

**AGENDA
OURAY CITY COUNCIL**

Thursday, February 12, 2026 - 9:00 AM

**Ouray Community Center
320 6th Ave
Ouray, CO 81427**

VIRTUAL OPTION - <https://zoom.us/j/9349389230>

Meeting ID: 934 938 9230 Passcode: 491878 Or dial: 408 638 0968 or 669 900 6833

Ouray City Council Special Meeting

- Changes to this agenda can be found on the bulletin board at City Hall
- Electronic copies of the Council Packet are available on the City website at www.cityofouray.com. A hard copy of the Packet is also available at the Administrative Office for interested citizens.
- Notice is hereby given that a majority or quorum of the Planning Commission, Ouray Economic Development Committee, Beautification Committee, Tourism Advisory Committee, Main Streets Committee, and/or Parks and Recreation Committee may be present at the above noticed City Council meeting to discuss any or all of the matters on the agenda below for Council consideration

1. CALL TO ORDER
2. ROLL CALL
3. Resolution 14, Series 2022 - Remote Participation Policy for Council Members
 - a. Consideration of a Request from Councilor Dave Doherty to Participate in this Meeting Remotely
4. PLEDGE OF ALLEGIANCE
5. ATTORNEY INTERVIEWS
 - a. 9:00 AM - Wilson Williams Fellman Dittman
 - b. 10:00 AM - Wyatt Hamilton Findlay
 - c. 11:00 AM - Karp Neu Hanlon
6. ADJOURNMENT



P.O. Box 468
320 6th Avenue
Ouray, CO 81427
(970) 325-7211

**CITY OF OURAY, COLORADO
REQUEST FOR PROPOSALS FOR
CITY ATTORNEY SERVICES**

I. INTRODUCTION

The City Council of the City of Ouray invites interested law firms with a minimum of five (5) years of Colorado municipal legal experience to submit written proposals to provide contract City Attorney services for the City. As City Attorney, the selected law firm will be expected to provide a wide range of legal services to the City and the City Council, providing analysis, strategy, and legal advice to protect the City against liability and to accomplish desired policy objectives. The Council is looking for broad municipal legal skills and services, including but not limited to:

- Home Rule Cities
- Contracts and Intergovernmental Agreements
- Land Use and Entitlements
- Personnel Issues
- Public Safety
- Risk Management
- Municipal Tax Law

The City Attorney is selected by the City Council and works closely with the Administrator and other City staff.

II. TIME SCHEDULE

Issue RFP	December 31, 2025
Deadline to Submit Proposals	January 30, 2026
Interviews with Staff and City Council	February 2-12, 2026
Follow-up Interviews	February 16-19, 2026
Contract Approval	March 2, 2026

III. BACKGROUND

The City of Ouray is located in Ouray County and lies just to the south of Ridgway and to the east of Telluride. The incorporated area includes approximately 0.8 square miles and the current population is approximately 1,000.

Incorporated in 1876, the City of Ouray became a Colorado Home Rule Municipality in 2009. The City operates as a Council-Administrator form of government where Council sets the City policy and the City Administrator is responsible for City operations. Like the City Administrator, the City Attorney is appointed by, and serves at the pleasure of, the City Council.

The City Council consists of five members, including the Mayor, elected in nonpartisan elections. Each member serves a staggered four-year term except for the Mayor, who serves a two-year term.

The City provides a full range of services including parks and recreation, water, sewer, and other public infrastructure, planning, building permits and inspections, financial management, police, volunteer fire department and tourism.

The City operates with a workforce of 80-110FT/PT employees (depending on season) and a 2026 overall budget of approximately \$15 million across all funds.

IV. GENERAL SUBMITTAL INFORMATION

To be considered, **an electronic copy** of a proposal must be received by 4:00 p.m. on January 30, 2026 to mmetteer@cityofouray.com. The City reserves the right to reject any or all proposals submitted.

There is no expressed or implied obligation for the City to reimburse responding firms for any expenses incurred in preparing proposals in response to this request. During the evaluation process the City reserves the right, where it may serve the City's best interest, to request additional information or clarifications from the Proposer, or to allow corrections of errors or omissions.

The City reserves the right to retain all proposals submitted and to use any ideas in a proposal regardless of whether that proposal is selected. Submission of a proposal indicates acceptance by the firm of the conditions contained in this Request for Proposal unless clearly and specifically noted in the proposal submitted and confirmed in the contract between the City and the firm selected.

