

# SMALL TOWN SOLUTIONS: A PRACTICAL GUIDE FOR MUNICIPAL LEADERS

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*The Voice of Colorado's Cities and Towns*



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# FOREWORD

The Colorado Municipal League (CML) and the Colorado Department of Local Affairs (DOLA) are proud to support communities of all sizes and regions across Colorado. A very important segment that we assist are cities and towns made up of populations with fewer than 8,000 residents. So much so, in fact, that in November 2012, CML and DOLA partnered to host a “Small Community Workshop.” This successful event addressed a variety of issues of importance that communities of all sizes face, with specific attention to the unique challenges that smaller communities have. Topics included strategic budgeting, asset-based small town solutions, law enforcement issues, land use and planning challenges, and elected-staff relations, as well as a reminder of CML and DOLA services.

Based on the positive feedback we received from that event, we thought it would be wise to capture that knowledge in a publication. This publication, *Small Town Solutions: A Practical Guide for Municipal Leaders*, is designed to provide valuable information to those municipalities with populations of 8,000 or fewer. We hope you find it to be a handy resource now and in the future.

We would like to thank the individuals that took the time to provide content for this publication. We appreciate your willingness to share your experiences and expertise with your colleagues across the state.

As always, CML and DOLA welcome your comments, suggestions, and feedback anytime.

Sam Mamet  
CML executive director

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# CHAPTER 1: ASSET-BASED ECONOMIC DEVELOPMENT

*By Colorado Department of Local Affairs Division of Local Government  
Community Development Office staff members: Stephanie Troller, Main Street  
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The Colorado Main Street Approach is grounded in asset-based economic development –building upon the natural, cultural, historical, built, and human assets of a community to spur community and economic development. All towns have assets to build upon; examples include natural landscapes, historic downtown buildings, cultural festivals or traditions, agricultural production, the skills of business owners and residents, or a combination of these. The Department of Local Affairs (DOLA) works with communities across Colorado to assist in asset-based development programs through the Colorado Main Street Program. DOLA accomplishes this through technical assistance that includes assessments and planning, annual program visits, regularly scheduled trainings in conjunction with Downtown Colorado, Inc. (DCI), requested topical trainings, and assistance in annual work planning. In recent years, DOLA has also been able to offer small grants to further Main Street projects.

## **COLORADO MAIN STREET PROGRAM OVERVIEW**

The Colorado Main Street Program focuses on revitalizing traditional downtown districts within the context of historic preservation. The program uses an approach that advocates a return to community self-reliance, local empowerment, and the rebuilding of central business districts based on their traditional assets of unique architecture, personal service, local ownership, and sense of community. The Colorado Main Street Program provides technical assistance and services in the four areas of the Main Street Approach: economic restructuring, design, organization, and promotion.

### **Current Colorado Main Street communities**

The following communities are currently participating in the Main Street Program: Berthoud, Brush, Fruita, Granby, Lake City, Lamar, Lyons, Montrose, Ridgway, Rifle, Silver Cliff and Westcliffe (“The Cliffs”), Steamboat Springs, and Victor. Colorado’s Main Street districts saw significant investment in 2011, with \$944,000 in private investment, \$2,893,000 in public infrastructure improvements, 32 net new businesses creating 104 full-time and 89 part-time jobs, and 9,904 volunteer hours with an estimated value of \$214,000. Main Street events brought more than 65,000 visitors to Main Street districts.

During a recent CML workshop, officials from Silver Cliff, Westcliffe, and Lamar discussed their efforts with asset-based community development and the Main Street programs.

## MAIN STREET SPOTLIGHTS

### “The Cliffs” (Silver Cliff & Westcliffe)

The Towns of Silver Cliff and Westcliffe are building on their local assets of historic building stock, rich mining and railroad histories, vistas and ranchland, skilled volunteers and even the resources of the two towns. The Cliffs are pursuing funding to design and build an interpretive park celebrating Silver Cliff’s mining history, working through the San Isabelle Land Trust to conserve ranch lands and vistas that define the community’s western character, expanding amphitheater facilities, and spurring private investment. Having two towns side by side – sometimes seen as a challenge – has been reimagined as an asset with a ribbon-tying ceremony and collaboration that is tapping into the energy and resources of both communities and staffs. They are also building on assets such as their golf course, recreation center, and Custer County airport, as well as the skills of many retirees coming to the area. These efforts are bearing fruit with increased private investment and community consensus.



*Photo courtesy of the Town of Westcliffe.*

### Lamar

The City of Lamar is focusing concurrently on developing several assets to support economic development: southeastern Colorado’s heritage tourism potential; the city’s active baseball, ranching and rodeo communities; the wind power industry; and Lamar’s location along the Ports-to-Plains transportation corridor.

Through Southeast Colorado Heritage, Lamar seeks to make itself a destination on a tour of southeastern Colorado that includes the highest concentration of Works Progress Administration (WPA) sites in Colorado, as well as regional draws such as Picketwire Canyon, Fort Lyon, the Sand Creek Massacre site, Amache, the Comanche National Grassland, and the Santa Fe Trail. Downtown revitalization and hospitality training are two initiatives meant to draw visitors. Lamar is also promoting the plain’s rich birding opportunities – both for bird watchers and for hunters.

Lamar further capitalizes on its strategic access to transportation (with 3,000 semi-trucks passing through daily.) The ubiquitous wind of the eastern plains allows for the location of significant wind-power generation and spinoffs in light manufacturing and related services.

