2026 CCI Proposals

Public Works & Development

Proposal 1: Amend HB24-1007 to implement Residential Occupancy Limits

Name: Bryan Weimer
Title: Director, Public Works & Development

1. **Issue/Problem to be addressed (What is the problem this legislation is seeking to solve?)**

   Currently, recovery residences in single-family homes may have any number of residents. Since many of these programs collect money for each resident, operators may be motivated to allow more residents than would occupy a typical home. Other group living situations may try to argue that their residents are simply roommates and should be treated like a single-family residence. Example of a home with 20 residents:
   Big home in Grand Junction tests new affordable housing law

2. **Background on this Issue/Problem (How did this come to be? Why are you seeking a legislative remedy?)**

   The legislature created the issue with two bills in 2024. HB24-1007 prohibits local jurisdictions from limiting the number of unrelated people who can share a single residence. SB24-048 requires local jurisdictions to treat substance abuse recovery residences as a residential use. Combined, this means recovery residences can have any number of residents.

3. **Proposed Solution/Legislative Remedy to this issue.**

   Locally, under HB24-1007, we could adopt residential occupancy limits using the International Property Maintenance Code. The legislative remedy is to amend the language in HB24-1007 to limit unrelated residents by number of bedrooms (two per bedroom, for example). Per the article, Sen. Janice Rich has asked the legislature's legal department to advise whether the 20 resident house is allowed under the bill and if so, she plans to introduce a measure to change the law.

4. **Have you explored a non-legislative solution to this problem?**

   No.

5. **Statutory Citation to be modified AND proposed/revised language (The Colorado Revised Statute is available for free at https://leg.colorado.gov/laws, by selecting "Colorado Revised Statutes").**

29-20-111(3) A LOCAL GOVERNMENT SHALL NOT LIMIT THE NUMBER OF PEOPLE WHO MAY LIVE TOGETHER IN A SINGLE DWELLING BASED ON FAMILIAL RELATIONSHIP. LOCAL GOVERNMENTS RETAIN THE AUTHORITY TO IMPLEMENT RESIDENTIAL OCCUPANCY LIMITS BASED ONLY ON:

Add a section allowing restrictions on group home occupancy numbers such as mentally ill CRS 27-10-107(7), developmentally disabled CRS 30-28-115(2)(a), elderly/memory care 30-28-115(2)(b), or transitional housing for people released from jail/prison/psychiatric care. All of this would have to be considered through the lens of the Fair Housing Act and possibly ADA.

6. **Relationship of this issue to the County Commissioner's roles and/or authorities.**

   Clarifies rules around "residential," which is part of our zoning.

7. **List any potential stakeholders, proponents/opponents & their perspectives; indicate any groups/individuals with whom you have already discussed this issue.**

   For-profit and non-profit organizations providing those services. No discussions yet.

8. **Have you visited with your legislator(s) about this proposal? If so, whom? What was their reaction? *Note: If you HAVE NOT discussed previously that is fine; DO NOT proactively engage at this point*.**

   No.

9. **What is your staff's capacity and resource commitment to run, track, and actively engage on this bill proposal.**

   Available. This will be less work than HB24-1313 was.

10. **If your department/office is submitting multiple proposals, please rank them in order of importance, i.e. this is priority 1 of 3, etc.**

11. **How does the issue you intend to address impact or adjust county authority?**

    Recovers a little authority taken by the state with HB24-1007.

12. **Does your proposal align with the county's legislative principles and priorities? If so, which ones? (Listed**

here https://files.arapahoeco.gov/Board%20of%20County%20Commissioners/2025_BOCC_Legislative_Handbook_FNL.pdf)

Increase accessibility to housing, which is included in all focus areas.

13. **Does your proposal align with the county's strategic plan? Please describe the alignment.**

    Maintain and improve affordable housing initiatives, including housing preservation and homeownership support. This initiative preserves housing for rental or ownership.

14. **Has the County Attorney's Office weighed in on this proposal?**

    There was not enough bandwidth from the attorney to look at this proposal before the submittal deadline.

15. **Which other county departments/offices have been engaged in drafting this proposal or which ones could be impacted?**

    None.

16. **What is the estimated fiscal impact the proposal would have on the county? In your analysis please provide:**
    a. **An estimate of the first year and recurring costs or savings over the next 4 fiscal years.**
    b. **An estimate of the additional number of personnel required to implement the proposed bill.**
    c. **Comments, criticisms, analyses of benefits and shortcomings, or special considerations that will assist the BOCC in reaching a decision.**

    No cost.

Proposal 2: Transportation Network Buildout Reimbursement

Name: Bryan Weimer
Title: Director, Public Works & Development

1. **Issue/Problem to be addressed (What is the problem this legislation is seeking to solve?)**

   The build out of the transportation network is dependent on the development of parcels adjacent to roads. When development of specific parcels is different from the timing of the road needing to be improved, a financial burden is placed on the county that is not funded for which leave the road unimproved or gaps in improvements.