CONTACT:

Michelle Metteer
City Administrator
City of Ouray
PO Box 468
Ouray, CO 81427
(970) 325-5015

Email an electronic copy to:
mmetteer@cityofouray.com

**PROPOSALS MUST BE ELECTRONICALLY RECEIVED BY THE CITY PRIOR TO
JANUARY 30, 2026 AT 4:00 PM IN ORDER TO BE CONSIDERED.**

V. SUBMITTAL REQUIREMENTS

A. Cover Letter

Proposals must be accompanied by a cover letter, and signed by an individual authorized to bind the proposing entity. The cover letter should include an introduction of the firm and statement of professional qualifications.

B. General Company Data

Please submit the following information:

1. Official name and address.
2. Name, address, and telephone number of the Proposer's point of contact.
3. Indicate the type of entity (corporation, partnership, sole proprietorship).
4. Federal Employer Identification Number.

C. Specific Company Information

The proposal must provide specific and succinct answers to all questions and requests for information. Indirect, imprecise, or incomplete responses can serve only to the disadvantage of the applicant. Submission of individual resumes is optional and encouraged; however, they will not be considered responsive to any specific questions. Whether or not the services are provided by a firm or individual, the City desires that services be provided mostly through one individual, that the individual be the City's primary contact, and that the individual be the one to attend most meetings. The City also anticipates that individual will be designated as City Attorney.

1. Please describe the nature of your law firm's practice and qualifications for providing attorney services for the City of Ouray. Please provide a professional chronology of the individual who will be designated to serve as City Attorney and others who you anticipate will be involved in providing legal services to the City of Ouray.
2. For a person whom you propose to designate as City Attorney, and for each person proposed as deputy or backup, please provide the following:
 - Legal training and years of practice (including admission date to the Colorado Bar). Years of municipal and other local public sector law practices as a full-time local government attorney and/or in a private law office specializing in local government.
 - Knowledge of and experience with Colorado municipal law, home rule cities, and other public sector experience.
 - Types of clientele represented and length of representation time.
 - Experience in the preparation and review of ordinances and resolutions.
 - Experience working with other levels of government, including state agencies, counties and special districts; and, experience in the preparation and negotiation of agreements with those entities including, but not limited to, intergovernmental agreements (IGAs) and memoranda of understanding (MOUs)
 - Knowledge and practice of law relating to annexation, local land use planning, zoning, subdivision regulations, urban renewal, vested rights, and other related planning laws.
 - Experience relating to the interpretation of home rule charters and the scope and limitation of home rule powers.

- Experience in the area of construction contracts, consultant contracts, service contracts, purchase contracts, eminent domain, right of way, franchise agreements, easements, encroachments, and other public works related issues.
 - Experience in the area of public safety and risk management services.
 - Experience in the area of personnel, disability law rights and obligations, workers' compensation, employee relations and negotiations, and employee discrimination claims.
 - Experience in Colorado municipal tax law, sales/use and other excise taxes.
 - Experience in the area of Colorado Open Records Act (CORA), Colorado Criminal Justice Records Act (CCJRA), Colorado elections laws and the Municipal Election Code.
 - If the firm/individual, or any of the attorneys employed by the firm have ever been sued by cities or other clients for malpractice, been the subject of complaints filed with the State Bar, or had discipline imposed by the State Bar, please provide information on the nature of the incident, the dates on which the matter began and was concluded, and the results.
 - Intended office location and accessibility to the City.
3. Describe the staffing of your office, including all permanent and temporary employees and their general duties and work schedules. Include any staffing changes you would propose should you be awarded the contract to provide attorney services for the City.
 4. Outline how many hours per week on average it will take to accommodate the City's need for contract attorney services. Please include all time necessary for Council meetings, special meetings, and occasional commission meetings.
 5. Define the standard time frames for response by the City Attorney to direction and/or inquiry from the City Council, City Administrator, or City Staff.
 6. Describe the systems or mechanisms that would be established for timely reporting of the status of projects, requests, and litigation.
 7. Describe how you or your firm will use technology to communicate and provide City Attorney services to the City of Ouray, including the sharing and transfer of electronic files.

