

Attachment A

Proposed City of Boulder 2022 Policy Statement on Regional, State and Federal Issues

With Substantive Policy Changes from the 2021 Policy Statement Reflected Through
Strikethrough Format

As Proposed by Staff to City Council on September 9, 2022

**(This Page Will Be Replaced Upon Council's
Approval with a Designed Cover)**

CONTACTS

City Council			
NAME	CURRENT TERM		CONTACT INFORMATION
Aaron Brockett	Began 11/19/2019	Expires 11/21/2023	720-984-1863 brocketta@bouldercolorado.gov
Rachel Friend	Began 11/19/2019	Expires 11/21/2023	720-601-0163 friendr@bouldercolorado.gov
Junie Joseph	Began 11/19/2019	Expires 11/21/2023	720-789-3234 josephj@bouldercolorado.gov
Mark Wallach	Began <u>TBD</u>	Expires <u>TBD</u>	720-601-9977 wallachm@bouldercolorado.gov
Bob Yates	Began 11/17/2019	Expires 11/21/2023	720-310-5829 yatesb@bouldercolorado.gov
<u>TBD</u>	<u>Began</u> <u>TBD</u>	<u>Expires</u> <u>TBD</u>	<u>TBD</u>
<u>TBD</u>	<u>Began</u> <u>TBD</u>	<u>Expires</u> <u>TBD</u>	<u>TBD</u>
<u>TBD</u>	<u>Began</u> <u>TBD</u>	<u>Expires</u> <u>TBD</u>	<u>TBD</u>
<u>TBD</u>	<u>Began</u> <u>TBD</u>	<u>Expires</u> <u>TBD</u>	<u>TBD</u>

City Manager

Nuria Rivera-Vandermyde
303-441-3090
Rivera-
VandermydeN@bouldercolorado.gov

Interim City Attorney

Sandra Llanes
303-441-3021
LlanesS@bouldercolorado.gov

Chief Policy Advisor

Carl Castillo
303-441-3009
castilloc@bouldercolorado.gov

Mailing Address

P.O. Box 791, Boulder, CO
80306

Physical Address

1777 Broadway,
Boulder, CO 80302

Intergovernmental Website

www.bouldercolorado.gov/
intergovernmental

State Priorities

1. **Mental/Behavioral Health** – Support policy changes that would expand mental/behavioral health services and reduce barriers to care (see full position #30).
2. **Ranked Choice Voting** - Fund the state’s ability to implement HB21-1071 which requires the Secretary of State to provide the support and guidance necessary to allow Colorado counties to coordinate with municipalities to use ranked choice voting for elections (see full position #14).
3. **GHG Pollution Standard for Transportation Sector** - Adopt and implement greenhouse gas rules for statewide and regional transportation plans (see full position #58).
4. **Building Energy Codes** – In furtherance of the city’s climate mitigation, resilience and equity goals, require local governments to adopt enhanced building energy codes (see full positions #5 and #9).
5. **Air Pollution** – Restore clean air to Colorado by identifying and reducing the primary contributors to our air quality concerns (see full position at #40).

Federal Priorities

1. **Congressionally Directed Spending Requests** – Support for 2022 and 2023 congressionally directed spending requests including the pending requests for expansion of the city’s Crisis Intervention Response Team program.
2. **Urban Forestry** – Provide direction and significant new funding to the U.S. Forest Service, states and local governments to expand urban forestry across the US while increasing community resilience to the impacts of climate change and sequestering carbon dioxide, including funding for applied research that improves our ability to achieve these objectives through urban forestry investments (see full position #30).
3. **SH119 Bus Rapid Transit** – Support for construction of SH119 multimodal improvements (see full position #58).
4. **Northwest Rail** – Support for completion of the Northwest Rail Line (B Line) in conjunction with the Front Range Passenger Rail Line (see full position #59).

TABLE OF CONTENTS

DEVELOPMENT AND USE OF THE POLICY STATEMENT	7
CLIMATE CHANGE AND COMMUNITY RESILIENCE	8
1. Reduce statewide greenhouse emissions consistent with or greater than the State of Colorado’s 2019 codified goals.....	8
2. Preserve and expand the ability of local governments to engage in climate action efforts.....	8
3. Ban or accelerate the phase-out of hydrofluorocarbons (HFCs) and other climate-warming refrigerants	9
4. Create a carbon cap and any market-based mechanisms necessary to decrease carbon emissions	9
5. Facilitate the beneficial electrification of buildings.....	9
6. Enhance customer electricity choice.....	10
7. Increase public access to energy data.....	11
8. Reduce emissions from the electricity sector	12
9. Increase energy efficiency.....	12
10. Encourage widespread adoption of electric and efficient motorized vehicles and adoption of a low- carbon fuel standard.....	13
11. Advance circular materials economy by promoting waste reduction and diversion efforts.....	14
12. Strictly regulate the oil and gas industry, especially with regard to ensuring a 60 percent reduction in greenhouse gas emissions by 2030 compared to 2005 levels	15
13. Build community resilience	16
DEMOCRACY AND GOVERNANCE.....	17
14. Fund the state’s ability to implement SB21-1071 which requires the Secretary of State to provide the support and guidance necessary to allow Colorado counties to coordinate with municipalities to use ranked choice voting in elections.....	18
15. Amend the U.S. Constitution to abolish corporate personhood.....	18
ECONOMIC VITALITY.....	18
16. Protect core provisions of the Colorado Urban Renewal law, which provides effective redevelopment tools for municipalities such as tax increment financing and eminent domain	18

17. Continue funding and support for the federally funded labs located in Boulder	19
18. Reform the federal Opportunity Zone incentive so as to increase transparency and local government involvement	19
HOUSING	20
19. Create, Preserve and expand federal affordable housing funding options.....	20
20. Create, Preserve and expand state and local government affordable housing funding options	20
21. Enhance and preserve the rights and interests of residents of manufactured home communities	21
22. Allow Colorado local governments to implement rent control measures	21
HUMAN SERVICES/HUMAN RIGHTS.....	22
23. Comprehensively reform federal immigration laws while adopting associated state level reforms that allow and provide for support of all people regardless of immigration status	22
24. End the mistreatment of migrants in U.S. Immigration and Customs Enforcement detention facilities as well as in alternatives to detention programs	23
25. Support the indigenous people of Colorado.....	24
26. Further the rights of all people regardless of their actual or perceived sexual orientation or gender variance status.....	25
27. Avoid further cuts or policy changes to state and federally funded health and human service programs that negatively impact accessibility, availability, quality and affordability of cost of basic health and human service needs	25
28. Support for policies that address and begin to dismantle institutional and systemic racism that include but are not limited to health equity, housing, environmental pollution and criminal justice reform.....	25
29. Require insurance companies contracted by “Health First Colorado” to pay qualified behavioral health providers at an amount equal to the medicaid fee schedule developed by Colorado’s Department of Health Care Policy and Financing	26
30. Increase mental/behavioral health services.....	26
31. Eliminate or reduce excessive documentation and administrative procedures required to access Government benefits.....	27
INTERNAL ADMINISTRATIVE MATTERS	28
32. Protect workers’ compensation system.....	28
33. Protect governmental immunity.....	28

34. Allow local governments increased options for banking, including the option to create a public bank or to invest with, and receive other banking services from, NCUA-insured credit unions	28
35. Support creation of state or federal grant programs that further the city’s programs	29
LOCAL CONTROL.....	29
36. Oppose threats to local control and home rule authority	29
37. Protect the autonomy of employment and personnel decisions made by municipal police and fire departments	29
MUNICIPAL COURTS	29
38. Protect the institution and autonomy of the municipal courts while accepting necessary state oversight that ensures consistent protection of the constitutional rights of defendants	29
39. Fund and protect the municipal justice system’s ability to combat homelessness	30
LOCAL ENVIRONMENTAL QUALITY, NATURAL RESOURCES, WILDLIFE AND PARKS.....	30
40. Restore clean air to Colorado.....	30
41. Protect the ability of local governments and the land trust community to acquire and protect parks and open space.....	31
42. Support the implementation of the city’s ecological conservation efforts, including the Urban Wildlife Management Plan as well as the Forest and Grassland Ecosystem plans .	31
43. Restore local government authority to regulate certain pesticide uses and provide for additional protections for pollinators, human health and the environment	31
44. Support efforts that protect the Boulder community from wildfire and promote ecological forest health.....	32
POLICING AND CRIMINAL JUSTICE	32
45. Prevent local government mandates to enforce federal immigration laws	32
46. Prevent the imposition of onerous information gathering and reporting requirements on public safety, especially when those requirements come with substantial costs that are not supported by adequate funding	33
47. Increase the financial threshold of property damage that triggers a police investigation of non-injury traffic accidents.....	33
PUBLIC HEALTH AND SAFETY.....	33

48. continued Support from state and federal government for covid pandemic response and recovery and the associated economic and fiscal crisis	33
49. Discourage e-cigarette and tobacco use, particularly among youth, by banning flavored vapor products.....	34
50. Ensure the safe use and commercial regulation of marijuana	34
51. Address the health and safety concerns associated with alcohol and substance abuse in the greater community.....	35
52. Provide greater healthcare at a lower cost.....	35
53. Prevent gun violence.....	35
ROCKY FLATS	36
54. Continue to fund the Department of Energy’s Office of Legacy Management, and U.S. Fish and Wildlife Service as necessary to allow for monitoring and long-term stewardship of both the Rocky Flats’ Central Operable Unit and the Rocky Flats National Wildlife Refuge	36
TAX POLICY	38
55. Preserve and expand the authority of local governments to audit and collect taxes and to issue sales tax licenses.....	38
56. Preserve the municipal bond federal income tax exemption	39
TELECOMMUNICATIONS	40
57. Expand or preserve the authority of municipalities to regulate the private deployment of cellular wireless facilities or to provide broadband services such as citywide fiber-to-the-premise networks	40
TRANSPORTATION	40
58. Prioritize transportation funding for projects that maintain existing infrastructure, that are multimodal in design and that reduce greenhouse gas emissions.....	40
59. Support funding, construction and operation of the Northwest Rail line and the front range passenger rail line as a means toward building it	42
60. Increase transportation access for vulnerable populations, including youth, older adults, those with lower income and people with disabilities.....	43
61. Encourage “complete streets” that accommodate people using all modes of travel	43
62. Preserve the city’s ability to regulate vehicle use on sidewalks, multi-use pathways, and bike lanes, or that requires the city to alter its current code in order to maintain current policy on allowed uses of those facilities.....	43

63. Prevent the transfer of the maintenance responsibilities for regional highways from the Colorado Department of Transportation to local governments 43

64. Encourage automated vehicle deployment in furtherance of Boulder’s sustainability goals while retaining local authority to address community-specific policy objectives that cannot otherwise be met 44

65. Further the city’s Vision Zero Action Plan..... 44

66. Increase the functioning, oversight and governance of the Regional Transportation District..... 45

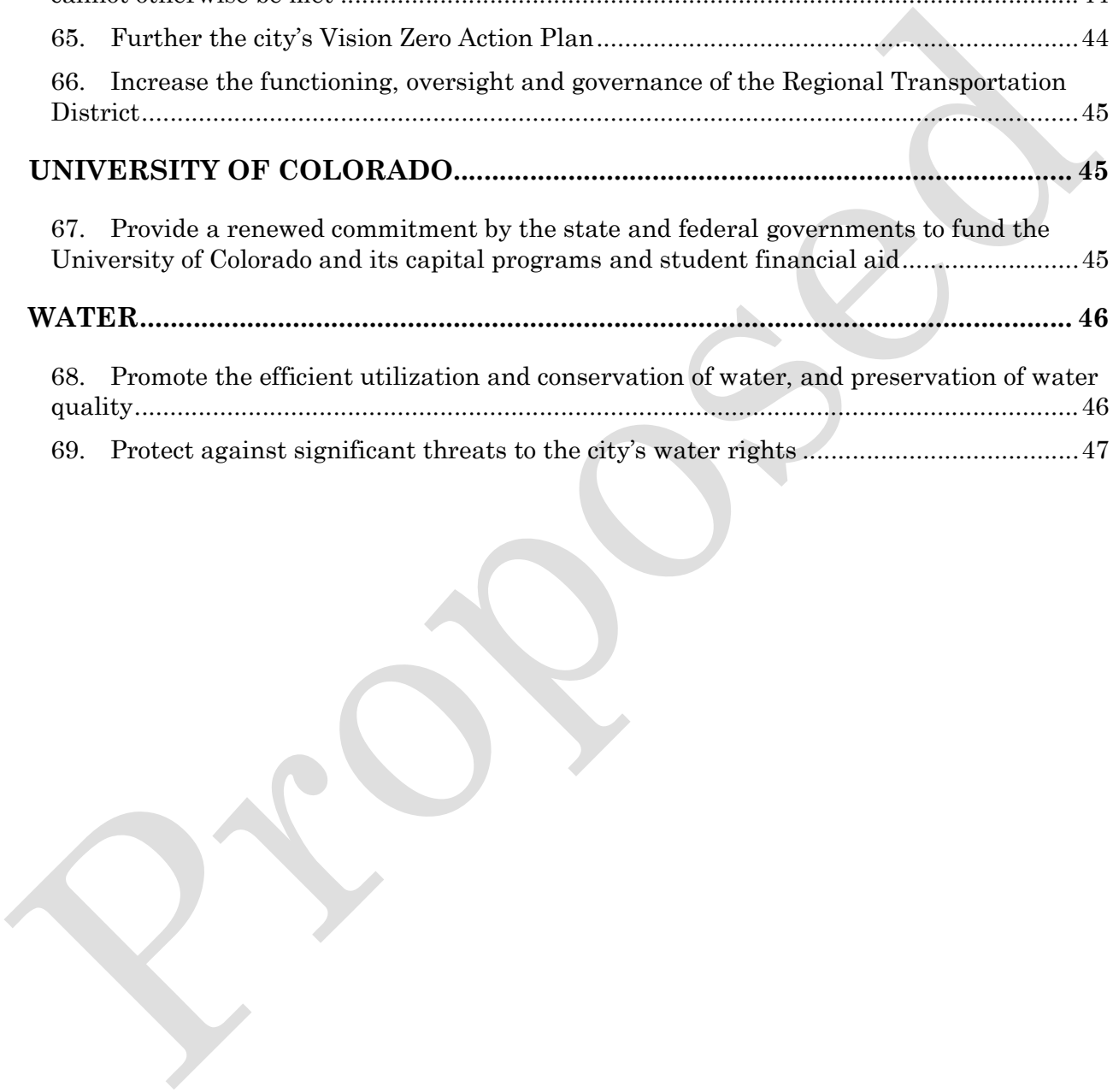
UNIVERSITY OF COLORADO..... 45

67. Provide a renewed commitment by the state and federal governments to fund the University of Colorado and its capital programs and student financial aid..... 45