The Lamar Partnership – a collaboration between the City of Lamar, Prowers County, Prowers County Economic Development Council, and the Lamar Chamber of Commerce – is also leveraging local assets such as Lamar Community College’s equine programs and sports facilities, and is making Lamar a destination for baseball, softball, and rodeo. In addition to the partnership, an urban renewal authority (URA) has been put in place to provide financing to enhance the historic downtown and further industrial and employment development in the city’s core.

# CHAPTER 2: STRATEGIC BUDGETING, A CASE STUDY

By Clay Brown, Department of Local Affairs Central Region regional manager

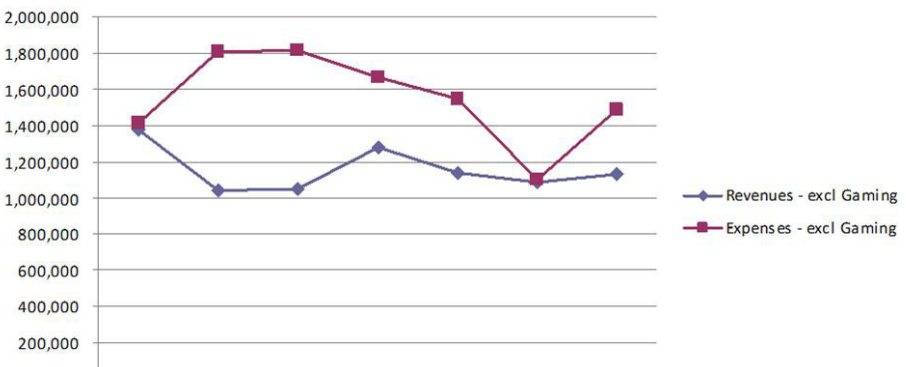
In 2009, the City of Victor was impacted by the state's proposed 2010 budget, which redirected grant funding from the Local Government Limited Gaming Impact Program. This meant a loss of \$385,000 to Victor's general fund (GF) or 50 percent of its total GF revenue (see charts below.) The City of Victor's staff, in partnership with the Department of Local Affairs (DOLA) regional manager, immediately began a fiscal impact analysis and goal setting and strategic planning. The process of this analysis revealed other challenges and obstacles for the city.

This chapter outlines the measures and strategies used to get the City of Victor back on track.

## CITY OF VICTOR REVENUES AND EXPENSES BY YEAR, INCLUDING GAMING REVENUES



## CITY OF VICTOR REVENUES AND EXPENSES BY YEAR, EXCLUDING GAMING REVENUES



A fiscal impact analysis revealed additional problems. There were very few record-keeping processes in place and accounting measures were rejected or ignored (for example, there was resistance in the past to monitor its fuel system.) Additionally, the Water Enterprise Fund was in trouble with expenses outpacing revenues for multiple years, and there was an 80 percent loss in severance tax direct distribution funding due to a new formula calculation.

The loss of revenue was the tip of the iceberg. City council and staff immediately implemented several measures, such as putting an emergency purchase order system in place, scheduling strategy sessions facilitated by the DOLA regional manager, approving changes in salaries, and developing and distributing a questionnaire to help staff identify city resources. The questionnaire asked about the cost of city services, the impact of implementing a shorter work week, and identifying staff time spent on specific tasks. Additionally, the city council convened two budget strategy sessions. As part of this process, council tried to include 2010 council candidates whenever possible and utilized DOLA to develop a new budget process.

The strategy sessions resulted in many positive outcomes, such as the development of a new budget process, the establishment of guidelines for the 2010 budget, prioritization of services, and cost-saving strategies.

## **“LOOK TO THE FUTURE, FORGET THE PAST”**

The 2010 budgeting process and city council election ushered in a new beginning and way of doing business for the city. In looking to the future and moving beyond the past, the new council forged ahead, working together to create a new budget and making tough decisions. They were able to reduce general fund expenses by more than 30 percent, eliminate four full-time employees, and downsize the police department. The budget, based on goals and policies adopted by the city council, became the “road map” for how the city would now operate. The city created a work plan to keep everyone focused and moving in the same direction.

As a result of the budget crisis, the city received an Energy Impact Grant to install new water meters, and Community Development Block Grant (CDBG) Funds were used to hire a new engineer, conduct sewer plant upgrades, and repair its collection system. DOLA provided the accounting firm of CliftonLarsonAllen LLP at no cost to conduct a financial check-up. The check-up recommended several improvements in the city’s finance office and provided a framework for the council to continue making positive changes to its finance system. The downtown area was prioritized for economic development opportunities. In 2010, using CDBG funds, the city completed a project that improved drainage, repaired sidewalks, and repaved streets in the downtown. The city implemented improvements to the water meter system, resulting in more accurate readings that generated more revenue and a radio reading system that required fewer man hours. Finally, the city got into compliance with backflow in commercial buildings, and improvements were made to the sewer plant that addressed violations to state regulations.



The Cripple Creek and Victor Mining Company made a donation to enable the city to seek professional economic development assistance for the downtown. The city applied to Downtown Colorado Inc. (DCI) and was awarded a Community Revitalization Program (CRP) grant. The CRP energized the city. From this new energy, the Downtown Revitalization and Economic Acceleration Movement (DREAM) was born, and many business owners became engaged and displayed a spirit of volunteerism. The city made a significant investment in the downtown area, making drainage, sidewalk, and curb/gutter improvements. There was also a facade painting project, where all painting was done by volunteers and business owners. City officials noticed that citizens' attitudes were changing; people went from doubtful to positive, and citizens were becoming more involved. The city received a Great Outdoors Colorado (GOCO) grant that allowed the development of a Parks and Recreation Master Plan.

The implementation of key strategies including the hiring of a professional city administrator, reorganizing staff, adopting a new personnel policy and pay plan, contracting police services, using resources such as Volunteers in Service to America (VISTA) for various tasks, completing an asset inventory, and fully complying with GASB 34 are how the city now does business.

