

CITY ATTORNEY'S OFFICE



City of Brighton Home Rule Charter Discussion

CITY COUNCIL MEETING – March 26, 2024

City Staff Representatives: Alicia R. Calderón, City Attorney

1

CITY ATTORNEY'S OFFICE



History

- City of Brighton Home Rule Charter was adopted in July of 2000.
- The Charter is the City's constitution for local affairs/local concerns.
- The Charter sets out the basic structure and organization of the government, but it does not need to spell out the details.



2

1

2

CITY ATTORNEY'S OFFICE



Amending the Charter (Council)

City Council adopts an ordinance submitting a proposed amendment to a vote of the registered electors of the municipality.

- The ordinance must adopt a ballot title for the proposed amendment.
- Within 30 days of adopting the ordinance, the City Council shall publish notice of an election containing the full amendment.
- Election held not less than 60 and not more than 120 days after publication.



3

CITY ATTORNEY'S OFFICE



Areas for Discussion

- Clean Up
- Run-off Election
- Instant run off voting
- Limited Felonies
- Family Member Disqualification
- Regular election to even years
- Increase number of signatures for recall

4

3

4

CITY ATTORNEY'S OFFICE



Clean-Up

- Add the words "in January" to when mayor pro tem is selected and the council organizational meeting.
- Modify 7.3(F) to remove the requirement to recommend to City Council a proposal to establish, alter, consolidate, or abolish administrative departments.
- Delete 7.7 Administrative Departments. Remove the limitation that the functions will be performed within the departments that exist on the date of the Charter.

5

CITY ATTORNEY'S OFFICE



Regular Election

- Currently regular municipal election is the first Tuesday in November of each odd numbered year.
- Change to even numbered year?

6

5

6

CITY ATTORNEY'S OFFICE



Run-off Election

OPTIONS

- No Change (run-off election if no candidate receives the majority of votes)
- Remove run-off election and largest number of votes wins
- Change to "instant run-off" method of voting

7

7

CITY ATTORNEY'S OFFICE



Qualifications for Office

Amend:

(B) No person who has been convicted of a felony shall be eligible to be elected or appointed...

- No Change (don't enforce)
- List specific felonies. Constitution: Embezzlement of Public Funds, Bribery, Perjury, Solicitation of Bribery, Subornation of Perjury. Additional: Felony Sexual Offense

Add:

(F) No immediate family member shall run for city council when a family member is already serving on city council, or if two immediate family members run for office, only the one with the highest votes may take office. Immediate family member includes spouse, child, parent, brother or sister.

8

8

CITY ATTORNEY'S OFFICE



Recall

- No Change: 25% of the entire vote cast for all candidates for that particular office.
- Change to another percentage?

9

9

CITY ATTORNEY'S OFFICE



Additional Items

- Remove the word "regular" to create a vacancy after 3 consecutive unexcused absences from any meeting.
- 7.1 and 8.1 change removal from majority vote to a 2/3 vote.
- Allow the City Manager to reside within a certain distance rather than within the boundaries of the City.

10

10

CITY ATTORNEY'S OFFICE



Discussion and Questions

??

11

11