

RESOLUTION NO. \_\_\_\_\_ - 20

A RESOLUTION PRESERVING THE ATTORNEY-CLIENT PRIVILEGE IN A MATTER INVOLVING COLORADO SPRINGS UTILITIES' FORMER CHIEF FINANCIAL OFFICER

WHEREAS, the attorney-client relationship between the City Attorney/City Attorney's Office and the City of Colorado Springs, a municipal entity, which acts through its duly authorized constituent representatives, is established in § 13-80 of the Charter of the City of Colorado Springs; and

WHEREAS, waiver of attorney-client privileged communications between attorneys for the City of Colorado Springs and its duly authorized constituent representatives can only occur through the informed consent of those constituent representatives with authority over a particular legal matter to which the privileged communication pertains; and

WHEREAS, the Mayor has authority to waive the attorney-client privilege for matters within the powers and authority granted to the Mayor by the Charter of the City of Colorado Springs, and City Council has authority to waive the attorney-client privilege for matters within the powers and authority granted to City Council by the Charter of the City of Colorado Springs; and

WHEREAS, City Council, acting as the Board of Directors for Colorado Springs Utilities, received confidential legal advice relating to the former Colorado Springs Utilities' Chief Financial Officer; and

WHEREAS, City Council, as a constituent representative of the City, a municipal entity, wishes to assert its privilege to the confidential legal advice related to the former Colorado Springs Utilities' Chief Financial Officer.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF COLORADO SPRINGS:**

Section 1. City Council hereby declares that any legal advice related to Colorado Springs Utilities' former Chief Financial Officer is protected by the attorney-client privilege and the City of Colorado Springs has not waived the attorney-client privilege on any confidential communications related to this matter.

Dated at Colorado Springs, Colorado, this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
Council President

ATTEST:

\_\_\_\_\_  
Sarah B. Johnson, City Clerk