

Government Affairs Update

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Barbara Koelzer, Regional Government Affairs Director

barbara@ires-net.com

303.886.5675

LOCAL

Larimer County

REALTORS® Support Aste and McCluskey: The Fort Collins Board of REALTORS® and the Loveland-Berthoud Association of REALTORS® have announced their support for Bob McCluskey (District 2) and Ben Aste (District 3) in the Larimer County Commissioner election. The candidates were endorsed following interviews with a joint FCBR and LBAR interview team. The interview team's recommendations were then approved by each association's Board of Directors.

McCluskey and Aste won REALTOR® endorsement for their positions on NISP (Glade Reservoir) and housing affordability, among other real estate related issues. Increased water storage is vital in Northern Colorado to support the growth that is expected in our region. Housing affordability is a key issue. REALTORS® support reducing regulatory barriers that impact home cost and strategies that do not burden home builders or future residents.

Fort Collins

Council Opposes NISP: The Fort Collins City Council voted to revise its position on the Northern Integrated Supply Project (NISP) during its consideration of a resolution endorsing the City staff's written comments on Northern Water's application to Larimer County for a 1041 permit for NISP. The staff's comments focused on infrastructure impacts within the City's growth management area, including the proposed installation of a diversion structure on the Poudre near Mulberry and associated pipeline on City owned natural areas.

During the Council discussion Mayor Troxell asked, "Are we asking the County to deny the 1041 permit?" Councilmember Ross said, "yes." Cunniff, who has spoken frequently during the discussion, said, "It is not a say no to any version of NISP ... the nuance I want to express is that this isn't a little matter to us... the mitigation to the river is inadequate." "The project will have guaranteed impacts to the health of the river."

The Council revised the resolution stating its position to read,

The City Council opposes NISP as it is currently described and proposes in the FEIS and 1041 Application, and further opposes those aspects of NISP that include the use of City owned natural areas for NISP infrastructure, due to the City's fundamental concerns, including but not limited to those expressed in the City's comments to the DEOS, SDEOS, State Fish and Wildlife Mitigation and Enhancement Plan, FEOS and 1041 Application. The City Council hereby

endorses the City Staff 1041 Comments and requests that the Larimer County Board of County Commissioners consider and meaningfully respond to the City Staff 1041 Comments.” The resolution calls for the City to “continue diligent efforts to negotiate and work with Northern Water to address the City’s concerns regarding NISP and its impacts, including potential impacts to City owned natural areas and development of a sustainable, long-term approach to avoidance, minimization, management and mitigation of impacts.

The Council voted 5 to 1 to support the resolution with Ken Summers opposed. Kristin Stephens was absent.

NISP is approaching a Larimer County decision on the 1041 permit that would allow construction of Glade Reservoir and four pipelines associated with the project. The Army Corps of Engineers is expected to issue its record of decision on the project this year, and if the project is approved, construction could begin as soon as 2023.

Loveland

Sales Tax Increase Approved for Ballot: In July, the Loveland City Council voted 8-1 to put a 1 percent sales and use tax increase measure on the November ballot. Mayor Marsh was the dissenting vote. The 1 percent increase would amount to about \$21 million dollars during its first year (2021). If the measure passes, the proceeds will be used as follows: 20 percent for public safety, 50 percent for infrastructure and capital equipment and 30 percent for municipal operations and maintenance.

While the Council is fully aware that the current environment is not the best time for a tax increase, the City’s revenue deficit left it with little choice. The measure is a response to revenue shortfalls resulting from increased services and costs over time, as well as the COVID pandemic. The 2020 budget has a shortfall of about \$11 million and required “extraordinary efforts” in 2019 to produce a balanced budget. COVID has led to an additional projected 2020 shortfall of \$10 million. Staff says the “City cannot maintain its current level of service and will be forced to implement significant additional budget reduction measures that will negatively affect Loveland citizens by eliminating or reducing services and programming.”

A majority of the communities in Northern Colorado have higher tax rates than Loveland. Only Loveland and Timnath currently have a 3.0 percent sales and use tax rate. Estes Park’s is the highest at 5.0 percent.

STATE

Reminder- New State Rules: The Real Estate Commission adopted new rules concerning “Money Belonging to Others” for services other than real estate brokerage services. The rules are effective as of July 30, 2020.

Read more here:

<https://sites.google.com/state.co.us/summer2020-realestatenews/broker-rule-adoption>

Applications for Redistricting Commissions: Applications for Colorado's first Independent Congressional and Legislative Redistricting Commissions will be open beginning August 10, 2020. Staff just launched a new website, which is available here: <https://redistricting.colorado.gov/>.

CAR supported the passage of Amendments Y and Z in 2018, which were overwhelmingly approved by voters in 2018 in an effort to create non-partisan Congressional and Legislative redistricting.

Referred Measures for November Ballot: There are always many state ballot questions during a presidential election year because of the high voter turnout. 2020 will be no different.

The Colorado General Assembly (aka the legislature) has referred two measures to the ballot for voter consideration. One, which was referred by the legislature in 2019, would add Colorado to the list of states pushing for a National popular vote to elect presidents and vice-presidents.

The second measure, which was referred this year, would change the Colorado constitution. It asks voters to the nonresidential assessment rate of 29 percent, the calculation of the target percentage, and the requirement that the residential assessment rate be set to achieve the target percentage. CAR did not take a position to support or oppose the bill which referred this measure to the ballot.

If you're interested in reading about all the measures that have been approved for the ballot by the Secretary of State to-date, you may view them here:

<https://www.sos.state.co.us/pubs/elections/Initiatives/ballot/contacts/2020.html>

NATION

Take the Census! The Federal government completes a census every 10 years. It is vital that all REALTORS® participate. The census will determine congressional representation.

In addition, census results affect planning and funding for infrastructure—including programs for highway planning and construction, Section 8 housing, Federal transit, community development, and rural water and waste disposal systems. It determines how hundreds of billions of dollars in Federal funding flow into communities every year for the next decade. That funding shapes many different aspects of every community. For example, census results influence highway planning and construction, as well as public transit systems.

If you have not participated, there is still time and you may do so online:

<https://2020census.gov/en.html>

NAR Opposes Changes to Fair Housing Act: On July 23 National Association of REALTORS® President, Vince Malta, issued the following statement after the Department of Housing and Urban Development on Thursday unveiled its final rule implementing the “affirmatively furthering fair housing” provisions of the Federal Fair Housing Act. Following the administration’s initial proposal in January, NAR publicly commented that the changes threatened to strip away the rule’s original civil rights purpose, as mandated by the 1968 law.

“The National Association of REALTORS® is disappointed that HUD has taken this step, which significantly weakens the Federal government’s commitment to the goals of the Fair Housing Act,” said Malta. “The viability of our 1.4 million members depends on the free, transparent and efficient transfer of property in this country, and NAR maintains that a strong, affirmative fair housing rule is vital to advancing our nation’s progress toward thriving and inclusive communities. With the pandemic’s disproportionate impact on people of color reminding us of the costs of the failure to address barriers to housing opportunity, NAR remains committed to ensuring no American is unfairly denied this fundamental right in the future.”