



COLORADO • SINCE 1878

City Council Legal Review Committee

Meeting Agenda

September 9, 2020

Electronic Meeting

2:30 PM

This meeting will be held electronically. Residents interested in listening to the meeting or making public comments can join in one of two ways:

- 1) You can call in to +1 312 626 6799 or 877 853 5247 (Toll Free)
Webinar ID # 867 6946 4241.
- 2) You can log in via your computer. Please visit the City's website here to link to the meeting: www.louisvilleco.gov/local-government/government/city-council/city-council-meeting-agendas-packets-minutes

The Council will accommodate public comments during the meeting. Comments may also be emailed to the Council prior to the meeting at Council@LouisvilleCO.gov.

- I. Call to Order & Roll Call
- II. Approval of Agenda
- III. Approval of Minutes: September 2, 2020
- IV. Public Comments on Items Not on the Agenda
- V. Discussion/Direction – Annual Reviews of City Attorney, Water Attorney, Prosecuting Attorney, and Municipal Judge
continued from 9/2/20
- VI. Discussion/Direction – 2021 City Attorney Legal Fee Increase
continued from 9/2/20
- VII. Discussion Items for Next Meeting
 - Code Updates Regarding Solicitation/Panhandling
 - Electronic Signature Gathering for Referenda
 - Update Court Customer Satisfaction Survey
 - Marijuana FAQs
 - Back Up Prosecutor
- VIII. Adjourn

City of Louisville

City Council 749 Main Street Louisville CO 80027
303.335.4536 (phone) 303.335.4550 (fax) www.LouisvilleCO.gov

City Council Legal Review Committee

Meeting Minutes

**September 2, 2020
Electronic Meeting
6:00 PM**

Call to Order – Councilmember Leh called the meeting to order at 6:00 pm.

Roll Call: The following members were present:

***Committee Members: Chris Leh, City Council
Deborah Fahey, City Council
Kyle Brown, City Council***

***Staff Present: Merydyth Muth, City Clerk
Megan Davis, Deputy City Clerk
Kathleen Kelly, City Attorney***

APPROVAL OF AGENDA

The agenda was approved as presented.

APPROVAL OF MINUTES

The minutes were approved as presented.

PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

None.

DISCUSSION/DIRECTION – ANNUAL REVIEWS OF CITY ATTORNEY, WATER ATTORNEY, PROSECUTING ATTORNEY, AND MUNICIPAL JUDGE

Muth reviewed the process that was set up last year for the annual reviews. She noted this is the first year of a two-year contract for these positions so the end result will not be a recommendation to rehire or not but rather the Chair will meet with each appointee to discuss the results of their evaluations.

Members reviewed the evaluation forms for the City Attorney and Water Attorney and made changes to the questions.

Councilmember Leh will ask the members of the Utility Committee if they want to complete an evaluation of the Water Attorney as a part of the process.

Members continued this item to a September 9 meeting to complete the review of the forms for the Prosecuting Attorney and Municipal Judge.

DISCUSSION/DIRECTION – 2021 CITY ATTORNEY LEGAL FEE INCREASE

Members reviewed the proposed 2021 fees.

Councilmember Leh asked City Attorney Kelly to gather more information on how other attorneys charge for their time at Council meetings and if the proposed retainer cost was sufficient to cover this.

DISCUSSION/DIRECTION – ELECTRONIC SIGNATURE GATHERING FOR REFERENDA PETITIONS

To be addressed at a later meeting.

DISCUSSION ITEMS FOR NEXT MEETING

Members continued the evaluation process review and legal fees discussion to a meeting on September 9.

Councilmember Leh asked the City Attorney to review recent court rulings related to solicitation and panhandling to see what changes may need to be made to the Municipal Code. Members will discuss this further at a later meeting.

ADJOURN

The meeting was adjourned at 8:14 pm.

SUBJECT: ANNUAL EVALUATION OF APPOINTED OFFICIALS
continued from 9/2/20

DATE: SEPTEMBER 9, 2020

PRESENTED BY: MEREDYTH MUTH, CITY CLERK

SUMMARY:

In 2019, the City Council approved an evaluation process for the City Attorney, Water Attorney, Municipal Judge, and Prosecuting Attorney (the City Manager goes through a separate annual review process). It falls to the Legal Review Committee members to review all of the evaluation materials and take that information to the Council for discussion in an executive session.