Current strategic policies involve an annual goal session held each spring by the city council, prioritization of actions based on goals, working with the city administrator in the development of the budget, and using a variety of policies to guide budget formation.

## **CONCLUSION**

The measures implemented by the Victor City Council and staff have set the city on a path for success. Victor is not entirely out of the woods in terms of its revenue picture, but with solid plans and strategies in place the future is looking better. The city has been selected to be the first small town to use a new fiscal health computer model that it began testing in 2012. By establishing goals and priorities, implementing budget savings, focusing on downtown and economic revitalization, and making operations more efficient, the city is an excellent example of how small town strategic budgeting is a vital step in meeting the challenges of and preparing for the future.

# CHAPTER 3: LAW ENFORCEMENT: TWO POINTS OF VIEW

## OPERATIONAL CHALLENGES FOR SMALL POLICE DEPARTMENTS

*By Tracey McCoy, Lochbuie chief of police*

What is a small police department? For the purpose of this chapter, it is defined as departments with less than 10 sworn officers and very few, if any, civilian employees.

There are many challenges in operating any police department, but important ones for many small departments are carrying out required duties with limited resources and hiring the right kind of people to work as police officers within a small community.

### **Operating with limited resources**

Police departments are expensive, especially for small municipalities that struggle with their budgets and have limited funding. Expense aside, a small town might like having its own police department so that it has local control of how the department operates and how it enforces municipal ordinances, including code enforcement. Having its own police department also might result in creating positive relationships between the municipality and its citizens, and citizens can get to know the officers that work for the town.

Police departments usually have more employees than any other department within a municipality and are generally the highest-spending department due to personnel costs for those employees. Many departments provide uniforms and necessary equipment (including the expensive ballistic vest) or annual uniform allowances for each officer so that they have the basic necessities to perform their duties. Driving up department costs is a large list of things including, but not limited to, the need for patrol vehicles; department issued weapons such as a tazer, shotgun, and patrol rifle; ammunition for duty and training; necessary outside training costs; patrol vehicle emergency equipment; mobile and hand held radios; mobile data terminal computers in the patrol car for dispatching (if the dispatching center requires them); records management software; cell phones; and overtime that must be paid for court or when an officer has to deal with a case that runs over his or her scheduled shift. The above listed items, as well as others, are needed by most all departments no matter what their size.

There is no getting around the fact that a police department is expensive to operate, but there are things that can be done to minimize the costs. While purchasing new items is preferable, it is not a necessity. Used (sometimes very lightly) equipment and supplies can be obtained in other ways. Many large departments issue everything imaginable to their officers and, when they leave, the officers have to return those items. Smaller municipalities have been known to receive uniforms, winter coats, leather gear, radar units, used patrol cars, and other equipment for little or no cost to the department. Some of these items were

brand new with tags still on them! Departments that have a surplus of police equipment are happy to help the smaller departments when they can.

Departments can also occasionally obtain equipment for significant savings by purchasing demo units from police equipment manufacturers and suppliers. Often demo or refurbished radar units, cameras, cell phones, etc., are available at significant savings. Sometimes, although rarely, the department may acquire police equipment, such as radar or video cameras, from a company for free during a testing or training period for a newly developed unit. The department must complete surveys on the equipment and is then allowed to keep the item when they have completed the demonstration period.

Another way to save a little money is to utilize citizen volunteers who have skills that they are willing to donate. Consider inviting citizens to help with building training aids, painting, vehicle maintenance, weapons repair, etc. Not only can volunteers help the budget, they can also be valuable in building community relations.

When you need to purchase patrol cars, remember that you do not have to buy new ones. Buying used patrol cars results in significant savings to the municipality. Well-cared-for, fully equipped, used patrol cars can be purchased for a fraction of the cost from larger law enforcement agencies around the country. Many large departments have a fleet program where their vehicles are rotated out of service with a significant amount of life left. Fully equipped patrol cars with fewer than 80,000 miles can be purchased for under \$3,000.

There are also car dealerships that have slightly used, fully equipped patrol cars available that are only about two years old. For example, a recent purchase of two fully equipped patrol cars that were two years old was made from a dealership that had leased the cars to a large police department on a two year agreement. The cars, which were still under factory warranty, had less than 40,000 miles on them combined. The purchase price for both cars was less than what one new patrol car would have cost. Life expectancy of both these cars is estimated at five to six years. To make the impact on the budget even less, a municipal lease/purchase was financed over five years to spread the payments out over time.

### **Overtime, overtime, overtime**

Small police departments cannot help but have a lot of overtime, which can have a huge impact on the budget and is subsequently an area that is cut when trying to balance the budget. The problem is that it is very difficult to manage overtime in a small department due to shift assignments, court, training, vacation, and illness.

Many small departments do not have active police coverage 24 hours a day and have to rely on officers to be on call during late night and early morning hours. Often, the officers are not compensated for on-call time, but get paid overtime pay when called out. It is impossible for a department with three or less officers to provide 24 hour coverage, seven days a week. A department must employ at least four officers to provide 24/7 coverage in which officers work 12 hour shifts,

four shifts one week and three shifts the next week. There are two officers assigned to day shift and two on night shift. They work the opposite side of the week from each other. This, however, is a skeleton crew and does not allow for officers to take time off for vacation, illness, or training; and the officers will burn out very quickly and get an extreme amount of overtime. The department would be better served to have at least five patrol officers for a 24/7 work schedule. The fifth officer would work a modified afternoon/evening shift and slide around to cover time off for other officers and limit overtime. This is currently the schedule in place at the Lochbuie Police Department. There are four patrol officers assigned to the day and night shifts and a sergeant who works on the afternoon/evening shift. This scenario works well as the sergeant works shifts so that he is able to work with all of the officers during the week for supervision purposes. There are other schedules that can work just as well depending on the needs of the department.

