



Town of Frederick  
Board of Trustees Agenda  
Frederick Town Hall  
Board Chambers  
401 Locust Street  
Tuesday, May 17, 2022

**5:30 P.M.**

**Work Session**

**Meeting will start immediately following the Frederick Urban Renewal Authority**

1. Land Use Code Update Strategic Assessment
2. Municipal Judge Services RFP
3. Board Retreat
4. Mayor and Trustee Report

Topic: Board of Trustee Meeting - Work Session

Time: May 17, 2022 05:30 PM Mountain Time (US and Canada)

Join Zoom Meeting

<https://us06web.zoom.us/j/87807632942>

Meeting ID: 878 0763 2942

One tap mobile

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+1 312 626 6799 US (Chicago)

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Meeting ID: 878 0763 2942

Find your local number: <https://us06web.zoom.us/u/kBbOVWTZR>

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# TOWN OF FREDERICK BOARD OF TRUSTEES INFORMATION MEMORANDUM

Tracie Crites, Mayor

Dan March, Trustee  
Mark Lamach, Trustee  
Kevin Brown, Trustee

Adam Mahan, Trustee  
Windi Padia, Trustee  
Chad teVelde, Trustee

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## Land Use Code Update Strategic Assessment

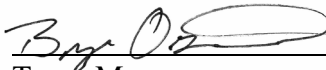
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**Agenda Date:** Town Board Meeting - May 17, 2022

**Attachments:** a. Land Use Code Update Framework report

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**Submitted by:** Ali van Deutekom  
Planning Manager

**Approved for Presentation:**   
Town Manager

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### **Strategic Plan Alignment:**

- Community and Economic Vitality – Complete an update to the Zoning Code.

### **Summary Statement:**

The Frederick Land Use Code has been assessed by the Town's land use attorney, Todd Messenger. This is a discussion of his findings.

### **Detail of Issue/Request:**

Staff has included the detailed analysis and framework as an attachment.

### **Legal Comments:**

The Town's land use attorney, Todd Messenger, has created the strategic assessment and will be leading the discussion. Jason Meyers has reviewed the assessment.

### **Alternatives/Options:**

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At this time, staff is seeking feedback on the assessment.

**Financial Considerations:**

This Board priority item was included in the 2022 budget for \$150,000.00



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## Municipal Judge Services RFP

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**Agenda Date:** Town Board Meeting - May 17, 2022

**Attachments:** a. RFP

**Submitted by:** Jason Meyers and Meghan Martinez  
Town Attorney and Town Clerk

**Approved for Presentation:**   
Town Manager

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### **Summary Statement:**

At the April 19, 2022 Board Meeting, staff was directed to advertise a request for proposals for Municipal Judge Services for the Town of Frederick Municipal Court. The Town Board deferred the discussion of the interview and appointment process dependent upon how many proposals were received. Staff is seeking direction on next steps since the submittal period has ended.

### **Detail of Issue/Request:**

Staff is seeking direction on next steps in the process for appointment of the Presiding Municipal Court Judge. The submittal period for the RFP ended on May 11, 2022 and staff received six applications for the position. The Board indicated at the meeting on the 19<sup>th</sup> of April that they would establish next steps once applications were received and the submittal window closed.

The Town Attorney and Town Clerk met to discuss options related to the process and submit the following options for consideration. These options are submitted for discussion purposes only and would welcome any process as determined by the Board.

Option 1: Form a panel of stakeholders to conduct formal interviews with all candidates. The stakeholder group could recommend final candidates (1-2) that would move forward with formal

interviews with the Board of Trustees. Stakeholders could include the following as each of these teams have direct involvement with the municipal court process:

- Two Representatives from the Board of Trustees
- The Municipal Judge's Peer Group – Town Manager, Town Attorney, and Town Clerk
- Members of Police Department Staff

Option 2: The Board could conduct formal interviews with all or a portion of candidates in open session.

These options are presented for purposes of discussion. Staff defers to the Board of Trustees as this position is an appointment and employee of the Board of Trustees.

### **Legal Comments:**

Per C.R.S. § 31-4-304 and Frederick Municipal Code 2-61, the Board is required to make an appointment for the Municipal Judge position within 30 days of being sworn into office. This Board was seated on April 26<sup>th</sup>, making appointment of the Municipal Judge needing to occur at the May 24<sup>th</sup> meeting or a special meeting on or before May 26<sup>th</sup>.

Pursuant to C.R.S. § 13-10-105 and Frederick Municipal Code 2-144, the Municipal Judge appointment is for a two-year term and may only be removed "for cause" as defined within the statutes.