WATER..... 46

68. Promote the efficient utilization and conservation of water, and preservation of water quality..... 46

69. Protect against significant threats to the city’s water rights 47



DEVELOPMENT AND USE OF THE POLICY STATEMENT

The purpose of the City of Boulder’s 2022 Policy Statement on Regional, State and Federal Issues (the “Policy Statement”) is to inform city advocacy on policy decisions that, while made outside the city’s jurisdictional authority, nevertheless have potential to significantly impact the city. This includes legislative decisions by the Colorado General Assembly or the U.S. Congress. It also includes the non-legislative decisions made at the federal, state and regional levels, including those of Colorado agencies (e.g., Air Quality Control Commission, Public Utilities Commission, Department of Transportation, Department of Regulatory Affairs); federal agencies (e.g., Environmental Protection Agency, Department of Transportation, the Federal Communications Commission); regional governments (e.g., Regional Transportation District); and intergovernmental coalitions (e.g., Rocky Flats Stewardship Council, Colorado Municipal League, Metro Mayors Caucus, US36 Mayors and Commissioners Coalition, Colorado Communities for Climate Action). The Policy Statement is also used to inform decisions on judicial cases the city should participate in as an amicus curia, including whether to sign on to an amicus brief.

The city offers the Policy Statement to regional, state and federal policy leaders for reference when considering decisions impacting the City of Boulder. Strategic, targeted, and/or abbreviated versions of this information will also be created throughout the year for use in specific communications.

The Policy Statement was developed in advance of the convening of the 2022 Colorado General Assembly and the Second Session of the 117th U.S. Congress. Consequently, it does not address legislation by bill number. Instead, it describes the city’s goals on various policy matters as well as examples of specific approaches it would support or oppose to achieve those policy goals. With the coordination of the city’s Chief Policy Advisor, it will be used by city officials to inform communication of city positions on proposed bills and non-legislative regional, state and federal policy decisions.

The city welcomes the opportunity to discuss its Policy Statement. Please direct any questions to City Council members or to the city’s Chief Policy Advisor at 303-441-3009.

CLIMATE CHANGE AND COMMUNITY RESILIENCE

1. REDUCE STATEWIDE GREENHOUSE EMISSIONS CONSISTENT WITH OR GREATER THAN THE STATE OF COLORADO'S 2019 CODIFIED GOALS

During the 2019 legislative session, several bills were enacted that create enforceable greenhouse gas emissions reduction goals for Colorado. For example, House Bill 19-1261 established state-wide greenhouse gas emissions reduction goals aimed at limiting the increase in the global average temperature and establishing goals to reduce greenhouse gas emissions by at least 26 percent in 2025, 50 percent in 2030, and 90 percent in 2050 compared to 2005 levels. In January of 2021, Governor Polis released his Greenhouse Gas Pollution Reduction Roadmap which lays out a sector-specific pathway to reach these goals. The city will actively support state agency action, as well as any additional legislation needed, to ensure that Colorado achieves or exceeds these emission reductions.

2. PRESERVE AND EXPAND THE ABILITY OF LOCAL GOVERNMENTS TO ENGAGE IN CLIMATE ACTION EFFORTS

The city supports preserving and expanding the ability of local governments to develop and implement emissions-related strategies to reach their climate action and resilience goals, including their ability to:

- a) **Utility Formation** - Form their own retail energy utilities through a process that is predictable, equitable, safe, reliable and cost-effective;
- b) **Condemnation** - Exercise their constitutional right to condemn and acquire electric assets at fair market value, without having to pay utility lost revenues;
- c) **Streetlights** - Purchase street lighting through cost-effective, transparent and reasonable means to maximize the efficiency of such lighting;
- d) **Generation and Storage** - Maximize the deployment of local clean energy generation and storage options;
- e) **Financing** - Create new financing and ownership structures for clean energy technologies;
- f) **State and Federal Resources** - Benefit from state or federal facilities, programs, funding or requirements relied on by cities to reduce greenhouse gas emissions;
- g) **Partnerships** - Develop enforceable partnerships between local governments and energy utilities that allow for the deployment of innovative energy solutions and investment in local energy systems;
- h) **Carbon Sequestration** - Optimize the potential for carbon sequestration through regenerative agriculture, improved soil health, and ecosystem management; and
- i) **Equity** - Incorporate equity, accessibility, and just transition considerations into climate policies and actions.

3. BAN OR ACCELERATE THE PHASE-OUT OF HYDROFLUOROCARBONS (HFCs) AND OTHER CLIMATE-WARMING REFRIGERANTS

HFCs are used as refrigerants and in air conditioning, foams, aerosols, and other applications. They are the fastest growing source of greenhouse gas emissions in the U.S. and globally are thousands of times more potent than CO₂. Coupled with efficiency opportunities in refrigeration and cooling, phasing down the use of HFCs could deliver significant climate and energy efficiency benefits.

4. CREATE A CARBON CAP AND ANY MARKET-BASED MECHANISMS NECESSARY TO DECREASE CARBON EMISSIONS

The city supports adoption of state and federal limits on greenhouse gases, sometimes referred to as carbon caps, that increase over time as necessary to reach state greenhouse reduction goals. Operationalizing such limits in different sectors often requires market-based policies that can create financial incentives for GHG emitters to emit less. The city supports both carbon caps and market-based mechanisms as necessary, including approaches that:

- a) **Carbon Tax** - Establish a state level carbon tax with proceeds used to fund renewable and energy efficiency projects as well as transmission and distribution system improvements that enable additional deployment of renewables and energy efficiency measures; and
- b) **Carbon Fee and Dividend** - Create a national revenue-neutral carbon fee and dividend to significantly reduce U.S. carbon emissions while simultaneously maintaining robust economic growth.

5. FACILITATE THE BENEFICIAL ELECTRIFICATION OF BUILDINGS

The city supports accelerating the transition from natural gas (the major component of which is methane) and propane to electricity for residential and commercial building applications, including space and hot water heating, cooking and laundry. It supports development of a statewide policy framework and set of actions that promotes the adoption of high efficiency and low emission ~~renewable~~-heating and cooling (~~RH&C~~)-technologies such as electric-driven heat pumps (air and ground source), sustainable biomass energy systems, anaerobic digestion, solar thermal and other renewable energy ~~-ready driven~~-systems. The city would support approaches to achieving these goals that:

- a) **Demand Side Management** - Direct the Public Utilities Commission (PUC) to set demand side management (DSM) mandates for both electric and natural gas utilities to encourage switching from natural gas to electric.
- ~~b) **Social Cost of Carbon** - Require that natural gas utilities incorporate the social cost of carbon in cost-effective tests in their ongoing investment decisions.~~

- ~~e) **Renewable Heating and Energy Requirements** – Develop renewable heating and energy requirements that must be met by natural gas and electric utilities;~~
- ~~d)b) **RH&C Systems Utility Programs** - Require utilities to develop incentives and rate structures that support RH&C systems beneficial electrification and reflect the value provided to the electric grid;~~
- ~~e)c) **Least Cost Alternative** - Require natural gas utilities to only allow new natural gas infrastructure development when it is demonstrated to be the least cost alternative (accounting for the social cost of carbon) against comparable investments in RH&C systems; alternatives, including efficiency and beneficial electrification;~~
- ~~f)d) **RH&C Mandates** - Include RH&C electrification mandates into energy objectives for state-owned buildings;~~
- ~~g)e) **Infrastructure Upgrades** - Require electric utilities to upgrade electrical infrastructure, including customer-side requirements, to support conversion of existing building stock to RH&C electric systems;~~
- ~~h)f) **Safety Plans** - Require natural gas utilities to develop and revise natural gas infrastructure safety plans to incorporate electrification strategies as a means of addressing deficiencies in aged infrastructure; ~~and~~~~
- ~~g) **Demand Side Management** - Require utilities to invest through low-income DSM programs in RH&C system electrification; and-~~
- ~~i)h) **Customer Financing Programs** – Create customer-facing financing options such as tariff-based on-bill financing options~~

6. ENHANCE CUSTOMER ELECTRICITY CHOICE

The city supports new financing business models, products, technologies and efforts that enhance energy choices through means that:

- a) **Competitive Markets** - Advance open, competitive retail energy markets in Colorado through such means as eliminating legal energy monopolies, allowing for aggregation of residential or commercial electric customers in municipal purchase of renewable energy on behalf of these groups of customers (a.k.a. community choice aggregation), or by otherwise increasing options for customer electricity choice;
- b) **Grid Modernization** - Expand distributed generation, energy storage, high-levels of renewable energy generation (distributed and utility-scale), and appropriate technologies through grid modernization;
- c) **Creative Customer Options** - Allow for new and creative customer options such as peer-to-peer sharing of electricity generation, virtual net metering or microgrid development;
- d) **Diverse Energy Options** - Allow customer access to diverse energy options through a variety of policies (including net metering, feed-in-tariffs, “value of solar” tariffs) that fully recognize the value of local solar;
- ~~e) **Value of Solar/Storage** – Direct the PUC to develop value of solar and value of storage tariffs, either through the distribution system planning process or standalone proceedings;~~

~~f)e)~~ **Interconnection Requirements** - Streamline interconnection requirements for customer-sited energy options such as distributed generation and storage technologies;

~~g)f)~~ **Mobile Homeowners** - Allow mobile homeowners to receive the same rebates, incentives and interconnection options associated with the installation of solar panels as are available to other homeowners;

~~h)~~ ~~**120 Percent Cap**~~ ~~Increase or remove the 120 percent cap on net metered generation;~~

~~i)g)~~ **PURPA** - Allow qualified facilities larger than 100 kW to interconnect and sell output to a utility at the utility's avoided cost outside of the competitive solicitation during an Electric Resource Plan proceeding pursuant to the Public Utilities Policies Act of 1978 (PURPA);

~~j)h)~~ **Renewable Energy Standard** - Change to the Renewable Energy Standard (RES) to allow communities to develop, interconnect and own new shared renewable generation to meet their energy goals and enable local ownership of clean energy generation above and beyond RES requirements and without incentives, if a community chooses; and

~~k)i)~~ **Solar Gardens** - Modernize the Colorado Solar Gardens (CSG) statute by incentivizing the development of smaller and more locally-based CSGs that serve individual customers and that are suitably sited to support community-based resilience goals.

7. INCREASE PUBLIC ACCESS TO ENERGY DATA

The city supports increasing the public's access to energy data through means that:

- a) **Transparency** - Standardize regulated utility filings to increase transparency at the PUC and requiring all PUC discovery to be publicly available and filed in machine-readable formats;
- b) **Demand-Side Management Programs** - Facilitate the development of a third-party demand-side management program implementer, including energy efficiency and distributed generation programs;
- c) **Energy Data/Statistics** - Facilitate the development of an energy data center or energy statistics branch within a state energy agency to produce data sets related to research and policymaking;
- d) **Whole-Building Data** - Enable regulated utilities to provide aggregated whole-building data to building owners and property managers for use in building benchmarking and energy efficiency improvements; and,
- e) **CORA** - Create an exception to the Colorado Open Records Act that confirms the ability of local governments to protect customers' energy data when they participate in local energy efficiency programs and greenhouse gas emissions reporting initiatives.

8. REDUCE EMISSIONS FROM THE ELECTRICITY SECTOR

The city supports reducing emissions from the electricity sector through means that:

- a) **DG Carve-Out** - Increase the retail distributed generation “carve-out” for investor-owned utilities and cooperatives;
- b) **Load Management** - Encourage investments in conservation that focus on load management aligned with better utilization of renewable resources and minimize the consumer’s total energy bill;
- c) **Participation Before the PUC** - Clarify that, for purposes of the rules governing intervention in administrative hearings before the Colorado Public Utilities Commission (PUC), customers of a business regulated by the PUC qualify as persons who "will be interested in or affected by" the PUC's order;
- d) **Coal-Fired/Natural Gas Power Plants** - Require the discontinued use of coal-fired or natural gas (methane) power plants when more economic renewable energy options are available; and;
- e) ~~**Storage** - Encourage and incentivize energy storage technologies as an alternative to investments in fossil fuel based generating facilities;~~
- f) ~~**Clean Power Plan**—Support legislation that would assist and expedite Colorado’s implementation of the federal Clean Power Plan, which although suspended by the current administration is still under judicial review. These rules are designed to reduce carbon emissions from coal-fired power plants across the country. Conversely, opposing any legislation that would delay or prevent the implementation of either the federal rule or prevent Colorado’s implementation of the rule; and;~~
- g)e) **CleanRenewable Energy Standard** — Create a national clean energy standard that requires utilities to increase the portion of energy produced by renewable resources. Increase the state’s Renewable Energy Standard to at least 50 percent by 2025 and 100 percent by 2040 and applying that standard to all retail utilities in Colorado.

