



***2023 CCI Legislative Priority Proposed Issues
September 29, 2022 • 1:00pm –2:00pm
Virtual (WebEx)***

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|--|-------------------------|
| 1. Welcome & Meeting Agenda Review and Objectives | Deborah Churchill |
| 2. Review & Discussion: CCI 2023 Proposed Issues | Karen Wick/Jason Hopfer |
| 3. BCC Direction: 6-8 CCI Issues to Carry as 2023 Priorities | All |
| 4. Key Upcoming Dates | Deborah Churchill |
| a. October 7: CCI 2023 Legislative Committee Meeting | |
| i. Kraft-Tharp (primary) & Andy Kerr (alternate) | |
| b. December 8: BCC & Legislators' Breakfast Meeting | |
| c. January 9: 2023 Legislative Session Convenes | |
| d. May 8: 2023 Legislative Session Adjourns | |
| 5. Wrap-Up and Next Steps | Deborah Churchill |

To join meeting: <https://jeffco.webex.com/jeffco/onstage/g.php?MTID=eb1419a256cf0525cfe169acc6adcb802>

Audio conference: To receive a call back, provide your phone number when you join the event,
or call the number below and enter the access code.

United States Toll: +1-408-418-9388

Access code: 2483 717 7699

CCI 2023 Legislative Priority Proposed Issues List

Agriculture, Wildlife & Rural Affairs

Motivating participation in Voluntary Agricultural Districts (VADs) (Larimer)

General Government

Update CORA to protect all attorney/client privilege communications (Larimer)

Allow auctioneering service to conduct foreclosure sales (Larimer)

Limit legislature from convening for legislative changes (Montrose)

County Treasurer accountability (Adams)

Equal Pay Act Exemption (El Paso)

Justice & Public Safety

Declaring a District Attorney vacancy (Fremont)

Repeal HB19-1263, Offense Level for Controlled Substance Possession (Montrose)

Extend medical coverage for county jail incarcerated persons (Gilpin)

Land Use & Natural Resources

Treatment of closed county landfills (La Plata)

Public Lands

Maintenance of county roads accessing state parks (Park)

Taxation & Finance

Designate short term rentals (STRs) as commercial property (Grand)

Designate long term rentals (LTRs) as residential property (Grand)

Allow counties to form county revitalization authorities (Adams)

Subject campgrounds to lodging tax (not sales tax) (Gunnison)

Secure statewide voter approval to remove TABORs prohibition on new or increased Real Estate Transfer Tax (RETT) (Pitkin)

Levy sales tax in unincorporated areas (Clear Creek)

Levy sales tax of outdoor services and experiences (Clear Creek)

Alternatives to issuing local TABOR refunds (El Paso)

Secure statewide voter approval to extend homestead exemption to spouses of fallen peace officers and fire fighters (El Paso)

Transportation & Telecommunications

Register & plate off-highway vehicles and allow use on certain low traffic, low speed state highways (Montrose)

Require utility owners to cooperate with road improvement projects (Arapahoe)

Formation and governance of Rail Districts (Huerfano)

Repeal SB05-152 to allow governments to provide telecommunications service without a citizen vote (Douglas)



2023 PROPOSED ISSUES FEEDBACK FORM

CATEGORY

General Government

ISSUE

Allow auctioneering service to conduct foreclosure sales (Larimer County).

FISCAL IMPACT TO JEFFERSON COUNTY

No fiscal impact.

STAFF RECOMMENDATION

1) In your opinion, should this issue move forward in the 2023 legislative session? **Yes**

This is a simple revision to the statute language which would allow for the sheriff to utilize an auctioneer service, consistent with what the treasurer can already do. Our office sees a very low volume of these, and our civil unit is highly efficient in their current practices – an auctioneer service would likely not be used by the JCSO, but this could help other counties. We are in support of the revision so long as the language remains permissive by stating, “the sheriff *may* utilize a service.” We don’t want language binding the sheriff to a single pathway for auctions.

