

**ORDINANCE NO. 1320  
SERIES 2023**

**AN ORDINANCE APPROVING AN AMENDMENT TO PROFESSIONAL SERVICES  
CONTRACT FOR MUNICIPAL JUDGE SERVICES**

WHEREAS, on November 15, 2021, the City of Cortez (“City”) and Beth Padilla/Padilla Law (“Contractor”) entered into that certain PROFESSIONAL SERVICES CONTRACT - AGREEMENT BY AND BETWEEN THE CITY OF CORTEZ AND PADILLA/PADILLA LAW FOR MUNICIPAL JUDGE SERVICES (the “Agreement”); and

WHEREAS, Article VI, Section 2 of the Cortez City Charter requires that the Contractor’s compensation shall be fixed by ordinance from time to time; and

WHEREAS, the City and the Contractor desire to change the Contractor’s compensation as more specifically described in the AMENDMENT TO PROFESSIONAL SERVICES CONTRACT FOR MUNICIPAL JUDGE SERVICES (the “Amendment”) that is attached hereto and incorporated herein.

NOW THEREFORE, BE IT ORDAINED BY THE CORTEZ CITY COUNCIL THAT the Amendment that is attached hereto and incorporated herein, is approved and the Mayor is authorized to sign the same.

REPEALER. All orders, bylaws, ordinances, and resolutions of the City, or parts thereof, inconsistent or in conflict with this Ordinance, are hereby repealed to the extent only of such inconsistency or conflict.

SEVERABILITY. If any section, paragraph, clause, or provision of this Ordinance shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause, or provision shall not affect any of the remaining provisions of this Ordinance, the intent being that the same are severable.

RECORDING AND AUTHENTICATION. Upon adoption hereof, this Ordinance shall be recorded in a book kept for that purpose and shall be authenticated by the signatures of the Mayor and the City Clerk.

EFFECTIVE DATE. This ordinance shall be effective upon publication after final passage.

FIRST READING: This ordinance shall be considered on first reading on May 9, 2023, at the hour of 7:30 p.m., in the City Council Chambers in City Hall, Cortez, Colorado, at which time the City Council shall consider authorizing the ordinance to be considered for a public hearing on second and final reading on May 23, 2023.

PUBLIC HEARING. This ordinance shall be considered for second or final reading on the May 23, 2023, at the hour of 7:30 p.m., in the City Council Chambers in City Hall, Cortez, Colorado, at which time and place all persons may appear and be heard concerning the same.

PASSED, ADOPTED AND APPROVED ON FIRST READING THIS 9th DAY OF MAY, 2023.

CITY OF CORTEZ

ATTEST:



LINDA L. SMITH, CITY CLERK



RACHEL B MEDINA, MAYOR

PASSED, ADOPTED AND APPROVED ON SECOND AND FINAL READING THIS 23rd DAY OF MAY, 2023.

CITY OF CORTEZ

ATTEST:



LINDA L. SMITH, CITY CLERK



RACHEL B MEDINA, MAYOR

APPROVED AS TO FORM:



J. PATRICK COLEMAN, CITY ATTORNEY

AMENDMENT TO PROFESSIONAL SERVICES CONTRACT FOR  
MUNICIPAL JUDGE SERVICES

1. On November 15, 2021, the City of Cortez (“City”) and Beth Padilla/Padilla Law (“Contractor”) entered into that certain PROFESSIONAL SERVICES CONTRACT - AGREEMENT BY AND BETWEEN THE CITY OF CORTEZ AND PADILLA/PADILLA LAW FOR MUNICIPAL JUDGE SERVICES (the “Agreement”).
2. Pursuant to Section 4.0 of the Agreement, the City shall pay the Contractor for services under the Agreement a total not to exceed the amounts set forth in Exhibit “B” attached and incorporated into the Agreement.
3. Pursuant to Exhibit “B” of the Agreement, the City shall pay the Contractor a fixed salary of \$18,595.00 per year, \$80/hour for time spent preparing for and conducting jury trials, and \$80/hour for any optional Court work such as jury trials, and extra Court days as may be required from time to time.
4. Pursuant to Section 4.0 of the Agreement, the payment amount for the Contractor’s services may be changed by a properly authorized amendment to the Agreement. The City and the Contractor desire to change the payment amount for the Contractor’s service pursuant to this AMENDMENT TO PROFESSIONAL SERVICES CONTRACT FOR MUNICIPAL JUDGE SERVICES (the “Amendment”).
5. Article VI, Section 2 of the Cortez City Charter requires that the Contractor’s compensation shall be fixed by ordinance from time to time.
6. Effective August 1, 2023, upon approval of an ordinance authorizing the Mayor to execute this Amendment, the City and Contractor agree to amend Exhibit “B” of the Agreement to increase the Contractor’s compensation as follows: Fixed salary of \$26,400 per year.
7. Effective January 1, 2024, upon approval of an ordinance authorizing the Mayor to execute this Amendment, the City and Contractor agree to amend Exhibit “B” of the Agreement to increase the Contractor’s compensation as follows: Fixed salary of \$36,000 per year. The City and Contractor acknowledge that the City’s multi-year financial obligation set forth in this Amendment is subject to the City making an annual appropriation of sufficient funds to satisfy its obligation, as required pursuant to C.R.S. § 29-1-110, and any failure to appropriate such funds shall be deemed as a termination of the Agreement without cause.
8. This Amendment may be executed in one or more counterparts, each of which shall be deemed an original, but all of which, when taken together, shall constitute one and the same instrument. This Amendment may be executed using facsimile or electronic signatures and such signatures shall be given the authority of original signatures for purposes of executing and enforcing the validity of this Amendment.

9. Except as specifically amended by this Amendment, all other terms and conditions of the Agreement shall remain in full force and effect.

AGREED TO EFFECTIVE ON THE DATE OF THE LAST PARTY'S SIGNATURE BELOW:

BETH PADILLA/PADILLA LAW

THE CITY OF CORTEZ

/s/ Beth Padilla  
Beth Padilla

Rachel Medina  
Rachel B. Medina, Mayor

5/3/23  
Date

5/23/2023  
Date

ATTEST:

Linda Smith  
Linda Smith, City Clerk