



Legislation Text

File #: ID-388-14, **Version:** 1

City Manager's Office

Reference: Personnel Matters Pertaining to the Presiding Municipal Judge Position, Deputy Judges, and a Hearing Officer and to Interview an Applicant for the Presiding Municipal Judge Position to be Conducted in Executive Session per C.R.S. § 24- 6-402(4)(f)(I) and Charter Section 5.4(C)(5)

To: Mayor Gregory Mills and Members of City Council

Through: Michael P. Martinez, City Manager

Prepared By: Karen Borkowski Surine, Assistant City Manager

Date Prepared: February 20, 2024

PURPOSE

To interview a candidate for the Presiding Judge Position, Review Applications for Deputy Judge Appointments, and Provide Direction for a Hearing Officer Position.

BACKGROUND

Presiding Municipal Judge Michelle Kline tendered her resignation on 12/15/2023. Judge Kline served in this position for just over 2 years. City Councilmembers were informed of the resignation and a search was started through Human Resources. City Councilmembers Pawlowski and Taddeo, along with City Attorney Alicia Calderon, Court Administrator Michelle Ramos, Assistant City Clerk Erin Kelm and I performed the initial review and screening of the applicants. 10 applications were received by the deadline and 5 were selected for preliminary interviews. Three applicants ultimately were able to be interviewed. The interview team recommends that Deputy Judge Johnny Barajas be interviewed by City Council for the Presiding Municipal Judge position.

Currently Judge Johnny Barajas and Judge Charles Peters serve as Deputy Judges. The interview team is respectfully requesting that 2 other applicants, David. V. Cooke and Jonathan Lucero, be considered for appointment as Deputy Judges. Deputy Judges fill in when the Presiding Municipal Judge is unavailable. Judge Peters has worked out well as a Deputy Judge and staff is also requesting that he be re-appointed. The Deputy Judges fill in for emergencies and other situations where the Presiding Judge may be unavailable. The process for appointing the Deputy Judges has been for City Council to review applications and then appoint them via resolution without an interview.

Currently the Hearing Officer position is open. All candidates indicated a willingness to also serve as the Hearing Officer. This Hearing Officer will now be the Liquor Authority, the Marijuana Authority, and Hearing Officer for other administrative hearings under the Municipal Code. Staff will be seeking direction on candidates for the Hearing Officer position as well.

CRITERIA BY WHICH COUNCIL MUST CONSIDER THE ITEM

Judges must be an attorney at law in good standing with the Colorado Bar Association. All applicants are in good standing. No decisions will be made in executive session. These items will be brought to Council at a regular meeting via resolution.

FINANCIAL IMPACT

Below is information about salaries and pay:

Judge Kline's salary was \$95,000/year and was set in 2021. Judge Barajas is requesting \$110,000.

The previous Hearing Officer was making \$150.00/hour. The Hearing Officer currently makes \$80/hour. Longmont pays \$100/hour, Lone Tree pays \$140/hour, Aurora pays \$85/hour, Wheatridge pays \$98.97/hour, and Lakewood pays \$110.00/hour.