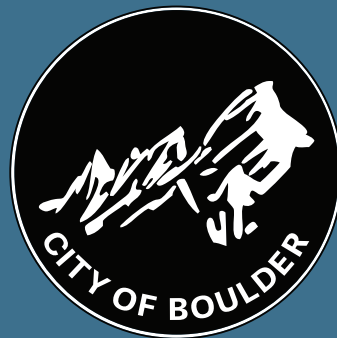




City of Boulder 2024 Policy Statement on Regional, State and Federal Issues





State Policy Priorities

- I. **Harden Infrastructure Against Climate Change** – Ensure critical infrastructure, including utilities are built to remain resilient, safe and reliable as the climate continues to evolve and extreme weather events, like wind, wildfire and floods, grow in severity. This includes undergrounding of privately-owned electric, natural gas and telecommunication utilities where feasible, proactive maintenance practices and prioritizing the correction of disparate reliability concerns. It also includes state and federal resources necessary to improve water, wastewater, stormwater and flood management (read more, position 1).
- II. **Fund and protect the city's ability to reduce and prevent homelessness**
 - Minimum requirements for local governments to combat homelessness.
 - Preserve local government authority to ban camping in public spaces.
 - Increase statewide coordination of efforts that result in funding and programming for prevention and supportive services, expansion of mental and behavioral health prevention and treatment, transitional, and permanent housing options, and proposals that affect targeted populations, including the challenges presented by family, youth, and single-adult homelessness (read more, position 25).
- III. **Qualified* support for state involvement in land use matters that furthers the city's housing affordability, transportation, climate, resilience and equity goals** (*read more, position 24)
 - Incentivize local governments to adopt land use policies, such as transit oriented development, that reduce greenhouse gases and discourage single occupancy vehicle travel.
 - Reduce barriers to development of accessory dwelling units and multiplexes.
 - Minimum average housing density standards along high-frequency transit corridors and multimodal transit stations.
 - Reduce the number of parking spaces that can be required.
 - Create regional housing assessments that identify housing needs, local housing targets proportional to the needs of all income levels, and a requirement that local governments develop housing production strategies to meet these targets.
- IV. **State Transit Funding** – Generate new transit operations funding tied to road use, including vehicle registration, car rentals, car shares, retail delivery, gasoline consumption and vehicle miles travelled. Another source of revenue that should be explored is through increases in the state's severance tax (a tax imposed upon nonrenewable natural resources that are removed from the earth). The city supports prioritizing use of these funds for the restoration and expansion of local and regional transit service, including Bus Rapid Transit, on-demand transit, free transit periods during high ozone periods and free transit for youth (read more, position 62).
- V. **Vulnerable Road Users Fees** – Implement one or more "Vulnerable Road User Protection Fee" enterprises in the state's 12 most populous counties with the fee tied to the weight of vehicles and with the funds available for transportation system improvements that reduce vehicular collisions with vulnerable road users, such as pedestrians or bicyclists (read more, position 68).



Federal Policy Priorities

- I. **Support Congressionally Directed Spending Requests** – Support for the city’s 2025 congressionally directed spending requests.
- II. **Support for Northwest Area Mobility Study Projects** – Support transportation improvements recommended by the Northwest Area Mobility Study, specifically the Northwest Rail Line (B Line) in conjunction with the Front Range Passenger Rail Line (read more, position 63).

Policy Principles

The following policy principles guide the development, interpretation and application of the positions identified in this policy statement.

Equity, Racial Justice and Social Resilience – Dismantle institutional and systemic racism, prioritize voices, experiences, interests, and needs of communities that have been historically excluded, and reduce the vulnerabilities of groups most susceptible to natural or human caused stressors.

Collaboration – Identify mutual interests that permit the city to support and further the needs of regional, state and federal partners and to engage in a collaborative spirit that advances all interests.

Local Control – Protect local control and home rule authority unless otherwise stated in specified positions or where City Council has expressed a desire to yield such authority.

Support for City Programs – Provide funds that are flexible in how they can be used and that have a streamlined application and reporting process, as well as other support for city programs, when doing so does not come at the expense of support for city partners, such as preK-12 and higher education.

Contacts

City Council			
NAME	CURRENT TERM		CONTACT INFORMATION
Taishya Adams	Began 12/7/2023	Expires 12/3/2026	303-601-5636 adamst1@bouldercolorado.gov
Matt Benjamin	Began 11/16/2021	Expires 11/18/2025	303-453-9896 benjaminm@bouldercolorado.gov
Aaron Brockett	Began 12/7/2023	Expires 12/3/2026	720-984-1863 brocketta@bouldercolorado.gov
Ryan Schuchard	Began 12/7/2023	Expires 12/3/2026	303-589-5154 schuchardr@bouldercolorado.gov
Lauren Folkerts	Began 11/16/2021	Expires 11/18/2025	303-829-4008 folkertsl@bouldercolorado.gov
Nicole Speer	Began 11/16/2021	Expires 11/18/2025	303-519-9068 speern@bouldercolorado.gov
Tina Marquis	Began 12/7/2023	Expires 12/3/2026	303-619-0770 marquist@bouldercolorado.gov
Mark Wallach	Began 11/16/2021	Expires 11/18/2025	917-282-3552 wallachm@bouldercolorado.gov
Tara Winer	Began 12/7/2023	Expires 12/3/2026	303-912-5960 winert@bouldercolorado.gov

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

Chief Policy Advisor
Carl Castillo
303-441-3009
castilloc@bouldercolorado.gov

Assistant City Attorney
Laurel Witt
303-441-4121
wittl@bouldercolorado.gov

Federal Contract Lobbyists
Smith Dawson & Andrews
Brett Garson & Kristian Chin
202-835-0740