The Prosecutor, Water Attorney, and City Attorney were all appointed to two-year terms in January 2020. The Municipal Judge was appointed in April to fulfill the remainder of a two-year term that also began in January 2020. As this is not the ending year of their contracts, this process will not involve making a recommendation to reappoint or not reappoint these contractors; rather the chair of the Committee will need to meet with the appointed officials to review the results of the evaluations following the City Council executive session.

The forms and process for the reviews are attached and the ones for the City Attorney and Water Attorney have been updated with the changes from the September 2 meeting.

The timeline for the reviews will need to be relatively quick as the evaluations will ideally need to be completed in September with meetings of the Committee and Council to review the results in October. This would allow the chair time to meet with each of the officials before the end of the year. That timeline can be pushed back a bit if needed.

For members who would like to watch court proceedings as a part of this process, the following is the Court schedule for the next two months.

September 8th	9:30 AM Traffic/Parking Arraignments	1:00 PM Pre-trials/trials, reviews	
September 22nd	9:30 AM Ordinance violations	1:00 PM Pre-trials/trials, reviews	3:00 PM Juveniles
October 6th	9:30 AM Traffic/Parking Arraignments	1:00 PM Pre-trials/trials, reviews	
October 20th	9:30 AM Ordinance violations	1:00 PM Pre-trials/trials, reviews	3:00 PM Juveniles

SUBJECT: ANNUAL EVALUATION SCHEDULE FOR APPOINTED OFFICIALS

DATE: SEPTEMBER 2, 2020

PAGE 2 OF 2

RECOMMENDATION:

Staff asks the Committee to review the process and forms and ask any questions they have about the process at this meeting so staff can send out review forms to everyone shortly after the meeting.

ATTACHMENT(S):

1. City Attorney Evaluation Process
2. Water Attorney Evaluation Process
3. Prosecuting Attorney Evaluation Process
4. Municipal Judge Evaluation Process

STRATEGIC PLAN IMPACT:

<input type="checkbox"/>	 Financial Stewardship & Asset Management	<input checked="" type="checkbox"/>	 Reliable Core Services
<input type="checkbox"/>	 Vibrant Economic Climate	<input type="checkbox"/>	 Quality Programs & Amenities
<input type="checkbox"/>	 Engaged Community	<input type="checkbox"/>	 Healthy Workforce
<input type="checkbox"/>	 Supportive Technology	<input type="checkbox"/>	 Collaborative Regional Partner



City Attorney Annual Evaluation

- **City Council Evaluation**
- **Staff Evaluation**
- **Self-Evaluation**
- **Legal Review Committee Recommendation**
- **Rating Scale**

	Outstanding 5	Exceeds Expectations 4	Meeting Expectations 3	Below Expectations 2	Fails to Meet Expectations 1	No Opinion or No Observation	Do Not Know
Are the City Attorney's communications complete and understandable, and do they answer Council's questions?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Does the City Attorney maintain effective and open communications with the City Council?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Do you believe the City Council is getting sufficient value for its legal fees?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Comments: Is there anything else you would like to share that is relevant to the City Attorney's performance?							

Name of Reviewer: _____

Date: _____

	Outstanding 5	Exceeds Expectations 4	Meeting Expectations 3	Below Expectations 2	Fails to Meet Expectations 1	No Opinion or No Observation	Do Not Know
Does the City Attorney follow up effectively to requests?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Are the City Attorney's communications complete and understandable, and do they answers staff's questions?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Does the City Attorney maintain effective and open communications with the City Manager and staff?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Please indicate what you believe the City Attorney's strengths are.	
What could the City Attorney do to better assist City staff with legal issues?	
Comments: Is there anything else you would like to share relevant to the City Attorney's performance?	

Name of Reviewer: _____

Date: _____

2020 City Attorney Annual Evaluation

Part 3 – Self-Evaluation

1. What do you understand to be the role of the City Attorney in Louisville?
2. What are your most significant accomplishments this year?
3. What obstacles or setbacks did you encounter during the year and how did you handle them?
4. What suggestions do you have for improving the communication and relationship between you and the Council?
5. What suggestions do you have for improving the effectiveness between you and the Council?
6. Are there any other issues or comments you wish to share relevant to your performance?

City Attorney Signature

Date

City Attorney Annual Evaluation

Part 4 – Recommendation from Legal Review Committee

Committee members will review all survey forms, KPIs, and budget information.