D. Current Clients/Conflicts of Interest

1. Please list all current and former clients known to the Firm having a substantial property or business interest in the City of Ouray during the past three (3) years. Please identify any foreseeable or potential conflicts of interest that could result from such representation and the manner in which you would propose to resolve such conflicts.
2. Please list all public entity clients for whom you or your firm currently provides services either under a fee for services or a retainer basis. Please identify any foreseeable or potential conflicts of interest that could result from such representation and the manner in which you would propose to resolve such conflicts.

3. For the person to be designated as City Attorney, please list all municipal or other public sector clients that person presently represents as city/town attorney or general counsel. Please list the meeting dates and times for the city/town council or governing body of these clients. Please describe how you would handle any conflicts in meeting dates/times between these clients and the City of Ouray.

E. Compensation and Reimbursement

Please describe how the firm/individual intends to provide legal services, either on a flat-rate monthly (state the amount of the requested retainer), or on a different basis. Basic services, for the purpose of this proposal, shall include those legal services generally understood within the field of municipal law to fall within the category of “general counsel” work, and shall include, but not necessarily be limited to, the following:

- Reviewing and preparing staff reports, ordinances, resolutions, agreements, deeds, leases, easements, and other routine City documents;
- Reviewing and advising City staff on land use issues and applications;
- Advising on liquor, short-term rental and other licensing matters;
- Attending regular and special meetings and work sessions of the City Council and commission meetings and staff meetings as requested and scheduled, electronically or in-person;
- Enforcing and providing legal advice regarding enforcement of City ordinances through administrative or judicial proceedings;
- Legal work pertaining to property acquisition (excluding eminent domain) and disposal, right-of-way vacations and other issues, easements, construction, and maintenance of public improvements and other real property matters;
- Monitoring and advising the City of new legislation and court decisions affecting municipalities;
- Providing legal advice on personnel matters in all aspects of employment law;
- Providing legal advice, training, and support to City Council, City administrative personnel, City departments, and commissions;
- Representing the City in litigation matters as plaintiff or defendant; and
- Coordinating outside legal counsel services on behalf of the City.

Please define what type of work you would consider to be extra or specialized work which would be billed in addition to basic services. Also, state the hourly rates for the designated City Attorney and associates for such specialized services.

If hourly rate billing is preferred, please state the hourly rates for the designated City Attorney and associates for general work and for special services, such as litigation, if such services will be billed at a different hourly rate.

Please define the type and unit rates for reimbursement for expenses such as mileage, reproduction of documents, faxed documents, and word processing charges.

F. Professional References

Please provide three (3) professional references from persons and/or entities within Colorado for whom the Proposer has provided services similar to those services requested in this RFP within the last five (5) years. Include the name of the entity, name of contact person, telephone number of contact person and description of services provided.

VI. EVALUATION AND SELECTION PROCESS

Proposals will be screened by the City Administrator and a panel appointed by the City Administrator and top candidates will be identified. The qualifications of the top candidates will be verified and references will be checked. In reviewing the proposals, the City will carefully consider:

- Depth and breadth of experience and expertise in the practice of law, most specifically in those areas most often encountered in municipal government operations.
- Capability to perform legal services promptly and in a manner that permits the City Council and staff to meet established deadlines and to operate in an effective and efficient manner.
- Ability to attend City Council and other meetings as necessary.
- Degree of availability for quick response to inquiries that arise out of day-to-day operations, questions, or problems.
- Degree to which firm and individual attorneys stay current through continued professional development and active communication with practitioners in the municipal law field.
- Communication skills and ability to communicate.
- Cost of services.
- Other qualifications/criteria as deemed appropriate by the City Council.

The City Administrator will be the primary point of contact for all matters related to the contract. The contract will require that the law firm selected as City Attorney maintain professional liability (1,000,000 per claim), general liability (1,000,000 per occurrence), automobile liability (1,000,000 per accident), and workers' compensation. Insurance coverage must be provided by an insurance company(ies) authorized to do business in the State of Colorado and the policy will not be cancelled or materially changed without thirty (30) days prior notice in writing to the City of Ouray.

The successful firm or individual must agree, if awarded a contract as a result of its proposal, to indemnify and hold harmless the City of Ouray, its officers, agents, and employees from any and all claims and losses accruing or resulting to persons engaged in the work contemplated by its agents in the performance of the work. Prior to commencement of any work, those and other provisions will be established contractually.

The contract, to include but not be limited to duties and compensation, will be entered into with the successful firm and approved by the City Council. Legal services will begin upon approval of the contract and formal appointment of the contract position of City Attorney, who shall serve at the pleasure of the City Council. The City Council may terminate the appointment upon sixty days' notice with or without cause.

