

CML

COLORADO MUNICIPAL LEAGUE

The Voice of Colorado's Cities and Towns

MUNICIPAL CANDIDATES GUIDE

*serving your community
through elected office*

BECOMING A MUNICIPAL OFFICIAL

Serving as an effective municipal elected official requires dedication, knowledge and a substantial commitment in time. There are countless reasons why people choose to run for public office. No matter what your motivation or background, as a member of the municipal governing body you have the opportunity to make important contributions toward shaping the future of your community. For this reason, becoming a municipal elected official can be one of the most rewarding experiences of your life.

Whether you're still undecided about your candidacy or you've already made the decision to run for a municipal elected office, the information in this brochure can help guide you. What follows is general information on what it takes to be an effective member of a governing body, a synopsis of municipal government in Colorado and information about the Colorado Municipal League. Material contained in this brochure should not be viewed as a substitute for legal advice or specific information applicable to your community. If you're serious about your candidacy, you should consider other, more detailed information sources available to you, including:

- attending city council and board of trustee meetings
- examining your charter, if your municipality is home rule
- checking the Colorado Revised Statutes
- reviewing municipal ordinances
- for elections, you may get additional information from municipal clerks; you should also consult your own attorney or familiarize yourself with the requirements of the election laws

QUALIFICATIONS FOR MUNICIPAL OFFICE

Do you have the necessary qualifications to be an effective community leader? At a minimum, successful elected officials must devote a significant amount of time and energy to fulfill a position that answers directly to citizens. Some desirable leadership attributes include:

- a general understanding of municipal government
- willingness to learn about a wide range of topics
- integrity
- consistency
- confidence
- dedication to the interests of citizens and the community as a whole
- strong communication and team-building skills, including being a good listener
- openness to the thoughts and ideas of others
- being approachable and accessible
- willing to work cooperatively with others

MAYORS, COUNCILS, BOARDS OF TRUSTEES AND PRESIDING OFFICERS

The mayor and city council or town board of trustees collectively serve as the governing body for a municipality and normally possess all legislative powers granted by state law. The positions of both councilmember and trustee have been compared to those of the members of the state legislatures and the U.S. Congress. All of these positions require elected officials to represent their constituents, to make policy decisions, to budget for the execution of the policies, and to see that their policies are carried out. Unlike their counterparts in state and federal offices, however, municipal officials are in direct contact with the citizens they serve on an ongoing basis.

AN ELECTED OFFICIAL WEARS MANY HATS

In order to meet the responsibilities of being a municipal elected official, candidates should consider the number of disciplines involved in becoming an effective mayor, councilmember or trustee. Municipal elected officials share the following job titles as part of their responsibility:

- legislator
- decision-maker
- financier
- employer of municipal staff
- constructive critic
- intergovernmental participant
- public relations representative
- facilitator

ARE YOU ELIGIBLE?

To run for office in a statutory municipality in Colorado, you must:

- be a citizen of the U.S.
- be registered to vote
- be at least 18 years old on the date of the election
- have lived in your city or town for at least 12 consecutive months prior to the election

In home rule municipalities, check with your municipal clerk on whether additional or different requirements apply.

NOMINATION PETITIONS

To run for municipal office, you must get a nominating petition from your municipal clerk and have that form signed by a specific number of registered voters in your community. The number of signatures needed will vary depending on whether you live in a statutory or home rule municipality. Most candidates try to get more signatures than needed in case some are ruled invalid.

Different municipalities have different rules about how the petition must be signed and the date on which the petition must be returned. Your municipal clerk will inform you of the nomination procedure rules and deadlines.

FAIR CAMPAIGN PRACTICES ACT

Candidates for a municipal office who accept contributions must meet the filing requirements of the state Fair Campaign Practices Act. Among other requirements, you must register any “candidate committee” and report its contributions and expenditures. Information about reporting deadlines and copies of the reporting forms are available from your municipal clerk.

Municipal elected officials should have a basic understanding of municipal government and the duties, authority and limitations of an elected body. What follows is a brief introduction to a few basic governance issues.

Of course, there is no better way to understand what elected officials do than to attend council or board of trustee meetings. In addition, most cities and towns have advisory boards that are formed to make or recommend policy or quasi-judicial decisions, such as a planning commission or parks and recreation commission. Serving on these and other appointed boards is another excellent way to become informed. Finally, reviewing Title 31 of the Colorado Revised Statutes, if you’re in a statutory municipality, and having a basic familiarity with the municipal home rule charter, if you’re in a home rule municipality, will help you have a better understanding of municipal government and your role as an elected official.