9. INCREASE ENERGY EFFICIENCY

- a) **Building Energy Codes** - Require local governments to adopt Increase energy efficiency by establishing high performance residential and commercial building energy regulations, and provide incentives to support implementation codes;
- b) **Regional Energy Networks** - Allow local governments to develop regional energy networks that implement energy efficiency programs;
- c) **DSM Program Dollars to Local Governments** - Facilitate community-specific program implementation by distributing demand-side management program dollars to local governments.
- d) **Net Zero Construction** - Facilitate the development of net zero and outcome-based construction through demand side management programs;

- e) **LEAP** - Support continued and expanded funding for programs that help low-income Coloradoans meet their energy needs such as the Low-Income Home Energy Assistance Program and the Weatherization Assistance Program;
- f) **Lighting and Appliance Efficiency Standards** - Eliminate federal preemptions prohibiting states and local governments from exceeding the federal lighting, appliance and other equipment efficiency standards; and
- g) **Affordable and Multi-housing Homes** - Direct the PUC to require utilities to revise and implement DSM programs that facilitate the construction of affordable and multi-housing net-zero energy homes.

10. ENCOURAGE WIDESPREAD ADOPTION OF ELECTRIC AND EFFICIENT MOTORIZED VEHICLES AND ADOPTION OF A LOW-CARBON FUEL STANDARD

The city supports policy changes that reduces energy use and emissions of air pollutants from vehicles, specifically through means that:

- a) **Fuel Efficiency Information** - Require the state's vehicle registration database to be structured to allow local governments to have access to fuel efficiency information of the vehicles registered in their jurisdiction;
- b) **County Emission Fees** - Provide Colorado counties the option to implement emission fees on the purchase of less efficient vehicles and to offer rebates on the purchase of more efficient vehicles, with social equity concerns addressed by setting the fee as a percentage of the value of the vehicle and creating a minimum value below which the fee would not apply;
- c) **Low Carbon Fuel** – Create a low carbon fuel standard similar to California's requirement of a reduction in the carbon intensity of the transportation fuels by 20 percent by 2030;
- d) **Public Charging** - Encourage the proliferation of public charging infrastructure that allows for the measurement and verification of the charge provided;
- e) **Tax Credits** - Raise the cap on federal tax credits for electric vehicles above the current limit of 200,000 qualifying vehicles per manufacturer, and;
- f) **Electric Buses** - Create a new tariff structure that is more favorable for electric buses.

~~11. REFORM RESIDENTIAL PROPERTY ASSESSED CLEAN ENERGY (PACE) FINANCE STATUTES TO ALLOW FOR RESUMPTION OF BOULDER COUNTY'S RESIDENTIAL PACE PROGRAM~~

~~The city has been an active supporter of Boulder County's PACE finance program, formerly known as the Climate Smart Loan Program. Many city residents have taken advantage of residential PACE to secure low interest loans to make energy efficiency and renewable energy upgrades to their homes. However, actions taken in 2010 by Fannie Mae, Freddie~~

~~Mac, and the Federal Housing Finance Agency have forced local governments across the country, including Boulder County, to suspend their residential PACE financing programs. The city supports reversal or resolution of these federal actions, either through legislation or regulation, to allow residential PACE programs to again move forward. If such federal action is taken, the city would also urge the Colorado General Assembly to quickly take any action necessary to conform Colorado's PACE enabling statutes to the new federal requirements.~~

12.11. ADVANCE CIRCULAR MATERIALS ECONOMY BY PROMOTING WASTE REDUCTION AND DIVERSION EFFORTS

The city has a vision of a circular materials economy where waste is designed out of products and systems, materials are kept in use as long as possible, and natural systems are regenerated. Boulder's zero waste goals around waste reduction and diversion are a necessary part of this vision and changes at the state level are necessary to support it. Colorado's low 15.9% percent diversion rate lags far behind the national average of 34 percent partly as a result of inexpensive landfill tip fees, the lack of recycling markets in Colorado and lack of convenient curbside recycling and composting programs for all residents and businesses, particularly along the Front Range. Taken together, low landfill fees and low demand for recyclable materials feedstock, often make the most environmentally responsible material management choices cost prohibitive. To address these challenges, the city supports state policy changes that would:

- ~~a) **Local Control** - Repeal or narrow the state prohibition (C.R.S. Section 25-17-104) on local government bans on local retail distribution of certain types of plastics or containers to end-use consumers;~~
- ~~b) **Single Use Plastics** - Ban or restrict the use of disposable, single-use plastics and/or polystyrene containers statewide, without limiting the ability of local governments to enact further restrictions;~~
- e)a) **Product Stewardship** - Encourage product stewardship and take-back programs (a.k.a. "extended producer responsibility" or "EPR") whereby manufacturers are held accountable to manage their non-recyclable products after consumers are done with them, prioritizing electronics, pharmaceuticals and packaging, and requiring post-consumer minimum content standards for product manufacturing;
- d)b) **End Markets** - Incentivize the creation or expansion of Colorado-based end-market businesses which source recycled materials for their products using options like tax credits or other approaches to encourage source-reduction, recycling, composting and markets for recycled materials;
- e)c) **Compost** - Develop a statewide plan to sequester carbon in agricultural soils using compost, biochar and other regenerative techniques, in order to both reduce state carbon emissions and build markets for finished compost;
- ~~f) **State Plan Implementation** - Support the implementation of the Colorado Integrated Solid Waste and Materials Management Plan, including the expanded authority of the Colorado Department of Public Health and Environment to execute the actions in the plan;~~

- g)d) Materials Banned from Landfill - Ban specific materials from landfills or incineration, such as cardboard, organics and beverage containers or lithium ion batteries;
- h)e) Landfill Tip Fees - Implement statewide landfill tip fee surcharges to be used for waste reduction;
- i)f) Data Reporting - Develop data reporting mechanisms to better estimate the state's recycling rate and support data reporting at the municipal and county level;
- j)g) Waste to Energy - Prevent "waste to energy" technologies involving trash incineration or incentivizing landfilling for the sake of energy creation;
- k)h) Anaerobic Digestive Technology - Capture energy from anaerobic digestive technologies at composting and wastewater treatment plants; and
- l)i) Organic Matter for Energy - Support energy production from the organic matter portions of the waste stream that would otherwise end up in a landfill if not used to make energy or energy products. Examples of this type of beneficial use include woody construction and demolition waste and yard or food waste that is not able to be otherwise diverted from landfills and could be used to produce electricity or liquid fuel components.

13.12. STRICTLY REGULATE THE OIL AND GAS INDUSTRY, ESPECIALLY WITH REGARD TO ENSURING A 60 PERCENT REDUCTION IN GREENHOUSE GAS EMISSIONS BY 2030 COMPARED TO 2005 LEVELS AND IMPROVE THE COLORADO OIL AND GAS CONSERVATION COMMISSION'S OVERSIGHT OF OIL AND GAS OPERATIONS

2019 saw the passage of SB19-181, sweeping oil and gas reform that increased oil and gas regulation, revamped the make-up of the Colorado Oil and Gas Conservation Commission ("COGCC"), shifted the COGCC's mission from "fostering" growth of the oil and gas sector to "regulating" it and prioritizing the protection of public safety, health, welfare, and the environment and provided more regulatory power to local governments. COGCC has used this new authority to propose and adopt rules that should address many of the city's previous concerns with water and air quality, orphan wells and other public health impacts resulting from oil and gas production activities. The city will monitor the remaining rulemaking proceedings to ensure that these issues are properly addressed. In particular, the city will support a rule that the COGCC will consider on Dec. 15-17, 2021, aimed at reducing GHG emissions from the oil and gas sector by 60% by 2030, compared to 2005 levels, as prescribed by the state's GHG Emissions Reduction Roadmap. The proposals will consist of a combination of emissions intensity standards for oil and gas operations as well as some direct regulations setting limits on GHG emissions from specific equipment and facility sources. While this law addressed many of the city's policy goals, there are still additional protections needed. The city will support changes to state or federal policy that would address specific oil and gas drilling impacts, including changes to:

Applicability of Federal Laws—Eliminate fracking as an exempted activity under the Clean Water Act, Safe Drinking Water Act and other federal environmental laws;

~~**Water Quality**—Provide statewide protections for water including: requiring setbacks from all streams and lakes; requiring baseline and periodic water monitoring at all drilling sites; raising casing and cementing standards to ensure wellbore integrity; adopting a rebuttable presumption that allows water rights owners within a certain distance of an oil/gas well to recoup repair costs if their water supply is contaminated, diminished, or disrupted; requiring operators to formulate a water management plan including planned source of water and substitute water supply plans; and recycling wastewater before acquiring new supplies;~~

~~**Air Quality**—Better protect air quality at and near oil and gas operations, decrease emissions of volatile organic compounds and other ozone precursors, and decrease methane and other greenhouse gas emissions by requiring strict controls on fugitive emissions from oil and gas facilities, including adopting the latest technology in leak detection and repair;~~

~~**Impact Mitigation**—Study air, water, seismic, noise and public health impacts from oil and gas operations and ways to mitigate or avoid impacts;~~

~~**Orphan Wells**—Require higher bonds and stricter regulations to decrease the problem of “orphan wells” in Colorado;~~

~~**Standing Before COGCC**—Provide aggrieved landowners standing to require a hearing before the COGCC on applications that will impact public health, safety, or welfare. Also extend standing to affected local governments even if the propose wells or facilities are outside their jurisdiction; and~~

~~**Local Consent**—Require consent from governmental bodies before an operator may locate oil and gas facilities on government property, such as open space lands.~~

14.13. BUILD COMMUNITY RESILIENCE

The city will support the following policy changes to help build community resilience:

- a) **Energy Resilience** - Expand opportunities for communities to engage in key decisions related to siting and management of local and regional energy assets and the ability to participate in driving investments towards climate resilience efforts and the mitigation of vulnerabilities;
- b) **Transmission Assets** - Expand existing state and federal safety requirements as well as the frequency of vulnerability and risk assessments of electric transmission systems and critical transmission assets.
- c) **FEMA** - Study the structural and economic impacts of climate resiliency at the Federal Emergency Management Agency (FEMA), including recommendations on how to improve FEMA’s use of building codes and standards to prepare for climate change and address resiliency in housing, public buildings, and infrastructure such as roads and bridges;
- d) **Resilient Land Management** – Funding for state and local governments to promote resilient land management research, monitoring, management practices and decision-making processes that stabilize and protect ecosystems for current and future biodiversity and ecosystem services. This includes support for funding and implementation of urban and wildland local and regional wildlife corridors that establish refugia and connected habitat as well as development of a statewide

biodiversity strategy to coordinate federal, state and local resilience planning and action.

- e) Urban Forestry – Provide direction and significant new funding to the U.S. Forest Service to expand urban forestry across the US while increasing community resilience to the impacts of climate change and sequestering CO2 driving climate change, including funding for applied research that improves our ability to achieve these objectives through our urban forestry investments. Community benefits include: reducing urban heat islands and their associated illness and death impacts; increasing the absorption of storm water and reducing extreme weather impacts; decreasing energy needs during both extreme heat and cold events and the associated financial impacts on low income residents; and providing enormous potential for local job creation in communities where it is most needed.
- f) Air Quality - Provide protection and relief from air pollution and air toxin threats, especially for those most vulnerable to climate change exposure: people of color, children, the elderly and the poor, and;
- e)g) VISTA Volunteers - Fund the Corporation for National and Community Service (CNCS), the federal agency that administers national service programs, including AmeriCorps VISTA. The city has in the past relied on AmeriCorps VISTA volunteers in support of its resilience programming.

DEMOCRACY AND GOVERNANCE

~~15. AUTHORIZE AND PROVIDE THE SUPPORT AND GUIDANCE NECESSARY TO ALLOW COLORADO COUNTIES TO USE RANKED CHOICE VOTING (BOTH INSTANT RUNOFF VOTING AND SINGLE TRANSFERRABLE VOTE) AND OTHER ALTERNATIVE VOTING METHODS IN THEIR ELECTIONS~~

~~In November 2020, Boulder voters approved a measure to amend the city's charter to require ranked choice voting in elections of the mayor beginning in 2023. The city relies on Boulder County to administer its elections and has been informed by the County Clerk and Recorder that the county does not have cost-effective access to the necessary software nor the authority or guidance to administer such an election. While the city apparently has the authority to run such an election independently from the county, it would be far from ideal to do so. Consequently, the city supports changes to state policy that would assist Colorado counties in securing favorable rates for the necessary software for RCV (both instant runoff voting and single transferrable vote) and other alternative voting methods, that would expressly allow but not require its use by counties, and that would provide all requirements, specifications and guidance necessary to ensure the uniform use of RCV in all county elections. The city supports alternative voting methods that are more expressive of voter intent, eliminate spoiler effects, promote positive campaigning, improve diversity and proportional representation, be easy and inexpensive to implement, result in the election of the candidate(s) preferred by the most voters and more accurately report majority support.~~

14. FUND THE STATE'S ABILITY TO IMPLEMENT SB21-1071 WHICH REQUIRES THE SECRETARY OF STATE TO PROVIDE THE SUPPORT AND GUIDANCE NECESSARY TO ALLOW COLORADO COUNTIES TO COORDINATE WITH MUNICIPALITIES TO USE RANKED CHOICE VOTING IN ELECTIONS

The passage in 2021 of Senate Bill 21-256 will allow Boulder to coordinate with Boulder County to use ranked choice voting in its 2023 election of the mayor. It allows the state to arrange for discount purchase of the necessary software for RCV and provides all requirements, specifications and guidance necessary to ensure the uniform use of RCV in all county elections. The legislation that passed in 2021, however, did not provide a funding mechanism. The city supports funding in 2022 of the state's ability to implement this law.

