

ORDINANCE NO. 026, 2014
OF THE COUNCIL OF THE CITY OF FORT COLLINS
AMENDING SUBSECTION 2-31(A)(2) OF THE CODE OF THE
CITY OF FORT COLLINS, PERTAINING TO EXECUTIVE SESSIONS HELD
FOR THE PURPOSE OF MEETING WITH ATTORNEYS FOR THE CITY

WHEREAS, the City is a home rule municipality established under Article XX, Section 6 of the Colorado Constitution and, as such, the City has its own set of laws governing the conduct of meetings held by its local officials; and

WHEREAS, Article II, Section 11 of the City Charter states that the City Council, during the course of a regular or special meeting, may go into executive session; and

WHEREAS, because executive sessions are closed to the public, they may only be held for the purposes specified in Article II, Section 11 of the Charter; and

WHEREAS, one of the purposes for which an executive session may be held under the Charter is the purpose of consulting with attorneys representing the City regarding specific legal questions involving litigation or potential litigation and/or the manner in which particular policies, practices or regulations of the City may be affected by existing or proposed provisions of federal, state or local law; and

WHEREAS, Section 2-31 of the City Code reiterates the purposes for which executive sessions may be held; and

WHEREAS, Subsection 2-31(a)(2), which deals with executive sessions pertaining to legal matters, authorizes "meetings with the City Attorney or other attorneys representing the City regarding litigation or potential litigation involving the City" without limiting such discussions to "specific legal questions"; and

WHEREAS, because the language in Subsection 2-31(a)(2) might be construed as being in conflict with the City Charter, and because the City Charter is the organic law of the City and supersedes any conflicting provisions of the City Code, the City Attorney has recommended to the City Council that the wording of Code Section 2-31(a)(2) be amended to clarify that executive session consultations with attorneys for the City regarding litigation or potential litigation must be limited to the discussion of specific legal questions; and

WHEREAS, the City Council agrees with this recommendation.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FORT COLLINS that Section 2-31(a)(2) of the Code of the City of Fort Collins is hereby amended to read as follows:

(2) Meetings with the City Attorney or other attorneys representing the City regarding specific legal questions related to litigation or potential litigation involving the

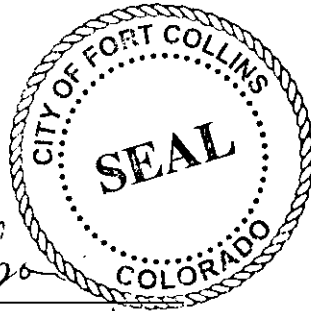
City and/or the manner in which particular policies, practices or regulations of the City may be affected by existing or proposed provisions of federal, state or local law.

Introduced, considered favorably on first reading, and ordered published this 18th day of February, A.D. 2014, and to be presented for final passage on the 4th day of March, A.D. 2014.

ATTEST:

Wanda Nelson

City Clerk



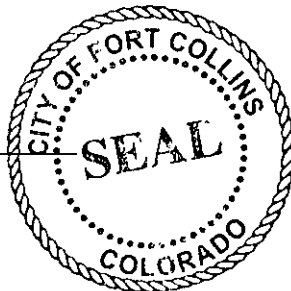
Karen Weidenst
Mayor

Passed and adopted on final reading on the 4th day of March, A.D. 2014.

ATTEST:

Wanda Nelson

City Clerk



Karen Weidenst
Mayor