

# Boulder County

## 2019 State Legislative Agenda



Adopted Dec. 6, 2018

## BOULDER COUNTY HISTORIC COURTHOUSE

The land where the Boulder County Historic Courthouse stands (*1325 Pearl Street, Boulder*) was originally owned by the City of Boulder and used as a “public square.” In the 1880s there was a move toward more commercialization in this area of town and the city decided to preserve the public nature of this spot by donating the land to the county to be used as the county seat.

The Original Courthouse in this location sat on the same foundation as the current building from 1882-1932. Unfortunately, the original building had structural issues right from the start. Leaking pipes in the basement (also the site of the county jail at the time) caused the space to be damp and a health issue, and faulty wiring was a problem regularly. The building was regularly marked as condemned by inspectors.

On Feb. 9, 1932 the Original Courthouse caught on fire due to faulty wiring in the upper floors of the building. Fire trucks from across the region were deployed to the courthouse and employees made a human assembly line to carry out important documents. Even with a gallant effort, the building was a complete loss.

Glen Huntington was chosen to be the architect for the new courthouse on April 11, 1932, just two months after the fire. The City of Boulder and Boulder County thought his design was perfect for a new beginning.

On Jan. 16, 1934 the current building was completed. It is usually called ‘Art Deco’ in style but more specifically, Architectural Historians would call this “PWA modern” in style. This style is known for being brutally symmetrical and has many vertical elements in the façade. The stones used on the outside of the building were salvaged locally from the Switzerland Trail railroad embankments.

These were the services provided in the 1934 Building:

**First floor (Ground):** Clerk and Recorder (public-facing), Dept. of Schools, Sheriff (administrative), Janitors (facilities)

**Second Floor (First):** Treasurers, Vault, Assessors, Book Keepers, Commissioners’ General Office, Clerk and Recorder’s Office (administrative)

**Third Floor (Second):** District Court Room, Clerk of District Court, County Court Room, Jury Room Judge Room, Clerk of County Court, Toilets

**Fourth Floor (Mezzanine):** Federal Employment Offices

**Fifth Floor (Third):** Jail Cells, Inmates, Dorm, Kitchen, Visitors, Living Room

Boulder County Sheriff George A. Richart actually lived on the Fifth Floor with his wife and children. His wife cooked all the meals for the inmates who were housed on the Fifth Floor as well. They housed roughly 25-20 prisoners at any given time.

The Historic Courthouse is now home to the Commissioners’ Office, the Assessor’s Office, the Treasurer’s Office, the County Attorney’s Office, and other administrative support staff.

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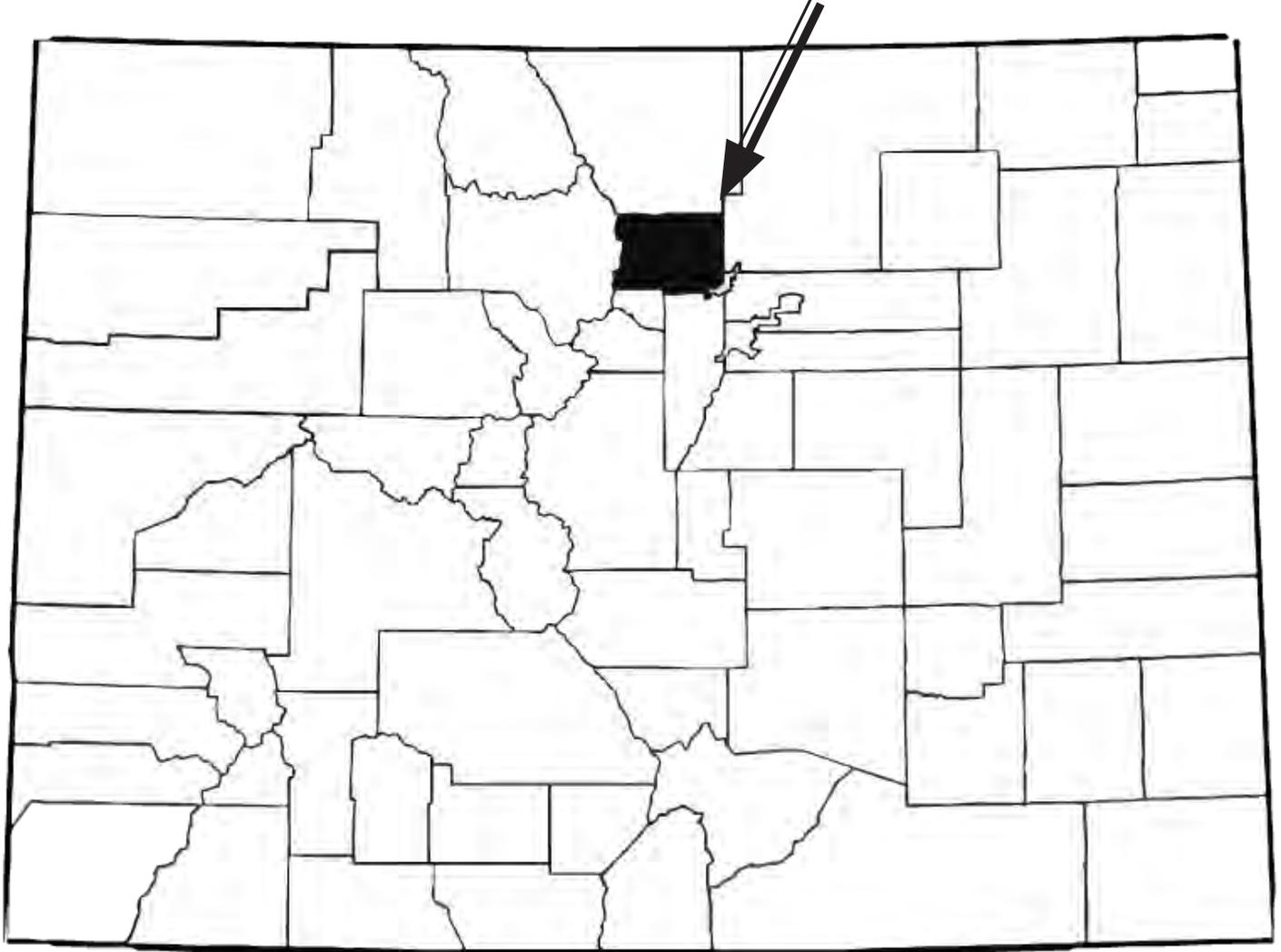
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# COLORADO

BOULDER COUNTY



# BOULDER COUNTY AT A GLANCE

## THE COMMUNITY

- Population – 322,514
  - Persons under 18 – 19%
  - Persons over 65 – 14%
- Race and ethnicity -
  - African American – 1.2%
  - American Indian, Native Hawaiian, and Alaskan – 0.8%
  - Asian – 4.7%
  - Hispanic/Latino – 13.9%
  - Two or more races – 2.7%
  - White/Anglo – 90.5%
- People living in poverty
  - 12.6%
- Median household income
  - \$75, 669
- Self-sufficiency standard (*The 2015 SSS for Colorado measures how much income a family of a certain composition in a given place must earn to meet their basic needs.*)
  - One adult and one preschooler: \$56,718
  - Two adults, one preschooler and one school aged child: \$75,906
- Housing – Boulder County’s high cost of living has seen median home prices in Boulder County rise 5.6% over the past year to \$529,000.
- Immigration – 11% of people are foreign born

## THE LAND

Public land divided among local, state and federal managers, including the United States Forest Service, Boulder County Open Space, the City of Boulder and State Parks.

- 753 Square Miles
- 40% Private Ownership (protected by conservation easements)
- 60% Public Ownership

Boulder County Parks & Open Space protects 104,494 acres. 65,000 directly managed by POS, 30% of which is leased for agricultural production.

## THE GOVERNMENT

- Founded in 1861
- 10 Cities and Towns
- 2 School Districts – 62,354 Students
- 3 Airports
- 3 Members on Board of Commissioners
- 7 Elected County Offices
  - County Assessor
  - Treasurer
  - Sheriff
  - Coroner
  - District Attorney
  - Clerk and Recorder
  - Surveyor
- 3 Higher Education Institutions
  - University of Colorado, Boulder – Approx. 34,510 students
  - Front Range Community College – Approx. 23,542 students
  - Naropa University – Approx. 966 students

## EMPLOYMENT

- Unemployment Rate – 2.8% in Oct. 2018

### Largest Employment Sectors\*:

Government	40
Business services & professional	36
Education & health	27
Trade, Transportation, & Utilities	26
Leisure & Hospitality	22
Manufacturing	19
Information	8
Financial	7

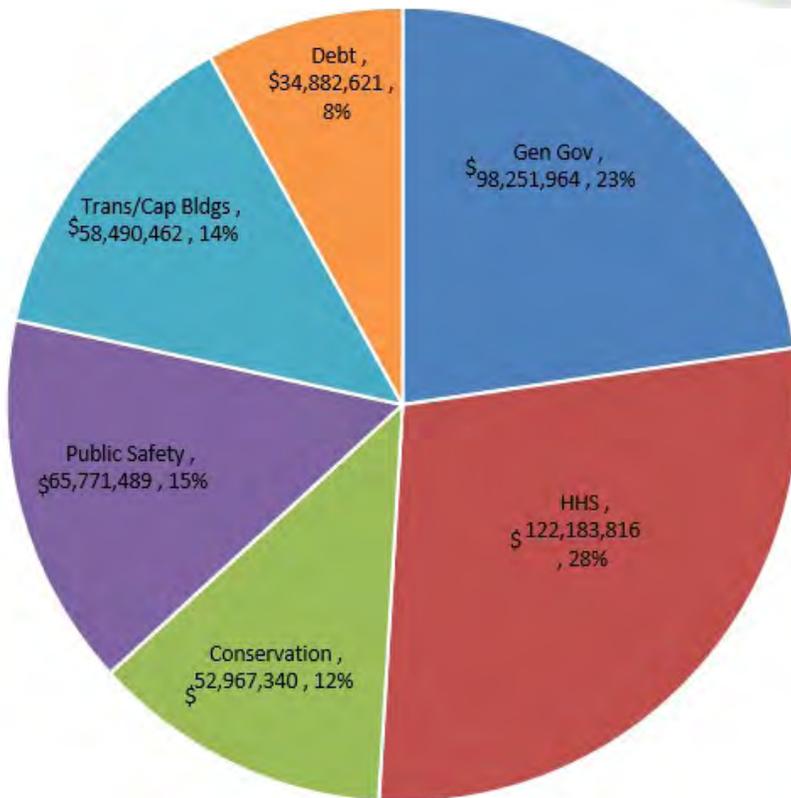
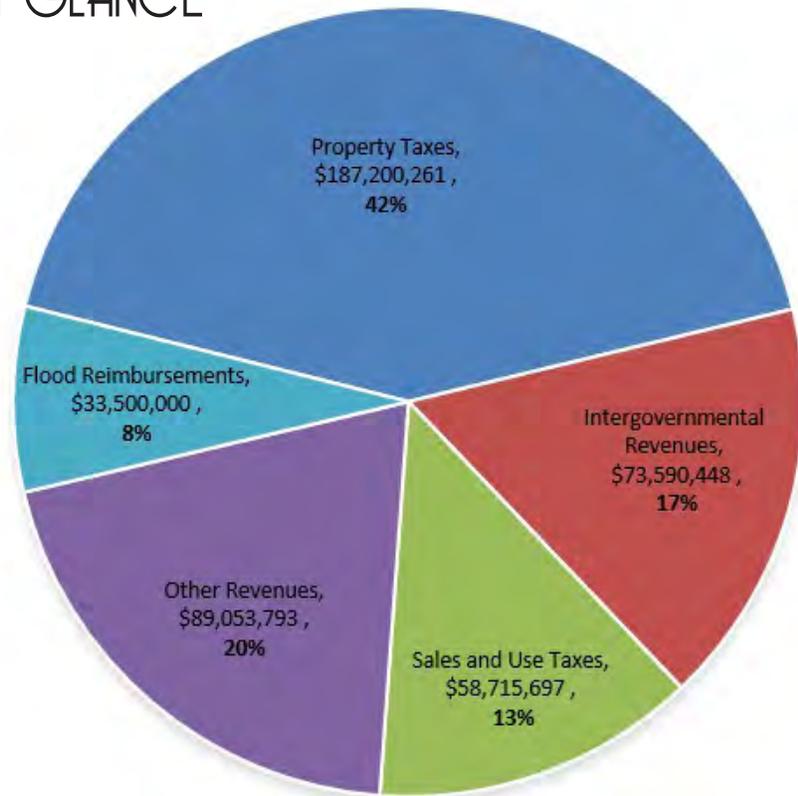
*\*Number of persons in the thousands*

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Sources: U.S. Census, Community Foundation Serving Boulder County Trends Report, Colorado Dept. of Local Affairs, and college and university websites.

# COUNTY BUDGET AT A GLANCE

2019 Revenues  
\$442,060,199



2019 Expenditures  
by Function

**Other Revenue** include specific ownership taxes, motor vehicle fees, recording and filing fees, Treasurer’s fees, building permits, various other fees, rents, and charges for services.

**Intergovernmental Revenues** are primarily Federal and State pass through monies for social service programs, state shared monies for roads, state lottery proceeds, other various government programs, and grant monies.

# LETTER FROM THE COMMISSIONERS

December 2018

Dear Boulder County Stakeholder:

Thank you for your interest in Boulder County's 2019 State Legislative Agenda. The legislative agenda identifies core county legislative and state budget priorities in need of support from our state legislative delegation.

The Boulder County 2019 State Legislative Agenda was developed over the course of the summer and fall of 2018 through engagement with county departments, partners, legislators, and other stakeholders. It will be used by the county's elected officials and staff to inform any county positions that may be taken on active state legislation.

It is our hope that this legislative agenda will serve as a reference tool for our Boulder County state legislative delegation when they consider legislation that may impact the county and those that we serve. We also present this legislative agenda as an informative guide for our residents, partners, and staff to assist in understanding Boulder County's positions on the wide variety of public policy issues that impact our work.

In closing, we'd like to take this opportunity to thank the members of Boulder County's state legislative delegation for their hard work, and to express our deep appreciation for their service on behalf of the residents of Boulder County and all Coloradans. Their collective effort to understand Boulder County's positions on issues and advocate on behalf of the county is invaluable. Just as invaluable is the collaborative partnership that we have with our delegation members. We look forward to working with them during the 2019 state legislative session.

Sincerely,



## Boulder County Board of County Commissioners



Cindy Domenico



Deb Gardner



Elise Jones

## LEGISLATIVE PRINCIPLES

Boulder County's State Legislative Agenda adheres to the following Legislative Principles, which serve as a guide in the development of the positions the county takes on state legislation.

**Environmental Sustainability:** Boulder County is committed to protecting and enhancing our environment for generations to come. To that end, Boulder County advances strategies that promote sustainability such as multi-modal transportation networks and alternative modes of transportation, zero-emission vehicles, compact land use development, energy efficiency, renewable energy, conservation of resources, and the protection of healthy land, air, and water. We will continue to make decisions and promote policies that support our ability to conserve resources and protect our environment through energy efficiency, waste diversion, and other means.

**Lands and Natural Resources:** Boulder County manages public lands and natural resources, through initiatives that improve the quality of life of our residents while balancing the multi-faceted needs and rights of community stakeholders. To that end, Boulder County works to preserve open spaces for recreation use, wildlife habitat, and sustainment of our agricultural heritage; manage our wildland urban interface area for disaster preparedness, forest health, and resilience; protect water sources and ensure a sustainable water supply; and efficiently regulate extractive industries, including mining and oil and gas development, to protect air and water quality and reduce impacts to residents.

**Service Integration and Collaboration:** Boulder County strives to ensure effective use of taxpayer funds and successful outcomes through efficient service delivery and integration of public programs and services. To increase efficiency and effectiveness, Boulder County engages in and strongly supports collaborative efforts within county departments and with partner agencies and organizations in the local community, regionally, and state-wide.

**Social Justice and Equity:** Boulder County seeks to increase opportunity and achieve equity for all residents. Boulder County will continue to strongly support policies and programs that provide pathways to opportunity and living-wage jobs for all residents, through means such as job training, self-sufficiency programs, and increasing the minimum wage. We also continue to strongly support rights and protections for all people, including people in LGBTQ communities, immigrants, seniors, low-wage workers, and other people whose right to equality is threatened or unequal.

**Health, Housing, and Human Services:** Boulder County is dedicated to supporting and sustaining healthy communities that strengthen individuals and families while promoting human dignity and positive outcomes for the future. To that end, Boulder County promotes a high quality of life for all residents by protecting vulnerable populations, ensuring the well-being of seniors, supporting access to affordable health insurance and health and mental health care, maintaining and increasing safe and affordable housing for residents, and improving access to effective and efficient public benefits that support healthy lives and promote self-sufficiency for our clients.

**Local Control:** Boulder County believes that the authority to address issues that pertain to the county must reside firmly with the county. Local governments are best suited to identify solutions to local issues particularly as regards the services we provide and the land use decisions we make. Boulder County seeks to affirm and expand our authority to regulate oil and gas development and the impacts of extractive industries on public health, safety, and the environment. Local authority also includes the flexibility to determine use of funding locally and precludes unfunded mandates from the state or federal government.

**Fiscal Responsibility:** Boulder County recognizes the importance of a state government that is fiscally responsible and advances the economic vitality and well-being of all Coloradans. We appreciate the opportunity to provide input into and remain informed about the state budget, and we seek collaboration with the state, especially as regards decisions and processes that affect our organization or our constituents. Boulder County believes it is critical to the health of our economy to address the state revenue structure that restricts the state's ability to respond to changing economic conditions, including the Taxpayer Bill of Rights (TABOR), Amendment 23, and the Gallagher Amendment.

## LEGISLATIVE PRIORITIES AT A GLANCE

The following are Boulder County's priorities for the 2019 legislative session, including references to legislation that will be introduced in the General Assembly. Additional bills will be introduced in these priority areas throughout the legislative session. Boulder County staff will be active in any legislation introduced in these areas, and we ask for our legislators' support for these bills that are important to us and our constituents.

### Climate Action

Codify aggressive and enforceable goals to reduce net statewide heat-trapping emissions and take legislative, regulatory, and administrative actions to achieve them.

*Anticipated legislation:*

- Statutory codification of statewide emission reduction goals
- New inventory and forecast of future heat-trapping emissions reflecting Colorado's policy and regulatory context

### Oil and Gas Authority

Support expansion of local government authority to regulate land use activities of the oil and gas industry and support reforms to Colorado's oil and gas regulatory regime.

*Anticipated legislation:*

- Expansion of local authority to regulate
- COGCC reform to protect public health, safety, and the environment
- Reform forced pooling regulations and wellhead valuation practices

### Child Welfare

Improve the child welfare system to increase positive outcomes for children and families, and align with implementation of SB18-254 and Family First Prevention Services Act.