16.15. AMEND THE U.S. CONSTITUTION TO ABOLISH CORPORATE PERSONHOOD

On November 1, 2011, the residents of Boulder voted, by a 73 percent majority, to approve Ballot Question No. 2H which called for "reclaiming democracy from the corrupting effects of corporate influence by amending the United States Constitution to establish that: 1) Only human beings, not corporations, are entitled to constitutional rights; and 2) Money is not speech, and therefore regulating political contributions and spending is not equivalent to limiting political speech." The City of Boulder will support state and federal legislation that furthers efforts to amend the U.S. Constitution with language that captures the sentiment, if not the exact language, expressed by Ballot Question No. 2H.

ECONOMIC VITALITY

17.16. PROTECT CORE PROVISIONS OF THE COLORADO URBAN RENEWAL LAW, WHICH PROVIDES EFFECTIVE REDEVELOPMENT TOOLS FOR MUNICIPALITIES SUCH AS TAX INCREMENT FINANCING AND EMINENT DOMAIN

Unlike many communities that contain vast areas of undeveloped land planned for future commercial and residential use, Boulder's future economic sustainability will depend on effective and ongoing re-use of existing developed property. The majority of future redevelopment in Boulder will be completed by private entities and through private investment. However, in rare circumstances, and based on the requirements of the urban renewal law, projects that demonstrate a compelling community need may only be achievable through a public/private urban renewal partnership. Consequently, city will support protecting options to facilitate revitalization of their urbanized areas, including through the use of tax increment financing and eminent domain.

18.17. CONTINUE FUNDING AND SUPPORT FOR THE FEDERALLY FUNDED LABS LOCATED IN BOULDER

The city's economic vitality policy strongly supports the federally funded laboratories located in the city, specifically:

- a) Cooperative Institute for Research in Environmental Sciences (CIRES), a partnership of NOAA and CU Boulder
- b) Institute of Arctic and Alpine Research (INSTAAR), CU Boulder's oldest institute
- c) JILA, a joint institute of CU Boulder and NIST
- d) Laboratory for Atmospheric and Space Physics (LASP) at CU Boulder
- e) National Ecological Observatory Network (NEON)
- f) National Institute of Standards and Technology (NIST)
- g) National Oceanic and Atmospheric Administration (NOAA)
 - o Earth System Research Laboratory (ESRL)
 - o National Centers for Environmental Information (NCEI)
 - o National Weather Service (NWS)
 - o National Environmental Satellite, Data and Information Service (NESDIS)
 - o Space Weather Prediction Center (SWPC)
- h) National Solar Observatory (NSO)
- i) National Telecommunications and Information Administration (NTIA)
- j) University Corporation for Atmospheric Research (UCAR)
 - o National Center for Atmospheric Research (NCAR)
- k) UNAVCO
- l) United States Geological Survey (USGS)

The labs, the research they conduct, and the researchers and staff they employ are vitally important to the City of Boulder, Boulder County, the Denver metropolitan region, the state and the nation. Boulder highly values the scientific contributions the labs and their employees have made to the entire nation, as well as the economic impact they have on our community. These institutions work closely with scientific researchers from the University of Colorado in Boulder and Colorado State University in nearby Fort Collins. This synergy of scientific knowledge is found only in a very few other places in the United States. Just as the labs generate direct benefits (employment, local spending) and associated indirect activity through an economic multiplier effect, the opposite holds true for funding reductions.

19.18. REFORM THE FEDERAL OPPORTUNITY ZONE INCENTIVE SO AS TO INCREASE TRANSPARENCY AND LOCAL GOVERNMENT INVOLVEMENT

Qualified Opportunity Zones (OZ) are designed to spur economic development and job creation in distressed communities by providing tax benefits to investors who invest eligible capital into these communities. Taxpayers may defer tax on eligible capital gains by making an appropriate investment in a Qualified Opportunity Fund and meeting other requirements. The city supports increased transparency and mechanisms to allow for more

local government involvement in OZs including approaches proposed in the past that would have required the Government Accountability Office to provide a comprehensive examination of the OZ program, required a public listing of all qualified opportunity zone funds and relevant information about those funds and increased reporting requirements.

HOUSING

20.19. CREATE, PRESERVE AND EXPAND FEDERAL AFFORDABLE HOUSING FUNDING OPTIONS

The city supports creation, expansion and preservation of federal funding for local governments where such funds can be used flexibly to address locally-defined housing goals, including to provide for low and middle-income housing outcomes. Examples of funding options that the city will support are as follows:

- a) **LIHTC** – Low Income Housing Tax Credits, both 9 percent and 4 percent, administered through the Colorado Housing Finance Authority which serve as the primary source of equity for affordable rental housing;
- b) **Section 8** – Section 8 rental programs, both housing choice vouchers and project-based, which serve the lowest income families in Boulder;
- c) **Boulder Housing Partners** - Direct support of the city's housing authority, Boulder Housing Partners;
- d) **HOME & CDBG** – HOME Investment Partnerships and Community Development Block Grant programs, which in past years have allowed the city to invest in expanding affordable housing, strengthened public infrastructure, and improved the quality of life for the city's low and moderate-income residents;
- e) **PABs** – Private Activity Bonds, which are tax exempt and enable projects to receive non-competitive 4 percent LIHTC.

21.20. CREATE, PRESERVE AND EXPAND STATE AND LOCAL GOVERNMENT AFFORDABLE HOUSING FUNDING OPTIONS

The city supports creation, expansion and preservation of state and local government funding where such funds can be used flexibly to address locally-defined housing goals, including to provide for low and middle-income housing outcomes. Examples of funding options that the city will support are as follows:

- a) **Real Estate Transfer Tax** - Allow local governments to impose a real estate transfer tax or document recording fee;
- b) **Housing Trust Fund** - Fund the state affordable housing trust fund;
- c) **Low Income Housing Tax Credit** - Protect and expand the state low-income housing tax credit operated through the Colorado Housing and Finance Authority; and,

- d) **New Tax Credits** - Create new state affordable housing tax credits for homeownership, employer assisted housing, and other activities.

22.21. ENHANCE AND PRESERVE THE RIGHTS AND INTERESTS OF RESIDENTS OF MANUFACTURED HOME COMMUNITIES

While mobile and manufactured homes provide relatively affordable housing options, residents are nonetheless subject to unique vulnerabilities inherent in the divided ownership of the home and the lot it sits on. One such vulnerability is being subject to significant increases in rent in any given year. Accordingly, the city will support being granted the authority to place limits on the rent increases that can be imposed on such pads. ~~Moreover, the city has worked with the state to pass three important pieces of legislation that further the interests of manufactured home communities and their residents. These are: HB19 1309, which directed the creation of a dispute resolution program now in effect and managed by the Colorado Department of Local Affairs, Division of Housing; HB20 1201 which ensures that residents will receive 90 days before their park is sold, during which time they can consider their interest and options for purchasing the park, and; HB 20 1196 which among other things, provides new protections for residents on issues related to retaliation, eviction, utility billing, rights to privacy and protections from having their water utilities disrupted. The city will support full and effective implementation of these laws and defend against any attempts to weaken these laws.~~

23. ALLOW INCLUSIONARY ZONING TO INCLUDE RENTAL HOUSING DEVELOPMENT

~~In 1981, the General Assembly enacted legislation that prohibits counties and municipalities from enacting any ordinance “that would control rent on private residential property or a private residential housing unit.” In 2000, the Colorado Supreme Court prohibited the application of local land use authority for inclusionary zoning for new rental housing development, holding that requiring a set aside for affordable units by the Town of Telluride was a form of “rent control,” which is prohibited the 1981 state law. Subsequent legislation in 2010 created an exception for new rental developments when developers voluntarily agree to inclusionary zoning, but such voluntary agreements are rare. The city will support legislation to clarify that inclusionary zoning for new rental housing developments is not a form of rent control otherwise prohibited by state law.~~

24.22. ALLOW COLORADO LOCAL GOVERNMENTS TO IMPLEMENT RENT CONTROL MEASURES

Boulder supports the repeal of the 1981 state law that prevents cities and counties from controlling rent on private houses and housing units.

HUMAN SERVICES/HUMAN RIGHTS

25.23. COMPREHENSIVELY REFORM FEDERAL IMMIGRATION LAWS WHILE ADOPTING ASSOCIATED STATE LEVEL REFORMS THAT ALLOW AND PROVIDE FOR SUPPORT OF ALL PEOPLE REGARDLESS OF IMMIGRATION STATUS

As detailed in council Ordinance 8162, Boulder is a sanctuary city committed to fostering and ensuring equity, social justice and freedom from persecution and the protection of civil and human rights for all people. It believes in the dignity of all its residents, regardless of immigration status, and recognizes the importance of their many contributions to the social, religious, cultural and economic life of the city. Many undocumented persons contribute taxes and are entitled to access city services and all city facilities. Accordingly, the city welcomes and encourages cooperation at all levels of government to work together to support swift and responsible legislative action to produce equitable, humane, effective and comprehensive federal immigration reform and associated state level reform that provides for:

- a) **Enforcement** - Enforceable immigration laws;
- b) **VISAs** - A simplified visa system which allows for family unification of those who have been separated by the legal immigration backlog process and which provides for legal status for the existing immigrant workforce;
- c) **Purple Card** - A new immigration status, sometimes referred to as a Purple Card, identical to the Green Card except that it would not be a path to U.S. citizenship (but neither would it preclude the possibility of eventual citizenship);
- d) **Rate of Immigration** - A rate and system of controlled immigration that matches the needs of our economy;
- e) **Integration** - Social integration for our existing immigrant workforce and their families;
- f) **Minors** - Unaccompanied minors receiving appropriate child welfare services, legal support and expeditious reunification with their families already in the United States;
- g) **Employers** - Recognition of employers as key allies in implementing immigration policy and enhancing enforcement of labor laws to remove the market advantage that leads to exploiting immigration status to pay lower wages, avoid taxes and violate labor laws;
- h) **Border Control** - A system which ultimately aids in border control;
- i) **Economic Development** - Bilateral partnerships with other countries to promote economic development that will reduce the flow of immigrants;
- j) **DREAM Act** - Qualification of students for immigration relief if they have resided in the United States for several consecutive years, arrived in the U.S. as young children and demonstrated good moral character (i.e., the “DREAM Act”);
- k) **DACA** - Consistent with council Resolution 1215, continuation of the federal program that permits these DREAMERS to request consideration of deferred action for a

period of two years, subject to renewal, and eligibility for work authorization (i.e., Deferred Action for Childhood Arrivals or DACA);

- l) **Sexual Orientation** - The Uniting American Families Act, which would ensure that all Americans, regardless of sexual orientation, receive equal treatment under immigration laws, and
- m) **Repeal of Laws Hostile to Immigrant Rights** - Repeal of federal policies that were designed to diminish the rights of immigrants, non-white people and those without proper documentation.

Conversely, the city will oppose the adoption of any federal or state policies that penalize non-citizens who have used public benefits, including services provided by the city (e.g., the U.S. Citizenship and Immigration Services' Final Rule on Public Charge Ground of Inadmissibility) or that does not provide due process or implicitly discriminates based on economic status, with requirements that exclude those without significant financial resources.

26.24. END THE MISTREATMENT OF MIGRANTS IN U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT DETENTION FACILITIES AS WELL AS IN ALTERNATIVES TO DETENTION PROGRAMS

U.S. Immigration and Customs Enforcement (ICE) operates a network of more than 200 jails and detention facilities. Some facilities and detention services are contracted out to for-profit, private prison operators. The poor and often times deplorable treatment of immigrants in these detention centers reflects a fundamental failure of our government's obligation to protect the dignity of all human beings in its custody. Many immigrants report disgraceful living conditions, including assault, limited access to medical care, scarce and low-quality food, and undue forms of punishment. The Department of Homeland Security's Office of Inspector General issued a report on June 3, 2019 which detailed "unaddressed risks or egregious violations of the PBNDS (2011 Performance-Based National Detention Standards)." It further found that inspections of four ICE detention facilities "revealed violation of ICE's detention standards and raised concerns about the environment in which detainees are held." The city supports congressional action to address these concerns, specifically action that:

- a) **Transparency** - Provides stricter oversight and inspection requirements of ICE detention facilities, and all necessary funding to ensure transparency;
- b) **PBNDS** - Fully implements and enforces the 2011 Performance-Based National Detention Standards (2011 PBNDS) at all facilities that hold immigrant detainees, as recommended by the American Bar Association;
- c) **For-Profit Prisons** - Ends the practice of contracting with for-profit prisons and paying them based on minimum bed quotas, and;
- d) **ATD** - Reform ICE's Alternatives to Detention (ATD) programs by increasing providing for greater support for the immigrants through community engagement,

legal services, and increased transparency and eliminating the ability of these programs by or-profit private prison corporations.

