



**2012
Legislative
Agenda**

The City of Colorado Springs

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COLORADO SPRINGS LEGISLATIVE PROCESS

The Intergovernmental Affairs Office coordinates the City's legislative lobbying activities at the state and federal levels of government, which includes initiating legislation to address issues of City concern, and responding to legislation and regulations initiated by others. City Council determines the legislative policy for City Government and Colorado Springs Utilities, which have Governmental Affairs staff to coordinate the efforts specific to each entity. City-owned Memorial Health System has a separate governing board that sets its policy and has its own Government Affairs staff.

Colorado Springs reviews all bills introduced in the Colorado General Assembly. Appropriate City and Utilities staff members analyze bills of municipal and utility interest, and a City position of support, oppose, or monitor is recommended to City Council. Lobbying positions are established by City Council based upon administrative recommendations.

The U.S. Congressional process is substantially different from the state process. Colorado Springs reviews only legislation of municipal or utility interest. The staff of the various city entities follows federal legislation through a variety of sources including congressional offices and industry trade groups. Lobbying positions are also established by City Council based upon administrative recommendations.

The Legislative Agenda was developed in advance of the General Assembly to facilitate the state process. While the agenda does not indicate positions on specific legislation, it identifies general issues of interest to the City of Colorado Springs, which have historically been addressed by the General Assembly. The City Council policy statements on all issues are necessarily very broad and are by no means all-inclusive. The City will continue to contact legislators regarding City positions on specific bills throughout the legislative sessions.

Because many state and federal issues address similar topics, some of the policy statements apply to federal issues as well. Because lobbying efforts on state and federal issues are coordinated, the administration and governing body can be informed about the relationship between state and federal proposed legislation.

The City of Colorado Springs operates under the guidance of long-range strategic or corporate planning goals as determined by City Council. It is intended that the Legislative Agenda be consistent with the goals and objectives of Council. However, some policies or guidelines addressed in this document are not within the scope of Council's long-range planning documents. In addition, Colorado Springs Utilities operates under the Utilities Strategic Direction.

Colorado Springs City Council members welcome the opportunity to discuss the City's legislative positions with legislators. Council members offer this Agenda as a guideline to legislators for reference when considering legislation impacting Colorado Springs.

COLORADO SPRINGS MUNICIPAL GOVERNMENT

HOME RULE

The Colorado Springs City Council acknowledges the home rule status of the City of Colorado Springs through the provisions of the Colorado Constitution and its City Charter, and recognizes the necessity of local control and management of matters of local concern. The City Council believes that the principle of home rule authority affords the citizens of Colorado Springs greater access to local government and greater opportunity for participation in and contribution to the decision-making process, thereby enhancing the quality of life in the community and the ability of local government to respond to the needs of its citizens. City Council also recognizes the important role that referendum and initiative play in self-governance, but believes that it may be too easy to change the constitution or impose spending obligations on government through initiative measures. The City will vigorously defend its home rule status in matters of local concern which are compromised by the state process.

Therefore, the Colorado Springs City Council supports the following policy statements:

- ◆ Support legislative efforts to strengthen home rule authority of local municipal governments.
- ◆ 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.
- ◆ Support legislation requiring that signatures on initiated petitions for constitutional amendments be gathered from multiple regions of the state, and that constitutional amendments be approved by more than a simple majority of voters.
- ◆ Oppose legislation that interferes with a home rule municipality's ability to manage its relationship with employees.

OPEN GOVERNMENT

The Colorado Springs City Council recognizes the importance of open discussion of matters affecting the citizens of Colorado Springs and the need for heightened public awareness of issues and problems facing the City. The Council further recognizes the significant contribution made by members of the public to the decision-making and policy-making process and the necessity of citizen involvement in a home rule municipality.

Therefore, the Colorado Springs City Council supports the following policy statements:

Open Meetings

- ◆ Support conducting government business and formulating public policy in public.
- ◆ Oppose legislation that limits the City's home rule authority in determining the processes by which it conducts its business.

- ◆ Support legislation which clarifies that the intent of the Open Meetings Act applies to meetings called by the public body to discuss public business and not meetings called by others which members of the public body may attend individually but at which they will not discuss or take action as the public body.