If it is a reappointment year for the City Attorney the Committee will make a recommendation to City Council (to reappoint the City Attorney, to go out to bid for attorney services, or another option).

If it is the first year of two-year appointment, the chair of the Committee will meet with the City Attorney to review the results of the evaluation.

Evaluation Rating Scale For City Attorney and Water Attorney

1. Fails to Meet Expectations

Consistently fails to meet expectations in the significant/essential requirements and improvement is needed

2. Below Expectations

Periodically fails to meet expectations in the significant/essential requirements and improvement is needed.

3. Meeting expectations

Consistently fulfills performance expectations and periodically may exceed them.

4. Exceeding expectations

Always achieves performance expectations and frequently exceeds them.

5. Outstanding

Far exceeds performance expectations on a consistent and uniform basis.

N/O represents “no opinion” or “no observation” of performance.

DNK represents “do not know.”



Water Attorney Annual Evaluation

- **Staff Evaluation**
- **Utility Committee Evaluation**
- **Self-Evaluation**
- **Legal Review Committee Recommendation**
- **Rating Scale**

	Outstanding 5	Distinctive Performance 4	Fully Satisfactory 3	Marginal 2	Unsatisfactory 2	No Opinion or No Observation	Do Not Know
Are the Water Attorney's communications complete and understandable, and do they answers staff's questions?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Does the Water Attorney maintain effective and open communications with staff?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Please indicate what you believe the Water Attorney's strengths are.							
What could the Water Attorney do to better assist City staff with legal issues?							
Comments: Is there anything else you would like to share relevant to the Water Attorney's performance?							

Name of Reviewer: _____

Date: _____

Does the Water Attorney communicate effectively with the City Council and staff?	<input type="radio"/>						
Are the Water Attorney's communications complete and understandable, and do they answer Council's questions?	<input type="radio"/>						
Does the Water Attorney maintain effective and open communications with the Utility Committee?	<input type="radio"/>						
Comments: Is there anything else you would like to share relevant to the Water Attorney's performance?							

Name of Reviewer: _____

Date: _____

2020 Water Attorney Annual Evaluation

Part 3 – Self-Evaluation

1. What do you understand to be the role of the Water Attorney in Louisville?
2. What are your most significant accomplishments this year?
3. What obstacles or setbacks did you encounter during the year and how did you handle them?
4. What suggestions do you have for improving the communication and relationship between you and the Council?
5. What suggestions do you have for improving the effectiveness between you and the Council?
6. Are there any other issues or comments you wish to share relevant to your performance?

Water Attorney Signature

Date

Water Attorney Annual Evaluation

Part 4 – Recommendation from Legal Review Committee

Legal Review Committee members will review all survey forms, KPIs, and budget information and make a recommendation regarding reappointment to City Council.

If it is a reappointment year for the City Attorney the Committee will make a recommendation to City Council (to reappoint the Water Attorney, to go out to bid for attorney services, or another option).

If it is the first year of two-year appointment, the chair of the Committee will meet with the Water Attorney to review the results of the evaluation.

Evaluation Rating Scale For City Attorney and Water Attorney

1. Fails to Meet Expectations

Consistently fails to meet expectations in the significant/essential requirements and improvement is needed

2. Below Expectations

Periodically fails to meet expectations in the significant/essential requirements and improvement is needed.

3. Meeting expectations

Consistently fulfills performance expectations and periodically may exceed them.

4. Exceeding expectations

Always achieves performance expectations and frequently exceeds them.

5. Outstanding

Far exceeds performance expectations on a consistent and uniform basis.

N/O represents “no opinion” or “no observation” of performance.

DNK represents “do not know.”



Prosecuting Attorney Annual Evaluation

- **Legal Review Committee Evaluation**
- **Court Staff Evaluation**
- **City Staff Evaluation**
- **Self-Evaluation**
- **Court Customer Surveys**
- **Legal Review Committee Recommendation**

2020 Prosecuting Attorney Annual Evaluation

Part 1 – Legal Review Committee Evaluation

Evaluation forms will be anonymous and kept confidential through the process, however the final assessment is public record.

Please answer all questions.