State Contract Lobbyists
Headwaters Strategies, Inc.
Will Coyne & Adam Eichberg
303-834-7799

Physical Address
1777 Broadway
Boulder, CO 80306

For More Information
www.bouldercolorado.gov/intergovernmental

Table of Contents

STATE POLICY PRIORITIES.....	I
FEDERAL POLICY PRIORITIES.....	II
POLICY PRINCIPLES.....	III
CONTACTS	IV
DEVELOPMENT AND USE OF THE POLICY STATEMENT	5
POLICY POSITIONS.....	6
Climate Change and Community Resilience.....	6
1. <i>Build community resilience</i>	<i>6</i>
2. <i>Reduce statewide greenhouse emissions consistent with or greater than the State of Colorado’s codified goals.....</i>	<i>7</i>
3. <i>Preserve and expand the ability of local governments to engage in climate action efforts.....</i>	<i>7</i>
4. <i>Continue to reduce emissions from the electricity sector and prepare the grid for increased new uses</i>	<i>8</i>
5. <i>Enhance customer electricity choice</i>	<i>8</i>
6. <i>Reduce emissions from the natural gas sector.....</i>	<i>9</i>
7. <i>Ban or accelerate the phase-out of hydrofluorocarbons (hfc’s) and other climate-warming refrigerants</i>	<i>10</i>
8. <i>Create a carbon cap and any market-based mechanisms necessary to decrease carbon emissions</i>	<i>10</i>
9. <i>Increase public access to energy data</i>	<i>10</i>
10. <i>Increase energy efficiency and energy affordability.....</i>	<i>11</i>
11. <i>Encourage widespread adoption of electric and efficient motorized vehicles and adoption of a low- carbon fuel standard</i>	<i>11</i>
12. <i>Advance circular materials economy by promoting waste reduction and diversion efforts.....</i>	<i>12</i>
13. <i>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.....</i>	<i>13</i>
Democracy and Governance.....	13
14. <i>Amend the U.S. Constitution to abolish corporate personhood</i>	<i>13</i>
15. <i>Protect elections, elected officials, and the public from artificial intelligence or other sources of misinformation</i>	<i>14</i>
Economic Vitality	14
16. <i>Protect core provisions of the Colorado Urban Renewal Law, which provides effective redevelopment tools for municipalities such as tax increment financing and eminent domain.....</i>	<i>14</i>
17. <i>Continue funding and support for the federally funded labs located in Boulder.....</i>	<i>14</i>
Housing and Land Use.....	15

18.	<i>Create, preserve, and expand federal affordable housing funding options.....</i>	15
19.	<i>Create, preserve, and expand state and local government affordable housing funding options</i>	16
20.	<i>Reform the state’s construction defect law so as to increase the supply of diverse housing options, including condominiums</i>	16
21.	<i>Provide increased support for low-income individuals and families to find and retain housing</i>	16
22.	<i>Enhance and preserve the rights and interests of residents of manufactured home communities</i>	16
23.	<i>Allow Colorado local governments to implement rent control measures</i>	16
24.	<i>Qualified support for state involvement in land use matters that furthers the city’s housing affordability, transportation, climate, resilience and equity goals</i>	17
Human Services/Human Rights.....		18
25.	<i>Fund and protect the city’s ability to reduce and prevent homelessness.....</i>	18
26.	<i>Increase mental/behavioral health services.....</i>	18
27.	<i>Protect reproductive freedoms including the right to access abortions</i>	19
28.	<i>Support local cash assistance programs benefitting low-income community members</i>	19
29.	<i>Comprehensively reform federal immigration laws while adopting associated state level reforms that allow and provide for support of all people regardless of immigration status</i>	20
30.	<i>End the mistreatment of migrants in U.S. Immigration and Customs Enforcement detention facilities as well as in alternatives to detention programs.....</i>	21
31.	<i>Repeal the “Secure and Verifiable Identity Document Act” which prohibits municipalities from determining which forms of identification to accept in the provision of purely municipal services.....</i>	21
32.	<i>Support the Indigenous peoples of Colorado</i>	22
33.	<i>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</i>	22
34.	<i>Support Criminal Justice Reform</i>	22
35.	<i>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</i>	23
36.	<i>Eliminate or reduce excessive documentation and administrative procedures required to access government benefits</i>	23
37.	<i>Reduce health disparities and promote equity and wellness for people with disabilities</i>	24
Internal Administrative Matters		24
38.	<i>Protect workers’ compensation system.....</i>	24
39.	<i>Protect the autonomy of employment and personnel decisions made by municipal collective bargaining units</i>	24
40.	<i>Protect governmental immunity</i>	24

41. 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.....	25
Municipal Courts	25
42. Protect the institution and autonomy of the municipal courts while accepting necessary state oversight that ensures consistent protection of the constitutional rights of defendants	25
Policing and Criminal Justice	26
43. Prevent local government mandates to enforce federal immigration laws	26
44. 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.....	26
45. Increase the financial threshold of property damage that triggers a police investigation of non-injury traffic accidents	26
Public Health and Safety	26
46. Discourage e-cigarette and tobacco use, particularly among youth, by banning flavored vapor products.....	26
47. Ensure the safe use and commercial regulation of marijuana	27
48. Address the health and safety concerns associated with alcohol and substance abuse in the greater community	27
49. Provide greater healthcare at a lower cost	28
50. Prevent gun violence	28
Regional Environmental Quality, Natural Resources and Parks.....	29
51. Restore clean air to Colorado.....	29
52. Protect the ability of local governments and the land trust community to acquire and protect parks and open space	29
53. 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 30	
54. Restore local government authority to regulate certain pesticide uses and provide for additional protections for pollinators, human health and the environment.....	30
55. Support efforts that protect the Boulder community from wildfire and promote ecological forest and grassland health.....	31
Rocky Flats	31
56. Continue to fund the monitoring and long-term stewardship of both the Rocky Flats’ Central Operable Unit and the Rocky Flats National Wildlife Refuge	31
Tax Policy	33
57. Restore, preserve and expand the authority of local governments to audit and collect taxes and to issue sales tax licenses	33
58. Preserve the municipal bond federal income tax exemption	33

