

**RESOLUTION NO. 2831**

**A RESOLUTION OF THE GOLDEN CITY COUNCIL APPROVING A 2022 ANNUAL LEGISLATIVE POLICY STATEMENT**

WHEREAS, the City of Golden is a member of policy and advocacy organizations such as the National League of Cities and the Colorado Municipal League, which take and advocate policy positions on matters that affect the City; and

WHEREAS, the City Council recognizes that membership in or participation in and with such organizations does not always equate to agreement with the organizations' positions on matters of policy; and

WHEREAS, the City Council annually appoints persons to serve as liaisons and representatives to act on behalf of the City as members of boards, commissions, and committees created by organizations other than the City such as the Denver Regional Council of Governments and Colorado Communities for Climate Action; and

WHEREAS, the City of Golden may be positively and negatively impacted by legislative and administrative actions of the federal government, the government of the state of Colorado, other regional and local governments, and some non-governmental entities; and

WHEREAS, the elected and appointed officials of the City, the City's staff, and appointed liaisons and representatives of the City of Golden are at times asked to express the City's position or local policy on certain matters of federal, state, or local legislative or administrative concern; and

WHEREAS, it is in the City's interest that the City Council annually consider and reconsider the legislative positions of the City with regard to key or critical issues that may affect the City and to make such positions known in an effort to guide and direct those individuals who represent the City.

THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GOLDEN, COLORADO:

Section 1. The City Council hereby approves the 2022 Legislative Policy Statement and Process policy that concerns the activities of the Council Legislative Subcommittee, City Council, and City staff as it pertains to legislative advocacy a copy of which is attached hereto and incorporated herein as Exhibit A.

Section 2. City Council hereby approves the amendment to its Rules and Procedures as reflected in Exhibit B, which is attached hereto and incorporated herein.

Section 3. This resolution shall become effective upon its adoption.

Adopted this 14<sup>th</sup> day of December, 2021.

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Laura M. Weinberg  
Mayor

ATTEST:

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Monica S. Mendoza, CMC  
City Clerk

APPROVED AS TO FORM:

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Kathie Guckenberger  
City Attorney

I, Monica S Mendoza, City Clerk of the City of Golden, Colorado, do hereby certify that the foregoing is a true copy of a certain Resolution adopted by the City Council of the City of Golden, Colorado at a regular business meeting thereof held on the 14<sup>th</sup> day of December 2021.

ATTEST: \_\_\_\_\_

Monica S Mendoza, City Clerk

## EXHIBIT A

### **Advocacy/Legislative Subcommittee Process**

This document is the process for deciding when to provide City Council support on legislation/legislative efforts. This does not apply to individual City Councilors providing their individual support.

#### Goals:

- Clear understanding of how advocacy/legislation asks of City Council are decided.
- Ensure we meet our Legislative Policy document or if outside of policy, meets our Strategic Plan and Golden Vision 2030 values in decisions.
- Remain nonpartisan.
- Create time and space for deliberate discussion knowing quick decisions are sometimes needed.

Groups with appointees: An appointee is defined as a member of Council that has been appointed to represent the Council in an outside group or organization. The appointee is given the ability to make decisions on behalf of Golden, thinking about what is best for Golden and the surrounding area overall. If they are unsure about a decision, they can email it to the advocacy/legislative subcommittee.

Groups without appointees: Any asks without an appointee can be emailed to the advocacy/legislative subcommittee.