	Strongly Agree	Agree	Disagree	Strongly Disagree	Do Not Know
The Prosecutor treats all people with dignity and respect.	<input type="checkbox"/>				
The Prosecutor makes sure participants understand what is going on in the courtroom.	<input type="checkbox"/>				
The Prosecutor bases prosecutorial decisions on the law and facts without regard to the identity of the parties or counsel.	<input type="checkbox"/>				
The Prosecutor gives all people individual consideration.	<input type="checkbox"/>				
The Prosecutor treats parties with counsel the same as those without counsel.	<input type="checkbox"/>				
The Prosecutor is courteous to all people.	<input type="checkbox"/>				
The Prosecutor is attentive during proceedings.	<input type="checkbox"/>				
The Prosecutor has an appropriate level of empathy with the parties involved in proceedings.	<input type="checkbox"/>				
The Prosecutor is punctual and prepared for court.	<input type="checkbox"/>				
The Prosecutor makes offers in a prompt and timely.	<input type="checkbox"/>				
The Prosecutor acts to ensure disabilities and linguistic and cultural differences do not limit access to the justice system.	<input type="checkbox"/>				
Cases are processed in an efficient manner and the Prosecutor was prepared.	<input type="checkbox"/>				
The Prosecutor treats all parties equally regardless of race, sex, age, ethnicity, social status, or economic status, and all other categories protected by law.	<input type="checkbox"/>				
Comments:					

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Name of Reviewer: _____

Signature

Date

2020 Prosecuting Attorney Annual Evaluation

Part 2 – Court Staff Evaluation

Court staff and Municipal Judge complete evaluation forms.

Evaluation forms will be anonymous and kept confidential through the process, however the final assessment is public record.

Please answer all questions.

	Strongly Agree	Agree	Disagree	Strongly Disagree	Do Not Know
The Prosecutor takes time to consider relevant facts and based decisions on those facts and statements presented.	<input type="checkbox"/>				
The Prosecutor makes sure participants understand what is going on in the courtroom.	<input type="checkbox"/>				
The Prosecutor treats all parties with dignity and respect.	<input type="checkbox"/>				
Parties are made to feel they have been heard in the process.	<input type="checkbox"/>				
The Prosecutor treats all parties equally regardless of race, sex, age, ethnicity, social status, or economic status.	<input type="checkbox"/>				
The Prosecutor makes offers in a prompt and timely manner.	<input type="checkbox"/>				
The Prosecutor is prepared for each case on the docket.	<input type="checkbox"/>				
The Prosecutor communicates well with the judge and court staff.	<input type="checkbox"/>				
The Prosecutor's communications are clear, concise, and accurate.	<input type="checkbox"/>				
The Prosecutor has good working relationships with staff.	<input type="checkbox"/>				
The Prosecutor acts to ensure disabilities and linguistic and cultural differences do not limit access to the justice system.	<input type="checkbox"/>				
Please indicate what you believe the Prosecutor's weaknesses are.					

Please indicate what you believe the Prosecutor's strengths are.	
Comments, is there anything else you would like to share.	

Name of Reviewer: _____

Signature

Date

2020 Prosecuting Attorney Annual Evaluation

Part 3 – City Staff Evaluation

Department Directors who work with the Prosecuting Attorney to complete an evaluation form

Evaluation forms will be anonymous and kept confidential through the process, however the final assessment is public record.

Please answer all questions.

	Strongly Agree	Agree	Disagree	Strongly Disagree	Do Not Know
The Prosecutor fully reviews and understands all citations before deciding to proceed or dismiss.	<input type="checkbox"/>				
The Prosecutor treats all types of infractions equally (code enforcement, traffic, sales tax) and gives them proper review	<input type="checkbox"/>				
The Prosecutor gives clear feedback to police officers or staff if she dismisses a citation.	<input type="checkbox"/>				
The Prosecutor gives feedback on enforceability on new ordinances.	<input type="checkbox"/>				
The Prosecutor works well with police officers and staff members to advance tickets through the court process.	<input type="checkbox"/>				
The Prosecutor treats staff and police officers with respect.	<input type="checkbox"/>				
Comments, is there anything else you would like to share.					

Name of Reviewer: _____

Signature

Date

2020 Prosecuting Attorney Annual Evaluation

Part 4 – Self-Evaluation

Please complete the following questionnaire based on your perception about your job performance during the past year. Please answer Does Not Apply (“DNA”) for any items which do not pertain to your court assignment or activities during the past year.

Evaluation forms will be anonymous and kept confidential through the process, however the final assessment is public record.

