

2021 City of Centennial Legislative Policy Statement

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Introductory Statement

The City of Centennial Legislative Policy Statement has been adopted as contemplated by Section VI of City Council Policy 2017-CCP-02 in order to identify positions taken by the City Council that relate primarily to legislative matters pending before the federal, state or local governments, and to outline procedures guiding City Council and Staff's actions in support of positions taken. This Legislative Policy Statement is adopted by Council in order to be more responsive and ensure the City's interests are represented. This document is designed to give direction and outline procedures to act on key issues of concern to City government.

Unless otherwise directed by City Council, this Legislative Policy Statement will serve as the guiding policy document for the City. It is intended that when the City Council expresses a position in this Policy Statement, either on a general policy or on a specific issue, the position is broad enough to allow subsequent action on any legislation introduced that has a similar effect. Additionally, the absence of an issue from the Legislative Policy Statement does not suggest unimportance to the City.

It is the intent of the City Council to review and revise this Legislative Policy Statement annually as needed. The City's adopted Legislative Policy Statement will remain effective in perpetuity until the City Council amends the Policy Statement or adopts a new Policy Statement. This legislative program is ongoing and evolving and the Council may update this document with newly incorporated or updated policy positions or advocacy procedures as they see fit through a majority vote. In addition to the topics addressed in the Legislative Policy Statement, other areas of concern that are monitored and evaluated on a case by case basis include public health, sustainability issues, liquor enforcement, workers' compensation, procurement/public contracts, and civil rights, among others.

Legislative Advocacy Procedures

Legislative advocacy procedures are included in the City of Centennial Legislative Policy Statement to provide clear direction and guidance to elected officials and Staff who will be engaged in the legislative tracking and advocacy process to ensure that their actions and statements reflect the City's objectives and priorities. Clearly defined, and City Council approved, advocacy procedures ensure that advocacy actions will be administered consistently with the City's identified positions. The procedures provide City Council and the City Manager, or designee, discretion to advocate in the City's best interests in a manner consistent with the goals and priorities adopted by City Council.

Typical advocacy positions include:

- Support - legislation that advances the City's goals and priorities.
- Oppose – legislation that could negatively impact the City or does not advance the City's goals and priorities.
- Monitor – legislation of interest that could positively or negatively impact the City, but requires additional review before a position is taken.

The procedures are intended to be consistent, timely, and flexible in recognition of the speed at which the City must often act to effectively advocate for or against its positions on legislative matters.

City Staff and elected officials will utilize the following procedures when engaging in legislative advocacy:

1. The City Manager, or designee, shall track legislation and identify positions on legislative matters that align with the City's current approved Legislative Policy Statement, and are likely to have a significant impact on the City.
2. The City Manager, or designee, will consider positions and analysis completed by City Staff, local government/professional associations, and the Colorado Municipal League when determining the City's advocacy positions.
3. The Mayor, or Mayor Pro Tem, and the City Manager, or designee, shall determine appropriate advocacy actions, and review all requests for advocacy on legislative issues, to most efficiently and effectively advance the City's stated goals and priorities as outlined in the City's Legislative Policy Statement. Advocacy actions could include, but are not limited to, letters, phone calls, emails, or in-person testimony.
4. Only those individuals who have been expressly authorized by the City Manager, Mayor or the City Council may advocate positions on pending or proposed legislation on behalf of the City.
5. The City Manager, or designee shall coordinate the initiation and development of legislative advocacy communication with the Mayor, or Mayor Pro Tem.
6. Advocacy actions taken on behalf of the City will be executed by the Mayor or the City Manager depending on the legislative issue, subject to the approval of the Mayor and the City Manager, or designee. In the Mayor's absence, the City's legislative advocacy may be executed by the Mayor Pro Tem. If the Mayor or Mayor Pro Tem is unavailable or timing is a factor, the City Manager, or designee, is authorized to advocate. The Mayor may also designate other members of City Council to advocate on behalf of the City. When feasible and time permitting, the City Manager shall notify the City Council of an advocacy action prior to the execution of such action.
7. When an advocacy letter or email pursuant to this policy statement is sent to the Colorado General Assembly or the United States Congress, City Council Members shall be included as a copy "cc" on the letter.
8. When a member of City Council or Staff testifies pursuant to this policy statement before the Colorado General Assembly or the United States Congress on behalf of the City, City Council Members shall be notified as soon as possible.
9. The City Manager may issue a letter of concern or interest without taking a formal position on a piece of legislation. The City Manager's Office is responsible for drafting and issuing letters of concern. When feasible and time permitting, the City Manager shall notify the City Council of letter of concern or interest prior to transmittal.