#### How urgency affects decisions points:

- Urgent: Decisions made by subcommittee; anything controversial has final say by Mayor
- Non-urgent: Decisions made by subcommittee; anything controversial has final say by Council at regular meeting

#### Advocacy/Legislative Subcommittee Process

- Asks are emailed to the subcommittee
- Subcommittee has a conference call meeting to discuss ask in relation to Strategic Plan and Golden Vision 2030 decision matrix
- Subcommittee considers positions and analysis completed by City Staff, local government/professional associations, and the Colorado Municipal League when determining the City's advocacy positions.
- Anything that fits within the Strategic Plan and matrix is approved by the subcommittee and they notify Council and the person asking at the next Council Meeting.
- Anything not approved by the subcommittee is denied and they notify Council and the person asking at the next Council Meeting
- Anything that is controversial is taken to Mayor if urgent, or taken to City Council for discussion if not urgent

### **Individual Advocacy and Personal Views**

These procedures do not limit elected officials' federal and state Constitutional rights and the ability to express personal opinions on legislative affairs. When expressing personal opinions, elected officials must communicate that the personal opinion is not issued in an official capacity or on behalf of the City of Golden or the City Council.

### **Legislative Policy Statement Review Procedures**

Council will consider, as needed, adopting comprehensive revisions to the Policy Statement once a year, typically no later than October. The Legislative Subcommittee will meet in January (after new council members have had the opportunity to be appointed to the committee) to determine whether further revisions are necessary. Council will then consider such additional changes soon after the Colorado General Assembly has convened.

Following the conclusion of a legislative session of the Colorado General Assembly, members of the Legislative Subcommittee and City staff will provide a summary of the advocacy actions completed during the session.

### **Statements on Ballot Measures Procedures**

The City Council, pursuant to the Colorado Fair Campaign Practices Act, may adopt a resolution or take a position of advocacy on Statewide ballot issues, local ballot issues, or referred measures.

The Legislative subcommittee may propose the adoption of a resolution stating a formal position on the proposed ballot issue or measure if that position is consistent with the Legislative Policy Statement. The resolution proposal will be made during the New Business section of a regular City Council meeting. If a majority of City Council votes to move forward with the resolution of support or opposition, a resolution will be drafted by staff for a vote at the following regular City Council meeting. The resolution taking a position of advocacy must be passed by a super-majority vote (consisting of five Council members) of City Council to pass.

**Affordable Housing**

The City strives to be an inclusive and affordable so that a diverse community can thrive in Golden. Therefore, the City will:

- Support:
  - Increasing local government’s ability to promote affordable housing initiatives, including using public-private partnerships.
  - Thoughtful approval of multiunit housing, particularly those units that provide access to multimodal and public transportation.
  - State laws that enable local governments to acquire or dedicate land for the development of affordable housing.
  - Additional protections for mobile homeowners and opportunities to address mobile home park livability issues in pursuance of the Mobile Home Park Act.
- Oppose:
  - Regulations that limit local government’s ability to promote affordable housing efforts within their jurisdictions.

**Economic Development**

The City of Golden has a diversified and well-developed economic base comprising retail, professional services, and industrial uses. Downtown Golden continues to be a healthy and thriving commercial area complete with locally run businesses. Positive economic conditions in Golden attract and grow businesses and jobs, create wealth, and expand the City’s tax base. Therefore, the City will:

- Support:
  - The diversification and expansion of local economies, including support for existing businesses, creation of new jobs, and the promotion of tourism.
  - Funding for statewide programs to promote Colorado as a business location.
  - Protections for Colorado’s Urban Renewal Laws.
  - Funding for improvements towards businesses’ expansion of premises.
  - Funding for cultural venues as they enhance the economic vitality of local communities.
- Oppose:
  - Limitations on local governments’ and urban renewal authorities’ ability to utilize financing methods for urban renewal projects.

**Environment**

The City of Golden understands the importance of providing stewardship through the preservation of and reducing its impact on the natural environment. The City of Golden has

established numerous sustainability goals aimed at reducing the reliance on fossil fuels, reducing the amount of waste generated, and protecting the water supply. Therefore, the City will:

- Support:
  - Addressing the harmful impacts of climate change curbing statewide greenhouse gas emissions through reduced energy consumption, increased use of clean energy, and transitioning away from fossil fuels.
  - Legislation that incentivizes green building and sustainable design for residential, commercial, and industrial properties, without the use of unfunded mandates.
  - Federal and state financial aid programs assisting water providers with the construction and improvement of water systems to protect water quality and to comply with federal and state mandates.
  - Programs and policies that improve air quality and the expansion of air quality monitoring programs.
  - Incentives and funding for programs that promote waste reduction, reuse and recycling, and development of related infrastructure.

