



BOARD OF TRUSTEES
January 19, 2022
6:30 PM

Leeper Center, 3800 Wilson Avenue, Wellington, CO

Regular Meeting Agenda

Individuals that attend the meeting in person will be required to wear a face covering while in attendance.

Individuals wishing to make public comments must attend the meeting in person or may submit comments by sending an email to euckerkk@wellingtoncolorado.gov. The email must be received by 4:00 p.m. Tuesday January 19, 2022. The comments will be provided to the Trustees and added as an addendum to the packet. Emailed comments will not be read during the meeting.

The Zoom information below is for online viewing and listening only.

Please click this URL to join.

<https://us06web.zoom.us/j/84412565347?pwd=L1p2S3JvQXJPMUN3YW1ibHlxY1UrQT09>

Passcode: 660471

Or One tap mobile:

+17207072699,,84412565347# US (Denver)

+13462487799,,84412565347# US (Houston)

Or join by phone:

US: +1 720 707 2699 or +1 346 248 7799 or +1 253 215 8782

Webinar ID: 844 1256 5347

A. CALL TO ORDER

1. Pledge of Allegiance
2. Roll Call

B. ACTION ITEMS

1. Resolution No. 05-2022 - A Resolution Creating a Local Licensing Authority Pursuant to Chapter 2, Article 14 of the Wellington Municipal Code and to Appoint Kristin Brown as Assistant Municipal Judge to Serve in that Role

- Presentation: Dan Sapienza, Town Attorney

C. ADJOURN

The Town of Wellington will make reasonable accommodations for access to Town services, programs, and activities and special communication arrangements. Individuals needing special accommodation may request assistance by contacting at Town Hall or at 970-568-3380 ext. 110 at least 24 hours in advance.



Board of Trustees Meeting

Date: January 19, 2022
Submitted By: Dan Sapienza
Subject: Resolution No. 05-2022 - A Resolution Creating a Local Licensing Authority Pursuant to Chapter 2, Article 14 of the Wellington Municipal Code and to Appoint Kristin Brown as Assistant Municipal Judge to Serve in that Role

- **Presentation: Dan Sapienza, Town Attorney**

EXECUTIVE SUMMARY

Pursuant to the referred marijuana ordinance, the Town Board serves as the Local Licensing Authority, unless it creates a separate Local Licensing Authority and delegates the duties to that person or entity. Town staff recommends creating a separate Local Licensing Authority to administer the ordinance as a municipal judgeship and to appoint an individual to the role. The proposed resolution identifies a deadline of June 14, 2022 when the Board of Trustees will be presented with an option for modifying this arrangement to have the Trustees serve in that capacity.

BACKGROUND / DISCUSSION

The recently passed ordinance allowing retail and medical marijuana stores to operate within the Town requires a Local Licensing Authority to administer the process. This Authority's duties are largely administrative in nature, as the ordinance requires administrative approval of some licenses if specific criteria are met and certain fees paid.

"The Local Licensing Authority shall administratively approve any License application under this Article so long as the conditions set forth in this Article are met and the applicant has paid the operating fee and any other fees required by this Article."

An important role of the Local Licensing Authority is rulemaking, which must be completed quickly as applications may begin on February 1, 2022.

Town staff has met with Kristin Brown, who serves as liquor and marijuana licensing authority for Commerce City, Colorado and who has extensive experience in this area. Staff believes that her experience and expertise will serve the Town well in this role through the timeframe included in the resolution.

STAFF RECOMMENDATION

Motion to approve Resolution 05-2022, a Resolution to Create a Local Licensing Authority and Appointing Kristin Brown to Serve as Assistant Municipal Judge in that Role.

ATTACHMENTS

1. Resolution 05-2022 Marijuana Authority Redline Version
2. Resolution 05-2022 Marijuana Authority Clean Version
3. Kristin Brown Resume

TOWN OF WELLINGTON
RESOLUTION NO. 05-2022

A RESOLUTION CREATING A LOCAL LICENSING AUTHORITY PURSUANT TO CHAPTER 2, ARTICLE 14 OF THE WELLINGTON MUNICIPAL CODE AND TO APPOINT KRISTIN BROWN AS ASSISTANT MUNICIPAL JUDGE TO SERVE IN THAT ROLE