Please answer all questions.

	Strongly Agree	Agree	Disagree	Strongly Disagree	Do Not Know
Section 1 Integrity and Impartiality					
a. I treat all people with dignity and respect.	<input type="checkbox"/>				
b. I am willing to make and have made difficult or unpopular decisions.	<input type="checkbox"/>				
c. I act fairly by giving people individual consideration.	<input type="checkbox"/>				
d. I base prosecutorial decisions on the law and facts without regard to the identity of the parties or counsel.	<input type="checkbox"/>				
e. Please provide examples.					
Section 2 Professionalism & Temperament					
a. I act in a dignified manner in performing my duties, both in and out of court.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	DNK
b. I am courteous with all people.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	DNK
c. I am attentive to proceedings.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	DNK
d. I act with patience and self-control throughout the day.					
e. I have appropriate levels of empathy with the parties involved in proceeding.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	DNK

f. Please provide examples.					
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Section 3 Administrative Capacity

a. I am punctual and prepared for court.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	DNK
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b. I make offers in a prompt and timely manner.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	DNK
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c. I act to ensure disabilities and linguistic and cultural differences do not limit access to the justice system.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	DNK
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d. Please provide examples.					
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What have you done to improve the administrative functioning of the court system?					
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Is there anything you need from the City Council to help you be successful?					
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<p>Please provide any additional comments, clarifications, or details of your performance or the court generally that you would like us to know.</p>	
<p>What do you see as the most important role of the Prosecuting Attorney?</p>	
<p>What goals have you set for yourself? Detail progress in accomplishing these goals.</p>	
<p>What are your most significant accomplishments this year?</p>	

<p>What obstacles or setbacks did you encounter during the year and how did you handle them?</p>	
<p>Are there any other issues or comments you wish to share?</p>	

Signature

Date

Prosecuting Attorney Annual Evaluation

Part 5 – Customer Surveys

Customer surveys are given to all customers at Court. Those surveys that are turned in are recorded and copies will be given to the Committee members.

Prosecuting Attorney Annual Evaluation

Part 6 – Recommendation from Legal Review Committee

Committee members will review all survey forms and the surveys from Court customers.

If it is a reappointment year for the Prosecuting Attorney the Committee will make a recommendation to City Council (to reappoint the Prosecuting Attorney, to go out to bid for attorney services, or another option).

If it is the first year of two-year appointment, the chair of the Committee will meet with the Prosecuting Attorney to review the results of the evaluation.



Municipal Judge Annual Evaluation

- **Legal Review Committee Evaluation**
- **Court Staff Evaluation**
- **Self-Evaluation**
- **Court Customer Surveys**
- **Legal Review Committee Recommendation**

2020 Municipal Judge Annual Evaluation

Part 1 – Legal Review Committee Evaluation

Evaluation forms will be anonymous and kept confidential through the process, however the final assessment is public record.

Please answer all questions.

	Strongly Agree	Agree	Disagree	Strongly Disagree	Do Not Know
The Judge treats all people with dignity and respect.	<input type="checkbox"/>				
The Judge is willing to make difficult or unpopular decisions.	<input type="checkbox"/>				
The Judge gives all people individual consideration.	<input type="checkbox"/>				
The Judge appears and acts neutrally on the bench.	<input type="checkbox"/>				
The Judge takes time to consider relevant facts and based decisions on those facts and statements presented	<input type="checkbox"/>				
The Judge treats parties with counsel the same as those without counsel.	<input type="checkbox"/>				
The Judge bases decisions on the law and facts without regard to the identity of the parties or counsel.	<input type="checkbox"/>				
The Judge keeps an open mind and considers all relevant evidence in making rulings, reserving a final decision until the parties have made final arguments.	<input type="checkbox"/>				
The Judge is courteous to all people.	<input type="checkbox"/>				
The Judge is attentive during proceedings.	<input type="checkbox"/>				
The Judge has an appropriate level of empathy with the parties involved in proceedings.	<input type="checkbox"/>				
The Judge is punctual and prepared for court.	<input type="checkbox"/>				
The Judge maintains control over the courtroom.	<input type="checkbox"/>				
The Judge acts to ensure disabilities and linguistic and cultural differences do not limit access to the justice system.	<input type="checkbox"/>				
Cases are processed in an efficient manner and the Judge was prepared for each case on the docket.	<input type="checkbox"/>				
The Judge treats all parties equally regardless of race, sex, age, ethnicity, social status, or	<input type="checkbox"/>				

economic status, and all other categories protected by law.					
Comments:					

Name of Reviewer: _____

Signature

Date

2020 Municipal Judge Annual Evaluation

Part 2 – Court Staff Evaluation

Court staff and Prosecuting Attorney to complete evaluation forms.

