

1
2
3
4
5
6
7
8
9
0
1
2
3
4
5
6
7
8
9
0
1
2
3
4
5
6
7
8
9

2
3
4
5
6

7 **INTRODUCED BY COUNCILMEMBERS: VALDES & DRISCOLL**

9 AN ORDINANCE OF THE CITY OF LITTLETON,
0 COLORADO, AMENDING CITY CHARTER SECTIONS 54,
1 55 AND 57 AND DELETING SECTION 56 REGARDING
2 CITY ATTORNEY

4 **WHEREAS**, the city attorney is appointed by council and the provisions for such
5 appointment are contained in the city charter, and;

7 **WHEREAS**, the provisions pertaining to the city attorney should reflect the
8 requirements for eligibility to be admitted to the practice of law and the appointment of special
9 legal counsel, and;

1 **WHEREAS**, the provisions pertaining to duties of the city attorney are more
2 appropriately contained in a single section of the charter:

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF
THE CITY OF LITTLETON, COLORADO, THAT:**

7 **Section 1:** Section 54, 55 and 57 of the city charter are hereby amended and
8 section 56 is deleted as follows:

0 Sec. 54. Appointment; EVALUATION.

1 A. The Council shall appoint a City Attorney who shall be the legal representative
2 of the City and who shall advise the Council and City officials in matters relating
3 to their official powers and duties. The City Attorney shall be an attorney at law
4 ELIGIBLE TO BE admitted to practice in Colorado ~~and have a minimum of two~~
5 ~~years of legal experience.~~ The Council may provide the City Attorney with such
6 assistants as the Council may deem necessary. ~~All attorneys who reside or maintain~~
7 ~~offices in the City shall be given first consideration for appointment.~~ COUNCIL
8 SHALL ESTABLISH COMPENSATION FOR THE CITY ATTORNEY.
9 COMPENSATION FOR SPECIAL COUNSEL SHALL BE ESTABLISHED
0 THROUGH THE ANNUAL BUDGET PROCESS.

~~The Council shall establish compensation for the City Attorney, his or her assistants and special counsel. THE COUNCIL SHALL EVALUATE THE CITY~~

1 ATTORNEY NOT LESS THAN ANNUALLY. The City Attorney shall serve at
2 the pleasure of the Council.

3 Sec. 55. Duties.

4 The City Attorney or the DEPUTY CITY ATTORNEY shall:

5 A. Represent the City in all legal proceedings; and

6 B. Supervise the drafting of all ordinances and other legal documents.

7 C. Settle claims against the City AS AUTHORIZED BY THE COUNCIL OR
8 PURSUANT TO AUTHORITY GRANTED BY THE COUNCIL WHO and may
9 make appropriations therefor.

10 D. When directed by the Council, the City Attorney AND THE DEPUTY CITY
11 ATTORNEY shall institute or defend any suit, action or proceeding on behalf of
12 the City or any of its agencies.

13 He or she shall attend all Council meetings and shall perform all services
14 INCIDENT TO THE POSITION OR AS MAY BE required by the Council, this
15 Charter or the ordinances of the City. ~~The Council may authorize the City Attorney~~
16 ~~to settle claims against the City and may make appropriations therefor.~~

17 Sec. 56. ~~Suits Reserved.~~

18 ~~When directed by the Council, the City Attorney shall institute or defend any suit,~~
19 ~~action or proceeding on behalf of the City or any of its agencies. (July 28, 1959;~~
20 ~~Amended, Election of 11-3-2015)~~

21 Sec. 57. Special Counsel.

22 COUNCIL MAY ON ITS OWN MOTION OR UPON REQUEST OF THE
23 CITY ATTORNEY AS DETERMINED TO BE APPROPRIATE, EMPLOY
24 SPECIAL COUNSEL TO SERVE UNDER THE DIRECTION OF THE CITY
25 ATTORNEY IN SPECIAL CASES to take charge of any litigation or to assist the
26 City Attorney. ~~the Council may also employ other counsel whose compensation~~
27 ~~shall be fixed by the Council at the time of employment.~~

28 **Section 2:** Severability. If any part, section, subsection, sentence, clause or

1 phrase of this ordinance is for any reason held to be invalid, such invalidity shall not affect the
2 validity of the remaining sections of this ordinance. The City Council hereby declares that it
3 would have passed this ordinance, including each part, section, subsection, sentence, clause or
4 phrase hereof, irrespective of the fact that one or more parts, sections, subsections, sentences,
5 clauses or phrases may be declared invalid.

6
7 **Section 3:** Repealer. All ordinances or resolutions, or parts thereof, in
8 conflict with this ordinance are hereby repealed, provided that this repealer shall not repeal the
9 repealer clauses of such ordinance nor revive any ordinance thereby.

10
11
12 INTRODUCED AS A BILL at a regularly scheduled meeting of the City Council
13 of the City of Littleton on the 17th day of July, 2018, passed on first reading by a vote of 6 FOR
14 and 0 AGAINST; and ordered published by posting at Littleton Center, Bemis Library, the
15 Municipal Courthouse and on the City of Littleton Website.

16 PUBLIC HEARING on the Ordinance to take place on the 7th day of August,
17 2018, in the Council Chamber, Littleton Center, 2255 West Berry Avenue, Littleton, Colorado,
18 at the hour of 7:00 p.m., or as soon thereafter as it may be heard.

19 PASSED on second and final reading, following public hearing, by a vote of _____ FOR
20 and _____ AGAINST on the 7th day of August, 2018 and ordered published by posting at
21 Littleton Center, Bemis Library, the Municipal Courthouse and on the City of Littleton Website.

22 ATTEST:

23 _____
24 Wendy Heffner
25 CITY CLERK

Debbie Brinkman
MAYOR

26
27 _____
28 Lena McClelland
29 ASSISTANT CITY ATTORNEY
30
31