Some small departments employ part-time, non benefited police officers. This is a great way to assist in shift coverage if you have reliable part-time officers. The only caution here is that a part-time officer probably has a full-time job elsewhere that they rely on and it will probably take precedence over the part-time police job. Volunteer reserve police officers are also utilized in many departments. In most cases, the reserves are not allowed to carry out police duties without being under the immediate supervision of a paid officer, so they are not able to work a shift on their own, but they are a great way to increase manpower and provide immediate back up to the paid officer with whom they are working.

Larger departments have policies that require a minimum amount of officers to be on duty at one time. If someone is ill or can not come to work, they still have enough officers on duty to cover the shifts. These policies are implemented for officer safety reasons and are good policy if it can be done. The fact of the matter for a small agency, though, is that most of the time there is only one officer working on a shift. This lone officer must respond to and deal with whatever incident he or she is dispatched to. It is not ideal for officer safety. Fortunately, most neighboring municipal departments, sheriffs' departments, and state patrol are happy to assist for back up when available. Often back up from other agencies may be several minutes or even an hour away for some small departments and the officer must do what he or she can to de-escalate the situation and get by until help arrives. This is reality for a small-town police officer and why it is so important to hire the right kind of person in a small department.

### **Hiring the right people**

"Hiring the right people" is the single most important issue facing all police departments, and the area that can hurt the department the most when the wrong people are hired. Small departments are also faced with not being able to provide the salary and benefits offered by larger departments and there is not as much room for advancement or specialized duties in a small department. Combine that with the fact that many people who are interested in becoming a police officer have grandiose ideas of working in the city and that being a police

officer is like what they saw on television growing up. Given these factors, it should come as no surprise that a majority of candidates are applying for positions with larger agencies. Generally (not always), there are two types of individuals applying for the smaller departments; those who have been unsuccessful at obtaining a position in a larger agency for whatever reason and turn to the smaller agency for an opportunity, and those who have previously been employed by other police agencies and are no longer working there for a variety of reasons. Fortunately there are some candidates that have always wanted to work in a small town police department, although they may be rare.

It is important that small departments complete a thorough background check on each applicant and be aware of red flags. Small departments can be eager to hire experienced officers since they will have less training time and are most likely able to get out on patrol quickly due to their experience. The pitfall in hiring an experienced police officer is that they usually have some sort of “baggage.” While second chances for people can be a good thing for both the applicant and the department, the department should be very cautious of hiring “gypsy cops”, who have travelled from agency to agency without any advancement and seemingly no commitment or loyalty to the agencies that hired them. These particular types of individuals can be toxic for the organization while they are employed there and should be avoided.

On a more positive note, small agencies can take advantage of quality candidates that are eager for an opportunity to prove themselves. These candidates can be fresh out of a police academy or veterans. Fortunately it is an employer’s market for police officers at the moment. There are many qualified applicants out there competing for a minimal amount of open positions, which translates into a great hiring pool (at least at the current moment and in the more populated areas along the Front Range.)

## **Character**

What type of person should become a police officer in a small town? It all starts and ends with character.

Character is defined in the dictionary as “qualities of honesty, courage, or the like; integrity.” An applicant may not be the smartest, or the most physically fit, or the most experienced, but if he or she has positive character traits that is more important. Rarely are people fired because of their lack of skills, generally it is due to negative character traits that result in bad behavior. A thief with great skills is still a thief. Character is a personal trait, and it is imperative that small town departments hire officers with good character who will treat everyone with respect and dignity at all times. Everything the police do in a small department is magnified; the smaller the department or community, the more magnified. Citizens are watching every move of every officer all the time and will be very quick to point out the negatives. If each officer comes to work each day and does the right thing for the right reasons, it will have a positive impact on the department and the community as a whole. On the flip side, one bad seed can wreak havoc on a department, inside and out, and can create a negative image for the department and the entire community that can take years to overcome.

No department wants to be the focus of the next news story about misconduct of an officer. In most instances, those news stories involve officers with negative character and behavior traits. The chances of a department being the focus of that news story are drastically reduced if individuals of character are hired as police officers in the first place.

In a small department, it is the job of the police chief to provide positive leadership, keep the officers trained, and give them the tools they need to carry out their duties. If individuals of character are hired and they have the direction, training, and tools to do their jobs, it will result in a positive culture within the department, a positive reputation within the community, and a positive reputation among other law enforcement agencies. The officers and citizens will be proud of their small town police department that does a great job protecting and serving their community.

*The police are the public and the public are the police; the police being the only members of the public who are paid to give full time attention to duties which are incumbent on every citizen in the interests of community welfare and existence.*

— Sir Robert Peel

## **CONTRACTS FOR POLICE SERVICES**

*By Joe Pelle, Boulder County sheriff*

The Boulder County Sheriff's Office has contracted with the Towns of Superior and Lyons for many years for the provision of municipal police services. As revenues get tighter and the cost of providing a police force grows, contracting has become a popular option for many towns. Liability concerns alone have caused many small towns to rethink trying to staff, equip, and train their own police force. The contract relationship can eliminate or mitigate the high costs of duplicating administrative and legal overhead, and may save towns substantial budget dollars. A recent article in *Sheriff* magazine mentions that 30 percent of the municipalities in the State of California are contracting with their county sheriffs to provide city police services. This may not be a viable option for every community; local control and identification are huge considerations. However, it has worked out very well in Boulder County. The following strategies have helped make these contracts and relationships successful.