*Anticipated legislation:*

- Data interoperability and data sharing
- Supports for foster youth and youth aging out of foster care
- Improvement of child welfare funding methods and the Child Welfare Allocation Committee

### Access to Healthcare

Improve access to affordable health care coverage, including improving access and provision of services for Coloradans served by Health First Colorado.

### Behavioral Health

Support and enhance mental and behavioral health.

*Anticipated legislation:*

- Creation of an opioid recovery services fund, housing vouchers for persons with substance abuse disorders to facilitate treatment, and recovery residences oversight
- Substance abuse disorder treatment in the criminal justice system

### Affordable Housing

Increase access to a diverse stock of workforce and affordable housing.

### Public Lands

Preserve tools used to conserve and protect Colorado's land and natural resources.

*Anticipated legislation:*

- Reauthorize Conservation Easement Oversight Commission and Division of Conservation

### PERA

Treat Local Government Division equitably in any PERA reform legislation.

*Anticipated legislation:*

- Remove Local Government Division employee contribution rate increase from SB18-200

# BUDGET PRIORITIES AT A GLANCE

In the development of the FY 2019-2020 state budget, Boulder County asks for the support of the General Assembly in maintaining or increasing appropriation levels for the following important areas. More detail about these positions can be found in the relevant sections of this Legislative Agenda.

## HUMAN SERVICES

### **Children and Family Services**

- Child Welfare Block Grant: Increase funding for Child Welfare Block Grant to fully fund the system and ensure alignment with SB 18-254 Child Welfare Reform Act and FFPSA
- Funding for educational access for foster youth
- Ongoing funding for IMPACT Managed Care Program
- Continued funding for Adult Protective Services
- Colorado Works and TANF Funds: Support a strategic and sustainable funding plan and approach for federal TANF funds and the Colorado Works program

### **Early Childhood**

- Support multi-year increased investment in the Colorado Child Care Assistance Program to achieve parity of enrollment with non-CCCAP population

### **Behavioral Health**

- Increase funding by Medicaid of proven substance abuse and mental health services; Medicaid currently underfunds these services in Colorado

## HOUSING

### **Affordable Housing Fund**

- Increase funding to the Colorado Housing Trust Fund to provide an on-going, sustainable source of state funding for permanently affordable housing

## DISASTER RECOVERY

### **Colorado Resiliency Office**

- Support permanent funding for staff for the Colorado Resiliency Office, which expires in 2019 if not funded

## AGING

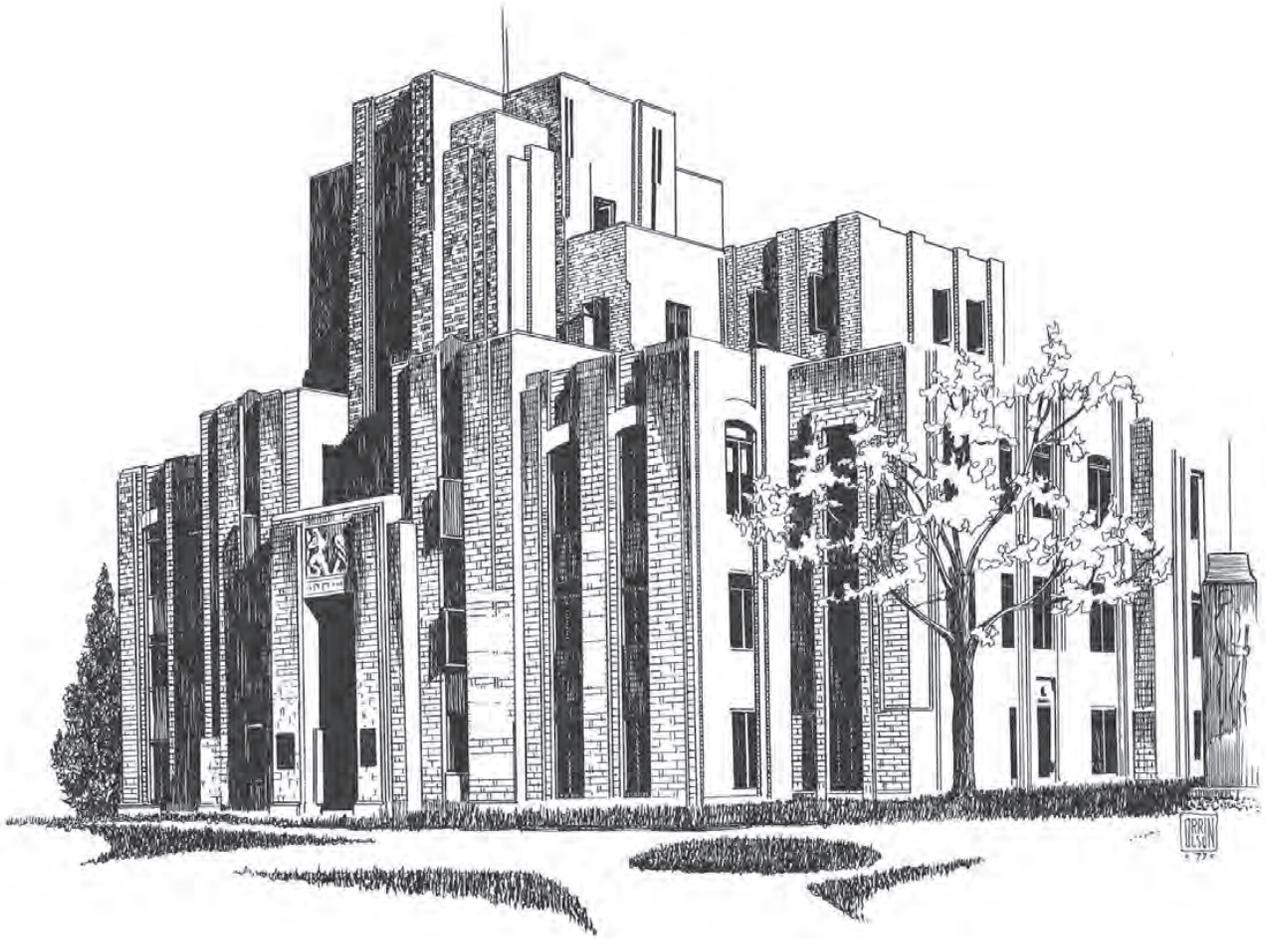
### **Older Coloradans Fund**

- Increase funding for the Older Coloradans Fund to keep pace with cost of living increases and the growth of the aging population

## TRANSPORTATION

### **Increase Funding from New Revenue**

- Increase funding for transportation, including funding for transit, bike and pedestrian infrastructure, and operations



# 2019 State Legislative Agenda

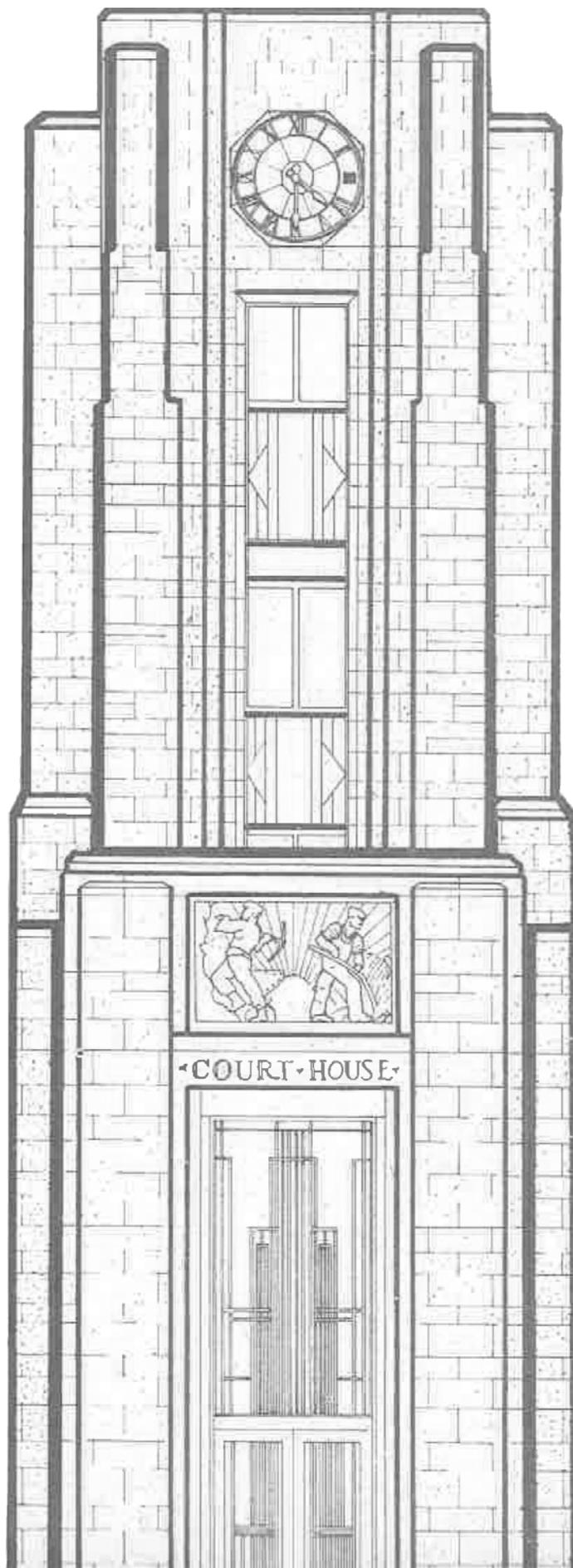
**Key:**



Positions marked with this symbol indicate a priority position related to the State Budget, as shown on page 7.



Positions marked with this symbol indicate high priority legislative positions, as shown on on page 6.



## AGING

*To secure a high quality of living for senior populations.*

### Increase funding for the Older Coloradans Fund to support services for Colorado's growing aging population

The population of those 65 and older in Colorado is expected to double to 1.3 million by 2030, representing about 20 percent of the state's total projected population. Among the most significant impacts of this demographic surge will be increased Medicaid and Medicare costs, along with long-term care costs. The Older Coloradans Fund provides financial support to regional Area Agencies on Aging, whose programs help prevent costly institutional placements by supporting seniors in their homes and communities. While these programs have proven invaluable in reducing the growth of Medicaid expenditures in assisted living and nursing home care, funding has not kept pace with the growth in the senior population. Currently, one key area of need is in Long-Term Care Ombudsman oversight of nursing homes and assisted living homes. The number of these facilities is growing, and the complexity of cases is increasing. Additional staff resources are needed to maintain the safety and quality of life of facility residents. Increased funding for the Older Coloradans Fund would provide the necessary Ombudsman staff at the local level to address this need, and to expand the programming and services that are relied upon by Colorado's growing aging population.

### Support policy efforts to increase awareness of retirement planning options

Employer-sponsored retirement investment plans have been a tool Americans traditionally have used to build their retirement savings. But today, nearly half of Colorado's private-sector workers, over 750,000 people in their prime working years, have no employer-sponsored retirement savings plan, and 74 percent of low-wage workers, regardless of age, are not offered a retirement plan through their place of employment. Sound financial planning for retirement years improves the self-sufficiency of our senior population and reduces the demand for public benefits and senior services. Boulder County supports public policy options to increase the number of Colorado workers who are investing in a retirement plan.

### Maintain the integrity of the Old Age Pension program, and ensure reasonable access and benefit calculation for qualified seniors

The Old Age Pension (OAP) program provides financial

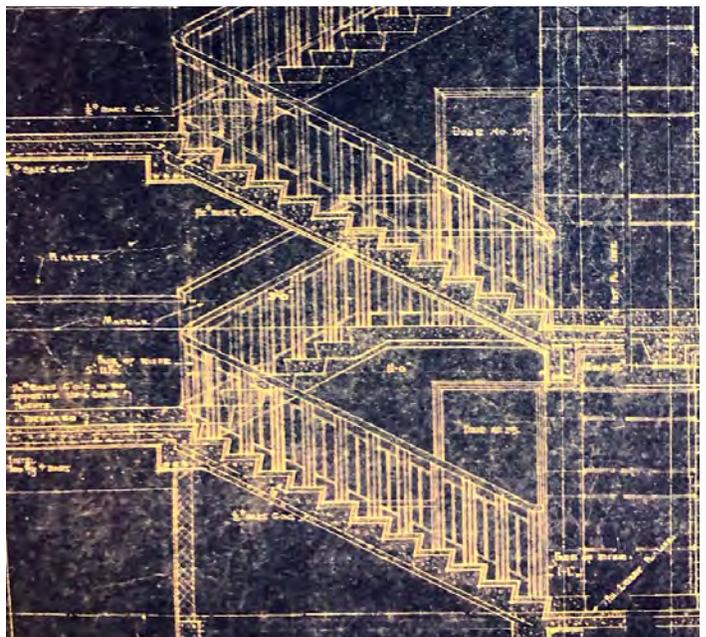
assistance and medical benefits for low-income adults age 60 or older. Cash payments augment the older adult's income from other sources to reach a set base amount, currently \$699 per month.

Certain requirements negatively impact access to the program and the amount of the benefit granted. For example, seniors are required to report all income, even small gifts of money, and the benefit is reduced by that amount. Meanwhile, seniors that have free housing (for example, when living with relatives) may report an estimated housing expense as "in kind support and maintenance" (ISM) toward the calculation of their benefit amount, which is unfair to seniors that do pay for housing.

Finally, rules require a face-to-face interview for redetermination of eligibility, but the qualified population often has mobility issues that make an in-person interview difficult. Boulder County supports ongoing funding for and reasonable access to this important senior safety net program, as well as removal of the ISM requirement and a calculation of benefit that does not consider gifts as income.

### Support adequate ongoing funding for Adult Protective Services to address increased caseloads associated with mandatory reporting, including funding for prevention services to assist vulnerable adults referred to APS

*See full policy statement in the Human Services section.*



An original blueprint for the Historic Courthouse showing the inner staircase

## BEHAVIORAL HEALTH

*To support and enhance mental and behavioral health, and to ensure Coloradans have access to high-quality, continuous, and affordable mental health and substance abuse treatment services.*

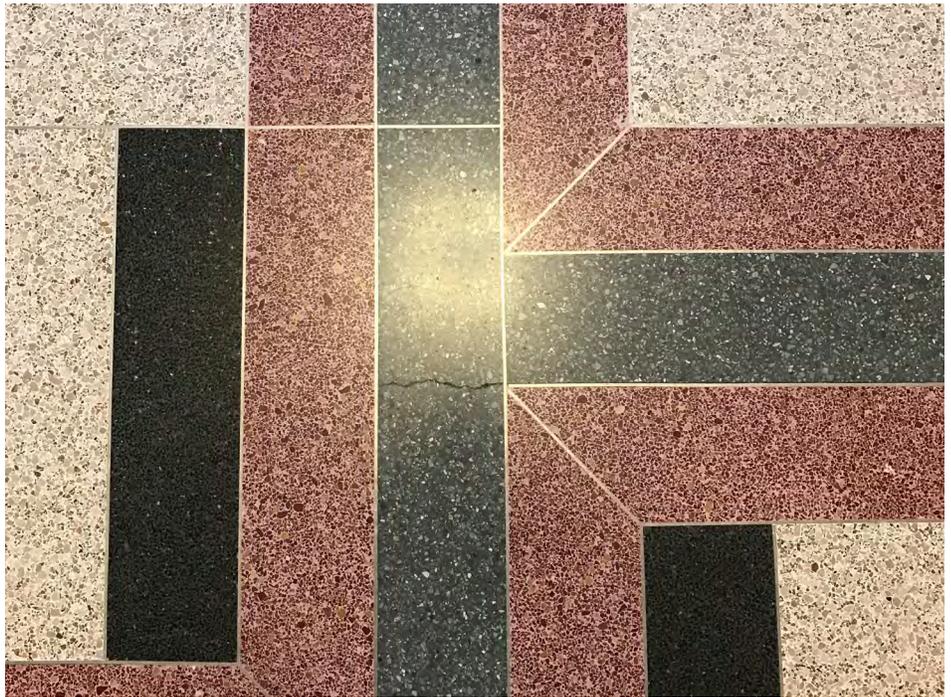
### Support legislation, funding, and other efforts that expand access to evidence-based services for mental health and substance abuse prevention, screening, and treatment, including in-patient treatment

Mental health and substance use disorders have a significant effect on the health of individuals, their families, and the broader community. Many residents of Boulder County struggle with episodic or ongoing mental health and substance use issues. In a recent survey,



some 95 percent of respondents reported that they or someone they know has struggled with mental health or substance use issues. In the U.S., 15.7 million adults and 2.8 million youth aged

12 to 17 have had a major depressive episode during the past year, and 22.5 million Americans aged 12 and older reported needing treatment for alcohol or illicit drug use. These disorders are among the top conditions that cause disability and disease, resulting in high costs to families, employers, publicly funded programs, and the health care system.



Original rose marble still in place in the Historic Courthouse

Gaps in accessing screening, diagnosis, and treatment services, and retaining care over time, challenge Colorado children, families, and individuals. Boulder County supports efforts to expand evidence-based mental and behavioral health prevention services, and treatment for individuals, children, and families. Specific supports needed include: access to services for families involved in the child welfare system, reforms in licensing of behavioral health providers in Colorado to increase the number of providers available, reforms in certification of Medicaid and Medicare providers to increase access, and support for Medicaid payment models to increase behavioral health provider access.

### Support increased and continued funding for expanded mental health crisis stabilization services and co-responder models statewide to reduce placement of people with mental and behavioral health disorders in hospital emergency rooms and jails

Crisis stabilization units assist people experiencing a mental or behavioral health crisis and divert them from hospitals and the criminal justice system. Boulder County supports the expansion of mental and behavioral health crisis stabilization



centers, diversion to community-based mental and behavioral health services, and co-responder models that integrate law enforcement and behavioral health provider response teams to reduce the placement of people with mental illness in emergency rooms and jails. Specific to the criminal justice system, individuals with mental illness comprise a disproportionately large population in the Boulder County Jail, with more than 40 percent of inmates diagnosed with a mental health disorder. SB18-249 established pilot programs across Colorado, including one in Boulder County, to divert individuals with low criminal behavior and mental health disorders to appropriate community programs. Boulder County supports continued funding and expansion of evidence- and community-based programs to divert qualified individuals from incarceration to programs that reduce recidivism and provide appropriate treatment for behavioral health disorders.

### Support statewide strategies that reduce the stigma associated with behavioral and mental health

A recent survey of Boulder County residents revealed that negative attitudes and beliefs toward people who have a mental health condition are common. There is a clear need to educate the public about how to better support individuals with mental illness and reduce barriers for those seeking or receiving treatment. Stigma can result in a reluctance to seek treatment; lack of understanding on the part of friends, family, and employers; fewer opportunities at work, school, and social environments; and discrimination. In many cases, health systems do not adequately reduce stigma, insurance carriers do not always provide adequate coverage for mental health services, and mental health screenings are not always conducted during routine check-ups. Programs have been implemented that help address mental health stigma, such as the alignment of physical and behavioral health services, Mental Health First Aid training to assist community members in responding to mental health issues, and Project AWARE to support the ability to identify mental health issues in schools. Boulder County supports state and local efforts that promote mental health awareness, education, and screenings in various settings to reduce the stigma associated with mental illness.