Evaluation forms will be anonymous and kept confidential through the process, however the final assessment is public record.

Please answer all questions.

	Strongly Agree	Agree	Disagree	Strongly Disagree	Do Not Know
The Judge takes time to consider relevant facts and based decisions on those facts and statements presented.	<input type="checkbox"/>				
The Judge makes sure participants understand what is going on in the courtroom.	<input type="checkbox"/>				
The Judge treats all parties with dignity and respect.	<input type="checkbox"/>				
Parties are given the opportunity to speak and are made to feel they have been heard in the process.	<input type="checkbox"/>				
The Judge maintains appropriate courtroom control.	<input type="checkbox"/>				
The Judge treats all parties equally regardless of race, sex, age, ethnicity, social status, or economic status.	<input type="checkbox"/>				
The Judge acts neutrally on the bench.	<input type="checkbox"/>				
The Judge processes cases in an efficient manner and is prepared for each case on the docket.	<input type="checkbox"/>				
The Judge shows consistency in court proceedings.	<input type="checkbox"/>				
The Judge bases decisions on the law and facts without regard to the identity of the parties or counsel.	<input type="checkbox"/>				
The Judge communicates well with the Prosecuting Attorney and court staff.	<input type="checkbox"/>				
The Judge is prompt in making and rendering decisions.	<input type="checkbox"/>				
The Judge keeps current on local, state, and federal laws affecting the court.	<input type="checkbox"/>				
The Judge's communications are clear, concise, and accurate.	<input type="checkbox"/>				

The Judge has good working relationships with staff.	<input type="checkbox"/>				
The Judge acts to ensure disabilities and linguistic and cultural differences do not limit access to the justice system.	<input type="checkbox"/>				

<p>Please indicate what you believe the Judge's weaknesses are.</p>	
<p>Please indicate what you believe the Judge's strengths are.</p>	
<p>Comments, is there anything else you would like to share.</p>	

Name of Reviewer: _____

Signature

Date

2020 Municipal Judge Annual Evaluation

Part 3 – Self-Evaluation

Please complete the following questionnaire based on your perception about your job performance during the past year. Please answer Does Not Apply (“DNA”) for any items which do not pertain to your court assignment or activities during the past year.

Evaluation forms will be anonymous and kept confidential through the process, however the final assessment is public record.

Please answer all questions.

	Strongly Agree	Agree	Disagree	Strongly Disagree	Do Not Know
Section 1 Integrity and Impartiality					
a. I treat all people with dignity and respect.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	DNK
b. I am willing to make and have made difficult or unpopular decisions.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	DNK
c. I act fairly by giving people individual consideration.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	DNK
d. I appear and act neutrally on the bench.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	DNK
e. I treat parties with counsel the same as those without counsel.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	DNK
f. I base decisions on the law and facts without regard to the identity of the parties or counsel.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	DNK
g. I keep an open mind and consider all relevant evidence in making rulings, reserving a final decision until the parties have made final arguments.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	DNK
h. Please provide examples.					
Section 2 Professionalism & Temperament					
a. I act in a dignified manner in performing my duties, both on and off the bench.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	DNK

b. I am courteous with all people.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	DNK
c. I am attentive to proceedings.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	DNK
d. I act with patience and self-control throughout the day.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	DNK
e. I have appropriate levels of empathy with the parties involved in proceedings.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	DNK
f. Please provide examples.					
Section 3 Administrative Capacity					
a. I am punctual and prepared for court.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	DNK
b. I maintain control over the courtroom.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	DNK
c. I appropriately enforce court rules, orders, and deadlines.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	DNK
d. I make decisions and rulings in a prompt and timely manner.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	DNK
e. I act to ensure disabilities and linguistic and cultural differences do not limit access to the justice system.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	DNK
f. Please provide examples.					

