

Proposed Home Rule Charter

Home Rule Charter Commission

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April 25, 2023

Summary

- Preamble
- Process
- Driving Principles
- Consequential Decisions and Changes
- Transition to Home Rule
- Commission Recommendations for Future Work

Preamble

We, the people of the Town of Erie, Colorado, in order to establish a more effective and responsive government, to promote the general welfare, and to secure the blessings of liberty for ourselves and future generations, do ordain and establish this Home Rule Charter.

We recognize that Erie's history, character, and resources require a government that is dedicated to local control, sustainability, and the preservation of our natural environment. We affirm the rights of all residents to participate in the decisions that affect their lives, and we seek to promote transparency, accountability, and good governance at all levels.

We pledge to uphold the principles of democracy, equity, and justice, and to foster a community that is inclusive, diverse, and welcoming to all. We value the contributions of our residents, businesses, and institutions, and we seek to promote economic growth and opportunity while preserving the quality of life that makes Erie such a desirable place to live.

In order to achieve these goals, we adopt this Home Rule Charter as a framework for local governance, and we commit ourselves to its execution for the betterment of our community and the well-being of all who call Erie home.

Process

- Weekly meetings with public status updates since certification of election
- Monthly dedicated public-comment sessions
- Individualized public outreach efforts
- Methodical read through and amendment of the Charter
- Round-table discussions during meetings where every commissioner can bring up any topic or area of concern
- Sought unanimity in drafting decisions, occasionally required vote of commissioners as a last resort

Driving Principles

- Maintaining, protecting, and expanding our open space
- Providing as much local control as possible
- Leaving as much as possible up to the residents of Erie
- Providing the guidelines of governance and leaving specifics up to the residents and our elected representatives
 - With a few exceptions
- Providing guardrails to prevent elected officials acting against the interests of Erie

Consequential Decisions – Town Governance

- **Town** of Erie, with a Council/Manager form of government
- Governing body will be 6 Councilors and the Mayor, making up the Town Council, all with 4-year terms
- The Town will have 3 districts, with 2 Councilors from each district serving staggered terms
- The Mayor will be elected at-large
- Elections will be held in November of even-numbered years, to maximize voter turnout and save money by coordinating elections with both counties

Consequential Decisions – Open Space

- Driver: TNACC vote in November 2022 election
 - Passed with ~78% of the Town voting to extend a tax for the purposes of protecting and acquiring open space
- Result:
 - OSTAB codified (cannot be abolished by the Council)
 - Town required to maintain a fund for the purposes of maintaining and purchasing new open space

Consequential Decisions – Guardrails

- Enshrining the independence of the Municipal Court
- Codifying the process for filling vacancies on the Town Council
- Codifying transparency requirements, which will be maintained if CORA is repealed at the state level
- Requiring the Town to conduct and make public a yearly audit of Town finances
- Requiring a Code of Ethics with enforcement and punishment mechanisms

Consequential Decisions – Guardrails (continued)

- Maintaining the requirement for voter approval for any new taxes, even if TABOR is repealed at the state level
 - ***The Charter DOES NOT include any new taxes***
- Maintaining ordinances in order to increase the requirements around campaign finance disclosures and reporting
- Protecting independent boards and commissions
- Requiring the Council to protect residents from predatory special districts

Consequential Decisions – Local Control

- Reserving for the Town "the right to have all rights, powers, and liabilities applicable to Colorado home rule municipal corporations as set forth in Article XX of the Constitution of the State of Colorado and Title 31, CRS"
- Allowing the Town to set ordinance punishments and fines beyond the maximum currently set in state statute

Consequential Decisions – Leaving it to the Residents

- The Town Council cannot change its pay without a general resident vote amending this Charter (tentative)
- All new taxes will require a resident vote to implement
- Filling vacancies in the Council will always be the result of a resident vote
 - Automatic appointment of runner-up of prior election, special election, or waiting until the next regular election
- Maintaining accessible rights to initiative, referendum, and recall

