



COLORADO
MUNICIPAL
LEAGUE

NEWSLETTER

Vol. 51, No. 2, January 24, 2025

NEW YEAR'S RESOLUTION

RENEW ASSOCIATE MEMBERSHIP TO CML

By K. JACKSON, CML MARKETING & COMMUNICATIONS SPECIALIST

The Colorado Municipal League's associate members understand the benefit of building relationships with municipal leaders.

CML's associate membership program provides organizations the opportunity to interact directly with municipal officials. It is a cost-effective and efficient way to connect with Colorado cities and towns.

Be sure to renew your membership to maintain access to our exclusive network of community leaders, policymakers, and potential clients. Plus, you can save on everything from event fees, member-only advertising, and services designed to enhance the success of your business.

As an associate member, you'll have many opportunities to connect with municipal officials and stay up to date on the latest news and information that's important to you.

If your associate membership expires, you will no longer be eligible for the wide range of discounts and perks you previously enjoyed.

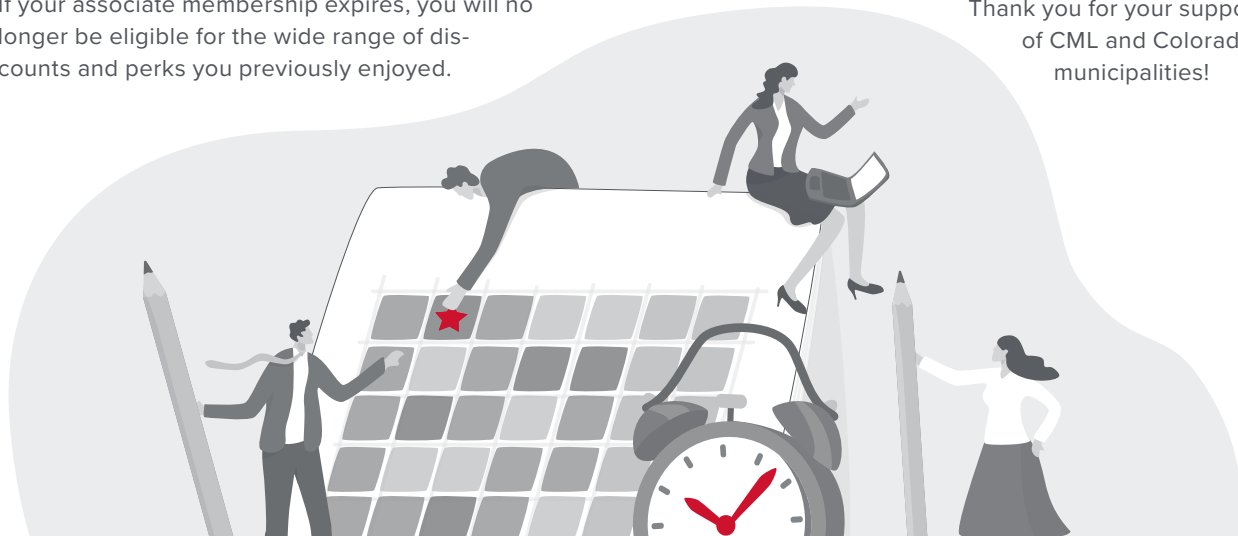
Membership includes:

- Free subscriptions to the CML Newsletter, Colorado Municipalities magazine, and Statehouse Report
- A complimentary listing in CML's online membership directory
- Discounted advertising rates and sponsorship of the CML Annual Conference
- Opportunity to conduct an educational webinar

To ensure you continue to enjoy these benefits, take a moment to renew your membership before March 3.

Renewing your membership is easy. Simply visit cml.org to log in to your account and follow the prompts. If you have any questions regarding your renewal, contact CML Marketing & Communications Specialist K. Jackson at 303-831-6411 or kjackson@cml.org.

Thank you for your support of CML and Colorado's municipalities!