Telecommunications	33
59. Expand or preserve the authority of municipalities to regulate the private deployment of cellular wireless facilities and of wired broadband networks.....	33
60. Preserve and expand benefit programs that help ensure that households can afford the broadband needed for work, school, healthcare and more.	33
Transportation	34
61. Increase and prioritize transportation infrastructure funding with a focus on maintenance of existing infrastructure and projects that are multimodal in design and that reduce greenhouse gas emissions.....	34
62. Increase funding for transit operations that results in restoration and expansion of service to the Boulder region	34
63. Support funding, construction and operation of the Northwest Rail line and the Front Range Passenger Rail line as a means towards its completion	34
64. Increase transportation access for vulnerable populations, including youth, older adults, those with lower income and people with disabilities	35
65. Encourage “complete streets” that accommodate people using all modes of travel and ensure that new infrastructure investments include improvements that prepare for the future and provide alternatives to single occupancy vehicle travel	35
66. Encourage the Colorado Department of Transportation’s construction, operations, and maintenance practices to support and implement local Vision Zero strategies on state highways that run through local jurisdictions	35
67. 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	35
68. Further the city’s Vision Zero Action Plan	36
69. Expedite Regional Transportation District transit service restoration and improve the organization’s functioning, oversight and governance.....	36
70. Minimize the impact of local airport overflights, noise and pollution on neighboring communities	36
University of Colorado	37
71. Provide a renewed commitment by the state and federal governments to fund the University of Colorado and its capital programs and student financial aid	37
Water	37
72. Promote the efficient utilization and conservation of water, and preservation of water quality	37
73. Protect against significant threats to the city’s water rights.....	38

Development and Use of The Policy Statement

The purpose of the City of Boulder’s 2024 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, have potential to significantly impact the city. This includes legislative decisions by the Colorado General Assembly or the U.S. Congress. It also includes 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, Northwest 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 2024 Colorado General Assembly and the First Session of the 118th 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.

Policy Positions

Climate Change and Community Resilience

1. Build community resilience

Climate change presents a significant threat to the social and economic well-being of the Boulder community. Both acute events like fire and flood and chronic stressors like rising temperatures and declining air quality are emblematic of what the community faces now and into the future. Building the community's resilience to the realities and inevitability of climate change are critical for preserving the vitality of our community and this must be done within the context of equity and climate justice. Accordingly, the city will advocate for the following policies:

- a) **Harden Infrastructure Against Climate Change** – Ensure critical infrastructure, including utilities are built to remain resilient, safe and reliable as the climate continues to evolve and extreme weather events, like wind, wildfire and floods, grow in severity. This includes undergrounding of privately-owned electric, natural gas and telecommunication utilities where feasible, proactive maintenance practices, and prioritizing the correction of disparate reliability concerns. It also includes state and federal resources necessary to improve water, wastewater, stormwater and flood management.
- b) **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.
- c) **Resilient Neighborhoods** – Funding for state and local governments to support the conversion of vulnerable homes in the Wildlife Urban Interface (“WUI”) to a state of greater resilience through the replacement of combustible landscaping (particularly species such as junipers), replacement of combustible mulch with non-combustible materials around houses, and replacement of wood siding with more resilient materials.
- d) **Urban Forestry** – Secure federal funding for enhancing the city's urban canopy and for applied research to inform a coordinated statewide campaign to implement an equity-centered workforce development program to plant these trees. 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.
- e) **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. Advocate for local and state policy to address gaps and inequities associated with immigration and housing status.

2. Reduce statewide greenhouse emissions consistent with or greater than the State of Colorado's codified goals

Colorado released its first Greenhouse Gas Pollution Reduction Roadmap in January 2021. This Roadmap laid out a pathway to meet the state's statutory GHG reduction targets of 26% by 2025, 50% by 2030 and 90% by 2050 from 2005 levels. The state is now working to update the Greenhouse Gas Pollution Reduction Roadmap ("Roadmap 2.0"), including an updated inventory of emissions and a new set of near-term actions that will guide implementation in the state. 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.

3. 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 utility 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) **Natural Gas** – Preserve and strengthen the ability of local governments to support their community's shift away from the use of natural gas.
- e) **Generation and Storage** - Maximize the deployment of local clean energy generation and storage options.
- f) **Financing** - Create new financing and ownership structures for clean energy technologies.
- g) **State and Federal Resources** - Benefit from state or federal facilities, programs, funding or requirements relied on by cities to reduce greenhouse gas emissions.
- h) **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.
- i) **Carbon Sequestration** - Optimize the potential for carbon sequestration through methods including carbon capture and storage technologies, use of carbon-storing materials in construction, regenerative agriculture, improved soil health, and ecosystem management.
- j) **Equity** - Incorporate equity, accessibility, and just transition considerations into climate policies and actions.

