



COLORADO
MUNICIPAL
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NEWSLETTER

Vol. 51, No. 3, February 7, 2025

MAYORS' SUMMIT 2025

LEADERSHIP & INSIGHT

By DENISE WHITE, CML ENGAGEMENT & COMMUNICATIONS MANAGER

Colorado mayors convened Jan. 22-23 for the annual Mayors' Summit, an event dedicated to fostering leadership, collaboration, and strategic municipal governance. This year's summit, held at CML's headquarters in Denver, brought together 48 mayors from across the state, providing a dynamic platform for networking, discussion, and skill-building.

The summit festivities began Jan. 22 with a special reception at the National Western Stock Show. Attendees, including mayors participating in Civic Results' Mayors Leadership Academy (MLA), enjoyed a private tour of the Stock Show site, followed by dinner with Denver Mayor Mike Johnston. The evening concluded with a thrilling rodeo, setting the stage for a day of engaging dialogue and learning.

Throughout the workshop, mayors explored critical aspects of leadership and governance. The day opened with a discussion on the unique role of a mayor, with Mayor Guyleen Castriotta (Broomfield) and Mayor Hollie Rogin (Lyons), examining how community leadership extends beyond governing. Mayor Laura Weinberg (Golden) shared pivotal insight on the importance of a strong mayor-manager relationship, emphasizing the necessity of strong partnership to drive municipal operations effectively. Senator Marc Snyder and Fort Collins Mayor Jeni Arndt addressed a mayor's role in political influence. Having the unique



CML STAFF PHOTOS

CML Executive Director Kevin Bommer attends the National Western Stock Show with Denver Mayor Mike Johnston.



From left, Golden Mayor Laura Weinberg, Westminster Mayor Nancy McNally, Broomfield Mayor Guyleen Castriotta, Edgewater Mayor Steve Conklin, Lone Tree Mayor Marissa Harmon, CML Executive Director Kevin Bommer, and Castle Pines Mayor Tracy Engerman attend the 2025 CML Mayors' Summit.

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Empowered cities & towns, united for a strong Colorado

EMPOWERED CITIES AND TOWNS, UNITED FOR A STRONG COLORADO



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CML STAFF ANNIVERSARIES



Mark Vanderbrook



Alex Miller

CML is celebrating a pair of staff anniversaries this month. Database Specialist Mark Vanderbrook is celebrating his sixth year with CML, and Publication & Design Specialist Alex Miller is celebrating his third year with the League. Congratulations!

CML EVENTS

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

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.

- 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

DIGITAL NEWSLETTER

The CML Newsletter is going fully digital. Starting this year, new CML members and associate members will receive the newsletter exclusively by email, with an option to temporarily opt-out and request a printed copy. Later this year, as part of a planned transition, everyone will begin to receive the CML Newsletter by email only, and the League will cease printing it altogether. The decision to go fully digital reflects a commitment to using member resources more effectively. Utilizing electronic communication saves time and resources. In the future, you can expect the PDF version of the newsletter to shift to a true e-newsletter that is more accessible and compatible with electronic devices. Questions or requests to start receiving CML Newsletter via email right away should be sent to cml@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.

Scholarships available for CML Annual Conference

By Karen Rosen, CML meetings & events planner

Get ready for the CML Annual Conference, happening June 24-27 in beautiful Breckenridge, Colorado (hint — registration opens soon)! This is our signature training event of the year, where municipal officials from across the state come together to learn, share ideas, and build connections. The conference features informative sessions designed to tackle the important issues municipal leaders face every day. But what really sets it apart is the chance to connect with peers from other communities who are navigating similar challenges. You'll leave with fresh ideas, new contacts, and practical takeaways to bring back to your community.

CML is excited to announce that we're offering 10 conference scholarships to attend the 2025 CML Annual Conference. The scholarships cover your registration, lodging (arranged by CML at the host



hotel), travel stipend, and a ticket to the Wednesday Welcome & Sam Mamet Good Governance Award Luncheon and the Thursday Meeting of the Minds Luncheon along with a ticket for one of the following: Elected Officials Breakfast, Managers Breakfast or Attorneys Luncheon on Friday.

Scholarships are open to all members, including managers, clerks, mayors, councilmembers, town board members, and department heads.

Municipalities that received a scholarship in 2024 are not eligible this year. Only one application per municipality will be considered.