## **Equity**

The City of Golden is committed to creating an inclusive and equitable community. Inclusiveness means that all people can be engaged in the decision-making process as the City considers policies and our shared future. Equitable means that the outcomes of the City's inclusive processes aim to create conditions where all people, especially historically marginalized groups, have full and equal access to opportunities and resources necessary to thrive in the community. The City of Golden will:

- Support:
  - Policies and efforts that promote inclusivity and accessibility to the municipal decision-making process.
  - Legislation the aims to reduce the barriers to accessing opportunities for human services, education, and business development.
  - Efforts to encourage all citizens to: vote, volunteer for boards and commissions, and to run for office.
- Oppose:
  - Legislation that limits participation in public processes, including voting and participation in municipal meetings.

## **Intergovernmental Cooperation**

The City of Golden acknowledges that many public challenges require collaboration within City departments, partner agencies, organizations within the local community, regionally, and state-wide. The City will:

- Support:

- Acts that promote and support the maintenance of public trails, open space systems and public land acquisition
- Funding for early childhood and K-12 education.;
- Cooperation between communities regarding affordable living solutions.
- Accessible and affordable childcare.
- Adequate funding for public transportation districts and regional transportation planning organizations

## **Government**

The City's administrative services provide support to ensure high-quality government services. This includes information technology service, human resources, records management, and general government administration. Efficient and effective administrative services ensures that tax dollars are being used to provide the services necessary and expected by the residents of Golden. Therefore, the City will:

- Support:
  - Maintaining local government controls on employment issues, including compensation and benefits.
  - Opportunities to conduct accessible and open meetings that enable the broader public to participate in the policy decision making process, and funding to expand meeting broadcasts.
  - Reasonable efforts to advance governmental transparency and open records.
  - Cooperation between local, state, and federal entities and the development of cooperative intergovernmental agreements that enable the City to meet its goals.
- Oppose:
  - Legislation that erodes or limits the City's home rule authority to conduct business.
  - Unfunded mandates for requirements on local governments to provide employee benefits.

## **Home Rule**

The City of Golden recognizes that in many cases, local problems are best addressed at the local level. It is the position of the City of Golden that the current authority and powers of municipal government such as regulating land use, zoning, personnel matters, sales tax, etc. should not be diminished. The City will:

- Support:
  - Maintaining the existing taxation and fee authority of home rule municipalities.
  - The need for state and federal officials to respect local control and allow municipal officials to address local problems without interference from the state and federal government.
  - Legislation, referendums, and initiatives that modifies TABOR's impact on local government financial stability and flexibility.

- Oppose:
  - Legislation that mandates state or federal intercession in matters of local concern and which unnecessarily or adversely affects the City's ability to manage through its home rule authority.

## **Marijuana and Hemp**

Upon the passing of ballot measure 2021-2a and 2b, and in conjunction with Colorado Constitutional Amendment 64, the City of Golden will permit the sale and consumption of marijuana and marijuana products for both medical and recreational uses. The City seeks the safe, responsible, and regulated sale and consumption of these products. Therefore, the City will:

- Support:
  - Measures that allow local control over the location of marijuana dispensaries in the community.
  - The collection of excise tax on marijuana sales by local governments.
  - Funding for substance abuse related public resources.

## **Municipal Development and Land Use**

The City of Golden desires to be in control of the way the Golden built environment is developed. The Comprehensive Plan adopted in 2017 provides guidance for development in accordance with the vision and values of the Golden community. Therefore, the City will:

- Support:
  - Responsible growth management while reflecting and enhancing Golden's historic and small-town character.
  - Policies that improve the coordination of land use and transportation planning, as well as regional cooperation in planning and development activities.
  - Municipal control over imposing development fees and requirements.
  - Local government's authority over development review and inspection standards.
- Oppose:
  - Restrictions on local government's ability to govern residential growth.
  - Mandates to require specific elements in comprehensive plans.

