

RESOLUTION NO. 2102

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GOLDEN ESTABLISHING THE RATE OF COMPENSATION FOR BERG, HILL, GREENLEAF AND RUSCITTI, SPECIAL COUNSEL FOR CERTAIN SALES AND USE TAX LITIGATION MATTERS**

WHEREAS, Section 9.1 of the City's Charter provides that City Council shall appoint and establish the compensation for special counsel; and

WHEREAS, in early 2008, the City appointed Thomas Merrigan of Berg, Hill, Greenleaf and Ruscitti, to serve as special counsel for matters concerning the sales and use tax litigation with IBM and XCEL; and

WHEREAS, Berg, Hill, Greenleaf and Ruscitti's rate of compensation has not been increased.

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

The compensation for Berg, Hill, Greenleaf and Ruscitti, special counsel for sales and use tax litigation shall be established as set forth in the December 27, 2010, letter from Thomas Merrigan (\$225 per hour for partners and \$200 per hour for associates), which letter is attached hereto and made a part of this resolution.

Adopted the 13<sup>th</sup> day of January, 2011.



ATTEST:

A handwritten signature in cursive script, reading "Susan M. Brooks".

Susan M. Brooks, MMC  
City Clerk

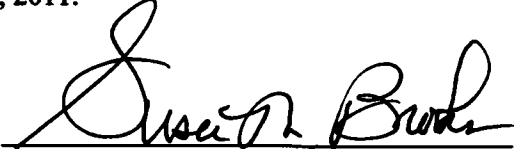
A handwritten signature in cursive script, reading "Jacob Smith".  
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Jacob Smith  
Mayor

APPROVED AS TO FORM:

A handwritten signature in cursive script, reading "Mary Lynn Benham".  
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David S. Williamson / Mary Lynn Benham  
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 business meeting thereof held on the 13th day of January, A.D., 2011.



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