Empowered cities & towns, united for a strong Colorado

EMPOWERED CITIES AND TOWNS, UNITED FOR A STRONG COLORADO



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CML Newsletter (ISSN 7439903) is published biweekly by the Colorado Municipal League, 1144 Sherman St., Denver, CO 80203-2207, for Colorado's municipal officials. (USPS 075-590) Periodical postage paid in Denver, Colorado.

Editor: Denise White
Designer: Alex Miller
Circulation/ mailing lists: Mark Vanderbrook

POSTMASTER: Send address change form 3579 to Colorado Municipal League, 1144 Sherman St., Denver, CO 80203-2207; (p) 303-831-6411 / 866-578-0936; (f) 303-860-8175.

Subscription to CML Newsletter is offered as a portion of member dues.

Get this newsletter by email. The CML Newsletter is available by email three days before it arrives in the mail! Sign up at bit.ly/CMLNewsletter.

CML EVENTS

Register for CML events at cml.org/home/education-training.

DIGITAL ACCESSIBILITY WEBINAR

Jan. 28 at 10 a.m.

Join CML and Aten Design Group's in-house International Association of Accessibility Professionals (IAAP)-certified web accessibility expert for the second of a two-part webinar series that will help you understand why websites should be accessible, what guidelines are recommended, and steps you can take to make your website more accessible for everyone.

EPR PREPARATION FOR LOCAL GOVERNMENTS WEBINARS

Join CML and Recycle Colorado for a new monthly webinar series starting January 2025 to help local governments prepare for Colorado's statewide Extended Producer Responsibility (EPR) recycling program implementation in 2026. Registration is required. Registrants will receive a Zoom link prior to each session start.

- Jan. 30 at 2 p.m., Extended Producer Responsibility (EPR) 101
- Feb. 26 at 2 p.m., Collection Models
- March 27 at 2 p.m., End-Markets — The Whole Point of Recycling
- April 23 at 2 p.m., Partnership Models — You are not alone!
- May 22 at 2 p.m., Local Policy Dive
- July 23 at 2 p.m., EPR and the State

LEGISLATIVE WORKSHOP

February 20 in Denver

This day-long event offers a unique opportunity to explore key municipal issues, review the 2025 legislative priorities, and receive updates on federal developments and the impact of data-driven advocacy.

COLORADO MUNICIPALITIES MAGAZINE

With the Colorado General Assembly in session, now is the time to read the legislative preview edition of Colorado Municipalities magazine. It provides a sneak peak at the major issues affecting cities and towns that we expect will come up during the session, including housing affordability, transportation infrastructure, climate resilience, municipal court sentencing, and local revenue mechanisms. Read the magazine online at cml.org/home/publications-news/colorado-municipalities. To advertise in the magazine, contact CML Engagement & Communications Manager Denise White, dwhite@cml.org.

CELEBRATE WITH CML

CML wants to hear about your community's successes. Tell us about a grant you've won, water tank that's finally finished, or anything else you're excited about. Get in touch with CML Publication & Design Specialist Alex Miller, amiller@cml.org, to have your community featured in the CML Newsletter.

Wellington completes water plant expansion projects

By the Town of Wellington

Wellington is proud to announce the successful completion of major expansion projects at the Town's Water Treatment Plant and Water Reclamation Facility.

The projects, which were necessary for the Town to meet capacity needs and regulatory requirements, got underway in Spring 2022. The newly expanded facilities double Wellington's capacity to provide water and sewer utility services to its ever-growing population while also accommodating commercial growth.

"This is new territory for Wellington," Wellington Mayor Calar Chaussee said. "These expansion projects will allow us to grow responsibly as a Town while ensuring we can provide quality, consistent water and sewer utility services to our residents and businesses."