More information and an application for the scholarship are available on the CML website, cml.org/conference. Scholarship applications must include all necessary paperwork and be returned to CML by March 3. Incomplete applications will not be considered. If you have any questions about the conference or scholarships, please contact Karen Rosen at krosen@cml.org.

Don't miss this amazing opportunity to grow professionally, make valuable connections, and bring back new ideas to strengthen your community!

Shine a spotlight on outstanding municipal leaders!

NOMINATIONS NOW OPEN FOR 2025 SAM MAMET GOOD GOVERNANCE AWARD

By Denise White, CML engagement & communications manager

Great leadership deserves recognition! Across Colorado, municipal officials and staff dedicate themselves to strengthening their communities, ensuring transparency, fostering inclusivity, and upholding the principles of good governance. Now is the time to celebrate their commitment and impact by nominating them for the 2025 Good Governance Award, established in 2019 in honor of former CML Executive Director Sam Mamet!

WHAT IS CML'S GOOD GOVERNANCE AWARD?

This award recognizes up to three individuals annually who exemplify the highest standards of good governance. Honorees demonstrate excellence in:

- Efficiency and effectiveness in government
- Responsiveness to community needs
- Transparency and accountability

- Respect for the rule of law
- Inclusivity and ethical leadership
- Innovation and fiscal responsibility

WHO CAN BE NOMINATED?

Any municipal elected official, staff member, or individual in municipal public service — such as a board or commission member or volunteer — is eligible, provided they are currently serving in their role at the time of the nomination. Nominations may be submitted by CML members, the CML executive director, or members of the CML Executive Board. Current CML Executive Board members are ineligible to receive the award.

HOW ARE RECIPIENTS RECOGNIZED?

Award recipients will be honored at the Welcome Luncheon at the 2025 CML Annual Conference in Breckenridge, June 25. Winners receive a commemorative award, recognition among peers, and complimentary conference registration to the subsequent year's annual

conference. Their achievements will also be highlighted in a press release to local and regional media.

NOMINATE SOMEONE TODAY!

If you know a municipal leader making a lasting impact in their community, now is the time to celebrate their contributions. Nominations are open through March 28. Submit your nomination at tinyurl.com/Governance-Award-2025 and help us recognize individuals shaping the future of Colorado municipalities!

PAST HONOREES INCLUDE:

- Fire Chief Gary Allen, City of Central (2024)
- Former Mayor Jacqueline Millet, City of Lone Tree (2024)
- Mayor Marc Williams, City of Arvada (2023)
- Town Administrator Victoria Simonsen, Town of Lyons (2023)

Join us in honoring those who go above and beyond for their communities. Nominate a leader today!



CML STAFF PHOTOS

Alamosa Mayor Ty Coleman and CML Executive Director Kevin Bommer have fun at the National Western Stock Show.

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experience of having been both local mayors and state representatives, the two encouraged mayors to build alliances at the local and state levels to advocate for their municipalities.

Stratalysts' Shannon Flowers presented a session on strategic planning, highlighting the importance of aligning municipal priorities with community needs to ensure long-term success. Participants delved into the intricacies of conducting public meetings, led by CML General Counsel Robert Sheesley, who provided practical guidance on transparency and procedural effectiveness.

The 2025 Mayors' Summit underscored the vital role mayors play in shaping Colorado's municipalities. By engaging in candid discussions and sharing best practices, attendees left the summit better equipped to navigate the evolving challenges of municipal leadership. As CML continues to support and empower mayors across the state, the summit remains a cornerstone event for fostering collaboration and driving impactful governance.

For those who missed this sold-out event, CML encourages interested mayors to stay connected for future opportunities to engage, learn, and lead.



Attendees of the 2025 CML Mayors' Summit have dinner at the National Western Complex in Denver.



The Mayors' Summit took a field trip to the First Responders Pro Rodeo at the National Western Complex in Denver.

Register for CML's annual Legislative Workshop

Registration is open for the annual Legislative Workshop. This day-long event offers a unique opportunity to learn about key municipal issues, review CML's 2025 legislative priorities, and receive updates on federal developments and the impact of data-driven advocacy. This year's Legislative Workshop will take place Feb. 20 at history Colorado in Denver.

New this year — get an exclusive a tour of the Capitol for a behind-the-scenes look at the legislative process and the impact of CML's lobbying efforts.