CONTACT INFORMATION

Commander Chris Felton, Chief of Staff – Jefferson County Sheriff’s Office.



2023 PROPOSED ISSUES FEEDBACK FORM

CATEGORY

Tax & Finance

ISSUE

Allow Counties to Form Urban Renewal Authorities (Adams Co)

FISCAL IMPACT TO JEFFERSON COUNTY

None known.

STAFF RECOMMENDATION

1) In your opinion, should this issue move forward in the 2023 legislative session?

Yes. Adams is correct that under current law, counties do not have the power to form urban renewal authorities unless the property is contiguous to a municipality AND the municipality initiates the process. Adding this power to the county's powers would allow the county to redevelop blighted property that is wholly within the unincorporated portion of the county. I do not know if we have any such areas, but if we do, this could provide a funding mechanism to help with the redevelopment.

2) If no, provide a brief description as to why not ***and*** suggested solutions to move your recommendation to a yes.

CONTACT INFORMATION

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CATEGORY

Tax and finance

ISSUE

Allow counties to set up URAs

FISCAL IMPACT TO JEFFERSON COUNTY

Unknown and widely variable

STAFF RECOMMENDATION

1) Yes. No reason to oppose. Having said this, URAs and TIFs are extremely difficult for assessors' offices to manage correctly. Counties are frequently sued over how they calculate TIF increments. Counties and URAs are often at odds with each other.

CONTACT INFORMATION

Scot Kersgaard, Assessor, skersgaa@jeffco.us, 303-550-9845



2023 PROPOSED ISSUES FEEDBACK FORM

CATEGORY

Taxation & Finance

ISSUE

Alternatives to issuing local TABOR refunds (El Paso County)

FISCAL IMPACT TO JEFFERSON COUNTY

There should be no fiscal impact to Jefferson County should this proposal move forward. This would allow counties to seek additional methods to refund excess TABOR revenues.

It's important to recognize that property taxes are not the only revenue source that impacts TABOR revenue limits. If some counties derive more revenue from non-property tax sources, then alternatives like applying credits to motor vehicle registrations may better align refunds to those who bore the initial tax burden. However, for counties like Jefferson, the majority of revenue is derived from property taxes, therefore refunds to vehicle owners would be disproportionate to those who bore the initial tax burden. But again, this bill simply allows counties to pursue an alternative approach should they deem it prudent for their community.

STAFF RECOMMENDATION

Yes, staff recommends this proposal move forward.

CONTACT INFORMATION

Daniel Conway, Strategy, Planning & Analysis, 303-271-8507, dconway@jeffco.us



2023 PROPOSED ISSUES FEEDBACK FORM

CATEGORY

General Government

ISSUE

County Treasurer accountability (Adams Co)

FISCAL IMPACT TO JEFFERSON COUNTY

None

STAFF RECOMMENDATION

1) In your opinion, should this issue move forward in the 2023 legislative session?

YES, it would be helpful if there is some mechanism to hold a treasurer accountable short of a lawsuit against the treasurer. Appointing a receiver might be a good solution. It would be helpful to see precisely what the recommended solution is, but I understand they are still working through that part with the treasurer association.

2) If no, provide a brief description as to why not and suggested solutions to move your recommendation to a yes.

CONTACT INFORMATION

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2023 PROPOSED ISSUES FEEDBACK FORM

CATEGORY

Justice & Public Safety

ISSUE

Declaring a District Attorney vacancy (Fremont Co)

FISCAL IMPACT TO JEFFERSON COUNTY

None

STAFF RECOMMENDATION

1) In your opinion, should this issue move forward in the 2023 legislative session?

YES, currently there is no mechanism for addressing this issue. While it may not occur frequently, there is a clear need for addressing this issue so that a county does not have to continue paying someone who no longer qualified to perform the job. The proposed change offers a reasonable solution to problem.

2) If no, provide a brief description as to why not ***and*** suggested solutions to move your recommendation to a yes.