January 30, 2026

Michelle Metteer
City Administrator
City of Ouray
P.O. Box 468
Ouray, CO 81427
(970) 325-5015
mmetteer@cityofouray.com

Re: Response to Request for Proposals for City Attorney Services

Dear Ms. Metteer and Members of the City Council,

On behalf of Wilson Williams LLP d/b/a Wilson Williams Fellman Dittman (WWFD or Firm), I am pleased to submit this proposal in response to the City of Ouray's Request for Proposals for City Attorney Services. WWFD is a Colorado municipal law firm dedicated to representing local governments, and we would welcome the opportunity to serve as City Attorney to the City of Ouray.

WWFD brings deep experience advising Colorado home rule municipalities operating under a council-administrator form of government. We regularly partner with Cities' and Towns' elected officials, administrators, and staff to provide clear, timely, and practical legal guidance across the full range of municipal operations. We are focused on accessibility, sound judgment, and defensible decision-making, with a strong appreciation for the unique needs and constraints of smaller mountain communities. We also recognize the distinct operational and policy pressures facing resort and mountain communities, such as those in Colorado Association of Ski Towns (CAST), communities, where our familiarity and experience makes a difference.

For Ouray, we propose a team-based service model anchored by a single, consistent point of contact. I would serve as the designated City Attorney and primary contact for the City Council, City Administrator, and staff. I would be supported by a deep bench of municipal attorneys within the firm, allowing the City to benefit from broad subject-matter expertise while maintaining continuity, responsiveness, and cost efficiency. Our structure makes sure that routine matters receive prompt attention while more specialized issues are addressed by attorneys with targeted experience, without needing to hire another firm or outside counsel.

WWFD currently serves as designated City Attorney or Town Attorney for several Colorado municipalities and as special counsel to additional cities, towns, counties, and boards and commissions throughout the state. Our practice includes extensive experience in home rule authority, land use and development regulation, public infrastructure and utilities, personnel and employment matters, public safety, risk management, municipal taxation, elections, and open records. We regularly draft ordinances and resolutions, negotiate and review contracts and intergovernmental agreements, advise on licensing and enforcement matters, and support governing bodies through complex public processes and litigation.



We pride ourselves on being highly available and engaged counsel. Our attorneys attend city council, town board, planning commission, and advisory board meetings each week across the state, both in person and remotely. We are accustomed to responding quickly to day-to-day operational questions while also helping clients anticipate and manage longer-term legal and policy issues. Our goal is to function as an extension of City staff, providing dependable legal support that allows the City to operate efficiently and with confidence.

I appreciate the City of Ouray's thoughtful approach to selecting legal counsel, and we would be honored to support the City Council, Administrator, and staff in advancing the City's objectives while managing risk and maintaining compliance with applicable law. Thank you for your consideration of our proposal. We would welcome the opportunity to discuss our qualifications further and to participate in an interview at your convenience.

General Company Information

1. **Official Name and Address**
Wilson Williams LLP d/b/a Wilson Williams Fellman Dittman
1314 Main Street, Suite 101
Louisville, Colorado 80027
2. **Proposer Point of Contact**
Nina P. Williams, Managing Partner
Wilson Williams Fellman Dittman
1314 Main Street, Suite 101, Louisville, Colorado 80027
Main: (303) 376-8512
3. **Type of Entity**
Limited Liability Partnership (LLP)
4. **Federal Employer Identification Number (FEIN)**
86-2011034

Firm Practice and Qualifications

Wilson Williams Fellman Dittman is a Colorado local government law firm built to help communities solve day-to-day operational issues while advancing long-range policy goals through adopted, workable law. Our practice is focused on municipal representation and the full range of legal issues that arise in city and town operations. We serve as designated city or town attorney for several Colorado municipalities and regularly provide special counsel services to additional local governments, boards, and commissions throughout the state.

WWFD's work aligns directly with the City's stated needs. Our attorneys routinely advise home rule and statutory municipalities on governance, risk management, and liability avoidance while supporting practical, defensible decision-making. We work closely with city councils, administrators, department heads, planners, clerks, and commissions, and we are accustomed to supporting communities where staff wear many hats and timelines move quickly.