### **Local control**

Giving up control, or a voice in how police services are provided, is one of the most cited reasons from municipalities that struggle with the decision to contract with a larger agency. Boulder County and the Towns of Lyons and Superior have been able to overcome most of those concerns with the long-term assignment of a "police chief" to each town from within the county's ranks. A deputy sheriff with the rank of sergeant (first-line supervisor) is assigned to the town to supervise the activities of the deputies working there. The town provides office space or a substation for the assigned sergeant whose full time job is to attend to the needs of the town. The sergeant reports directly to the town administrator, attends town board meetings, and deals with ongoing or acute public safety issues. The

sergeant receives direct input from the town administrator concerning priorities, community needs, and works to be responsive.

These assignments are rotating three-to-five year terms, and the process to be a town supervisor is normally very competitive among officers and each town is involved in the selection process. The assignments are fertile training grounds for deputies because they learn to deal directly with budgeting, local politics, and priority setting in a community policing model. Each town likes it because it has its own law enforcement representative, a familiar face, and someone responsive to its needs.

### **Force multiplier**

One of the biggest struggles for a small community is trying to provide ongoing police coverage with a small force, which tends to turn-over a great deal. The training, court, and personal leave requirements for any police officer will occupy 20 to 30 percent of their time. It takes five or six officers to provide the coverage of one officer 24/7. One retirement or resignation starts a lengthy training cycle making it very difficult to maintain coverage. Officer retention is a big problem in small communities – they have become training grounds for new cops. Newer officers come to gain the experience they need to compete for well-paying jobs at larger agencies, and then they leave for those jobs with higher pay, a wider variety of assignments, and more attractive benefits.

The Boulder County contract model helps overcome many of those issues. Having the luxury of a fairly large and stable workforce, the filling-in behind vacancies or training days are the responsibility of the sheriff's office to manage. The town continues to enjoy coverage with no disruption in service. Deputies are paid well, enjoy good benefits, and have nice equipment resulting in a very low turnover rate of about 4 percent, which translates into a well-trained and experienced staff of law enforcement professionals.

Prices are kept low by building a model of service delivery that benefits the town and the sheriff's office as well. For instance, in Lyons the patrol district incorporates the Town of Lyons, the surrounding subdivisions and countryside, as well as up into the canyons above the town. The patrol deputies spend at least 50 percent of their time in the town, but also patrol and respond to calls in the surrounding neighborhoods. The town pays for the services of three deputies, and the county picks up the rest; however, the town receives full-time police coverage at a greatly reduced cost. The presence of deputies in the town enhances response times to calls in the surrounding neighborhoods or unincorporated areas of the county, helping provide better services to the entire area. Deputies from surrounding districts utilize the substation as well, giving the appearance of increased police presence, and providing cover for deputies on two-officer calls, such as domestic disputes, which they might not otherwise have as a single-officer agency.

The contracts are tailored to the needs of the community: Lyons pays for 50 percent of a detective salary while Superior pays 100 percent of a detective salary. The detective division then handles all of the major investigative needs of



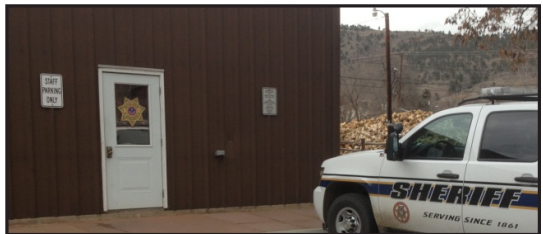
the town. In the rare instance of a major case (e.g. homicide or bank robbery), the town gets the full benefit of the county's entire investigative team at no additional cost.

### **Budget predictability**

Injuries, overtime, lawsuits, equipment breakage, new cars, new technology, and the like can all wreak havoc on a small town budget. The larger the agency, the more predictable these things become. Over time, Boulder County has worked out a budget process that averages all of the costs of hiring, equipping, training, legally defending, paying, insuring, and providing vehicles to deputies. Contracts have been in place with Lyons for more than two decades and with Superior since 1994. Each town and the sheriff's office negotiate the level of coverage desired; then the cost is determined by the averages. The town does not have to worry about buying new radios, cars, uniforms, etc. These costs are built into the town budget and remain stable. When a patrol car breaks down, the county simply rotates another into the town while the broken car goes to the county's fleet maintenance garage. As part of a larger organization, the percentages of cost for things like legal defense or workers compensation insurance become smaller by the person, and are not wholly duplicated by the town. The town administrator and budget officer annually review the contract budget, understand the process (which is very transparent), and put together a budget for the next year that they can count on and do not have to worry about any surprises.

### **Advanced training and services**

Boulder County's agency annually provides approximately 75 hours of in-service and advanced training per deputy. Training such as this is very difficult to do in a small police department dependent upon each individual for coverage. When a deputy is out on a training day, another takes his/her place on the street. The town does not see a disruption to service. A well-trained work force reduces joint



*Left: Photo of Superior substation.  
Right: Photo of Lyons substation.  
Photos courtesy of the Boulder County Sheriffs Office.*

liability, and helps ensure professional, competent delivery of service. To help ensure professional standards are upheld, there is a full-time internal affairs unit and a legal advisor. The internal affairs unit and legal advisor field complaints and issues, freeing the town administration from dealing with these problems. In addition, the county offers advanced services such as crime scene investigation, SWAT, K9 services, a regional bomb team, School Resource Officers and the



like, that most small agencies cannot afford and do not have the personnel to staff. The billing model under the contract makes all of these services available to the towns at no additional cost.