### **Financial Considerations:**

The Municipal Court Judge position is a position budgeted out of the Court Budget and there are adequate funds in the budget for appointment of this position.

### **Staff Recommendation:**

Staff takes no position on this item as this is a Board decision. Staff is prepared to assist the Board as directed throughout the process.



## **Request for Proposal**

### **Town of Frederick Municipal Court Judge Services**

**and**

### **Liquor Licensing Authority Hearing Officer**

Date of Issue: April 20, 2022

Proposal Closing Date and Time: May 11, 2022, 5:00 P.M.

Proposal to be received by the Town Clerk prior to closing date and time above.

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**RETURN TO:**

Town of Frederick  
Meghan C. Martinez, Town Clerk  
401 Locust Street  
PO Box 435  
Frederick, CO 80530

[mmartinez@frederickco.gov](mailto:mmartinez@frederickco.gov)

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THIS REQUEST FOR PROPOSAL (“RFP”) IS NOT A COMPETITIVE BID BASED ON PRICE ONLY. The request for proposal allows the Town of Frederick, Colorado to select the service provider that best meets the needs of the Town, taking into consideration proposer qualifications, price, products, and service capabilities and other factors relevant to the Town’s policies, programs, administrative resources, culture, and budget.

## **REQUEST FOR PROPOSAL**

The Town of Frederick is seeking a qualified Colorado licensed attorney to serve as the Presiding Judge of the Town of Frederick Municipal Court. In addition, the Presiding Judge will serve as the Hearing Officer for the Local Liquor Licensing Authority. The Town is requesting proposals from qualified proposers for an initial two-year term of appointment and contract to start June, 2022, subject to future optional renewal terms upon mutual agreement.

Proposals are to be addressed and delivered to the Town Clerk for the Town of Frederick. Proposals will be received until the Proposal Closing Date and Time set forth in this RFP.

The Town Board of Trustees will conduct interviews on a date and time to be decided.

### **SCOPE OF WORK**

The term of the currently appointed Presiding Municipal Judge is set to expire on April 26, 2022. In accordance with the Town's procurement policies, this RFP seeks proposals to fill the role of Presiding Municipal Judge for an initial two-year term commencing June, 2022, such appointment to be memorialized by an agreement between the Presiding Municipal Judge and the Town. Re-appointment for additional two-year term(s) will be subject to evaluation by the Board of Trustees.

The Town of Frederick is a statutory municipality that operates of municipal court of record that bears and determines cases arising under the Town's Municipal and Land Use Codes. The Presiding Municipal Judge must be a currently licensed Colorado attorney, preferably with experience on the bench in a Colorado municipal court of record.

The Town Board of Trustees appoints the Presiding Municipal Judge by resolution for an initial term of not less than two years in accordance with state law. The Town has had one Presiding Judge (and one Alternate Judge to perform the functions of the Presiding Judge in absence of the Presiding Judge). Pursuant to I.R.S. regulations, the Presiding Municipal Judge will be a non-benefited part-time salaried employee of the Town.

Law enforcement services for the Town are provided by the Town of Frederick Police Department. Prosecution services are provided by contract under agreement with the Town. The Municipal Court handles all municipal violations, including traffic and parking violations, criminal violations, juvenile violations, and nuisance and land use code violations.

The Municipal Court is staffed through the Town Clerk's Office and one Assistant Town Clerk is assigned the duties of Court Clerk for the Municipal Court. The Municipal Court currently convenes one regular session on the second Thursday of every month. Trials and hearings are set as needed. Generally, court sessions run from 8:00 a.m. to 1:00 p.m.

The Presiding Municipal Judge will also serve as the Hearing Officer for the Town of Frederick Liquor Licensing Authority. The Liquor Licensing Authority consists of a sole Hearing Officer. The Town Clerk is authorized to act as the Local Liquor Licensing Authority for certain functions of the Town's liquor-licensed businesses. This is a new assignment for the Presiding Municipal Judge and it is anticipated that the Hearing Officer will be spending approximately one hour/month of time serving as the Hearing Officer. Hearings will be scheduled once a month as needed in the afternoon following the Municipal Court docket.

Qualifications and Work: The ideal candidate understands the Court is the face of the Town for many and will undertake the role with a desire to facilitate the Town's goals of fostering compliance with applicable laws balanced with the need to ensure that court attendees are comfortable that justice was fairly served. Demonstration of impeccable character, integrity, reputation, judgement, experience and efficiency coupled with a commitment to the Town's core FRED values – Family, Respect, Empowerment, and Dedication is preferred.

