

2024–2025

# COMMERCE CITY FEDERAL & STATE LEGISLATIVE GUIDE



**City of Commerce City**  
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# ABOUT COMMERCE CITY

One of the state's fastest growing cities, Commerce City is redefining itself for generations to come. Building upon long held values of community, industry, agriculture, and family. Commerce City is a Quality Community for a Lifetime, with 25 miles of trails, a championship golf course, 840 acres of open space and

parks, one of the country's largest soccer complexes, Dick's Sporting Goods Park and home of the MLS professional soccer team the Colorado Rapids, and the yearly multiday Phish summer concert tour. Also of note the nation's largest urban wildlife refuge the Rocky Mountain Arsenal Wildlife Refuge can be found in Commerce City.



## COMMERCE CITY AT-A-GLANCE

Only eight short miles north of Downtown Denver, Commerce City provides direct access to six major highways, Denver International Airport, two railroads, and two commuter rail lines. Over 1,700 businesses call Commerce City home, ranging from international and national headquarters to small businesses and entrepreneurs.



Source: 2023 Commerce City Economic Profile

## DIVERSITY IN OUR POPULATION

	State	City
Persons under 5 years	5.8%	8.6%
Persons under 18 years	21.9%	33.0%
Persons over 65 years	14.6%	7.4%
Hispanic or Latino	21.8%	49.2%
Two+ races	3.1%	4.2%
Foreign born persons	9.7%	15.7%

Source: US Census Bureau

## PROGRESSIVE GOVERNANCE

Incorporated in 1952, Commerce City is a home-rule municipality with a council-manager form of government. An elected City Council establishes the city's vision, sets annual policy goals, and enacts laws that govern its citizens. The nine-member body includes a mayor, a council member for each of the city's four geographic wards, and four at-large council members. The mayor selects a councilperson to serve as mayor pro tem.

The city's vision is one of a Quality Community for a Lifetime. As a municipality, its mission is to provide excellent public services and customer experiences by anticipating needs, embracing diversity, and fostering relationships to sustain a growing and vibrant community.

The 2024 budgeted total government funds for the city was \$136 million. Projected expenditures are divided into 17 different funds, including \$19.1 million to the capital improvement program fund. Known as a business-friendly community, Commerce City does not have a head tax and its 2.55 property tax mill levy is one of the lowest in the state.

## CITY COUNCIL'S GOALS

1. Develop and maintain public infrastructure, facilities, and transportation to improve community appearance and encourage continued development.
2. Promote a balanced, thriving, and inclusive city economy that cultivates, attracts, and retains business.
3. Protect resident health, safety, and education by promoting public safety, environmental health, and sustainability.
4. Address the full spectrum of housing needs, encourage sustainable development, and protect residents through enhanced oversight and balanced residential growth.
5. Promote city unity and support our diverse community by encouraging community connectivity, fostering civic pride, and improving resident health and wellness.
6. Provide innovative, responsive, and transparent service to the community across all city departments by assessing and meeting service levels and demonstrating efficacy through data and metrics.

# FEDERAL LEGISLATIVE PRIORITIES

Commerce City is grateful for the continued partnership with the Colorado Congressional Delegation and Federal Agencies to advance city priorities benefiting our growing community. The Leadership of Commerce City will continue, with the support of the community, to advance the following priorities identified as significant importance to Commerce City in its entirety:

- **Railroads:** Continued advocacy for resolution/solutions of identified safety and nuisance issues related to railroad proximity to residential and commercial developments.
- **Transportation:** Advocate for more federal funding to support the city's transportation infrastructure to create and promote a more multimodal transportation system.
- **Environment:** Advocate for continued funding for the Rocky Mountain Arsenal National Wildlife Refuge.
- **PFAS (Perfluorooctanesulfonic Acid) Clean-Up:** Ensure, when applicable, garnering the support from the EPA to hold the responsible parties accountable for identified contamination, including and not limited to the federal government, bearing all cleanup costs.
- **Housing:** Advocate for the continued funding of the Community Development Block Grant (CDBG) program because the city will receive \$2.2 million over five years.
- **Communications:** The city is concerned about Federal Communication Commission (FCC) rulings that limit local government oversight telecommunications facilities.
- **Investment Tax Credit (ITC):** Extend by five years to 2027 which gives a 30% tax credit for solar installations.
- **Earned Income Tax Credit and Child Tax Credit:** Expand these tax credits to benefit more individuals and households.
- **Supplemental Nutrition Assistance Program (SNAP):** Commerce City Leadership was deeply concerned with the proposed 2019 changes to SNAP qualifications. Understanding food insecurity is a real and present concern facing many families today.