### Support harm reduction legislation and other public health approaches and criminal justice reforms to address substance abuse

Substance and alcohol use and misuse continue to create public health challenges in Boulder County and across Colorado, and are associated with overdose deaths, trauma, family disruption, HIV and hepatitis C infections, and other chronic health conditions. Unfortunately, substance misuse treatment is too often unavailable or unaffordable for the people seeking treatment, and a criminal justice response, including requiring arrest to access health services, is ineffective and can lead to other public health problems. Public health approaches offer effective, evidence-based responses to address these challenges, but some of the many effective prevention and intervention approaches are not currently accessible in the United States owing to outdated drug laws, attitudes, and stigma. Boulder County supports legislation that takes a comprehensive approach to drug use, including prioritizing proven prevention, treatment, and harm reduction strategies, and expanding and removing barriers to prevention, treatment, and harm reduction services. For example, community-based overdose education and naloxone distribution programs demonstrate promising approaches and have the potential to be scaled up and adapted to a range of settings and populations at risk for overdose from prescription opioid analgesics and heroin. Boulder County will continue to support efforts and legislation, including from the Opioid Interim Study Committee, that promote prevention strategies, public education and training, development and dissemination of best practices at the local level, access to treatment, and broader implementation of promising interventions as a core element of a comprehensive approach to drug use and misuse, including opioid overdose.



# COMMUNITY AND ENVIRONMENTAL HEALTH

*To protect and enhance the health of the public and the environment, and to ensure that Coloradans have access to high-quality, continuous, and affordable public health services.*

## COMMUNITY HEALTH

### **Increase funding to public health prevention and early intervention programs**

Investing in public health prevention and early intervention programs results in health care cost savings in the future for diseases and illness prevented. In a 2017 systematic review of more than 50 studies, the Journal of Epidemiology and Community Health reported that the median return on investment for all reviewed public health interventions was 14.3 to 1. Boulder County supports investment in local public health prevention and intervention services, including Amendment 35 programming to support prevention, early detection, and treatment of cancer, cardiovascular and pulmonary diseases; tobacco prevention and cessation; and health equity grants to prevent, screen, and treat diseases that disproportionately impact specific populations. In addition, Boulder County supports prevention and early intervention policies and programs to strengthen early childhood development and support family stability, including family-friendly workplace policies, funding for early care and education programs, and home visitation programs.

### **Support access to and sustain funding for comprehensive family planning services and evidence-based sexual health information**

Family planning is an integral component of health. Unplanned, mis-timed, or unwanted pregnancy can result in poor health outcomes for both parents and children. Boulder County supports legislation that maintains or increases access to affordable, medically accurate family planning services and birth control methods. Confidentiality is another critical concern in reproductive health. Teens and women in abusive relationships have the right, under Colorado law, to access confidential family planning services. However, current Explanation of Benefits (EOBs) procedures do not safeguard privacy. Legislation that supports adequate reimbursement for all contraceptive options, confidential health services, and comprehensive, science-based sex education will improve the ability of Boulder County adults and adolescents to plan their family when the time is right for them.

### **Support efforts to prevent and reduce tobacco use and exposure to secondhand smoke**

Boulder County supports proven interventions that reduce tobacco-related disparities, reduce youth access to and use of tobacco, encourage tobacco use cessation, and protect individuals from the health hazards of secondhand tobacco smoke. Priority interventions include: state tobacco retailer licensing with enforcement provisions for violations or removal of the existing tax loophole that penalizes local jurisdictions that choose to license tobacco retailers; increasing the excise tax on tobacco products; restricting the sales and/or marketing of products (including new and novel products) that are flavored and broadly appeal to youth; expanding smoke-free and vapor-free areas; and raising the age of purchase to 21. Boulder County supports legislation that enhances local authority to regulate tobacco products sales, advertising, and use as appropriate, and opposes legislation that would restrict or preempt local jurisdictions from passing ordinances or regulations addressing tobacco use. Addressing minors in possession of tobacco products without meaningful retailer licensing is not supported by evidence, nor is a state registry of tobacco retailers (versus licensing with enforcement provisions).

### **Support legislation and other efforts to prevent foodborne illness**

Boulder County and Boulder County Public Health actively engaged in the stakeholder process that led to HB16-1401, which, amongst other things, resulted in the first increase in retail food establishment licensing fees since 2009. These fee increases, to be phased in over three years, better balance the public and private investment in food safety, allow Colorado's public health agencies and its restaurant industry to move closer to national best practices for food safety programs, and better protect the public from foodborne illnesses. But more work needs to be done: While Boulder County and Boulder County Public Health remain committed to the full implementation of HB1401, we will advocate for continued improvement to the Colorado Food Protection Act, including changes to enforcement and civil penalty process for facilities that repeatedly violate food protection regulations.

### **Support legislation and increased funding to expand healthy eating and active living programming**

Healthy eating and active living have been identified as priorities in many public health improvement plans across the state, two areas traditionally underfunded in public health. Although Colorado remains one of the healthiest states in the nation, the prevalence of obesity among children and adults is climbing. Fostering health and well-being from the earliest stages of life helps build a lifetime foundation for overall health. Healthy eating and active living behaviors reduce risk for heart disease and cancer, which are the two leading causes of death in Boulder County. Boulder County supports policies that support increased physical activity, access to healthy foods, increased alternative transportation utilization, and increased breastfeeding initiation and duration.

### **Support efforts that expand mandatory vaccination requirements and limit exemptions**

Population-based programs and services are proven to achieve a more positive health impact than individual interventions alone. The use of vaccinations to control against the spread of communicable disease is a prime example of this strategy. Colorado's vaccination rate routinely ranks amongst the lowest in the nation, and Boulder County's amongst the lowest in the state. Mandatory vaccinations have been recommended by multiple national organizations as a best practice to increase herd immunity and therefore improve protection of our population against communicable disease. While HB14-1288 was a step in the right direction, Boulder County supports expanded mandatory vaccination requirements, including the removal of "personal belief" exemptions.

### **Support funding and other approaches to expand the implementation of the Colorado Immunization Information System**

The Colorado Immunization Information System (CIIS) is a confidential, population-based, computerized system that collects and disseminates consolidated immunization information for Coloradans of all ages. Operated by the Colorado Immunization Program at Colorado Department of Public Health and Environment, CIIS works to increase and sustain high immunization rates by consolidating immunization records from multiple providers, allowing providers to generate notices for individuals who are not up-to-date, minimizing over-immunization, and identifying missed opportunities for immunization. First implemented in 2011, CIIS has struggled with technical and other issues

that have limited its acceptance and use by health care providers, an outcome which ultimately compromises its effectiveness. Broad, statewide implementation of CIIS will meet multiple public health priorities, especially for children. Boulder County supports increased state funding and other efforts to achieve this goal.

### **Preserve and expand local authority to implement and regulate healthy food and beverage policies**

Scientific evidence demonstrates the negative health effects of sugary drink consumption. Surprisingly, drinking just one sugary drink a day increases a person's risk for type 2 diabetes by 25 percent, for childhood obesity by 55 percent, and for death from heart disease by 30 percent. Additionally, sugary drinks are linked to dental extraction surgeries in very young children: Children's Hospital Colorado is performing approximately 3,000 surgeries each year to address rotten or infected teeth. Boulder County supports public policy strategies and local authority to enact public policy to reduce the risks associated with the consumption of sugary drinks. In 2016, City of Boulder voters passed a 2 cent per ounce excise tax on the distributors of sugary drinks, with revenue dedicated to addressing gaps in health among children, families, and adults in the city. Currently, Colorado and 38 states apply small sales taxes to sugary drinks sold through vending machines. Boulder County will oppose any legislation to preempt local authority to apply a sugary drink tax or eliminate current sales taxes.

## ENVIRONMENTAL HEALTH

### Support state regulation and other policy means to protect air quality

Since 2008 the nine-county Denver Metro area, including Boulder County, has exceeded the Environmental Protection Agency's (EPA) health standards for ozone. Over the summer of 2018 air quality worsened, and the EPA is now expected to downgrade the Front Range region's ozone rating to "serious," which will likely lead to imposition of stricter compliance standards. Under the Clean Air Act, the EPA establishes air quality standards to protect public health, with special attention to the health of "sensitive" populations (children under 10, adults over 65, and asthmatics). Poor air quality has significant public health and environmental impacts, from increasing doctor visits and hospital admissions, to compromising the unique value of our parks and open space lands, to negative effects on wildlife and habitat. Boulder County supports state legislative, regulatory, and other efforts to protect public and environmental health by reducing the emissions of harmful pollutants.

### Support state regulation and other policy means to protect water quality

Protecting the quality of Colorado's water is vital to its environment, economy, and people. While Boulder County works on several levels to improve water quality, prevent waterborne illness, and reduce negative environmental and public health impacts to local water sources, collaborative policy and programmatic efforts between federal, state, and local governments and other public agencies is critical to achieving water quality goals across the region and state.

Boulder County will advocate for legislation, regulations, and other policy approaches that focus on the critical goal of protecting water quality.

### Support increased funding for the enforcement of safe drinking water standards to ensure safe and quality drinking water

Access to safe drinking water is vital to life. While the drinking water for millions of Coloradans is protected by the Colorado Department of Health and the Environment (CDPHE), funding levels for the Colorado Safe Drinking Water program have been flat since 2007 while the population of the state and the costs of protecting drinking water continue to rise. In August 2017, the Colorado Safe Drinking Water program announced staff and service level reductions that CDPHE recognized will increase the number of violations issued to public drinking water systems. Boulder County supports funding for the CDPHE's Safe Drinking Water Program to effectively serve the state's growing population, to comply with the U.S. Safe Drinking Water Act, and to follow recommendations from the Flint Water Advisory Task Force. In addition, Boulder County supports the implementation of secondary drinking water standards in Colorado. Secondary water standards apply to contaminants that may cause the water to appear cloudy or colored, or to taste or smell bad. These issues may cause people to stop using water from a regulated system, even though the water may pass primary safe water standards. Other states have implemented and enforce secondary drinking water standards.



The emblem above the front doors of the Historic Courthouse which represents the county's mining history

## COMMUNITY JUSTICE

*To strengthen the ability of community justice agencies to provide integrated treatment services that reduce recidivism and criminal justice costs while improving public safety.*

### **Support legislation that promotes effective pretrial practices and a shift from a money-based to a risk-based system**

Research shows that the money bail system does not increase public safety or court appearances in the pretrial population. Under the current bail system, those who can afford to post bail are released while those who cannot remain in custody, regardless of risk. Recent legislation in Colorado has bolstered the use of evidence-based pretrial practices, including individualized risk assessment and least restrictive conditions of safe release from jail. Boulder County supports legislation such as court reminders that increase court appearances and a risk-based system including a preventive detention statute that would allow high-risk offenders to be held without money bail. Pretrial services play an important role in ensuring court appearance and public safety, whereas the commercial bond industry exists primarily for profit. Boulder County will oppose efforts to reduce appropriate regulation of the commercial bond industry or to impede or otherwise diminish the role of pretrial services programs.

### **Support sentencing reform that reduces recidivism at all intercept points by the implementation of evidence-based practices in alternative sentencing and expanded efforts to divert offenders from incarceration, including alternative sentencing facilities, drug and alcohol treatment courts, and jail programming**

Boulder County supports legislation to advance alternative sentencing facilities and problem-solving courts such as drug and alcohol treatment courts, family courts, veterans' courts, and other alternatives to incarceration, to divert offenders from incarceration, to improve outcomes for individuals, and to reduce recidivism and criminal justice costs to state and local government. Community-based sentencing offers the best opportunity for integrated treatment programs and wrap-around services to reduce recidivism and associated costs. Expansion of providing and measuring evidence-informed practices at all intercept points – law enforcement, detention and hearing, jails and courts, re-entry, and community corrections – is necessary for an overall reduction in long-term recidivism for the county. Drug treatment courts are particularly effective for reducing incarceration and recidivism and do so with substantial cost savings.



### **Support systems that remove barriers and provide a coordinated response to offender reentry following incarceration in jail, prison, or juvenile detention**

Prisoner reentry is a complex issue, with the transition from jail or prison to the community being challenging not only for offenders but also for their families and communities. Offender reentry efforts should seek to promote offender success in the community and reduce recidivism. Reentry programs traditionally have focused on a specific area such as employment, job training and placement, housing, access to services, or substance abuse treatment. However, given the complexity of challenges faced by returning offenders, a reentry program focused on a single area may not adequately or effectively address the issues faced by this population. An integrated approach to problem solving that includes cognitive behavioral treatment is crucial, with comprehensive, collaborative case management based on a continuum of service, from jail “in-reach” through successful reentry. Boulder County supports increased coordination between agencies and service providers to ensure successful reentry of offenders.

### **Support the reinvestment of cost-savings achieved in the Department of Corrections, Division of Youth Services, and State Judicial in programs that reduce incarceration and recidivism**

For the 2016-2017 state fiscal year, the budget for the Division of Youth Corrections was reduced by \$2 million due to the decrease in placements of youth in juvenile detention. These reductions depict a very positive shift in youth corrections – earlier and less invasive interventions are supporting families and youth so that incarcerations are reduced. However, the reductions come at a cost earlier in the system, in the form of prevention and early intervention services that oftentimes must be sustained to keep youth free of incarceration. When incarceration budgets are reduced, every effort should be made to determine what services and programs are contributing to the improved outcomes and the actions necessary to sustain those services and programs.

# DISASTER RESILIENCY AND RECOVERY

*To ensure the safety of our community during emergencies, prepare for and mitigate prior to disasters, and facilitate timely and full recovery following disasters.*

## Support efforts to strengthen state and local government resiliency and build capacity to prepare for and respond to disasters and climate change

Data and forecasting reinforce recent experiences of communities along

 Colorado's Front Range: We will continue to be burdened by the negative effects of climate change, from drought to wildfires to floods and more. As we look to the future, wildfires are more catastrophic and frequent, rain events are more intense, and tornadoes are occurring in areas previously free from those hazards. Continued population growth will only exacerbate the risk.

Following the 2013 Flood, local governments met together as the Colorado Recovery and Resiliency Collaborative to identify lessons learned and recommend improvements to the Colorado

Disaster Emergency Act. The resulting legislation, HB18-1394, codified the Colorado Resiliency Office (CRO) to ensure its long-term viability and the ability of Colorado to respond to and be resilient in the face of future disasters. Current funding for CRO staff is set to expire in June 2019; without new funding, the office likely will close. CRO staff provides the expertise, relationships, and programs necessary to increase preparedness, decrease risk, connect critical sectors, and ultimately save valuable tax dollars, helping make Colorado local governments more effective and resilient in their response to and recovery from disasters. Further, federal direction places more responsibility on local and state governments for emergency management, creating incentives for local and state governments that have a proven record of collaboration on mitigation and resiliency planning and programming. A permanently staffed CRO will provide institutional memory and support for Colorado's local governments to ensure that the next disaster-affected jurisdiction in Colorado can be more effective and resilient in their response and recovery.

## Support legislation that assists counties in reducing wildfire risk and the costs associated with wildfire suppression efforts

Local governments have various land use and land management tools available to reduce wildfire risk on public and private lands. Many counties also work closely with the community on wildfire prevention, mitigation, and suppression. The return on investment for wildfire mitigation efforts was proven through fires as recent as the 2016 Cold Springs Fire in Nederland, where effectively mitigated homes survived the fire and mitigated lands served as a safe zone for fire suppression efforts. Boulder County's nationally recognized Wildfire Partners program supports a comprehensive approach to community wildfire mitigation and resilience, by providing private homeowners with wildfire mitigation assessments, technical assistance, and financial incentives for completing mitigation projects. Through the Colorado Department of Natural Resources Wildfire Risk Reduction Grant program and FEMA funding, Boulder County has



Original blueprint from 1934 of the Historic Courthouse

assisted more than 1,800 homeowners in reducing their wildfire risk. Other examples of important county programs include the private resident prescribed burn permit program, chipping and sort-yard services, and law enforcement efforts that assist with the coordination of wildfire suppression, such as multi-jurisdictional cost-sharing agreements. Boulder County supports legislation that provides counties and law enforcement partners with the tools necessary to reduce wildfire risk in the wildland urban interface, ensure public safety, and improve collaboration during wildfire disasters.

**Support legislation and funding that promotes forest restoration and wildfire mitigation, including the use of prescribed fire, in the wildland urban interface**

*See full policy statement in the Public Lands section.*

**Support legislative efforts to promote wildfire mitigation and reduce the structural ignitability of homes in the wildland urban interface**

*See full policy statement in the Land Use and Transportation section.*

**Support ongoing funding for the Colorado State Forest Service to provide assistance to private landowners in improving forest conditions and reducing wildfire risk**

*See full policy statement in the Public Lands section.*

**Support efforts to increase local capacity to respond to and recover from disasters**

Disaster events and ecosystem disruptions deeply impact residents and communities, and demand preparation and ability to respond on the part of local governments. With local emergency responder and management agencies in place, county response to disasters is typically well-managed and triaged. However, the growing scale of disasters means that more programs and staff are necessary to aid in responding. Some examples of disaster response impacts to local governments include: Provision of support services by staff who lack the training to work with disaster-affected clients and communities; entire programs, staff teams, and funding diverted to address the immediate needs of disaster-affected community members, placing other programs on-hold; urgent and around-the-clock services demands on a system ill-equipped for continuous operation; and staff experiences of secondary trauma from interactions with disaster-affected individuals and families. These are only a few examples of the immediate and long-term impacts a local government experiences when a disaster strikes, impacts which can extend for months or years, depending on the scope of the disaster. State funding should be provided to increase local government capacity to respond, while continuing the ongoing functions necessary to keep an agency running and meet the basic service needs of all residents.

**Support timely and responsive state funding mechanisms for disaster response, recovery, and resiliency**

Five years into the 2013 flood recovery, much has been achieved. With strong and responsive support from the state, local governments have made progress on addressing the wide and varying needs of their communities, many of which dealt with basic necessities such as transportation, housing, and public health and safety. However, much work remains, as does the uncertainty of how local governments will continue to deal with flood recovery cash flow and funding issues. Boulder County asks for continued examination of funding needs and consideration of additional funding and funding mechanisms as needed to allow communities to fully recover while also ensuring that local governments remain financially solvent.

## EMPLOYMENT AND INCOME STABILITY

*To increase employment opportunities, improve economic equity, and promote self-sufficiency.*

### Support strategies that address wage stagnation and the wage gap for low-income workers in Colorado

One-fourth of Americans have jobs that pay so little they are not able to support their families without public benefits. Americans' wages continue to lose ground to the cost of living and inflation, eroding the ability for families to become self-sufficient. In Colorado, the costs of meeting basic needs, such as housing, food and transportation, are beyond the means of those earning the minimum wage. For a family with one adult and one child, the living wage in Denver is \$20.95 per hour, and even for two adults without dependents the living wage is \$14.14. In Denver, the minimum hourly wage necessary to afford the median price of rent at 30 percent of gross annual income is \$35 per hour, and in the least expensive rural areas of Colorado it is \$24 per hour. In 2016 Colorado voted to increase the state minimum wage to \$12 by 2020, and yet in many parts of Colorado this increase is inadequate for families to meet their basic needs. Local governments need the authority to address wage issues at the local

level, in a manner that reflects the local self-sufficiency standard and cost of living. Increasing the minimum wage, addressing wage equity, and providing paid sick and family leave are a few strategies that Boulder County supports to address wage stagnation and the wage gap for Colorado's low-income workers.