~~27. REPEAL THE STATE LAWS PASSED IN 2003 AND 2006 THAT TOGETHER RESTRICT LOCAL GOVERNMENTS FROM PROACTIVELY ENGAGING WITH UNDOCUMENTED IMMIGRANTS TO MEET COMMUNITY NEEDS~~

~~The city supports the repeal of the following bills:~~

- ~~a) **ID** HB03 1224, enacted in 2003 and codified as C.R.S. §24-72.1, prohibits public entities that provide services from accepting or relying on any identification other than those issued by state or federal jurisdictions or ones recognized by the U.S. government as verifiable by law enforcement, and strips those relying on other identification of governmental immunity.~~
- ~~b) **Benefits** HB06S 1009, enacted in 2006 and codified into portions of CRS §§24-34-107, 30-15-401 and 31-15-501, requires verification of lawful presence for receipt of state and local public benefits. If state or municipal funding is involved, it prohibits unauthorized individuals from receiving any of the following “public benefits:”
 - ~~a. Professional or commercial licenses;~~
 - ~~b. Grants;~~
 - ~~c. Contracts;~~
 - ~~d. Loans, and;~~
 - ~~e. Items more commonly thought of as “benefits” including assistance with food, health, disability, retirement, welfare, public housing, postsecondary education and unemployment.~~~~
- ~~e) **Employment & Contracting** HB06S 1023, enacted in 2006 and codified as C.R.S. §24-76.5, requires governmentally funded service providers to screen employees through the E-Verify system, and to verify that they do not employ or contract with an “illegal alien.” Service providers found in violation can have their contracts terminated, be held liable for damages, and be barred from further public contracts for two years.~~

28.25. SUPPORT THE INDIGENOUS PEOPLE OF COLORADO

In 2016, Boulder passed Resolution No. 1190 declaring the second Monday of October of each year to be Indigenous People’s Day. In it, the city resolved, among other things, that “those now living on these ancestral lands recognize that harm was done and acknowledge that we have a shared responsibility to forge a path forward to address the past and continuing harm to the Indigenous People and the land,” and, “. . . in the pursuit of shared responsibility and of promoting knowledge about Indigenous Peoples, unifying communities, combating prejudice and eliminating discrimination against Indigenous Peoples, the City of Boulder does hereby resolve the second Monday in October of each year to be Indigenous Peoples’ Day.”

In furtherance of this resolution, the city supports state legislation that would:

- a) Declare an Indigenousness People's Day at the state level; and
- b) Allow instate tuition for American Indian Tribe members with ties to Colorado, as had been proposed by HB14-1124.

29.26. FURTHER THE RIGHTS OF ALL PEOPLE REGARDLESS OF THEIR ACTUAL OR PERCEIVED SEXUAL ORIENTATION OR GENDER VARIANCE STATUS

Consistent with the city's long history of support for the equal rights of all people regardless of their actual or perceived sexual orientation or gender variance status, the city supports legislation that would amend the Civil Rights Act of 1964 to include protections that ban discrimination on the basis of gender identity and sexual orientation in the areas of employment, housing, public accommodations, public education, federal funding, credit and the jury system.

30.27. AVOID FURTHER CUTS OR POLICY CHANGES TO STATE AND FEDERALLY FUNDED HEALTH AND HUMAN SERVICE PROGRAMS THAT NEGATIVELY IMPACT ACCESSIBILITY, AVAILABILITY, ~~QUALITY AND AFFORDABILITY OF~~ COST OF BASIC HEALTH AND HUMAN SERVICE NEEDS

In recent years, the state and federal government made drastic cuts to services that help provide a safety net to thousands of city residents. This includes services to low-income residents, children and families, and older adults. The city urges Congress and the General Assembly to expand resources for those essential services that serve the city's most vulnerable, including childcare assistance, access to affordable health care, mental health and addiction services, and food assistance.

31.28. SUPPORT FOR POLICIES THAT ADDRESS AND BEGIN TO DISMANTLE INSTITUTIONAL AND SYSTEMIC RACISM THAT INCLUDE BUT ARE NOT LIMITED TO HEALTH EQUITY, HOUSING ~~AND WEALTH ACCESS~~, ENVIRONMENTAL POLLUTION AND CRIMINAL JUSTICE REFORM

In 2019, Boulder's City Council adopted Resolution 1275 committing the city to promote racial equity in ~~relationships~~, programs, services and policies. The city urges the will need changes in state and federal ~~policies~~ government to further policies that help meet to help meet this goal. One example is the need for criminal justice reform that includes, but is not

limited to, sentencing and bond reform, mental health care, addiction recovery and dismantling of institutional and systematic biases.

Mass incarceration has a disproportionate impact on communities of color, particularly African American males who are significantly over-represented in prison populations. The city supports initiatives that emphasize restorative justice and treatment over incarceration. Prisoners also need to be better integrated into the community upon release. Newly released individuals looking to change their lives face significant barriers to employment and housing. The city supports initiatives ~~to~~that support re-entry for released felons. Criminal behavior often can be the result of mental health conditions. Jails and prisons are not appropriate forums for treatment of mental illness. The city supports initiatives to provide better residential and out-patient treatment for people with mental illness.

32.29. REQUIRE INSURANCE COMPANIES CONTRACTED BY “HEALTH FIRST COLORADO” TO PAY QUALIFIED BEHAVIORAL HEALTH PROVIDERS AT AN AMOUNT EQUAL TO THE MEDICAID FEE SCHEDULE DEVELOPED BY COLORADO’S DEPARTMENT OF HEALTH CARE POLICY AND FINANCING

Colorado Department of Health Care Policy and Financing (HCPF) offers mental health care coverage through “Health First Colorado,” Colorado’s Medicaid Program. Colorado Community Health Alliance (CCHA) administers these services to over 300,000 Medicaid recipients in Boulder County as well as seven other neighboring counties. CCHA, in term, contracts with Anthem Insurance for support in providing these services.

Up until recently, Anthem paid independent mental health providers at 100 percent of the HCPF Medicaid fee schedule. Recently, CCHA announced that as of January 2020, providers will see a 20 percent reduction in reimbursements. This reduction seriously jeopardizes the continued provision of essential services to hundreds of vulnerable individuals in Boulder.

To address this concern, the city supports a change to state law that would require the payment of qualified Medicaid behavioral health providers according to HCPF’s Medicaid fee schedule. This would properly place the responsibility to set required rates with HCPF, not with unaccountable managed care organizations.

30. INCREASE MENTAL/BEHAVIORAL HEALTH SERVICES

Residents in Boulder and across the nation report significant need for increased access to, mental/behavioral health services. As the city is not a direct mental/behavioral health service provider we rely on our regional partners (county, local Managed Care Service Organization, regional behavioral health center, mental health providers/practitioners, community health workers, etc.) to collaborate and implement programs needed by our residents. Nevertheless, the city supports policy changes that would expand mental/behavioral health services and reduce barriers to care, including ones that would:

- a) Expand access to substance abuse treatment, including residential treatment, particularly for people experiencing homelessness who otherwise lack a suitable environment in which to pursue recovery;
- b) Ensure treatment and recovery options for people addicted to methamphetamine, which involves unique challenges due to a lack of medication-assisted treatment options and housing barriers for people using this drug;
- c) Ensure a collaborative comprehensive continuum of mental/behavioral treatment level options from crisis/emergency services (e.g., the city's Crisis Intervention Response Team program) to ongoing community care that meets individual needs and avoids duplication of effort;
- d) Support services that are culturally competent; language accessible; and meet the needs of populations with access barriers including transportation, work and childcare schedules;
- e) Address workforce shortages in the mental/behavioral health field to enable service expansion; and
- f) Reduce stigma surrounding mental/behavioral health issues.

31. ELIMINATE OR REDUCE EXCESSIVE DOCUMENTATION AND ADMINISTRATIVE PROCEDURES REQUIRED TO ACCESS GOVERNMENT BENEFITS

A variety of health, human services, housing, and other public benefit and safety-net programs place an excessive and often unnecessary burden of proof on eligible participants to demonstrate their need and eligibility to access programs, creating barriers that often prevent qualified individuals from receiving assistance when they need it most. Documentation requirements are often time-consuming, invasive, excessive, and difficult to understand. Administrative procedures place unnecessary burden on the elderly, disabled, low-income and Black and Latino persons and families, impeding their access to entitlements or direct-benefit programs. Public benefit programs at all levels of government must simplify and improve accessibility to application processes; reduce unnecessary, burdensome procedures and requirements; and identify cross-coordination and programmatic efficiencies to remove barriers to public benefits for which they are eligible. Tangible actions that should be implemented include:

- a) Promote cross-program enrollment into programs wherever possible;
- b) Suspend or curtail rules that focus on documentation and compliance versus access;
- c) Remove penalties for overpayments and provide flexibility to recoup those versus threat of criminal charges, and;
- a)d) Target efforts to reach specific populations that were harmed by the Trump Administration's Public Charge rules

INTERNAL ADMINISTRATIVE MATTERS

33.32. PROTECT WORKERS' COMPENSATION SYSTEM

The city's self-insurance program is a cost-efficient method to provide workers' compensation. The workers' compensation system serves a dual purpose, providing benefits promptly to injured employees in a cost-effective manner and minimizing costly litigation. Consequently, while the city will support legislation that improves the administrative efficiency of the State of Colorado's Division of Workers' Compensation, it will oppose legislation that increases insurance premium costs to employers, adds administrative burdens or taxes to self-insurance programs, promotes litigation or removes existing off-sets to workers' compensation benefits. It will also oppose efforts to expand the definition of a "presumptive disease" to further shift the burden of proof for workers compensation claims.

34.33. PROTECT GOVERNMENTAL IMMUNITY

The complexity and diversity of city operations and services required to meet the needs of the residents of Boulder may expose the city and its officers and employees to liability for damage and injury. City officers and employees must be confident that they have the city's support in the lawful and proper performance of their assigned duties and responsibilities. Consequently, the city will support legislation that provides immunity to municipalities and their officers and employees in the lawful and proper performance of their duties and responsibilities and that discourages baseless and frivolous claims against the same. Conversely, the city will oppose legislation that expands or increases municipal liability or further limits municipal immunity beyond current law.

35.34. ALLOW LOCAL GOVERNMENTS INCREASED OPTIONS FOR BANKING, INCLUDING THE OPTION TO CREATE A PUBLIC BANK OR TO INVEST WITH, AND RECEIVE OTHER BANKING SERVICES FROM, NCUA-INSURED CREDIT UNIONS

While the city has been generally satisfied with currently available banking services, it has begun to consider the disadvantages of continuing to invest with financial institutions that do not always align with the city's values and priorities. It has also begun to consider the possibility of creating a public bank that provides investment and lending opportunities that would align with city values and priorities. It is in the early phase of exploring this possibility and has not yet dedicated the necessary resources to fully explore the desirability or viability of creating a Boulder public bank, nor those necessary to identify the various state and federal statutory, and possibly constitutional, impediments that exist. Nevertheless, it supports any state or federal changes necessary to remove those impediments. The city also supports having the option to bank with credit unions. Credit unions, as local banking entities, may provide better options for local governments by keeping funds invested within the community. Consequently, the city supports changes in

state law to allow credit unions that meet certain requirements (e.g., adequate reporting, National Credit Union Association (NCUA) insurance equal to FDIC rates that are required of private banks, pledging requirements for collateral on investments placed with the credit union) to be used by home rule cities in Colorado.

36.35. SUPPORT CREATION OF STATE OR FEDERAL GRANT PROGRAMS THAT FURTHER THE CITY'S PROGRAMS

LOCAL CONTROL

37.36. OPPOSE THREATS TO LOCAL CONTROL AND HOME RULE AUTHORITY

Several bills are introduced each session that threaten to erode local powers. As a general matter, the city believes that local problems need local solutions and that the current authority and powers of municipal governments to make decisions on matters related to land use, zoning, personnel, municipal courts, fees and sales tax, should not be further eroded. Legislation threatening local control that does not further interests otherwise specified in this Policy Statement or that are not otherwise recognized by City Council as highly contentious, will be opposed by the city.

38.37. PROTECT THE AUTONOMY OF EMPLOYMENT AND PERSONNEL DECISIONS MADE BY MUNICIPAL POLICE AND FIRE DEPARTMENTS

Employees of the city's fire and police departments are part of collective bargaining units. As part of those units, they have the right to negotiate the terms of their employment. The city may opposes any state or federal law that would mandate municipalities to collectively bargain with public safety employee labor unions over wages, benefits or working conditions, under one-size-fits-all rules.

MUNICIPAL COURTS

39.38. PROTECT THE INSTITUTION AND AUTONOMY OF THE MUNICIPAL COURTS WHILE ACCEPTING NECESSARY STATE OVERSIGHT THAT ENSURES CONSISTENT PROTECTION OF THE CONSTITUTIONAL RIGHTS OF DEFENDANTS

Municipal courts play a vital role in creating safe and welcoming communities. Municipal laws can be uniquely crafted to address criminal behaviors impacting the local quality of life.