### **Municipal fines**

Another concern for contracting revolves around municipal fines, and the revenue the towns depend upon from these fines. The contract, in the form of an intergovernmental agreement (IGA), stipulates that the towns retain their own municipal codes and municipal courts. The deputies are empowered under the IGA as municipal police officers, and tickets for violations are written into municipal court; the town retains the revenue from these fines. Both Lyons and Superior frequently hire additional deputies at overtime rates to provide an enhanced level of enforcement (traffic enforcement in school and pedestrian zones is a common use), and utilize the revenues from municipal fines to help off-set the costs.

### **Conclusion**

Boulder County, the Town of Lyons, and the Town of Superior continue to enjoy a remarkable relationship. The Boulder Sheriff personally meets with leadership of the towns annually as part of the budget process to review performance and their expectations. Complaints and issues are few and far between. The towns are not dealing with a myriad of issues, personnel problems, and budget dilemmas that come with providing their own police departments. Boulder County strives to provide the very best in efficient, effective public safety services delivered with character, competence, and open communication. The towns and the sheriff's office all benefit from the relationship. The communities enjoy good service and coverage from professional officers at a very fair cost.

# CHAPTER 4: RIGHTSIZING YOUR LAND USE CODE

*By Andy Hill, Colorado Department of Local Affairs Division of Local Government program manager*

The land use development code is a critical planning implementation tool. Land development codes come in many shapes and sizes. For some, it is limited to subdivision regulations and zoning. For others, it may be a comprehensive regulatory document that includes provisions for street design, building form, land uses, resource extraction, sign and fence permitting, floodplain regulations, impact fees, and more.

Not all Colorado communities use zoning as part of their land use codes. For all of the shortcomings and controversy around zoning, it proves to be a useful tool for most communities to manage or reduce conflicts between different land uses. Colorado municipalities have a great deal of flexibility to customize an approach that works for them.

## COMMON TYPES OF ZONING

**Traditional zoning** is the most common approach to zoning. Called traditional or Euclidean, it establishes land use classifications and standards for dimensions and takes into consideration orderly growth to prevent overcrowding and to encourage compatible uses of space. It explicitly separates land uses by district.

The **performance zoning** approach attempts to address impacts of development rather than utility. It often uses a point system and allows some flexibility in meeting standards.

**Form-based zoning** places more emphasis on the form and scale of structures as well as their locations or placement, particularly in relation to public areas. Planning with an emphasis on form-based codes may address sprawl, promote safety, or preserve the historic character of neighborhoods.

Many communities combine what works best for them from a variety of approaches. For example, a community may have a largely traditional zoning system, but utilize performance measures for certain districts or possibly form-based guides in the downtown. This approach is called **hybrid zoning**.

## ZONING IN COLORADO

Based on a 2010 Department of Local Affairs (DOLA) Land Use Survey, 67 percent of the state's municipalities use traditional zoning, 18 percent use a hybrid form, 7 percent do not use zoning, 4 percent use performance or a permit-based system, and four percent do not feel comfortable applying any of these labels (see [www.dola.colorado.gov/cdo](http://www.dola.colorado.gov/cdo) and click on "Land Use Survey Results" for more information.)

# WHAT TO CONSIDER WHEN UPDATING THE LAND USE CODE

## Purpose

There are many factors to consider when updating a land use code. First, a community must identify the purpose. It can seem obvious, but it is critical to make sure everyone is on the same page about why the code is being updated. What are the issues being addressed? Many communities find that their comprehensive plans have changed significantly and their land use codes are no longer consistent with the plan. Other communities may feel they are seeing too many requests for variances, which can be a signal that the community needs to revisit the land use code. Start building community support and an effective plan to update the code that will help implement the community's vision.



*Town of Mancos  
Public Planning  
Meeting.  
Photos courtesy  
of DOLA.*

## Administration and enforcement

Once the purpose is clear to all involved, it is helpful to consider the current ability of the municipality to administer the code. The new code should utilize a process that staff, boards, and applicants find easy to understand and use. Enforcement is another important consideration. Can staff enforce the adopted plan? Avoid adopting any process or regulation that will be difficult to enforce consistently. Consider how well the code allows for certainty versus flexibility, creates proactive versus reactive planning, and clearly addresses penalties for violations of the code.

## Integration and implementation

It can be challenging to ensure the land use code implements and integrates all of the different policies, plans, and standards, but taking the time to do so will enhance credibility and trust. Spend time reviewing the municipality's comprehensive plan, bike/pedestrian plan, capital improvements plan, parking standards, roadway standards, etc. Try to minimize conflicts and ensure they complement each other and that the code implements the comprehensive plan, as well as related plans and policies.

## **Maintenance**

Land use codes need love and attention. Anticipate that there will be revisions along the way. Examples of inevitable revisions could fall under categories like “technical,” “housekeeping,” “special exceptions,” or “special interpretation.” Just as with a car, the best maintenance is planned maintenance to avoid obstacles such as staff turnover and different or incorrect administrative interpretations.

## **Cost**

If cost is a barrier, consider cost-saving measures such as breaking up the code update into prioritized pieces, or doing some portions in-house and paying for just the legal review and other highly technical pieces. Finally, review the purpose you defined in the beginning. Is updating the land use code critical to achieving the desired outcome, or are there other ways to address that need?

## **Bringing it into the 21st century**

When adopting or updating the land use code, it is important to make it relevant by addressing the needs of the 21st century. Cross-referencing, clear land-use tables, navigation tabs, expedited processes, graphics, the use of simple language, and providing easy access to the code online are all elements that will make the land use code more current and able to address the community’s needs.