WHAT IS A MUNICIPALITY?

An area becomes a municipality when residents vote to incorporate as a city or town. Colorado has four classes of municipalities:

HOME RULE MUNICIPALITIES

- have chosen to adopt a home rule charter based on the principle that local citizens should have the right to decide how their local government should be organized and local problems resolved
- have their own form of government set forth in the charter
- may call themselves either a city or town
- have considerable protection from state interference in their affairs (except where the courts determine that a matter is of statewide concern; then state law prevails over home rule authority).

STATUTORY TOWNS

- usually are under 2,000 in population
- have a mayor-council (board of trustees) form of government in which the mayor is elected by popular vote, with legislative power held by the board of trustees.

STATUTORY CITIES

- usually are over 2,000 in population
- may have a mayor-council or council- manager form of government, with the mayor elected by the people or by the council

Statutory towns and cities are under greater legal control of the state Legislature. They look to state law (generally Title 31 of the Colorado Revised Statutes) to determine their legal authority and limitations. Nevertheless, state laws have traditionally given statutory cities and towns considerable authority to make decisions on local issues.

TERRITORIAL CHARTER CITIES

The only remaining territorial charter city is Georgetown. Its charter dates from before Colorado became a state. The charter can only be changed by the state Legislature.

FORMS OF GOVERNMENT

There are two prevalent forms of municipal government in Colorado.

MAYOR–COUNCIL STRUCTURE

- the mayor is the ceremonial head of government and presides over council or board of trustee meetings
- the council or board of trustees sets policy
- depending on local charter, applicable statute or local practice, broad or limited administrative authority is vested with the mayor or members of the council or board of trustees or with an administrator or designated department heads appointed by the mayor or council or board of trustees

COUNCIL–MANAGER STRUCTURE

- the mayor is the ceremonial head of government and presides over council meetings
- the council sets policy and hires and fires the manager
- the city manager normally has broad administrative authority



Photo by Jeff Forster.

BASIC MUNICIPAL SERVICES

Services provided by municipalities vary from community to community. However, some typical services include:

PUBLIC SAFETY — police, fire and sometimes ambulance service

UTILITIES — water and sewer, and sometimes trash collection, electric power and natural gas

LAND USE — planning, zoning, code enforcement and other regulatory activities

TRANSPORTATION — street construction and maintenance, traffic safety and sometimes public transit

RECREATION/CULTURAL — parks, recreation, libraries, and sometimes cultural facilities

LEGAL — Ordinances protecting the public health, safety, and welfare of the community

MUNICIPAL FINANCE

In budgeting, the governing body makes important decisions about the operation and priorities of the municipality. Is a swimming pool more important than storm sewers? Does the municipality need a new library more than it needs extra police personnel? Should the potholes be filled or the street completely rebuilt? Budgeting is a process by which the governing body determines the community's standard of living—what the community needs and wants, what it is willing and able to pay, and what services it can expect to receive for its tax dollars.

Municipalities levy specific taxes to finance municipal services. The following are the most common taxes levied by Colorado municipalities:

SALES TAX — levied on retail sales of tangible personal property and some services

USE TAX — levied on the retail purchase price of tangible personal property and some services purchased outside the municipality, but stored, used or consumed within the municipality

PROPERTY TAX — levied on the valuation of taxable property located within the municipality

OCCUPATION TAX OR BUSINESS LICENSE FEE — levied at a standard rate for all or specified businesses and professions

LIQUOR AND BEER OCCUPATION TAX — special occupation tax levied on retail liquor and beer establishments

UTILITY OCCUPATION TAX AND/OR FRANCHISE FEE — levied on non-municipally owned utilities (telecommunications, electric, gas, cable TV)

In addition, many municipal services are financed in whole or in part by user fees and charges. Finally, municipalities receive significant revenues from various federal and state grant and allocation programs.

TERM LIMITS

In 1994, the Colorado Constitution was amended to place term limits on local elected officials, including all mayors, councilmembers and board of trustee members from both statutory and home rule municipalities. Beginning Jan. 1, 1995, all municipal elected officials (except judges) are limited to serving two consecutive terms in office, except if the term of office is two years or shorter, in which case officials are limited to serving three consecutive terms in office. Terms are considered consecutive unless they are four years apart. Municipal voters may modify or eliminate term limits through a local option election; you should check to determine the status of term limits in your community.

