RESOLUTION NO. 23-113

BOARD OF COUNTY COMMISSIONERS COUNTY OF EL PASO, STATE OF COLORADO

RESOLUTION TO SUPPORT HB23-1259: OPEN MEETINGS LAW EXECUTIVE **SESSION VIOLATIONS**

WHEREAS, pursuant to C.R.S. §§ 30-10-101(1), 30-11-103, and 30-11-107, the Board of County Commissioners of El Paso County. Colorado ("County" or "Board"). has the legislative authority to manage the concerns of the County and to exercise such other and further powers as are conferred by law; and

WHEREAS, the Board, as duly elected representatives of the citizens of El Paso County, acknowledging those powers and responsibilities originating through state law, recognizes the importance of the County's voice being heard when legislators debate and set policy at the state level; and

WHEREAS, the Board is committed to supporting legislation that aligns with El Paso County's Strategic Plan and opposing legislation that goes against the best interests of the citizens they represent; and

WHEREAS, the Board, in its capacity as a duly elected decision-making body, may choose to take an official position of support or opposition on legislation introduced in the Colorado General Assembly; and

WHEREAS, the Board previously provided direction to staff that they support HB23-1259; and

WHEREAS, the Board now desires to ratify its direction by way of formal letter, attached hereto and incorporated herein.

NOW. THEREFORE, BE IT RESOLVED that the Board of County Commissioners. State of Colorado, County of El Paso, hereby officially supports HB23-1259.

BE IT FURTHER RESOLVED that the Board formally adopts the attached letter as its official position supporting HB23-1259.

April, 2023, at Colorado Springs, Colorado.

BOARD OF COUNTY COMMISSIONERS OF EL PASO COUNTY, COLORADO

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Pages

El Paso County, CO

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COLORADO

Letter Supporting HB23-1259: Open Meetings Law
Executive Session Violations
April 3, 2023
719-520-7276
Centennial Hall, 200 S. Cascade
Colorado Springs, CO 80903

Board of County Commissioners
Holly Williams, District 1
Carrie Geitner, District 2
Stan VanderWerf, District 3
Longinos Gonzalez, Jr., District 4
Cami Bremer, District 5

Honorable Lindsay Daugherty 200 E Colfax, Room 307 Denver, CO 80203

Honorable Gabe Evans 200 E Colfax, Room 307 Denver, CO 80203

Cc: El Paso County Delegation

Honorable Legislators,

Please accept this letter of support, on behalf of the Board of County Commissioners, to House Bill 23-1259: Open Meetings Law Executive Session Violations.

We would like to thank the bill sponsors for bringing forth this important legislation. This bill will provide protections for local governments against unwarranted legal action due to a claim of a violation of the state's open meetings law; it would provide additional steps for curing and would set minimum standards before a suit could move forward.

El Paso County strongly believes that the Colorado Open Meetings Law (OML) is paramount to ensuring transparency in the conduct of official government business. At the same time, the inability for local governments to remedy a concern can lead to abuse of the legal system.

Although most of these suits are ultimately dismissed in court, they can be costly and time-consuming response, which impacts both staff resources time as well as finances, with little benefit to taxpayers. The protection of county resources from frivolous litigation is key to ensuring efficient and effective government.

This legislation addresses an important issue, and we urge you to vote yes on this bipartisan bill. Thank you for your time in reviewing this matter and for your consideration as it relates to this letter of support.

Sincerely,

Carrie Geitner, Vice Chair

El Paso Board of County Commissioners