

RESOLUTION NO. 1867

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GOLDEN, COLORADO, APPOINTING SPECIAL COUNSEL TO ASSIST IN THE NEGOTIATION OF A FRANCHISE WITH THE PUBLIC SERVICE COMPANY/XCEL ENERGY, AND SETTING THE RATE OF COMPENSATION THEREFOR

WHEREAS, Section 9.1 of the City's Charter provides that City Council may employ special counsel to serve under the direction of the City Attorney in special cases; and

WHEREAS, the City's franchise with the Public Service Company of Colorado pertaining to the sale and distribution of natural gas and electricity is set to expire on December 31, 2008; and

WHEREAS, a successor franchise will require approval of the citizens of Golden at the November, 2008, election; and

WHEREAS, City Council wishes to retain specialized legal services to assist in the negotiation and finalization of a successor franchise and to set compensation for such special counsel as required by Section 9.1 of the Charter.

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

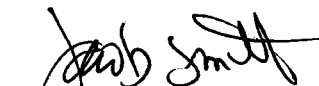
Susan Perkins of the Perkins Ruschena, LLC, is appointed to serve as special counsel to the City to assist in the negotiation and finalization of a franchise to succeed the existing Public Service Company franchise that is set to expire at the end of 2008. The rate of compensation for such special counsel is established as \$225.00 per hour, in accordance with the engagement letter which is attached hereto and made a part of this resolution.

Adopted this 8th day of May, 2008.





Susan M. Brooks, MMC
City Clerk



Jacob Smith
Mayor

APPROVED AS TO FORM:



David S. Williamson
Acting 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 rescheduled regular business meeting thereof held on the 8th day of May, A.D., 2008.



ATTEST:

A handwritten signature in black ink, appearing to read "Susan M. Brooks", written over a horizontal line.

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

SUSAN L. PERKINS
MANAGING MEMBER



PERKINS RUSCHENA, LLC
ATTORNEYS AT LAW

May 2, 2008

Mr. Dave Williamson
City Attorney, Golden, Colorado
Williamson and Hayashi Law
1650 385h Street, Suite 103W
Boulder, CO 80301

Re: Legal Services Agreement

Dear Mr. Williamson:

Thank you for contacting me regarding the provision of legal services to the City of Golden. My law firm, Perkins Ruschena, LLC, is currently a sole member law firm that employs one paralegal, Anduin Suchan, and has its office in the Denver Tech Center. I believe that my extensive knowledge and experience as an energy law attorney and business executive, as well as my recent participation in similar negotiations on behalf of another municipal entity, uniquely qualify my firm to competently represent the City of Golden in its upcoming franchise negotiations. In that regard, you have asked for specific information on the pricing for our services.

The regular hourly rate charged by Susan Perkins is \$275/hour. For this project, the Firm proposes to bill Susan Perkins' time at a reduced rate of \$225/hour. Paralegal rates are \$65/hour. Hourly rates will not be increased during this project. The Firm charges \$0.20 per photocopy and telecopy, and actual charges for postage, overnight delivery, long distance calling, etc. One-half of our hourly rate is charged for time in transit.

I will follow this letter with an updated *curriculum vitae* which describes my experience in greater detail. I am also happy to engage in discussions to produce a scope of work. Please let me know if I may provide any further information.

Very truly yours,

PERKINS RUSCHENA, LLC

By:

A handwritten signature in black ink, appearing to read "Susan Perkins", written over a horizontal line.

Susan L. Perkins, Managing Member