center of decision-making, do not exacerbate or create disparities in growing the green economy, and enhance equitable outcomes for all.

Policy Positions

Colorado Communities for Climate Action supports the following policy positions:

Statewide Climate Strategies

- 1. Reducing statewide carbon emissions consistent with or greater than the State of Colorado's 2019 codified goals.**
- 2. Securing accurate, frequent greenhouse gas inventories and forecasts for Colorado.**
- 3. Adopting a comprehensive market-based approach to reduce Colorado's greenhouse gas emissions.**
- 4. Expanding the consideration of the environmental and health costs associated with the use of fossil fuels.**

Local Climate Strategies

- 5. Removing barriers and promoting opportunities that allow counties and municipalities to maximize the deployment of local clean energy and climate options.**
- 6. Enabling local governments to obtain the energy use and other data they need to effectively address climate change.**
- 7. Supporting a public process for evaluating retail energy choice options for local jurisdictions.**
- 8. Supporting policies that promote energy efficient buildings.**
- 9. Providing for equitable strategies to enable and accelerate beneficial electrification.**

Energy Generation

- 10. Accelerating retirement of existing fossil fuel generation facilities and their replacement with cost-effective and reliable clean energy supplies, through means that protect both utilities and consumers.**

11. Expanding the ability of electric cooperatives to independently purchase local renewable electricity and take other steps to reduce carbon pollution.

12. Expanding distributed generation, energy storage, high levels of renewable energy generation (distributed and utility-scale), and appropriate technologies through grid modernization.

Energy Efficiency

13. Expanding demand side savings from efficiency and conservation for all energy types.

14. Supporting ongoing and sustainable funding for weatherization and renewable energy assistance to low-income households so that all Coloradans have access to comfortable and affordable homes.

15. Providing counties and statutory cities and towns with the same authority held by home rule cities to implement local energy conservation policies and programs.

Transportation

16. Ensuring effective implementation of Colorado's vehicle emissions standards and other regulatory activities designed to reduce carbon emissions from vehicles.

17. Implementing the 2018 Colorado Electric Vehicle Plan and other efforts to increase electrification of all motor vehicles.

18. Increasing multimodal transportation funding.

19. Incentivizing and selecting mobility alternatives, including movement of both people and goods, based on energy efficiency and environmental costs and benefits.

Fossil Fuel Extraction Activities

20. Expanding monitoring of and reducing the full life cycle emissions from fossil fuel extractive industry activities.

Solid Waste Reduction

21. Granting CDPHE the authority to implement a plan for meeting Colorado's statewide and regional solid waste diversion goals.

22. Reducing the use of disposable/single-use products and promoting the reuse of materials.

23. Fostering infrastructure, policies, incentives, and programs for recycling and composting.

General

24. Promoting proactive programs and efforts that improve the resilience and adaptability of Colorado communities in the face of natural disasters and other major challenges associated with climate change.

25. Optimizing the potential for carbon sequestration through regenerative agriculture, improved soil health, and forest management.

26. Incorporating equity, accessibility, and just transition considerations into climate policies and actions.

27. Encouraging investments that achieve climate-positive solutions.

28. Maintaining protections and authorities currently provided under environmental laws like the Clean Air Act and the Clean Water Act.

US 36 Mayors & Commissioners Coalition and Commuting Solutions 2019 Policy Agenda

The US 36 Mayors & Commissioners Coalition (MCC) and Commuting Solutions support federal, state and regional policy that is consistent with the positions identified in this Policy Agenda. These positions are informed by the 2014 consensus achieved during the Northwest Area Mobility Study (NAMS) - a 2014 collaborative initiative led by RTD which developed a prioritized list of mobility improvements for the northwest metro region. The US 36 MCC and Commuting Solutions support the following measures:

Arterial Bus Rapid Transit (BRT)/Enhanced Bus Service Projects

Seek funding and support for capital and operating improvements necessary to implement an arterial BRT/Enhanced Bus Service network, including supportive multimodal system enhancements.

Connected and Autonomous Vehicle Deployment

Advocate for legislation that enables and encourages the deployment of connected and autonomous vehicles in Colorado where such vehicles are clean-fueled, safe and the deployment furthers local government policies.

Northwest Rail

Support full completion of the Northwest Commuter Rail Project to Longmont. Support creative and alternative rail implementation strategies (including level of service phasing) as circumstances affecting feasibility, such as a change in BNSF position, costs, ridership, and funding sources, evolve.

I-25 Bi-Directional Managed Lanes

Seek funding and support for the construction of additional managed lanes between US 36 and downtown Denver to facilitate bi-directional service to benefit the broader region.

Managed Lanes

Support implementation of permanent congestion-free managed lanes as a practical, cost-effective, long term strategy for improving corridor mobility for all users, including drivers and transit users, be they in managed or general purpose lanes.

Rail/Transit Stations

Support funding and implementation of station investments and First and Final Mile infrastructure and programs that serve both BRT and future rail.

Railroad Crossing Quiet Zones

Support flexibility in, and funding for implementation of quiet zones along the length of the Northwest Rail corridor, with a priority on crossings that benefit the greatest number of residents in the most cost-effective manner.

Transportation Funding

Support federal, state and regional transportation funding that includes a commitment for a substantial percentage of multimodal investment. Support new bonding or other borrowing for transportation projects only if there are new or existing designated sources of funding identified to pay off those obligations. Simplify existing tools (e.g., Regional Transportation Authorities) or create new ones (e.g., Metropolitan Transportation Districts) that local governments can use to jointly generate funding to address transportation solutions.

US 36 Bus Rapid Transit (BRT) System

Seek funding and support for the full implementation of the US 36 BRT system as committed to in the 2004 FasTracks ballot measure, including relocation of the Church Ranch platform. Support Flatiron Flyer BRT service improvements and station area enhancements to more fully serve new and existing Transit Oriented Development in each community. Seek funding for implementation of the US 36 First and Final Mile study recommendations.

