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Legislative Review Committee Minutes

October 23rd, 2017

3:00 – 4:00 p.m.

Commons Conference Room, City Hall, 300 LaPorte Ave., Building A

Councilmembers Present: Ken Summers, Bob Overbeck, and Ray Martinez

Staff Present: Carrie Daggett, Jeanne Sanford, Ginny Sawyer, Tyler Marr, Eric Potyondy, Carol Webb and lobbyists Ed Bowditch, Jennifer Cassell

The meeting came to order at 2:58 pm.

Approval of minutes from October 9th

Councilmember Martinez motioned to approve, Councilmember Overbeck seconded. Minutes were approved unanimously.

Policy Agenda and Priorities

The Legislative Review Committee unanimously recommended approval of the 2018 Legislative Policy Agenda (Martinez motion, Overbeck seconded), with the understanding staff still needs to finalize formatting and some minor language changes.

- Councilmember Overbeck noted that while he did not support removal of oil and gas priorities, he will be supporting the document as a whole moving forward.
- Councilmember Summers noted that in future years he would appreciate highlighting new priorities, or significantly changed items. He also noted that the City could inform positions more robustly in future years in areas such as workforce development, education, and economic health.
- Councilmember Overbeck expressed support of the addition of cybersecurity and behavioral health items

Legislative Preview from Bowditch and Cassell

Ed Bowditch highlighted the following things for the upcoming session:

- November 1, Governors budget request due – JBC will begin meeting shortly thereafter
- January 11, opening session.
- Republicans maintain a 1 seat majority in the Senate and the Democrats maintain an 9 seat majority in the House
- It seems unlikely that there will be any major differences in the outcomes from last session.
- The proposed Public Employees Retirement Association (PERA) changes will be a heavy lift for the legislature

Jennifer Cassell talked about the following specific bills:

- Colorado Housing Finance Authority is seeking a tax credit extension
- Changing the allowable use of lodging tax to include workforce housing
- Broadband bill which would move money into a broadband fund – have heard that opposition is requesting that funds cannot be used for cross-subsidization
- Xcel is bringing forth a bill that would allow rate regulators to offer economic development rates in order to attract large employers.
- Denver Metro Chamber is moving forward with a 2018 ballot initiative that would raise sales tax dedicated to transportation.

Cassell also shared that we are not expected to see the following bills:

- DDA bill that mirrors URA bill.
- Other TIF, URA bills seem unlikely

Other Business

Invitation from Broomfield Council to join on Oil and Gas related Letter

- Councilmember Overbeck summarized that a Broomfield Councilwoman reached out inquiring about the City's support of a letter discussing the concerns of urban areas related to oil and gas development.
- Councilmember Summers moved to decline signing on to the letter, Martinez seconded.
 - Councilmember Summers discussed the differences between Broomfield and Fort Collins and cited the lack of interest/possibility of oil and gas development in Fort Collins as reason not to sign on to the letter. He also expressed concern about the reception of such a letter by COGCC and Governor Hickenlooper and the lack of acknowledgment in the letter of the regulatory changes that have been enacted over the past years.
- Councilmember Overbeck moved to amend the motion to respond to the Broomfield councilwoman, and to leave open the possibility to address the citizen concerns Council has heard and strengthen the City's hand if possible. Councilmember Summers viewed the amendment as friendly (as did Councilmember Martinez) and noted the response should include the language that the City is happy to engage in and review specific proposals.
- Staff will bring a draft response back at the November 6 meeting incorporating the feedback they heard from the LRC.

Water sharing bill that is currently under discussion

- Councilmember Summers teed up the conversation by stating that CML took a friendly position on the City's proposed bill, but stated that Boulder had concerns. He asked Eric Potyondy and Carol Webb to talk about the bill and where it is out.
- Potyondy discussed that he and staff presented to the Legislature's Water Resource Committee. He noted that there was some concern about unintended consequences. The Colorado River District did express concern based on litigation they've had with Denver water and other jurisdictions. As a result of these comments, the language in the bill has been tightened. Eric has been working with a variety of other water attorneys working on support
- Carol Webb shared that the water districts initially questioned the motive of the bill, but that through discussion were able to better understand how there is buy in from two parties required through some kind of agreement (IGA, etc.)

- Eric Potyondy also shared that agreements are currently very hard to get because of the need to have water rights/resources identified and dedicated to an agreement.
- Carol Webb shared that the onus for needing something like this is maximizing the use of various water supplies to better serve the growth management area as a whole. Additionally, in emergency situations this could be useful.
 - Councilmember Overbeck asked if the City could start with agreements for emergency situations. Webb shared that the legislation would be necessary in order to share the water rights, but that agreements are already in place for distribution and treatment.
- LRC noted the importance of getting the various districts' buy-ins as a next step. Councilmember Summers noted the importance of being able to simply explain this to legislators and to highlight that this is a permissive bill and that nothing is being forced.

Meeting adjourned at 4:06 pm