## **Whose job is it to update the code?**

The responsibility of the land use code is collaborative and should include the planning commission, elected officials, administrator, planners, residents, business owners, developers, and other stakeholders.

## **Measuring success**

The code development or revision process should allow for adequate public review, respond to issues raised by the public and stakeholders, and provide some scenario testing to help people understand and connect the regulations with possible outcomes. The planning commission and elected board should feel they will be able to say “yes” to desired development and “no” to unwanted development (as stated in the community vision/comprehensive plan). The code should address the issues and problems identified in the beginning of the process. The code should be easy for everyone to understand and use, providing for the best possible chance of good, consistent local government decision-making.

# CHAPTER 5: GOVERNING BODY-STAFF RELATIONS

*By Tami Tanoue, CIRSA general counsel/claims manager*

The municipal governing body's staff, particularly the manager/administrator, is one of the key resources in carrying out the work of governance. Here are some suggestions for maximizing the use of this valuable resource while reducing the risk of liability.

## **REDUCE YOUR INVOLVEMENT IN ADMINISTRATIVE MATTERS**

If a municipality has a manager or administrator format in place, it is fortunate. Many municipalities are still aspiring to achieve this. Do not squander this resource, then, by over-involving elected officials in administrative matters.

A manager/administrator format frees the governing body up to do its most important work: envisioning and creating a great future for the community. These visionary, forward-looking, long-range functions cannot be undertaken by anyone else. The more an elected official's attention is diverted to administrative details, the greater the likelihood that the "big picture" will go unattended. Elected officials should focus time and energy on the vision, the priorities, and the overall goals for the municipality, and leave the details of execution to the manager/administrator and staff.

## **SPEAK WITH ONE VOICE**

It is a basic tenet of any organization that every position should report to one boss. How is this tenet carried out for the manager/administrator position, when there are seven (or more) people to whom that position is accountable?

For the manager/administrator and the governing body relationship to be workable, the members of the governing body may discuss and debate with many voices, but decide as one. Once a direction has been determined by the body as a whole, it is time for all members to get behind the decision, even those who may have been on the losing side of a vote. Resolve to speak with one voice once the discussion and debate are over.

This means the burden must be on the governing body to sort out and reconcile the goals of seven different people and to establish a singular set of goals, priorities, and directions for the manager/administrator. Otherwise, the manager/administrator will be in the untenable position of trying to figure out a direction from a cacophony of voices.

## **RESPECT THE CHAIN OF COMMAND**

Another tenet of every effectively functioning organization is the chain of command. Ideally, the manager/administrator is the single point of contact between the governing body and the rest of the municipal staff (except for any other "direct reports" to the governing body.) Each position below the level of

the manager/administrator reports to a single supervisor or department head, all the way up the chain of command. Of course, in most entities, the chain of command will not be in place with military-style precision; and there may be some matters (such as harassment complaints) in which strict adherence to a chain of command is not necessarily appropriate. By and large, though, this administrative structure enhances accountability and increases efficiency.

Sometimes the breach in the chain of command occurs by the actions of one or more elected officials who choose to bypass the manager/administrator and deal directly with personnel lower in the chain of command. Other times, the breach occurs because subordinate personnel want to bypass the supervisor or the manager/administrator and pull an elected official into personnel issues. Either way, once the chain of command is breached, the resulting disruption to the organization can be severe and long-lasting.

If the chain of command is not respected, the manager/administrator and other supervisory personnel are disempowered. Why even have a manager/administrator if he or she can simply be bypassed? It is a step away from an administrative structure that is still coveted by many communities, and a waste of the resources that have been committed to that structure.

So respect the chain of command, particularly where personnel matters are concerned. Elected officials need to be sure to stick to the “big picture” issues and those issues that involve the level of direct reports, not others below that level. Personnel matters are among the highest-risk liability areas, so empowering staff to deal appropriately with those matters is a great risk management technique.

## **USE YOUR POWERS WISELY AND HUMANELY**

Remember when municipal leaders used to be called the “city fathers”? In this age, the more apt term may be the “ultimate parental authority figures of the community.” Municipal leaders possess both actual powers and perceived powers. In the area of perceived powers, the tone set in interactions, particularly in public, carry heavy weight. If interactions with one another, the public, or the staff are distrustful, disrespectful, demeaning, negative, etc., that tone is permeating the entire municipality. Great care should be taken in using that perceived power.

Discussion, debate, and even disagreement are a healthy part of the decision-making process. But make sure that discussions are carried out in a respectful way. Use courtesy and tact in interactions, particularly in public settings.

And keep in mind that while staff members are professionals, they are humans, too. Because of the perceived power behind statements, something that is said casually may be given great weight, or may have the power to hurt. Do not participate in or allow staff-bashing in public settings; look for ways to focus on the issue rather than people or personalities. Be mindful of the appropriate time and setting for negative feedback.

## **VIEW YOUR MANAGER/ADMINISTRATOR AS A RESOURCE**

This final suggestion – to view the manager/administrator as a resource– seems self-evident. But sometimes an incoming group of elected officials will choose to view the manager/administrator and staff as the “enemy.” Why? Perhaps it is because they served the outgoing elected officials loyally. But does that make them the “enemy”? Doesn’t that mean they have the ability and desire to serve the new group loyally as well? Newly elected officials should resist the urge to “clean house” reflexively just because they are newly elected and want to change directions.

Commit to a “no surprises” approach when working with the manager/administrator. It benefits no one to play the “gotcha” game at a public meeting. “Stump the staff” may seem like a fun sport, but it is unproductive. There is nothing wrong with giving a “heads up” to the manager/administrator on issues that may be of concern, or asking for thoughts in advance about something that might be raised at a governing body meeting. That is how the manager/administrator is used as a resource.

