



## STUDY SESSION MEMORANDUM

**TO:** Mayor and Members of City Council

**FROM:** Carl Castillo, Chief Policy Advisor

**DATE:** January 25, 2024

**SUBJECT:** Study Session for January 25, 2024  
City of Boulder Engagement with State Legislative Process

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### EXECUTIVE SUMMARY

The Second Regular Session of the Seventy-fourth Colorado General Assembly convened on January 10, 2024. The City of Boulder has begun to monitor bills that have been introduced and expects to soon begin engaging in the legislative process to further the city's interest. The purpose of this study session is to provide council with a high-level update on expectations for the session and an explanation of the process the city intends to use for engaging in advocacy. Staff is scheduled to return to city council at a public hearing scheduled for February 15, 2024 at which time council will have the option to approve revisions to the city's 2024 Policy Statement on Regional, State and Federal Issues.

### KEY ISSUES IDENTIFIED

The following is an outline of the key issues that will be discussed at the study session.

- Expectations of the Colorado legislature in 2024
- Importance of city engagement in legislative process
- Purpose, use and revisions to [City of Boulder 2024 Policy Statement on Regional, State and Federal Issues](#)
- Reporting of [2024 State Legislation of Interest to City of Boulder](#)
- Adoption of position on legislation
- Role of City Council's Intergovernmental Affairs Committee
- City advocacy vs. independent advocacy vs. technical comments
- Coordination of city advocacy
- [Headwater Strategies](#), the city's state lobbyists
- Intergovernmental updates
- City advocacy partners

## Questions for Council

1. Does council have any questions or comments about expectations of the Colorado legislature in 2024?
2. Does council have any questions or concerns with the 2024 Policy Statement?
3. Does council have any questions or concerns about the process the city uses to engage in advocacy?

## BACKGROUND

### Development and Use of The Policy Statement

The purpose of the City of Boulder’s 2024 Policy Statement on Regional, State and Federal Issues (the “Policy Statement”) is to inform city advocacy on policy decisions that, while made outside the city’s jurisdictional authority, have potential to significantly impact the city. This includes legislative decisions by the Colorado General Assembly or the U.S. Congress. It also includes non-legislative decisions made at the federal, state and regional levels, including those of Colorado agencies (e.g., Colorado Department of Public Health and Environment, Public Utilities Commission, Department of Transportation, Department of Regulatory Affairs); federal agencies (e.g., Department of Energy, Department of Transportation, the Federal Communications Commission); regional governments (e.g., Regional Transportation District); and intergovernmental coalitions (e.g., Rocky Flats Stewardship Council, Colorado Municipal League, Metro Mayors Caucus, Northwest Mayors and Commissioners Coalition, Colorado Communities for Climate Action). The Policy Statement is also used to inform decisions on judicial cases the city should participate in as an amicus curia, including whether to sign on to an amicus brief.

The city offers the Policy Statement to regional, state, and federal policy leaders for reference when considering decisions impacting the City of Boulder. Strategic, targeted, and/or abbreviated versions of this information will also be created throughout the year for use in specific communications.

The Policy Statement was developed in advance of the convening of the 2024 Colorado General Assembly and the Second Session of the 118th U.S. Congress. Consequently, it does not address legislation by bill number. Instead, it describes the city’s goals on various policy matters as well as examples of specific approaches it would support or oppose to achieve those policy goals. With the coordination of the city’s Chief Policy Advisor, it will be used by city officials to inform communication of city positions on proposed bills and non-legislative regional, state and federal policy decisions.

Council may revisit the Policy Statement at any point. Before doing so, council will normally refer proposed changes to its Intergovernmental Affairs Committee to deliberate on each change and to make a recommendation to the full council informed by a staff

analysis. Council created this committee for the purpose of convening on an ad hoc basis with the Chief Policy Advisor and other city staff as necessary when one or more of the following circumstances exist:

1. There is an immediate need for council members to participate with staff to develop a strategy to advance or defeat a proposed policy that is clearly addressed by the city's Policy Statement or other council-approved policy documents; or
2. A decision is expected to be made on regional, state or federal policy that affects a matter that council has previously provided general direction on and that could significantly impact the city but is one that council did not provide sufficient specific direction on and with timing that will not allow for council direction to be obtained. In these limited situations, the Chief Policy Advisor may turn to the committee for direction on such policy proposals so that the city can advocate accordingly. Council is to be informed whenever such committee direction has been provided and council may choose to subsequently revisit such direction.

Council's Intergovernmental Affairs Committee is also turned to for input on revisions to the Policy Statement and to plan agendas for meetings with regional, state and federal policy makers.

Council will consider adopting comprehensive revisions to the Policy Statement once a year, typically no later than October. The Intergovernmental Affairs Committee will also regularly meet in December or January in odd-numbered years (after new council members have had the ability to be appointed to the committee) to determine whether further revisions are necessary. Council will then consider such additional changes in February, soon after the Colorado General Assembly has convened.

When adopting the Policy Statement, council members may vote to support the statement in its entirety and commit to supporting all positions when speaking on behalf of the city. In doing so, however, council members are nonetheless encouraged to express any reservations or personal opposition they have to one or more positions.

As has been done in years past, council is again adopting a goal that modifications to this Policy Statement require consistency, when applicable, with the six criteria described below:

1. Uniformity with current city council goals;
2. Expected relevance in the upcoming year;
3. Uniqueness of issue or impact to the City of Boulder;
4. Viability or likelihood of achieving the policy goal;
5. Opportunity for providing funding for the City of Boulder; and
6. Availability of metrics of success that would allow the position to be deleted from future Policy Statements if achieved.

Departures from these criteria are made in unique circumstances as determined by council, such as when adoption of a city position is important to support regional partners, even while the policy in question is otherwise of limited consequence to the city.

**NEXT STEPS**

Staff is scheduled to return to city council at a public hearing scheduled for February 15, 2024 at which time council will have the option to approve revisions to the city's 2024 Policy Statement on Regional, State and Federal Issues.