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2023 PROPOSED ISSUES FEEDBACK FORM

CATEGORY

Taxation and Finance

ISSUE

The STR/LTR Imbalance. In Colorado resort counties, and some other counties, there is an abundance of short-term rentals (STR, rentals for a period of less than a month) and a shortage of long-term rentals (LTR, rentals of a month or longer).

FISCAL IMPACT TO JEFFERSON COUNTY

For Counties that Opt in, proposal would tax Short Term Rentals as Commercial property. Would potentially increase tax revenues if County was able to identify those properties.

Staff would be needed to identify those properties.

Language related to Long Term Rental Tradeoffs would be difficult to administer and would also require a large amount of staff time.

Could potentially help change some STR's to LTR's which would address an issue that does cost the County money. That issue is housing affordability. It is hard to quantify the fiscal impact of having more affordable housing.

Income from commercial tax would likely count towards TABOR limits.

STAFF RECOMMENDATION

I recommend not supporting this in its current form. Even though counties could opt in or out this does not appear to be a workable solution as it is paired with long term rental incentives. The concept is good, and the goal is good. There are likely far better ways to achieve the goals of this proposal.

CONTACT INFORMATION

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CATEGORY

Tax and finance

ISSUE

Designate LTRs as residential

FISCAL IMPACT TO JEFFERSON COUNTY

Since this is an opt-in policy, I trust the BOCC would discuss it with me in more depth before deciding whether to opt in. LTRs are already classed and taxed as residential. What this really does is tax STRs as commercial. I do not believe the lack of LTRs in Jeffco is due to STRs. This may be the case in resort areas. Other than the cost to manage the program, which could be substantial, the fiscal impact is more tax collection. For Jeffco, though, I think there would be more money spent administering/enforcing it than would be collected.

STAFF RECOMMENDATION

1) I am against this for Jeffco. I am neutral for other counties. If it is truly an opt-in, then I remain neutral. It seems very convoluted and difficult to administer. In a resort county, the added revenue may cover those costs, and the increase in LTRs may provide the desired benefit. I don't see either of those happening in Jeffco.

2) It would need to be vastly simplified for me to support this. Ideally, the state or P&Z would hand my office a list of STR properties to be taxed at the commercial rate, without my office having to discover these properties ourselves. If that happens, I could support this.

CONTACT INFORMATION

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2023 PROPOSED ISSUES FEEDBACK FORM

CATEGORY

Taxation and Finance

ISSUE

The unjust difference in the amount of property taxes paid by STR owners as compared to the property taxes paid by traditional hotels, motels, commercial cabins, and guest ranches. This aggression will not stand.

FISCAL IMPACT TO JEFFERSON COUNTY

Proposal calls for taxing all lodging establishments as residential property. This will reduce revenues currently generated from commercial lodging establishments. Will continue to promote STR's in addition to other lodging establishments. Does nothing to stem the growth of STR's. This will only hurt efforts to provide affordable housing. These types of establishments do cost money to provide services such as Sheriff, transportation, parks and more.

STAFF RECOMMENDATION

I recommend not supporting this in its current form. I don't think you can fix this proposal. It needs to be scrapped.

CONTACT INFORMATION

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CATEGORY

Tax and finance

ISSUE

Designate STRs as commercial

FISCAL IMPACT TO JEFFERSON COUNTY

In spite of the title, his proposal seems to be to designate all lodging properties as residential. This would be a huge reduction in revenue. If I thought this was serious, I would run the numbers, but it clearly is not.

STAFF RECOMMENDATION

I understand some counties have big issues with STRs and probably need to do something for the sake of fairness or to encourage more LTRs. I do not believe Jeffco has much of a problem. To me, all the proposals create the same problem: Who will do the work? Give me a list of STRs and happy to classify them as commercial. I don't want my staff to have to spend time on Airbnb etc. looking for STRs, where typically the address isn't even given until you book the unit. The answer is a state license, with state enforcement. Or let P&Z do it.