2. **Background on this Issue/Problem (How did this come to be? Why are you seeking a legislative remedy?)**

   The current CRS does not allow the County to seek reimbursement from developers when a road is improved. The County has a policy that development should pay their own way. The land development codes requires parcels to make frontage improvements when developed. If the needed improvements occur prior to the development occurring, the County cannot force reimbursement with a previously executed agreement and therefore, The County subsidizes the development by making such improvements. If the improvements are not made, then there is an impact to the traveling public, at times for years if not decades.

   Currently, the County and the adjacent land owner have to sign an agreement agreeing to reimbursing the County for improvements made along the frontage of the undeveloped property when the property develops and/or other conditions are met (set timeframe, annexation, etc.). Without such an agreement the County has to make a decisions of building the improvements without reimbursement or not building the improvement affecting the traveling public.

3. **Proposed Solution/Legislative Remedy to this issue.**

   Create a CRS that allows the local government to be reimbursed for public transportation improvements if constructed along undeveloped property (ex completing a gap). These improvements would be no more than what is required of the development per the land development code of the jurisdiction (ie ½ width improvements, 2 lanes, curb/gutter/sidewalk, etc.). The cost would be relative to the time of construction but could also allow for interest to be added based on a certain measure. The land owner would only be required to pay when the parcel is developed. Counties would need to protect themselves from annexations to ensure repayment.

4. **Have you explored a non-legislative solution to this problem?**

   The County uses development reimbursement agreements to do this currently. However, not every parcel is at development level status that would make this desirable for the owner. Since it is a mutually agreed to agreement, many times property owners do not agree, which either delays critical projects or forces County to invest in improvements, which by extension leaves the future development without having to build the improvements.

5. **Statutory Citation to be modified AND proposed/revised language (The Colorado Revised Statute is available for free at https://leg.colorado.gov/laws, by selecting "Colorado Revised Statutes").**

   Not sure, More research is needed.

6. **Relationship of this issue to the County Commissioner's roles and/or authorities.**

   The BOCC plays a role in budgeting and providing transportation improvements. They also approve developments and adopt Land Development Codes. Therefore, there is a link to having development pay their own way, which is the County's goal. Many times the need for the improvement is in advance of the timing of development of a particular parcel.

7. **List any potential stakeholders, proponents/opponents & their perspectives; indicate any groups/individuals with whom you have already discussed this issue.**

   Local governments would likely be supportive of the legislation. Developers and some property owners may not be a supportive stakeholder as it would commit them to future cost reimbursement of which they would have this cost anyway.

8. **Have you visited with your legislator(s) about this proposal? If so, whom? What was their reaction? *Note: If you HAVE NOT discussed previously that is fine; DO NOT proactively engage at this point*.**

   No

9. **What is your staff's capacity and resource commitment to run, track, and actively engage on this bill proposal.**

   PWD Staff would be available and be committed to actively engage.

10. If your department/office is submitting multiple proposals, please rank them in order of importance, i.e. this is priority 1 of 3, etc.

11. How does the issue you intend to address impact or adjust county authority?

It would allow the County to impose the requirement to reimburse costs of improvements when a property is developed. The obligation to improve frontage already exists as part of development and this legislation would address the timing of improvements and alignment with the need of the improvement.

12. Does your proposal align with the county's legislative principles and priorities? If so, which ones? (Listed here https://files.arapahoeco.gov/Board%20of%20County%20Commissioners/2025_BOCC_Legislative_Handbook_FNL.pdf)

COLLABORATION AND PARTNERSHIP
LOCAL CONTROL AND FLEXIBILITY
The legislation ties directly to the efficient and safe movement of goods and people by providing the improvement at the time in which it is needed irrespective of the development timing. That promotes economic growth and mobility be in many cases linking housing to jobs. From a fiscal responsibility perspective, it allows the County to make necessary expenditures and being able to be repaid.

13. Does your proposal align with the county's strategic plan? Please describe the alignment.

Under Sustainable Development this legislation would link transportation to economic development by providing infrastructure in a timely manner when needed. It prioritizes capital projects. It enhances job access and depending on the roadway it enhances the efficient use of transit by improved safety and decreased congestion. That also is environmentally sustainable because vehicle hours of travel are reducing GHG over time.

14. Has the County Attorney's Office weighed in on this proposal?

Yes, and any feedback has been incorporated or addressed.
No, the County Attorney's Office has not reviewed this proposal.

There was not enough bandwidth from the attorney to look at this proposal before the submittal deadline.