The City Manager, or designee, will provide updates to City Council summarizing legislative issues and those matters on which the City has a stated position.

Individual Advocacy & Personal Views

These procedures do not limit and are not intended to abridge City Staff's and elected officials' federal and state Constitutional rights and the ability to express personal opinions on legislative affairs. When expressing personal opinions, City Staff and elected officials must communicate that the personal opinion is not issued in an official capacity or on behalf of the City of Centennial or the City Council, and must refrain from the use of the City of Centennial's copyrighted logo. The elected official or City Staff may include language in the communication substantially as follows to communicate that the opinions are personal: "The views expressed today are my own personal views, and do not represent the official position or policy of the City of Centennial or the City Council."

Policy Statement Positions

Home Rule

Article XX of the Colorado Constitution grants home rule municipalities such as Centennial, "the full right of self-government in local and municipal matters." In order to increase the City's ability to solve issues at a local level, maintain its standard of self-determination and be more responsive to local needs, 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
- The need for Congress and the executive branch to respect the roles and responsibilities of states and local governments and similarly urges state officials to avoid preempting local authority

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 pursuant to its home rule authority

Community Development/Land Use

The City of Centennial will continue to emphasize local control and determination of planning, land use, development and redevelopment. Therefore, the City will:

Support:

- Policies which encourage new development to be located within incorporated areas

- Managing responsible growth through sensible land use planning and economic development efforts
- Increased municipal controls over the formation of special districts
- Municipal discretion concerning the imposition of development fees and requirements
- Measures that promote intergovernmental cooperation on land use issues

Oppose:

- Reduction or preemption of municipal land use authority
- Restrictions on municipal authority governing residential growth
- Limitations to restrict the purposes for which eminent domain powers may be used by a municipality
- Legislation that limits municipalities' power of annexation
- State legislative interference on local authority of urban renewal authorities (URAs)
- New restrictions on the use of tax increment financing (TIF)
- Mandates to require specific elements in comprehensive plans

Courts

The City will continue to oppose legislation which would impose unnecessary regulatory and financial burdens on the municipal court. Therefore, the City will:

Oppose:

- The imposition of state surcharges on municipal court fines for the purpose of funding state programs
- The limitations on the authority of municipalities to enforce their own ordinances in municipal courts

Economic Development

The City recognizes the importance of positive economic changes occurring in Centennial through the diversification of our economy, wealth generation, attracting and growing businesses and jobs, and expanding our tax base. Therefore, the City will:

Support:

- The diversification and expansion of local economies, including support for existing businesses, creation of new jobs and promotion of tourism
- A statewide solution to remedy construction defect laws that create barriers to development and impede development of diverse housing types
- Adequate funding and authority for a strong, multifaceted statewide program to promote Colorado as a positive business location
- Regional economic development through partnerships and coordination with local, county, regional and statewide economic partners including Denver South Economic Development Partnership and its partner communities, Metro Denver Economic Development Corporation, and the Colorado Office of Economic Development & International Trade.