CONTACT INFORMATION

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2023 PROPOSED ISSUES FEEDBACK FORM

CATEGORY

General Government

ISSUE

Equal Pay Act Exemption

FISCAL IMPACT TO JEFFERSON COUNTY

County Attorney Office - Eric Butler

Human Resources is dealing with the posting requirements of the law quite effectively. That said, there occasionally arise circumstances where the posting requirements are troublesome or difficult to deal with and we have had a number of County officials express concern regarding the posting requirements for particular circumstances involving advancement. (For example, the current law seems to require posting to advance an employee from level 1 of a particular job to level 2 of the same job unless that advancement occurs during the first year of employment.) While Jefferson County may continue to operate at a high level of transparency for job changes, allowing more flexibility to employers in this area is advisable.

Human Resources – Jennifer Fairweather

Jefferson County has already determined a way to manage this by requiring all job changes to go through a recruitment. If we were exempted and decided to back this out of our business process, there would be a cost to update this – potentially \$10,000 to \$20,000. Of course, even if local government is exempted, Jefferson County may not change this process – it would be up to the Personnel Board. I also think you can already move employees to different tiers as explained in the proposal as long as you post the job as part of a tiered system with promotion potential to higher levels. Jefferson County also does not have a lot of tiered promotions.

STAFF RECOMMENDATION

- 1) In your opinion, should this issue move forward in the 2023 legislative session? Yes
- 2) If no, provide a brief description as to why not ***and*** suggested solutions to move your recommendation to a yes.

CONTACT INFORMATION

Eric Butler, Deputy County Attorney, 303-271-8929

Jennifer Fairweather, Human Resources, 303-271-8402



2023 PROPOSED ISSUES FEEDBACK FORM

CATEGORY

Justice & Public Safety

ISSUE

Extend medical coverage for county jail incarcerated persons (Gilpin Co)

FISCAL IMPACT TO JEFFERSON COUNTY

Potential cost savings to JeffCo if private insurance or Colorado Option must reimburse for these costs.

STAFF RECOMMENDATION

1) In your opinion, should this issue move forward in the 2023 legislative session?

YES. With our budget issues, this could be helpful to mitigate some of the costs for medical service in the jail. While our jail medical contract allocates the cost to the medical contractor up to a certain amount (I believe the first \$50,000 in medical costs per year per inmate is covered by the contractor before care costs revert to us - sort of like a reverse deductible), one issue we have seen is that, while Colorado law requires inmates to cover their own self-inflicted/chronic/pre-existing medical conditions, see CRS 17-26-104.5, the practical effect of an unwell jail population is that we must cover those costs (through contract medical or otherwise) or risk deliberate indifference claims.

2) If no, provide a brief description as to why not ***and*** suggested solutions to move your recommendation to a yes.

CONTACT INFORMATION

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CATEGORY

Justice & Public Safety

ISSUE

Extend medical coverage for county jail incarcerated persons (Gilpin County)

FISCAL IMPACT TO JEFFERSON COUNTY

This could result in a net-favorable to the county by way of reduction in medical provider contract costs. Currently, the JCSO pays over 5-million dollars annually for contracted medical coverage in the detention center. Additionally, staff time for medical transports and hospital watches is significant. By making services billable, Jefferson County medical contract providers could seek reimbursement for services and/or bill private insurance directly.

STAFF RECOMMENDATION

1) In your opinion, should this issue move forward in the 2023 legislative session? **Yes**

CONTACT INFORMATION

Commander Chris Felton, Chief of Staff – Jefferson County Sheriff's Office.



2023 PROPOSED ISSUES FEEDBACK FORM

CATEGORY

Transportation & Telecommunications

ISSUE

Formation and governance of Rail Districts (Huerfano Co)

FISCAL IMPACT TO JEFFERSON COUNTY

None known.

STAFF RECOMMENDATION

1) In your opinion, should this issue move forward in the 2023 legislative session?