15. Which other county departments/offices have been engaged in drafting this proposal or which ones could be impacted?

Only Public Works and Development would be impacted initially. If it would become legislation, then IT would be involved with the modifications in Accela to track such reimbursement commitments

16. **What is the estimated fiscal impact the proposal would have on the county? In your analysis please provide:**
    a. **An estimate of the first year and recurring costs or savings over the next 4 fiscal years.**
    b. **An estimate of the additional number of personnel required to implement the proposed bill.**
    c. **Comments, criticisms, analyses of benefits and shortcomings, or special considerations that will assist the BOCC in reaching a decision.**

Varies**.** Depending on the year and the size of project but could range from hundred of thousands to millions in reimbursement being provided to the County. Example would be the Gun Club South Project, which is estimated at $5M. There would not be a need to add personnel to implement the legislation if adopted. Criticism would likely be that it imposes on the property rights.

Proposal 3: Establishment of a Road Maintenance Fund

Name: Bryan Weimer
Title: Director, Public Works & Development

1. **Issue/Problem to be addressed (What is the problem this legislation is seeking to solve?)**

   Roadway maintenance funding is a challenge for many communities with the overall condition of their roadway network deteriorating. This legislation would give counties another funding mechanism tool to be considered to solve the problem of roadway maintenance funding and deteriorating roadway conditions. Therefore, developing a recurring, sustainable, dedicated alternative revenue source tool to focus on street maintenance would be the problem to be addressed.

   For Arapahoe County, it is apparent with the passage of 1A that it is not adequate to fund the deferred needs of the County that have occurred over decades. The infrastructure asset maintenance needs and deferred maintenance would require a significant portion if not all the revenue generated from 1A. Therefore, pursuing various revenue sources will be needed as the condition of the infrastructure assets continues to decline and current funding sources are unsustainable to address the condition of our infrastructure to meet desired performance metrics.

2. **Background on this Issue/Problem (How did this come to be? Why are you seeking a legislative remedy?)**

   Historically, funding has not kept pace with inflation, and there is a substantial increase in labor and material costs. Even with the passage of 1A and the needs and other priorities within the County, funding would not be enough to sustain the demands to bring the County's infrastructure assets to the target condition levels. The County's current roadway condition is 40% poor or very poor condition, which means we are not meeting our goal of 85% Excellent, Good, Fair condition roadways and falling short of that goal. Therefore, this issue is a need for sustainable funding to maintain the County's aging and deteriorating infrastructure.

   A roadway maintenance fee (RMF) is an annual fee paid to a governmental entity by property users or owners within a local jurisdiction to fund the operations and maintenance costs of transportation facilities, primarily roads. Residents and businesses are charged a fee based on their use of the transportation system rather than being charged taxes based on the value of the property that they occupy. Because the use of the transportation system is not metered like electricity or water, the amount that is charged for a RMF is based on estimates of the number of trips generated by different land uses (e.g., single family residence, multi-family residence, school, gas station, shopping center). Those estimates are typically informed by trip-generation rates prepared by the Institute of Transportation Engineers.

RMFs may also be referred to as: transportation maintenance fees, street maintenance fees, road or street user fees, pavement maintenance utility fees, transportation utility fees, street restoration and maintenance fees, or street utility fees.

This is not a transportation impact fee. Transportation impact fees, another value capture technique authorized under State and local law, are one-time payments to cover the cost of **new infrastructure** (including roads and streets) that is needed as a result of new real estate development. Impact fees can **only cover capital costs** and cannot cover maintenance. In contrast, RMFs are used to pay for the ongoing costs of maintenance of that infrastructure and are typically charged on a monthly or yearly basis. Therefore, impact fees vs RMFs are different and used for different purposes and should not be confused as being the same. RMFs are user fees of the infrastructure no different than a fee for using electricity or water.

Another challenge facing counties are statutes related to Road and Bridge (R&B) Mill Levy and the requirement to share revenue collected via the mill levy with cities. As such, R&B funds are only able to realize 50% of revenue collected or is a 2 for 1 reduction to the overall allowed mill levy for the County (every mill levy dollar allocated to R&B fund 50 cents have to go to cities). This statute inherently hamstrings the use of property taxes to fund roadway maintenance and improvements because of the impact on general funds and other mill levy within a County.

Unless the overall amount of funding through HUTF funds is provided, modifications to HUTF funding allocation is not the answer as all entities would like to see a change in distribution meaning there will be many hands in a finite pot of funds. In addition, it generally is better for an entity to rely on themselves on sources of funding rather than some other entity such as the state and in this case HUTF, again distributed among many.

3. **Proposed Solution/Legislative Remedy to this issue.**

   The legislation would be permissive and not mandatory but would allow counties to have the same ability to implement an RMF as cities are allowed. It is not a mandated piece of legislation if passed but a tool to consider for funding roadway maintenance.

4. **Have you explored a non-legislative solution to this problem?**

The County was successful in passing initiative 1A in 2024. However, it is apparent that it is not sufficient enough to meet County needs and priorities. Even with the increase in revenue from 1A it is readily apparent that the County is on an unsustainable path of deteriorating infrastructure, which means either additional funding will be needed, or policy changes are needed. Such items as limiting what infrastructure that is accepted for maintenance, no longer providing certain maintenance services within neighborhoods (ie no longer performing roadway maintenance within subdivisions and they will need to fund such themselves or only providing certain maintenance, such as pothole repair but no overlays). These and other policy issues are what will need to be discussed moving forward.