4. Continue to reduce emissions from the electricity sector and prepare the grid for increased new uses

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

- a) **Grid Investments** – Ensure the grid is ready to support localized load growth from building and transportation electrification.
- b) **Distributed Generation** – Expand retail distributed generation, including distributed energy storage.
- c) **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.
- d) **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.
- e) **Coal-Fired/Natural Gas Power Plants** – Ensure the successful retirement of all coal power plants. Advocate for limited investment in and use of natural gas (methane) power plants when more economic renewable energy options are available.
- f) **Storage** - Encourage and incentivize energy storage technologies as an alternative to investments in fossil fuel based generating facilities.
- g) **Clean Energy Standard** – Create a national clean energy standard that requires utilities to increase the portion of energy produced by renewable resources.
- h) **Bridge the Gap** – Enable customers and communities to work with their electric utility to fully eliminate the emissions associated with their electricity by 2030.
- i) **Emerging Technologies** – Encourage investments and regulation that encourage adoption and growth of emerging technologies, such as long duration storage, advanced geothermal and renewably-sourced hydrogen.

5. 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 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 energy, or CCE), 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 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 and preserve the value of local solar.
- e) **Interconnection Requirements** - Streamline interconnection requirements for customer-sited energy options such as microgrids, distributed generation and storage technologies.
- 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.
- 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);
- 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
- 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.

6. Reduce emissions from the natural gas sector

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 heating and cooling technologies such as electric-driven heat pumps (air and ground source), sustainable biomass energy systems, anaerobic digestion, solar thermal and other renewable energy-ready systems. The city would support approaches to achieving these goals that:

- a) **Demand Side Management** – Support implementation of the Public Utilities Commission’s (PUC) directive to set demand side management (DSM) mandates for both electric and natural gas utilities to encourage natural gas conservation and efficiency programs, switching from natural gas to electric, and investment in income-qualified programs.
- b) **Utility Programs** - Require utilities to develop incentives and rate structures that support beneficial electrification and reflect the value provided to the electric grid.
- 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 alternatives, including efficiency and beneficial electrification.
- d) **Mandates** - Include electrification mandates into energy objectives for state-owned buildings.
- e) **Infrastructure Upgrades** – Create requirements and incentives for electric utilities to upgrade electrical infrastructure, including customer-side requirements, to support conversion of existing building stock to electric systems.

- 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.
- g) **Customer Financing Programs** – Create customer-facing financing options such as tariff-based on-bill financing options.
- h) **HOAs** – Ensure that HOAs cannot prevent the fair access to efficient heating and cooling or block the installation of outdoor heat pump condenser units.

7. Ban or accelerate the phase-out of hydrofluorocarbons (hfc) 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.

8. 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.
- 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.

9. 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.

10. Increase energy efficiency and energy affordability

- a) **Energy Insecurity** – Direct the PUC to require utilities to revise and implement programs and services that reduce the energy cost burden for customers.
- 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 and All-Electric Construction** - Facilitate the development of net zero and outcome-based construction through demand side management programs.
- e) **Expand Program Access** - 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, while also considering a more expansive series of indicators, beyond income, to identify those in need.
- 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.
- 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.

11. 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) **Charging Access and Time Shifting** - Encourage the proliferation of public and private charging infrastructure with an emphasis on expanding access to home charging for residents of multi-unit dwellings, income-qualified customers, and disproportionately impacted communities. Also encourage EV charging during the time of day when the largest amount of clean energy is available on the grid by participating in Public Utility Commission dockets addressing rate designs, program offerings and other solutions.
- e) **Electric Buses** – Encourage continued and additional state funding to induce electric bus adoption and to offset/support the upfront start-up costs of bus purchases, charging infrastructure and garage and maintenance facilities.

12. 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) **Producer Responsibility** – Implement and create incentives and requirements for producers to maintain responsibility for their products across all sectors of the economy.
- 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.
- c) **Compost** – Support sequestration of 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.
- d) **Materials Banned from Landfill** - Ban specific materials from landfills or incineration, such as cardboard, organics and beverage containers or lithium ion batteries.
- e) **Landfill Tip Fees** - Increase statewide landfill tip fee surcharges to be used for waste reduction.
- f) **Waste to Energy** - Prevent "waste to energy" technologies involving trash incineration or incentivizing landfilling for the sake of energy creation.
- g) **Anaerobic Digestive Technology** - Capture energy from anaerobic digestive technologies at composting and wastewater treatment plants.
- h) **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. 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

The city will support changes to state or federal policy that would address specific oil and gas drilling impacts, including changes to:

- a) **Greenhouses Gas Emissions** - 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.
- b) **Applicability of Federal Laws** - Eliminate fracking as an exempted activity under the Clean Water Act, Safe Drinking Water Act and other federal environmental laws.
- c) **Water Quality** - Provide statewide protections for water including: requiring setbacks from all streams, lakes and wetlands; 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.
- d) **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.
- e) **Impact Mitigation** - Study air, water, seismic, noise and public health impacts from oil and gas operations and ways to mitigate or avoid impacts.
- f) **Local Consent** - Require consent from governmental bodies before an operator may locate oil and gas facilities on government property, such as open space lands.

Democracy and Governance

14. 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.

15. Protect elections, elected officials, and the public from artificial intelligence or other sources of misinformation

Certain applications of artificial intelligence present a threat to elections and may supercharge election disinformation using deepfakes. The city will support policy changes that will help ensure Coloradans know when communications featuring candidates or officeholders are deepfaked, or otherwise manipulated, and will increase transparency. Specifically, it will support changes that provide for:

- a) Clear disclaimers on communications that have been generated or substantially altered by AI
- b) Civil penalties for communications that fail to include proper disclaimers
- c) A private right of action for candidates who are the subject of deepfakes.

Economic Vitality

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, the city will support protecting options to facilitate revitalization of their urbanized areas, including with tax increment financing and eminent domain.

