

RESOLUTION NO. 2024-52

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, APPOINTING "ON CALL" DEPUTY MUNICIPAL JUDGES TO SERVE ON AN "AS NEEDED" BASIS; SETTING THEIR TERM OF OFFICE AND COMPENSATION; AND SETTING FORTH OTHER DETAILS RELATED THERETO

WHEREAS, pursuant to Section 8.2(B) and (D) of the City of Brighton Charter, the City Council is charged with the responsibility of appointing by the affirmative vote of two-thirds of the members in office, such Deputy Municipal Judges as the Council deems necessary and for setting the compensation of the Deputy Municipal Judges; and

WHEREAS, Section 8.2(C) of the Charter states that each "on call" Deputy Municipal Judge shall be an attorney at law admitted to practice in Colorado and have at least five (5) years of experience in the active practice of law. The Brighton City Council also requires that the "on call" Deputy Municipal Judges have some judicial experience; and

WHEREAS, the City solicited interest from qualified candidates currently serving and from the applications submitted for Presiding Municipal Judge recently to be considered for the "on call" Deputy Municipal Judge positions and applications were reviewed by Presiding Judge Johnny Barajas at the direction of City Council; and

WHEREAS, Charles Peters was appointed as an "on-call" Deputy Municipal Judge on April 7, 2020 via Resolution No. 2020-35 and April 5, 2022 via Resolution No. 2022-36 and has provided such services as requested, and Judge Barajas recommends re-appointment; and

WHEREAS, after careful review and consideration of applicants for Presiding Municipal Judge, Judge Barajas recommends Jonathan M. Lucero be appointed Deputy Municipal Judge; and

WHEREAS, the City Council deems it necessary to appoint the "on call" Deputy Municipal Judges and set their terms of office and compensation.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Brighton, Colorado, as follows:

Section 1. Charles Peters is hereby re-appointed as Deputy Municipal Judge, to serve on an "as needed" basis or "on-call" as determined by the Presiding Municipal Judge. Nothing in this appointment shall make the Deputy Municipal Judge an employee of the City of Brighton, and he shall be an independent contractor throughout his term.

Section 2. Jonathan M. Lucero is hereby appointed as Deputy Municipal Judge, to serve on an "as needed" or "on-call" basis as determined by the Presiding Municipal Judge. Nothing in this appointment shall make the Deputy Municipal Judge an employee of the City of Brighton, and he shall be an independent contractor throughout his term.

Section 3. The term for each Deputy Municipal Judge shall be two-years, as of the effective date of this Resolution.

Section 4. That each Deputy Municipal Judge shall be compensated when needed at the rate of one hundred dollars (\$100) per hour and will not be eligible for any other City benefits.

Section 5. Resolution No. 2020-35 and Resolution No. 2022-36 are hereby superseded and all appointments thereunder have terminated.

Section 6. This Resolution shall be effective as of the date of its adoption.

RESOLVED this 7th day of May 2024

CITY OF BRIGHTON, COLORADO

GREGORY MILLS, Mayor

ATTEST:

NATALIE HOEL, City Clerk

APPROVED AS TO FORM:

ALICIA CALDERÓN, City Attorney