

January 30, 2023

Boulder City Clerk and Staff:

Pursuant to City of Boulder Municipal Code Title 2, Chapter 7, I am filing a complaint for a Code of Conduct violation against Council Member Joseph, who voted against the motion to approve the appointment of a Special Counsel at the City Council Special Meeting on January 26, 2023.

Factual Allegation:

City Council Member Joseph, in willful violation of the specific requirements of the Municipal Code, inappropriately voted against the motion to approve the appointment of a Special Counsel at the City Council Special Meeting on January 26, 2023.

Facts:

1. Junie Joseph is an elected member of the Boulder City Council, the Colorado General Assembly House District 10 and an admitted member of the Colorado State Bar Association.
2. At the January 19th, 2023 City Council meeting, the City Attorney reported that a Code of Conduct complaint had been filed under Title 2 Chapter 7 against the Police Oversight Panel Selection Committee.
3. At the January 26th, 2023 City Council meeting, agenda item 1a presented for Council's consideration a motion to approve the appointment of a Special Counsel.
4. The City Attorney confirmed that a Code of Conduct complaint received on January 19th, 2023 met all the requirements of the code, thereby triggering the process of investigation, which is not discretionary under the Code.
5. The City Attorney confirmed that because she had, at Council's direction, advised the Selection Committee, it would be a conflict of interest for her to conduct the investigation and, as such, she recommended the appointment of a Special Counsel to conduct the requisite investigation.
6. Mayor Brockett specifically then asked the City Attorney whether Council had any discretion in the matter. The City Attorney confirmed that Council had no discretion and that "the city council shall request the city attorney to conduct an investigation regarding a violation of this chapter."
7. Boulder City Ordinances are not optional. Council Member Joseph's disregard for the requirements of the law, even after those requirements were specifically and repeatedly delineated to the Council, represents a willful violation of the legal and ethical responsibilities of her role as a Member of the Boulder City Council and, as such, Council Member Joseph should be subject to investigation and appropriate sanctions that may be deemed necessary. Council Member Joseph's actions are particularly reprehensible given that she is also a member of the Colorado General Assembly as well as a member of the Colorado State Bar Association.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on January 30, 2023.

Emily Reynolds