# FEDERAL LEGISLATIVE PRINCIPLES

## RAILROADS

Commerce City

### Complaints Pertaining to Train Crossings

2020 (Feb. YTD)	51
2019	365
2018	327
2017	141

Commerce City continues to receive complaints about train-blocked intersections and noise, which poses a significant challenge for our community. These incidents – lasting longer than 10 minutes - are becoming routine along the Burlington Northern Santa Fe (BNSF) and Union Pacific (UP) railroad lines.

Blocked crossings pose a significant challenge for public safety response, residents, and economic development:

- Emergency services cannot effectively navigate the city.
- With a finite number of north/south and east/west routes across the city, commuters have limited options to avoid blocked crossings.
- Congestion also increases vehicle idling times, reducing air quality during rush hour.

Commerce City was the first Colorado city to create a quiet zone consistent with the Federal Railroad Administration's quiet zone crossing requirements in 2008. The federal government has an opportunity to make a meaningful difference in the lives of its citizens by:

- Establishing dedicated federal funding for rail crossing improvements and construction of grade separated crossings.
- Rulemaking to regulated intersection blockages and quiet zone implementation.
- Improvements along rail freight corridors, including grade separations and other safety measures, and improve rail safety.

## ENVIRONMENT

The Rocky Mountain Arsenal National Wildlife Refuge, owned by the federal government and maintained by the U.S. Fish and Wildlife Service, is the largest contiguous open space in the metropolitan area. The 15,000-acres refuge is home to bison, deer, coyotes, bald eagles, burrowing owls, black-footed ferrets and many other wildlife species.

Once the site of a U.S. Army chemical weapons manufacturing facility, the land has undergone extensive environmental cleanup. Today, the vast majority of the Rocky Mountain Arsenal has been deleted from the National Priority List because all required cleanup is complete.

Commerce City wants the 350,000 annual visitors and the region to think of the site as a refuge first, arsenal second. Full implementation of the refuge's comprehensive conservation plan – with adequate funding – would help achieve this goal.

## **PFAS CLEAN-UP**

Commerce City seeks to ensure the parties responsible for PFAS contamination, including the federal government, are held fully accountable for cleanup costs and to ensure that sites are cleaned up in a timely manner and to standards sufficiently stringent to permit reuse of the site and to obviate the need for additional cleanup costs by affected local governments.

## **HOUSING**

The city continues to advocate for funding of the Community Development Block Grant (CDBG) program. This CDBG grant has allowed the city to fund much needed programs that provide assistance for low-to-moderate income residents.

### **Completed projects in 2023 funded by the CDBG:**

- Public Infrastructure assistance was given to 11,330 people
- Services were provided to 3,831 low-to-moderate-income residents
- Provide, preserve, and support 16 affordable housing units

Commerce City has abundant opportunities to utilize future CDBG funding. Hundreds of older homes need rehabilitation, crime victims and their families need emergency support, and the city's most critical and vulnerable populations continue to need protection. Future federal grants – especially the direct entitlement of CDBG funds – will allow the city to revitalize blighted neighborhoods, increase affordable housing stock, and generate economic activity.

## **COMMUNICATIONS**

The standards for telecommunications facilities located in Commerce City were adopted by City Council in 2016 and apply to all new facilities and to existing facilities for which there is a new substantial change as defined by the Federal Communications Commission (FCC). There are five basic types of telecommunications facilities allowed in Commerce City: 6409(a) Facilities, Concealed Facilities, Building or Structure Mounted Facilities, Pole Mounted Facilities and Monopoles.