CCI "Tabled 2" this proposal last year in an effort to explore funding and HUTF modifications, but to my knowledge nothing has come out of that effort to date.

5. **Statutory Citation to be modified AND proposed/revised language (The Colorado Revised Statute is available for free at https://leg.colorado.gov/laws, by selecting "Colorado Revised Statutes").**

   I believe Title 42 or 43 would be where the legislation could be included. In particular where SB21 -260 is located in which the state-imposed fees on various purposes and activities (Section 43-4-217), could be where this fee might exist.

6. **Relationship of this issue to the County Commissioner's roles and/or authorities.**

   County Commissioners have broad responsibilities for managing county government, including roadway maintenance and funding. Their role is both legislative and executive.

   The Board has an oversight of County Roads and Bridges and are responsible for ensuring that county roads and bridges are maintained, repaired, and improved. This includes both paved and unpaved roads that fall under county jurisdiction (not state highways or municipal streets). They approve priorities for maintenance, reconstruction, snow removal, dust control, and safety improvements.

   Commissioners set and approve the annual county budget, including the Road and Bridge Fund and its mill levy, which finances county roadway maintenance work. They furthermore allocate funding for that maintenance work.

   Commissioners can adopt ordinances and regulations that affect road use, such as:
   - Weight restrictions on rural roads
   - Access permits
   - Road impact fees for developers (in certain counties)

- They also decide whether to vacate or abandon public roads.

  Commissioners also coordinate and advocate for transportation and work closely with:
- Public works departments and County engineers
- Regional and state transportation agencies (e.g., CDOT, MPOs)
- Residents, landowners, and developers regarding road needs
- Advocate for regional road funding at the state and federal level. The ability to implement an RMF would allow for another funding source to accomplish the roles and responsibilities described above.

7. **List any potential stakeholders, proponents/opponents & their perspectives; indicate any groups/individuals with whom you have already discussed this issue.**

   Opponents would certainly be those that believe a fee is a tax and ideology opposed to such concepts and believe that anything placed on properties should be voted upon. In addition, there would likely be opponents that ultimate could have to pay the fee if it would be implemented. Under certain circumstances the current Colorado governor has opposed the implementation of fees, as well as some legislators.

8. **Have you visited with your legislator(s) about this proposal? If so, whom? What was their reaction? *Note: If you HAVE NOT discussed previously that is fine; DO NOT proactively engage at this point.***

   No

9. **What is your staff's capacity and resource commitment to run, track, and actively engage on this bill proposal.**

   Because of the importance of this issue to the mission of PWD, I would actively be involved with the bill as I was with HB24-1266.

10. **If your department/office is submitting multiple proposals, please rank them in order of importance, i.e. this is priority 1 of 3, etc.**

11. **How does the issue you intend to address impact or adjust county authority?**

    The legislation would be permissive if the Commissioners chose to implement an RMF. It would directly address the need for infrastructure funding and provide a dedicated funding source for a portion of the maintenance of portion ot the

County's assets (possibly just local and collector roadways having a direct linkage to use by properties using them) that would not have to compete with other needs and priorities within the County. The legislation would give counties and their commissioners the authority to implement if wanted to, where statutes does not allow for that authority currently.

12. **Does your proposal align with the county's legislative principles and priorities? If so, which ones? (Listed here https://files.arapahoeco.gov/Board%20of%20County%20Commissioners/2025_BOCC_Legislative_Handbook_FNL.pdf)**

    The legislation ties directly to Good Governance by responding to resident and community needs and desires to have well maintained roadways (1A initiative polling). It also plans for future services and fiscal needs. It increases revenue opportunities and ties directly with Sustainable development. It has been shown that good roadways that are safe, efficient, and easily traveled by all modes have a direct impact on economic mobility. Overall this legislation would be responsive to being able to provide the services constituents want and deserve.

    Under the Transportation and Infrastructure portion of the County's Legislative Principles the following statement is made:

    > *The County also supports opportunities for counties to design their own transportation finance mechanisms to respond to local and regional transportation needs.*

    This funding mechanism legislative proposal is in direct alignment with this statement. Furthermore, the legislation has a direct link to the Increase Revenue Strategic Focus Area for the County's Strategic Plan, as it would be another funding source.

13. **Does your proposal align with the county's strategic plan? Please describe the alignment.**

    With Good Governance, see above.

    Under Economic Resilience and Stability fiscal sustainability is highlighted which this legislation could provide and if chosen as a tool to provide sustainable dedicated funding for infrastructure maintenance. It would provide stable funding as well. As an extension, good roads are essential in the promotion of economic growth and investments in the community.