### Support locally informed, accessible programs that promote on-the-job training opportunities such as internships and apprenticeships

Experiential opportunities provided through on-the-job training, apprenticeships, internships, or job-shadowing allow job-seekers to build skills and employment histories while also helping employers screen potential talent and reduce personnel costs. Relevant work experience is crucial to unemployed workers, those entering the workplace for the first time or after an absence, and workers seeking to change fields to earn sufficient wages.

Opportunities should be designed locally to serve the job-seeker and the job-providers. Programs should be flexible and not limited to a specific

population. Effective programs consider the local labor market, key industry clusters, and economic conditions including variable wages; support workers with challenges related to poverty; and include all relevant employers, including the nonprofit business sector. State funding for training should be more flexible to address essential workplace skills and technical skills and to pay trainee wages as necessary. Programs should be designed at the local level to create access points and advancements within in-demand industries, such as those identified through regional Workforce Centers, and include incentives for employers to build pipelines for higher paying jobs. For example, opportunities within high-demand professions in the health care, manufacturing, and information technology fields (Boulder County's key industry sectors) provide a pathway for living wage employment and career ladders. Skill-based training in those fields will help meet the need for workers while facilitating access to well-paying jobs for lower-income individuals.



The view looking up five floors of the Historic Courthouse through the winding staircase

# ENERGY, ENVIRONMENT, AND SUSTAINABILITY

*To advance climate action, reduce the use of fossil fuels, promote clean energy, and reduce waste.*

## ENERGY & CLIMATE

### **Support statutory codification of aggressive and enforceable goals to reduce net statewide heat-trapping emissions, including the goal of reducing emissions by more than 26 percent by 2025, compared to 2005 levels, as established by Governor John Hickenlooper through executive order, and a further goal of reducing emissions by at least 80 percent by 2050, compared to 2005 levels**

In July 2017, Governor Hickenlooper issued Executive Order D 2017-015. Among other provisions, it set an official state goal of reducing statewide carbon pollution by more than 26 percent by 2025, compared to 2005 levels. Meeting this goal would mean that Colorado achieved its share of the national commitment the United States made under the Paris Agreement.



Boulder County also supports an additional goal of reducing emissions by at least 80 percent by 2050, building on the goal established in 2008 by then-governor Bill Ritter, Jr. in Executive Order D 004 08. Meeting this goal would mean that Colorado achieved its share of the global emission reductions scientists say must be achieved or exceeded to protect the climate from dangerous human interference.

Boulder County supports the codification of the state's emission reduction goals in statute, as other states have done, so that they remain the cornerstone of state climate protection actions over time, including following transitions from one governor to another.

### **Support legislative, regulatory, and administrative actions by Colorado state government to achieve the state's emission reduction goals and implement the Colorado Climate Plan**

Climate change is leaving an indelible mark on Colorado. In Boulder County, a 2016 analysis of temperature extremes paints a picture of Colorado's future: Between 1970-1999, Boulder County averaged 5 days per year of high temperatures of 95°F or higher; between 2000-2016, that number more than doubled, to 11. Under current global emissions trends, projections by the Rocky Mountain Climate Organization forecast that the Boulder area will average 38 days of 95°F or hotter by mid-century, and 75 such days by late century. (See Future Climate Extremes

in Boulder County at <http://rockymountainclimate.org/images/extremes/BoulderExtremesFinal.pdf>.) Recognizing that local governments are the first responders in the fight against climate change, Boulder County has taken numerous steps to reduce its own heat-trapping emissions and to assist its residents and businesses to do the same. Boulder County has also joined with numerous other Colorado local governments to advocate for expanded efforts at all levels of government to mitigate climate change, through Colorado Communities for Climate Action ([www.cc4ca.org](http://www.cc4ca.org)).

State-level actions such as the establishment of new goals for reductions in statewide heat-trapping emissions, completion of a new state emissions forecast, and development of substantive actions to implement the 2015 Colorado Climate Plan will both contribute to development of a national climate change solution while also supporting the efforts of Colorado's local governments.

### **Support concrete state government actions to reduce emissions from electricity generation and consumption in Colorado by at least 25 percent by 2025 and at least 35 percent by 2030, compared to 2012 levels, consistent with goals established by Governor John Hickenlooper through executive order**

Executive Order D 2017-015 established new state goals for reducing emissions from the electricity sector that are consistent with what Colorado was considering to comply with the U.S. Environmental Protection Agency's Clean Power Plan under the Obama administration. Boulder County believes that greater emission reductions are possible than called for in the executive order, especially given the more ambitious targets that Xcel Energy has identified as achievable in its Colorado Energy Plan. Boulder County supports concrete actions by the Colorado Public Utilities Commission and the Colorado Department of Public Health and Environment to ensure that the state achieves and exceeds these goals.

### **Support development of a new inventory and forecast of future heat-trapping emissions reflecting Colorado's policy and regulatory context**

The "Colorado Greenhouse Gas Inventory: 2014 Update



Including Projections to 2020 & 2030,” prepared by the Colorado Department of Public Health and Environment, includes a forecast of statewide emissions that utilizes federal Environmental Protection Agency nationwide assumptions about future emissions policies. As a result, the inventory does not reflect currently adopted Colorado laws and policies, such as the state’s Renewable Energy Standard, nor is it helpful to local governments who are developing and implementing local climate action plans. Without the most current information regarding emissions and policies, it is impossible to ascertain what progress Colorado is making (or not) in its effort to reduce carbon pollution. Along with Colorado Communities for Climate Action, Boulder County is recommending the development of a new Colorado inventory of greenhouse gas emissions that incorporates existing Colorado law and policy in order to more accurately track state progress in achieving emissions reduction goals.

### **Support climate change preparedness and resiliency efforts**

The anticipated impacts of climate change will affect Colorado through increased heat, more extreme weather events and, likely, reduced winter snowpack and other changes to precipitation patterns. Boulder County supports the development and implementation of plans that can help the state and its communities prepare for and become more resilient to the impacts of climate change, and the development of improved strategies through ongoing planning efforts. The county will look to the Colorado Climate Network’s Local Resilience Project report (<http://www.coclimatenetwork.org/images/ColoLocalResilienceProjectRpt-lowres.pdf>) and preparedness planning efforts being conducted by the state and others for legislative and other policy guidance in support of this goal.

### **Support legislation to provide Colorado counties with permissive authority to implement a carbon tax**

Carbon dioxide is the primary greenhouse gas that is contributing to climate change. Human activities, including the burning of fossil fuels, release large amounts of carbon to the atmosphere, increasing carbon dioxide concentrations and exacerbating the greenhouse effect. A carbon tax is a fee assessed on the carbon content of a fossil fuel. Because the current pricing structures of gasoline, electricity, and fuels in general include none of the long-term costs associated with climate change, or even the well-quantified near-term health costs of burning fossil fuels, there is little incentive to develop and implement measures to reduce carbon



A view of the Historic Courthouse from the Pearl Street Mall from the 1960's

emissions. A properly designed carbon tax will incentivize decision-makers at all levels to reduce carbon emissions through conservation, substitution, and innovation strategies, for example through energy efficiency, renewable energy, and conservation-based behavioral change. In Colorado, home rule cities have authority to present a carbon tax to their citizens, which the City of Boulder did with success in 2006. Boulder County supports state legislation to provide the same permissive authority to Colorado’s statutory cities, towns, and counties.

### **Support policies and programs to improve the energy performance of new and existing buildings in Colorado**

Residential and commercial buildings account for more than 44 percent of the electricity and natural gas consumed in Colorado. Research suggests that, through the use of

such tools as green building codes, energy consumption disclosure requirements, and demand-side management programming, energy use in Colorado's buildings could be effectively reduced by more than 30 percent. Within this context, Boulder County supports policy, programmatic, and regulatory efforts that will lead to improvements in the energy performance of Colorado's building stock.

### **Support enabling legislation to provide counties and statutory cities and towns with authority to implement local energy efficiency policies and programs**

Unlike their home rule municipal peers, Colorado counties and statutory cities and towns in many cases lack authority to adopt and implement energy conservation policies and programs. For example, energy conservation ordinances are proven policy tools for improving the energy efficiency and performance of the existing residential and commercial building stock, but only Colorado home rule cities have statutory authorization to enact such ordinances. Boulder County supports enabling legislation to provide Colorado's counties and statutory cities and towns with the authority necessary to enact policies and programs that can support and promote energy conservation within their jurisdictions.

### **Support grid modernization policies and funding that support distributed generation, energy storage, high levels of renewable energy generation (distributed and utility-scale), and appropriate technologies**

A wide array of grid modernization policies and actions are available to utilities that can reduce energy consumption, expand renewable energy generation, collectively reduce carbon pollution from the power generation sector, and improve grid reliability while reducing costs to utilities and consumers. Net metering is one such policy example that can achieve these goals while also contributing to the reliability of electricity supply and distribution systems, supporting the residential and small-commercial renewable energy industry, and helping move more quickly to cleaner sources of energy. Boulder County supports implementation of additional grid modernization policies and will oppose efforts to weaken or eliminate them where they already exist.

### **Support state legislation to require the Public Utilities Commission to consider all environmental and health costs of the fuels used by investor-owned utilities to generate electricity**

Existing electric resource planning standards as applied by the Colorado Public Utilities Commission (PUC) fail to

include the financial costs associated with the externalities of the carbon dioxide emissions that result from the burning of fossil fuels for electricity generation. Requiring investor-owned utilities, those that are legally under the regulatory authority of the PUC, to include a "social cost of carbon" when developing their long-term integrated resource plans will provide regulators with critical information for assessing the costs and benefits of regulations or measures designed to reduce carbon dioxide emissions. By requiring utilities to generate at least one scenario that assesses and recognizes the social cost of carbon, ratepayers and decision-makers will be better able to understand the true costs to society associated with electricity generation.

### **Support locally driven, locally designed programs to support communities impacted by the clean energy transformation**

The climate imperative is clear: According to U.S. National Oceanic and Atmospheric Administration data, 2015 was our planet's warmest year since at least 1880, when such figures were first recorded. 2014 was the next warmest, and the hottest five years also include 2013, 2010, and 2005. Closer to home, by the late 2000s Boulder County will see a 1,500 percent increase in the number of days per year of high temperatures of 95°F or higher, in comparison to the late 1900s. (See Future Climate Extremes in Boulder County at <http://rockymountainclimate.org/images/extremes/BoulderExtremesFinal.pdf>.)

To reduce heat-trapping emissions and avoid the worst effects of climate change, the world must rapidly transition to a clean energy future, one built upon the pillars of energy efficiency and renewable energy, while dramatically cutting its reliance on oil, coal, and natural gas for energy production. Such a transition will without question result in large-scale social and economic impacts on people and the communities in which they live. While increased investments in energy efficiency and renewable energy will generate millions of new jobs, workers and communities whose livelihoods depend on the fossil fuel industry will unavoidably face challenges. Colorado is already experiencing the effects of the clean energy transition, as coal-fired power plants are retired and coal mines dramatically reduce production or shutter altogether.

Boulder County strongly supports action to assist workers and communities impacted by reductions in the use of fossil fuels for power production. Programs should be designed to ensure high participation rates, and could include such strategies as transitional income and benefits support, education and training, and community and economic

development. Strategies to advance a rapid transition to a clean energy future must include programs that serve as catalysts for bringing displaced workers and communities into the clean energy economy.

### **Support the accelerated retirement of existing fossil fuel based generation facilities and their replacement with cost-effective and reliable clean energy supplies, through means that protect both utilities and consumers**

Boulder County supports actions in Colorado to enable the early retirement of fossil fuel-based power plants and their replacement with clean energy sources, while protecting the economic interests of both the utilities owning the power plants and electricity customers.

Colorado has crossed an important threshold: The costs for deploying new, clean electricity generation from wind are now low enough to replace the generation from most of Colorado's aged coal-fired power plants, while saving money for ratepayers. But many of these old plants, or stranded assets, still have capital investment debt that must be paid off by the utilities that own them, even if they are retired. Boulder County supports the use of financing tools, including those that need approval from the General Assembly, such as ratepayer-backed bonds, to relieve utilities of this capital investment debt in order to speed the development of new clean energy electricity generation and lower costs of repayment for consumers.

### **Support a comprehensive market-based policy to reduce Colorado's heat-trapping emissions**

Climate change is considered a market failure by economists, because it imposes huge costs on society—so-called external costs—that are not normally reflected in the prices of the goods and services causing the cost. To overcome this market failure, Boulder County supports an

effort to internalize the costs, by putting a price on heat-trapping emissions and allowing that price to help drive emission reductions. Such a market-based approach can be undertaken at national, regional, and/or state levels, and could take different forms. One approach would be a tax on heat-trapping emissions. Another would be a cap-and-trade program that allows trading of limited emission rights that are sold and traded to achieve economically efficient emission reductions. Examples include the Regional Greenhouse Gas Initiative covering ten northeastern U.S. states and California's statewide cap-and-trade program.

### **Support legislative, regulatory, and administrative actions for Colorado electric utilities to achieve energy-efficiency savings of 2 percent per year beyond 2020, building on the 2020 goal established by Governor Hickenlooper through executive order**

In the 2017 session of the Colorado General Assembly, Boulder County supported HB17-1227, which was enacted to extend an existing law requiring regulated utilities to achieve electricity savings of five percent of retail sales from 2018–2028. Colorado utilities have already demonstrated that they can readily exceed this modest goal. The Southwest Energy Efficiency Project reports that from 2008–16 Xcel Energy and Black Hills Energy achieved ten percent savings, well over one percent per year, with an overall benefit-to-cost ratio of more than two-to-one. Colorado households and businesses saved nearly \$1.4 billion net over that time period. Governor Hickenlooper's Executive Order D 2017-015 set a new goal to achieve two percent per year energy efficiency by 2020, which is readily achievable and should be extended beyond that date.

### **Support ongoing and sustainable funding for the Weatherization Assistance Program**

*See full policy statement in the Housing section.*

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## RECYCLING & WASTE

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### **Support adoption and implementation of a plan by the Colorado Department of Public Health and Environment to achieve the statewide waste diversion goals established by the Solid and Hazardous Waste Commission**

Recycling and composting are proven to reduce carbon dioxide and methane emissions, and are key strategies in the fight against climate change. But Colorado's waste diversion rate (the combination of recycling and organics diversion as a proportion of the solid waste stream) of 19 percent lags behind the national average of 35 percent. And according to the Colorado Department of Public Health and Environment's (CDPHE) 2016 Integrated Solid Waste and Materials Management Plan, approximately 30 percent of the total materials currently sent to Colorado landfills are recyclable, and another 30 percent is organic material. Challenges to improving Colorado's diversion rate include practical issues such as

the limited authority of CDPHE to regulate and incentivize waste reduction as opposed to landfill disposal, and logistical issues such as transportation and lack of waste diversion infrastructure across Colorado.

Boulder County supports the establishment of a meaningful and achievable statewide solid waste diversion goal as a tool for galvanizing statewide efforts, accompanied by legislation that grants CDPHE the authority it needs to administer diversion programs, including but not limited to economic and technical assistance for local and regional waste diversion programs and facilities. A legislative package to achieve increased diversion and capture the benefits of such could include such strategies as statewide bans of specific materials from landfills, such as the ban on electronic devices adopted in 2013; advanced disposal fee and other product stewardship policies for certain products, such as those already enacted for paints and waste tires; and local government authority to implement market-based pricing strategies similar to those used in the energy and water sectors, including “pay-as-you-throw” pricing.

### **Support legislative, regulatory, and administrative approaches to research, develop, and implement sustainable marijuana cultivation practices**

National attention is increasingly being focused on the sustainability impacts of the marijuana industry in states where marijuana has been legalized. Many marijuana businesses have initiated sustainability programs to reduce their environmental impacts, and are partnering with local communities for environmental and social good. Boulder County is one such local government that is collaborating with its marijuana industry to support and advance key community sustainability goals. One such initiative is the Boulder County Marijuana Energy Impact Offset Fund, which aims to reduce industry environmental impacts while simultaneously reducing production costs. Commercial marijuana growers are required to either offset their electricity consumption with renewable energy, or pay into the Offset Fund. The fund is used to educate and encourage best marijuana cultivation practices with regards to energy consumption, and supports other carbon offset projects, such as the development of local renewable energy. Boulder County is planning to expand this initiative to support other sustainable industry practices, for example relating to water consumption and industry waste. As the primary regulator of the state’s marijuana industry, the State of Colorado will play a critical role in helping the industry reduce its environmental footprint. Boulder County strongly supports state initiative in this arena.

## EQUITY AND HUMAN RIGHTS

*To improve social, environmental, and economic equity and justice.*



Original art deco style banisters in the Historic Courthouse along the main staircase

### **Sustain and strengthen rights for LGBTQ people in Colorado**

Boulder County supports continued efforts to ensure adequate protections and rights for LGBTQ Coloradans. Protections such as anti-bullying programs in schools and anti-discrimination in health care and the workplace have demonstrated that Colorado is committed to equity for LGBTQ Coloradans. Access to public and private services must be protected as well. Strong and clear civil rights protections for LGBTQ Coloradans must continue, despite the influence and pressure of local and national efforts to limit these rights. Boulder County also supports ongoing efforts to ban the dangerous and discredited practice of conversion therapy and opposes statewide religious exemptions from discrimination.

### **Support access to care for health and well-being for transgender people**

Transgender people, including transgender young people, need and deserve equitable access to healthcare, education, and other public and private services. Examples include access to adequate health insurance and care for transition surgeries and associated therapies; access to gender neutral public bathrooms; identity support in schools and other public institutions; and policy changes such as the Birth Certificate Modernization Act, which will allow transgender individuals to hold a birth certificate that accurately reflects their identified name and gender. Denial of these services has been shown to have negative outcomes physically, mentally, financially, and socially throughout the

lifetime of transgender individuals. Boulder County supports legislative and other efforts to protect and advance the rights of transgender Coloradans and opposes legislation that restricts these rights.