Open Records

- ◆ Encourage all of City government to be accessible to the public in order to maintain good public relations, to keep the public informed of City actions and issues, and to benefit from citizen input.
- ◆ While conducting City government in an open manner is of the highest priority, legislation and regulation may be necessary to protect publicly owned enterprises' abilities to compete with private enterprises in the areas of health care, utilities and others.
- ◆ Support laws that recognize that information about infrastructure construction, location and operation may be very sensitive for security reasons, and therefore support exempting such records from public inspection.
- ◆ Support laws that recognize that effective management requires the ability to candidly communicate with employees regarding performance and that the personnel records exception to open records requirements includes evaluation ratings, narratives and other information specific to the individual.

CIVIL RIGHTS

The Colorado Springs City Council recognizes the inalienable right of the citizens of Colorado Springs to their constitutionally guaranteed freedoms and privileges. The Council further recognizes that City officers and employees, as individuals, are entitled to such freedoms and privileges.

Therefore, the Colorado Springs City Council supports the following policy statements:

- ◆ Support legislation that protects the civil rights to which the citizens of Colorado Springs are entitled under the United States and Colorado Constitutions.
- ◆ Support legislation that protects the civil rights to which municipal officers and employees are entitled under the United States and Colorado Constitutions.
- ◆ Support legislation that discourages baseless and frivolous legal claims and demands made against municipalities and their officers and employees in the name of civil rights violations.
- ◆ Oppose legislation that duplicates, expands upon or establishes different standards than existing federal regulations.
- ◆ Support legislation that protects the rights of citizens to participate in public deliberation without fear of incurring personal liability.

SOVEREIGN AND GOVERNMENTAL IMMUNITY

The Colorado Springs City Council recognizes that the complexity and diversity of City operations and services required to meet the needs of the citizens of Colorado Springs may expose the City and its officers and employees to liability for damage and injury. The Council further recognizes that City officers and employees must be confident that they have the City's support in the lawful and proper performance of their assigned duties and responsibilities. The Council understands that claims against the City constitute claims against the taxpayers, and excessive claims could impair the City's ability to deliver essential services.

Therefore, the Colorado Springs City Council supports the following policy statements:

- ◆ Support legislation that protects the interests of municipalities and their officers and employees in the lawful and proper performance of their duties and responsibilities.
- ◆ Support legislation that discourages baseless and frivolous claims and demands that can be made against municipalities and their officers and employees.
- ◆ Oppose legislation that expands or increases municipal liability or, conversely, further limits municipal immunity.

HUMAN RESOURCES

The City of Colorado Springs is an equal opportunity employer that administers workers' compensation and employee benefit programs. The City's liability, workers' compensation and health programs are self-funded. The City fulfills its obligation to provide workers' compensation benefits to injured employees in accordance with state statutes. Pension plans are provided for uniformed employees by the City of Colorado Springs for employees hired before April 7, 1978 and these plans are administered by the City. For uniformed employees hired on or after April 7, 1978 through September 30, 2006, these pension plans are administered by the Fire and Police Pension Association. All uniformed employees hired on or after October 1, 2006 will enter the state pension plan through the Fire and Police Pension Association (FPPA). Civilian employees are afforded pension benefits, through membership in the Colorado Public Employees Retirement Association (PERA). Health care benefits are provided to active civilian, active sworn and retired sworn employees through a self-insured contract administered plan. The City also provides death and disability benefits to police and fire employees through the state-established FPPA plan for public safety workers.

Therefore, the Colorado Springs City Council supports the following policy statements:

- ◆ Support retention of the Colorado Workers' Compensation System, which stipulates that participation in the workers' compensation program is the sole and exclusive remedy for employees injured on the job.
- ◆ Oppose legislation that increases costs of the City's workers' compensation program.