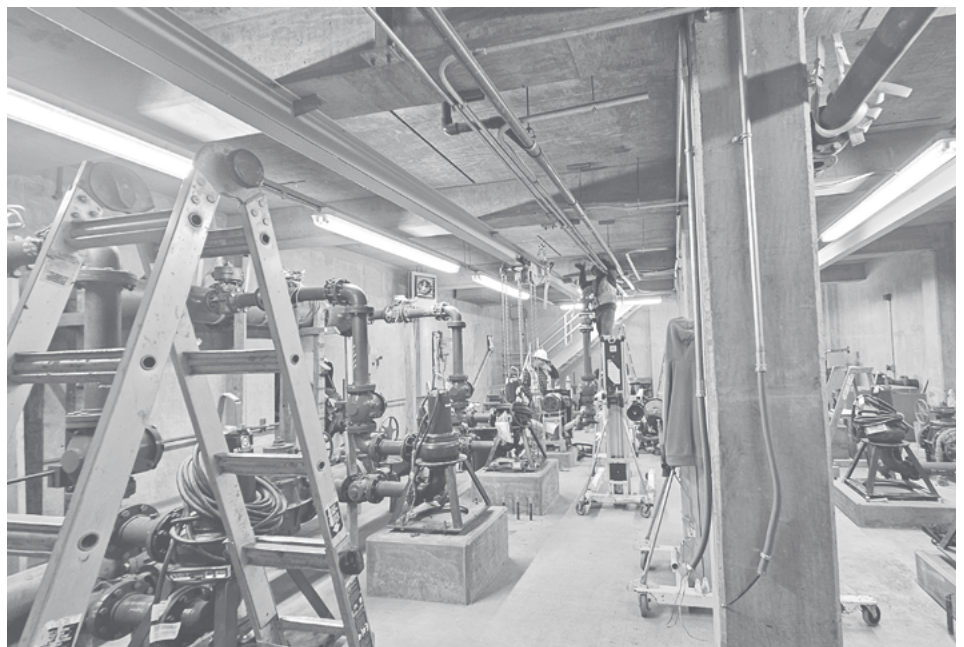
The final cost of the plant expansion came in at \$39,055,590. The final cost of the reclamation facility expansion was \$53,109,734. Both projects were funded by a combination of loans from Colorado's State Revolving Fund and funds from the Town's Water Enterprise Fund and reserve funds. The revolving fund finances the design and construction of water, wastewater and stormwater infrastructure across the state via low-interest loans.

Both projects were finished on schedule and under budget — and both facilities were designed to allow for further expansion in the future if needed.

Notice to proceed for the plant was given in May 2022 and substantial completion was achieved July 1, 2024. Final Completion was Oct. 17, 2024.

Notice to proceed for the reclamation facility was given in April 2022 and substantial completion was achieved Oct. 1, 2024. Final Completion is estimated for June 13, 2025, as work is performed on the pre-existing portion of the plant. The expansion work is done and currently operational.

Hensel Phelps was the general contractor for the plant project, while Moltz Construction was the general contractor for the reclamation facility project. Jacobs



Engineering served as design engineer for both expansions.

"These projects required a great deal of staff time and management," said Nathan Ewert, the town's deputy director of public works for engineering. "We want to thank everyone who had a hand in successfully completing them. We had two very well-qualified general contractors and many great subcontractors involved. Wellington's Public Works Department also received strong support from the rest

of the town staff — particularly the operations staff at both plants along with the Town's Planning and Building, Finance, and Administration departments.

A ribbon-cutting for town officials to commemorate the completion of both projects is scheduled for March. More information about the Town of Wellington's water and sewer services is available at tinyurl.com/532y4wyw.

Gas Planning Pilot Communities RFI available online

The Colorado Energy Office has released the Request for Information (RFI) for Gas Planning Pilot Communities as required by House Bill 24-1370, Reduce Cost of Use of Natural Gas. This statute requires the Colorado Energy Office to issue an RFI to identify local governments whose residents and businesses receive gas service from a dual-fuel utility and that are interested in becoming a gas planning pilot community.