### **Oppose legislation that increases responsibility for immigration enforcement at the state or local level or allows unreasonable or unlawful detaining of or access to immigrants in public facilities**

The current immigration system is the purview of the federal government; it is ineffective, unwieldy and backlogged, and already places an unnecessary burden on local jurisdictions and their residents. New mandates for increased local enforcement may have detrimental impacts not only through increased expense to local governments and law enforcement but also to public safety if it inhibits reporting of crime and to local economies, through decreases in labor force, production, consumption of goods, and tourism. In 2014, Colorado banned the unconstitutional practice of police detainment beyond release date for ICE (Immigration and Customs Enforcement) holds. Since that time, increased action on the part of ICE has forced information sharing between local and federal law enforcement. This has impacted community trust in local law enforcement and has increased fear among detained and released individuals, who are avoiding probation appointments

and court hearings. When interacting with county jails and courts, immigrants must be confident they will not be detained beyond what is lawfully required. Additional mandates on local governments for immigration enforcement result in decreased trust in the community and an increased expense at the local level, during a time when jails are over capacity and funding is limited. Boulder County supports comprehensive federal immigration reform, opposes new state-legislated mandates for state and local government enforcement of federal immigration laws, and opposes unreasonable or unlawful detaining of or access to immigrants.

### **Improve access to the provision of Colorado driver's licenses and identification card**

The provision of state-issued ID cards for immigrants with non-permanent and non-documented status increases public safety, stimulates local economies, and allows for greater community integrity. SB13-251 created a pathway for immigrants in Colorado to access a driver's license and identification card through a self-funded, fee-for-service process, and SB18-108 added Social Security cards as an acceptable identification and allows for mail or electronic renewal. The license program is self-funded, with Coloradans who qualify for the program paying more than three times the amount for licenses paid by citizens and permanent residents. The program has been highly popular – among applicants, law enforcement, and local communities. However, access is impeded by the small number of locations and the huge demand to obtain the licenses and ID cards, resulting in a months'-long waiting list, a statewide appointment cap, and regulations against predatory practices due to illegal sales of appointments. Currently there are three offices in Colorado where these licenses can be obtained, and a legislative footnote would cause that number to drop to one office in 2019. Boulder County supports efforts to improve access to driver's licenses and identification cards across Colorado.

### **Support funding and policy to reduce health disparities and promote health equity**

*See full policy statement in the Health and Well-Being section.*

### **Oppose efforts to impede voting rights of United States citizens in Colorado, including requirement of identification at polling places, limitation of ability to mail ballots to voters, and similar measures**

Voting is one of the greatest privileges and responsibilities of democracy. But for some United States citizens, access to their right to vote is obstructed by unnecessary and overly burdensome requirements intentionally designed to create barriers to registering to vote and voting. Voter identification laws deny voting rights to students, minorities, the elderly, and the disabled, and restrict citizens' ability to rightfully participate in elections. Same-day registration and the use of student identification cards, utility bills, and documentation other than driver's licenses, passports, and state identification cards provide secure and viable options for verifying voter identity and allowing American citizens to rightfully vote. Boulder County opposes efforts to roll back mail-in ballot laws, same-day voter registration, and other measures that ensure the right to vote to all United States citizens while maintaining election security and integrity.

# HEALTH AND WELL-BEING

*To improve social, environmental, and economic equity and justice.*

## **Preserve and improve access to affordable health care coverage in Colorado, including continued support for Medicaid eligibility expansion**

Most of the provisions of the Affordable Care Act were implemented in 2014 and since that date, Colorado has seen its rate of uninsured drop by more than half from 14 percent in 2013 to 6.5 percent in 2017, with 600,000 more Coloradans with health insurance in 2017 than in 2013. Expansion of eligibility for Medicaid in Colorado led to some of these gains. Due to expanded eligibility, Colorado saw an increase from 560,000 people enrolled in Medicaid in 2010 to 1.3 million in 2017. And since implementation of the Affordable Care Act, the rate of medical-related bankruptcies has plummeted by 50 percent.



The outcomes of these investments cannot be understated. Expanded health insurance coverage has resulted in increased access to health care, preventive care, mental health, and dental care, and has improved the economic self-sufficiency of thousands of Coloradans. However, there are still individuals and families facing high costs of health care coverage in Colorado. The Center for Improving Value in Health Care, in a 2018 study across six states, found that Colorado was the only state with higher-than-average costs of care across all care categories: inpatient, outpatient, pharmacy, and professional, with care 19 percent above average compared to similar populations. Boulder County supports the continuation of expanded Medicaid coverage and efforts to reduce the high cost of health care insurance and health care costs in Colorado to continue to support a strong economy and a healthy Colorado.

## **Increase access to affordable health care, preventive care, specialty care, and evidence-based mental and behavioral health services for Medicaid-insured and underinsured Coloradans**

Boulder County's Medicaid enrollment increased from 16,000 individuals in 2008 to 52,600 individuals in 2018. Connecting these enrollees to preventive health programs and services is critical to saving money within both the Medicaid system and the health care system overall. In pursuit of this goal, Colorado administers the Accountable Care Collaborative, with Regional Accountable Entities (RAEs) designed to improve health outcomes of adult Medicaid clients through administering access to physical and behavioral health services. The RAEs support a holistic approach to health by focusing on wellness and preventive care. Another example includes the Healthy Communities program, which coordinates healthcare for children enrolled in Medicaid and CHP+.



But gaps still exist: Across the state access to preventive care, specialty care, mental health, and substance abuse treatment services is limited, forcing patients to wait for or even forgo care. Boulder County supports expansion of the Regional Accountable Entities, Healthy Communities, and other programs aimed at strengthening access to preventive health and evidence-based behavioral and mental health services for Medicaid clients, both adults and children. Boulder County emphasizes the need to ensure access to mental and behavioral health services is on par with access to physical health services and supports the expansion of the Medicaid provider base through strategies such as increased provider rates and incentives for medical, dental, and behavioral health career paths.

## **Support provider and cost transparency and consumer education about health services**

Most uninsured individuals cite the cost of insurance as the biggest barrier to obtaining coverage and view even the least expensive plans as unaffordable. As a result, individuals are turning to high-deductible health plans that feature low monthly premiums but require more out-of-pocket spending. With 54 percent of the un- and underinsured reporting they have no place to go when they are sick, high-cost services are emerging in the healthcare market. One such example is free-standing emergency rooms. These emergency rooms, which are not affiliated with a hospital, typically charge two to three times the prices of urgent care centers for comparable levels of care. In addition, hospitals often charge uninsured patients much higher rates than those paid by patients with private or public health insurance, since the rates are not negotiated. A lack of cost transparency, hidden costs, and the proliferation of emergency rooms as the easiest-to-access care has resulted in many Coloradans facing unexpectedly high medical bills. Boulder County supports efforts to increase access to affordable, preventive health care for the uninsured and greater transparency around the cost of care, particularly for those services which are easily accessible to un- and underinsured Coloradans.

### **Support funding and policy to reduce health disparities and promote health equity**

Boulder County supports the development, expansion, and monitoring of programs to reduce health disparities. Systemic inequities across all segments of society contribute to health disparities, meaning that millions of Americans suffer from a disproportionately high burden of disease, disability, and premature death. These disparities also impose an unacceptable fiscal cost. Efforts must support funding for effective strategies that work to reduce health disparities, including funding for the Colorado Department of Public Health and Environment's Office of Health Equity, and support research initiatives to better understand the root causes of inequities.

### **Increase resources for federally qualified health care centers to support community-based, primary health care services**

Although the expansion of Medicaid has resulted in an infusion of federal funds into the medical system, the provider community cannot fully meet the demand for services. Private providers are not expanding their practice to include newly eligible Medicaid clients at the rate expected, resulting in increased demand for the services provided by community clinics and Federally Qualified Health Care Centers (FQHCs). FQHCs are also essential partners in local community safety nets, having developed strong prevention service programs and a whole-client health approach that supports the medical, dental, and behavioral health needs of patients. FQHCs recognize the importance of the social determinants of health, and structure care to include linkages to critical social supports such as housing, food, and child/family well-being. While many FQHC clients are covered through Medicaid, these clinics also remain the only option for care for those who remain uncovered in our communities; additional sources of funding are necessary to sustain these essential community health clinics.

### **Support integrated public health and health and human services strategies to improve the social determinants of health**

The success of the health care system at reducing costs and improving health outcomes is dependent upon the strength of the community safety net which provides food, housing, employment, and family services supports to those Coloradans in greatest need. Current funding structures for the Affordable Care Act support direct health care services, administrative services, and navigation services that link people to insurance, Medicaid, and health care. These funding structures do not reflect the critical role that the human services safety net or public health prevention programs play in supporting the health of individuals within our communities. These foundational programs help Coloradans in need meet their basic needs, and reduce costly behaviors like smoking, unhealthy eating, and substance abuse that require expensive health care interventions. Boulder County supports increased funding for programs that support the social determinants of health.

### **Support efforts to improve client correspondence regarding Medicaid and other public benefits programs**

In 2016, a legislative interim committee was formed to examine issues associated with Medicaid client correspondence. The committee identified multiple issues, including duplicate correspondence, incomprehensible messages, conflicting requirements and requests for clients, and use of terminology not familiar to a lay person. Boulder County supports efforts to improve client correspondence across multiple benefits systems, so that Medicaid, Food Assistance, TANF, and other program correspondence can be better coordinated to fully inform clients. In addition, client correspondence should use clear and accurate language so that counties do not have to spend additional time problem-solving with clients who cannot understand the meaning of the correspondence. Boulder County supports the continued evaluation of improvement efforts to date to ensure that implemented changes are having the intended positive impact on the client experience and access to eligibility-based programs.

# HOUSING

*To secure and maintain safe and affordable housing, and to protect homeowners and residents in Boulder County.*

## Support state policy and funding initiatives to increase Colorado's stock of permanently affordable housing and expand access to diverse housing options

Boulder County supports state and local policy efforts and funding to increase the development of and access to a diverse range of safe, affordable, market-rate or below market-rate housing and rental housing, including ensuring county authority to address local affordable housing needs. Boulder County supports specific state-wide strategies such as Housing voucher programs; additional, flexible funding opportunities and incentives for developers of affordable housing and homeless transitional housing; extension and expansion of income tax credits to owners of low-income housing developments; and more accessible housing for older adults and people with disabilities. Finally, Boulder County recommends developing a statewide housing plan that includes: Statewide goals for permanently affordable housing to meet the state's growing need, a process to secure land and redevelopment opportunities, consideration of regulatory processes that support affordable housing, and sustainable funding sources to meet the plan's goals. The plan should be built upon Colorado's current regional and local plans to allow for locally driven solutions to meet local needs and provide technical assistance to regions without current affordable housing plans.

## Increase funding to the Colorado Housing Trust Fund to provide an on-going, sustainable source of state funding for permanently affordable housing

According to Housing Colorado, the supply gap for

housing for low income households with less than \$20,000 in annual income exceeds 110,000 homes.



At current rates of affordable rental housing construction in Colorado of 823 homes per year, it will take well over 100 years to eliminate this gap, and the gap continues to grow with population growth. In 2014, the General Assembly passed HB14-1017, which, among other things, repurposed the Colorado Home Investment Fund to create the state's first Housing Trust Investment Fund. The new housing trust fund expanded the number of sources that can be used to support affordable housing production, including federal grants, and made housing production funds available to any qualified applicant, including for-profit developers, all in an effort to increase private investments and equity. However, state financial investment in the Housing Trust Fund is limited. Additional funds are necessary to increase the pace and scale of affordable housing development and address the affordable housing crisis facing Colorado.

## Support state efforts to end homelessness through community-based, comprehensive programs

Homelessness is among Boulder County's most pressing issues. On a single night in January 2018, 592 people were sleeping in homeless shelters or on the streets and other places not meant for human habitation in Boulder County. This understates the true extent of homelessness and housing instability in the county, because it does not account for those who experience homelessness at other points throughout the year, who were not found on the night of the count, or who were staying with friends and family but in need of stable housing of their own. Beginning



A view of the clock tower from the Historic Courthouse

in October 2018, Boulder County in partnership with the cities of Boulder and Longmont and community partners launched a new system of services for single adults experiencing homelessness, Homeless Solutions for Boulder County. In the first six months of the new system, 1,448 single adults age 18 and older were screened for homeless services. This count does not include individuals in families or youth under the age of 18 seeking services from other providers, who have traditionally comprised about one-quarter of Boulder County's overall homeless population.

To reduce the incidence and impact of homelessness in the community, Boulder County is committed to investments in evidence-based approaches, including the Housing First model to develop the additional rent assistance and supportive service resources necessary to help individuals and families escape homelessness quickly and sustainably, and continued investments by the state to expand permanent supportive housing and rapid rehousing resources are critical. Relatedly, we also support continued work by the Division of Housing and Office of Behavioral Health to increase Medicaid's ability to cover supportive services. Lastly, we recognize that our regional and state-level responses to homelessness will be improved by having a strong data infrastructure that supports assessment of needs and program performance.

### **Increase county authority to address the rights of those who own or rent mobile homes**

Mobile homes are the largest source of unsubsidized affordable housing in the U.S., and as with other forms of housing, it is common for individuals and families to have much of their wealth invested in their mobile home. Because most people living in mobile home parks own their home but not the underlying land upon which it sits, property owners can wield significant power over their housing security. For example, if a mobile home park owner pursues redevelopment of their property, residents are at risk of losing their investment, as the likelihood of being able to relocate a home is minimal due to the scarcity of vacancies in parks and the significant cost of relocating a home. In effect, when a mobile home park redevelops or closes, residents can find themselves pushed further into poverty. Similarly, there exists a pattern of mobile home park residents facing fines or being evicted by property owners, often for illegitimate reasons, and given as little as 48 hours to move or sell their homes. Violation of unfair and impractical park rules is often used by property owners as grounds for eviction, which leads to mobile home owners not taking action to address health, safety, or other park concerns out of fear of retribution. Colorado and its local

governments must take action to establish and strengthen state and local policies that provide protections for mobile home owners and renters to provide more stability for these affordable communities. For these reasons, Boulder County supports local authority to address the rights of mobile home owners and renters.

### **Support ongoing and sustainable funding for the Weatherization Assistance Program**

Low-income and vulnerable households spend a disproportionately large percentage of their income on energy utility bills. The federal Weatherization Assistance Program (WAP), created forty years ago, is designed to address this problem, by improving the energy efficiency of homes to reduce home energy consumption and lower energy utility bills, helping to offset the high cost of housing. Colorado's eight WAP programs serve about 3,000 homes statewide each year with an energy audit, furnace tune-up, and carbon monoxide testing, and additional services such as adding insulation, air sealing, furnace replacements, and provision of high-efficiency light bulbs. With Colorado's WAP programs funded through federal allocations and state severance tax dollars, both of which can be volatile sources of revenue, stability in annual WAP appropriations can be difficult to achieve. Boulder County supports long-term sustainable funding for Colorado's state weatherization program, in support of the dual goals of assisting families in reducing their energy bills while promoting safe, comfortable, and energy-efficient housing.

### **Support legislative and other efforts to link land use, housing, and transportation planning and investment**

*See full policy statement in the Land Use and Transportation section.*

## HUMAN SERVICES

*To support legislative, administrative, and funding decisions that improve systems and programs, support safety and self-sufficiency for families, and advance prevention and positive outcomes in the delivery of human services.*

### SYSTEM INTEGRATION & ADMINISTRATION

#### Support efforts to improve systems that serve children, youth, and families through appropriate system integration, interoperability, and sharing of data

Human service and community programs exist to improve the lives of Coloradans in times of great need. The state, counties, and their partners utilize disparate and often siloed data systems to track these various programs and benefits.



Individuals and families receiving services and programs can undergo multiple interviews and walk through redundant processes for different programs at the same agencies and same locations because data are not permitted to be shared across programs. Boulder County recommends data sharing and interoperability across health and social risk factors. The ability to share data across multiple programs while allowing for client consent management and data protections will greatly increase agencies' ability to improve and streamline services, providing the most impactful interventions to clients. Data sharing across programs also allows agencies to measure effectiveness of services, ensuring that public investments are generating the highest returns. Boulder County supports increasing counties' and other state-funded programs' ability to share data and increase system integration and interoperability appropriately and securely to ensure that clients experience the best possible service while maximizing program efficiency and effectiveness. We urge the state to work closely with counties for interoperability strategy that will work effectively for counties and families. Any efforts to improve or modernize systems – such as the TRAILS modernization that began in 2018 – should have adequate planning, project management and oversight, resources, communications, and coordination with counties as well as across state departments including CDHS, HCPF, CDPHE, and OIT.

#### Support local administration and delivery of health and human service programs, including eligibility determination and enrollment

Health and human services programs are best delivered through locally relevant approaches and programs that leverage partnerships to meet the needs of individuals within the community. The human services networks at the county level are comprised of public-private partnerships that include non-profit agencies, schools, human services agencies, housing agencies, law enforcement, and other stakeholders. Boulder County opposes efforts to shift to a state-administered system for delivering health and human service programming or a system which diverts clients seeking benefits to a private vendor that has little or no familiarity with local services. Data show that counties perform better in terms of timely enrollment and service provision and are better equipped to answer clients' questions about services and resources available in their community. Experience shows that community-based safety-net strategies are the best approach to addressing human service needs.

### CHILDREN & FAMILY SERVICES

#### Increase funding for the Child Welfare Block Grant to fully fund the system and ensure alignment with SB18-254 Child Welfare Reform Act and FFPSA

Child welfare is a crucial service that counties provide to protect children and improve outcomes for children and families. Boulder County supports funding for child welfare that fully funds the system, and an allocation of resources that





An original jail door from the Historic Courthouse from when the jail was housed there

is aligned with the work needed to successfully implement SB18-254 and the federal Family First Prevention Services Act (FFPSA). SB254 will bring a change in the funding model and an increase in provider rates, and FFPSA requires a greater focus on front-end prevention and intervention work. These changes occur within a system that is already significantly underfunded.

Not only has Child Welfare Block Grant funding not kept pace with inflation, but it has failed to accommodate an increased workload and a changing child welfare model that requires more intensive front-end work to prevent more expensive interventions on the back end that produce poorer outcomes. Across the state, child welfare referrals and workload have increased, with implementation of the abuse and neglect reporting hotline and the behavioral health crisis exacerbating the increase. Trends in mental health and substance use mean greater complexity of cases, with more opioid involvement. In Boulder County, referrals have gone up by almost 23 percent over the past nine years, the child population has increased by 2.3 percent, and during the same time Boulder County's child welfare funding has decreased by 6.9 percent. The bottom line is that Colorado has not adequately funded its child welfare system, resulting in a negative balance at year-end close-out. Additional funds are needed to fulfill one of Colorado's most critical federal mandates which protects children and strengthens families.

### **Support improvement of child welfare funding methods to ensure investments are data-driven, consistent, and achieve statewide outcomes through best practices**



Boulder County supports a collaborative approach to

improving the current funding model and process to ensure funding is linked to need across the state and that funding decisions are consistent, transparent, data-driven, and fair to all counties. An improved funding process will: align all funding lines with uniform goals and outcomes across the child welfare system, eliminate siloes in funding for child welfare services that inhibit the ability to streamline funding to allow for cost efficiencies, and allow for increased flexibility in spending across programs to best meet children's needs. SB18-254 modified the composition and work of the Child Welfare Allocation Committee (CWAC), and we support clarifying that there can only be one seat per county. Boulder County further supports ensuring that the processes described above occur at the CWAC.