- ◆ Support legislation that balances the employer/employee cost allocation for PERA and FPPA pension plans, retiree health insurance costs, and retirement benefit options while maintaining adequate and actuarially sound funding. Support legislation that advances municipalities' flexibility to transition toward a defined contribution retirement system.
- ◆ Oppose changes in the state unemployment compensation program that increase costs to the employer.
- ◆ Oppose legislation that requires mandatory participation or participation rates in employment or benefit programs.
- ◆ Oppose legislation that mandates paid employee leaves or expands allowances for existing mandatory leaves.
- ◆ Support legislation that enables the state to obtain maximum participation in federal health care funding for low-income beneficiaries.
- ◆ Support legislation that continues dependable and predictable state funding for death and disability benefits for local and volunteer public safety employees.
- ◆ Oppose legislation that further reduces state funding of police and fire death and disability benefits by shifting funding to local governments.
- ◆ Support legislation that would allow for police and fire employees who work 1040 hours or more per year to be eligible for death and disability benefits.
- ◆ Support legislation that increases reimbursement to health care providers under Medicare and Medicaid to a level that will attract additional providers to the City.
- ◆ Oppose legislation which would prevent the City from contracting for the best benefit service provisions at the lowest reasonable cost, including any legislation which would eliminate cost savings realized through discounted prescription services.
- ◆ Oppose legislation that mandates specific health care benefits.
- ◆ Oppose legislation that requires collective bargaining or mandates certain benefits for a specific employee population.
- ◆ Oppose legislation that would undermine Colorado's Labor Peace Act.
- ◆ Support legislation that enhances the safety and protection of public sector employees while performing their work related duties.

Federal Legislative Issues

- ◆ Support restoration of the state and local exemptions from the provisions of the federal Fair Labor Standards Act (FLSA), and/or support increasing the flexibility employers and employees have in complying with the FLSA.

GENERAL FINANCE

The City of Colorado Springs is impacted by state and federal financial policies.

Therefore, the Colorado Springs City Council supports the following policy statements:

- ◆ Support revision or repeal of the state constitution's 1982 Gallagher Amendment in order to rebalance the assessment value between residential and commercial property tax rates.
- ◆ Support equitable sharing with municipalities of existing and increased state revenues derived from traditional state-collected, locally shared revenues, such as cigarette tax, Highway Users Tax Fund, and lottery. Support sharing state surplus revenues with local governments for programs such as transportation.
- ◆ Support distributing a proportional share to the Colorado Springs community of state funds distributed through statewide competitive grant processes, such as limited gaming revenues, drug control and other crime prevention funds, juvenile fire setter prevention funds, Great Outdoors Colorado Trust Funds, and arts funding.
- ◆ Oppose state and federal unfunded mandates.
- ◆ Support state and federal legislation that provides grants and related revenue streams that do not impose untoward consequences upon the City.
- ◆ Support legislation that balances the employer/employee cost allocation for PERA and FPPA pension plans, retiree health insurance costs, and retirement benefit options while maintaining adequate and actuarially sound funding. Support legislation that advances municipalities' flexibility to transition toward a defined contribution retirement system.
- ◆ Support legislation requiring the state to replace local revenues lost as the result of initiative and referendum measures.
- ◆ Support efforts to reduce regulatory burdens upon business by eliminating redundancies between state agencies and among state, county and local jurisdictions.

SALES AND USE TAX

The City of Colorado Springs levies, administers, and collects its own sales and use taxes under its home rule authority. Sales and use taxes comprise approximately 50% of General Fund revenues. It is estimated that these revenues would decrease as much as 10% to 15% if the City were forced to adopt the much narrower state sales tax base and revert to central state collection of revenues.

Therefore, the Colorado Springs City Council supports the following policy statements:

- ◆ Support legislation that maintains local control over base, rates, collection and administration of sales and use taxes.

- ◆ Support cooperative efforts of state, business, and municipal entities to simplify sales and use tax collections, provided such efforts recognize the importance of home rule municipalities retaining the authority to manage tax programs and collect taxes directly.

CONTRACTING AND PRIVATIZING SERVICES

The City of Colorado Springs and Colorado Springs Utilities have an excellent record of contracting and privatizing services, issuing several thousand contracts yearly and historically having privatized functions for a wide range of operational and professional services. The Colorado Springs City Council believes that municipal services should be provided in the most competitive way possible, and that municipal officials are in the best position to make decisions to privatize or contract municipal services.

Therefore, the Colorado Springs City Council supports the following policy statement:

- ◆ Support the concepts of competitiveness, privatization and contracting for services; however, oppose legislation mandating privatization and contracting procedures not fiscally or operationally advantageous to municipal government and citizens of the community.