Our municipal practice includes, without limitation:

- **Home rule authority and governance.** Interpretation of charter provisions, council procedures, ethics and conflicts, public meetings compliance, and defensible decision-making frameworks.
- **Contracts and intergovernmental work.** Drafting and negotiating contracts, service agreements, professional services agreements, IGAs, MOUs, and related procurement and risk provisions.
- **Land use and entitlements.** Zoning and subdivision administration, quasi-judicial hearings, vested rights, development agreements, enforcement, short-term rental and licensing frameworks, and code amendments and comprehensive code updates.
- **Personnel and employment.** Day-to-day HR advising, accommodation and leave issues, disciplinary processes, employee relations, investigations support, and risk reduction in employment decisions.
- **Public safety and risk management.** Police legal advising, municipal court and prosecution support where applicable, enforcement strategy, and litigation risk assessment.
- **Municipal tax and revenue matters.** General advising on municipal revenue issues, including sales and use tax considerations and related compliance questions that arise in operations and agreements.
- **Open records, elections, and compliance.** CORA and CCJRA advising, public records process support, elections law and Municipal Election Code questions, and practical training and guidance for staff and elected officials.

Our service model is intentionally designed for cities like Ouray. WWFD provides a team approach with depth and redundancy, while still delivering the consistency and relationship that comes from designating one primary attorney as the City's point of contact and regular meeting attendee. That structure gives the City responsive access to the right level of attorney for the task, keeps routine matters efficient, and ensures continuity when urgent issues arise or scheduling conflicts occur.

The Firm is also highly meeting-oriented and process-focused. We routinely attend governing body and commission meetings across Colorado, both in person and remotely, and we prioritize clear, plain-language advice that staff and decision-makers can implement immediately. Our goal is to help the City operate confidently, manage risk thoughtfully, and accomplish policy objectives with defensible procedures and durable outcomes.

Designated City Attorney

Nina Williams will serve as the City's designated City Attorney and primary point of contact. Ms. Williams is Managing Partner of Wilson Williams Fellman Dittman and has practiced local government and land use law for nearly 20 years. She serves as designated City Attorney and Town Attorney for multiple Colorado municipalities and routinely advises councils, administrators, boards, and commissions on governance, ordinances and resolutions, land use and

development matters, contracts and intergovernmental agreements, real property issues, personnel questions, open records, and risk management. Ms. Williams is also a frequent municipal law speaker and trainer statewide and teaches a graduate-level course at the University of Colorado Denver focused on planning, zoning, and housing implementation.

Professional Chronology and Qualifications

Ms. Williams earned her J.D. from St. John's University School of Law ('06) and began her legal career in New York, including service as a principal law clerk for the New York State Supreme Court, where her work included election law, open records, real estate, and Rule 106-like appeals. She later practiced in private land use and development representation, advising applicants and private developers through all phases of the planning and development process, including proceedings before governing bodies, planning commissions, and zoning boards.

After relocating to Colorado, Ms. Williams built a practice focused on municipal representation and land use implementation at Murry Dahl Beery & Renaud LLP before going on to found and lead the firm that is now Wilson Williams Fellman Dittman in 2021. She currently serves as City Attorney for Salida, Fort Morgan, and Woodland Park; and Town Attorney for Avon, and she also serves as special counsel to municipal boards and commissions. Ms. Williams teaches a graduate-level course at the University of Colorado Denver on planning and development and is a frequent statewide speaker on municipal and land use issues, and she was the recipient of the 2020 MCAA Outstanding Deputy City Attorney Award.

Municipal Law Experience and Areas of Practice

In her role as designated municipal counsel, Ms. Williams supports governing bodies and staff through the full lifecycle of municipal decision-making and implementation. Her work includes preparing and reviewing ordinances and resolutions; advising on meeting procedure, ethics, and conflict questions; and helping clients structure clear, defensible public processes for both legislative and quasi-judicial matters. She has overseen hundreds of public meetings and hearing on a variety of topics in communities of all kinds.

Ms. Williams also regularly reviews drafts and negotiates intergovernmental agreements and other contracts; advises on real property and development-related matters that affect public projects; and provides practical guidance on compliance issues such as open records and elections-related questions that arise in municipal operations. In the land use arena, she focuses on translating adopted plans and policy goals into workable code, including land use code diagnosis, analysis, revision, and drafting that staff can administer and the public can understand.