WHEREAS, during the November 2, 2021 election, voters approved an ordinance concerning the regulation of retail and medical marijuana stores in the Town of Wellington; and

WHEREAS, pursuant to the November 2, 2021 election, Article 13.5 of Chapter 16 and Article 13.6 of Chapter 2 were repealed and Article 14 in Chapter 2 was created within the Wellington Municipal Code; and

WHEREAS, the Board of Trustees of the Town of Wellington shall serve as the Local Licensing Authority unless the Board of Trustees creates a separate Local Licensing Authority empowered to act in such capacity; and

WHEREAS, the Board of Trustees has considered the benefits of delegating Local Licensing Authority duties to an attorney and municipal judge who is familiar with the Marijuana Code and the due process requirements of marijuana licensing; and

WHEREAS, the Board of Trustees desires to serve as the Local Licensing Authority to ensure that these duties remain responsive to the needs of the residents and voters of the Town of Wellington; and

WHEREAS, in order to quickly get the Town administration ready for the acceptance and processing of applications for Marijuana stores, the Board of Trustees desires to temporarily establish a separate Local Licensing Authority to perform the duties under Article 14 of Chapter 2, and to establish rules and regulations to effectively administer to the new marijuana licensing requirements; and

~~WHEREAS, the Board of Trustees has considered the benefits of delegating Local Licensing Authority duties to an attorney and municipal judge who is familiar with the Marijuana Code and the due process requirements of marijuana licensing.~~

WHEREAS, the Board of Trustees has considered the qualifications of Attorney Kristin Brown, with respect to marijuana licensing functions; and

WHEREAS, the Board of Trustees desires that Town staff present an option for the Local Licensing Authority where the Board of Trustees serves in that role with direct guidance by an experienced marijuana licensing professional.

NOW, THEREFORE, be it resolved by the Board of Trustees for the Town of Wellington, Colorado, as follows:

1. Pursuant to Chapter 2, Article 14 of the Wellington Municipal Code, a Local Licensing Authority is established with respect to marijuana licensing functions.
 2. The Local Licensing Authority shall be an assistant Municipal Judge of the Town of Wellington designated by the presiding Municipal Judge to serve in that capacity.
 3. The Board appoints Kristin Brown to serve as an Assistant Municipal Judge to be responsible for duties of the Local Licensing Authority.
 4. The Mayor is hereby authorized to execute the Professional Services Agreement with Kristin Brown on behalf of the Town.
- 4.5. On or before June 14, 2022, the Board of Trustees will be presented with an option for modifying the Local Licensing Authority arrangement to allow for the Board of Trustees to serve in that capacity with guidance from staff and professionals in the area of marijuana licensing.

Upon motion duly made, seconded and carried, the foregoing Resolution was adopted this ~~11th~~ 19th day of January, 2022.

TOWN OF WELLINGTON, COLORADO

By: _____
Troy Hamman, Mayor

ATTEST:

Krystal Eucker, Town Clerk

TOWN OF WELLINGTON
RESOLUTION NO. 05-2022

A RESOLUTION CREATING A LOCAL LICENSING AUTHORITY PURSUANT TO CHAPTER 2, ARTICLE 14 OF THE WELLINGTON MUNICIPAL CODE AND TO APPOINT KRISTIN BROWN AS ASSISTANT MUNICIPAL JUDGE TO SERVE IN THAT ROLE

WHEREAS, during the November 2, 2021 election, voters approved an ordinance concerning the regulation of retail and medical marijuana stores in the Town of Wellington; and

WHEREAS, pursuant to the November 2, 2021 election, Article 13.5 of Chapter 16 and Article 13.6 of Chapter 2 were repealed and Article 14 in Chapter 2 was created within the Wellington Municipal Code; and

WHEREAS, the Board of Trustees of the Town of Wellington shall serve as the Local Licensing Authority unless the Board of Trustees creates a separate Local Licensing Authority empowered to act in such capacity; and

WHEREAS, the Board of Trustees has considered the benefits of delegating Local Licensing Authority duties to an attorney and municipal judge who is familiar with the Marijuana Code and the due process requirements of marijuana licensing; and

WHEREAS, the Board of Trustees desires to serve as the Local Licensing Authority to ensure that these duties remain responsive to the needs of the residents and voters of the Town of Wellington; and