The RFI is a fillable form which can be accessed on the energy office's website, tinyurl.com/4jwja7zk. Responses are due Jan. 31.

More information on this initiative, timelines, and filling out the form is provided on the website and in the RFI. If you have any issues utilizing the form, you may request a version in Microsoft Word by emailing gov_ceo_policy@state.co.us.

Funds available for predevelopment of affordable housing

The Colorado Department of Local Affairs, through its Division of Housing, Office of Housing Finance and Sustainability, is requesting applications for funding for the predevelopment activities of existing properties suitable for the purpose of providing or developing affordable homeownership opportunities for qualifying households at or below 100% of area median income.

Funds available through this program are only available to applicants who are either a governmental entity, a tribal government, a housing authority or affiliates of these agencies, or a small nonprofit organization. Applicants are eligible for this funding if their project is located within a municipality, county, or tribal area that has committed to increasing their affordable housing stock above a baseline amount.

More information is available by visiting tinyurl.com/3tj648e4.

Draft RFA for Closed Landfill Remediation Grant Program is available for comment

The draft Grant Cycle No. 2 Request for Applications (RFA) for the Closed Landfill Remediation Grant Program has been released. The draft RFA is available by visiting the Closed Landfill Remediation Grant Program webpage, tinyurl.com/2akyyfes.

The RFA for the Closed Landfill Remediation Grant Program is anticipated to be available Jan. 27., and the department plans to accept applications through March 28. The RFA, as well as a questions and answers document for the RFA, will be available on the Solid Waste and Materials Management Program's Closed Landfill Remediation Grant Program webpage. A separate notification will be made to stakeholders when the final Grant Cycle No. 2 RFA has been released.

Additionally, the Colorado Department of Public Health and Environment hosted a pre-application informational webinar to assist applicants with applying and requirements for submitting the application through the Closed Landfill Remediation Grant Program. The recording is available on the Closed Landfill Remediation Grant Program webpage.

The Colorado General Assembly passed HB 23-1194 during the 2023 legislative session. HB 23-1194 created the Closed Landfill Remediation Grant Program to provide funding to eligible local governments to help pay the costs of environmental remediation and mitigation efforts for and management of closed landfills that are owned by the eligible local governments to protect the public health, safety, and welfare and the environment.

Division of Housing announces 2025 funding deadlines

The Division of Housing, part of the Colorado Department of Local Affairs, has announced funding rounds for grants and loans through June 30.

The Division of Housing is anticipating up to \$134 million of funds being made available to award to projects and programs throughout State Fiscal Year 2025 (July 1, 2024-June 30, 2025).

The development of scoring criteria is actively underway as the division has shifted to quarterly, competitive application cycles for rental and homeownership projects.

Any funds that are not awarded at the end of a cycle will roll forward to a future round.

The division will communicate whether funds rolled forward to ensure applicants know of the additional availability of funds.

The Letter of Interest deadline

will be 45 days prior to the application deadline to allow time for letters to be published to the division's website for transparency.

After submitting an application for one or more of the below funding cycles, applicants can expect their application to be reviewed by the division and State Housing Board. If deemed complete, a decision regarding an award will be made, and the applicant notified.

The complete funding calendar is available on the Division of Housing website, tinyurl.com/yc5u4ybb.



Carrie Michelle Wilson

CML recently learned of the passing of Carrie Wilson, town clerk for Rockvale, on Dec. 30 after a long and valiant battle with cancer. Carrie was 47.

She was born in Lawton, Oklahoma, on Nov. 26, 1977, and met her future husband, Clint, in 2003 in Colorado Springs. They were married on Aug. 10, 2013. While working as town clerk in Rockvale, Carrie also achieved her Municipal Clerk Certification and a master's degree in psychology through Grand Canyon University.