    The bill ties directly to sustainable growth and infrastructure by prioritizing community infrastructure and ensuring it is resilient and long lasting which is directly related to its overall condition. This focus area specifically speaks to deferred maintenance which this legislation would allow for a dedicated funding source to address that need.

14. **Has the County Attorney's Office weighed in on this proposal?**

    Yes, and any feedback has been incorporated or addressed.

    The concept was presented to the County Attorney Office last year. This year there was not enough bandwidth from the attorney to look at before the submittal deadline.

15. **Which other county departments/offices have been engaged in drafting this proposal or which ones could be impacted?**

    Because of a submittal last year, the Commissioner Admin Staff and Legislative Team has been made aware of the proposal. As this is not a mandated piece of legislation other Departments or offices have not been involved. However, if made into law and chosen by a county to pursue, a billing /collection mechanism would need to be put into place on collection and distribution of the fee and that coordination would occur at that time. We would need to coordinate on the billing process which could be associated with property tax collection similar to the SEMSWA fee.

16. **What is the estimated fiscal impact the proposal would have on the county? In your analysis please provide:**
    a. **An estimate of the first year and recurring costs or savings over the next 4 fiscal years.**
    b. **An estimate of the additional number of personnel required to implement the proposed bill.**
    c. **Comments, criticisms, analyses of benefits and shortcomings, or special considerations that will assist the BOCC in reaching a decision.**

    This legislation is not a mandate to implement but a funding tool to implement if chosen.

    Initially a study would be needed to establish the fee rates for various land use types. We estimate that it would be roughly $200-$300K. From there we can establish a defensible fee to be adopted by the BOCC by resolution, similar to impact fees. We would have to establish the parameters that the fee would be applied to, how quickly we would want to address deferred maintenance (ie over 3 or 5-year period) along with ongoing funding. The fee would be established to cover that need.

For entities that have implemented they have generated millions of additional dollars per year. Below is an **example of fees** that have been charge in other communities. The actual fee amount would be based on 1) how much revenue you are trying to generate and fund, scope of what the fee would cover, and the inventory of the various property classifications you are allocating the fee to. Furthermore, the fee establishment for each land use category would need to have a rational nexus for the charge to tie a benefit to their payment (use of the roadway network)

- $1.25/Unit/month – Residential - $15/yr
- $18.07/acre/month – Institutional - $216.84/yr
- $13.92/acre/month – Industrial - $167.04/yr
- $139.24/acre month – High Traffic Retail – $1670.88/yr
- $54.71/acre month – Retail - $565.52/yr
- $18.07/acre month – Commercial - $216.84/yr

Treasurer’s Office

Proposal 1: Protections Against Jr. Lienor Unfair Auction Practices

Name: Michael Westerberg
Title: County Treasurer

1. **Issue/Problem to be addressed (What is the problem this legislation is seeking to solve?)**

   Potential bidders at Public Trustee foreclosure auctions are using the Jr. Lienor redemption rules to keep the auction price of foreclosed and auctioned properties artificially lower than they otherwise should be, which leaves original homeowner with less money in their pocket after losing their home.

2. **Background on this Issue/Problem (How did this come to be? Why are you seeking a legislative remedy?)**

   (1) This could be a way for the County / Cities / State to have a reliable and consistent form of affordable housing and save the County money by keeping more people who would have otherwise lost their home in a foreclosure in their home, and;
   (2) One of our normal bidders noted they were frustrated by other potential bidders using this scheme and beating the complaining bidder out of purchasing rights to Jr. liens. We started to look into how this scheme was taking place; looked into remedies that we have in the PT's Office; consulted our attorney upstairs--Tiffanie--; but couldn't find an easy way to solve the problem of these bidders driving down the final auction price of foreclosed homes.

3. **Proposed Solution/Legislative Remedy to this issue.**

   Change very specific statutes of Title 38 (can have exact language for you within the week) of the Colorado Revised Statutes to not allow anyone with Jr. lienor rights to redeem any foreclosed property after the auction. There could then be either an exception to this rule, or a new section that only allows the State, County, or Cities to redeem the property after a foreclosure auction.

4. **Have you explored a non-legislative solution to this problem?**

   We looked at trying to call this scheme "bid-rigging" which is (1) illegal and can be prosecuted by the DA's Office; and (2) we have remedies for banning bidders that engage in bid rigging, etc. However, this part of the statute is pretty clearly not meant to be used this way, but it is also a stretch, at best, to call this behavior bid rigging. The only remedy left to stop this behavior is legislative change.

5. **Statutory Citation to be modified AND proposed/revised language (The Colorado Revised Statute is available for free at [this link,](#) by selecting "Colorado Revised Statutes").**

   I am still combing through Title 38 to find all the sections that interact with redeeming properties after an auction foreclosure sale. However, I intend to have them by the end of this week.

