

**TOWN OF MEAD, COLORADO  
RESOLUTION NO. 46-R-2023**

**A RESOLUTION OF THE TOWN OF MEAD, COLORADO, APPOINTING A  
PROSECUTING ATTORNEY AND APPROVING AN AGREEMENT FOR  
MUNICIPAL PROSECUTION SERVICES WITH AUSMUS LAW FIRM, P.C.**

**WHEREAS**, the Town of Mead is authorized under C.R.S. § 31-15-101 to enter into contracts for any lawful municipal purpose; and

**WHEREAS**, Section 2-3-75 of the *Mead Municipal Code* (“MMC”) provides that the Board of Trustees may, in its sole discretion, contract with a qualified person as Prosecuting Attorney; and

**WHEREAS**, the Town’s previous prosecuting attorney has retired and is no longer providing services to the Town of Mead; and

**WHEREAS**, the Town solicited bids for Municipal Prosecution Services, as more particularly described in that certain REQUEST FOR QUALIFICATIONS AND PROPOSAL No. 2023-01, which was posted on the Rocky Mountain E-Purchasing System and the Town of Mead website; and

**WHEREAS**, Town Staff has reviewed and evaluated all complete and responsive proposals submitted, and is recommending that the Board of Trustees consider entering into an agreement with Ausmus Law Firm, P.C. (“Ausmus Firm”) to provide municipal prosecution services for the Town; and

**WHEREAS**, the Board of Trustees desires to: (1) appoint the Ausmus Firm as Prosecuting Attorney, and (2) approve the Agreement for Municipal Prosecution Services by and between the Town and the Ausmus Firm, which agreement shall be substantially in the form attached hereto as **Exhibit 1** (the “Services Agreement”),

**NOW THEREFORE, BE IT RESOLVED** by the Board of Trustees of the Town of Mead, Weld County, Colorado, that:

**Section 1.** The Board of Trustees hereby: (a) appoints the Ausmus Firm as Prosecuting Attorney in accordance with Sec. 2-3-75 of the MMC; (b) approves the Services Agreement in substantially the form attached to this Resolution as **Exhibit 1**; (c) authorizes the Town Attorney to make such changes as may be needed to correct any non-material errors or language or to negotiate such changes to the Services Agreement as may be appropriate and that do not substantially increase the obligations of the Town; and (d) authorizes the Mayor to execute the Services Agreement on behalf of the Town when in final form.

**Section 2. Effective Date.** This resolution shall become effective immediately upon adoption.

**Section 3. Repealer.** All resolutions, or parts thereof, in conflict with this resolution are hereby repealed, provided that such repealer shall not repeal the repealer clauses of such resolution nor revive any resolution thereby.

**Section 4. Certification.** The Town Clerk shall certify to the passage of this resolution and make not less than one copy of the adopted resolution available for inspection by the public during regular business hours.

**INTRODUCED, READ, PASSED, AND ADOPTED THIS 10<sup>th</sup> DAY OF JULY, 2023.**

**ATTEST:**

**TOWN OF MEAD:**

By: \_\_\_\_\_  
Mary E. Strutt, MMC, Town Clerk

By: \_\_\_\_\_  
Colleen G. Whitlow, Mayor

Attachment(s):

**Exhibit 1** – Agreement for Municipal Prosecution Services