## **Parks & Recreation**

The City of Golden recognizes the priority of maintaining and expanding natural and open spaces. Parks and open space provide tangible benefits to residents through activity and meeting spaces. The City of Golden will work through the Golden Parks and Recreation Master Plan to preserve and enhance its 253 acres of parks, 24 miles of trails, and 402 acres of open space. Therefore, the City will:

- Support:
  - Preservation of open spaces for recreational uses and as wildlife habitats.

- Efforts to have parks in “easy” walking distance of all areas within cities.
- Funding for municipalities to acquire additional properties for the purposes of maintaining open spaces, as well as incentives for private landowners to voluntarily engage in land conservation.
- Protections for Clear Creek and its banks, as well as all-natural waterways in Colorado.

## **Public Health**

The City of Golden recognizes the importance of public health, including the social determinants of health, and the impacts that public health policies have on the community. The City of Golden has the goal of being an active and healthy city for all members of its community. Therefore, the City will:

- Support:
  - Funding measures for Golden area non-profits that provide human supportive services.
  - Means of local control and regulation of the consumption of marijuana and nicotine products, including cigarettes and vapes.
  - Funding for efforts to assist law enforcement with focusing on their mission by providing additional City resources including personnel to respond to health-related emergency calls and calls not requiring the presence of a sworn officer, including the co-responder program and additional crisis management trainings.

## **Public Safety**

The City of Golden supports efforts to keep Golden as a safe community. The City supports law enforcement and municipal court policies and practices that promote the feeling of public safety throughout Golden. The City supports the safety and wellbeing of all residents regardless of race, age, ethnicity, gender/gender identity, or national origin. Therefore, the City will:

- Support:
  - State funding for municipalities to provide legal counsel at an initial appearance in municipal court.
  - Funding for equipment and data management related to officer body-worn cameras.
  - Funding for efforts to assist law enforcement with focusing on their mission by providing additional City resources including personnel to respond to health-related emergency calls and calls not requiring the presence of a sworn officer including the co-responder program and additional crisis management trainings. Funding from the State to cover the costs of out-of-area emergency responses, particularly along state highways, interstates, and through Clear Creek Canyon.
- Oppose:
  - Unfunded mandates for additional equipment related to law enforcement or fire rescue operations.

## **Seniors Support**

The City of Golden strives to be a community that is accessible to aging adults and individuals

who may need support to live healthy, independent lives. Therefore, the City will:

- Support:
  - Funding for programs that provide services to older adults, individuals with disabilities, veterans, and their caregivers, and especially those services that support independent living.
  - Increases in the quality of care and consumer protections for older adults and their caregivers. Strengthening the role of the long-term care ombudsman and PACE (Program of All-inclusive Care for the Elderly) ombudsman as resident and consumer advocates.
  - Available, affordable, and accessible housing and food for older adults and individuals with disabilities, so that these individuals can “age in place” and remain a part of the larger community.
  - Access and adequate funding for providing transportation services for the elderly and individuals with disabilities.

### **State and Federal Mandates**

Mandates that are imposed onto local governments, especially unfunded mandates, can shift resources away from local priorities and needs. Any mandate imposed upon the City should be funded entirely by the entity imposing the mandate. Therefore, the City will:

- Support:
  - The statutory requirement for the General Assembly of Colorado to reimburse municipalities for the cost of state mandates.
  - Direct municipal involvement in any statewide growth management legislation.
- Oppose:
  - Unfunded mandates that impose financial and reporting burdens on municipalities.
  - Mandates to require specific elements in comprehensive plans.
  - Direct state legislative oversight for approval for public-private partnerships.