6. **Relationship of this issue to the County Commissioner's roles and/or authorities.**

   People that lose their homes to foreclosure sales often walk away with cash in their pockets as overbid funds. These funds help these people pay their bills, rent a place to live, etc. The fewer funds these people walk away from a foreclosure sale with, the more likely they are to end up on County services. This is likely hard to track and quantify, and is only a fairly recent problem, but I can guarantee this problem either will or already is costing the County more money through services provided by Community Resources and Human Services.

7. **List any potential stakeholders, proponents/opponents & their perspectives; indicate any groups/individuals with whom you have already discussed this issue.**

   Opponents are everyone of the bidders that are driving down the auction price by buying jr. lienor rights. We generally have 8 to 10 normal companies that bid on our foreclosed properties but new ones pop up from time to time. However, this may be an issue these companies are too embarrassed to admit they are taking part in and would not oppose any solution.

   Every PT's Office in every County would likely like the result because the post-auction process would become simpler. It is impossible to say whether or not the CCTPTA (Colorado County Treasurer's and Public Trustee's Association) will oppose this solution or not. There are about 8 to 10 Democrats that represent 50 to60% of CO's population and the other 55 or so are Republicans. This group often favors businesses to a fault, so they may stay out of this officially, even if it's good for people. You are all no strangers to this weirdness with CCI as a whole.

8. **Have you visited with your legislator(s) about this proposal? If so, whom? What was their reaction? *Note: If you HAVE NOT discussed previously that is fine; DO NOT proactively engage at this point.***

I have noted this idea to nearly all of our Arapahoe County legislators (Senators and House Reps) and am in the process of scheduling drinks, coffee's, etc. with them over the summer months to discuss the idea further. This is a reasonably complicated problem, and I have learned from my initial brief discussions that it will take some education to get everyone's head wrapped around this problem.

9. **What is your staff's capacity and resource commitment to run, track, and actively engage on this bill proposal.**

   Megan Quintana (my PT Chief Deputy) and I are willing to chat with whomever needs it, testify at the Capital, etc. as needed to get this legislation passed. Beyond that, there is likely a lack of complete understanding of the issue with every other staff member in the County, so there isn't anyone else to rely on.

10. **If your department/office is submitting multiple proposals, please rank them in order of importance.**

    1

11. **How does the issue you intend to address impact or adjust county authority?**

    If done correctly, this could open up the County to another avenue to purchase, hold, sell, maintain, etc. affordable housing.

12. **Does your proposal align with the county's legislative principles and priorities? If so which ones?**

    Local Control and Flexibility -- affordable housing that is completely controllable by the County; Revenue Predictability -- potential for additional revenue streams and potential to save money or use money elsewhere in Human Services; Human Services -- keep former homeowners out of our Human Services list of resources spent; Housing, Homelessness, and Public Health -- if we can put more money back into people's pockets after a foreclosure and / or keep them in their home for longer than they would have been otherwise, that improves all three categories just mentioned in people's lives.

13. **Does your proposal align with the county's strategic plan? Please describe the alignment.**

    Good Governance - planning for future expenses by keeping former homeowners out of the Human Services que.
    Increase Revenue - potential for renting back homes to people; selling former acquired properties; etc.

Sustainable Development - keeping more homes out of the hands of corporations who's only desire is to flip it and usually rent it.
Housing - keeping people in their homes or giving them more money to not be destitute after losing their home.

14. **Has the County Attorney's Office weighed in on this proposal?**

No, the County Attorney's Office has not reviewed this proposal.

15. **Which other county departments/offices have been engaged in drafting this proposal or which ones could be impacted?**

Public Trustee's Office and Treasurer's Office. Depending on down the road -- community resources / human services may need to set up additional department to handle acquiring, maintaining, selling, etc. residential properties.

16. **What is the estimated fiscal impact the proposal would have on the county? In your analysis please provide:**
    a) **An estimate of the first year and recurring costs or savings over the next 4 fiscal years.**
    b) **An estimate of the additional number of personnel required to implement the proposed bill.**
    c) **Comments, criticisms, analyses of benefits and shortcomings, or special considerations that will assist the BOCC in reaching a decision.**

Immediate savings in staff time in the Public Trustee's Office b/c post-sale procedure would be easier. No cost forever, potentially. If desired to use this method to obtain affordable housing this could cost the County as much as the Commissioners are willing to spend on residential properties in the foreclosure process.

Proposal 2: Elected Official Salary Changes

Name: Michael Westerberg
Title: County Treasurer

1. **Issue/Problem to be addressed (What is the problem this legislation is seeking to solve?)**

   Statute being used in a way that is not the intended purpose, and statute is inconsistent with itself. Weirdness between elected officials can be created based on when one was elected versus another--the most recently elected will always make more money than those who are not up for election for another two years. Finally, Finance staff has to pay attention to each elected officials salaries and make sure they get paid exactly the statutory amount every year, no matter when pay periods fall naturally. This adds room for mistakes, and generally just one more thing for them to do that should be simpler.

