

RESOLUTION NO. 1696

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GOLDEN AUTHORIZING THE HIRING OF A SPECIAL COUNSEL TO DRAFT AND RECOMMEND AMENDMENTS TO SECTION 2.32.130 OF THE GOLDEN MUNICIPAL CODE PERTAINING TO ETHICS ENFORCEMENT

WHEREAS, Section 9.1 of the Home Rule Charter authorizes City Council to appoint special counsel; and

WHEREAS, Section 2.32.130 of the Golden Municipal Code addresses enforcement provisions of the City's "Code of Ethics" encompassed within Chapter 2.32 of the Golden Municipal Code; and

WHEREAS, recent complaints filed by a citizen against current and former City Council members, the City Attorney and the City Manager pursuant to Section 2.32.130 of the Golden Municipal Code brought to light certain internal ambiguities within the various subsections of Section 2.32.130; and

WHEREAS, by Resolution No. 1665, City Council authorized the hiring of a special counsel to review the enforcement provisions of Chapter 2.32 and provide guidance to City Council with respect to that section; and

WHEREAS, City Council wishes to consider clarification of the provisions of the enforcement section of Chapter 2.32 of the Golden Municipal Code to avoid any ambiguities between the various subsections in the Code; and

WHEREAS, City Council wishes to retain the ability of interested citizens to legitimately challenge alleged ethics violations by public officials; and

WHEREAS, City Council also wishes to provide for an enforcement procedure that avoids expenditure of public funds by reason of the filing of trivial, groundless, unsubstantiated or frivolous complaints; and


WHEREAS, it is necessary to secure the services of special counsel to recommend changes to Section 2.32.130 to avoid any association with the pending complaint that has been asserted against the City Attorney; and

WHEREAS, City Council now wishes to appoint special counsel for the purpose of drafting and recommending changes to Section 2.32.130 of the Golden Municipal Code consistent with the stated objectives, and to establish compensation for such special counsel.

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

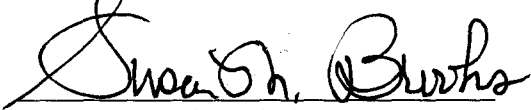
As provided by Section 9.1 of the City of Golden's Home Rule Charter, Council does hereby appoint Gerald A. Dahl of Murray, Dahl, Kuechenmeister & Renaud, LLP., as special counsel for the purpose of drafting and recommending to City Council changes to Section 2.32.130 of the Golden Municipal Code, consistent with the objectives as stated above. Compensation for such special counsel shall be at the rate of \$200.00 per hour, but not to exceed \$1,000.00 in the aggregate for the purposes of this appointment.

Adopted this 27th day of July, 2006.



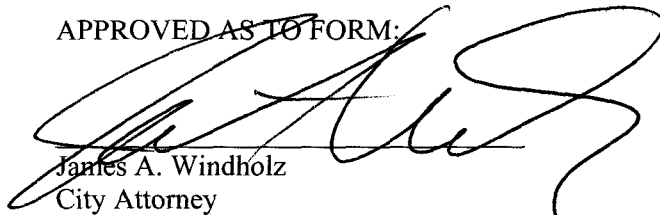
Charles J. Baroch
Mayor

ATTEST:



Susan M. Brooks, MMC
City Clerk

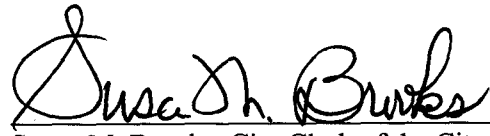
APPROVED AS TO FORM:



James A. Windholz
City Attorney

I, Susan M. Brooks, City Clerk of the City of Golden, Colorado, do hereby certify that the foregoing is a true copy of a certain Resolution adopted by the City Council of the City of Golden, Colorado at a regular meeting thereof held on the 27th day of July, A.D., 2006.

(SEAL)

ATTEST: 

Susan M. Brooks, City Clerk of the City of
Golden, Colorado