

Home Rule Work Session



NOVEMBER 27, 2018

BRANDY REITTER, TOWN MANAGER

Agenda

Overview

Advantages

Disadvantages

Q&A

Process

Costs

Considerations

Overview

Home Rule:

- Colorado Constitution XX grants specific powers to home rule municipalities.
- Governance structure that enhances citizen control, interest where legislation is based on matters of local concern.
- Local approach vs. cookie-cutter.
- Governed through a charter drafted, adopted and amended by voters.

Overview



Overview

Strategic Plan Major Objective 14 – Encourage Home Rule:

- Complete Home Rule education by December 31, 2020.
- Hold Home Rule process election by April 20, 2021 (if applicable).
- Prepare Home Rule Charter and hold an election.



Home Rule: Advantages

- Autonomy and local control
- Sales and Use Tax collection
- Tax base growth
- Zoning and development
- Economic development
- Streets and traffic management
- Eminent domain

Home Rule: Disadvantages

- Poorly written charter – Ambiguity, too flexible or restrictive.
- Dissatisfied citizens – Charter amendments take vote.
- Uncertainties for new legislation – “Truly of local concern”.
- Limitations still exist – Does not address all issues.
- Associated expenditures to facilitate process.
- Change in status quo - Creates unnecessary risk.
- Exercise of more government powers.

Questions & Answers

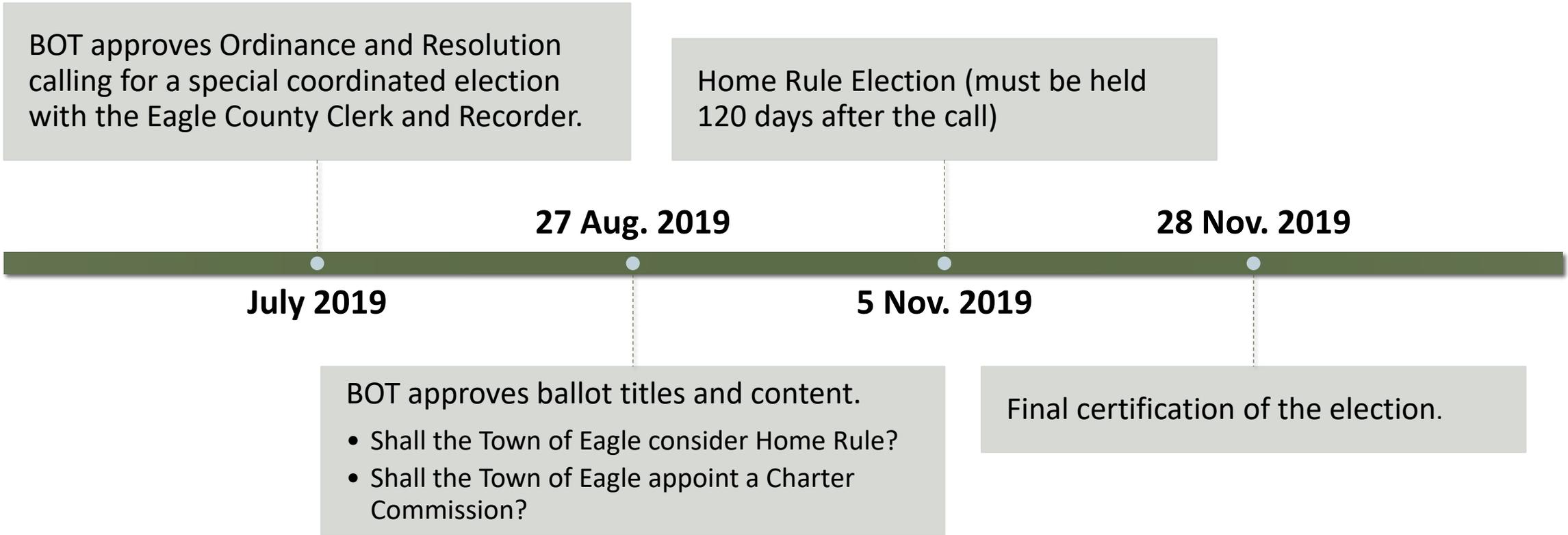
1. Will Home Rule make it easier for town to raise taxes?
2. Is town required to self-collect taxes if Home Rule passes?
3. Does Home Rule impact special districts located in town limits.
4. How do residents control the use of Home Rule?
5. What role does the BOT play in the process.

1. No, regardless of structure all municipalities are subject to TABOR and the Gallagher Amendment.
2. No, self-collection is an option under Home Rule and the governing body makes the decision.
3. No, special districts are governed by different statutes.
4. Control, use and development of the charter is through voter approval.
5. Setting the ballot and appointment of Charter Commission.

Questions & Answers

6. Can staff and board members participate in the Home Rule election?
7. Are other communities in Eagle County Home Rule?
8. Does Home Rule have negative impacts on taxes?
9. Who can serve on the Charter Commission?
10. Who writes the charter?

6. No, after the ballot is set, the Fair Campaign Practices Act applies.
7. Yes, Gypsum, Avon, Basalt, Vail, and Minturn.
8. Not on its own merits, all taxes require voter approval.
9. Community members must be a resident and registered voter.
10. The commission with assistance from staff and Town Attorney.



Process – Procedures & Election

20 days

After election
certification commission
must meet.



180 days

The amount of time the
commission must write
the charter and hold at
least one public hearing.

Process – Charter Commission

If all goes well:

- April 2020 – The earliest the Home Rule Charter can be adopted.
- November 2020 – The latest the Home Rule Charter can be adopted.

If proposed charter is rejected:

- Charter Commission reconvenes to make revisions.
- Revised charter submitted to Town Council.
- Process repeats with revised timelines.

Process – Town Charter Adoption

Costs

Item	2019	2020	2021	2022	2023
Legal – <i>Develop charter, review forms</i>	\$5,000	\$15,000	\$5,000	\$5,000	\$0
Public Out Reach – <i>Communication between setting ballot measures, and operation changes</i>	\$10,000	\$5,000	\$5,000	\$5,000	\$2,000
Election – <i>Special and regular elections</i>	\$5,000	\$5,000	\$0	\$5,000	\$0
Self Collection – <i>Software</i>	\$0	\$0	\$0	\$0	\$20,000
Self Collection – <i>Part time employee</i>	\$0	\$0	\$0	\$0	\$25,000
Total	\$20,000	\$25,000	\$10,000	\$15,000	\$47,000

Costs

- Self collection is still a few years away.
- Self collection is a policy decision.
- Costs beyond 2019 are estimates.
- The focus for years 1 – 4 should be on setting up the structure.
- Legal review is required for the duration of the process.



Considerations

Questions?