

City Council Work Session Agenda Summary

November 15, 2022

Doug Marek, City Attorney

Title:

Consideration of a motion to go into executive session to request and receive legal advice from the City Attorney regarding qualifications of candidates for City office as set out in the Greeley Municipal Charter and the Colorado Constitution

Background:

Recent correspondence from the American Civil Liberties Union called attention to the provisions in the Greeley Municipal Charter regarding qualifications of candidates for City office. Article II, section 2-4 of the Charter provides that "A person who has been convicted of a felony shall not be eligible to become a candidate for a City office." A state district court recently ruled in a case involving a similar charter provision of the City of Aurora that the charter provision violated the Colorado Constitution's guarantees or the rights of citizenship and equal protection.

The City Council may move for an executive session to request and receive legal advice regarding any requirements of the Municipal Charter and Colorado Constitution related to the qualifications of candidates for elected office.

Decision Options:

A motion to go into an Executive Session for a conferral with the City Attorney, to request and receive legal advice regarding qualifications of candidates for elected office, as provided in C.R.S. 24-6-402(4)(b) and Greeley Municipal Code 2-151(a)(2).