- The development of public and private amenities that position Centennial as an attractive community for residents, visitors, daytime employment, businesses and consumers
- Adherence to the longstanding Metro Denver Economic Development Corporation Code of Ethics for economic development
- Maintaining and increasing incentives for quality economic development that benefits the City consistent with the Centennial Economic Development Incentives Policy
- Real estate investment, or development and redevelopment, that aligns with Centennial NEXT providing reinvestment opportunities for the City's retail centers, accommodates job growth through the attraction and retention of companies, provides housing for current and future residents and workforce, and increases Centennial's sense of place
- Regulation of metro districts for appropriate use and public benefit in accordance with the City's Municipal Code

Environmental / Energy

The City recognizes the importance of local government control over environmental and energy issues affecting its community. Therefore, the City will:

Support:

- Appropriate environmental and energy conservation efforts and sustainable resource management practices by all users
- Local government and special district water rights
- 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
- Local participation in federal and statewide discussions of water use, distribution, storm water, flood control and waste water
- Statewide and regional cooperation in drought response planning including water storage, as well as increasing conservation efforts

Oppose:

- Unfunded environmental and/or energy federal and state mandates that would create an unnecessary burden on City operations
- Increases in the proportion of municipal cash funding support for state environmental programs
- Federal and state preemption of local government authority to adopt environmental ordinances

Federal Policies

The City will continue to emphasize the importance of the federal government's respect for the roles and responsibilities of local governments. Therefore, the City will:

Support:

- Distribution of federal funds to municipal governments without unnecessary administrative burden or excessive diversion at the federal and state levels

- Inclusion of local government officials on advisory committees to ensure ongoing local input on state assumption and administration of federal programs that affect local governments
- Recognition of Colorado's unique economic, social and physical characteristics when federal action affects programs or projects of local concern

Oppose:

- Any federal policies that undermine home rule and local control
- The direct or indirect taxation of the activities and operations of municipal government
- The denial of funds based upon a state's or municipality's failure to meet requirements of an unrelated program or because of factors beyond the control of the state or municipality
- Cuts in federal programs that disproportionately affect municipalities
- Imposition of federal regulations upon local government operations and employees that do not apply equally to federal and state government operations and employees

Fiscal Policy - Tax and Finance

Municipal finances are closely interrelated with state finances and policies. The federal and state government must carefully consider the impacts to local government services when proposing to reduce sales, property, or personal property tax bases, or the ability of local government to impose service-related fees. Therefore, the City will:

Support:

- Policies that encourage fiscal responsibility at the federal, state and local level
- Efforts that expand municipal taxing authority or equitably share new state revenue with municipal governments
- State adherence to fiscal fair play policies
- Retention of authority for all municipalities to set local tax rates and for home rule municipalities to collect their own taxes and determine their own tax base
- Appropriate action to address the state and local financial crises caused by the interaction of various constitutional amendments and the economy
- Financial sustainability of state programs that provide technical assistance to municipalities at a reasonable cost
- Appropriate legislation or court action allowing state and local governments to require businesses to collect state and local sales and use taxes on remote sales
- Enhancement of municipalities' flexibility to finance public projects economically and efficiently
- State legislation and local practices that eliminate the financial inequities created by the imposition of taxes on municipal residents for county services that are provided primarily or solely to residents in unincorporated areas
- Enhancement of municipalities' flexibility to finance public projects economically and efficiently
- Legislation to address the fiscal policy conflicts within the state constitution

- Efforts to audit and collect sales tax from remote on-line retailers, when the retailer meets legal standards, and require remittance of a City sales tax in the same manner as collection of sales tax from retailers with a physical presence within the City

Oppose:

- Efforts that reduce local revenues, or future opportunities for local revenue, or preempt municipal taxing authority, including authority to set the local tax base, local collection and related authority
- State legislative interference on local authority of urban renewal authorities (URAs)
- New restrictions on economic development tools, including but not limited to, the use of tax increment financing (TIF) and public improvement financing (PIF)
- Disproportionate cuts in federal, state and county program funding and services if cuts will be detrimental to local governments
- The state utilizing local funds or requiring local governments to collect state revenues in order to fund state programs
- State granted exemptions or other state actions that erode municipal sales, use, property and other revenues unless the state provides adequate replacement revenues
- Any efforts to abolish or impair the effectiveness of the municipal bond interest exemption

Governance

The City recognizes the importance of intergovernmental cooperation, transparency and citizen involvement in local government. Therefore, the City will:

Support:

