

# 2014 STATEHOUSE CANDIDATES BRIEFING



[www.cml.org](http://www.cml.org)

## About the COLORADO MUNICIPAL LEAGUE

The Colorado Municipal League (CML) is a nonprofit, nonpartisan organization that has served and represented Colorado's cities and towns since 1923. As such, CML is a reliable source of information about legislative issues and their impact on Colorado's cities and towns and their residents. There are 267 cities and towns that are members of the League.

**The League neither endorses nor contributes to political candidates.**

## SNAPSHOT OF KEY MUNICIPAL ISSUES

### **PRESERVATION OF LAND USE AUTHORITY**

Ensuring compatibility of land uses has always been important to protecting people's property values, safety, and quality of life. CML encourages you to resist inroads into the traditional municipal authority over local land use issues.

Periodically, the General Assembly has considered legislation preempting the authority of local officials to make these policy decisions. The recent outcry for more "local control" over oil and gas activities is, in part, a reaction to such preemption efforts, as is League concern over well-meaning water conservation efforts that preempt land use decisions already occurring at the local level.

Nothing is more basic to the notion of local control and home rule than community decision-making over land use.

### **PROTECTION OF TAX AUTHORITY**

Sales and use taxes are critical to Colorado municipalities.

On average, more than 70 percent of municipal tax revenues are derived from sales and use taxes. In general, statutory cities and towns tax, and exempt from tax, the same things as the state. However, when the state gives a tax break, regardless of intent, it can adversely affect local revenues as well as state revenues.

More than 100 such exemptions to the state sales and use tax base have been enacted since 1975. There also have been proposals in the General Assembly to alter the property tax base, most notably by eliminating the business personal property tax. Any exemptions like this must be "back-filled" by the state, otherwise local government tax revenues will be reduced significantly. Please be aware of the impact state tax policy has on municipal taxes.

### **TRANSPORTATION AND INFRASTRUCTURE**

Colorado's transportation system of roadways and transit is a state and local network vital to Colorado's future. Municipal officials support increased state transportation funding that includes the return of an equitable portion of new revenue to cities, towns, and counties.

Local water and wastewater treatment and distribution infrastructure requires continuous substantial investment that is difficult for economically disadvantaged communities. Municipal officials support a shared state and local partnership for funding required improvements for clean water and safe drinking water.

### **PRESERVATION OF URBAN RENEWAL**

Redevelopment projects bring safety, productivity, and renewed life to declining areas of a city or town.

It is the tax increment financing (TIF) on the public side coupled with private investment that makes these redevelopment projects possible. Urban renewal is used by municipalities throughout Colorado to redevelop blighted areas that are plagued by a wide range of difficulties that make redevelopment financially prohibitive to the private sector alone. The municipality creates an urban renewal TIF district which uses future increases in property and/or sales tax created by the project to pay for public improvements within the project area.

State and local government budgets also benefit from increased tax revenue.

### **UNFUNDED MANDATES**

The impact of state mandates on municipal government is a major policy concern of many city and town leaders. We urge resistance to imposing responsibilities on local governments without the financial resources to fund such mandates. Both the Colorado Constitution and state statutes contain provisions that address unfunded mandates, but these often go unheeded.

### **SUSTAINABILITY**

Many cities and towns lead by example on energy and water conservation programs without the heavy hand of state mandates. Municipalities enjoy a strong partnership on water and energy conservation issues with the state, including a robust relationship with the Colorado Energy Office. The best results occur when the General Assembly assists the further development of appropriate sustainability efforts at both the urban and rural levels.

### **PUBLIC SAFETY**

It is important to keep local control of emergency services, including employment matters.

The state is an important resource for information, coordination, and training. CML supports partnerships across all levels of government and increased federal funding to assist local government's homeland security and first responder duties.

### **ENERGY IMPACTS AND ECONOMY**

Cities and towns deal with the impacts of energy development and receive invaluable help from the Department of Local Affairs, demonstrating a strong partnership between the state and municipalities. Municipalities seek to minimize conflict with the energy industry that plays an important role in the state and local economies, while not reducing any existing local authority.

## LOCAL CONTROL AND HOME RULE

The Colorado Municipal League believes strongly in the philosophy of local control and home rule to allow municipal governments maximum flexibility and discretion in levying taxes and fees, carrying out local policy, and delivering public services.