Neutral position. The precise language for what they want to do has not been provided. Current law allows for the formation of Rail Districts, but the statute appears to presume that the district would purchase the railroad facilities, which includes the real, personal, or mixed property that is used or useful in the conduct of railroad services. *See* C.R.S. § 32-12-103(8) (defining “rail district”). Here, it looks like Huerfano is interested in the right of way only, not the entire rail operations. Without seeing the language, it is difficult to understand how this would look/operate. Would the new district hold the ROW for the railroad and then the rail district leases the ROW to a separate railroad company? Is this needed because the county does not want to actually operate the railroad but wants to preserve the right of way as it goes through bankruptcy so there would be an option for another railroad company to gain access to the right of way and reinstate operations?

2) If no, provide a brief description as to why not ***and*** suggested solutions to move your recommendation to a yes.

CONTACT INFORMATION

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2022 STATE BALLOT INITIATIVES FEEDBACK FORM

BALLOT TITLE

Affordable Colorado Now

ISSUE

Adds another option to address the growing housing crisis. This creates \$300 million in permanent annual funding for affordable housing. Addresses the building permitting process with a 90-day review process for applicable projects. Utilizing these requires that local governments commit to increasing affordable housing by 3% every year.

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\$300 million is derived from 1/10th of 1% of income tax, diverted to affordable housing so doesn't increase taxes.

Eligible projects include homeownership activities and rental projects including a wide array of supports in between like rental assistance for working residents. This is intended to address a large continuum of need, many aspects that are currently not addressed with other solutions.

FISCAL IMPACT TO JEFFERSON COUNTY

The potential impact is if developers apply for this funding for unincorporated Jeffco projects it will require that Jeffco commit to increase affordable housing. Community Development supports this goal and believes it is achievable but historically Jeffco has never invested non-entitlement funds into affordable/workforce housing activities. Jeffco has relied solely on entitlement funds (HOME/CDBG) which is far too limited to truly address the housing needs for Jefferson County. With the general fund shortfalls it is unlikely Jeffco will invest non-entitlement funds for affordable housing activities in the future. Analysis would have to be completed to determine what the baseline for affordable housing is and the likelihood of Jeffco successfully increasing affordable housing by 3% with private sector involvement and relying on this program in addition to HUD entitlement funds.

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If developers utilize these funds for projects within Jeffco municipalities the municipality would have to commit to the increase of affordable housing and the county would not be impacted.



The development barriers in the unincorporated part of the county remain high so it is entirely possible this funding would never be used in unincorporated Jeffco and therefore would never require that Jeffco commit to increasing affordable housing stock by 3% annually.

STAFF RECOMMENDATION/DISCUSSION ITEMS FOR BCC

Community Development and Planning and Zoning support this measure. Due to development barriers in unincorporated Jeffco it is unclear whether the requirement for local government to increase affordable housing by 3% annually will ever apply to Jeffco. This funding option could be a critical solution to support the continuum of housing needs though, so we recommend supporting this measure. The impact will primarily be on the Jeffco municipalities where the greatest need is.

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If the cities do not support this measure Jeffco should not support it, however past presentations and discussions indicate municipality support.

Another consideration should be regarding the future unknown state of Jeffco's budget. While there are current general fund issues, 5 or 10 years from now the county may be in a different situation. If the county is in a healthier financial situation in the future, Jeffco should support affordable and workforce housing activities with general funds and move beyond solely relying on HUD entitlement funds to support local needs. A measure like this would support Jeffco in those efforts so the local funds can go further.

Further, if this ballot measure is approved, the details about what the metrics are for measuring where the 3% increase comes from and how this money can be utilized will be ironed out in the rule making process. The County will have the opportunity to provide feedback on how it can best support affordable housing in Jefferson County. For this program, the rulemaking process will determine how useful and accessible funds will be to us, the Municipalities and private developers interested in building affordable housing.

Also recommend CFO review.

