

CITY OF ALAMEDA RESOLUTION NO. 13893

EMPOWERING CITY ATTORNEY
TO EMPLOY SPECIAL LEGAL COUNSEL

WHEREAS, the City Attorney is the legal advisor to the City Council pursuant to the City Charter; and

WHEREAS, Charter Section 8-5 provides that the City Council may empower the City Attorney, upon request, to employ special legal counsel; and

WHEREAS, at regular City Council meetings during June and July 2005, the City Council reviewed its past procedures regarding any specific Council action to empower the City Attorney to employ special legal counsel for both consistency with Charter requirements and for consistency of procedures with other legislation bodies within the City for which the City Attorney acts as General Counsel and determined a need to memorialize a consistent empowerment procedure; and

WHEREAS, this Resolution provides the parameters for City Council empowerment of the City Attorney to employ special legal counsel pursuant to Charter Section 8-5.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ALAMEDA THAT:

1. The Council of the City of Alameda hereby empowers the City Attorney to employ special legal counsel, pursuant to Charter Section 8-5 unless any of the following occur:

- a) Estimated legal fees to exceed \$35,000, or
- b) Litigation involves policy questions, or
- c) Litigation has significant ramifications for the City, or
- d) If requested by the Council, or
- e) Litigation is to be initiated by the City.

If any of the above criteria is present, the City Attorney must seek City Council empowerment to employ special legal counsel as soon as practical. In the interim, outside counsel retention is limited to the amount necessary to provide preliminary analysis and assistance.

2. City Attorney's settlement authority is limited to \$15,000 for all matters; settlement proposals exceeding \$15,000 must be approved by City Council.

3. The City Attorney is to comply with City Council Policy Regarding Procedures for Hiring of Special Legal Counsel.

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Approved as to Form
CITY ATTORNEY

I, the undersigned, hereby certify that the foregoing Resolution was duly and regularly adopted and passed by the Council of the City of Alameda in the regular meeting of the City Council on the 6th day of September, 2005, by the following vote to wit:

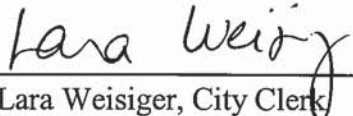
AYES: Councilmembers Daysog, deHaan, Gilmore, Matarrese and Mayor Johnson – 5.

NOES: None.

ABSENT: None.

ABSTENTIONS: None.

IN WITNESS, WHEREOF, I have hereunto set my hand and affixed the official seal of said City this 7th day of September, 2005.



Lara Weisiger, City Clerk
City of Alameda