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Consortium of Cities Logo

**CONSORTIUM OF CITIES
2010 Legislative Agenda**

Adoption Date

Consortium of Cities Intro Page and Member Fact Sheet:**INTRODUCTION**

The Boulder County Commissioners created the Boulder County Consortium of Cities in 1986 as a forum to promote regional communication and cooperation among county, city, and town governments in Boulder County. The City and County of Broomfield has remained a committed and contributing member of the Consortium since its inception in 2001. The Consortium is comprised of representatives, typically elected officials, from every city and town in Boulder County, the City and County of Broomfield, and Boulder County, which chairs the organization.

The Consortium's ultimate purpose is to benefit all Boulder County and Broomfield County residents by fostering collaborative action among city, town, and county governments on issues of mutual concern. The local government members of the Consortium have established a successful track record of finding common ground on issues as diverse as affordable housing, open space and regional trails, energy, transportation, solid waste, and more.

MEMBER INFORMATION

Detail will be provided on each of the local government members of the Consortium, including:

- Population
- Type of local government (statutory or home rule city, town, or county)
- Key elected and appointed officials (mayor, Consortium rep, manager)
- General Assembly House and Senate districts (with delegation members listed)
- Other?

Consortium of Cities Legislative Agenda

INTRODUCTION

The Consortium of Cities has developed this State Legislative Agenda to further its collective goals as an organization representing the local governments of Boulder and Broomfield counties. Oftentimes, Consortium goals can be advanced or hindered by state law. To address this dynamic, the Consortium developed this tool to advance Consortium positions at the state level and bring more power to the Consortium's collective voice. Joint advocacy efforts will provide the Consortium the ability to proactively address the issues of mutual concern that it has identified and endorsed, and will further support the Consortium's reputation as a group of local governments that have learned to work together.

This Legislative Agenda was developed over the course of the summer and fall of 2009 through a collaborative process facilitated by Boulder County. The positions and policies included in the agenda were reached by consensus agreement of Consortium members, and formally endorsed by their respective elected governing bodies.

It is hoped that the Legislative Agenda will both inform our respective members of the General Assembly about issues of mutual concern to the Consortium of Cities as well as guide the legislative advocacy efforts of the individual Consortium local governments. It is expected that the Consortium itself will take consensus-based positions on proposed bills that fall within the policy areas that follow, and will inform delegation members of those positions.

LEGISLATIVE POSITIONS

ClimateSmart Loan Program

- SUPPORT TECHNICAL FIXES TO HB 08-1350 THAT WILL ALLOW FOR SIMPLER ADMINISTRATION OF PROPERTY-ASSESSED CLEAN ENERGY PROGRAMS
- SUPPORT LEGISLATION THAT WILL ALLOW FOR THE CREATION OF MULTI-JURISDICTIONAL SPECIAL ASSESSMENT DISTRICTS

The ClimateSmart Loan Program is Boulder County's property-assessed clean energy (PACE) program. The program offers affordable financing to Boulder County residents and business owners that wish to implement energy efficiency and renewable energy improvements to their properties. Financing obtained through the ClimateSmart Loan Program is repaid over a 15-year period via a special assessment that is included with the property owner's annual property tax bill.

HB 08-1350 provided the enabling legislation necessary to initiate PACE programs in Colorado; Boulder County is the first local government to implement the tool in the state. With two program rounds completed in 2009, the county has learned a great deal about how to effectively administer a PACE program, and has identified a number of legislative fixes to HB 08-1350 that will make for the easier administration of PACE programs by other Colorado local governments.

In addition, local jurisdictions are currently prohibited by state law from joining together on a cooperative basis to administer special assessment districts, including PACE-type programs. Elimination of this restriction will allow counties and municipalities to join together to implement multi-jurisdictional PACE programs, reducing administrative burdens and creating bonding and marketing efficiencies. A practical outcome of such a change would be that all property owners in Erie and Longmont, both of which are located in Boulder and Weld counties, would be able to participate in the ClimateSmart Loan Program; under current state law, only the Boulder County property owners in Erie and Longmont can participate.

Public Notice on the Web

- SUPPORT LEGISLATION THAT WILL NARROW EXISTING STATE STATUTES THAT REQUIRE CERTAIN PUBLIC NOTICES BE PUBLISHED IN A NEWSPAPER OF GENERAL CIRCULATION

Boulder County Consortium members, like their peers across the state and country, are embracing new electronic technologies as opportunities for increasing communication to and engagement with their constituents. Today, a robust website is considered a basic service by residents, and is an unparalleled,

and more and more widely available, tool for disseminating information about the workings of local government.