TAX AND EXPENDITURE LIMITATION

On November 3, 1992, Colorado voters approved a state constitutional amendment imposing tax, spending, and revenue limitations on all government. In April, 1991, Colorado Springs voters approved a charter amendment imposing tax, spending and revenue limitations on the City's municipal government, and the City is bound by the more stringent of the two.

Therefore, the Colorado Springs City Council supports the following policy statements:

- ◆ Encourage a state-local government partnership so that state government implementation of state tax expenditure and revenue limitations is in keeping with the intent of the electorate but does not inappropriately burden the City of Colorado Springs or its citizens.
- ◆ Oppose permanent tax reductions that could cause a reduction in the spending limitation in slow economic times.

ECONOMIC DEVELOPMENT

The Colorado Springs City Council recognizes the importance of developing and sustaining a healthy economic climate in the Colorado Springs area, and throughout the State of Colorado. The increasing significance of becoming globally competitive is also at the forefront of City Council's concerns. To that end it is important to develop and maintain a diversified economic base that strengthens the unique economic clusters of the region, including the strong military/defense industry presence, all of which contribute to the city's economic vitality. In order to foster a vibrant business climate it is important to: promote the growth and retention of primary jobs; foster a healthy business climate; support the success and expansion of small businesses; eliminate policies, procedures and rules that stifle business growth through bureaucratic delays; contribute to a skilled work force; ensure adequate housing availability for the local workforce, and implement specific economic development policies and objectives that support strong public and private sector economic development programs.

Therefore, the Colorado Springs City Council supports the following policy statements:

- ◆ Support state tax policies and incentive programs, whether through enterprise zones, business incentive agreements (BIA's), or other legislative initiatives, which encourage business expansion and retention through primary job creation, investment in capital equipment, and facility development for primary employers all of which increase our tax base.
- ◆ Support creation and use of tax revenues generated by expansion and new location of primary employers to finance necessary municipal services and capital improvements to maintain the community's competitive advantage.
- ◆ Support changes that speed the regulatory and permitting processes for new construction of primary employment and related facilities.
- ◆ Support state policies that encourage the development and redevelopment of downtown and targeted areas that are of strategic significance.
- ◆ Support legislation or efforts to attract research and development firms to the University of Colorado.
- ◆ Support legislation that maintains or enhances the ability of the City to effectively utilize urban renewal and tax increment financing, and oppose efforts by other taxing entities to limit or reduce its use.
- ◆ Support the development of a statewide economic strategy that increases competitiveness and focuses on a business-friendly climate and economic direction, but that allows local control of economic development and community growth.
- ◆ Support state policies that assist local municipalities with incentives for business, which will support economies at both the state and local level.
- ◆ As necessary, support statewide efforts to retain and convert military assets and defense industries in Colorado.

LAND USE

The Colorado Springs City Council recognizes the need for an affirmative annexation policy that encourages case-by-case review of benefits and liabilities of annexations to the City and the City's ability to provide adequate services to the citizens affected. The Council further recognizes its role in actively managing the City's quality of life and strong neighborhood and community identity through orderly, balanced growth.

Therefore, the Colorado Springs City Council supports the following policy statements:

- ◆ Support legislation that clarifies and simplifies the municipal annexation process.
- ◆ Encourage legislation that reduces or eliminates restrictions on municipal annexation powers.
- ◆ Support legislation that encourages voluntary intergovernmental cooperation and coordination in matters such as comprehensive planning, zoning, subdivision and code enforcement and provides state assistance to communities for planning when necessary.
- ◆ Oppose legislation that diminishes home rule powers regarding land use policy and growth management.

PUBLIC SAFETY

The Colorado Springs City Council recognizes the critical importance of maintaining public order, providing a safe environment, and protecting the lives and property of the citizens of Colorado Springs.

Therefore, the Colorado Springs City Council supports the following policy statements:

- ◆ Support legislation that helps develop and maintain interoperable communication systems for public safety.
- ◆ Oppose legislation that constrains local control over the provision of emergency 9-1-1 services.