### **Taxation**

The City of Golden, as a political subdivision of the State of Colorado, has the authority to levy taxes as a means of funding governmental services. The City of Golden believes in a consistent and fair state tax policy that supports the right of local governments to collect sales taxes, use taxes, property taxes, and other revenue sources. Therefore, the City will:

- Support:
  - Financially responsible government spending within the parameters and constraints resulting from the Taxpayer’s Bill of Rights (TABOR).
  - Legislation, referendums, and initiatives that modifies TABOR’s impact on local government financial stability and flexibility.
  - The sharing of revenues collected through existing and future state revenues derived from state-collected and locally shared means, such as the Cigarette/Tobacco/Vaping Tax, Highway Users Tax Fund, and Lottery funds.

- Expanding municipal authority to issue alternative funding mechanisms including certificates of participation and bonds.
- Oppose:
  - Efforts that reduce or preempt municipal taxing authority including the authority to set the local tax base.
  - Disproportionate reductions in federal and state funding and services if those reductions would limit government services.
  - State granted exemptions or other state actions that reduce local government revenues without providing replacement revenues.

## **Telecommunications**

The City of Golden recognizes that telecommunication technology is an increasingly important factor in the lives and business of the Golden community. In 2016, Golden voters supported the override of Colorado Senate Bill 05-152, which restricted local government from supporting advanced telecom, and began looking at ways to improve the City’s telecommunication infrastructure. Therefore, the City will:

- Support:
  - Legislation that supports a municipality’s right to establish broadband internet services as a utility for its community.
  - Efforts to increase the access to reliable internet services for all members of the community.
  - Local control over the efficient use of right-of-way by public, private, and utility interests
- Oppose:
  - Federal or state restrictions on local governments’ ability to develop or acquire their own telecommunications infrastructure, or to regulate local government-controlled rights of way.

## **Transportation**

The City of Golden recognizes, through its Transportation Master Plan, the need to maintain and expand multimodal transportation systems within Golden, the Denver metro area, and the state of Colorado. Streets, sidewalks, trails, transit, and other services are part of that interconnected system and must be supported while also maintaining local control. Therefore, the City will:

- Support:
  - Legislation that encourages and provides funding for “complete streets” that accommodate people using all modes of travel.
  - Close cooperation with other jurisdictions in the region, RTD, and CDOT for the purpose of improving the multimodal transportation system.
  - Legislation that enables and encourages clean and efficient technology for both private and public vehicles while maintaining local control over implementation.

- Legislation that enables and encourages active transportation and public transportation, especially to aid in The City's carbon emission reduction goals.
- Adoption of a statewide Colorado Safety Stop rule that would allow bicyclist to treat stop signs as yield signs, increasing bicyclist safety on the road.
- Oppose
  - Decreases in local government allocation from the Highway Users Tax Fund

## **Water & Wastewater**

As a water provider, the City of Golden has an obligation to preserve its water supply and deliver the highest quality water to its customers. The City has a Drought Management Plan to provide guidance for future planning steps for the changing water demand scenarios brought about by a changing climate and growing regional populations. Clear Creek provides the water for the City, while being an amenity and cherished part of Golden. Therefore, the City will:

- Support:
  - Support water quality regulations that are cost effective and can show identifiable benefits.
  - Enhancing municipal authority to protect and increase the City's water supply under the Colorado Doctrine.
  - Funding for projects that reduce the impacts of discharge and flood events, as well as funding for mitigation of water-quality impacting events such as fires.
  - Advocate greater local control over the management of waterways within municipalities.
- Oppose:
  - Reduction of the City's right to its established water supply.
  - Unfunded mandates regarding water quality or infrastructure requirements.

## **EXHIBIT B**

### **EXCERPT FROM COUNCIL RULES AND PROCEDURES Pg. 10 - 11**

#### **Councilor New Business**

1. A Councilor who wishes to advance a new policy or legislative idea before Council should complete the New Business Form and solicit the support of one additional Councilor. If help or assistance is needed, the Councilor may consult the members of the Policy Prioritization Subcommittee. Once the form is complete, the Councilor advancing the proposal submits the form to the City Manager.