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)

- National Environmental Satellite, Data and Information Service (NESDIS)
 - Space Weather Prediction Center (SWPC)
- h) National Solar Observatory (NSO)
- i) National Telecommunications and Information Administration (NTIA)
- j) University Corporation for Atmospheric Research (UCAR)
 - 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.

Housing and Land Use

18. 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.

19. 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.
- d) **New Tax Credits** – Create new state affordable housing tax credits for homeownership, employer assisted housing, and other activities.

20. Reform the state's construction defect law so as to increase the supply of diverse housing options, including condominiums

The city will support revisions to the state's construction defect law which will provide for consumer protections while removing barriers that discourage developers from building condominiums for fear of costly lawsuits.

21. Provide increased support for low-income individuals and families to find and retain housing

Boulder recognizes the strong link between housing instability and homelessness as well as the laws that can reduce housing instability. While the city is committed to increasing the availability of affordable housing, that alone is insufficient if low-income families and individuals are not able to access and keep stable housing. Accordingly, the city will support legal protections, funding and other policy changes that can help provide that housing stability and reduce homelessness.

22. 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.

23. Allow Colorado local governments to implement rent control measures

Boulder supports the repeal of the portion of state law, C.R.S. 29-20-104, that prevents cities and counties from controlling rent on private houses and housing units.

24. Qualified support for state involvement in land use matters that furthers the city's housing affordability, transportation, climate, resilience and equity goals

The General Assembly is expected to consider a series of bills over multiple sessions that would result in the state assuming some level of authority or oversight on zoning and land use matters currently under the exclusive control of local governments. The city is traditionally reluctant to cede local control, especially when it results in unfunded mandates. The justification for such hesitancy is rooted in the view that local problems demand local solutions, and that one size cannot fit all. However, under circumstances where the problems sought to be addressed by the state overlaps with city goals that transcend local borders and which cannot be achieved by acting alone, Boulder has supported the creation of minimal state standards narrowly tailored to meet those goals. A prime example of such a problem is the housing affordability crisis in and around Boulder. Addressing this crisis, especially when doing so advances climate, resilience, transportation and equity goals, is a city priority. Like many of its neighboring cities, Boulder has dedicated a substantial amount of attention and resources toward achieving this goal and has seen some progress. However, making a meaningful impact will require a coordinated and shared commitment among all local governments.

For these reasons, the city supports state policy changes that incentivize and encourage local governments to adopt land use policies, such as transit-oriented development, that reduce greenhouse gases and discourage single occupancy vehicle travel. The city may also support state policies that go beyond incentives if such policies meet the following conditions:

- Narrowly targeted to further the goals of the Boulder Valley Comprehensive Plan,
- Allow for flexibility in implementation,
- City determination that it has sufficient water supplies and water and sewer infrastructure to serve the mandated land use changes without jeopardizing system reliability including considerations of climate change impacts, and
- Clarity on how local governments already meeting state standards can be exempted.

The following are four policy categories that the city expects will soon be considered by the statehouse. To the extent that they are consistent with the above qualifications and the below descriptions, the city will support them.

- a) Reduce barriers to development of accessory dwelling units and multiplexes.
- b) Create minimum average housing density standards along high-frequency transit corridors and multimodal transit stations.
- c) Reduce the number of parking spaces that can be required.
- d) Create regional housing assessments that identify housing needs (e.g., including not only the number of needed housing units but also the needed housing types and number of bedrooms), local housing targets proportional to the needs of all income levels, and a flexible requirement that local governments develop housing production strategies to meet these targets.

Human Services/Human Rights

25. Fund and protect the city's ability to reduce and prevent homelessness

The city's homelessness strategy is built around the belief that Boulder community members should have the opportunity for a safe and stable place to live. The strategy expands pathways to permanent housing and increases access to programs and services. The city supports state and county action that funds and facilitates such efforts. Furthermore, it will advocate for the following:

- a) Minimum requirements for local governments to combat homelessness.
- b) Preserving local government authority to ban camping in public spaces.
- c) Increase statewide coordination of efforts that result in funding and programming for prevention and supportive services, expansion of mental and behavioral health prevention and treatment, transitional and permanent housing options, and proposals that affect targeted populations, including the challenges presented by family, youth, and single-adult homelessness.

26. Increase mental/behavioral health services

Residents in Boulder and across the nation report significant need for increased access to, mental/behavioral health services. The city relies on its regional partners (county, local Managed Care Service Organization, local community mental 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 experiencing substance use disorders, including those who use methamphetamine, which involves unique challenges due to a lack of medication treatment options and housing barriers. Specifically, the city would support the development of housing to assist people experiencing homelessness with recovery supports for substance uses disorders;
- 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 and Community Assistance Response and Engagement programs) to ongoing community care that meets individual needs and avoids duplication of effort;
- d) Expand permanent supportive housing resources – the most effective solution to homelessness – for people experiencing chronic homelessness and who have either active or a history of addiction;
- e) Support services that are culturally competent; language accessible; and meet the needs of populations with access barriers including transportation, work and childcare schedules;
- f) Address workforce shortages in the mental/behavioral health field to enable service expansion for youths and adults; and

- g) Reduce stigma surrounding mental/behavioral health issues.