2. **Background on this Issue/Problem (How did this come to be? Why are you seeking a legislative remedy?)**

   It has struck me as dumb how a statute that recognizes inflation is a thing that salaries should be adjusted for that factor also does not allow adjustment of those salaries every time the inflation calculation is prescribed. This statute notes an elected official's salary cannot be raised or lowered during their term, but by not adjusting for inflation every two years and recognizing at the same time inflation is a thing, the statute is doing just that--lowering four-year termed elected officials salaries because their dollars paid are less valuable even through the amount is the same.

3. **Proposed Solution/Legislative Remedy to this issue.**

   Change C.R.S. §30-2-102(3)(e) to allow another exception, besides (3)(f), in subsection (3)(g) to except the inflation adjustment under (2.3)(b) from that section not allowing raising or lowering of salaries for elected officials until their next election is won.

   Also allow the actual amount received by said elected official to vary by 1/26th of the annual salary if received within 14 calendar days of the beginning of the following calendar year.

4. **Have you explored a non-legislative solution to this problem?**

   Elected official salary is dictated by state statute. There is no other remedy possible as far as I can see.

5. **Statutory Citation to be modified AND proposed/revised language (The Colorado Revised Statute is available for free at this link, by selecting “Colorado Revised Statutes”).**

   Change C.R.S. §30-2-102(3)(e) to allow another exception, besides (3)(f), in subsection (3)(g) to except the inflation adjustment under (2.3)(b) from that section not allowing raising or lowering of salaries for elected officials until their next election is won.

   Also allow the actual amount received by said elected official to vary by 1/26th of the annual salary if received within 14 calendar days of the beginning of the following calendar year.

6. **Relationship of this issue to the County Commissioner’s roles and/or authorities.**

   It's partly their salaries that would be affected by this change, so it's their connection to each other--so they are making the same amount of money for the same work, and their connection to the budget.

7. **List any potential stakeholders, proponents/opponents & their perspectives; indicate any groups/individuals with whom you have already discussed this issue.**

   All elected officials should be for this. However, there will obviously be some consternation about what it looks like to raise your own salary, so to speak. However, that can and should be easily accounted for by talking about "cutting red tape" and freeing up staff time to work on other things. It's also the perfect time for us to bring this up because most Arapahoe County electeds are running again in 2026 and would not benefit until then anyway because that is when the next CPI inflation calculation is scheduled by the State.

8. **Have you visited with your legislator(s) about this proposal? If so, whom? What was their reaction? *Note: If you HAVE NOT discussed previously that is fine; DO NOT proactively engage at this point*.**

   I have discussed this idea with Rep Hamrick, and she noted it made a lot of sense. She did not give any indication on whether or not she would support it.

9. **What is your staff’s capacity and resource commitment to run, track, and actively engage on this bill proposal.**

Staff should likely not be involved, other than maybe finance staff to chat about their time spent tracking the different salaries among electeds and the odd yearend extra paycheck. However, I am available to testify, make phone calls, etc. to legislators during session or before.

10. **If your department/office is submitting multiple proposals, please rank them in order of importance.**

    2

11. **How does the issue you intend to address impact or adjust county authority?**

    N/A

12. **Does your proposal align with the county's legislative principles and priorities? If so which ones?**

    Revenue Predictability -- having each group of elected make the same money and follow the CPI inflation numbers every two years, which can be predicted ahead of time, allows for easier predictability of overall salary expenses.

13. **Does your proposal align with the county's strategic plan? Please describe the alignment.**

    Good Governance - Provide for transparency by not having some electeds making more money than others for the same job; and using staff time the wisest way possible, so as to provide for better mandated services.

14. **Has the County Attorney's Office weighed in on this proposal?**

    No, the County Attorney's Office has not reviewed this proposal.

15. **Which other county departments/offices have been engaged in drafting this proposal or which ones could be impacted?**

    None; just myself. All elected positions / offices would be effected in the County.

16. **What is the estimated fiscal impact the proposal would have on the county? In your analysis please provide:**
    a. **An estimate of the first year and recurring costs or savings over the next 4 fiscal years.**
    b. **An estimate of the additional number of personnel required to implement the proposed bill.**

c. **Comments, criticisms, analyses of benefits and shortcomings, or special considerations that will assist the BOCC in reaching a decision.**

Fiscal impact would be minimal but would result in elected's salaries being adjusted up with inflation more often, so two years of salary inflation for up to 7electeds would not be saved by the County in the salary calculation. This could be partially or completely offset by saved staff time in Finance.

Board of County Commissioners

Proposal 1: Protection for Elected Officials from Political Violence

Name:
Title:

1. **Issue/Problem to be addressed (What is the problem this legislation is seeking to solve?)**

   Providing protections for elected officials against acts of political violence and holding those who commit acts of political violence accountable.