Fire

- ◆ Support state legislation, regulations and/or budgetary appropriations that enhance fire and life safety.
- ◆ Support legislation creating a State Fire Marshal and/or adopting a minimum state fire code, but do not allow a State Fire Marshal to have authority over home rule jurisdictional control. If a minimum state fire code should include unfunded mandates, require a provision permitting jurisdictions to substitute local standards in place of the statewide standards.

- ◆ Support legislation placing the Colorado Emergency Planning Commission in the Department of Public Safety, and empowering the Commission to conduct public hearings on the needs and priorities for Hazardous Materials Emergency Response.
- ◆ Support legislation banning the sale of fireworks in counties and other unincorporated areas.

Police

- ◆ Support legislation that discourages requiring criminal justice agencies to pay fees to obtain financial disclosure information from banking institutions.
- ◆ Support ongoing distribution by the state of federal funds to school-based prevention programs and partnerships.
- ◆ Support legislation that strengthens the State Juvenile Justice System, including legislation that increases the number of juvenile probation officers, treatment slots and detention cells for serious juvenile offenders.
- ◆ Support legislation that prohibits possession of deadly weapons in school buses used to transport public school students.
- ◆ Support legislation providing enhanced sentences for criminal offenses committed by proven members of gangs.
- ◆ Support legislation that maintains local control over traffic enforcement and recognizes the right of a home rule city to adopt reasonable regulations to protect the public health, safety and welfare.
- ◆ Support legislation to provide greater access to mental health and substance abuse treatment.
- ◆ Support legislation that enhances the integration of local and State criminal justice agency information systems in order to increase the efficiency and information sharing capacity of law enforcement agencies.
- ◆ Oppose legislation that imposes substantial information gathering and reporting requirements on public safety when those requirements come with substantial costs that are not supported by adequate funding.
- ◆ Support legislation that increases penalties for Possession of Child Pornography.
- ◆ Support legislation that creates stronger penalties for parents/guardians who aid/assist, or fail to report, sexual assaults on children.
- ◆ Support legislation that further regulates recycling of commodity metals to deter theft.
- ◆ Support legislation that increases the financial threshold of property damage that triggers a police investigation of non-injury traffic accidents.

TRANSPORTATION AND PUBLIC TRANSIT

The Colorado Springs City Council recognizes the importance to the City of Colorado Springs of cooperation and coordinated planning among the various federal, state and local agencies involved in the delivery of transportation services and the development, expansion, maintenance and repair of the transportation infrastructure.

Therefore, the Colorado Springs City Council supports the following policy statements:

- ◆ Support legislative efforts to increase the role of local governments in the transportation infrastructure, public transit and rail planning processes.
- ◆ Support legislation and regulatory action that maintains or increases the level of funding provided by the state or passed through the state by the federal government for transportation-related activities at the local level, including highways, bridges, public transit, traffic communications technology and rights-of-way landscape maintenance.
- ◆ Oppose the transfer of state highways to Colorado Springs without corresponding funding for operations and maintenance.
- ◆ Oppose changes to the Special District Act and related statutes that would undermine the powers and taxing authority uniquely available to general purpose local governments.
- ◆ Support the use of funding distribution formulas that include population, vehicle registration, tolling, funding source or traffic congestion as factors in determining the distribution.
- ◆ Support legislation that expands transportation planning, funding, and voluntary incentives to include an increasingly multi-modal perspective focusing on alternatively fueled vehicles and fleets, pedestrian ways, bikeways, multi-use trails, car/van pooling, and parking.
- ◆ Support federal and state funding for capital and operating expenses of public transit, high-speed rail, paratransit and human service transportation.
- ◆ Oppose regulation by the Colorado Public Utility Commission of transit systems in home rule municipalities where applicable federal or local regulations exist.
- ◆ Support federal and state funding for completion of projects identified in the Pikes Peak Area Council of Governments Regional Transportation Plan and City of Colorado Springs transportation plans, including but not limited to widening I-25 to six lanes between Colorado Springs and Castle Rock, improvements to Interstate 25 (reconstruction of interchanges at Cimarron Street and Fillmore Street), and improvements to Powers Boulevard (northern extension to I-25 and construction of an interchange at Stewart Avenue/Peterson Air Force Base).

