

**CITY OF GRAND JUNCTION**

**ORDINANCE NO. 5085**

**AN ORDINANCE CONCERNING THE COMPENSATION OF THE MUNICIPAL JUDGE AND THE CITY ATTORNEY AND AMENDING CHAPTER 2.08 OF THE GRAND JUNCTION MUNICIPAL CODE REGARDING THE FIXING OF THE COMPENSATION FOR THE CITY ATTORNEY AND THE MUNICIPAL JUDGE**

RECITALS.

On December 2, 2020 the City Council approved Ordinance No. 4966 appropriating money to defray the expenses of, and setting the 2021 budget for, the City. That appropriation included a budgeted 2.5% cost of living wage increase for City employees. The wage increase for eligible employees was dependent on each employee being evaluated by his/her supervisor and being rated as performing at or above expectations. For employees performing at that level the 2.5% increase began with City Pay Period 7.

The City Council has three employees, the Municipal Judge, the City Attorney and the City Manager. Pursuant to the City Charter, the salary of the City Manager is set by ordinance, the approval of which serves to amend his employment agreement.

With Ordinance \_\_\_ the City Council has fixed and determined the City Manager's 2022 compensation, which is based on the City Council's finding that the City Manager is performing his job duties at or above expectations.

The City Council recently reviewed the performance of the City Attorney and found that he is performing his job duties at or above expectations and accordingly with this ordinance and the prior appropriation, increases his compensation by 3.5% annually rounded to the nearest whole dollar. As necessary or required to effectuate the purposes hereof, this ordinance shall amend the terms of his compensation, as established herein, being effective and beginning with City Pay Period 1 with all other terms of employment and benefits being unchanged.

Pursuant to the Grand Junction Municipal Code (GJMC) the City's Judicial Performance Commission (Commission) performs biannual reviews of the Municipal Judge. While the Commission has begun its 2023 review of Judge Eret, because the review is not yet due, Council has determined consistent with Ordinance No. 5042 and the assumptions made in the budget to adjust the City's pay plan, to provide Judge Eret a 2022 cost to living adjustment of 3.5%.

Furthermore, by and with this Ordinance, Chapter 2, Title 8 of the GJMC is amended to establish Section 015 such that the compensation paid to the Municipal Judge and that paid to the City Attorney shall be established by City Council by ordinance.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION:

That the foregoing Recitals are incorporated by reference and therefore:

- a) the compensation of Municipal Judge Tammy Eret is and shall be set at \$106.08 per hour to compensate her for her service to the City of Grand Junction in accordance with the Charter and Ordinances of the City of Grand Junction, Colorado, with the same with the same being effective and relating back to January 1, 2022, City Pay Period 1, with all other terms of her respective employment being unchanged, together with said compensation being paid until amended by subsequent action of the City Council; and,
- b) the salary of City Attorney John Shaver is and shall be set at \$204,600.00 per year (\$98.36 per hour) and as customarily prorated for any period of less than one year, to compensate him for his service to the City of Grand Junction in accordance with the Charter and Ordinances of the City of Grand Junction, Colorado with the same being effective and relating back to January 1, 2022, City Pay Period 1, with all other terms of his respective employment being unchanged, together with ail compensation being paid until amended by subsequent ordinance of the City Council; and,
- c) that the GJMC is amended by and the addition of 2.08.015 as follows (additions shown in ALL CAPS):

2.08.015 COMPENSATION OF CITY COUNCIL EMPLOYEES

A) THE MUNICIPAL JUDGE SHALL RECEIVE SALARY OR OTHER COMPENSATION TO BE FIXED AND OTHERWISE SET BY THE CITY COUNCIL BY ORDINANCE; AND,

B) THE CITY ATTORNEY SHALL RECEIVE A SALARY TO BE FIXED AND OTHERWISE SET BY THE CITY COUNCIL BY ORDINANCE; AND

C) AS PROVIDE IN ARTICLE VII, PARAGRAPH 57 THE CITY MANAGER SHALL RECEIVE A SALARY TO BE FIXED BY THE COUNCIL BY ORDINANCE.

d) If any part or provision of this Ordinance or the application thereof to any person or circumstance(s) is held invalid or in conflict with the Charter or other ordinances of the City, then such invalidity shall not affect other provisions or applications of this Ordinance which can be given effect without the invalid

provisions or application, and to this end the provisions of this Ordinance are declared to be severable.

The City Council does authorize the President of the City Council to take such action as is necessary or required, consistent with this Ordinance, to affect the compensation increases upon this Ordinance being finally passed, published, and becoming effective as provided by the Charter and applicable law.

INTRODUCED ON FIRST READING PASSED FOR PUBLICATION AND SETTING A HEARING FOR THIS 6<sup>TH</sup> DAY OF JULY 2022.

PASSED, ADOPTED, AND ORDERED PUBLISHED THIS 20<sup>TH</sup> DAY OF JULY 2022.



Abe Herman  
Mayor Pro Tem

Attest:



Amy Phillips  
City Clerk



I HEREBY CERTIFY THAT the foregoing Ordinance, being Ordinance No. 5085 was introduced by the City Council of the City of Grand Junction, Colorado at a regular meeting of said body held on the 6<sup>th</sup> day of July 2022 and the same was published in The Daily Sentinel, a newspaper published and in general circulation in said City, in pamphlet form, at least ten days before its final passage.

I FURTHER CERTIFY THAT a Public Hearing was held on the 20<sup>th</sup> day of July 2022, at which Ordinance No. 5085 was read, considered, adopted and ordered published in pamphlet form by the Grand Junction City Council.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of said City this 22<sup>nd</sup> day of July 2022.

  
Deputy City Clerk

Published: July 8, 2022  
Published: July 22, 2022  
Effective: August 21, 2022