2. **Background on this Issue/Problem (How did this come to be? Why are you seeking a legislative remedy?)**

   Threats and violent acts against public/elected officials are on the rise. A review conducted last year by the Combatting Terrorism Center (CTC) at West Point reveals that in the past decade the number of threats to public officials is increasing. According to federal charges data used by the CTC, between 2013-2016 there were an average of 38 charges for threats to public officials per year. Between 2017-2022 that average almost doubled to 62 per year. The increase in threats to public officials pales in comparison to some of the more severe acts of political violence that have happened in just the last 5 years; including the January 6th insurrection, and the murder of Minnesota state Representative Melissa Hortman and her husband, and attempted murder of state Senator John Hoffman and his wife. Additionally, threats and political violence jeopardize the security and functionality of our democracy. The Brennan Center for Justice found that of those surveyed, 20 percent and 40 percent of state and local officeholders respectively were less willing to work on controversial topics due to abuse. While Colorado has laws in place protecting election officials from violent acts, it may be time to pass legislation that puts in place safeguards for elected officials and deters politically motivated threats and violent acts.

3. **Proposed Solution/Legislative Remedy to this issue.**

   Limit public access to lawmakers' and their families personal data including home addresses, personal phone numbers, and email addresses; and make it unlawful to physically, verbally, or otherwise abuse legislators.

4. **Have you explored a non-legislative solution to this problem?**

   No. However, in Colorado elected officials can legally have their personal information redacted from certain public records. In the wake of the Minnesota lawmaker assassinations, Colorado Secretary of State temporarily shut down TRACER, Colorado's campaign finance database, to better ensure the safety of legislators. Since then, between 40-55 Colorado officials have submitted requests to have their personal information removed from the state database before it's turned back on.

5. **Statutory Citation to be modified AND proposed/revised language (The Colorado Revised Statute is available for free at this link, by selecting "Colorado Revised Statutes").**

   To make the personal information not accessible to the public:
   C.R.S §§ 24-72-202(6)(b) - Amendment: (b) "Public records" does not include: (I - XVIII), add (XVIIII): "Personal data including home address, personal telephone number, personal email address for elected officials. However, an elected official may choose to have the enumerated personal data be subject to CORA and available for public access."

   To hold offenders accountable:
   C.R.S § 1-13-701 - Amendment: add new section that states: "It is unlawful for any person to coerce, intimidate, threaten, assault, kidnap, or murder an elected official or their immediate family members with the intent to impede, intimidate, retaliate against them for performing their official duties."

   *Members of boards of county commissioners and other elections-aligned county officials are already included in the group of protected election officials who cannot be threatened, coerced, or intimidated with intent to interfere with or retaliate against for performing their official duties (HB22-1273).

6. **Relationship of this issue to the County Commissioner's roles and/or authorities.**

   This issue relates to the health and safety of the current and future County Commissioners, as well as all other state and local elected officials.

7. **List any potential stakeholders, proponents/opponents & their perspectives; indicate any groups/individuals with whom you have already discussed this issue.**

   We haven't had the opportunity to discuss this with potential stakeholders, proponents, or opponents yet.

8. **Have you visited with your legislator(s) about this proposal? If so, whom? What was their reaction? *Note: If you HAVE NOT discussed previously that is fine; DO NOT proactively engage at this point.***

No. However, given the unpopularity of political violence, it could be an initiative that garners bipartisan support. Moreover, multiple Denver Metro articles written in the wake of the Minnesota political assassinations quote prominent lawmakers voicing their support for legislation that protects legislators next session.

9. **What is your staff's capacity and resource commitment to run, track, and actively engage on this bill proposal.**

   Should the Commissioners choose to pursue this proposal, we will work with our partners to actively engage on this bill proposal.

10. **If your department/office is submitting multiple proposals, please rank them in order of importance.**

    1

11. **How does the issue you intend to address impact or adjust county authority?**

    It doesn't directly impact county authority.

12. **Does your proposal align with the county's legislative principles and priorities? If so which ones?**

    Yes. This proposal aligns with the county's commitment to justice and public safety.

13. **Does your proposal align with the county's strategic plan? Please describe the alignment.**

    Yes. This proposal aligns with the county's Safe and Healthy Communities strategic focus.

14. **Has the County Attorney's Office weighed in on this proposal?**

    Yes, and any feedback has been incorporated or addressed.

15. **Which other county departments/offices have been engaged in drafting this proposal or which ones could be impacted?**

    None.

16. **What is the estimated fiscal impact the proposal would have on the county? In your analysis please provide:**

a. **An estimate of the first year and recurring costs or savings over the next 4 fiscal years.**
b. **An estimate of the additional number of personnel required to implement the proposed bill.**
c. **Comments, criticisms, analyses of benefits and shortcomings, or special considerations that will assist the BOCC in reaching a decision.**

Based on HB22-1273 that made threatening an election official a misdemeanor, there could be an increased workload for the Judicial Department and local governments but the fiscal note on the bill didn't identify any financial impact.