At the same time, like all local governments in Colorado, Consortium members face a number of state statutes that require the publishing of legal and public notices in the locally-defined newspaper of record. With the development of their own websites, many local governments are asking if these websites are actually better tools for disseminating certain kinds of legal and public notice information than the traditional newspaper. In addition to the issue of effectiveness, posting legal and public notices on the local government website would, in most cases, save communities money.

A number of states have or are considering this issue. Over the past several years, state legislatures in Arizona, Michigan, North Carolina, Pennsylvania, and Wisconsin have all introduced legislation that would allow state and local government agencies to post certain kinds of legal and public notices on the Web versus in newspapers. While these legislative efforts have yet to result in new law, clearly there is interest nationwide in exploring how new technologies can support the dissemination of public information and also save governments money.

Here in Boulder County, Consortium of Cities members spent over \$200,000 in 2008 on publishing legal and public notices in local newspapers and other print media. Changes to the state law requiring the publishing of legal notices in a newspaper of general circulation would allow Consortium members to determine the most effective way to both take advantage of new and emerging electronic communication tools while ensuring notice at a reduced cost.

Revenue Sharing

- SUPPORT LEGISLATIVE CHANGES TO THE STATE SALES TAX SYSTEM IN ORDER TO AUTHORIZE LOCAL GOVERNMENT REVENUE SHARING

Over the past two years, the Consortium of Cities has explored the opportunity presented by revenue sharing to address the sales tax competition, development incentives, and undesirable development patterns that result from the current “winner take all” sales tax system in Colorado. The Consortium has identified successful models, best practices in revenue sharing, and some of the consequences of implementing revenue sharing under the current sales tax system. Through this work, the Consortium has determined that changes to the state sales tax system to support revenue sharing at the state level would provide the best solution to the issues created by the status quo.

The Boulder County Consortium of Cities proposes that Colorado share some portion of sales tax among local municipalities. Sales tax sharing among local governments in Colorado could be structured in the following ways:

- Any state approved increase over the currently allowable local option sales tax would be diverted to a state level pool. All municipalities who pay into the pool (by opting through local elections to increase sales taxes) would receive their portion in return based on population.
- Any new taxes permitted at the state level for local option, including service tax and internet sales tax, would be captured at the state level and redistributed to all contributing communities based on population.

General Assembly commitment to exploring these and other possibilities for revenue sharing amongst Colorado local governments, perhaps through a legislative or other task force, would go a long way to turning this opportunity into reality.

ISSUES OF INTEREST

While the Consortium has not taken a formal position on the issues below, they are of concern and interest to its members. The Consortium intends to track these issues and will considering developing a formal position on them in the future.

Tax-Increment Financing: Tax-increment financing (TIF) and the use of urban renewal authorities (URAs) consumes the attention of the General Assembly on a perennial basis. In the 2009 interim, several Consortium members have invested significant time and effort into an ongoing stakeholder process that is exploring legislation to reform the existing TIF and URA statutes. The Consortium as a whole intends to track this work effort and may develop a consensus position on the proposed changes, depending on what, if anything, is ultimately produced by the stakeholder process.

Community Solar Gardens: Colorado could take a significant step towards continuing to brand itself as a national leader of the new energy economy by passing legislation to allow for community solar gardens. Conceptually, this legislation would allow for the development of small-scale solar generation facilities that would be owned collectively by various home and business property owners, many of which would not otherwise have the option for on-site solar generation due to factors such as solar orientation, restrictive covenants, structural integrity, or property ownership. Each owner would enjoy the same proportional private benefits they would have from individual on-site ownership of such a facility (i.e., net metering, utility net purchase, associated rebates and incentives), while enjoying potentially lower construction costs, increased control over their energy bills, and a tangible example of their commitment to reducing their carbon footprint. The legislation would also provide an opportunity for renters and low-income utility customers to own interests in a solar facility.

Internet Sales Tax: More and more retail commerce is being driven to the Internet. According to the U.S. Department of Commerce, national online retail spending climbed to \$140 billion in 2008 from \$30 billion in 2001, and is expected to reach \$156 billion in 2009. This comprises approximately 7% of overall national retail spending. In many, if not most, of these retail transactions, local sales tax is not being

collected. The growth in internet retail activity presents a clear challenge to the operating budgets of Colorado's local governments, many of which rely quite heavily on sales taxes to fill their budget coffers and fund municipal, and to a lesser degree, county services. While the subject of internet sales taxes raises a complex array of issues, from the political to the practical, the Consortium of Cities believes these issues need to be resolved, and will work with local, state, and federal government officials and other stakeholders to advance appropriate policy solutions.