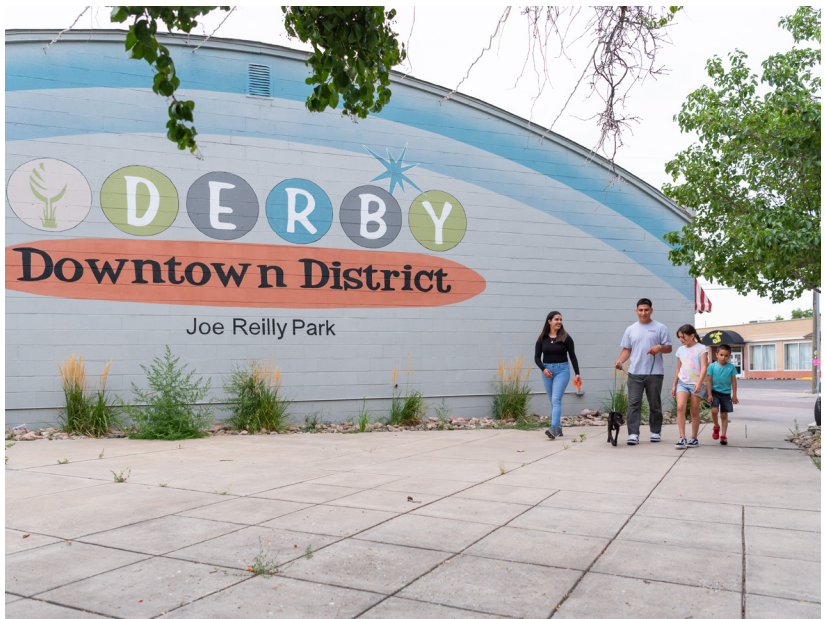
The FCC has issued rulings over the last few years that limit the power of local governments with respect to telecommunications facilities. Some of the restrictions include limiting the time for review of permit applications, placing a priority on these applications over other issues; and limiting the restrictions that local governments can place on these facilities under their purview power.

The city remains concerned with Federal Communication Commission (FCC) rulings limiting local government oversight of telecommunications facilities within their municipalities.

## **INVESTMENT TAX CREDIT (ITC)**

The Investment Tax Credit (ITC) for solar energy, initially set to expire in 2022, received an extension as part of the Inflation Reduction Act (IRA) passing in August 2022. Under the IRA, the ITC was extended at the 30% rate through 2032, providing incentives for both residential and commercial solar energy systems. After 2032, the credit is set to decrease to 26% in 2033 and 22% in 2034 before phasing out for residential solar projects in 2035 unless further extended.

The extension not only applies to solar energy but also covers other clean energy technologies such as battery storage, which now qualifies for the ITC independently from solar installations. The ITC is part of the broader U.S. strategy to support renewable energy growth and meet climate goals, all of which directly benefits the community at large.



# EARNED INCOME TAX CREDIT AND CHILD TAX CREDIT (EITC)

## Commerce City Leadership continues to support the EITC tax credits.

The Earned Income Tax Credit (EITC) remains an active and important tax credit in the United States. The EITC is intended to assist low-to-moderate income working individuals and families by providing a refundable-eligible taxpayers can receive a refund even if they have no tax liability.

### Key updates to the EITC:

1. American Rescue Plan Act (ARPA) of 2021: The legislation temporarily expanded the EITC for tax year 2021-increasing the maximum credit for childless workers and made the credit available to a broader age range (starting at 19 instead of 25 and without an upper age limit for older workers).
2. Post-2021 Adjustments: Many of the expansions under ARPA were temporary and expired after the 2021 tax year. The EITC for tax years 2022 and beyond reverted to its previous structure for childless workers; the maximum credit for these individuals has decreased, and the eligibility age has returned to 25 to 64 years. However, families with children still benefit from the standard EITC structure, with amounts adjusted annually for inflation.
3. The 2024 EITC amounts for 2024 have adjusted slightly—a result of inflation:
  - Up to \$7,430 for taxpayers with three or more children.
  - Up to \$6,604 for taxpayers with two children.
  - Up to \$3,995 for taxpayers with one child.
  - Up to \$600 for taxpayers with no children.

The EITC continues to be a key financial support tool for low-income households, and there are ongoing discussions about potential future expansions to help reduce poverty and support working families. The Earned Income Tax Credit or EITC, is a tax credit for people who work, and earn low to modest incomes. Those who qualify and claim the credit could pay less federal tax, pay no tax or even get a tax refund. Commerce City seeks to expand these tax credits to benefit more individuals and households.





## SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM (SNAP)

The COVID-19 pandemic and court challenges to the proposed rule change, halted implementation of the stricter guidelines for SNAP recipients.

The 2019 finalized rule on Supplemental Nutrition Assistance Program (SNAP) work requirements was designed to create stricter eligibility criteria for many Able-Bodied Adults without Dependents (ABAWDs).

The 2019 rule, finalized by the Trump administration, intended to tighten work requirements for ABAWDs.

### 2024 SNAP Regulations:

The stricter work requirement rule from 2019 faced multiple legal challenges and was ultimately blocked by federal courts before it could be fully implemented.

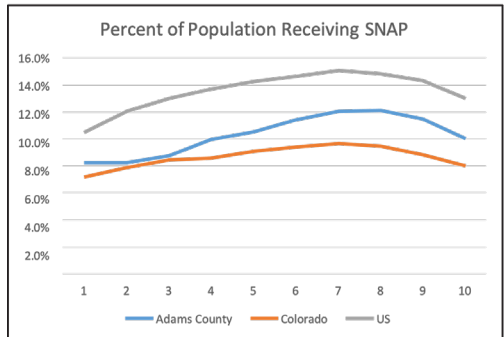
After the court rulings and the COVID-19 pandemic, the Biden administration did not pursue the implementation of the 2019 rule and rolled back several aspects of the proposed changes.

Currently, ABAWDs aged 18 to 49 are subject to the general work requirements of working or participating in a training program for 20 hours per week.

States continue to have the ability to request waivers for areas with high unemployment rates, allowing them to exempt ABAWDs from the time limits. The time limit remains at three months within a three-year period if work requirements are not met.

In 2023, as part of the Fiscal Responsibility Act, work requirements for SNAP eligibility were adjusted. The Act raised the age for ABAWD work requirements from 49 to 54 by 2025-exemptions were carved out for veterans, the unhoused, and individuals aging out of foster care.

The 2019 stricter work requirement rule was blocked, current regulations maintain work requirements for ABAWDs providing some states with flexibility. The situation remains fluid, with new adjustments implemented as part of broader legislative negotiations.



# STATE LEGISLATIVE PRIORITIES

- **Home Rule:** Continue to advocate for local decision-making and home rule authority concerning municipal operations, taxation, land use & controls, urban renewal, and public safety best.
- **State Mandates:** Ensure all state mandates provide adequate funding allowing Commerce City to comply fully with the mandate without negatively impacting the city's legislative budget priorities.
- **Inventory:** In accordance with the city's comprehensive plan, provide continued support for craftsmanship and quality control measures for new housing construction. Increase variety of housing that meets the socio-economic and demographic needs of our residents in a manner consistent with the city's comprehensive plan. Support efforts to enact craftsmanship and quality control measures for new construction. Support recourse for homeowners in alignment with the State of Colorado's statutory amendments pertaining to construction defects.
- **Renter Protections:** Support and advocate for policies protecting renters, while working with new and existing developers to increase the supply of affordable housing, attainable for new and existing Commerce City residents.
- **Education:** Advocate for improved P12, post-secondary/workforce access and accountability, ensuring all students obtain a quality education and can meet established performance metrics. Promote workforce development measures that provide workers pathways to skilled trade opportunities within their communities.
- **Oil & Gas:** Share local experience with oil and gas development to inform statewide policies that prioritize health, safety, and welfare of the public, environment, and wildlife.
- **Human Services:** Advocate for policies maintaining the current level of funding for social service programs, while supporting funding for additional programs such as wraparound services for vulnerable populations. Continue to advocate for funding/programs addressing issues i.e. food insecurity, homelessness, mental health, and substance abuse.
- **Railroads:** Advocate for enforcement solutions addressing safety and nuisance issues related to railroad proximity, i.e. crossing conflicts and quiet zone rules.
- **Infrastructure:** Support federal and state funding of transportation infrastructure, particularly major arterial routes such as U.S. 85, 120th Ave., Interstate 270, and 88th Ave., with an emphasis on an integrated, multimodal network.