### **Support the continuation and expansion of early intervention and prevention programs in child welfare and align Colorado policies and programs with federal funding to best support families involved in the child welfare system**

Passage of the federal Family First Prevention Services Act (FFPSA) in February 2018 brings system changes intended

 to support and advance the prevention and early intervention programs that Colorado has put in place over the past few years. The IV-E waiver, awarded to Colorado in 2012 and extended through 2019, has effectively allowed Colorado to garner more federal funds for children and family services despite the fact that out-of-home placements are declining across the state. This strategic program shift has allowed federal dollars, which without the waiver would only have been available for foster care or other out-of-home placements, to be invested in early intervention services to stabilize and strengthen families. The IV-E waiver expires in late 2019. Counties across Colorado along with the state have

laid significant groundwork in prevention-focused work that aligns with FFPSA. Colorado is well-poised to move forward with implementing FFPSA, and there are implications if we delay. Consideration should be given for strategic planning for investing resources such as the Child Welfare Block Grant, TANF Reserves, and Medicaid, and for data systems changes that will be needed to support implementation, such as the child welfare TRAILS system. Colorado will need to better understand how changes to the federal funding structure will advance the child welfare system improvements the state has worked hard to achieve through the IV-E waiver, and ensure that state policies, funding, and programs are aligned with the FFPSA to maximize positive outcomes.

### **Support funding for evidence-informed programs and processes that reduce youth incarceration and out-of-home placements, including the Collaborative Management Program and the Boulder County IMPACT program**

 Evidence-informed collaborative management programs – programs that have been widely implemented and proven effective and replicable under the highest-level of scientific scrutiny – successfully support community-based alternatives to youth confinement. Replication of these programs in communities across Colorado reduces costs and improves outcomes in multiple systems, including education, corrections, child welfare, public benefits, and others. One example is Boulder County’s Integrated Managed Partnership for Adolescent and Child Community Treatment (IMPACT) Program, which for more than two decades has provided high-need, high-risk youth with mental health, juvenile justice, and child welfare services. IMPACT has achieved proven results by reducing out-of-home placements, psychiatric hospitalizations, and commitments while increasing the numbers of youth residing in family and kinship environments. Collaborative management programs allow for local program development to meet individual communities’ needs, rather than a uniform state model. Because of the shift in placements, the program has achieved significant cost savings that have been reinvested in additional community-based, wrap-around programs. The IMPACT program is supported in part with state funding through the 1451 Collaborative Management Program (CMP). In 2015, the state legislature recognized the effectiveness of the 1451 CMP program and provided a \$2.5 million investment in the program, through SB15-241. Boulder County supports ongoing funding for the 1451 CMP program, and urges investments in evidence-based collaborative management programs for at-risk youth in Colorado. Other opportunities include the alignment of programs such as HB1451 and SB94 to better leverage state funds for prevention and cost-savings in youth incarceration and to increase strategic collaboration and improve funding models across systems.

### **Support funding for educational access for foster youth**

 In 2018, the General Assembly passed HB18-1306, the Improving Educational Stability for Foster Youth Act. Counties supported this important legislation, which aligns with federal law to codify the responsibility of county human services departments and school districts to work together to maintain foster children in their schools of origin whenever appropriate. Educational and other outcomes improve for foster youth when they receive the stability of remaining in their school of origin. We know that numerous barriers impede foster children’s ability to achieve education success, and we are invested in playing a role in improving outcomes in this area. HB1306 provided one-time funding for educational supports from TANF funds, and counties believe a long-term, ongoing investment of this activity is needed into the future to ensure successful outcomes for youth.

### **Support increased services and adequate resources to meet the needs of youth aging out of foster care**

 According to state data, only 29 percent of youth in the foster care system will graduate from high school, but 36 percent of these youth will have been incarcerated between the ages of 16 and 19. National data show that 43 percent of women and 74 percent of men who emancipated from the foster care system will have been incarcerated at least once in their lives. Colorado has taken significant steps toward placing foster children in permanent homes, through adoption or reunification with their birth families. But for those youth for whom permanency was not achieved, and for all children who have spent significant time in the child welfare system, Colorado needs to increase access to the supports that are available to improve their chances of success once they age-out of the system. Housing is one such support that is largely unavailable; programs that provide transitional housing and supportive services for youth as they graduate into adulthood can help prevent incarceration and improve lifelong outcomes. One example is the Chafee Foster Care Independence program: While the program provides supports for this population, it is underfunded, and eligibility should

be expanded. Even before aging out of the system, barriers exist to older youth achieving independence, such as ability to obtain a driver's license. Investments in this area can provide practical help to foster youth and prevent many long-term costs, including jails, public assistance support, and the entry of children into the child welfare system.

### **Support the implementation of evidence-informed and prevention-focused strategies to eliminate child abuse and neglect fatalities in Colorado**

The safety and well-being of children should be the highest priority of our state and communities. Policy changes around child abuse and neglect are often reactive, driven by an incident that piques awareness of child maltreatment and fatalities. Colorado state and local governments have been working on proactive strategies that align with the work of the National Commission to Eliminate Child Abuse and Neglect Fatalities to identify opportunities to change our communities, partnerships, and the child welfare system to reduce the occurrence of child fatalities. Strategies include efforts to strengthen and support the parents and caregivers of children at risk for abuse and neglect; leveraging of data from calls received by Colorado's child abuse and neglect hotline reporting system; collaboration between health and public health systems and partners; and stronger data integration systems that allow for earlier identification of at-risk children. Passage of the Family First Prevention Services Act mandates an increased focus on prevention and intervention. Boulder County supports efforts to reduce abuse and neglect-related child fatalities in Colorado.

### **Ensure that private voluntary placement options for families protect children, provide adequate oversight and training, support family permanency, and are not utilized to circumvent the child welfare system**

Private voluntary placement agencies are host homes where families can place their children for a limited time under a power of attorney. If private voluntary placement agencies can operate in Colorado, Boulder County urges appropriate oversight and regulation, adequate training of host families and others involved with the family, limitation of length of term of placement to six months, supportive services for families, and consideration of custody issues. Children placed away from their parents often need services, as their parents are experiencing some kind of crisis, and Boulder County wants to ensure that children are protected and can have the best outcomes, and that private placements are not a work-around for the child welfare system when that system would be the most appropriate for the family. Boulder County opposes modification of Title 19 child welfare statutes to allow for these homes; if governed in the child welfare statute, there are existing rules for child placement agencies that should apply to these homes. Lastly, counties strive to permanently place children within one year of parental termination because of the effect on a child's ability to bond, so consideration should be given to whether permanency timelines should take private placements into account for families that have placed children with a voluntary agency then later have their children placed in the child welfare system.

### **Support consistency in adoption in Colorado and comportment with federal law, including adoption subsidies at appropriate levels to families where resources are a barrier to adoption**

Boulder County supports alignment of assistance for adoptive parents with federal law and regulation and achievement of parity and fairness across the state. For children adopted from the child welfare system, adoption subsidies remove barriers for adoptive parents in need, whom, without subsidy funds covering those expenses that are a barrier, would not be able to adopt. Boulder County does not support adoption subsidy moneys going to those not in need, at an expense to counties and the system. When considering a family for adoption, a means test is inappropriate and precluded by law. However, when negotiating details of the adoption and determination of level of subsidy needed, if any, a family's means should be considered. Subsidies should not pay for things that other public benefits cover such as Medicaid, nor for unanticipated needs into the future. Adoption assistance legislation also is intended to achieve parity across the state, where levels of subsidies vary widely and sometimes families abuse the system by collecting subsidies they are not entitled to. Legislation should include language that will lead to fair results, helping those in need to get the assistance they need and holding those who abuse the system accountable.

### **Support adequate ongoing funding for Adult Protective Services to address increased caseloads associated with mandatory reporting, including funding for prevention services to assist vulnerable adults referred to APS**

Colorado instituted mandatory reporting for elder abuse in 2014 and for adults with intellectual and developmental

disabilities in 2016. Since the implementation of mandatory reporting of elder abuse, call volumes for Adult Protection Services (APS) have increased dramatically – 20 percent in Boulder County and 47 percent across the state, whereas the anticipated increase was 15 percent. Funding levels should support the nationally recommended caseload-to-casework ratio of 25:1 as the best strategy for keeping at-risk adults and seniors safe. In addition, the increase in reports has illuminated the vulnerability of many individuals in the community and has presented opportunities to support prevention and early intervention for older adults and other at-risk adults so that they are able to safely stay in the community. These funds should be provided through APS for emergency support services and also through regional Area Agencies on Aging, so that APS can refer individuals for which a protective case was not opened to stabilization services.



## EARLY CHILDHOOD

### **Support increased funding for the Colorado Child Care Assistance Program to provide safe, quality child care options for families working towards self-sufficiency**

The cost of child care presents a challenge for low-income, working parents across the country. In Boulder County, child care ranks as the costliest monthly expense for families with one pre-school and one school-age child, above even housing and food costs. In a recent assessment of more than 3,000 Boulder County families, childcare emerged as the highest-risk unmet need for families. This means that their risk of losing, not being able to afford, finding, and keeping childcare is higher than health, food, employment, housing, or any other need.



The Colorado Child Care Assistance Program (CCCAP) provides child care subsidies to families struggling to afford care for their kids while they work or go to school. Colorado has experienced significant shifts in the CCCAP program, primarily as a result of HB14-1317 and federal changes to the Child Care Development Fund (CCDF) block grant. These changes have improved access to the program through increased eligibility, provider rate increases, improved provider quality, and transparency around quality, and strengthened technical infrastructure to support the system. However, the amount of funding in the program is not sufficient to meet the need. Coloradans continue to struggle with the high cost of child care, and many counties are moving to wait lists or reducing their eligibility thresholds to the minimum level allowed. The recently released market rate study will drive provider rate changes and further increases for July 1, 2019, and it is important that the funding level be adjusted to account for the changes to rates or the number of children served will likely decrease year over year. Recognizing that 2017-18 funding levels allow only 13 percent of the eligible CCCAP population to actually utilize the program, the General Assembly passed HB18-1335 during the 2018 legislative session, with a vision to steadily increase access to CCCAP to achieve parity with general population utilization of licensed child care, which is 31 percent.

While the General Assembly made a significant investment in CCCAP in 2018, that funding is just the first investment towards realizing that vision. Boulder County urges the state to continue its commitment to expand access to high-quality early childcare by increasing the resources that go to this program. Colorado must recognize the foundational importance of child care as educational access for children, a critical support for working families, and an economic and community investment, and increase resources for child care assistance to better address the need.

### **Support universal, full-day kindergarten and preschool across Colorado**

The Polis Administration has signaled a strong commitment to providing universal, full-day preschool and kindergarten access for every community in Colorado. As the administration has identified, “high-quality, full-day kindergarten and preschool promotes school readiness, closes achievement gaps, and supports the healthy development of all children. Improved access to preschool and kindergarten would also save parents money on daycare, and allow parents the flexibility to go back to work sooner if they choose, not only helping families pay rent and put food on the table, but also generating additional tax revenue for the state while decreasing reliance on public assistance programs.” Boulder County recognizes that access to quality early education improves outcomes for children across lifetimes, and early childhood education is a primary prevention tool against child maltreatment. Last year, HB18-1335 increased funding for the Colorado Child Care Assistance Program (CCCAP) to serve more children and with a long-term goal of achieving parity in utilization of affordable, quality childcare with the non-CCCAP population. Boulder County supports a continued, multi-year expansion of CCCAP to align with and aid in successful implementation of universal preschool and kindergarten as a foundational support for working families.

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## SELF-SUFFICIENCY

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### Support a strategic and sustainable funding plan and approach for federal TANF funds and the Colorado Works program

Boulder County supports a strategic and sustainable plan for the Colorado Works program and utilizing federal Temporary Assistance for Needy Families (TANF) funding. With a need for Basic Cash Assistance cost of living increases to keep pace with inflation, and the child welfare system and overall funding structure in transition with implementation of FFPSA and SB18-254, efforts and resources should be focused on investing TANF reserves strategically and sustainably through long-term planning. Colorado has been appropriating the use of TANF funds at a rate greater than which funds are being awarded to Colorado. As a result, there is concern about the sustainability of this funding and the cliff effect to TANF funding the state is creating.




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## FOOD SECURITY

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### Support increased utilization of the Supplemental Nutrition Assistance Program (SNAP) and funding for the expansion of programs that increase access to healthy, locally grown foods, such as SNAP Doubling-Up programs

Although the SNAP program reaches 19,000 recipients in Boulder County at any given time, food security remains an issue in Boulder County and across Colorado. In Boulder County, at least half of all households receiving SNAP have one or more children under 18, and nearly a quarter have at least one person over 60. SNAP is available to individuals and families whose income isn't enough to provide for basic food needs, but there are many individuals and families who don't access this assistance. Continued strategic outreach is needed to ensure that people experiencing food insecurity and hunger know about their eligibility and receive this benefit. In addition, people who receive SNAP don't always have access to nutritious, quality foods. In Colorado, there are places where grocery stores and markets with healthy food selections are not easily accessible, particularly for individuals and families with transportation limitations. Programs such as Colorado's Double Up Food Bucks Program provides customers who utilize SNAP with an incentive to purchase locally grown, healthy foods from farmers' markets and retail locations. The Double Up Food Bucks Program not only increases low-income residents' access to healthy, local produce, it also supports our local economy and farmers. This program has effectively increased SNAP sales at the Boulder and Longmont farmers' markets by more than 100 percent. Boulder County supports policies and increased funding to expand the utilization of SNAP as well as programs that promote access to healthy foods.

## LAND USE AND TRANSPORTATION

*To improve upon the built environment and quality of life for Coloradans by promoting well-planned communities.*

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### LAND USE

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#### **Support legislative efforts to promote wildfire mitigation and reduce the structural ignitability of homes in the wildland urban interface**

Recent wildfires in Boulder County and across the state have reinforced the need for collaborative landowner participation in the planning and implementation of mitigation efforts in the wildland urban interface. In particular, Boulder County supports legislative efforts that promote forest health and restoration projects that improve overall forest conditions; forestry projects that reduce fuels for fire and create fuel breaks and safe escape routes; increased private homeowner awareness and participation in the creation and maintenance of defensible space and a safe home ignition zone; and increased use of ignition-resistant building materials in residential construction, renovations, decks, and additions in the wildland urban interface. Boulder County's nationally recognized Wildfire Partners program, which provides wildfire mitigation assessments, technical assistance, and financial incentives to private homeowners interested in reducing their wildfire risk, is one example that supports these goals. Through a Colorado State Forest Service Forest Restoration and Wildfire Risk Mitigation Grant, Boulder County has assisted nearly 944 homeowners in reducing their wildfire risk. Boulder County supports increased legislative activity in this arena.

#### **Support legislative and other efforts to link land use, housing, and transportation planning and investment**

Consistency and coordination between land use planning, housing development, and transportation investment will result in decreases in greenhouse gas emissions, fossil fuel consumption, and transportation infrastructure costs while increasing mobility for all. Boulder County supports legislative and other efforts to ensure that Colorado and its local communities are maximizing funding and other investments in support of a transportation system that increases the mobility options for all Coloradans.

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### TRANSPORTATION

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#### **Support adoption by the Colorado Air Quality Control Commission of California's motor vehicle emission standards, including requirements for zero-emission vehicles**

The federal Clean Air Act provides authority for California to adopt its own stringent emissions standards for new motor vehicles and for other states to adopt the California standards. In fact, in recent years, the basic California clean car standards have been synchronized with federal emission and fuel efficiency standards. However, the Trump administration is now planning to weaken the federal standards, which would dramatically undermine Colorado's efforts to meet its statewide carbon pollution reduction goals. Reducing emissions from the transportation sector, which has become the sector responsible for the largest share of greenhouse gases, must be a centerpiece of climate action in the state.

To that end, and at the urging of a wide range of interests across the state, including Colorado Communities for Climate Action, Governor Hickenlooper issued executive order B 2018 006 in June 2018 to direct the Colorado Department of Public Health and Environment to develop an advanced clean car standards rule and formally propose adoption of this rule by the Colorado Air Quality Control Commission (AQCC). Boulder County participated in the AQCC rulemaking in collaboration with CC4CA and other Colorado local governments and stakeholders, which saw the AQCC adopt California's low emission vehicle standards on November 16, 2018.

Fourteen states plus Washington, D.C. have now adopted California's basic emission standards, representing over 35 percent of the nation's population and the same share of new motor vehicle sales. Nine of these states have also adopted the additional California standards requiring manufacturers to achieve specified sales of zero tailpipe-emission vehicles (i.e., battery-only electric vehicles). The Colorado AQCC will consider adoption of the ZEV standards in the spring of 2019. Boulder County strongly supports the ZEV standards, and will be urging the AQCC to adopt them.

## Support implementation of the Colorado Electric Vehicle Plan, including new state government actions to accelerate the purchase and use of zero emission vehicles

Nationally, transportation has become the sector responsible for the most carbon pollution. Colorado's recent population growth has led to a commensurate increase in vehicle miles traveled, which has overtaken the emissions reductions made possible through the increasing fuel efficiency of the statewide vehicle fleet. Electrification of light- and heavy-duty vehicles, as well as other emerging zero-emissions technologies, holds perhaps the greatest promise for emissions reductions in this sector. Boulder County supports legislative, regulatory, and administrative action to increase the adoption of electric vehicles by investing in electric vehicle charging stations, educating customers about EVs, and providing customer incentives. Boulder County also supports the current plan to commit a portion of Colorado's share of the Volkswagen emissions control violations settlement to the construction of electric vehicle charging infrastructure across Colorado, and adoption of the California motor vehicle emission standards, including their provisions on sales of zero-emission vehicles.