**Local control should remain local and home rule should stay at home, not centralized at the Statehouse.** Municipal government is a cornerstone of good government in Colorado, and we value the partnership that exists with state and federal officials. The citizens that we represent are among those that you will represent. The policies you set that affect local government will have to be implemented by municipal leaders and local taxpayers.

To maintain the strength of this partnership, we urge you to consider the impacts of your decisions on the municipalities in your legislative district.

### STATE SOLUTIONS WHERE NO STATEWIDE PROBLEMS EXIST

Frequently, the General Assembly considers bills to address real or perceived problems in one or a small number of communities — thus creating adverse consequences for many other cities and towns. As constituents and interest groups approach you to suggest a legislative, statewide solution to a local problem, please consider that such legislation usually impacts other cities and towns. Ask whether this is really a problem that needs to be solved at the state level.

### WHAT CAN YOU DO TO HELP?

Before sponsoring or supporting a proposal that has potential impacts on cities and towns, please talk with one of CML's legislative advocates, as well as the municipal officials in your district and seek our input.

## ABOUT COLORADO MUNICIPALITIES

- More than 1,800 men and women serve as elected municipal leaders in 271 cities and towns in Colorado. They serve on a nonpartisan basis and collectively represent more than 72 percent of the state population. Many serve with little or no compensation.
- Cities and towns are not created by the state; rather, local citizens operating through certain statutory mechanisms are allowed to “incorporate” as a municipality.
- Home rule is the legal and political essence of local control. As Article XX of the Colorado Constitution states, the purpose of municipal home rule is to give citizens “the full right of self government in local and municipal matters” with the premise that citizens have the right to decide how best to organize their municipality and solve local problems, and that those citizens, not a higher level of government, know what is best for themselves. More than 3 million people in Colorado live in the 100 cities and towns governed by a home rule charter. Home rule has been in place since 1902, and is very much a part of the political and legal fabric of the state.
- Another 170 cities and towns operate under the provisions of Title 31 of the Colorado Revised Statutes and are known as statutory municipalities.
- Georgetown operates as the state's lone territorial charter city through a charter granted to it by the territorial state government.
- Generally, towns are incorporated areas of less than 2,000 in population; cities are above this threshold. Some organizational and legal differences exist between them.
- Colorado is fiscally decentralized as it relates to municipal government. Cities and towns raise more revenue locally, and rely less on state aid.
  - The sales and use tax is our most important revenue source. Currently, 217 cities and towns levy a sales tax, and 70.5 percent of municipal own-source revenue is derived from this tax.
  - Property taxes are the second most important tax for municipalities.
  - State aid also is very important to municipalities. For example, the Energy Mineral Impact Assistance Program helps communities cope with the infrastructure demands created by the extraction of natural resources, while some local transportation needs will be met by nearly \$127 million from the Highway Users Tax Fund in 2014.
  - Targeted federal support such as the Community Development Block Grant program is critical as cities and towns cope with infrastructure and other demands.

## GOVERNANCE OF CML

Legislative and policy recommendations are developed by the CML Policy Committee and approved by the CML Executive Board. Every municipal member of the League has a right to send a voting representative to the policy committee, which meets three to four times per year.

CML has 21 sections representing municipal professions and 14 regional districts that provide input and technical expertise in development of policy.

The 19-member board governs the operations of the organization:

- President Charles Bayley, Bennett mayor pro tem
- Vice President Christina Rinderle, Durango councilmember
- Secretary/Treasurer William Bell, Montrose city manager
- Immediate Past President Marc Williams, Arvada mayor
- Matthew Applebaum, Boulder mayor
- Debbie Brinkman, Littleton councilmember
- Kim Cancelosi, Frisco councilmember
- Robb Casseday, Greeley councilmember
- Mary Cooper, Delta mayor pro tem
- Carol Dodge, Northglenn councilmember
- David Edwards, Palisade mayor pro tem
- Joe Gierlach, Nederland mayor
- Eric Grossman, Creede mayor
- Kathy Hodgson, Lakewood city manager
- Sarah Levison, Longmont councilmember
- Deborah Ortega, Denver councilmember-at-large
- Patrick Rondinelli, Ouray city administrator
- Dave Sturges, Glenwood Springs mayor pro tem
- Karen Weitkunat, Fort Collins mayor

## QUESTIONS AND LEAGUE POLICY

CML employs dedicated staff members to help you educate and build support among city and town officials. The following CML staff closely watches proposed legislation and work with legislators to understand municipal impacts. You should always feel free to contact one of them to determine if a specific bill, regulation, or policy may have a municipal impact:



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