In addition to Clint, Carrie is survived by her mother, brother, two daughters, two sons, and numerous in-laws, aunts, uncles, nephews, nieces, and grandchildren. A celebration of her life will be scheduled in the future. In lieu of flowers, the family



asks that you make contributions in memory of Carrie Wilson via GoFundMe, [tinyurl.com/yh35ua7h](https://www.gofundme.com/yh35ua7h).

John Evans

Former Silt mayor and trustee John Evans passed away on New Year's Day at the age of 80 after a short but courageous battle with pancreatic cancer. Evans was prominently involved in the Silt community, having served first as a trustee and then as mayor from 1996-2006.

Evans was born Oct. 3, 1944, in Topeka, Kansas. He had an early passion for cars and all things mechanical, which led to a bachelor's degree in education and a master's in automotive technology from Pittsburg State University in Kansas. He worked for a race team in the IndyCar series and was on Bobby Rahal's pit crew when he won the Indianapolis 500 in 1986.

John was a skilled craftsman, spending time designing, building, welding, and woodworking a family log cabin in Marble, his own home in Silt, and even an old schoolhouse. In 2014, John moved to Grand Junction and was constantly working and renovating the home where he and his wife Svetlana lived. John worked for over twenty years at Alpine Bank as head of the maintenance department and later as the facilities officer.



John is survived his wife Svetlana, two sisters, and extended family. He was preceded in death by his parents and brother. A celebration of John's life will be held at a later date. In lieu of flowers, the family kindly asks for donations in John's name to Hope West Hospice, whose care and compassion helped the family through John's final days.

Bridge preservation training webinar

The Bridge Preservation Partnership Local Agency program is pleased to announce a training opportunity on bridge maintenance. The 60-minute training will be held Jan. 29. The training is specifically designed to teach the basics of bridge maintenance and repair and is geared towards meeting the needs of local agencies. This virtual training is being offered free of charge. Participants will gain a general understanding of why maintenance is important, how to identify good candidates for work, what activities are available and an idea of degree of difficulty with performing the work. Register for the training online, [tinyurl.com/yxs8bezv](https://www.tinyurl.com/yxs8bezv).

CDOT updating Dig Once program

The Colorado Department of Transportation (CDOT) is in the beginning phase of revamping the Dig Once Program to comply with the MOBILE NOW Act, Sec 607 Broadband Infrastructure Deployment Title 23. To help guide the revamp, the CDOT is asking all stakeholders associated with Dig Once and entities interested in Dig Once, to please complete the CDOT Dig Once Revamp Survey, [tinyurl.com/wfk7c8bh](https://www.tinyurl.com/wfk7c8bh).

Open comment on wildfire mitigation

The Colorado Public Utilities Commission (PUC) will host several virtual public comment hearings on Xcel Energy's Wildfire Mitigation Plan. The commission encourages anyone who is interested or potentially impacted to participate in these upcoming hearings. Register online by visiting [tinyurl.com/5yrkbynX](https://www.tinyurl.com/5yrkbynX).

The Wildfire Mitigation Plan includes Xcel Energy's proposed activities and investments, including equipment inspections, repairs, and replacements; vegetation management; wind modeling; and practices related to public safety power shut-offs.

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How are municipalities regulating natural medicine?

By Taylor McGaughey, CML law clerk

Since the passage of Proposition 122 in 2022, municipalities throughout Colorado have been considering how best to regulate natural medicine within their communities. The finalized rules for licensure and regulation of natural medicine businesses, which include healing centers, cultivations, manufacturers, and testing facilities, went into effect Dec. 15, 2024 (available at tinyurl.com/yck55tuj), and the state began accepting license applications on Dec. 31. With this implementation, many municipalities have now adopted local ordinances addressing natural medicine in their communities.

MUNICIPALITIES' ABILITY TO REGULATE

The state rules confirm that any application for a Natural Medicine Business License must comply with local jurisdiction requirements (see Rule 2110.E).