After the tour, join dynamic sessions that will keep you ahead of the curve:

- Breaking updates straight from Washington D.C.



- Important legislative developments affecting your municipality
- Critical insights into criminal justice
- Powerful advocacy strategies to amplify your voice.

The day concludes with a special reception at History Colorado, where you can network and connect with fellow municipal leaders. Register online at tinyurl.com/yxxvzyfy.

Join us for the 2025

CML ANNUAL CONFERENCE



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BRECKENRIDGE
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Final grant cycle opens for Closed Landfill Remediation program

The Colorado Department of Public Health and Environment (CDPHE) would like to notify CML members about an upcoming opportunity to apply for a grant under the Closed Landfill Remediation Grant Program.

The Colorado General Assembly passed House Bill 23-1194 during the 2023 legislative session. HB23-1194 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 local governments to protect public health, safety, and welfare as well as the environment.

The final Grant Cycle No. 2 Request for Applications (RFA) for the Closed Landfill Remediation Grant Program is now available, and CDPHE is accepting applications through March 28. The RFA, as well as a questions and answers document for the RFA, can be found on the Solid Waste

and Materials Management Program's Closed Landfill Remediation Grant Program webpage, tinyurl.com/2akyyfes.

Additionally, CDPHE 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 grant program webpage.

BEAD program opens for proposals

Advance Colorado has opened its BEAD broadband program for proposals aimed at reaching the state's remaining unserved and underserved households. The application window is open through Feb. 28.

In early January, Advance Colorado published a round two addendum to the Advance-BEAD Grant Program Guidelines. Many things remain the same from round one, with some changes based on stakeholder feedback. Changes include:

- 100% Broadband Serviceable Locations (BSL)s coverage not required. Applicants can identify and remove locations, including High Cost Broadband Serviceable Locations
- Low-Cost Service Option was raised from \$30 to \$50
- Bid Bond not required
- \$20 million project size cap removed
- Application not a binding agreement

The addendum is available online, tinyurl.com/ydrj3e5c.

Applicants selected for the previous round of BEAD funding have been notified. The Colorado Broadband Office cannot publicly announce the winners at the time. The office hopes to make a public announcement over the summer.

More information about BEAD grants is available at the program's website, tinyurl.com/53hapwkc.

Become a Broadband Ready Community

A Broadband Ready Community is one that has taken steps to encourage broadband infrastructure deployment to connect its residents. Steps can include creating a broadband task force, surveying community members, involving schools, businesses and other community anchor institutions, creating budgets and timelines, reviewing local policies, and speaking with providers.

The Colorado Broadband Office (CBO) will certify broadband ready communities and deem them on the right track and properly prepared to connect residents to high-speed, reliable internet for the betterment of residents and the community's economy.

Providing access to high-speed broadband is a community effort that requires planning, coordination, partnership, and management at the local, regional, and state levels. It takes time and effort to plan, communicate, and coordinate with stakeholders for the best interest of your residents. The Broadband Ready Community Checklist is a step-by-step guide to

planning and preparing broadband plans. To get certified, communities should complete the tasks listed in the checklist, available on the program's website, tinyurl.com/2mpp8c76.

The CBO is accepting applications for certification as a Broadband Ready Community through Feb. 20. Once your application is submitted, CBO will request supporting documentation, including broadband plans, feasibility studies, public engagement materials, public meeting minutes, or other related documents demonstrating broadband readiness. Once certified, communities must reapply for recertification every three years to maintain the designation.

All communities with the designation will be featured on CBO's website. A Broadband Ready Certified Community designation is not required to receive funding through the Advance Colorado Broadband program, but it will identify the community as a willing partner that has minimized barriers to broadband infrastructure deployment.

CONGRATULATIONS BROADBAND READY COMMUNITIES!

These Colorado municipalities have been certified by the Colorado Broadband Office as Broadband Ready Communities.

- City of Boulder
- City of Cortez
- City of Fort Collins
- City of Loveland
- Town of Firestone
- Town of Pagosa Springs
- Town of Silverton
- Town of Silver Cliff
- Town of Timnath
- Town of Westcliffe

Municipal legal implications of federal immigration actions

By Robert Sheesley, CML general counsel

For the most part, it is easy enough to distinguish lawful from unlawful municipal actions or at least identify gray areas. Until recently, municipal legal implications of federal immigration laws were relatively straightforward. Recent actions regarding federal immigration enforcement have made it more challenging to advise municipal clients about how to follow the law in the face of constitutional conflicts and heightened political, policy, economic, and moral concerns.

