



Legislation Details (With Text)

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Title: Appointment of Outside Counsel and a Secretary to Serve the Colorado Springs Independent Ethics Commission pursuant to City Code § 1.3.103(G).

Presenter:
Office of the City Attorney

Sponsors:

Indexes:

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
2/13/2024	1	City Council	approved	Pass

Appointment of Outside Counsel and a Secretary to Serve the Colorado Springs Independent Ethics Commission pursuant to City Code § 1.3.103(G).

Presenter:
Office of the City Attorney

Summary:
If an ethics complaint is filed against the City Attorney, the City Attorney’s Office is conflicted from acting as the legal advisor and, pursuant to the City Code, City Council has discretion to appoint an outside attorney to serve as the legal advisor to the Colorado Springs Independent Ethics Commission (“Commission”) and to appoint a Secretary to serve the Commission on the complaint. Two ethics complaints were filed regarding the same subject matter and the City Attorney was named in one of the complaints.

Background:
Pursuant to City Code § 1.1.103(G) of the City Code of Ethics, if a complaint is filed with the Commission against the City Attorney, the City Attorney’s Office is conflicted from acting as the legal advisor and City Council has discretion to appoint an outside attorney to serve as the legal advisor to the Commission and a City employee not within the Office of the City Attorney to serve as Secretary to the Commission for their consideration of the complaint against the City Attorney. Currently, a member of the City Attorney’s Office serves as the Secretary to the Commission and is responsible for scheduling the meetings of the Commission and producing minutes of any meetings the Commission conducts. Two ethics complaints were filed regarding the same subject matter; one of those complaints is against the City Attorney.

Previous Council Action:
On November 27, 2024, in open executive session, City Council authorized the City Attorney to issue a Request for Proposals (“RFP”) to retain outside counsel to advise the Commission on two related ethics

complaints. The City conducted a RFP process pursuant to City Council's authorization. City Councilmembers were individually provided copies of the RFP and the sole qualified response received from Jane Feldman, Esq.

Financial Implications:

The cost of retaining outside counsel.

City Council Appointed Board/Commission/Committee Recommendation:

N/A

Stakeholder Process:

N/A

Alternatives:

Do not appoint outside counsel to advise the Commission on the two complaints and/or do not appoint Carlene Thompson to serve as the Secretary for those complaints.

Proposed Motion:

Motion to exercise Council discretion to appoint Jane Feldman, Esq. to serve as the legal advisor to the Colorado Springs Independent Ethics Commission on two related ethics complaints, one of which names the City Attorney as the subject of the complaint, and to appoint Carlene Thompson to serve as the Secretary to the Commission for the two complaints. Council further exercises its discretion and authorizes the City to execute a standard Retention Agreement with Attorney Feldman for this service and to provide a fully executed copy to the City Council President.

N/A