The primary way municipalities can regulate natural medicine facilities is through zoning (see Rule 2125(A)(2)(b)). These zoning requirements can regulate the time, place, and manner in which a natural medicine facility operates (see Rule 2150.B.2). Additionally, municipalities can inspect natural medicine facilities for several reasons, including compliance with fire codes and municipal ordinances (see Rule 3130.B).

A growing number of municipalities have adopted ordinances to regulate the time, place, and manner of natural medicine facilities in their communities. These municipalities have differing views on how accessible natural medicine facilities should be in their communities and have chosen to regulate accordingly.

TIME

Municipalities have shown a moderate amount of variation in regulating operational hours for natural medicine facilities. Some municipalities allow operation for 12 hours ranging from 7 a.m.-7 p.m. or 8 a.m.-8 p.m., Monday through Sunday. Other municipalities only allow eight to nine

hours of operations ranging from 8 a.m. or 9 a.m. until 5 p.m., Monday to Friday.

PLACE

Natural medicine facilities are divided into two distinct categories in most municipal codes. First, there are "natural medicine businesses," which are where natural medicine is cultivated, manufactured, and tested. Second, there are "natural medicine healing centers," which are facilities where people are supervised while taking natural medicine.

Natural medicine businesses are typically zoned for industrial or light industrial, with some communities allowing for placement in commercial areas. Natural medicine healing centers are typically permitted in commercial and business districts; however, some municipalities also restrict natural medicine healing centers to industrial zoning.

Another factor affecting the placement of natural medicine facilities is the distance from schools. State law requires natural medicine facilities to be at least 1,000 feet from any school, unless local law allows for a shorter distance (C.R.S. 44-50-302(1)(d)(I)). Most municipalities have implemented this 1,000-foot restriction. However, one municipality has reduced the distance to 500 feet and another community has eliminated this restriction.

Municipalities have adopted additional criteria to limit the placement of natural medicine facilities in their communities. Several municipalities require all natural medicine facilities to be at least 1,000 feet from residential dwellings. Other municipalities require natural medicine facilities to be a certain distance from each other.

MANNER

Municipalities have adopted a variety of regulations on the manner in which natural medicine facilities operate. These regulations primarily concern the security of the facilities, safe storage of natural medicine, and potential nuisances.

State regulations provide security requirements for natural medicine facilities, but local governments may expand upon them

(See Rule 3110). A majority of the ordinances include provisions on the security of natural medicine facilities. Doorways, windows, and other openings must be covered or screened in such a manner to prevent seeing into the facility from any exterior public or semipublic area. Additionally, several codes require all primary entrances, parking lots, and exterior walkways be clearly illuminated to provide visibility.

With the storage of natural medicine, state regulations require many precautions and that all natural medicine waste disposal be in accordance with local ordinances (see Rules 3110.G.1. and 3120.A). Generally, the ordinances require facilities to be located within a permanent building and may not be located within a trailer, tent, or motor vehicle. When facilities dispose of natural medicine, local codes typically require the natural medicine not be placed within the facility's exterior refuse container.

Several municipalities have included provisions concerning potential nuisances associated with natural medicine facilities. For example, many municipalities require that natural medicine businesses use an air filtration and ventilation system designed to reduce odors emitted from the facility. Several communities have also regulated how natural medicine businesses process natural medicine, prohibiting the use of combustible materials in the process.

SHAPE THE FUTURE OF NATURAL MEDICINE IN YOUR COMMUNITY

There is a chance that someone will want to set up a natural medicine facility in your community. Municipalities cannot completely prohibit these facilities, however, state law and regulations give local governments discretion in how to shape the placement and operation of these facilities in their communities. If you are interested in reviewing other municipalities' ordinances, please reach out to CML for samples.

This column is not intended and should not be taken as legal advice. Municipal officials are always encouraged to consult with their own attorneys.



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