ETHICS AND CONFLICT OF INTEREST

A municipal elected official must adhere to an ethical level of conduct while in office. Elected officials are vested with the public trust and must carry out their responsibilities in an ethical manner. Ethics and conflict of interest requirements for local government officers are addressed in the state statutes and sometimes in local charter or ordinance provisions. In general, these requirements are aimed at preventing those in a position of public trust from using that position for personal financial gain. For example, state law provides that, among other things, elected officials may not:

- use confidential information for personal benefit
- accept gifts or economic benefits as rewards or inducements for official action
- engage in substantial business with one who supervises or inspects
- vote on matters involving a “personal or private interest”

OPEN MEETINGS

Before assuming public office, you should become familiar with Colorado’s Open Meetings Law, which covers local public bodies such as a municipal governing council or board. You will need a basic understanding of what constitutes a public meeting, the minimum requirements for a quorum, when “full and timely notice” prior to a meeting is required, and the basic requirements concerning “executive sessions” (that is, meetings that are not open to the public).

The open meetings law reflects the policy that public bodies are engaged in the public’s business. Consequently, their meetings should be open to the public and held only after “full and timely” public notice. Therefore, the open meetings law permits executive sessions only on specific topics. The law also requires that these sessions be for deliberation only; decisions must be reached in an open meeting. In home rule municipalities, you may be subject to additional or varying requirements under your charter or ordinances.

MUNICIPAL GOVERNMENT FACTS

- Colorado has 271 municipalities (including the City & County of Denver and the City & County of Broomfield).
- More than 70 percent of the state’s population resides in municipalities
- Range of municipal population, based on 2005 state estimates: 14 (Bonanza City) to 571,848 (Denver)
- Structure of municipal governments:
 - Home Rule Cities/Towns: 96
 - Statutory Cities: 14
 - Territorial Charter Cities: 1
 - Statutory Towns: 160
- There are more than 1,800 municipal elected officials in Colorado (mayor, mayor pro tem, councilmember, trustee)
- Pay for mayors, council members, and trustees is determined locally. Compensation varies from no compensation to modest compensation levels for part-time officials. There are a few full-time paid positions, i.e., mayors in Denver and Aurora.

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ABOUT THE COLORADO MUNICIPAL LEAGUE

The Colorado Municipal League believes that local problems are best resolved at the local level of government and that people are best served by a strong and responsive local government. Founded in 1923, CML is a nonprofit, nonpartisan organization that represents and serves Colorado's cities and towns. More than 260 of the 271 Colorado cities and towns are members of CML, representing more than 99 percent of the municipal population in the state. The League provides a number of services for its membership, including:

ADVOCACY

CML is the municipal voice before the state and federal governments. The League employs a general counsel, staff attorneys and full-time lobbyists to ensure that all municipalities are well-represented at the state Capitol. CML also protects the interests of cities and towns and their residents through participation in certain appellate court cases.

INFORMATION

CML provides accessible information that you need to serve your municipality and its residents, including a number of informative resources for members throughout the year: *Colorado Municipalities*, a bimonthly magazine covering current municipal issues; *CML Newsletter*, a biweekly publication containing timely information on League issues and municipal news; *Statehouse Report*, a periodic update on legislative developments published while the General Assembly is in session; and an electronic *Issues Update*. In addition, the League provides numerous other research publications that provide valuable information on technical and legal subjects. CML also responds regularly to inquiries on hundreds of local government questions.

THE VOICE OF COLORADO'S CITIES AND TOWNS

TRAINING

Each year, CML offers dynamic events and workshops to support your continuing education and training on such topics as leadership, council collaboration, municipal finance, land use and planning, personnel issues, telecommunications, legislative issues and strategic planning.

THE CML MUNICIPAL ELECTED OFFICIALS' LEADERSHIP TRAINING PROGRAM provides quality training for local government leaders and recognizes the efforts of officials who go the extra mile to increase their knowledge and their capacity to lead. Since 1991, hundreds of municipal elected officials have enrolled in this highly successful program. The Leadership Training Program is based on highly interactive, affordable, capacity-building training seminars that promote a better understanding of municipal government and provide the tools to be a more effective community leader. The program is simple:

- Any municipal elected official may participate. This includes mayors, councilmembers, and trustees.
- There is no cost for enrolling.
- There are no required courses. You select the credited training that fits your specific needs from CML workshops and conferences.
- You have three years to complete each segment of the program.

For more information about this program and other League services, contact the League office in Denver at 303-831-6411.



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The Municipal Candidates Guide has been prepared by the Colorado Municipal League as a guide for prospective candidates who are seeking useful information on municipal government. The guide includes tips on how to be an effective municipal official, as well as an overview of how municipal government works.

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