- Open meetings, including conducting government business and formulating public policy in public
- Reasonable efforts to advance access to public records
- Increased dialogue and cooperation among federal, state and local officials and the development of cooperative intergovernmental agreements and solutions to common issues
- Legislation that protects personally identifiable information from disclosure

Oppose:

- Legislation that limits the City's home rule authority in determining the processes by which it conducts its business

Human Resources

The City recognizes the importance of maintaining competitive Human Resources programs and policies to attract and retain employees. Therefore, the City will:

Support:

- Fair and equitable hiring policies

Oppose:

- Changes in the state unemployment compensation program that increase costs to the employer
- Efforts to interfere with a municipality's ability to determine the terms and conditions of municipal employment including, but not limited to, benefits and pensions
- Legislation that interferes with a home rule municipality's ability to manage its recruitment of, retention of, and relationship with employees

Infrastructure

Centennial recognizes the importance of local control over City assets while also working with regional and state authorities to build and maintain infrastructure. Therefore, the City will:

Support:

- The potential to transfer ownership and maintenance of certain state, utility and/or other third party assets (e.g., traffic signals and street lights) to local governments, with municipalities' discretionary consent
- Local governments' ability to enter into intergovernmental governmental agreements (IGA) on regional infrastructure projects

Oppose:

- All legislation and regulations that impinge on the City's authority to control access to and construction within public right-of-way and that preempts the City's ability to require reasonable compensation for use of this public property for private business
- Legislative proposals that do not protect traditional local government authority over franchising, zoning, taxing, and right-of-way
- The unilateral transfer of state highways to the City without corresponding funding for operations and maintenance

Marijuana and Hemp

As a municipality, the City has authority to prohibit "the operation of marijuana cultivation facilities, marijuana product manufacturing facilities, marijuana testing facilities, or retail marijuana stores" within City limits pursuant to the Colorado State Constitution. State law also provides local governments the authority to regulate businesses engaged in processing, extracting and manufacturing hemp. Therefore, the City will:

Support:

- Continued efforts to maximize local control over marijuana and hemp policy
- Maximum local control for municipal regulation and licensing of hemp cultivation, both indoor and outdoor; manufacturing; testing; extraction; and retail stores.

Public Health

The City recognizes the importance of public health policy impacts on its residents and therefore, the City will:

Support:

- Efforts to foster public health including reduction in nicotine and tobacco use
- Federal and state public health actions that allow for local government regulation
- Local government ability to respond to public health crises

Public Safety

The City recognizes the importance for local control of local emergency services and involvement of the state as a resource to local government in the areas of information, coordination and training. Therefore, the City will:

Support:

- Efforts to increase opportunities for inter-jurisdictional emergency services provided to enhance the safety and security of our neighborhoods
- Local control of local emergency services and involvement of the state as a resource to local government in the areas of information, coordination and training
- Federal, state and county funds for those agencies that serve as a resource to local emergency services
- A voluntary uniform statewide fire incidence reporting program
- Close cooperation at all levels of government and increased federal funding to assist local government homeland security and first responder responsibilities
- Federal, state and county funded intervention, prevention and rehabilitation programs and state initiatives that respect the key role of communities and local government officials

Sovereign and Governmental Immunity

The City will:

Oppose:

- Legislation that may erode protections provided by the Governmental Immunity Act

State and Federal Mandates

Mandates imposed on local governments, especially unfunded mandates, can stretch the financial and personnel resources of municipalities and shift such resources away from local priorities and needs. At a minimum, any mandates imposed on the City, should be funded entirely by the entity imposing said mandates. Therefore, the City will:

Support:

- The statutory requirement for the General Assembly to reimburse municipalities for the cost of state mandates and to make clearer this requirement in state fiscal notes prepared for the General Assembly
- Direct municipal involvement in any statewide growth management legislation

Oppose

- Unfunded mandates that impose financial and reporting burdens on municipalities and their citizens
- Mandates to require specific elements in comprehensive plans
- Direct state legislative oversight or approval for public-private partnerships

Telecommunications / Broadband

The City recognizes the importance of the availability of high-quality telecommunication services in order to connect key City sites, community anchor institutions, businesses and citizens of Centennial. Therefore, the City will:

