

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
COLORADO SPRINGS CONCERNING THE RETENTION OF
OTHER COUNSEL

WHEREAS, pursuant to City Charter § 13-80, the City Attorney has certain defined responsibilities, including the duty to act as legal advisor to the Mayor, Council, Commissions, and Heads of Departments, in relation to their duties arising in the conduct of City business; and

WHEREAS, the City Attorney's legal advisory role is consistent with the Colorado Rules of Professional Conduct; and

WHEREAS, under the Colorado Rules of Professional conduct the City Attorney is required "to exercise independent professional judgment and render candid advice," see C.R.P.C. 2.1; and

WHEREAS, in providing independent professional advice, the City Attorney is not required to advocate the particular viewpoint of any constituent entity of the City; and

WHEREAS, pursuant to City Charter § 13-90(b), City Council may employ other counsel to assist the City Attorney when City Council has requested the assistance and the City Attorney concurs that such assistance is necessary; and

WHEREAS, the City Council wishes to affirm its authority to employ other counsel to assist the City Attorney in accord with City Charter § 13-90(b).

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

Section 1. City Council authorizes the City Attorney to employ other counsel to assist the City Attorney when requested by the City Council relating to the Council's legislative authority as it relates to the conduct of City business.

Section 2. Funds sufficient to retain other counsel pursuant to the authorization contained in this Resolution and City Charter § 13-90(b) shall be identified in the City Council budget prior to the City Attorney's execution of a retention agreement.

Section 3. Other counsel retained pursuant to the authorization contained in this Resolution and City Charter § 13-90(b) shall provide assistance as directed by the City Attorney as requested by City Council. At the

conclusion of the retention agreement, the City Attorney will provide any resulting work product to the City Council.

DATED at Colorado Springs, Colorado, this ___ day of _____, 2014.

Keith King, Council President

ATTEST

Sarah B. Johnson, City Clerk