27. Protect reproductive freedoms including the right to access abortions

While Colorado has passed legislation protecting the nominal right to abortion, that right is not enjoyed equally and threats to that right remain that require additional complementary policy changes at both the state and federal levels, including:

- a) Establishing in Colorado's constitution a right to abortion free from discrimination, thereby removing the state funding ban on abortion insurance coverage that discriminates against state and local government employees and against people with incomes low enough to qualify for state and local governmental health insurance plans.
- b) Enacting more state shield laws for patients, providers, and assistants of abortion and other threatened healthcare like contraception, such as Colorado's Senate Bill 23-188, that protect Coloradans and Colorado's visitors and students from out-of-state legal threats but those protections only exist if they remain in Colorado.
- c) Enacting more state privacy laws for patients, providers, and assistants of abortion and other threatened healthcare.
- d) Enforcing the right to travel between states given under the Privileges and Immunities Clause of the U.S. Constitution.
- e) Repealing the federal law (Hyde Amendment) that effectively defined the range of medically necessary abortions covered by Medicaid by carving out particular abortion services that states are not obligated to cover.
- f) Enacting a national right to abortion.

28. Support local cash assistance programs benefitting low-income community members

The city intends to implement a guaranteed income pilot project in 2023, in which no-strings-attached direct cash payments would be provided to a portion of the city's low-income community. As of fall 2022, an estimated 100 guaranteed income projects are currently or will soon be in place across the country. Action from state and federal agencies to remove policy barriers and support cash assistance processes can help ensure maximum positive impact for individual participants and address poverty on a more systemic level. The city will support specific policy changes that can advance guaranteed income programs, such as:

- a) Waivers on income-ceiling eligibility for basic needs assistance programs (e.g., Supplemental Nutritional Assistance Programs, aka "SNAP"), so that participants can avoid losing critical benefits while receiving direct cash assistance.
- b) A permanent federal Expanded Child Tax Credit, which in 2021 lifted an estimated four million children (nationally) out of poverty.

29. 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 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.
- n) **State Employment Opportunities** - Allow all state of Colorado employment opportunities to Colorado residents regardless of immigration status.

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.

30. 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.

31. Repeal the "Secure and Verifiable Identity Document Act" which prohibits municipalities from determining which forms of identification to accept in the provision of purely municipal services

C.R.S. Section 24-72.1, enacted in 2003 as HB1224, 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. Allowed identification includes driver licenses, passports, immigration papers, birth certificates and US military IDs. All non-listed documents, including library cards, school IDs and community ID card, are excluded. The penalty for violating this statute is the stripping of governmental immunity from public servants that provide services without relying on the appropriate identification, thus opening them to suit in civil court. The implications

to the city are the creation of a cloud of potential liability for front-line staff working in the Library, Parks and Recreation and Utilities departments or the interagency staff that provide coordinated entry for homeless services. In order to remove the cloud of unfair liability from municipal employees, and to promote the city's values, the city supports repeal of C.R.S. 24-72.1.

32. Support the Indigenous peoples 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.

33. 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.

34. Support Criminal Justice Reform

The city supports 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 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.

35. 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 turn, 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.

36. 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.

37. Reduce health disparities and promote equity and wellness for people with disabilities

The opportunity to take part in and benefit from all city offerings by all those eligible, including people with disabilities, is a priority of the city. To accomplish this, the city has invested in a dedicated Americans with Disabilities Act Coordinator position and ongoing funding to address needed changes to support access for all in programming, services, activities, and employment. The city supports the reduction of disparities and strives to promote equity and wellness for people with disabilities. It also supports policies that create inclusive healthy communities and full accessibility, including maintenance of existing protections provided by the ADA. Additionally, the city supports Affordable Care Act Section 1557, prohibitions against discrimination.

Internal Administrative Matters

38. 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.

39. Protect the autonomy of employment and personnel decisions made by municipal collective bargaining units

Many employees of the city are part of one of three collective bargaining units. As part of those units, they have the right to negotiate the terms of their employment. The city may oppose 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.

40. 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, excepting established under the Colorado Governmental Immunity Act, 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.

41. 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.

Municipal Courts

42. 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 and support legislation that restores such autonomy. For example, it will support modest changes to the state bond statute (C.R.S. Sec. 16-4-113) to allow judges discretion to hold a defendant facing criminal charges in custody pending trial if that defendant has persistently failed to appear for court. 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.

Policing and Criminal Justice

43. 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.

44. 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.

45. 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

46. 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.

47. 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 exploring the creation of limits on its potency as supported by outcomes of research, messaging, and marketing and by increasing education on the dangers of such products on youth; 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.

48. Address the health and safety concerns associated with alcohol and substance abuse in the greater community

Boulder is committed to finding solutions to address the critical issues of health, safety and well-being stemming from alcohol and substance abuse within the city. Accordingly, the city will support policy changes that would:

- a) **Kegs** - Require the sale of kegs containing alcohol to have a tag attached that would permit tracing of the purchaser, similar to the practices required for marijuana purchases;
- 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.
- e) **Harm Reduction Centers** – Grant local control to municipalities to permit (but not require) overdose prevention centers to reduce the likelihood that persons suffering from substance abuse disorders overdose in public areas such as parks, libraries, and in and around local businesses.

49. 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.