- ◆ Support federal and state funding for public transit projects identified in the Pikes Peak Area Council of Governments Regional Long Range Transportation Plan.
- ◆ Support federal legislation removing transportation trust funds from the unified federal budget.
- ◆ Support federal, state and private funding for Pikes Peak to build a replacement Summit House, make erosion, drainage and road improvements to the Pikes Peak Highway, and provide new recreational, educational and interpretive opportunities for citizens and visitors to the Pikes Peak region.
- ◆ Support the ability of local agencies to utilize impact fees and user pay mechanisms to obtain fair share contributions from those who create demand for or benefit from transportation and public transit projects and improvements.
- ◆ Support state funding to assist local governments in meeting the upcoming federal mandates such as new traffic signage and pavement marking standards.
- ◆ Support legislation that would provide first dollar funding to “SB-1” distribution without having to meet revenue threshold or trigger requirements.
- ◆ Support legislation that would allow the use of state FASTER funds for operating expenses of public transit programs, even if for a limited period of time.
- ◆ Support legislation that would grant localities additional discretion over the use of their FASTER allocations.
- ◆ Support legislation that would improve access to drivers and vehicle license offices including providing such offices on larger military installations.

HOUSING

The Colorado Springs City Council recognizes the importance of the Community Development Block Grant (CDBG) and other federal grant programs, including Housing Opportunities Made Easy (HOME) and Emergency Shelter Grants which help to maintain viable low/moderate-income neighborhoods, eliminate blight from the community and provide affordable housing.

Therefore, the Colorado Springs City Council supports the following policy statements:

- ◆ Support legislation creating new or enhancing existing state and federal affordable housing programs, such as the Colorado Division of Housing and the Colorado Housing and Finance Authority loan and grant programs, and community development corporations.
- ◆ Support tax incentives for the creation of housing affordable to the workforce.
- ◆ Encourage legislative restraint in state regulation of local Housing Authorities and Urban Renewal Authorities.
- ◆ Support legislation that authorizes and funds affordable housing trusts.

Federal Legislative Issues

- ◆ Support federal regulatory revisions that allow local housing authorities discretion in setting affordable rents and the ability to operate in a deregulated environment.
- ◆ Support current or increased levels of federal CDBG, HOME, Emergency Shelter Grant and public housing/Section 8 operating and modernization funding.
- ◆ Support amendments to the Federal Housing Act to allow local public housing agencies and non-profits a first right of refusal to acquire HUD insured and subsidized properties which convert to market rentals.

HUMAN SERVICES

The Colorado Springs City Council recognizes that essential basic human service needs such as affordable quality child care are essential to helping disadvantaged members of the community enter the workforce and to serve those who are unable to meet their basic needs, including young, elderly and disabled.

Therefore, the Colorado Springs City Council supports the following policy statements:

Federal Legislative Issues

- ◆ Support efforts to assure that HUD block grants continue to be given directly to entitlement cities, not states.
- ◆ Oppose targeted set-asides from Community Development Block Grants.
- ◆ Oppose amendments to the federal CDBG allocation formula for entitlement cities that would increase allocations to large cities at the expense of medium size cities.
- ◆ Support efforts to simplify federal planning and monitoring regulations.
- ◆ Support efforts limiting federal Consolidated Planning Document regulations to those required by statute.
- ◆ Support efforts to consolidate federal Stewart B. McKinney Programs for the homeless into a direct Block Grant entitlement program to cities.
- ◆ Support continued funding at or above current levels to area agencies on aging.
- ◆ Support welfare to work programs.

PARKS AND RECREATION

The Colorado Springs City Council acknowledges the importance of retaining lottery funds to support and develop parks in Colorado Springs. Since the inception of the Colorado lottery program in 1984, the City has received over \$60 million for parks and recreation projects that enhance the quality of life for local citizens and visitors.