CONTACT INFORMATION

Kat Douglas, Housing, Economic and Employment Services Division

Mary Berg, Human Services



2023 PROPOSED ISSUES FEEDBACK FORM

CATEGORY

Taxation & Finance

ISSUE

Levy sales tax in unincorporated areas (Clear Creek County)

FISCAL IMPACT TO JEFFERSON COUNTY

There is no immediate fiscal impact to Jefferson County. The current ½ cent sales tax in the southeast unincorporated portion of the county is not impacted by this proposal because that sales tax is levied by the Southeast Jefferson County Local Improvement District. The county ballot measure in November is also not impacted by this proposal because marijuana sales taxes are specifically permitted by statute for unincorporated areas of the county, if approved by voters.

STAFF RECOMMENDATION

Yes, staff recommends this proposal move forward. Passage of this proposal would allow the county to pursue more options for taxation in the future and would allow voters to have more of a say in what impacts their local community.

CONTACT INFORMATION

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2023 PROPOSED ISSUES FEEDBACK FORM

CATEGORY

Taxation & Finance

ISSUE

Levy sales tax of outdoor services and experiences (Clear Creek County)

FISCAL IMPACT TO JEFFERSON COUNTY

It unclear at this time as to what fiscal impact this would have on Jefferson County, however any new revenue received would come to the Open Space Fund, which would not impact our TABOR revenue limits. This proposal does not identify specific restrictions that currently prohibits counties seeking to levy a tax on these activities, other than what is prescribed in TABOR (i.e., prior voter approval). Further information is needed as to why this proposal is being presented.

Jeffco, Clear Creek County and many other Colorado Counties are heavily impacted by these outdoor recreation services and can usually only benefit economically from them if visitors are staying in local lodging and supporting local businesses. This is not always the case. Even if visitors did support local business this this would provide more revenue to entities like us that are severely impacted by the influx of people from other areas.

Other states have similar taxes on these services.

It seems like Red Rocks concerts could or would be subject to this tax which would provide some financial benefit to Jefferson County.

STAFF RECOMMENDATION

Yes, staff recommends moving this proposal forward.

CONTACT INFORMATION

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Tom Hoby, Parks & Conservation, 303-271-5930, thoby@jeffco.us



2023 PROPOSED ISSUES FEEDBACK FORM

CATEGORY

Agriculture, Wildfire & Rural Affairs

ISSUE

State legislation is desired to enable official support and some of the incentives that would be key for motivating participation in a Voluntary Agricultural Districts (VAD).

FISCAL IMPACT TO JEFFERSON COUNTY

Would need staff hours to identify and prioritize properties which would be eligible for this program. Would need to identify if other benefits or incentives could be provided by the County. These benefits could include lower tax valuation and funds to purchase existing entitlements. It is possible that grant funds could be used to assist in funding this program and providing incentives which would likely be necessary to entice farmers to participate in this program. Participating properties would likely enjoy reduced property taxes. Staff time would be necessary to seek, apply for and administer grants. Income from grants would likely count towards TABOR limits.

STAFF RECOMMENDATION

I recommend supporting this initiative. There is precious little agricultural land in Jefferson County and those who own that land see an increasing encroachment from residential properties. This program would not likely be used in this County. However, in Counties such as Larimar, where there is farmland that will likely be viable for many years to come, this could prove a useful tool to shape urban growth and preserve farmland productivity in this State.

CONTACT INFORMATION

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2023 PROPOSED ISSUES FEEDBACK FORM

CATEGORY

Transportation & Telecommunications

ISSUE

Register and plate OHV's and allow use on certain low traffic, low speed state highways.

FISCAL IMPACT TO JEFFERSON COUNTY

Could generate additional revenue from new registrations, and would unlikely lead to any substantial cost increases.

STAFF RECOMMENDATION

1) In your opinion, should this issue move forward in the 2023 legislative session? Yes or No.

Neutral.

2) If no, provide a brief description as to why not ***and*** suggested solutions to move your recommendation to a yes.

