**RESOLUTION NO. 2014-05**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAFAYETTE, COLORADO, APPOINTING SPECIAL COUNSEL TO PROVIDE LEGAL REPRESENTATION TO THE CITY WITH RESPECT TO THE COLORADO OIL AND GAS ASSOCIATION LAWSUIT, AND SETTING THE RATE OF COMPENSATION THEREFOR**

WHEREAS, Section 4.9 of the City's Charter provides that City Council may employ special legal counsel; and

WHEREAS, the Colorado Oil and Gas Association (COGA) has initiated a lawsuit against the City regarding a recently approved charter amendment (Section 2.3 of the Charter) entitled "Community Bill of Rights and Obligations" (the Charter Amendment"); and

WHEREAS, City Council wishes to retain special legal counsel to represent the City in the lawsuit and to set compensation for such counsel as required by Section 4.10 of the Charter.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City ofLafayette, Colorado as follows:

Jonathan M. Abramson of the firm of Kissinger & Fellman, P.C., is appointed to serve as special counsel to provide legal representation to the City with respect to COGA's lawsuit challenging the validity and enforceability of the Charter Amendment. The rate of compensation for such special counsel is established at between $150 and $195 per hour in accordance with the Representation Agreement that is attached hereto and made a part of this resolution. The Mayor is authorized to execute the Representation Agreement on behalf of the City.

RESOLVED AND PASSED THIS 7TH DAY OF JANUARY, 2014.

**CITY OF LAFAYETTE, COLORADO**

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Christine Berg, Mayor

**ATTEST**:

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Susan Koster, CMC
City Clerk

**APPROVED AS TO FORM:**

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David S. Williamson, City Attorney