Support:

- The retention of municipal authority to require franchises for cable television systems utilizing the right-of-way in accordance with the Federal Communications Commission
- Affordable access by all municipalities to state-of-the-art telecommunication and information services
- Efforts to recognize and support broadband and fiber infrastructure as a vital utility
- Local authority over the efficient use of right-of-way by public, private and utility interests

Oppose:

- Federal or state restrictions on local control of municipal rights-of-way or on the authority of local governments to develop or acquire their own telecommunications infrastructure
- Federal or state restrictions on municipal franchising, regulatory and taxing authority over telecommunications systems

Transportation

The City recognizes the need to maintain and expand the state's multimodal transportation system and that our streets, sidewalks, trails, transit and other services are a part of that interconnected system while also maintaining local municipal control. Therefore, the City will:

Support:

- Increased funds to finance pressing surface transportation needs if an equitable portion of new revenues is returned to cities and towns
- State Department of Transportation assumption of street lighting and general maintenance costs on state highways within municipalities
- Preservation of the constitutional requirement that highway user revenues be used for the construction, maintenance and supervision of the public highways of the state, comprising all modes including facilities for air, transit, bicycle, and pedestrian travel
- Greater flexibility and increased funding for multi-modal transportation systems

- Clarification that federal railroad laws do not preempt local governmental authority to protect the safety and environment of citizens
- Preservation of the federal funding guarantees for transportation and allocation of all federal transportation taxes and funds for their intended transportation purposes
- Close cooperation among Colorado Department of Transportation, counties, municipalities and interested stakeholders in improving Colorado's multi-modal transportation system
- A balanced state transportation policy that addresses the need to maintain and expand roadway, bicycle, pedestrian, transit, carpool/vanpool, ridesharing services, and traditional and technology-based options (e.g., autonomous vehicles and intelligent transportation systems) that manage demand for infrastructure capacity and permit a more efficient use of infrastructure to improve Colorado's transportation system

Oppose:

- Mandates on the use of transportation funds provided by federal, state and county governments
- Mandates on the use of local government owned property and right-of-way for specific transportation-related purposes
- Decrease in local government allocation from the Highway Users Tax Fund (HUTF)

City of Centennial Councilmembers

Councilmember	District	Email	Phone
Mayor Stephanie Piko	Mayor	spiko@CentennialCO.gov	(303) 754-3374
Candace Moon	1	cmoon@CentennialCO.gov	(303) 754-3354
Kathy Turley	1	kturley@CentennialCO.gov	(303) 754-3451
Christine Sweetland	2	csweetland@CentennialCO.gov	(303) 754-3359
Tammy Maurer	2	tmaurer@CentennialCO.gov	(303) 754-3346
Richard Holt	3	rholt@CentennialCO.gov	(303) 754-3367
Mike Sutherland	3	msutherland@CentennialCO.gov	(303) 754-3407
Marlo Alston	4	malston@CentennialCO.gov	(303) 754-3412
Don Sheehan	4	dsheehan@CentennialCO.gov	(303) 754-3311

Congressional Legislators Representing City of Centennial

Legislator	District	Email	Phone
Sen. Michael Bennet	At-large	Jonathan_Davidson@bennet.senate.gov Brian_Appel@bennet.senate.gov	(202) 224-5852
Sen. John Hickenlooper	At-large	TBD	TBD
Rep. Jason Crow	CO-6	Alex.ball@mail.house.gov	(202) 225-7882

State Legislators Representing City of Centennial – 73rd General Assembly

Legislator	District	Email	Phone
State Rep. Tom Sullivan	House District 37	tom.sullivan.house@state.co.us	(303) 866-5510
State Rep. David Ortiz	House District 38	david.ortiz.house@state.co.us	(303) 866-2953
State Sen. Jeff Bridges	Senate District 26	jeff.bridges.senate@state.co.us	(303) 866-4846
State Sen. Chris Kolker	Senate District 27	chris.kolker.senate@state.co.us	(303) 866-4883