- **Trucking:** Support state legislation and rulemaking on third-party parking availability.

## **OLDER ADULTS/SENIOR SERVICES:**

Commerce City Leadership values and supports the aged and aging population throughout the city. The Older Americans Act (OAA), enacted in 1965, is a federal law providing support and services to help older adults maintain their independence and well-being. Focusing on the quality of life for individuals aged 55 and older, particularly those who are vulnerable or at risk of losing their independence.

The OAA provides Supportive Services-funding services, such as transportation, adult day care, and in-home assistance, enabling seniors to age in place, remaining in their homes and communities. Nutrition Programs i.e. Meals on Wheels, providing home-delivered and congregate meals to older adults ensuring access to nutritious food. Caregiver Support -providing resources and respite services to family caregivers, as family members support aging relatives. Health and Wellness- encourages participation in programs aimed at disease prevention, and managing chronic conditions, aiding seniors maintain their health.

Elder Rights Protections-supporting advocacy programs to protect seniors from abuse, neglect, and exploitation., including:

- Long-Term Care Ombudsman Program-advocating for residents in nursing homes and other care facilities.
- Community and Social Engagement-funding programs encouraging social participation, volunteer opportunities, and community involvement.

The OAA is reauthorized periodically, most recently in 2020. Responding to the ever-evolving needs of older adults.

## GRANTS

Continue needed community funding through federal block and competitive grant programs from the Departments of Housing and Urban Development, Justice, Transportation and Veterans Affairs.

### **Federal Grant Applications:**

- RAISE '24 Application was recognized as a Project of Merit by the US Department of Transportation and will be rolled over for consideration in the FY '25 process for the E. 88th Avenue Widening Project.
- Submitted co-application with Black Parents United Foundation (BPUF) for the EPA Community Change Grant.
- Awarded an Energy Efficiency Conservation Block Grant Voucher for EV Charging Stations.
- Submitted SMART application to US DOT to pilot advanced signal technologies to address safety issues and enhance efficiency in the Core City.
- Submitted Farmer's Market Promotion Program Application to establish a Farmer's Market from the USDA.
- Collaborating on a planning grant application with CDOT for the Reconnecting Communities (RCN) grant program to analyze multimodal problems and solutions on 60th Avenue from Brighton Blvd. to Vasquez Blvd.
- Collaboration with Adams County and City of Brighton on Rail Crossing Elimination Grant for US 85 and 120th Avenue.

### **State Grant Proposals**

#### **Submitted Applications**

- Public Building Electrification Grant
- Homelessness Resolution Program
- Local Planning Capacity Grant

#### **Grant Awards**

- Click-it Or Ticket and DUI Enforcement Efforts
- Co-Response Program
- Crime Prevention Against Safer Streets (Street Light Study)

**Taxation:** Preserve tax-exempt status for municipal bonds and expand sales tax coverage to internet businesses. Provide tax relief through extending the senior homestead and veteran property tax relief measures.

**Special Districts:** Encourage revision of Title 32 to rein in metropolitan district financing and refinancing authority, operating costs and overhead, provide increased regulatory oversight, and enhanced transparency and disclosure requirements. Provide additional funding to enable affordable housing

developments within metropolitan districts without undue burdens on existing residents.

**Public Safety:** Oppose measures that curtail the authority of municipal judges and police departments, by imposing state requirements incongruent with the needs of the city. Support measures that uphold local authority and decision-making ensuring resident & community safety.

Secure additional funding to provide additional resources to the police department implementing program enhancements crime. Enhance criminal penalties to deter and prevent crime.

**Environmental Advocacy:** Support measures that provide relief to disproportionately impacted communities suffering the negative effects of air, water, and soil pollution. Collaborate with minority and disproportionately impacted communities when developing policy and rulemaking.

## GUIDING LEGISLATIVE PRINCIPLES

### Home Rule and Local Control

The citizens of Commerce City adopted a Home Rule Charter in 1970, which establishes the power of local self-government to the city pursuant to the Constitution of the State of Colorado. As such, Commerce City has the responsibility and authority to adopt rules and regulations that govern the operation of the community in the interest of its residents. The city believes that home rule authority increases the effectiveness and efficiency of local government services, public safety, and municipal operations, enhancing the quality of life for local taxpayers.