The appointed Presiding Municipal Judge is expected to attend all regular court sessions, or to indicate in the proposal the number of sessions annually that he/she/they will not be in attendance. Presiding Municipal Judge Services include, but are not limited to:

- Attendance at all court dates
- Coordinating with the Town Clerk, whose responsibilities include oversight of court staff and all operational aspects of the municipal court, including establishing the necessary standards and procedures for the operation of the court and appointment of the Assistant Town Clerk to serve as the daily court clerk.
- Remaining abreast of changes in the law that affect the operations of the municipal court and assisting in the training of court staff as appropriate.
- Learning the Court's software system to enter basic data and orders from the bench to avoid duplicative work efforts.
- Adhering the Town's Core Values: Family, Respect, Empowerment, and Dedication, in setting the tone for how defendants, victims, visitors to the court, and staff are treated by the Municipal Judge and court personnel.
- Conducting arraignments, trials, hearings, sentencing, and case dispositions.
- Issuing written and/or oral findings and judgements when necessary.
- Managing the courtroom when in session to ensure efficiency, orderliness, and justice.
- Explaining the laws and legal system to defendants and ensuring that all defendants understand their rights and, if applicable, knowingly waive their rights.
- Evaluating evidence, testimony, and legal pleadings.
- Interpreting and applying appropriate ordinances, municipal code provisions and/or regulations.
- Imposing fines and penalties as prescribed by the municipal code of ordinances.
- Ordering and enforcing contempt, failure to appear, abatement of nuisance, and other requirements of the municipal code.

Hearing Officer for the Local Liquor Licensing Authority Services include, but are not limited to:

- Attendance at all liquor licensing hearings.
- Coordinating with the Town Clerk, whose responsibilities include administrative oversight of the Town's liquor licenses, and establishing necessary procedures for the Local Licensing Authority.
- Having sufficient knowledge and expertise to apply and enforce the State of Colorado Beer Code, Liquor Code, Special Events Code, and Code of Regulations.
- Being available to review liquor license applications for transfers of ownership, modification of premises, etc.
- Conducting hearings.
- Issuing written and/or oral findings when necessary.



## SCOPE OF WORK

Proposals should address the following issues/questions in the order presented:

1. A copy of the proposer's current resume that describes at minimum how you meet the following required or desired qualifications:
  - Attorney at law admitted (active) to practice in Colorado.
  - Experience on the bench in a Colorado Municipal court of record.
  - Knowledge of State of Colorado Beer Code, Liquor Code, Special Events Code, and Code of Regulations
2. Describe your ability, capacity, and skill as a judge and ability to provide the services as outlined in the Scope of Work.
3. Describe how you and others with whom you have worked view your reliability, character, integrity, reputation, judgement, experience and efficiency.
4. Describe any municipal court judgements that you have issued that were subject to an appeal and the outcome of such appeal(s).
5. Describe your ability/willingness to learn the Town's software program (Tyler Technologies) and electronically enter basic data such as order to avoid duplicate work.
6. Describe your ability to interact with Town staff, defendants, witnesses, victims, attorneys, and other visitors to the court in a professional, congenial manner.
7. Describe how you envision the working relationship of the judge and court staff and what your expectations are of the court staff as the Presiding Municipal Judge if selected.
8. Describe your availability and adaptability of services to meet the needs of the Town.
9. Describe any conflicts of interest you may have with the Town.
10. Describe your existing work load and how you will fit this contract into your existing work priorities.
11. Provide a list of references with whom you have worked in the past five (5) years. If you have provided municipal court judge services to municipal or government clients in the recent past, please submit municipal or government client references as well.
12. Describe your knowledge of the State of Colorado Beer Code, Liquor Code, Special Events Code, and Code of Regulations.
13. Cost Proposal. Provide detail on preferred compensation in the form of monthly or annual salary for services provided. .



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## Board Retreat

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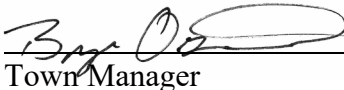
**Agenda Date:** Work Session - May 17, 2022

**Attachments:** a.

**Submitted by:**

  
Town Clerk

**Approved for Presentation:**

  
Town Manager

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### **Detail of Issue/Request:**

The Board determined at the May 3, 2022 Work Session that the Board Retreat will be held at the Gaylord Rockies but has yet to determine a date for the event. Staff is including the following dates for consideration and discussion by the Board.

- June 10-12, 2022
- June 17-19, 2022
- July 8-10, 2022
- July 15-17, 2022
- July 29-31, 2022
- August 5-7, 2022
- August 12-14, 2022
- August 19-21, 2022
- August 26-28, 2022
- September 2-4, 2022
- September 9-11, 2022

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