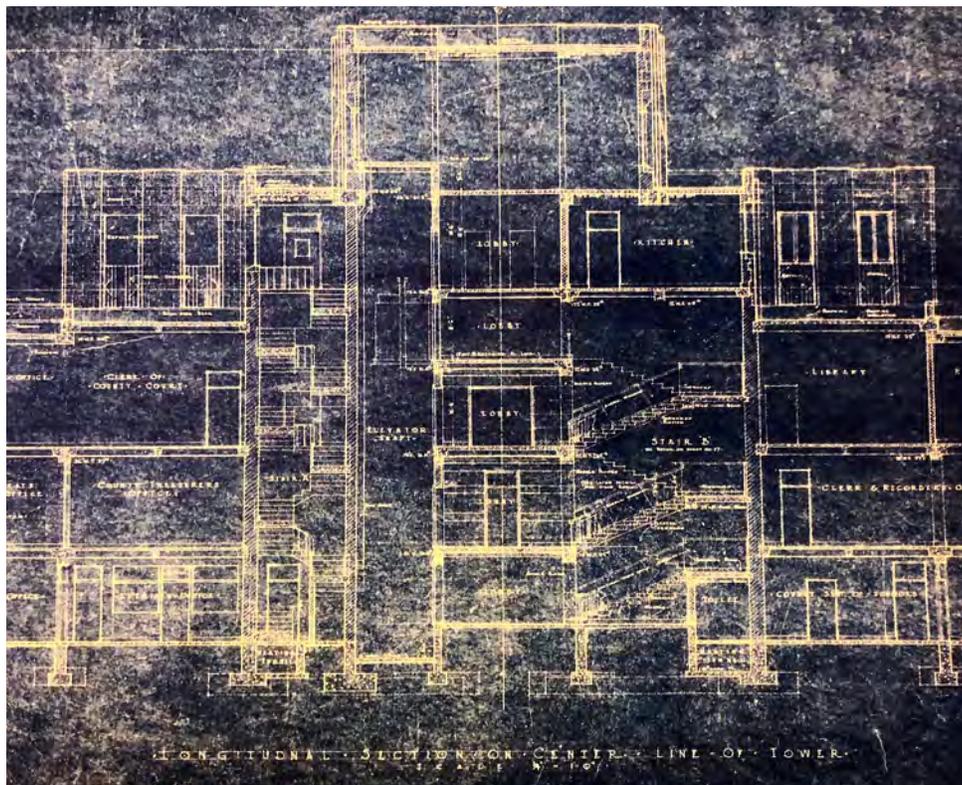
## Support the development of sustainable, multi-modal transportation systems that include non-single occupant vehicle transportation strategies

Boulder County supports transportation planning and funding with a strong multi-modal focus and investment in a regional transportation system that reduces reliance on fossil fuels. Examples include timely completion of a transit system that connects the entire Denver metropolitan region, development of multi-modal infrastructure through safe bikeways and walkways, managed HOV/transit lanes, transportation demand management, and other transit services and alternative modes programs that provide people with modal choice.

## Support increased funding for transportation, including funding for transit, bike and pedestrian infrastructure, and operations

Boulder County supports increased new and innovative funding for transportation improvements in Colorado. Specifically,

 Boulder County supports new funding streams that contain commitments to multi-modal and alternative modes of transportation, as long as these new funding streams do not supplant current Colorado Department of Transportation funding. While Proposition 110 failed at the ballot in 2018, the county supports the project list included in the measure. Boulder County believes that any new road capacity funding should be invested in managed lanes that place prioritization on maximizing the travel of people (not just vehicles), and that managed lane projects must provide equitable travel choices in order to ensure that lower-income residents benefit from the public investment in a toll road (low-income residents are more likely to use public transit and carpools, and much less likely to be regular users of toll roads). Boulder County continues to support the SB09-108 FASTER funding mechanism, as well as funding sources that are tied to transportation use, including vehicle miles traveled-based approaches. Lastly, Colorado's federal and state transportation funds are distributed through regional planning organizations, a process Boulder County strongly supports.



An original blueprint showing the internal structure of the Historic Courthouse

# MARIJUANA

*To ensure local authority to appropriately regulate marijuana uses and ensure effective public health education, treatment, and youth prevention programming.*

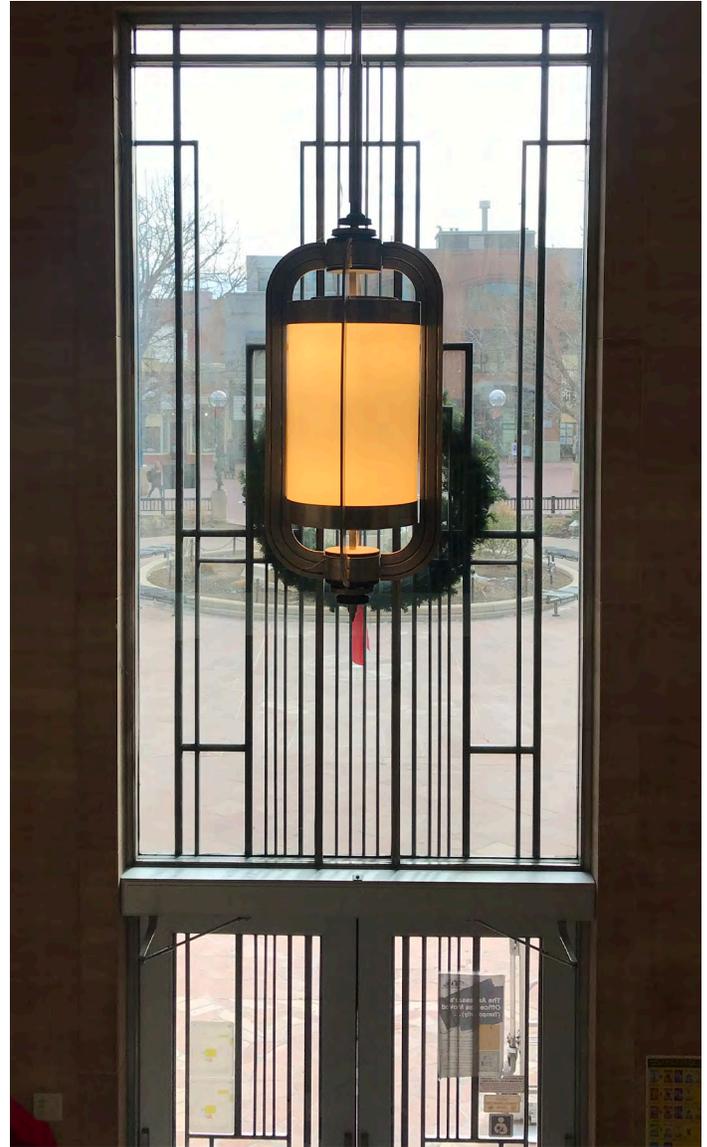
## LAND USE

### Support legislative and other approaches to facilitate information sharing between state and local authorities regarding caregiver cultivation operations

Colorado's local governments regularly receive complaints from residents regarding non-licensed marijuana cultivation operations, but have no knowledge of whether a large cultivation at a given address is an illegal cultivation or a legal caregiver cultivation. Current state statute requires cultivating caregivers to register the location of the cultivation with the State Medical Marijuana Licensing Authority. While the Authority is required by statute to verify the location of a primary caregiver cultivation operation when receiving an address-specific request from a local government or law enforcement agency, it has interpreted this statutory language to mean it is required to respond only to law enforcement agencies, and not zoning or other code enforcement officials. Further, the statute only requires verification of the location of a cultivation, not the size of the cultivation. Requiring the state to share with local government code enforcement officials the location of each cultivation operation and the number of plants allowed for that operation would allow local governments to more adequately investigate and respond to resident complaints in order to determine if a cultivation violates the local zoning code. For example, this information could be shared each time the state receives a registration for a caregiver cultivation. Boulder County supports legislative and other efforts to facilitate this kind of information sharing to benefit our communities.

### Support legislation to provide Colorado local governments with authority to license or ban marijuana consumption clubs, should such clubs be permitted by state law

Colorado's local governments currently have authority to allow or ban medical and retail marijuana businesses. While neither the Colorado Constitution or the state's Retail Marijuana Code speak to the concept of marijuana consumption clubs, generally defined as spaces where people can consume medical or retail marijuana onsite, the constitution does prohibit the consumption of marijuana "that is conducted openly and publicly," and the Colorado Clean Indoor Air Act prohibits smoking,



An original light fixture as seen from the second floor looking out the front doors

including the smoking of marijuana, in most indoor areas. The November 2016 passage of Initiative 300 in Denver, allowing for marijuana consumption clubs in the city under certain circumstances, has made issues regarding the legitimacy and regulation of consumption clubs more urgent. If consumption clubs are to be allowed in Colorado, local governments should be given the option to allow or ban these clubs and the ability to license them in a manner similar to establishments that serve alcohol or establishments that sell or produce marijuana, in order to provide for the safety and welfare of their residents.

## HEALTH & WELL-BEING

### Support funding and programming for recreational marijuana education, treatment, and youth use prevention

Marijuana legalization, approved by Colorado voters in 2012, has the potential to negatively impact certain residents in our communities, particularly youth, children, and those vulnerable to substance abuse and mental health disorders. Marijuana use can increase risk for stroke, mental health issues, risky behaviors, school failure, addiction, accidental poisoning, foodborne illness, and unintended injuries. The commercialization of marijuana facilitates easy access to the drug and a decrease in perceptions of harm related to its use. Boulder County continues to support the sharing of state marijuana sales tax revenues with those communities that allow the commercial sales of marijuana within their jurisdictions, both to support their regulatory and enforcement infrastructure and to promote a multi-faceted approach to prevention, early intervention, and treatment of marijuana use in order to reduce negative health and safety impacts.

### Support efforts to enact and maintain effective regulation of marijuana production, sale, promotion, and use

Six years' experience with legalized recreational marijuana in Colorado has demonstrated the benefits of thoughtful and cautious regulation. Research on the public health impacts of marijuana use points to concerns related to brain development through young adulthood, exacerbation of conditions for persons with mental illness or brain disorders, increased risk for stroke, and the impact on the fetus during pregnancy. The risk to the health of children is also of particular concern. A study published in 2016 in JAMA Pediatrics reports that the rate of marijuana exposure in children under 10 years old in Colorado, as measured through the calls to the regional poison center and visits to a children's hospital, increased significantly between 2009-2015, and at a higher rate than the rest of the United States. About 50 percent of exposures involved edible marijuana products, which frequently look like foods that are attractive to children. Boulder County supports continued efforts to address the potency and identification of edible marijuana products and how these products are marketed to the public, especially youth and children.

An additional issue of concern is creation of public venues for marijuana use, with potential exposure to

secondhand marijuana smoke in indoor and outdoor spaces, including for employees. Legal sanctioning of so-called marijuana 'consumption clubs' also reinforces the message that marijuana is an acceptable and even necessary part of socializing, which has important implications for youth marijuana use and reduced perception of harm. If Colorado moves toward allowing public marijuana use, Boulder County supports maintaining protections of the Colorado Clean Indoor Air Act, eliminating the opportunity for sharing marijuana with underage persons by enforcing age restrictions (21+) in all venues, allowing local ordinances to be more restrictive than state law, and creating clear and consistent enforcement mechanisms.



The Historic Courthouse in 1953 decorated for the holiday season

## OIL AND GAS

*To support expanded ability for Colorado local governments to regulate the oil and gas industry in concert with community needs and desires.*

### **Support legislation to affirm and expand the authority of Colorado counties and municipalities to regulate the land use activities of the oil and gas industry, and which clarifies that state land use regulations are minimum standards that local governments can strengthen as necessary to address local concerns and conditions**

There is a palpable tension along the Northern Front Range between communities like Boulder County – which does not want high intensity oil and gas development near homes and schools or impacting natural resources like our water, air and land – and the oil and gas industry which is regulated at the state level and does not have to comply with most local attempts at restricting their operations.



State statutes and case law have established that local governments in Colorado have express authority and jurisdiction to regulate land uses, including the land use aspects of oil and gas operations. Statutes such as the county zoning enabling statutes from 1939 and the Local Government Land Use Control Enabling Act of 1974 provide local governments with broad authority to regulate and plan for the use of land, and authorize Colorado counties to provide for the physical development of the unincorporated territories of the state.

Similarly, case law such as Board of County Commissioners, La Plata County, Colorado v. Bowen/Edwards Associates, Inc., (1992) has established that this authority is a legally protected interest that may not be infringed upon by any other governmental entity absent an express preemption right that is granted by the General Assembly. Equally as important, the Oil and Gas Conservation Act (OGCA), from which arises the Colorado Oil and Gas Conservation Commission's (COGCC) authority, does not expressly preempt county land use regulatory authority. Subsequent General Assembly-adopted amendments to the OGCA have been clear to state that the legislature had no intention to expressly or implicitly preempt county land use regulatory authority. Boulder County supports this well-established regime, which clearly affirms that the COGCC has not been delegated land use regulatory authority over oil and gas operations. Rather, through the OGCA, COGCC authority is directed to: Regulate the technical aspects of oil and gas development to protect the health, safety, and welfare of the general public; protect the health, safety, and welfare of any person at an oil or gas well; and prevent and mitigate adverse environmental impacts on air, water, soil, and other biological resources, including the environment and wildlife.

Drawing upon its own experiences in regulating the oil and gas industry and engaging with numerous efforts over the years to improve the COGCC's regulatory regime, Boulder County urges the General Assembly to adopt state legislation that achieves the following:

- Clarifies that Colorado counties and municipalities have express authority to regulate the land use activities of the oil and gas industry, including authority to impose setbacks greater than those required by the COGCC, and other measures such as noise or visual impact requirements designed to mitigate land use or surface impacts of oil and gas development;
- Permits Colorado counties and municipalities to take such actions as limiting oil and gas operations to certain zoning districts or prohibiting certain oil and gas activities from within their jurisdictional boundaries on health and safety grounds or standard land use criteria such as unreasonable impacts to nearby uses or other resources on the surface; and
- Makes clear that any COGCC regulation in the area of land use are minimum standards above which local governments can modify or strengthen as necessary to address local concerns and conditions.

### **Reform the Colorado Oil and Gas Conservation Commission to ensure the commission protects public health, public safety, and the environment**

The Oil and Gas Conservation Act mandates the Colorado Oil and Gas Conservation Commission, when regulating the oil and gas industry, to “Foster the responsible, balanced development, production, and utilization of the natural resources of oil and gas in the state of Colorado in a manner consistent with protection of public health, safety, and welfare, including protection of the environment and wildlife resources;” and “Protect the public and private interests against waste in the production and utilization of oil and gas.” (C.R.S 34-60-102) Changing the COGCC mandate



as spelled out in the OGCA and reforming various practices of the COGCC to increase both collaboration with Colorado’s local governments and accountability to the people of Colorado will help ensure that goals of the oil and gas industry are appropriately balanced with the values of Coloradans.

In pursuit of COGCC reform, the General Assembly should move to codify the March 2017 Colorado Court of Appeals decision in the *Martinez v. Colorado Oil and Gas Conservation Commission* case, as contemplated in HB18-1071, to ensure that the COGCC regulates state oil and gas operations in a manner consistent with the protection of public health, safety, and welfare, including the protection of the environment and wildlife resources. Boulder County will also support legislation that achieves the following:

- Amends C.R.S 34-60-102 to ensure that surface impacts are adequately protected even if this means oil and gas operators cannot recover 100 percent of the resource or if 100 percent recovery must be phased in order to minimize surface impacts;
- Amends C.R.S. 34-60-103 to include compliance with government regulation as an exception from the definition of waste, as proposed in House Bill 13-1269;
- Amends C.R.S. 34-60-106 to better balance the “cost effectiveness and technical feasibility” test in respect to the other goals of the OGCA;
- Changes the definition of “operational conflict” as interpreted by the courts so that operational conflict arises only when application of local or state regulations causes a permanent reduction in the quantity of all oil and gas ultimately recoverable from a pool under proper and prudent operation;
- Increases the people of Colorado’s trust in the work of the COGCC by reducing conflicts of interest for COGCC members, as proposed in House Bill 13-1269; and
- Increases COGCC oversight over the fracking process.

### Support legislation and other policy approaches to reduce the impacts of oil and gas development on Colorado’s land, air, and water

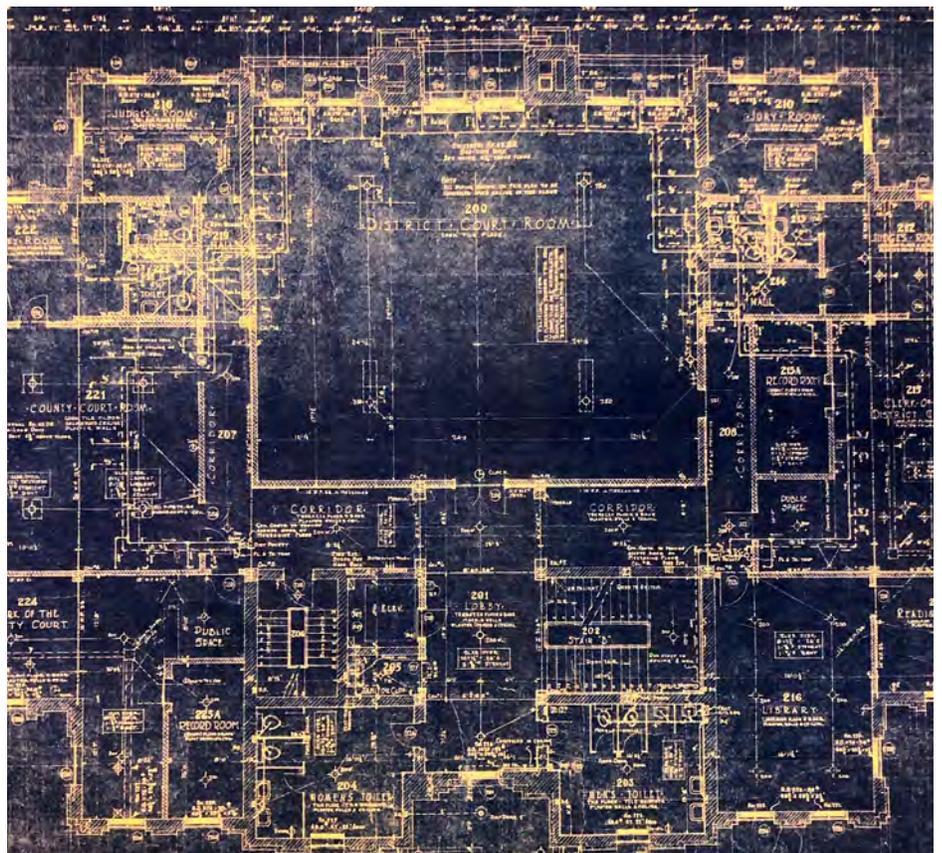
Boulder County is concerned about the continued expansion of oil and gas development across the resource-rich areas of

Colorado, including Boulder County, and the negative impact this development will have on our state’s land, air, and water.

The county has taken steps to address the potentially hazardous impacts of oil and gas development on the environment, and urges the State of Colorado to do the same in concert with its residents, local governments, industry, and other key stakeholders. Tighter oversight and regulatory approaches must be developed to limit to the degree possible the negative impacts of oil and gas activity, as seen through the lens of land, air, and water protection and mitigation of climate change.

### Support legislation and other policy approaches to reduce the public health and safety impacts of oil and gas development

While much attention is being paid to the increasing number of concerns raised in respect to hydraulic fracturing, “fracking”



Original blueprint from 1934 of the Historic Courthouse Hearing Room

is just one contributor to impacts that oil and gas industry activity has on the public health and safety of those living in Colorado. Impacts from fracking and other operations include air toxin and volatile organic compound emissions close to population centers; dust resulting from the use of silicates; and surface water and shallow groundwater contamination from abandoned or improperly lined ponds that hold brine and fracking water.

Boulder County supports legislative and other efforts to address these and other impacts using an approach that appropriately balances public health and regulation. We urge the General Assembly to start by codifying the March 2017 Colorado Court of Appeals decision in the now-famous Martinez case, and require the Colorado Oil and Gas Conservation Commission and state oil and gas regulators to first protect public health, safety and welfare when considering the development of the state's oil and gas resources.