50. Prevent gun violence

In 2022, Boulder City Council adopted five ordinances that included the ban on the sale and possession of assault weapons, large-capacity magazines, multi-burst trigger activators, ghost guns in the city. The city has temporarily paused the enforcement of the ordinance due to ongoing litigation. To achieve the goal of these ordinances, 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, including:

- a) **Background Checks** – Require universal background checks on all sales of firearms, including private sales.
- b) **Assault Weapons** – Ban assault weapons at the state or federal levels.
- c) **Short-Barreled Firearms Regulation** of short-barreled firearms equipped with pistol braces.
- d) **Open Carry Prohibitions** – Any state or federal regulation banning open carry of firearms.
- e) **Insurance Requirements** – Require firearms owners to obtain and maintain liability insurance.
- f) **Merchant Category Code** – Require a separate code for credit card purchases of guns, as exists for other business types, to allow law enforcement to recognize dangerous firearm purchasing trends.
- g) **Lie and Try Enforcement** – Require FBI to alert state and local law enforcement of a prohibited person's failed attempt to buy a gun as indicated through lying on a federal background check form.
- h) **Prohibit Firearms in "Sensitive Places"** - In addition to keeping guns out of schools and off of college campuses, legislation could prohibit civilians from carrying guns in daycare centers, playgrounds and other places where children gather, bars and restaurants that serve alcohol, public demonstrations and rallies, airports, and courthouses.
- i) **Permit to Sell** - Require federal firearm licensee to acquire a state license to sell firearms in Colorado ensuring the state has enforcement authority with respect to state laws and the ability to stop bad sellers.
- j) **Expanded Concealed Carry Requirements** – Expand the requirements necessary to obtain a concealed carry weapon permit including requiring live fire training.
- k) **Exception for Background Checks if Suicidal** – Allow a firearm to be temporarily and voluntarily transferred to a friend or family member without a background check if the gun owner is suicidal.

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, to places of business.;

- 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; and
- c) **Repeal Previously Passed Legislation to Reduce Gun Violence**

Regional Environmental Quality, Natural Resources and Parks

51. 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. The primary contributors to our air quality challenges originate from industrial emissions, building appliances, vehicle emissions, all exacerbated when combined with wildfire smoke and warmer temperatures. The city supports efforts to identify and reduce these contributors to our air quality concerns and to bring the Front Range into compliance with EPA air quality standards for ozone and particulate matter. In particular, the city supports efforts to:

- a) Strengthen regulation, permitting and enforcement of high pollution emitters, including oil and gas exploration, industrial processing, power generation and natural gas transport and distribution.
- b) Eliminate air pollution from combustion appliance use in buildings which not only result in indoor air quality challenges but contribute to poor outdoor air quality.
- c) Strengthen state regulation and enforcement over motor vehicle exhaust that violates standards either unintentionally through poor maintenance or intentionally, such as "rolling coal" modification to diesel vehicles.
- d) Secure funding and enact policies and programs to provide for safe indoor sheltering and health services, especially for those most impacted by outdoor air pollution.
- e) Support regulation and market transformation initiatives that reduce and ultimately eliminate the use of gas-powered landscaping equipment.

52. 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.

53. 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.

54. 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 farms are more resilient to climate change due to healthy, living soils that sequester carbon and hold more water, and from increased biodiversity that creates higher functioning ecosystems. Accordingly, the city supports state and federal policy changes that:

- a) **Local Control** - Authorize local governments with the authority, and option to exercise that authority, to regulate pesticide uses and applications on privately-owned lands.
- 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.

- 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.

55. Support efforts that protect the Boulder community from wildfire and promote ecological forest and grassland health

The city owns and manages thousands of acres of forested and grassland open space and mountain parks land, almost all outside the boundaries of the city but immediately adjacent to residential areas. The health of these grasslands and forests are critical to preventing catastrophic fires and to supporting biodiversity and creating resiliency. Much of this area also protects the city's watershed and water supplies. Historic fire suppression has led to 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 grasslands and 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 advocate for federal and state policy changes that promote wildfire mitigation and grassland and forest health/restoration efforts in the wildland/urban interface. More specifically, the city will advocate for:

- a) Resources to mitigate fire dangers that accumulate along ditches impacting multiple public and private entities.
- b) Increased flexibility on periods when prescribed burns can be conducted.
- c) Development of, and support for, an equity-centered workforce program aimed at addressing wildland and wildland-interface fire mitigation.
- d) Firefighting resources that can assist the city and its regional partners in responding to wildfires.
- e) Accelerated utility wildfire mitigation and vegetation management.
- f) Requirements and resources for utilities to underground their wires in high-risk areas, including urban areas where vegetation density is a concern.
- g) Requirements and resources for utilities to have robust and proactive asset management practices to mitigate risk of equipment failure serving as an ignition source.
- h) Resources to conduct fuel mitigation on residential lands
- i) Resources to address forest health
- j) Strategic-location of and protection of water resource infrastructure for firefighting purposes

Rocky Flats

56. Continue to fund the 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

57. Restore, 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 since 2017 and is approved to meet through July 1, 2026. The Task Force is expected to continue its work around matters related to the state's Sales and Use Tax System (SUTS), business licensing, 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 simplification recommendations, while seeking to ensure that any changes allow cities to at least remain revenue neutral in terms of the revenue they already collect, and do not preempt the city's authority to determine its own tax base, rates, and collection administration.

58. 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

59. Expand or preserve the authority of municipalities to regulate the private deployment of cellular wireless facilities and of wired broadband networks.

The provision of broadband access to ensure every member of the Boulder community has effective access to education, healthcare, professional and other digital resources and engagement opportunities is a core service that government must enable in today's society. Utilizing existing city infrastructure or expanding that infrastructure through public or private funds and making it available for new internet service providers, be they public or private, can create the necessary competition to bring low-cost and high-speed access to our residents, regardless of socioeconomic status.

60. Preserve and expand benefit programs that help ensure that households can afford the broadband needed for work, school, healthcare and more.

The city is committed to narrowing the digital divide that prevents any member of our community from accessing high-speed, reliable, affordable broadband internet. About 5% of city households currently benefit from a federally funded connectivity program that provides a discount of up to \$30 per month

toward internet service for eligible households. The city supports continued funding of this federal program as well as others with similar objectives.

