

**A RESOLUTION APPOINTING KRISTIN N. BROWN AS HEARING OFFICER FOR THIRD PARTY CAMPAIGN FINANCE COMPLAINTS AND AUTHORIZING INCREASED PROFESSIONAL SERVICES RATE FOR OTHER APPOINTMENTS**

**NO. 2023-082**

WHEREAS, the City Council of the City of Commerce City (“City Council”) is authorized by Section 3-2200 of the Commerce City Revised Municipal Code (“Code”) to appoint one (1) or more hearing officers to hear protests as provided herein and to act as a hearing officer in any other instance as provided in this Code;

WHEREAS, by Resolution No. 2019-50, City Council appointed Kristin N. Brown as the Administrative Hearing Officer for the City to preside over a variety of matters arising from the Code, including protests of notices of violations issued under Article II of Chapter 3 of the Code; career services appeals under Section 9.1 of the City Charter (as the career services commission), Section 2-4402(a) of the Code, and Employee Policy 7.2; sex offender residence restriction hearings under Section 12-6010(d) of the Code; appeals of animal-related license matters under Section 4-3005(c) of the Code; and general and specialty business license suspensions, revocations, and appeals under Chapter 9 of the Code;

WHEREAS, by Resolution No. 2019-120, Kristin Brown was appointed to serve as the City’s Marijuana Authority and Liquor Authority;

WHEREAS, the Charter and Code provide for alternate methods of designating hearing officers for tax protests, towing appeals, and collective bargaining disputes;

WHEREAS, by Ordinance 2328, City Council adopted a campaign finance complaint procedure necessitating City Council to appoint a hearing officer, and by Ordinance 2506, City Council adopted campaign finance regulations and made minor changes to the campaign complaint procedure;

WHEREAS, Resolution 2019-50 set Ms. Brown’s rate at \$150/hr. (\$75/hr. for travel) and Ms. Brown’s professional services rate has not increased since she was appointed in 2012;

WHEREAS, Ms. Brown’s professional services rate has now increased to \$180/hr. (\$90/hr. for travel time) for all hearings which she presides as a hearing officer and for all services which she renders to the City subject to the agreement as authorized in Section 3 below; and

WHEREAS, The City Council desires to appoint Kristin N. Brown as hearing officer to preside over campaign finance complaint hearings brought pursuant to Section 2-1006 of the Code.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF COMMERCE CITY, COLORADO AS FOLLOWS:

- 1. Appointment.** The City Council hereby appoints Kristin N. Brown to serve as the City’s administrative hearing officer pursuant to Section 2-1006. All previous

hearing officer appointments inconsistent with this resolution are hereby rescinded and repealed.

2. **Authority.** Ms. Brown shall have all powers, duties, and responsibilities as provided in the City Charter and Code and as necessary to perform her duties as the hearing officer. Ms. Brown is authorized to issue procedural regulations for the conduct of hearings.
3. **Agreement Authorized.** The City Manager, with the approval of the City Attorney as to form, is authorized to execute an appropriate agreement with Ms. Brown for the performance of services as provided by this resolution and with respect to all prior appointments of Ms. Brown as a hearing officer for the City, at a negotiated rate, which effective April 1, 2023 is \$180 per hour (\$90 per hour for travel time).
4. **Term.** This appointment shall continue until revoked by the City Council or Ms. Brown resigns the appointment. This appointment shall be subject to revocation by the City Council at any time and for any reason.

RESOLVED AND PASSED THIS 17TH DAY OF JULY 2023.

CITY OF COMMERCE CITY, COLORADO

---

Benjamin A. Huseman, Mayor

ATTEST

---

Dylan A. Gibson, City Clerk