Therefore, the Colorado Springs City Council supports the following policy statements:

Lottery/Great Outdoors Colorado Trust Fund

- ◆ Encourage support, at the same or increased levels, from existing lottery programs for local parks and recreation projects and programs and for trails and open space projects.
- ◆ Oppose any effort to alter the 1985 distribution formula in a manner that reduces the proceeds for local parks and recreation projects and programs.
- ◆ Continue to encourage acceptable levels and equal consideration of funding for maintenance and equipment acquisition.
- ◆ Support rules and regulations of the Great Outdoors Colorado Trust Fund that insure a fair share revenue return to Colorado Springs and allow multi-year funding.
- ◆ Encourage a broad definition of parks in the Great Outdoors Colorado program, to include municipal facilities such as urban parks, athletic fields and recreation facilities.
- ◆ Encourage the term “statewide significance” in the Great Outdoors Colorado program be inclusive of projects significant to metropolitan areas.
- ◆ Clarify terms specific to competitive grants and competitive matching grants with the broadest definition being established as to purposes and permitted uses of each type of grant. Allow the use of Conservation Trust Funds (original lottery per capita allocation), distributed on a per capita basis, as a match to these grants.
- ◆ Monitor expenditures from the trust fund to assure that water markets are not adversely impacted and that the City can continue to develop water supplies for the future.

Open Space

- ◆ Support legislation or policies that encourage the flexibility of the State Land Board in dealing with local jurisdictions on lands which may have local and regional benefit as open space.
- ◆ Support legislation to provide further incentives to conserve open space.

TELECOMMUNICATIONS

The Colorado Springs City Council recognizes the importance of telecommunications technology in maintaining a healthy business climate and enhancing the quality of life of its citizens.

Therefore, the Colorado Springs City Council supports the following policy statements:

- ◆ Support legislation that encourages the growth of competition in the telecommunications industry by deregulating network and equipment services whenever practicable, and that encourages the continued evaluation and implementation of telecommunications technology at reasonable cost to all citizens.
- ◆ Support legislation that encourages joint planning efforts of state and local governments to develop information infrastructure and demonstration projects compatible with emerging national information infrastructure.
- ◆ Support legislation consistent with the City's policy to preserve local government control and autonomy over public rights-of-way, facilities or other assets, and the right of local government to receive fair and reasonable compensation for their use including, but not limited to, cable franchise fees consistent with current practices in Colorado municipalities which impose such fees.
- ◆ Oppose legislation that restricts the decision-making authority of municipalities to provide telecommunications services, including emergency 9-1-1 services.

ENVIRONMENTAL QUALITY

The Colorado Springs City Council recognizes the importance of working cooperatively with other governmental entities to implement and manage efficient, cost-effective, scientifically based environmental control programs and in response to federal mandates, seek additional funds as appropriate. It is the intent of the City to meet or exceed compliance with all applicable environmental laws and regulations.

Therefore, the Colorado Springs City Council supports the following policy statements:

General

- ◆ Support legislation that limits the Colorado Department of Public Health and Environment's authority to promulgate environmental regulations more stringent than federal regulations.
- ◆ Support legislation that provides adequate federal and state funding for mandated programs and provides for an equitable distribution of program costs between state general fund monies and user fees.

Federal Legislative Issues***Waste Disposal***

- ◆ Support legislation that limits liability for waste cleanup costs under the federal CERCLA law where the municipality demonstrates due care and absence of fault in connection with waste disposal at a site; provides for apportionment of cleanup costs based on toxicity; provides that municipal liability for cleanup costs at a waste cleanup site can only be assessed by the federal government; and provides an early and fair means of settlement for municipalities named as liable parties at waste cleanup sites.

Endangered Species Act

- ◆ Oppose any expansion of critical habitat boundaries for the Preble's meadow jumping mouse.
- ◆ Support adequate funding for administration of the Endangered Species Act, including funding for acquiring habitat for the Preble's mouse until delisting occurs.
- ◆ Support amendments to the federal Endangered Species Act that would require the U.S. Fish and Wildlife Service, in the development of recovery plans, to cooperate with local governments.
- ◆ Support legislative and regulatory efforts to improve the processes for listing, recovery planning and de-listing of endangered species by establishing biological criteria for determining whether a species should be listed including population trends, range and status of the species and to establish de-listing criteria based on species recovery.

Clean Water Act

- ◆ Support amendments to the federal Clean Water Act for the stormwater program, which consider technological feasibility and cost factors, and base implementation on a locally developed stormwater plan.
- ◆ Support legislation and regulation that acknowledge the non-point source nature of stormwater runoff and that measure compliance based on implementation of Best Management Practices (BMP's) and not specific numeric effluent limits.