CONTACT INFORMATION

Clerk & Recorder George Stern 8199 & Motor Vehicle Director, Ben Whittier 8139



2023 PROPOSED ISSUES FEEDBACK FORM

CATEGORY

Justice & Public Safety

ISSUE

Repeal HB 19-1263 (Montrose County)

FISCAL IMPACT TO JEFFERSON COUNTY

Unknown

STAFF RECOMMENDATION

The JCSO is not currently taking a position on this issue as it is overbroad and offers no supporting empirical data or evidence. A better effort in this regard would be to dissect HB 19-1263 and study whether the bill hit its intended target. There were numerous layers built into the bill to include court ordered recovery and treatment avenues, grant funding, and a focus on community-based programming. Have the courts followed through and how is that being measured? Did the author (Montrose County) access any of the grant funds for recovery/treatment/community initiatives? What hard data demonstrates the causal relationship between HB 19-1263 and the spike in crime?

There are multiple influencing factors contributing to the increase in crime; all of which are worthy of study. The effort to repeal HB 19-1263 is far-reaching and the energy would be better spent on research efforts that will inform purposeful policy changes.

CONTACT INFORMATION

Commander Chris Felton, Chief of Staff – Jefferson County Sheriff's Office.



2023 PROPOSED ISSUES FEEDBACK FORM

CATEGORY

Transportation and Telecommunications

ISSUE

Require utility owners to cooperate in a timely manner with road improvement projects

FISCAL IMPACT TO JEFFERSON COUNTY

Based on our staff experience, it is unlikely that there would be little additional fiscal benefit to our staff or our capital budgets for road projects.

STAFF RECOMMENDATION

1) In your opinion, should this issue move forward in the 2023 legislative session? Yes or **No**

2) If no, provide a brief description as to why not ***and*** suggested solutions to move your recommendation to a yes.

Our staff has not experienced the kinds of delays stated in this proposed legislation. We have experienced delays caused by slower than expected response time from utility companies' designers or contractors as we would like. If there were some accountability in the proposed legislation for the response time, it might result in some benefits to project timelines for the County.

CONTACT INFORMATION

Steve Durian, Transportation & Engineering



2023 PROPOSED ISSUES FEEDBACK FORM

CATEGORY

Taxation and finance

ISSUE

Extend homestead exemption to spouses of fallen police/fire officers

FISCAL IMPACT TO JEFFERSON COUNTY

Slight increase in admin time for Assessor's office

STAFF RECOMMENDATION

Neutral. Assessors' offices administer the exemption program. We follow the law. There is no real reason for me to support or oppose something like this. The target beneficiary of this is probably more deserving than many of the people who take advantage of the current program. Of course, any of us could name ten other demographic groups that make more sense than simply being old and owning a house.

CONTACT INFORMATION

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2023 PROPOSED ISSUES FEEDBACK FORM

CATEGORY

Taxation & Finance

ISSUE

Secure statewide voter approval to remove TABORs prohibition on new or increased Real Estate Transfer Tax (RETT)

FISCAL IMPACT TO JEFFERSON COUNTY

There is no impact to Jefferson County should the proposal move forward. This proposal only impacts counties that seek voter approval for new or increased RETTs. If worded correctly, this voter approval would exclude said revenues from their TABOR FYS limit.

STAFF RECOMMENDATION

Yes, staff recommends this proposal move forward.

CONTACT INFORMATION

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CATEGORY

Taxation and finance

ISSUE

Remove TABOR prohibition on RETT

FISCAL IMPACT TO JEFFERSON COUNTY

None, other than some administration

STAFF RECOMMENDATION

1) Yes. People often ask me to weigh in on the lack of affordable housing options in Jeffco. There is really nothing an assessor can do to create or preserve low-cost housing. A RETT is probably the most logical, most elegant way to raise money for affordable housing. Would voters approve it? Unknown. Should counties be able to pursue such a solution? Absolutely.