### State Mandates

Laws, programs and regulations mandated by the state of Colorado have the potential to stretch the city's financial resources. If additional costs brought about by mandated programs or regulations are not paid by the state government, they can have a direct negative impact on the city budget, preventing Commerce City from meeting the needs of residents and achieving our strategic priorities.

### Transportation

Commerce City believes the movement of goods and people are vital to the continued economic success of our region and Coloradans' quality of life. Federal and state officials must be willing to make significant investment to maintain and improve Colorado's multimodal transportation network to preserve these benefits.

Adjacent to six major highways, Denver International Airport, two railroads, and two commuter rail lines, effective transportation is equally important to the

success of the city's economy. The city has identified numerous transportation priorities, including major arterial routes such as the U.S. 85/120th Avenue interchange, Interstate 270, 88th Avenue widening, and transit service expansion. The city is against efforts to pass along additional state roadway construction or maintenance responsibilities to local governments without increased and adequate funds to meet these additional responsibilities.

### **Sales and Use Tax**

Commerce City levies, administers, and collects its own sales and use tax under its home rule authority. Sales and use tax revenue is the primary source of funding for city operations and services. Statewide, municipalities generate more than \$5 in these taxes to every \$1 of property taxes. Sales and use taxes fund public services and improvements and keep municipal property taxes relatively low. Appropriate federal, state and local actions should preserve or enhance these local revenues, while still seeking opportunities to streamline or provide business certainty across municipalities.

### **Economic Development**

Commerce City strives to develop a thriving and inclusive city economy. Whether it is maintaining primary employers, expanding its retail base, developing a diverse workforce, or encouraging local business expansion, a healthy economic climate is critical to our municipality's overall quality of life. Commerce City advocates for and collaborates with legislators, government entities and other municipalities to encourage the creation of jobs in our city and for our residents. The city also believes in cultivating its own businesses and building an economy from the bottom up through providing workforce development and training that offer pathways to skilled labor for residents. To that end, the city supports state measures that increase partnership and collaboration in support of existing and expanding businesses workforces in the city.

### **Municipal Development and Land Use**

Commerce City constantly works to achieve its comprehensive plan, to build a sustainable community. The city believes that local land use planning contributes greatly to the achievement of this goal and the overall quality of life in the city. In general, the city supports laws and policies that encourage new and infill residential, commercial and industrial development within the city. Conversely, we oppose efforts to restrict municipal authority to annex territory as well as delegation of our land use authority to state agencies or preemption of municipal land use controls, and any restrictions on urban renewal authorities.



## Public Safety

The role of the police department is to enforce the law in a fair and impartial manner, recognizing statutory limitations of police authority. The city continues to implement a strategic policing program equitable service to all members of the community. The city supports legislation that enables local decision-making on public safety services and operations. Additionally, the city supports providing necessary funding and resources to local police departments to allow them the capacity to enact policies tailored to the community they serve, as well as policies that seek to deter and prevent crime.

The following bills were intended to corrected inequities at the intersection of socioeconomics, cultural demographics, and the justice system. The inequities identified by law makers were in some estimations carved out in small sections of a larger and more encompassing statute. Without a holistic approach and analysis of entire statue/s there has arisen significant downstream consequences for public safety and law enforcement. These include the following bills signed into law:

- ***SB 15-124 Reduce parole revocations for technical violations***

The state law this addresses, 17-2-103 now states that a parolee can only be arrested for a technical violation after a parole officer has tried all available

intermediate sanctions, treatment, and support services. This has resulted in individuals being on the street committing criminal activity when they would otherwise have been unable to do so. In addition, while anecdotal, it appears to me that this has had a negative impact on the overall engagement and willingness for many parole officers to actively engage with municipal law enforcement.

■ ***HB 18-1029 Lowering mandatory parole from 5 years to 3 years***

This bill reduced the length of mandatory parole for certain felony offenses from five years to three years. The bill lowered the mandatory parole period for a class 2 felony to three years if the offense was not a crime of violence, and for a class 3 felony to three years. According to DOC, the Colorado recidivism rate for three years is 28%, with two year and one year rates smaller than that respectively, it can be safely assumed that four and five year rates would be greater. This bill rendered DOC unable to monitor or continue to protect the public from offenders in years 4 and 5. Since the exact recidivism rate is not published by DOC it is impossible to provide a concrete number herein of potentially impacted individuals.