FEDERAL STANDARDS

The federal government has complete authority to make rules regarding the admission or exclusion of non-citizens and to enforce those rules through the executive branch. *Kleindienst v. Mandel*, 408 U.S. 753, 766-67 (1972). State and local officials cannot actively obstruct federal immigration actions, but the Tenth Amendment to the U.S. Constitution prevents the federal government from commandeering state or local governments to administer federal programs.

Local entities or officials cannot prohibit or restrict the sending or receiving of information regarding *citizenship or immigration status*. 8 U.S.C. § 1373(a). State laws that have attempted to restrain voluntary cooperation have been invalidated. See, e.g., *City of New York v. U.S.*, 179 F.3d 29 (2d Cir. 1999). However, courts have held that “immigration status” means only a person’s legal classification under federal law and does not include information like addresses or dates of release.

Another statute not typically pointed at local government may become increasingly relevant as a threat to government actors and others. On penalty of fines and imprisonment, 8 U.S.C. § 1324, prohibits transporting, concealing, harboring, or shielding from detection any person in the county illegally (or attempting or conspiring to do those things).

COLORADO STANDARDS

Colorado inhibits government from taking certain actions related to immigration but permit others, consistent with federal law and constitutional requirements. For example, “lawful presence” in the United States cannot be considered when distributing state and local public benefits. C.R.S. § 24-76.5-103. This means that immigration status cannot be a reason to deny individuals a range of public funding or regulatory approvals, including grants, contracts, loans, licenses, welfare, discounts, and benefits for health, housing, education, and unemployment.

Colorado prohibits law enforcement from arresting or detaining a person solely because of an immigration “detainer” (an administrative request). See C.R.S. § 24-76.6-102. State courts have called into question “287(g) agreements” under which local law enforcement performs immigration functions for the federal government in violation of this law. In contrast, law enforcement can cooperate and participate in the execution of judicial warrants, prisoner transfers, and joint enforcement actions. Law enforcement can also coordinate interviews of incarcerated persons on strict conditions. C.R.S. § 24-76.6-103.

Colorado governments cannot enter agreements to provide civil immigration detention. C.R.S. § 24-76.7-103. Nor can they assist private immigration detention facilities by providing property or funding or receive payments related to such facilities. C.R.S. § 24-76.7-102.

WHAT COMES NOW?

Colorado’s municipalities are likely to see renewed requests for 287(g) agreements and for certification of compliance with federal immigration policies. Careful scrutiny is needed to ensure compliance with state law and to avoid incorrect certifications.

Unlike these cooperative efforts, a more aggressive view of executive authority and expanded application of 8 U.S.C. § 1324 are on a collision course with the Tenth Amendment and Colorado’s laws. Local of-

ficials may be threatened with prosecution under 8 U.S.C. § 1324, consistent with the Executive Order “Protecting the American People Against Invasion,” and a Jan. 21, 2025, memo of the U.S. Department of Justice suggesting that it would act against state and local actors perceived as “resisting, obstructing, otherwise failing to comply with lawful immigration-related commands and requests.”

The federal government could use funding to gain voluntary compliance with immigration enforcement expectations. Although immigration-related conditions unilaterally imposed during the first Trump presidency were invalidated, Congress could modify laws to expand executive authority. The president already has directed two agencies to restrict access to federal funds by “sanctuary jurisdictions.”

Federal legislation has been introduced that would require state and local governments, as a condition of a variety of grants, to waive immunity from claims under a new private claim for damages from injury from a person who has benefited from “sanctuary” policies that likely include Colorado laws.

LOOKING FORWARD

Municipalities should stay vigilant and aware of developments in the law, while continuing to respect the status quo that provides for voluntary cooperation with federal authorities. Aggressive federal actions remain subject to the anti-commandeering directive of the Tenth Amendment.

Moreover, the conflict must be considered in the larger context of constitutional protections that apply to all persons, such as the right to due process, equal protection, and freedom from unreasonable search and seizure. Municipalities and municipal officials remain liable for taking actions that deprive any person of constitutional or federal statutory rights.

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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