Transition to Home Rule

- The provisions of the Charter become effective on certification of the election approving it
- All existing laws and ordinances carry over
- The Board of Trustees will become the Town Council and have their terms extended 7 months
- Districts will be drawn by an independent commission in preparation for the November 2024 election
- Trustees whose terms will extend to January 2027 will be assigned to the district they reside in

Recommendations for Future Work

- Implement RCV for more fair elections once both counties can support coordinated RCV elections
- Pass ordinances to strengthen protections of residents from special districts

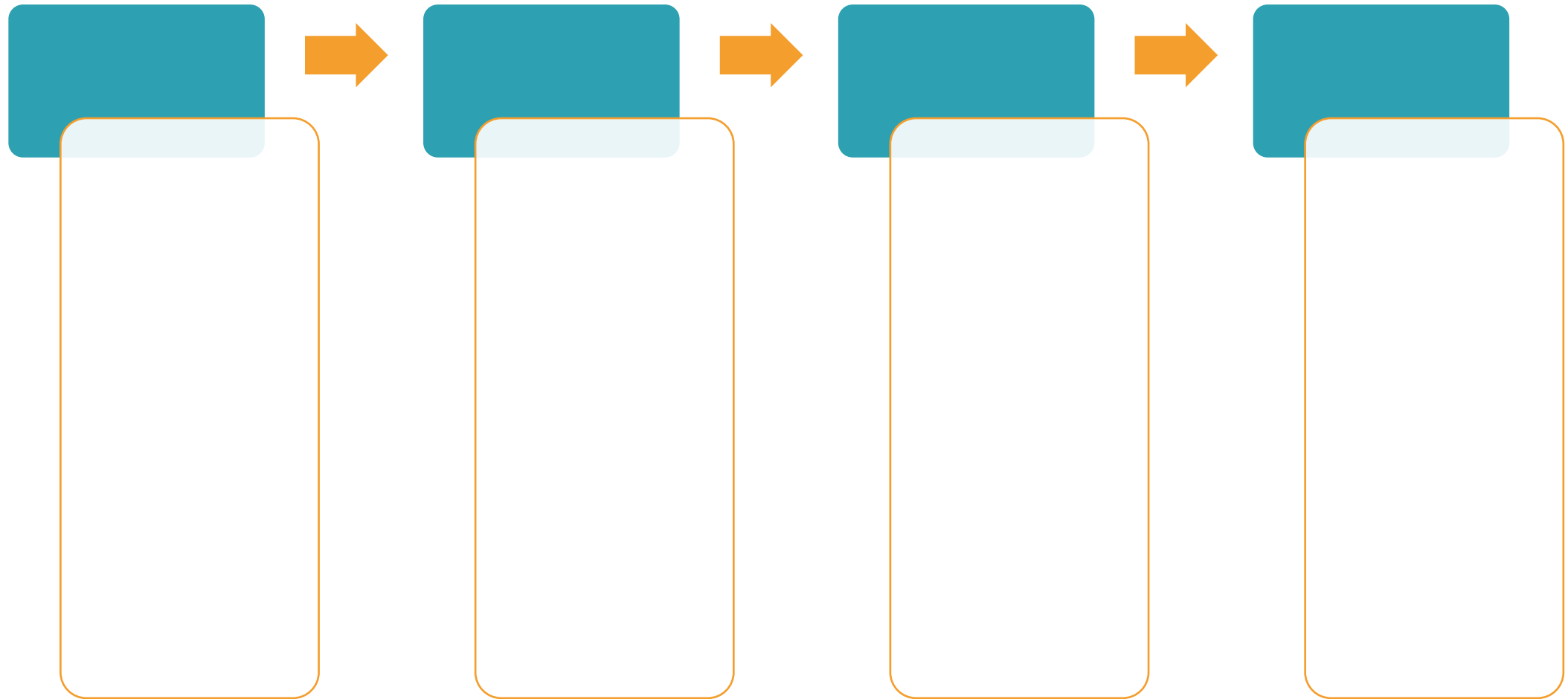
Questions & Discussion

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Flowchart/Project Timeline



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Full image/graph with Title

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