WHEREAS, in order to quickly get the Town administration ready for the acceptance and processing of applications for Marijuana stores, the Board of Trustees desires to temporarily establish a separate Local Licensing Authority to perform the duties under Article 14 of Chapter 2 and to establish rules and regulations to effectively administer to the new marijuana licensing requirements; and

WHEREAS, the Board of Trustees has considered the qualifications of Attorney Kristin Brown, with respect to marijuana licensing functions; and

WHEREAS, the Board of Trustees desires that Town staff present an option for the Local Licensing Authority where the Board of Trustees serves in that role with direct guidance by an experienced marijuana licensing professional

NOW, THEREFORE, be it resolved by the Board of Trustees for the Town of Wellington, Colorado, as follows:

1. Pursuant to Chapter 2, Article 14 of the Wellington Municipal Code, a Local Licensing Authority is established with respect to marijuana licensing functions.

2. The Local Licensing Authority shall be an assistant Municipal Judge of the Town of Wellington designated by the presiding Municipal Judge to serve in that capacity.
3. The Board appoints Kristin Brown to serve as an Assistant Municipal Judge to be responsible for duties of the Local Licensing Authority.
4. The Mayor is hereby authorized to execute the Professional Services Agreement with Kristin Brown on behalf of the Town.
5. On or before June 14, 2022, the Board of Trustees will be presented with an option for modifying the Local Licensing Authority arrangement to allow for the Board of Trustees to serve in that capacity with guidance from staff and professionals in the area of marijuana licensing.

Upon motion duly made, seconded and carried, the foregoing Resolution was adopted this 19th day of January, 2022.

TOWN OF WELLINGTON, COLORADO

By: _____
Troy Hamman, Mayor

ATTEST:

Krystal Eucker, Town Clerk



KRISTIN NORDECK BROWN, P.C.
A T T O R N E Y A T L A W

RESUME OF KRISTIN N. BROWN

EDUCATION

Bachelor of Arts, University of Colorado, Boulder, CO	August 1987
Juris Doctor, Northwestern School of Law at Lewis and Clark College, Portland, OR	1990

LICENSE TO PRACTICE LAW

State of Colorado	1990
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JUDICIAL EXPERIENCE

Acting Presiding Judge, Thornton Municipal Court	August 2021 - present
Associate Judge, Thornton Municipal Court	November 2008 – August 2021
Presiding Judge, Brighton Municipal Court	November 2010 - May 2021
Associate Judge, Brighton Municipal Court	October 2009 - Nov. 2010
Presiding Judge, Lyons Municipal Court	October 2010 - present
Associate Judge, Broomfield Municipal Court	2012 – present
Associate Judge, Superior Municipal Court	2014 – present
Associate Judge, Mead Municipal Court	2018 - present
Associate Judge, Longmont Municipal Court	2018 - present
Associate Judge, Fort Collins Municipal Court	2020 - present



KRISTIN NORDECK BROWN, P.C.
A T T O R N E Y A T L A W

HEARING OFFICER EXPERIENCE

Hearing Officer (administrative appeal matters) Federal Heights, Commerce City, Sheridan, Littleton, Clear Creek Fire Authority, Lakewood	2006 – present
Brighton Liquor Authority	September 2015 - present
Hearing Officer, City of Thornton	July 2003 – present
Hearing Officer, Administrative, Liquor/Marijuana Licensing Authority, Commerce City	2010 - present

MUNICIPAL LAW EXPERIENCE

Since 1990 have provided legal services to municipalities, to include legal counsel to City Council/Town Boards, prosecution services, liquor enforcement, legal counsel to police departments, drafting of ordinances. Municipal clients have included Erie, Frederick, Mead, Lyons, Wellington, Louisville, Lafayette, Thornton, Woodland Park, Dillon, Ft. Lupton, Grant Junction, Estes Park.

MEMBER OF

Colorado Bar Association
Boulder County Bar Association
Colorado Municipal Judges Association (Board Member for several terms)

REFERENCES

Victoria Simonsen, Town Administrator, Lyons, CO
vsimonsen@townoflyons.com

Diane Maes, Thornton Municipal Court Administrator, Thornton, CO
Diane.Maes@cityofthornton.net

Judge Randy Davis, Municipal Judge (retired)
randalljdavis@hotmail.com

Mark Shapiro, Erie Town Attorney (retired)
mark@mshapirolaw.com