Municipal courts can, in turn, reinforce societal expectations using sanctions that reflect local community values. In Boulder, these sanctions often take a restorative, problem-solving approach (i.e., they seek to address the root cause(s) of the criminal behavior). Boulder's Municipal Court has been a state leader in providing innovative and restorative justice sentencing alternatives. The city consequently will oppose legislation that threatens the ability for its city municipal court to maintain adequate autonomy to continue to function at the highest levels. It will, however, support changes to state laws that provide fair and necessary oversight that ensure that the constitutional rights of defendants are protected statewide. Recent examples of added state oversight that the city has considered appropriate include reforms to guarantee that indigent defendants have access to independent defense counsel, that municipal defendants are not held in jail for longer than is reasonably necessary before seeing a judge, and that indigent defendants are not jailed for the inability to pay monetary fines and fees.

40.39. FUND AND PROTECT THE MUNICIPAL JUSTICE SYSTEM'S ABILITY TO COMBAT HOMELESSNESS

The Boulder Police Department and Municipal Court have been very aware of the system of services available to help the homeless and have worked to build referrals and connections through the officers on the street, probation officers, the Homeless Outreach Team, Court Navigator and through the sentencing alternatives that have been traditionally provided by the court. The city supports state legislation that funds and facilitates such efforts.

Furthermore, the city may also support some minimum requirements that local governments must meet to combat homelessness. However, At the same time, the city opposes legislation that would ~~diminish its local control and authority to address homelessness in the manner best suited for community needs, including prohibitions on~~ local governments from banning camping in public spaces.

LOCAL ENVIRONMENTAL QUALITY, NATURAL RESOURCES, WILDLIFE AND PARKS

40. RESTORE CLEAN AIR TO COLORADO

Colorado is suffering from a serious and growing air quality problem, failing year after year to meet federal standards for air that's healthy and safe to breathe. Pollution levels are often high enough to cause both acute and chronic health effects. Some pollutants originate from outside of Colorado, travelling hundreds of miles from their source. However, much of the contributors to our air quality challenges are generated from within our state, whether from wildfires, oil and gas production activities or a range of other sources. The city supports efforts to identify and reduce the primary contributors to our air quality concerns and to bring the Front Range into compliance with EPA air quality standards for ozone and particulate matter.

41. PROTECT THE ABILITY OF LOCAL GOVERNMENTS AND THE LAND TRUST COMMUNITY TO ACQUIRE AND PROTECT PARKS AND OPEN SPACE

Colorado voters provided for a statewide lottery, and in a subsequent election adopted the Great Outdoors Colorado (GOCO) amendment to the state constitution, which directs that lottery profits be used for parks, open space, wildlife, and outdoor recreation purposes. The city supports preservation of the current lottery distribution formula and will oppose legislation that would change that allocation or create new lottery scratch tickets for other purposes that would decrease demand for the existing lottery tickets.

42. SUPPORT THE IMPLEMENTATION OF THE CITY'S ECOLOGICAL CONSERVATION EFFORTS, INCLUDING THE URBAN WILDLIFE MANAGEMENT PLAN AS WELL AS THE FOREST AND GRASSLAND ECOSYSTEM PLANS

The city has an Urban Wildlife Management Plan (UWMP) that guides how Boulder's urban areas will provide diverse, self-sustaining, native wildlife populations in a manner compatible with basic human needs, social and economic values and long-term ecological sustainability. The city will support state and federal policy that complements the city's conservation and conflict management efforts, including ones that:

- a) Provide funding for mosquito management to address state or federal public health issues/mandates;
- b) Encourage the evaluation of relocation opportunities for prairie dogs and modify laws to allow prairie dog relocation to willing landowners in other counties without commissioner approval;
- c) In cases where lethal control becomes necessary on land development sites, encourage humane methods for such controls (e.g., restriction of anti-coagulant bait products that cause poisoning of pets and wildlife);
- d) Modify in-stream flow policy that allows cities to retain the value of water rights while simultaneously conserving native and sport fisheries; and-
- e) Encourage partnerships between Colorado Parks and Wildlife, municipalities and waste management companies resulting in policies that reduce the accessibility of human food sources to bears in urban areas, reduce human-bear conflicts and improve co-existence.

43. RESTORE LOCAL GOVERNMENT AUTHORITY TO REGULATE CERTAIN PESTICIDE USES AND PROVIDE FOR ADDITIONAL PROTECTIONS FOR POLLINATORS, HUMAN HEALTH AND THE ENVIRONMENT

Our food system, urban landscaping practices and mosquito and pest management approaches are all heavily pesticide reliant. While pesticides can be effective in killing

insects or weeds in the short term, there is now overwhelming evidence that pesticides and other chemical pollutants pose a significant risk to people, particularly children and other non-target organisms such as pollinators, birds and other wildlife. These pesticides can disrupt ecosystems, contribute to biodiversity loss, degrade soil health and destroy habitat. There is also a nexus between pesticide use and climate change. In chemically-intensive agriculture, greenhouse gas emissions result from the use of nitrogen fertilizer, synthetic herbicide and insecticide petrochemicals, fossil fuel consumption associated with extraction, refinement and manufacture of petrochemicals and synthetic fertilizers, and the transportation of materials and products to and from the farm. Moreover, organic regenerative agriculture produces farms resilient to climate change because high soil organic matter content and mulching help to prevent nutrient and water loss. Accordingly, the city supports state and federal policy changes that:

- a) **Local Control** - Authorize local governments with the ability to regulate pesticide uses and applications;
- b) **Human Health and the Environment** - Protect human health and the environment, including impacts to children, pollinators and water quality, from the potential adverse effects of pesticides, and;
- c) **Education & Research** - Fund increased education or research on alternatives to pesticides and programs that provide increased pesticide-free habitat, sustainable agriculture and preservation of biodiversity.

44.SUPPORT EFFORTS THAT PROTECT THE BOULDER COMMUNITY FROM WILDFIRE AND PROMOTE ECOLOGICAL FOREST HEALTH

The city owns and manages 10,000 acres of forested open space and mountain parks land, almost all outside the boundaries of the city but immediately adjacent to residential areas. The health of these forests is critical to preventing catastrophic fires and to supporting biodiversity and creating resiliency. Historic fire suppression has led to overly dense forest conditions around Boulder that can have a direct impact on wildfire intensity and frequency, habitat function, water quality and recreational values. The city is dedicated to protecting these natural resource values by implementing vegetation management activities that improve the overall ecological health of our forests, decrease the risk of high intensity wildfires, maintain and improve habitat for fish, wildlife, and plants and protect public and private resources. Accordingly, the city will support federal and state legislation that promotes wildfire mitigation and forest restoration efforts in the wildland/urban interface.

POLICING AND CRIMINAL JUSTICE

45.PREVENT LOCAL GOVERNMENT MANDATES TO ENFORCE FEDERAL IMMIGRATION LAWS

The city supports preserving the option for its police officers to enforce federal laws, including federal immigration laws. However, it will vigorously oppose any state or federal legislation that mandates that its police enforce federal immigration laws, especially if they are unfunded mandates or are likely to result in enforcement officers engaging in racial profiling or discrimination based on race, ethnicity or national origin.

46. PREVENT THE IMPOSITION OF ONEROUS INFORMATION GATHERING AND REPORTING REQUIREMENTS ON PUBLIC SAFETY, ESPECIALLY WHEN THOSE REQUIREMENTS COME WITH SUBSTANTIAL COSTS THAT ARE NOT SUPPORTED BY ADEQUATE FUNDING

An example of a reporting requirement that has been imposed on local law enforcement agencies in the past is the state law requiring the arrest of undocumented immigrants to be reported to Immigration and Customs Enforcement. The city would oppose such a requirement.

47. INCREASE THE FINANCIAL THRESHOLD OF PROPERTY DAMAGE THAT TRIGGERS A POLICE INVESTIGATION OF NON-INJURY TRAFFIC ACCIDENTS

It takes very little damage to a vehicle to reach the current threshold of \$1,000. While the city's police department currently responds to most accidents, increasing the damage threshold will provide greater flexibility and more local control over the use of police resources.

PUBLIC HEALTH AND SAFETY

48. CONTINUED SUPPORT ~~FROM~~FOR STATE AND FEDERAL GOVERNMENT AID FOR COVID PANDEMIC RESPONSE AND RECOVERY ~~FROM THE COVID PANDEMIC~~ AND THE ASSOCIATED ECONOMIC AND FISCAL CRISIS

The city supports continued substantial, direct and flexible emergency financial assistance to local governments ~~and the most impacted members in their community~~ to help address both the health challenges presented by COVID-19 as well as the associated economic and fiscal crisis.

49. DISCOURAGE E-CIGARETTE AND TOBACCO USE, PARTICULARLY AMONG YOUTH, BY BANNING FLAVORED VAPOR PRODUCTS

In the past few years, a public health crisis has emerged with regard to vaping and nicotine addiction among youth across the United States. Colorado and Boulder County youth have been hit particularly hard. High school youth in the Boulder Valley School District are using e-cigarettes at rates higher than the state and national average (33 percent compared to 26 percent and 13 percent respectively) according to data from the 2017 Healthy Kids Colorado Survey. Far more alarming trends have begun to emerge since the summer of 2019, where several hundred cases of a vaping-related illness have been reported across the nation, with 33 fatal cases as of October 1, 2019. The city has taken steps to ban flavored vapor products and increase the sales age for tobacco and nicotine-containing products to 21 years. However, to truly tackle this health crisis, it will require the support of the state and federal government. Therefore, with acknowledgement given that some individuals turn to vaping as a smoking cessation device, the city supports changes at the state and federal level that would ban flavored nicotine vapor products.

50. ENSURE THE SAFE USE AND COMMERCIAL REGULATION OF MARIJUANA

The city will support or oppose state and federal policy in furtherance of the following goals:

- a) **Children** - Create and maintain mechanisms to ensure marijuana is appropriately regulated so that only adults intentionally choosing to use marijuana are exposed to it, that such users receive a safe product in a well-run and compliant licensed premise, and that these substances are kept away from children;
- b) **Licensing** - Maintain a dual licensing system to allow both the state and local governments to issue and enforce licensing of commercial marijuana facilities;
- c) **Cost Recovery** - Allow local governments to recover the full costs of any commercial licenses they choose to allow;
- d) **Barriers to Business** - Remove legal and administrative barriers to standard business infrastructure for marijuana businesses, such as banking and auditable records;
- e) **Safety** - Maintain the creation of overall safety requirements, in consultation with the state, related to recreational marijuana while reserving to local governments specific abilities, but not mandates, to adopt additional requirements and monitor and enforce those rules;
- f) ~~**THC Levels** - Regulating high-potency THC marijuana products (e.g., shatter & wax) so as to protect youth by creating limits on its production, messaging, and marketing and by increasing education on the dangers of such products;~~ and
- g) **Organics** - Adopt a state-administered organic certification program for marijuana, modeled on the existing USDA organic certification program administered by the Colorado Department of Agriculture.

51. ADDRESS THE HEALTH AND SAFETY CONCERNS ASSOCIATED WITH ALCOHOL AND SUBSTANCE ABUSE IN THE GREATER COMMUNITY

Boulder's City Council adopted Resolution 960 on October 19, 2004, concerning alcohol abuse within the community. This resolution affirmed the city's commitment to finding solutions to address the critical issues of health, safety and well-being stemming from alcohol abuse within the city. Accordingly, the city will support policy changes that would:

- a) **Kebs** - Require the sale of kegs containing alcohol to have a tag attached that would permit tracing of the purchaser;
- b) **Server Training** - Require mandatory server training;
- c) **Public Drunkenness** - Repeal the provision contained in C.R.S. Section 27-81-117 preventing municipalities from adopting public drunkenness ordinances; and,
- d) **Hours of Service** - Permit municipalities to regulate licensees' hours of alcohol service.

Conversely, the city will oppose any legislation that undermines these goals, including efforts which would eliminate the 25 percent food requirement for Hotel and Restaurant liquor licenses.

52. PROVIDE GREATER HEALTHCARE AT A LOWER COST

The rapidly increasing cost of health care and health insurance is a barrier to equitable health outcomes and economic gains among many Boulder residents. Current proposals under consideration to reform the system include a single payer universal health care system, a multi-payer universal health care system and expanding the Affordable Care Act, among others. The city encourages lawmakers to determine which approach can provide the greatest access to affordable, quality healthcare for the greatest number of people at the lowest cost.