■ ***HB 19-1225 No monetary bail for certain low-level offenses***

While this act addresses what are broadly considered low level criminal activities, one of the downstream consequences is the removal of any degree of discretion from the court. Oftentimes low-level offenses manifest themselves in “quality of life issues” that are frequently the source of complaints to law enforcement and municipal leadership. This bill, when taken in conjunction with many others, represents another small step in the incremental manner in which the functions of the criminal justice system are slowly being modified in a manner that causes eventual obsolescence.

■ ***HB 21-271 Misdemeanor reform***

This 304-page bill overhauled the state’s sentencing laws for misdemeanors and petty offenses, and also updated DUI laws. Among several other changes this bill further reduced the severity and/or punishment for some criminal acts. These include allowing for in-home detention in many circumstances as well as changing the penalty for certain commercial motor vehicle offenses from a misdemeanor to a class A traffic infraction, with a penalty of \$100 plus a \$15 surcharge.

■ ***HB 22-1257 Criminal and Juvenile Justice Commission***

Colorado House Bill 22-1257 aimed to make it more difficult for people on probation to go back to prison for technical violations. The bill required the state court administrator to develop a system of individualized responses to



guide probation officers in determining how to motivate positive behavior change. The system includes incentives, sanctions, and services to respond to probationer violations quickly, fairly, and consistently. It also replaced the current law that allows probation officers to choose from different disciplinary actions. Under the previous Colorado law, probation officers could arrest people on probation who committed a new crime or tested positive for a controlled substance. HB-1257 removed the ability for probation officers to make arrests in these circumstances, and instead required them to issue a court summons.

- *SB 13-250 Drug sentencing changes*
- *SB 14-163 Clarifies changes to 13-250*
- *HB 19-1263 Offense level for controlled substances*
- *HB 22-1326 Fentanyl accountability and prevention*

These drug related bills mark a steady move toward decriminalization and/or minimization of drug related criminal activity. Regardless of one's positions on drug possession and use, drugs are inextricably bound to other illegal activity and negatively impact quality of life. In addition, many of our mentally ill citizens self-medicate with controlled substances of one kind or another, many times these are not legal. One unfortunate consequence of this dynamic is that those suffering from mental illness often look to solutions to self-medicate from a criminal element seeking to profit from another's illness.

These difficulties are not limited to the criminal justice reforms enacted by Colorado lawmakers. There are also directives from the Federal level:

The Civil Rights Division of US Department of Justice sent a letter to law enforcement agencies across the United States, dated August 15, 2024 addressing programs that many municipalities had adopted in an effort to diminish criminal activity in multi-family housing.

A portion of the letter received by the Commerce City Police Department reads:

*...this letter highlights rental housing protections under federal law and provides information for law enforcement agencies and state and local governments on the application of federal law to certain programs, policies, and ordinances often referred to as "crime-free" or "nuisance" programs.*

*These programs have different features. They may, for example, encourage or require landlords to:*

*evict, or impose other adverse housing consequences on, tenants and households based on tenants' or guests alleged criminal activity, including through "crime-free" addenda to leases,*

*impose blanket rejections of rental housing applicants if background screening shows a criminal history or past calls for emergency or law enforcement assistance or*

*evict, or impose other adverse housing consequences on, tenants and households based on calls for emergency or law enforcement assistance.*

*...As the Department's recent enforcement efforts demonstrate, these programs (including both mandatory and voluntary programs) may violate federal law.*

### **Criminal Reform-Impact to Commerce City**

The current criminal environment in Colorado, specific to Commerce City, is in part a direct result of legislation aimed at the decriminalization of certain types of activities which saw its genesis in the Colorado Legislature beginning in 2013. The cumulative effects of these bills is a diminished level of accountability on the part of individual residents, and the hampered ability of law enforcement to quickly and meaningfully address smaller issues, resulting in a negative impact on the community leaving citizens less safe than previously correlated to recent legislation.