Transportation

61. Increase and prioritize transportation infrastructure funding with a focus on maintenance of existing infrastructure and projects that are multimodal in design and that reduce greenhouse gas emissions

The city supports generating new transportation infrastructure funding tied to road use, including vehicle registration, vehicle weight, car rentals, car shares, retail delivery, gasoline consumption and vehicle miles travelled. It also supports prioritizing use of these and any other regional, 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, for projects that help increase the safety of bicyclists pedestrians 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.

62. Increase funding for transit operations that results in restoration and expansion of service to the Boulder region

The city supports generating new transit operations funding tied to road use, including vehicle registration, car rentals, car shares, retail delivery, gasoline consumption and vehicle miles travelled. The city also supports generating new transit funding through increases in the state's severance tax (a tax imposed upon nonrenewable natural resources that are removed from the earth). The city supports prioritizing use of these funds for the restoration and expansion of local and regional transit service, including Bus Rapid Transit, on-demand transit, free transit periods during high ozone periods and free transit for youth.

63. Support funding, construction and operation of the Northwest Rail line and the Front Range Passenger Rail line as a means towards its completion

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.

64. 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.

65. Encourage “complete streets” that accommodate people using all modes of travel and ensure that new infrastructure investments include improvements that prepare for the future and provide alternatives to single occupancy vehicle travel

The city has historically invested in a multimodal transportation system that includes infrastructure and programs supportive of a high level of bicycle, transit and pedestrian travel. Consequently, 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.

66. Encourage the Colorado Department of Transportation’s construction, operations, and maintenance practices to support and implement local Vision Zero strategies on state highways that run through local jurisdictions

The city would support state or federal policy changes and CDOT policy directives in furtherance of prioritizing safety on the transportation system and implementation of the city’s Vision Zero Action Plan, including ones that:

- a) Increase funding for pavement management and maintenance;
- b) Reduce speed limits; and
- c) Encourage consideration of noise mitigation improvements.

67. 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.

68. 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) Prohibit use while driving of mobile electronic devices unless through a hands-free device
- b) Lower blood alcohol content levels for DUIs, and
- c) Require mobile phone manufacturers or carriers to offer technologies that reduce inappropriate use while driving.
- d) Implement one or more "Vulnerable Road User Protection Fees" in the state's 12 most populous counties with the fee tied to weight of vehicles and with the funds available for transportation system improvements that seek to prevent vehicular collisions with vulnerable road users, such as pedestrians or bicyclists.

69. Expedite Regional Transportation District transit service restoration and improve the organization's functioning, oversight and governance

The city supports changes that would improve RTD's financial sustainability, effectiveness in delivering equitable transit services and commitment towards working with local governments to achieve such ends. More specifically, the city will seek to restore local and regional service that was lost during the onset of the pandemic. 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 continue to support the recommendations included in the 2021 final report of 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 through RTD's Subregional Service Councils.

70. Minimize the impact of local airport overflights, noise and pollution on neighboring communities

The city supports fostering the continued success of local airport business while advocating for policies that would:

- a) Permit local municipalities to adopt reasonable restrictions on airport operations to minimize the impact to local communities during noise-sensitive hours.
- b) Provide state and federal incentives to transition to use of unleaded fuel.
- c) Evaluate airspace along the Front Range to address flight safety and enhanced airspace capacity while minimizing impacts to existing residential areas by aligning flights activities over the most compatible land uses.

University of Colorado

71. 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 its extraordinary importance, 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. The city will also support policies that result in increased student housing and mental healthcare.

Water

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

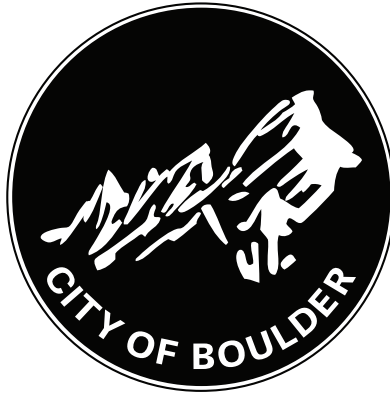
Boulder supports municipal water conservation, efficient utilization of water, and preservation and improvement of water quality. Water conservation can be an important public outreach and educational tool and, when used in conjunction with water supply planning, can help meet the city's adopted reliability criteria for municipal water supplies. 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, some conserved water can be provided for non-permanent uses such as annual agricultural leasing that supports local agriculture within Boulder County or instream flow enhancement that supports riparian habitat and provides other ecological benefits in the Boulder Creek basin. 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.

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 or to rate payers. By way of example, the city will support the following:

- a) Mandating incremental improvements in water quality that are supported by the best available science and that consider holistic environmental impacts of wastewater treatment, including potential increases in greenhouse gas emissions and the generation of additional waste.
- b) Addressing nonpoint source contributions of pollution into our water supplies and watershed approaches to improving water quality.
- c) Limiting the city's liability under the Comprehensive Response, Compensation, and Liability Act (CERCLA) for disposal of residual waste from water and wastewater treatment that contains PFAS or other contaminants that the city did not create.
- d) Limiting the introduction of PFAS into waterways and the waste stream by limiting the manufacture and sale of PFAS-containing products.

73. Protect against significant threats to the city's water rights

The city's water rights portfolio is arguably one of its most valuable assets and has been developed over the past century in alignment with long-term water supply planning that also considers the uncertainty of climate change impacts on water supply and demand. 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 replace the jurisdiction of the water courts with state engineer authority or change the prior appropriation system in a manner that is not protective of the city's water rights, 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 municipal water system or hydroelectric facility operations or 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, including the operation and/or maintenance of irrigation ditches.



Questions and comments:

**Please direct any questions to City
Council members or to the city's Chief
Policy Advisor at 303-441-3009.**