53. PREVENT GUN VIOLENCE

In May of 2018 Boulder City Council adopted an ordinance to ban the sale and possession of assault weapons, large-capacity magazines, and multi-burst trigger activators in the city. To achieve the goal of this ordinance, the city will also require the increased support of the state and federal government. Toward that end, the city supports measures to prevent gun violence that:

- a) **Background Checks** – Require universal background checks on all sales of firearms, including private sales ~~and the addition of a ten-year firearm prohibition for individuals with conviction of, or outstanding warrants for, violent misdemeanors or crimes that are linked to an increased risk of gun violence.~~ Current federal law allows individuals not “engaged in the business” of selling firearms to sell guns without a

license—and without processing any paperwork. Sometimes referred to as the “Gun Show Loophole,” the sales excluded from the federal background check requirement include firearms sold at gun shows and through classified newspaper ads, the Internet and between individuals virtually anywhere. While criminal background checks are currently required for almost all firearm transfers in Colorado, there are states that do not have such laws. In order to ensure that guns are not placed in the hands of criminals in Colorado, a change to federal law is necessary;

- ~~b) **Storage**—Require a firearm owner to keep his or her firearm in a locked container or secured with a locking device;~~
- e) **Assault Weapons** – Ban assault weapons;
- ~~d) **Local Control**—Repeal state law purporting to limit local gun regulations;~~
- e) **Waiting Period** – Require a waiting period of at least six days for purchase of a firearm;
- f) **Minimum Age** – Increase the minimum age to purchase and possess firearms;
- ~~g) **Lost or Stolen Gun Registry**—Increase the responsibility of individual firearm owners to report and unaccounted for firearm; and~~
- h) **Short-Barreled Firearms** Regulation of short-barreled firearms equipped with pistol braces

The city will oppose any policy changes that:

- a) **Make My Day Law** - Expand the immunity given to homeowners if they shoot and kill intruders, also known as the “make my day” law, beyond personal residences, and
- b) **Concealed Weapons** - Limit the state’s ability to regulate concealed weapons or local government’s ability to restrict possession of weapons in public facilities. The city will oppose federal legislation that would require Colorado to honor concealed carry permits granted by other states, even when those permit holders could not meet the standards required by Colorado law. Boulder also has concerns about the open carrying of guns. While cities are prevented from restricting permitted holders of concealed weapons, Boulder wants to make sure it maintains the ability to prevent the open carrying of guns in its public facilities. The open carrying of weapons is alarming to many people and can create logistical issues for the police department.
- c) **Repeal Previously Passed Legislation to Reduce Gun Violence**

ROCKY FLATS

54. CONTINUE TO FUND THE DEPARTMENT OF ENERGY’S OFFICE OF LEGACY MANAGEMENT, AND U.S. FISH AND WILDLIFE SERVICE AS NECESSARY TO ALLOW FOR MONITORING AND LONG-TERM STEWARDSHIP OF BOTH THE ROCKY FLATS’ CENTRAL OPERABLE UNIT AND THE ROCKY FLATS NATIONAL WILDLIFE REFUGE

In February of 2006, the Rocky Flats Stewardship Council (RFSC) was formed to focus on the post-closure management of Rocky Flats, the former nuclear weapons plant south of Boulder. Cleanup was completed in 2005, and federal management was divided between the Department of Energy (DOE) and the US Fish and Wildlife Service (USFWS). Ongoing monitoring of the cleanup remedies and groundwater remediation by DOE continues.

The city's supports the following:

- a) **Legacy Management Funding:** DOE's Office of Legacy Management (LM) must be fully funded. LM is charged with conducting ongoing monitoring and maintenance, critical steps to ensuring the \$7.5 billion cleanup remains protective of human health and the environment. The city is particularly interested in ensuring continued robust monitoring by DOE for potential surface and subsurface migration of radioactive contaminants, toxic metals, and volatile organic compounds. As needed, funding must be available for additional monitoring and sampling above today's baseline.
- b) **Refuge Funding:** USFWS' Rocky Flats program, which is charged with managing the Rocky Flats National Wildlife Refuge, must be fully funded. The Refuge is a critical, central piece of land in over approximately 80,000 acres of publicly owned, permanently conserved land. The city strongly supports continued community dialogue that promotes landscape and collaborative species conservation in the Refuge.
- c) **RFSC Funding:** The city strongly supports ongoing DOE funding for RFSC. RFSC provides critical local government and community oversight of Rocky Flats and helps ensure community confidence in the ongoing protectiveness of the cleanup remedies.
- d) **Land Management:** The city remains strongly supportive of the Rocky Flats National Wildlife Refuge Act of 2001, the federal legislation designating Rocky Flats as a national wildlife refuge. Among other requirements, the Refuge Act protects Rocky Flats for its abundant natural resources, while allowing community members at their choosing to recreate on portions of the Rocky Flats National Wildlife Refuge. The Refuge Act also ensures continued federal ownership and ongoing federal management of the historic Rocky Flats site.
- e) **Federal Responsibilities:** The city supports maintaining in perpetuity the current boundaries between the DOE-managed lands and the Rocky Flats National Wildlife Refuge. The DOE lands, called the Central Operable Unit (COU), include the former nuclear weapons manufacturing areas, two landfills, settling ponds, groundwater treatment systems, and water monitoring systems. Maintaining these boundaries helps ensure that the COU, the area of greatest historic contamination, remains separate from the Rocky Flats National Wildlife Refuge.
- f) **Federal Minerals—Retirement:** In the 1950s and in recent years, the federal government has acquired for fair market value various minerals underlying Rocky Flats. Acquisition does not de facto mean that the federal minerals cannot be developed. Accordingly, as provided for under federal law, Congress must pass legislation authorizing DOE to retire its minerals, thereby ensuring they can never be developed.
- g) **Federal Minerals—Acquisition:** The "Rocky Flats Environmental Technology Act of 2005" authorized DOE to acquire "essential minerals." The November 2018 filing

with the COGCC by Highlands Natural Resource Corporation to develop oil and gas resources under the COU and Rocky Flats National Wildlife Refuge brings to light that with new technologies not all of the essential minerals were acquired, thereby leaving Rocky Flats susceptible to future development activities. Congress must provide additional funding for acquisition of essential minerals.

- h) **Regional Trails:** It remains imperative that the development of the Rocky Mountain Greenway comply with all applicable federal and state health and environmental standards.

TAX POLICY

55. PRESERVE AND EXPAND THE AUTHORITY OF LOCAL GOVERNMENTS TO AUDIT AND COLLECT TAXES AND TO ISSUE SALES TAX LICENSES

The city has an interest in legislative proposals that result from the General Assembly's Sales and Use Tax Simplification Task Force which has met for four years and will likely continue to meet through 2025. The Task Force is expected to address matters related to definitions, exemptions, collection and auditing, all with the eye toward increasing uniformity and thus reducing the burden on businesses. The city will support and help inform the development of reasonable recommendations, while seeking to ensure that any changes allow cities to at least remain revenue neutral in terms of the revenue they already collect.

Below are the city's positions regarding the various policies expected to be considered by the Task Force and the Colorado General Assembly:

- a) **GIS-Based Sourcing System for Tax Determination** – The city supports the implementation of SB19-006 which requires creation of a Geographic Information System (GIS) database and software to assist vendors in remitting sales and use taxes to Colorado local governments.
- b) **File-and-Pay Portal for Remote Sellers** – A tax collection system called the State Uniform Tax System (SUTS) was recently developed for all Colorado governments. SUTS was created with the intention of eventually serving as a one-stop file-and-pay portal that remote sellers could use to file and pay any jurisdiction's taxes, including taxes of local-collected home-rule jurisdictions, like Boulder. While SUTS is still in the development phase (it is currently limited to only sales tax collection and only being used by smaller home rule municipalities), the state would like all municipalities to eventually rely on it. The city understands the value of such uniform system but will only agree to participate once it can securely and fully integrate with the city's GenTax software system. Moreover, the city will need to be assured that SUTS would not allow the collection and remittance of tax revenues based on anything other than its own sales tax rate and tax base. Finally, the city would need to know that participation would not result in the state assuming authority to collect revenues on sales which the city currently has.

- c) **Uniform Economic Nexus Standard for Home-Rule Municipalities** – The passage of HB19-1240 resulted in a new economic nexus standard for state-collected sales taxes on remote sellers that have customers in the state and make more than \$100,000 in sales per year to those customers, and new destination-based tax collection responsibilities on all Colorado businesses except for very small businesses. Home rule cities, however, are not subject to this standard and are left with the option of either adopting their own standard or having the state adopt a uniform standard. The city could consider supporting a uniform standard so long as it would not negatively impact our sales tax revenue or provoke a challenge of the Supreme Court’s decision in *South Dakota v. Wayfair*, which struck down the requirement that a retailer have a physical presence in a state in order to be required to collect and remit sales tax.
- d) **Single Point of Tax Collection** – The city opposes any proposal to allow a single point of tax collection for all sales. Invariably taxpayers file returns with errors or send payments in without any returns. As a result, the city must conduct research to resolve these issues. If there was a single point of collection, the city’s ability to conduct follow-up could disappear and not be replaced by an adequately-staffed or motivated entity. Moreover, a single point of collection could remove the checks and balances that currently exist. Currently if a taxpayer sends their Boulder sales tax to the Department of Revenue (DOR), DOR simply deposits the check. If Boulder gets a check for state taxes, it sends it back to the taxpayer. For the city to get the money from the DOR it must assess the taxpayer and the taxpayer has to file a refund to get their money back from the DOR. In a single point of collection, it is not clear who would be looking out for Boulder’s interest.
- e) **Single Point for Licensing** – The city would oppose a single point of licensing. Such change would be very challenging because each municipality has its own zoning laws and thus unique criteria for determining whether licenses should be approved. A centralized entity, with less experience and connection to the community, is not likely to effectively license businesses. Of particular concern is the nexus to the city’s liquor and marijuana licensing.
- f) **Centralized Auditing** – The city opposes any proposal to require centralized auditing. The city currently conducts approximately 70 to 80 audits per year, yielding revenues between \$2 to \$4 million dollars annually. Centralized auditing could result in a significant loss of revenue. By way of example, the city already allows a “Coordinated Audit” by taxpayers licensed in the city and holding a similar sales tax license in at least four other Colorado municipalities that administer their own sales tax collection. These audits are almost never requested, partly because it is difficult to find anyone with experience to audit different municipalities each with different laws.

56. PRESERVE THE MUNICIPAL BOND FEDERAL INCOME TAX EXEMPTION

Municipal bonds are the primary way local governments finance infrastructure and have been for over a century. Eliminating the tax exemption would increase the cost to taxpayers for schools, water treatment facilities, libraries, bridges, and many other public projects. The

exemption benefits all Americans. It is not a special interest loophole and should not be treated as such. Boulder has used both tax exempt and taxable bonds or long-term leases. Tax exempt financial instruments are used when the project will be for public purposes and taxable instruments are used if there will be private benefit from the financial transaction. Consequently, the benefit of tax-exempt financing accrues directly to the city's tax or rate payers.

TELECOMMUNICATIONS

57. EXPAND OR PRESERVE THE AUTHORITY OF MUNICIPALITIES TO REGULATE THE PRIVATE DEPLOYMENT OF CELLULAR WIRELESS FACILITIES OR TO PROVIDE BROADBAND SERVICES SUCH AS CITYWIDE FIBER-TO-THE-PREMISE NETWORKS

The provision of broadband access to ensure every member of the Boulder community has effective access to educational, healthcare and city resources and engagement opportunities is a core service that government must ensure in today's society. Utilizing existing city infrastructure or expanding that infrastructure and making it available for new internet service providers, be they public or private, can create the necessary competition to bring low-cost, high-speed access to our residents, regardless of economic status. The authorities that exist to provide these options should not be diminished, including the option to allow a publicly-supported utility to receive the advantages that any other public program or service may receive, including taxpayer funding, expedited permitting or exemption from taxes. Similarly, local authority to regulate the private placement of small cell or 5G infrastructure should not be limited. Moreover, many of the federal and state limitations that have already been imposed on such authority should be rolled back.

TRANSPORTATION

58. PRIORITIZE TRANSPORTATION FUNDING FOR PROJECTS THAT MAINTAIN EXISTING INFRASTRUCTURE, THAT ARE MULTIMODAL IN DESIGN AND THAT REDUCE GREENHOUSE GAS EMISSIONS

In 2021, the state created new fees on gasoline, diesel, electric vehicles, residential deliveries, and rideshare trips that will provide substantial new funding to repair and expand Colorado's decaying transportation system and clean up its air pollution. The state has also embarked on a rulemaking process that will require CDOT and MPOs to establish plans that meet greenhouse reduction targets through a mix of projects that limit and mitigate air pollution and improve quality of life. This rule, scheduled to be adopted on Nov. 18, 2021, is expected to incentivize mitigation projects such as bus rapid transit facilities and services, enhanced first-and-last mile connections to transit, bike-sharing services, improved pedestrian facilities and investments that support compact, transit-supportive land use and

walkable neighborhoods. The city supports the creation of such incentives whether made at the state level through this rule, other rules, legislation or at the MPO level through changes to project selection criteria. The city also supports all efforts necessary to implement such policy change.

The city supports prioritizing use of these and any other state or federal transportation funding to maintain existing infrastructure, for projects that are multi-modal in design, for travel demand management activities that would increase the efficiency of the existing system and for other purposes that would decrease the greenhouse emissions from the transportation sector. In particular, the city will support the funding of projects recommended by the Northwest Area Mobility Study (NAMS), specifically; North I-25 bi-directional HOV/Transit lanes and development of an arterial BRT system, including managed lanes, and commuter bikeways, along SH119, US287, 120th Ave, South Boulder Road, Arapahoe/SH7, and SH 42, as well as Broadway/SH93 and 28th Street/US 36 to support local and regional transit.