2. The City Manager will review the proposal to evaluate staff time, competing priorities, and develop a rough estimate of costs, if applicable. As necessary, the City Manager will arrange to meet and discuss the proposal with the two Councilors advancing the proposal.

3. The City Manager will forward the New Business Form to the entire Council for consideration at the next Council meeting under the Council Reports/New Business portion of the agenda.

4. After a brief discussion at the Council meeting, the Mayor will call the question. To advance the proposal further, three or more Councilors must approve, otherwise the proposal is declined. A Councilor whose proposal has been declined may refine the proposal and again submit a New Business Form, per the process described in step 1.

5. As necessary, the City Manager will meet with the Councilors advancing the proposal and the Policy Prioritization Subcommittee to prioritize staff worktime on the proposal in light of other ongoing work, priorities, and initiatives.

6. Until the proposal is completed or returns to the Council agenda for final resolution, the City Manager will provide a status summary of approved proposals in the Weekly Update to City Council.

#### **Board and Commission New Business**

1. A Golden board or commission who wishes to advance to a new policy proposal for Council review and approval should follow the adopted rules of procedure for that board or commission to complete and approve through a vote of the members a New Business Form describing the proposal. The staff liaison for the board or commission will submit the completed and approved New Business Form to the City Manager.

2. The City Manager will review the proposal to evaluate staff time, competing priorities, and develop a rough estimate of costs, if applicable. As necessary, the City Manager will arrange to meet and discuss the proposal with Chair of the board or commission, the staff liaison, or the Policy Prioritization Subcommittee.

3. The City Manager will forward the New Business Form to the entire Council for consideration at the next Council meeting under the Council Reports/New Business portion of the agenda.

4. After a brief discussion at the Council meeting, the Mayor will call the question. To advance the proposal further, 3 or more Councilors must approve, otherwise the proposal is declined.

5. As necessary, the City Manager will meet with the staff liaison, the Chair of the board or commission advancing the proposal, and the Policy Prioritization Subcommittee to prioritize staff worktime on the proposal in light of other ongoing work, priorities, and initiatives.

6. Until the proposal is completed or returns to the Council agenda for final resolution, the City Manager will provide a status summary of approved proposals in the Weekly Update to City Council.

## City Council Standing Committees

### 1. Formation

- a) The City Council may, by resolution, create standing committee(s) consisting of two of its members upon determining that continuing advice or interaction is necessary or advisable on a subject or range of subjects on an ongoing basis. A standing committee will continue indefinitely unless disbanded by a majority vote of Council.
- b) Each standing committee shall consider and review matters in its area of responsibility that are referred to it by the Mayor, City Council, or the City Manager.

### 2. Appointment

- a) The Mayor, with the consent of Council, shall make all appointments to each Committee and shall appoint the Chair thereof. The City Manager, or his/her designee, shall serve as an ex officio member to each standing committee.
- b) The term of each appointment shall continue until new appointments are made at the organizational meeting of City Council.
- c) The Mayor may remove and/or reassign members to and from the various Committees.

### 3. Committee Meetings

- a) Committee meetings shall be held at such time and place as determined by the Committee.
- b) Committee meetings must be conducted in accordance with all Open Meetings Law requirements.
- c) Committees will give regular reports to city council on discussions.

### 4. Committee Process

- a) Each standing subcommittee may set their own process, schedules, and creation of documents within their scope with consultation from Council.

## City Council Ad hoc Committees

1. Council may, by resolution, establish “ad hoc” council committee(s) of not more than three Councilors upon determining that there is a need, or it is advisable, to carry out a specified task, which does not require on-going action. City Council can determine when a committee shall terminate.

2. Ad hoc committee members, and the Chair of each such committee, shall be appointed by the Mayor, with the consent of City Council. The City Manager, or his/her designee, shall serve as an ex officio member to each standing committee.

3. Ad hoc Committee meetings shall be conducted as provided in Rule VI. F. 3. above.