### **Repeal and/or amend HB14-1371 to require property tax revenues from oil and gas production to be allocated proportionally to all local government taxing districts located within a drilling unit**

The development and utilization of horizontal drilling techniques has enabled oil and gas operators to drill across multiple jurisdictional boundaries from a single well pad. Horizontal drilling brings two specific kinds of impacts to jurisdictions that are adjacent to drilling operations: these jurisdictions have no formal ability to influence the COGCC review process of new drilling applications, and state law mandates that only those jurisdictions containing wellheads will be allocated production value for property tax purposes. This single allocation of property tax revenues from oil and gas production came about through HB14-1371, which became law absent the Governor's signature in 2014. Boulder County supports repeal or amendment of HB14-1371, to require oil and gas property tax revenue to be allocated proportionally to all local government taxing entities located within a drilling unit. Boulder County will also support General Assembly action on other issues that result from cross-jurisdictional drilling, including prohibiting drilling across jurisdictional boundaries without agreements with those jurisdictions, and providing standing at the COGCC for all local governments where cross-jurisdictional drilling is proposed.



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### **Revise Colorado's forced pooling regulations to better protect the interests of private and public mineral rights owners**

Known by a variety of terms, including compulsory drilling, mandatory pooling, and statutory pooling, forced pooling is a regulatory process overseen by the Colorado Oil and Gas Conservation Commission (COGCC), whereby some mineral rights owners can compel other mineral rights owners to involuntarily relinquish their rights if their refusal to voluntarily do so will prevent the development of an oil and gas resource. Said another way, the regulatory goal behind forced pooling is that a mineral interest owner who refuses to enter into a lease should not be permitted to prevent development of mineral interests owned by others.



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Forced pooling intersects with Boulder County priorities and values primarily in the realm of open space and land and natural resource conservation. For example, when the county purchases land in fee simple for open space purposes, the properties typically fall into one of three categories in respect to mineral rights: 1) The mineral rights have been severed from the property, and belong to another party; 2) The mineral rights are subject to an active lease, and the county purchase is contingent on meeting the conditions of the lease; or 3) The mineral rights are purchased along with the property. Mining, including oil and gas development, is prohibited on county-owned open space lands. Because forced pooling can result in the development of county-owned mineral rights, the process is in direct conflict with adopted county policy.

Boulder County supports the revision of Colorado's forced pooling regulations to better protect private and public mineral rights owners. In the public realm, the county will support such approaches as requiring 51% ownership and control of mineral rights before forced pooling is allowed; increasing the statutorily-defined royalty percentage as a tool to incentivize negotiation between industry and mineral rights owners; and prohibiting the forced pooling of publicly-owned or land trust-owned mineral rights.

### **Support increasing Colorado's severance taxes, reducing or eliminating industry exemptions, and pursuing other approaches to increase state revenues received from oil and gas development**

Severance taxes are taxes that states levy on minerals "severed," or removed, from the ground. Every major energy-

producing state, including Colorado, levies severance taxes to make up for the permanent loss of nonrenewable natural resources and to mitigate the impacts of energy and mineral development on local communities. By almost every measure – annual collections, annual collections as a percentage of total state tax collections, actual tax rates – Colorado’s severance tax regime lags those of other energy-producing states. In combination, Colorado’s low severance tax rate, stripper well exemption, and severance tax credit of 87.5% of ad valorem taxes both reduces the revenues available to the state and its local governments to address the impacts of oil and gas development and provides no opportunity to leverage this burgeoning – and ultimately finite – industry for the benefit of Colorado’s people and environment. Boulder County supports increasing Colorado’s severance tax rates and pursuing other policy approaches – for example, eliminating industry tax credits – to increase state tax revenues collected from oil and gas development, end taxpayer subsidization of oil and gas producers, ensure better mitigation of the industry’s near- and long-term impacts, and provide broader benefit to Colorado for the extraction of nonrenewable energy resources.

### **Support legislation to affirm and expand the authority of Colorado counties and municipalities to impose impact and other fees on oil and gas activities**

Local governments face numerous challenges in regulating the oil and gas industry in concert with the Colorado Oil and Gas Conservation Commission. Recent lawsuits against a number of Colorado local governments – including Boulder County communities Lafayette and Longmont – from both industry and the state of Colorado itself are prime examples of the need for General Assembly affirmation and expansion of county and municipal authority to regulate oil and gas activities, as necessary, to address local concerns and conditions. Local ability to impose an impact fee to address transportation infrastructure needs and impacts or a well inspection fee to ensure compliance with local regulations are but two examples where Colorado local governments need General Assembly assistance. Boulder County supports General Assembly action to both affirm and expand the authority of Colorado counties and municipalities to impose impact and other fees on oil and gas activities as part of their local regulatory efforts to ensure that oil and gas development within their jurisdictions is compatible with the needs and desires of their communities.

### **Support creation of a Scientific Advisory Committee to provide independent review of and advice regarding the technical bases for the regulations promulgated by the Colorado Oil and Gas Conservation Commission and Air Quality Control Commission**

In 1978, the U.S. Congress directed the Environmental Protection Agency (EPA) to establish a Science Advisory Board to provide independent, science-based advice to the EPA administrator. The Science Advisory Board is charged with reviewing the quality and relevance of scientific and technical information that is used by the EPA as the basis for agency regulations; reviewing EPA research programs and plans; providing science advice as requested by the administrator; and advising the agency on scientific matters in general. Similarly, the EPA’s Clean Air Scientific Advisory Committee, created through the Clean Air Act, provides independent, science-based advice on the technical bases for the National Ambient Air Quality Standards while also advising the EPA on air quality research, sources of pollution, and strategies to attain and maintain air quality. Boulder County supports the creation of a scientific advisory committee based on these models to provide independent, science-based review of the technical bases for the regulations promulgated by the Colorado Oil and Gas Conservation Commission (COGCC). Such a committee would provide COGCC with the capacity to review the ever-growing body of data and research regarding the impacts of oil and gas development in Colorado, for example in relation to public and environmental health, and assist the COGCC in developing regulations that best serve to protect Colorado’s people and its land.

## PUBLIC LANDS AND NATURAL RESOURCES

*To promote land conservation and preservation and outdoor opportunities for Coloradans.*

### **Improve soil health and productivity and sequester carbon from the atmosphere**

Research indicates that carbon sequestration through forestry, land management, and agricultural practices is a potentially powerful tool to absorb excess carbon from the atmosphere and help mitigate the effects of climate change. In addition to reducing heat-trapping emissions, carbon sequestration in soils is also shown to have many co-benefits, including improved soil health, improved crop yields, increased water retention, and restoration of native plant and animal species. Carbon sequestration practices include but are not limited to methods such as applying compost to rangeland and croplands, using slow-release fertilizers and nitrification inhibitors, planting cover crops, reducing tillage or growing crops without tillage, planting trees and shrubs as windbreaks on cropland, and applying biochar to reclaim and restore land and boost soil fertility. Boulder County supports applicable practices and state funding that increase carbon sequestration and improve overall soil health and productivity.

### **Support legislation and funding that promotes forest restoration and wildfire mitigation, including the use of prescribed fire, in the wildland urban interface**

Wildfire mitigation measures modify the forest environment surrounding a structure that is at risk from destruction by a wildfire, while forest health efforts improve the conditions of Colorado's forests to restore ecosystems to a healthier state. Together, these efforts have the benefit of minimizing the destructive effects of wildfire on Colorado's communities, land, and environment. Activities such as developing and maintaining defensible space and a safe home ignition zone around homes, forest thinning, and prescribed fire are common and proven tools for reducing wildfire risk. Local governments have access to an array of tools to reduce the risk of wildfire by considering the amount and type of development that occurs in areas at risk for wildfire and establishing requirements for wildfire mitigation measures for any development within these areas. Boulder County supports the expansion of wildfire mitigation and forest restoration efforts across Colorado's forests.

### **Support the preservation and development of tools that the state, local governments, and others use to conserve and protect Colorado's land and natural resources**

Colorado's environment defines its quality of life and economy. Recognizing this, the state and its local government partners have developed an array of public policy and programmatic initiatives designed to preserve and protect Colorado's land and natural resources; examples include the Conservation Easement Tax Credit and Great Outdoors Colorado. Boulder County will continue to utilize these tools to protect our local environment and will advocate for their continuation and expansion to ensure the preservation of the environment and quality of life that Coloradans have grown to expect.



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### **Oppose legislation and other efforts to transfer Colorado's federal public lands to state or private ownership**

Boulder County supports the protection of Colorado's federal public lands including national parks, wildlife refuges, forests, historic sites, and wilderness areas, and will oppose legislation that attempts to authorize state control of these lands. Public lands provide economic, environmental, ecological, recreational, and health benefits to the state and local communities. Over the years, numerous polls have consistently shown that Coloradans appreciate and support the opportunities these benefits provide, and that a large majority of Coloradans believe that federal public lands should continue to be owned and managed by the federal government. Research consistently shows that public lands serve as economic drivers for local communities by increasing tourism, income and employment opportunities, and land and home values. Colorado's outdoor recreation economy alone contributes more than \$13 billion annually to the state's economy, supports over 120,000 jobs across Colorado, and generates nearly \$500 million in annual state tax revenue. Additionally, western states, including Colorado, woefully lack the resources to manage the millions of acres of federal public lands located within their borders. The transfer of these lands to state control raises legitimate concerns that the land will be sold to private interests or the natural resources exploited to pay for firefighting and other management costs. Finally, existing case law and constitutional interpretation strongly suggest that states have no constitutional authority to force federal land transfers. Theories based on state enabling acts do not circumvent the fact that the U.S. Constitution's Property Clause and Supremacy Clause make state legislation intending to force federal land transfers unconstitutional. For all these reasons, Boulder County will strongly

oppose state legislation or other efforts to transfer Colorado's federal public lands to state ownership.

### **Support legislation that promotes the efficient utilization and conservation of water**

Colorado's lakes, rivers and streams, and water delivery systems provide clean drinking water for our cities and towns and are critical to supporting the state economy, fish and wildlife populations, and our way of life. Within this context, state and local government water policy must result in water supply and management decisions that are environmentally and economically sustainable in order to conserve, protect, and restore Colorado's rivers. Boulder County staff participated directly in the two-year long effort to draft Colorado's Water Plan, the state's first comprehensive water plan. The inclusion of conservation, land use, and watershed health metrics in the plan will move the state toward sustainable water resource management practices and create public policy incentives to achieve greater conservation and more efficient use of Colorado's water supply. State legislation and other policy approaches will be important tools in this effort.

### **Support resolution to conflicts between the federal endangered species act and state water law**

Currently, the federal Endangered Species Act (ESA) prohibits certain modifications to endangered species habitat. Designed to protect and enhance the quality of habitat for federally listed species, these restrictions describe the specific kinds of activities allowable within habitat areas. Meanwhile, state water law establishes maintenance standards for ditches and stream corridors, including the removal of vegetation for enabling stream flows. At times, these state maintenance standards come into conflict with the federal ESA restrictions. Boulder County supports bringing resolution to these conflicting requirements.

### **Increase state capacity and resources to respond to invasive insects**

Invasive insects such as the emerald ash borer (EAB) and the Japanese beetle threaten landscapes, agriculture, and native plants in Colorado. In September 2013 the EAB was discovered within the City of Boulder, marking the western-most infestation of the federally quarantined EAB, and the first in Colorado. Since that time, the EAB has spread throughout Boulder County and beyond, and is now placing the estimated 1.45 million ash trees within the Denver metro area at risk. Like EAB, the Japanese beetle is an invasive pest, introduced into the eastern United States more than 100 years ago and which has subsequently made its way west. Japanese beetle adults are voracious feeders and cause significant damage to over 300 different plant species found in Colorado. The Colorado Nursery Act prohibits the sale of plants containing Japanese beetle adults or larvae, and for the past nine years, the Colorado Department of Agriculture has focused its Japanese beetle prevention efforts on external quarantine and monitoring nursery stock imported into the state, leading to the first internal quarantine of a Japanese beetle infested area within the state of Colorado in 2017. State and local jurisdictions as well as private industry and the public must work together to prevent the potential movement of this insect from the Denver metro area to other uninfested areas of the state.

Consequently, local governments, the State Department of Agriculture, and U.S. Department of Agriculture must work collaboratively to address the impacts and slow or stop the spread of these pests. For example, management of pests requires significant financial investments from institutions and individuals trying to save trees or remove and replace them. Boulder County has been working with a coalition of local agencies to respond to the EAB through public education, homeowner awareness, and agency planning for tree removal and replacement, and also collaborates in responding to the Japanese beetle. However, the state has limited resources to assist local governments in managing invasive insects. Boulder County supports continued and increased state resources and collaboration to slow or stop the spread of invasive insects in Colorado.

### **Promote broad access to public lands to develop a strong stewardship and conservation ethic**

Colorado's natural environment depends upon the next generation of residents and visitors to sustain and promote the health of local, state, and federal public lands. Boulder County supports programs and efforts that foster stewardship and long-term support for our public lands, such as youth corps programs, programs to get children, seniors and multicultural populations outdoors, and efforts to link urban areas to parks and public lands. Boulder County supports initiatives, and funding for those initiatives, aimed at establishing outdoor experiences and an appreciation for our public lands among our diverse populations.

### **Support state efforts to establish and complete regional trail systems that link communities and connect visitors to important landmarks and amenities**

In 2015 the Colorado Governor's Office initiated an effort through the Department of Natural Resources to work in

conjunction with Great Outdoors Colorado, the Colorado Department of Local Affairs, the Colorado Department of Transportation, local governments, non-profits, and foundations to identify funding, ownership, access, and other obstacles to the completion of regional trails throughout Colorado. In Boulder County, regional trails link communities and local and federal public lands to provide transportation and access to outdoor amenities and active outdoor recreation. In many areas gaps exist in regional trails due to funding constraints, varying land ownership, access issues, and other obstacles. Examples include the St. Vrain Trail which would connect Lyons and Longmont, and trail connections from Boulder to Lyons; both trail corridors include incomplete segments requiring additional funding, land and easement acquisition, and other resources for completion. Boulder County supports statewide efforts to assist with the completion of regional trail systems that have been identified and supported by communities through local planning processes.

### **Support regulations and legislation that enable production of industrial hemp, including a definition of industrial hemp that protects the industry**

Colorado has been on the leading edge of regulating the hemp industry. Boulder County supports regulations and legislation that enable the industry and the state to remain competitive and continue to be industry leaders. Efforts should ensure the hemp industry – including farming on public lands – has the flexibility to efficiently cultivate, harvest, produce, and market hemp products, always while continuing to protect public and environmental health. Hemp is a cannabis plant with a tetrahydrocannabinol (THC) level of no more 0.3 percent, so there are no physical effects from using hemp products. However, hemp can be used in approximately 25,000 products, including biofuels, health and beauty products, clothing, construction materials, health foods, and more. Amendment X in 2018 took the definition of industrial hemp out of the Colorado Constitution, directing that industrial hemp shall be defined by the Colorado General Assembly or to align with the federal level. As the U.S. Congress negotiates details of the Farm Bill, there is possibility that a bill will include language that legalizes hemp nationwide and alters the THC limit. Boulder County supports the industrial hemp industry's ability to operate in Colorado and compete nationally and internationally.

### **Support ongoing funding for the Colorado State Forest Service to assist private landowners in improving forest conditions and reducing wildfire risk**

The Colorado State Forest Service (CSFS) helps treat thousands of acres of forested lands across Colorado, educates landowners and homeowners about forest stewardship and wildfire mitigation, and partners with federal and local entities on forest restoration and resiliency efforts – all with the goal of achieving healthy and resilient forests in Colorado. For local governments, CSFS is a critical partner in helping residents of forested lands better understand their role in the forest health and wildfire challenges we face, and regional field offices and staff provide local governments with technical assistance and support with regard to local forest-related challenges. Funding for the CSFS comes from the state and federal government, through various sources, including state severance tax funds. With reductions in these funds, the CSFS will face significant program and staff cuts, which will reduce the capacity of the organization to continue to facilitate forest health efforts at the local level. Boulder County supports ongoing funding for the CSFS to support wildfire mitigation efforts and community engagement around forest health and wildfire issues.

## STATE FISCAL AND GOVERNANCE

*To improve the fiscal position of the state to sustain services to Coloradans today and into the future.*

### Support legislation to remove PERA Local Government Division employee members from the contribution rate increase that was included in SB18-200

As one of the largest members of the Colorado Public Employees' Retirement Association (PERA) Local Government Division (LGD), Boulder County played an important role in shaping and supporting SB18-200, adopted by the General Assembly and signed into law by Governor Hickenlooper on June 4, 2018. SB200 brought much-needed reforms to PERA to stabilize PERA's funds for the long-term and reduce the Association's accrued liability.

Boulder County's support for SB200 was predicated on the idea that the legislation had to treat the Local Government Division equitably: As the best-funded of PERA's five divisions, changes to PERA's funding streams should not place undue burdens on the LGD's employee or employer members. LGD members secured a commitment from legislative leadership to honor this approach, but in the final, eleventh-hour negotiations on the bill, a contribution rate increase for LGD employee members was included in the bill, set to begin on July 1, 2019. Boulder County and other LGD members believe the inclusion of the rate increase in SB200 was accidental, and will ask the General Assembly to remove the increase during the 2019 legislative session, before it is implemented.

### Support efforts to bring fiscal stability to the state of Colorado

The state and its counties are intertwined in many significant ways when it comes to the delivery of services to Colorado residents. As a result, Boulder County will continue to engage with any substantive effort to evaluate and address the ongoing structural and budgetary challenges that negatively impact the fiscal stability and sustainability of the State of Colorado, and by extension, its local government partners. Such an effort should: Reform the Taxpayer Bill of Rights to at minimum eliminate the ratchet effect and lift the revenue and spending limits included in it; amend the Gallagher Amendment to address the ongoing reduction in the state's Residential Assessment Rate and the complex interaction between residential and commercial property taxes; explore creative solutions such as local government revenue sharing and service taxes; repeal or modify the three-percent TABOR reserve requirement; and conduct a periodic review and assessment of Colorado's tax credits and exemptions to ensure that these benefits create public value.

### Support local and state policy and legal action to protect net neutrality and fair access to information

From 2015 to December 2017 federal net neutrality regulations ensured individual and equal access to information on the internet in the United States. Net neutrality regulation ensured that each consumer of internet services could receive the same information. Due to the December 14, 2017 rollback of this federal regulation, broadband companies may now charge certain users more than others and block or slow access to some websites while favoring others. This change in access to the internet could significantly impact businesses, government, education, schools, researchers, health service providers and hospitals, social media, and e-commerce. In addition, local governments provide a host of services and information to their residents and visitors, and must have high-speed secure connections for sensitive data being transmitted from clerks, treasurers, assessors, election personnel, and other officials. In some areas, local governments provide internet access to their residents. Any increased cost to maintain the service speeds or reduced access to services would ultimately be borne by taxpayers. Boulder County supports local and state policy and legal action to protect net neutrality and ensure equitable access to information for all Colorado residents.



Metal decorative plates found on the exterior of the Historic Courthouse surrounding the windows

NOTES:

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