CONTACT INFORMATION

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2023 PROPOSED ISSUES FEEDBACK FORM

CATEGORY

Taxation & Finance

ISSUE

Subject campgrounds to lodging tax (not sales tax)(Gunnison County)

FISCAL IMPACT TO JEFFERSON COUNTY

Jefferson County does not have a lodging tax through a Local Marketing District (LMD) or County Lodging District (CLD). This proposal would have no impact to Jefferson County if supported.

STAFF RECOMMENDATION

Yes, staff recommends this proposal move forward.

CONTACT INFORMATION

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2023 PROPOSED ISSUES FEEDBACK FORM

CATEGORY

Land Use & Natural Resources

ISSUE

Treatment of closed county landfills (La Plata Co)

FISCAL IMPACT TO JEFFERSON COUNTY

Could have positive fiscal impact if this proposed legislation is passed and an insurance fund is established. Because CDPHE is applying new standards to closed landfills, it is possible that in the future JeffCo could experience an issue like La Plata and Arapahoe, which could be costly to either remedy and/or litigate. Also, new legislation could address annual review fees, which are hourly and unpredictable.

STAFF RECOMMENDATION

1) In your opinion, should this issue move forward in the 2023 legislative session?

YES, this would provide some clarity in the law regarding standards applicable to these closed landfills, as CDPHE is applying new standards that did not exist at the time a landfill was closed. There has been much litigation over this issue, and it would be helpful for counties to have more predictability and assistance with costs of remediation.

2) If no, provide a brief description as to why not ***and*** suggested solutions to move your recommendation to a yes.

CONTACT INFORMATION

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CATEGORY

Land Use & Natural Resources

ISSUE

Landfills

- Jeffco has several closed landfills. Leyden, Pine Gulch, and Rooney are the three large ones. There are smaller ones like at the Fairgrounds.
- All have been closed with approval of CDPHE (that we know of). Receiving the certificate of Designation (official closure letter) for Pine Gulch in 2017 was difficult and contentious. The landfill was closed to trash in 1978 but it wasn't until the 2010s that CDPHE made us comply with current regulations. We have experienced some of La Plata's back and forth, unwillingness to compromise, and excessive/unpredictable costs.
- Jeffco pays fees to CDPHE to review annual reports. It would be in our interest if the State's fees were waived to Counties (reference 30-20-1510 in the Proposal to CCI document). They bill us an hourly charge, and we have no idea how much it is until we receive the invoice, typically several months after their review work is completed.

FISCAL IMPACT TO JEFFERSON COUNTY

Jeffco paid \$1,093.75 for CDPHE to review the annual report for Pine Gulch Landfill in 2022, and \$937.50 in 2021. Jefferson County pays a consultant \$20,535 for quarterly monitoring and preparation of the required reports.

STAFF RECOMMENDATION

A funding solution seems to be a good compromise for counties that cannot afford to pay for the unpredictable requirements and costs of CDPHE. Annual review fees should be per project and set, rather than hourly and unpredictable.

CONTACT INFORMATION

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2023 PROPOSED ISSUES FEEDBACK FORM

CATEGORY

General Government

ISSUE

Update CORA to protect all attorney/client privilege communications (Larimer Co)

FISCAL IMPACT TO JEFFERSON COUNTY

None

STAFF RECOMMENDATION

1) In your opinion, should this issue move forward in the 2023 legislative session?

YES. This is a critical legal issue that should be addressed by statute if the appellate court does not correct this misinterpretation of CORA. The attorney-client privilege is one of the most fundamental privileges that protects communications between the attorney and client. If that communication is subject to CORA and available to the person being discussed, then the County could never receive legal advice about an employee without the employee knowing what that legal advice is. The lower court decision will likely be overturned on appeal, but if the legislature can fix this before it goes through the appellate process, that would be ideal.

2) If no, provide a brief description as to why not and suggested solutions to move your recommendation to a yes.

CONTACT INFORMATION

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