<p>What have you done to improve the administrative functioning of the court system?</p>	
<p>Is there anything you need from the City Council to help you be successful?</p>	
<p>Please provide any additional comments, clarifications, or details of your performance or the court generally that you would like us to know.</p>	
<p>What do you see as the most important role of the Municipal Judge?</p>	
<p>What goals have you set for yourself? Detail progress in accomplishing these goals.</p>	

What are your most significant accomplishments this year?	
What obstacles or setbacks did you encounter during the year and how did you handle them?	
Are there any other issues or comments you wish to share?	

Signature

Date

2020 Municipal Judge Annual Evaluation

Part 4 – Customer Surveys

Customer surveys are given to all customers at Court. Those surveys that are turned in are recorded and copies will be given to the Committee members.

2020 Municipal Judge Annual Evaluation

Part 5 – Recommendation from Legal Review Committee

Committee members will review all survey forms and the surveys from Court customers.

If it is a reappointment year for the Municipal Judge the Committee will make a recommendation to City Council (to reappoint the Judge, ask for a new appointment process for a judge, or another option).

If it is the first year of two-year appointment, the chair of the Committee will meet with the Judge to review the results of the evaluation.

SUBJECT: DISCUSSION/DIRECTION – 2021 CITY ATTORNEY LEGAL FEE INCREASE *continued from 9/2/20*

DATE: SEPTEMBER 9, 2020

PRESENTED BY: MEREDYTH MUTH, CITY CLERK
KATHLEEN KELLY, CITY ATTORNEY

SUMMARY:

The City Attorney has proposed an increase in partner and associates rates effective January 1, 2021. The firm’s memo is attached. The last increase in fees for services for the firm was on January 1, 2019.

RECOMMENDATION:

Discussion of the fee increase and make a recommendation for City Council to have when this comes to them for consideration on September 15.

ATTACHMENT(S):

1. Memo from City Attorney

STRATEGIC PLAN IMPACT:

<input checked="" type="checkbox"/>		Financial Stewardship & Asset Management	<input checked="" type="checkbox"/>		Reliable Core Services
<input type="checkbox"/>		Vibrant Economic Climate	<input type="checkbox"/>		Quality Programs & Amenities
<input type="checkbox"/>		Engaged Community	<input type="checkbox"/>		Healthy Workforce
<input type="checkbox"/>		Supportive Technology	<input type="checkbox"/>		Collaborative Regional Partner



Kathleen M. Kelly
(303) 298-1601 tel
(303) 298-1627 fax
kathleen@kellypc.com

MEMORANDUM

TO: Mayor and Councilmembers
Legal Review Committee
Heather Balsler, City Manager
City of Louisville

FROM: Kathleen M. Kelly 

DATE: August 16, 2020

RE: Fees for Legal Services

Based upon the firm's general review of its fees, services, and costs, we find it necessary to increase our rates for legal services to the City effective January 1, 2021. We last increased our fees on January 1, 2019. While cost-effective service to the City is a primary goal of our firm, we must also consider the ongoing increases in our own costs of doing business. In consideration of the ongoing COVID-19 pandemic, and the impact it has had on the City's budget, we are limiting our hourly fee increase to only reflect inflation (see attached CPI-U for 2019 and estimated 2020) since the time of our last fee increase, and we will re-evaluate our fee schedule at this time next year.

Attached is a copy of our fee schedule, which reflects rate increases of \$5/hour and an increase in the monthly retainer for attendance at regular City Council meetings of \$100 effective January 1, 2021. If acceptable to the City, the revised Exhibit A to our contract should be approved by the City Council. We have also included a revised Exhibit A for the Louisville Revitalization Commission (the only difference being omission of the flat retainer).

We have appreciated the opportunity to serve the City of Louisville, and look forward to continuing our services in 2021. We will, of course, continue to work with the City to identify and implement methods for managing legal work and fees.

Thank you for your consideration of this proposal, and if you have any questions or concerns, or care to discuss this matter, please contact me.

APPENDIX A – FEE SCHEDULE – CITY OF LOUISVILLE

General Legal Services:

- (1) Attorney time (except as per (3) below)
 - Principals \$210.00 per hour
 - Senior Associates \$200.00 per hour
 - Associates \$185.00 per hour

- (2) Paralegals/Law Clerks \$ 95.00 per hour

- (3) Monthly retainer for attendance at regular meetings of the Council and short telephone calls requiring no research: \$850.00

Expenses:

- (1) Copying: \$.15 per page

- (2) Travel: No mileage or attorney time charge for travel to and from Louisville

For other travel, travel time will be billed one-way and current IRS per mile

- (3) Long distance telephone calls: at cost

- (4) Delivery: at cost

AGREED AND ACCEPTED:

KELLY PC.