## **CONCLUSION**

The municipality wins when there is a great partnership between the governing body and the manager/administrator and staff. By following these suggestions, there will be an environment to foster the best possible future for the community.

# CHAPTER 6: DOLA RESOURCES: THE CAPACITY BUILDING TOOL

*By Barbara Musick, Colorado Department of Local Affairs Division of Local Government State Demography Office*

The Colorado Department of Local Affairs (DOLA) is dedicated to providing a vast array of services and programs aimed at increasing the capacity of local government officials and staff to perform their jobs effectively.

In an effort to make all of these services more easily accessible, DOLA has launched the Local Government Capacity Building Tool. This web-based tool is simple to use and provides an interactive directory allowing users to view profiles of each DOLA resource, complete with a detailed description of how the community can utilize the information. Categories include: data and research; technical assistance; and financial resources.

Each profile includes a sample that contains additional, helpful information. Budget Basics, for example, includes an in-depth overview of the steps for creating a budget and the recommended timeline, as well as the statutory budget requirements. Goal Setting and Strategic Planning contains a draft agenda that spells out each step in creating a strategic plan, from review of previous goals through action plan implementation. Each profile also contains the DOLA staff contact, email address, and phone number to help users get the help they need quickly.

The Capacity Building Tool was designed to be the new “one-stop-shop” for local government officials. Instead of searching the DOLA website, users have a single, time-saving tool, providing the information in an easy-to-understand format with clear contact information. With more than 45 categories of services ranging from Demographic & Economic Profiles to Homeless Programs to Energy Impact Grants, the Capacity Building Tool will help local governments find the assistance they need.

Visit [www.dola.colorado.gov/capacitybuilding](http://www.dola.colorado.gov/capacitybuilding) to try it!



# CHAPTER 7: CML RESOURCES

By Lisa White, Colorado Municipal League membership services manager

The Colorado Municipal League offers advocacy, information, and training to members.

## ADVOCACY

CML supports cooperation among local, state, and federal officials to provide a strong partnership with Colorado's cities and towns. CML employs a dedicated advocacy team, a reliable source of information about legislative issues and their impact on Colorado's cities and towns and their residents. Information on CML's advocacy efforts can be found at [www.cml.org](http://www.cml.org). Another form of advocacy is in the courts. CML participates as *amicus curiae*, or "friend of the court," in significant cases before the appellate courts. These decisions apply across the state and can dramatically affect municipal governments by imposing new obligations or limitations on municipal authority.

## WEB PRESENCE

CML continues to be an important online resource for municipal officials, from our website ([www.cml.org](http://www.cml.org)) to social media, with nearly 300 fans on Facebook and more than 600 followers on Twitter. Short informative videos are available at [www.cml.org](http://www.cml.org) on topics ranging from immigrant integration to water. CML's videos have been viewed more than 3,300 times!

## PUBLICATIONS

Each year, CML publishes several new and updated publications. Two additions to the Financing Municipal Government series were released recently (*Economic Development* and *User Charges and Fees*), as well as Knowledge Now publications on Amendment 41 and human resources capital management. Updated publications include *TABOR: A Guide to the Taxpayers Bill of Rights*, *The Election Book*, and *2013 State of Our Cities & Towns*, as well as the free electronic publication, *2012 Laws Enacted Affecting Municipalities*. The electronic *Annual Compensation Report* benchmarks compensation data for nearly 200 municipal staff and elected official positions around the state. This free service is a valuable report for all member municipalities.

## PERIODICALS

The biweekly *CML Newsletter* keeps members up-to-date on breaking news, including legislative issues, grant and loan announcements, training opportunities, and more. CML's *Colorado Municipalities* magazine provides more in-depth knowledge and best practices on topics of municipal interest. The *Statehouse Report* is published electronically each week during the legislative session with timely information on pending legislation.

## **CITIES & TOWNS MAKE IT POSSIBLE**

Municipalities from across the state continue to utilize CML's Cities & Towns Make It Possible materials to raise citizen awareness about the value and importance of municipal government. Cities and towns have used the advertisements in community recreation guides, as banners on websites, and in annual reports.

## **ENGAGING YOUTH**

CML continues to expand upon ways to engage and inform youth in municipal government. The 2013 "If I Were Mayor ..." essay contest, with honorary chairperson Dr. Patricia Limerick, Faculty Director and Chair of the Board of the American West at the University of Colorado, has been very popular. This year's contest brought in nearly 750 submissions from 7th and 8th graders. The contest again was sponsored by COLOTRUST, with four winners receiving a \$500 award to establish a CollegenInvest savings account.

Lessons on Local Government is a free online resource for Colorado's K-12 teachers to find curriculum materials that meet the state's social studies and civics standards, as well as a "Local Leader in the Classroom Kit" to help municipal officials prepare for visits with students. The website, [www.lessonsonlocalgovernment.com](http://www.lessonsonlocalgovernment.com), has become very popular, and teachers have provided positive feedback on the curriculum materials, links to resources, and innovative community and student engagement activities. It was created through a partnership between CML and the Special District Association of Colorado. Lessons on Local Government is available for free on iTunes University and is part of the eNetColorado partnership, and teacher workshops on this resource are scheduled around the state.

## **TRAINING**

CML continues to offer training to members on a variety of cutting-edge topics in several formats, including traditional in-person training opportunities, as well as webinars (which are free to municipal members). More than 1,100 municipal officials participate in CML training opportunities annually.

Be sure to visit [www.cml.org](http://www.cml.org) regularly to stay current on all information and news related to municipal government! There you'll find the training calendar, information on the CML annual conference, and much more.