~~58. IDENTIFY NEW TRANSPORTATION FUNDING FOR PROJECTS THAT MAINTAIN EXISTING INFRASTRUCTURE AND THAT ARE MULTIMODAL IN DESIGN~~

~~The city and the entire Denver metropolitan area need new funding to maintain existing infrastructure and transit services, for multi-modal transportation improvements related to roadway, bicycle, pedestrian, carpool/vanpool and for travel demand management activities that would increase the efficiency of the existing system. In particular, there is a critical need for federal and state funds to implement the recommendations of the Northwest Area Mobility Study (NAMS), specifically; North I-25 bi-directional HOV/Transit lanes and development of an arterial BRT system, including managed lanes, and commuter bikeways, along SH119, US287, 120th Ave, South Boulder Road, Arapahoe/SH7, and SH 42, as well as Broadway/SH93 and 28th Street/US 36 to support local and regional transit. The city will support the following efforts to increase new transportation funding:~~

~~**Funding Tied to Road Use**—Turn to funding sources tied to road use, including vehicle registration, car rentals, gasoline consumption or vehicle miles traveled.~~

~~**Managed Lanes**—Codify CDOT's Policy Directive 1603.0 which requires that managed lanes be strongly considered during the planning and development of capacity improvements on state highways. Any significant new lane capacity built with state funds should be required to be managed. Managed lanes should result in regulation of demand to ensure choices for the traveler beyond the single occupancy vehicle by providing for the option of travel by bus and free or discounted access to high occupancy vehicles ("HOVs"), as well as allowing pricing to help manage corridor performance, such as dynamic, variable priced tolls linked to congestion.~~

~~**Public Private Partnerships**—Turn to public-private partnerships (PPPs) to identify funding to construct managed lanes when necessary and when agreements are appropriately structured. The city would support legislation to require all PPPs for managed lanes to undergo a transparent approval process and to demonstrate maximization in the~~

transportation of people (not just vehicles); reinvestment of at least a portion of toll operating revenues into the corridor for continued improvements; and prioritization of travel choices with a portion of toll revenues supporting transit and/or travel demand management, in order to maximize the value of the transportation investment and to ensure that lower-income residents benefit from the public investment in a toll road. The city would support legislation that would prohibit the use of so called “non-competes” clauses which are sometimes included in PPPs to preclude maintenance of, or improvements to, existing roads (e.g., Highway 93) to increase travel demand on new tolled lanes.

MPOs—Allocate new or existing funding for regional priorities as determined by the area Metropolitan Organization (MPO), or, where no MPO exists, by the local Transportation Planning Region (TPR) where the improvements are supported by the affected local governments. The city also believes that state legislation should require MPOs and TPRs to model projects for their expected contribution to greenhouse gases and vehicle miles traveled and to prioritize those projects that reduce both.

Allocations for Local Governments and Multimodal Use—Ensure that new funding streams result in a significant share of such new funding (25% or greater) directed to municipalities for local transportation needs and priorities and that an even greater percentage (33% was agreed to as part of earlier MPACT 64 statewide effort) of the remaining state share of new funding be directed to operational and capital transit, bike and pedestrian needs.

Regional Transportation Authorities—The city supports to continued option to partner with other governments to create RTAs to help fund regional transportation needs. It, however, opposes any modification to the RTA statute that would allow it to be involuntarily included into an RTA.

CDOT Governance—Reform the governance boards of both the Colorado Department of Transportation and the Regional Transportation District, so as to promote increased effectiveness and efficiency in operations and decision making. This could include changing the district lines to ensure more equitable representation of the metropolitan region.

59. SUPPORT FUNDING, CONSTRUCTION AND OPERATION OF THE NORTHWEST RAIL LINE AND THE FRONT RANGE PASSENGER RAIL LINE AS A MEANS TOWARD BUILDING IT

The Northwest Rail line is a component of RTD FasTracks program that the voters approved in 2004. The “B Line” will eventually connect Denver Union Station to Longmont. It follows the Burlington Northern-Santa Fe rail corridor, roughly parallel to US 36 to Boulder, then SH 119 to Longmont. Today, the B Line only provides rail service from Denver to Westminster, but full build-out would result in commuter rail service passing through Boulder, with a stop at Depot Square Station in Boulder Junction. Completion of this much-delayed line recently became more likely after it emerged as the favored alignment for a shared track with the Front Range Passenger Rail Line which is proposed to be built by Amtrak between Fort Collins and Pueblo. The city supports RTD’s completion of both the Northwest Rail line as well as the Front Range Passenger Rail Line as a means toward ensuring RTD fulfills its obligation to our region. The city also supports ensuring that rail

service along this line include stops at all stations between Denver and Longmont that were identified by the FasTracks plan.

59.60. INCREASE TRANSPORTATION ACCESS FOR VULNERABLE POPULATIONS, INCLUDING YOUTH, OLDER ADULTS, THOSE WITH LOWER INCOME AND PEOPLE WITH DISABILITIES

The city supports policies and funding mechanisms that make transportation more accessible for vulnerable populations, specifically through making it more; affordable; available (e.g., more frequent on-demand options that are closer to the user) and; capable of accommodating people with disabilities.

60.61. ENCOURAGE “COMPLETE STREETS” THAT ACCOMMODATE PEOPLE USING ALL MODES OF TRAVEL

The city supports legislation that furthers the concept of “Complete Streets” where modes are interconnected, and a complete set of options are made available to improve efficiency and mobility for all. The city also supports legislation that promotes sustainable transportation solutions recognizing energy sources, impacts of vehicle miles traveled, connections to land use, urban design, and increased accessibility for all.

61.62. PRESERVE THE CITY’S ABILITY TO REGULATE VEHICLE USE ON SIDEWALKS, MULTI-USE PATHWAYS, AND BIKE LANES, OR THAT REQUIRES THE CITY TO ALTER ITS CURRENT CODE IN ORDER TO MAINTAIN CURRENT POLICY ON ALLOWED USES OF THOSE FACILITIES

The city’s current ordinances prohibit the use of shared or privately-owned Segways or motorized “toy vehicles” such as electric scooters, electric skateboards or minibikes on sidewalks, multi-use paths or bike lanes. City-initiated changes to such policies would best be informed by a public process where input from the various sidewalk, multi-use path, and trail users could be solicited and evaluated. The city opposes changes to state law that would require the city to change its policy or force an unnecessary and potentially controversial re-evaluation of its policy.

62.63. PREVENT THE TRANSFER OF THE MAINTENANCE RESPONSIBILITIES FOR REGIONAL HIGHWAYS FROM THE COLORADO DEPARTMENT OF TRANSPORTATION TO LOCAL GOVERNMENTS

In past years, the Colorado General Assembly has been asked to consider legislation that would lead to the unilateral transfer to local governments of state highways. Boulder has several state highways that would be subject to such “devolution,” including U.S. 36 and Highways 93, 7 and 119. The city believes that, absent local government decisions to the contrary, these types of regional highways, which service multiple communities and counties, need to remain the responsibility of the state government.

~~63. PROVIDE FLEXIBLE SOLUTIONS AND NEW FUNDING OPPORTUNITIES TO ADDRESS IMPACTS OF TRAIN HORN NOISE AND THE IMPLEMENTATION OF QUIET ZONES~~

~~The city supports more flexible and affordable options that work within the context of the local communities and support the safety goals of the Federal Railroad Administration (FRA) as well as the sustainability goals of EPA, HUD, DOT (FTA & FHWA). Addressing train horn noise and quiet zones is important to achieve local, regional and national goals for multimodal transportation options, safety, housing, jobs and the environment. Opportunities to amend the FRA train horn rules and quiet zone requirements, as well as identify funding sources for implementation, can address existing community concerns caused by train horn noise and support transportation options and mixed use, transit-oriented development areas within the core areas of the city and other communities located along the Burlington Northern Santa Fe railroad corridor.~~

64. ENCOURAGE AUTOMATED VEHICLE DEPLOYMENT IN FURTHERANCE OF BOULDER’S SUSTAINABILITY GOALS WHILE RETAINING LOCAL AUTHORITY TO ADDRESS COMMUNITY-SPECIFIC POLICY OBJECTIVES THAT CANNOT OTHERWISE BE MET

Boulder will support policies that encourage the deployment of automated vehicles (AVs) in Colorado while simultaneously insisting that such deployment promote clean-fueled and safe vehicles that do not sacrifice the safety of other modes of travel, that are pooled/shared and accessible and that lead to a decrease in parking demand and vehicle miles driven when compared to conventional vehicles. Moreover, the city will support policies requiring data sharing between local governments and AV companies in an aggregated and anonymized format that protects consumer privacy and safeguards competitive concerns. Whether the data is shared directly or through a third-party intermediary platform, its sharing is necessary so that local governments can safely integrate these vehicles onto their roadways. Conversely, the city will oppose legislation that either does not further these goals or that denies local government regulatory authority to pursue these goals on its own.

65. FURTHER THE CITY’S VISION ZERO ACTION PLAN

The city's Vision Zero Action Plan includes a travel safety objective aimed at eliminating crashes resulting in serious injuries and fatalities. It reflects a national and worldwide approach to innovate and use a data driven, interdisciplinary approach to improving safety for people using all forms of transportation throughout the community. The city would support state or federal policy changes in furtherance of this objective, including ones that:

- a) Expand municipal authority to operate red light or photo radar cameras to enforce traffic safety and oppose any new limitations
- b) Prohibit use while driving of mobile electronic devices unless through a hands-free device
- c) Lower blood alcohol content levels for DUIs, and
- d) Require mobile phone manufacturers or carriers to offer technologies that reduce inappropriate use while driving.

66. INCREASE THE FUNCTIONING, OVERSIGHT AND GOVERNANCE OF THE REGIONAL TRANSPORTATION DISTRICT

The city supports changes that would improve RTD's financial sustainability and effectiveness in delivering equitable transit services and that would require it to coordinate more closely with local governments in the process. More specifically, the city will seek to restore local and regional service that was lost during the onset of the pandemic. With RTD not planning to fully restore service until 2025, the city will advocate for the expedited restoration of important local and regional routes (like the FF's) that have been discontinued or suspended, service to Boulder Junction and re-opening of the transit center, and improved frequencies and service spans for routes that have been degraded. More generally, the city will ~~This includes~~ support ~~of~~ the recommendations included in the 2021 final report of developed by the RTD Accountability Committee, specifically those that would improve governance through board structural modifications, increase financial stability through improved reporting metrics and transparency and increase services to all riders by leveraging partnerships for resources and service and by simplifying fares and pass programs. ~~that improve its governance, finances and operations through regional equity and local government collaboration.~~

UNIVERSITY OF COLORADO

67. PROVIDE A RENEWED COMMITMENT BY THE STATE AND FEDERAL GOVERNMENTS TO FUND THE UNIVERSITY OF COLORADO AND ITS CAPITAL PROGRAMS AND STUDENT FINANCIAL AID

The City of Boulder has been the proud home to the flagship campus of the University of Colorado since 1876. CU Boulder brings to the city the Colorado Shakespeare Festival, the Conference on World Affairs, the CU Concerts and Artist Series, CU on the Weekends,

Science Discovery camps, access to libraries, museums, athletic events, noncredit courses, and numerous other social and cultural offerings, all of which significantly contribute to the city's economic vitality and cultural vibrancy. The university is not only a local institution, but much of the supply chain is also largely local since the primary services delivered include classroom instruction and research. Additional investments in the local economy include operations, construction, student spending and visitation. The presence of CU Boulder's research facilities and the highly skilled labor force that the university produces compliment the major federal facilities, support satellite institutions, and attract private firms to the city. The university is also deeply connected to and supportive of the broader Boulder business and entrepreneurial community. In light of the extraordinary importance of CU Boulder to the city, the city will support state and federal legislation that provides a renewed attention to funding CU, its capital programs (including its large deferred maintenance backlog), and legislation that supports student financial aid.

WATER

68. PROMOTE THE EFFICIENT UTILIZATION AND CONSERVATION OF WATER, AND PRESERVATION OF WATER QUALITY

Boulder is on the forefront of support for municipal water conservation, efficient utilization of water, and preservation and improvement of water quality. Boulder uses a water budget rate structure to reward the efficient use of water and penalize wasteful practices. Boulder has adopted water conservation goals for build-out that will help meet the city's adopted reliability criteria for municipal water supplies without significant new water acquisitions when fully using water sources already owned by the city. Water conservation can be an important public outreach and educational tool and can help to maximize reservoir storage levels and water use reductions needed during drought periods for municipal water service. Although the first priority for conserved water is drought protection and the extent to which the city can direct conserved water to any particular use is limited, when reservoirs are full, some conserved water can be provided for non-permanent uses such as annual agricultural leasing or instream flow enhancement. Accordingly, Boulder will support legislation that promotes water conservation, instream flow enhancement and the efficient utilization of water when such legislation is structured to also be protective of the city's water rights. By way of example, the city would support legislation that would phase in a requirement that new indoor water fixtures (including toilets, urinals, showers and faucets) sold in Colorado meet reduced flush volume requirements consistent with the US Environmental Protection Agency's WaterSense guidelines, provided that the legislation would not mandate retrofitting nor require local governments to assure compliance. Water quality is critical to the city's water supplies and municipal water system, and as such, Boulder will support legislation that promotes the preservation of water quality in a manner that is not unduly burdensome on the operation of the municipal water system.

69. PROTECT AGAINST SIGNIFICANT THREATS TO THE CITY'S WATER RIGHTS

The city will oppose policies that reduce the amount of augmentation water that junior diverters are required to return to the river to an amount less than their impact on more senior water rights or that attempt to replace the jurisdiction of water courts with state engineer authority such that decisions on the adequacy of augmentation plans would be less transparent and subject to political influence. The city is committed to the legal principle of maximum utilization of both surface water and groundwater and believes this can best be achieved through water court-approved augmentation plans rather than the political process. To the extent that future bills significantly threaten the city's water rights, both municipal water supplies and water rights held for open space purposes, including but not limited to bills that attempt to shift responsibility for augmentation from junior water users to senior water rights owners, increase the reliability for junior water rights by decreasing reliability for senior water rights, or threaten the continued historical use of water and irrigation practices on open space properties, they will be opposed. Similarly, the city will oppose legislation that threatens the city's water supply infrastructure, such as future bills that place undue burdens on the operation and/or maintenance of irrigation ditches.