CITY OF LOUISVILLE

By: 

By: _____

Title: President

Title: _____

Date: 8/16/2020

Date: _____

APPENDIX A – FEE SCHEDULE – LOUISVILLE REVITALIZATION COMMISSION

General Legal Services:

- (1) Attorney time
 - Principals \$210.00 per hour
 - Senior Associates \$200.00 per hour
 - Associates \$185.00 per hour
- (2) Paralegals/Law Clerks \$ 95.00 per hour

Expenses:

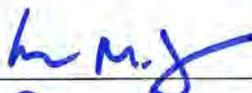
- (1) Copying: \$.15 per page
- (2) Travel: No mileage or attorney time charge for travel to and from Louisville

For other travel, travel time will be billed one-way and current IRS per mile
- (3) Long distance telephone calls: at cost
- (4) Delivery: at cost

AGREED AND ACCEPTED:

KELLY PC

LOUISVILLE REVITALIZATION
COMMISSION

By: 
Title: President
Date: 8/16/2020

By: _____
Title: _____
Date: _____

Consumer Price Index, All Items (CPI-U)

Index 100 = 1982-84

Year	All U.S. Urban Areas		Denver-Aurora-Lakewood*		
	Index	Inflation Rate	Index	Inflation Rate	
1981	90.9	10.3%	87.2	11.2%	
1982	96.5	6.2%	95.1	9.1%	
1983	99.6	3.2%	100.5	5.7%	
1984	103.9	4.3%	104.3	3.8%	
1985	107.6	3.6%	107.1	2.7%	
1986	109.6	1.9%	107.9	0.7%	
1987	113.6	3.6%	110.8	2.7%	
1988	118.3	4.1%	113.7	2.6%	
1989	124.0	4.8%	115.8	1.8%	
1990	130.7	5.4%	120.9	4.4%	
1991	136.2	4.2%	125.6	3.9%	
1992	140.3	3.0%	130.3	3.7%	
1993	144.5	3.0%	135.8	4.2%	
1994	148.2	2.6%	141.8	4.4%	
1995	152.4	2.8%	147.9	4.3%	
1996	156.9	3.0%	153.1	3.5%	
1997	160.5	2.3%	158.1	3.3%	
1998	163.0	1.6%	161.9	2.4%	
1999	166.6	2.2%	166.6	2.9%	
2000	172.2	3.4%	173.2	4.0%	
2001	177.1	2.8%	181.3	4.7%	
2002	179.9	1.6%	184.8	1.9%	
2003	184.0	2.3%	186.8	1.1%	
2004	188.9	2.7%	187.0	0.1%	
2005	195.3	3.4%	190.9	2.1%	
2006	201.6	3.2%	197.7	3.6%	
2007	207.3	2.9%	202.0	2.2%	
2008	215.3	3.8%	209.9	3.9%	
2009	214.6	-0.3%	208.5	-0.6%	
2010	218.1	1.6%	212.4	1.9%	
2011	224.9	3.1%	220.3	3.7%	
2012	229.6	2.1%	224.6	1.9%	
2013	233.0	1.5%	230.8	2.8%	
2014	236.7	1.6%	237.2	2.8%	
2015	237.0	0.1%	240.0	1.2%	
2016	240.0	1.3%	246.6	2.8%	
2017	245.1	2.1%	255.0	3.4%	
2018	251.1	2.4%	262.0	2.7%	
2019	255.7	1.8%	267.0	1.9%	
June 2020	2020	257.4	0.7%	269.7	1.0%
Forecast	2021	262.3	1.9%	275.1	2.0%
	2022	268.1	2.2%	281.1	2.2%

Source: U.S. Bureau of Labor Statistics and Legislative Council Staff.

*A consumer price index (CPI-U) is not calculated for the state of Colorado. The CPI-U for the Denver-Aurora-Lakewood core based statistical area is often used as a proxy for the inflation rate of Colorado. Beginning in February 2018, a bi-monthly index is published for the Denver-Aurora-Lakewood core based statistical area, instead of a semi-annual index for the Denver-Boulder-Greeley combined metropolitan statistical area.

Prepared by Legislative Council Staff.