The Colorado legislature has passed numerous bills, while good intentioned, resulting in a cumulative negative impact on law enforcement efforts to uphold the laws, while simultaneously protecting the community and deterring crime. There have been many unintended consequences resulting from multiple pieces of legislation.

### **Education**

Commerce City supports an accessible, effective, and accountable education system ensuring all students have the ability to garner an education enabling individuals to become product members of society. Commerce City houses two school districts and a state charter school, as such quality education is a high priority for the city and community members. The city supports ensuring all students obtain a quality P12 and post-secondary education to meet performance standards and continued state funding of local school districts. Leadership in Commerce City was encouraged by the action of the Colorado Legislature with, the passage of the School Finance Act (SB24-188) fully eliminating the factor for the first time in over a decade. The act provides an increase of \$780 per pupil, raising the average per-pupil funding to \$11,450 and adding over \$500 million to the state's K-12 education budget. This will help reduce class sizes, increase teacher pay, and improve resources for students, especially those with disabilities and in rural areas. Leadership in Commerce City will continue to monitor and support the Colorado Legislature as they work on a

new funding formula to sustain the new funding levels expected to go into effect in the 2025-26 school year. Commerce City is encouraged by the prioritization of equitable distribution of resources to schools serving high-need students and rural areas.

### **Healthy Eating & Active Living (HEAL)**

As an Elite LiveWell community, Commerce City supports local, state and federal policies that improve access to physical activity and healthy food. Making the healthy choice the easy choice is essential to addressing Colorado's adult and childhood obesity epidemic, the cost of which exceeds \$1.6 billion annually. Commerce City has adopted a coordinated and collaborative approach to implementing Healthy Eating and Active Living (HEAL) initiatives and supports legislation that encourages an active community, promotes healthy workplaces, increases healthy food access, and improves resident perceptions of safety and security.

### **Energy**

Commerce City strives to prioritize the health, safety and welfare of the public, the environment and wildlife and balance with municipal growth and development. The city's land development code and participation in the state local government designee program offer a layered approach to protect the interests of the community and the rights of private developers. The city is supportive of rules and legislation that maintains its home rule authority to regulate oil and gas development in keeping with state health and safety standards, increases opportunities to enforce current standards, expands communication and notification, and leverages existing knowledge to codify best management practices that protect the health, safety and welfare of the public, the environment and wildlife. When it is necessary for the state to act, the city supports an approach that foregrounds local lived experience, particularly from minority and disproportionately impacted communities.

All state efforts should be centered on ensuring environmental justice and protecting the most vulnerable. The city also supports diversifying community energy sources and promoting green alternatives to reduce consumption, as well as providing workforce training and opportunities for workers and industries to transition to clean technology.

### **Human Services**

Ensuring vulnerable populations throughout Commerce City are supported is a crucial safeguard for every community in Commerce City. Guaranteeing necessities are met, leads to a thriving and successful community. Homelessness, food insecurity, opioid abuse, and mental health are issues

of local and regional (regional and statewide mean the same thing) concern requiring integrated community-based solutions. Providing and encouraging the use of tools by community members experiencing struggles to make ends meet and other daily life challenges, will ultimately led to self-sufficiency, good health and mental well-being, strengthening individuals resolve for self-betterment, thereby betterment of the community as a whole. The city is supportive of new policies and activities aimed at increasing vital resources and protecting vulnerable children and adults by ensuring they live in safe, and healthy environments. Additionally, the city supports policies creating opportunities for independence through services and support while demonstrating accountability for taxpayer resources.

### **Diversity, Equity, and Inclusion**

Diversity, Equity and Inclusion (DEI) are cornerstones and leading principles of City Leadership as Commerce City strives for an inclusive community. Nearly half of our residents are of Latino descent, and one-third of residents are ESL (English as a second language) speakers, equating to nearly twice the rate of other cities across the state. Commerce City recognizes diversity reaches beyond ethnicity to include age, race, gender, physical and intellectual disability, and persons who are neurodiverse. Commerce City champions policies working at the intersection of equality vs equity for socioeconomic disadvantaged and vulnerable residents. Crafting policies with a focus on economic, environmental, healthcare, labor, education, immigration, and more.

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