Deputy and Supporting Attorneys

Geoff Wilson

Geoff Wilson is a founder and partner at WWFD and has spent his entire career representing Colorado municipalities. He is widely known across the state for having served for nearly three



decades as General Counsel to the Colorado Municipal League, where he represented municipalities at the State Capitol, in state rulemaking, and in Colorado's appellate courts.

Geoff's practice focuses on the areas that most often drive municipal risk and public scrutiny, including elections and campaign finance, ethics and conflicts of interest, the Colorado Open Records Act and Open Meetings Law, TABOR, and municipal taxation (including sales and use and other tax issues). He currently serves as assistant city attorney for Salida, Woodland Park, and Fort Morgan and regularly provides special counsel support to municipalities on high-stakes governance and compliance questions. Additionally, Geoff has many special counsel clients where he handles complex election code rewrites and charter revisions.

The following WWFD team members provide additional capacity and subject-matter support, allowing the City to work with the City Attorney best suited to each matter while keeping costs efficient through appropriate delegation to associates and law clerks.

Brandon M. Dittman

Brandon M. Dittman is a partner at WWFD. He currently serves as Town Attorney for Lyons and Empire, City Attorney for Las Animas, and General Counsel for the Colorado Association of Municipal Utilities (CAMU). His practice includes municipal, utility, energy, railroad, telecommunications, technology, land use, and aviation matters, including specialized work before the Colorado Public Utilities Commission and negotiating leases for renewable energy siting. He has specific technical expertise that allows clients to avoid special counsel for issues such as energy, ROW, and PUC matters.

Ken Fellman

Ken Fellman is a partner at WWFD and, after 43 years of practice working with local governments nationwide on technology, communications, broadband, and general local government law, is semi-retired from active practice. He remains available to provide institutional knowledge and assistance to the firm's attorneys as needed, and he has held statewide and national leadership roles in telecommunications and local government practice, including past service with FCC advisory bodies.

Betsy Stewart

Betsy Stewart is a Senior Associate at Wilson Williams Fellman Dittman with over ten years of experience advising and representing municipalities, state agencies, and their officers and employees in Colorado and West Virginia. Her practice includes municipal law, land use matters, employment law matters, and civil rights claims.

Michaela Szilagyi

Michaela Szilagyi is a Senior Associate at the Firm with a background in municipal prosecution and code enforcement. Before joining the Firm, she served in the Denver City Attorney's Office,

where she built stronger coordination with Denver Police leadership and developed recurring legal training for patrol officers on ordinance enforcement and best practices. She brings a wealth of experience around policing, code enforcement, and experience with complex nuisance matters.

Bobby (“Bo”) Riley

Bobby (“Bo”) Riley is Senior Counsel at WWFD and previously practiced at Kissinger & Fellman, P.C. He serves as General Counsel and of the Colorado Motor Carriers Association and has also served in board roles with The Outdoor Lab Foundation and the Applewood Athletic Club. His practice is primarily transactional and he has a deep understanding of agreements, leases, and other IGA and MOU practices unique to the small government world.

Michael Farrington (Law Clerk)

Michael Farrington is a law clerk at WWFD, supporting municipal clients with legal research and drafting across a range of local government matters, including ordinance and resolution support, land use code updates, governance and open records questions, and contract review support. He is specifically interested and focused on land use; an area he has interacted with since before law school. He is a J.D. candidate at the University of Colorado and is seeking Colorado Bar admission in July 2026.

Current Clients and Conflicts of Interest

The Firm represents Colorado local governments as general counsel and special counsel and also represents a limited number of private clients in matters related to municipal law and land use. The Firm is unaware actual or potential conflicts of interest associated with representing the City of Ouray, including any current or former private clients known to have substantial property or business interests in the City within the last three years, and any public entity clients whose interests could reasonably be anticipated to intersect with matters involving Ouray. Where a potential conflict is identified, the Firm will address it in accordance with the Colorado Rules of Professional Conduct, including, as appropriate, declining or withdrawing from the conflicting representation, implementing ethical screening, or seeking informed written consent when permissible.

The Firm will coordinate proactively to avoid meeting conflicts. The designated City Attorney will maintain the City’s meeting schedule as a priority calendar item, and the Firm will identify any known conflicts in advance. If a conflict arises, the Firm will ensure continuity through deputy and backup coverage, including advance briefing on agenda items and prompt post-meeting follow-up so the City receives consistent guidance. This team-based structure allows the City to maintain a single primary point of contact while ensuring reliable meeting attendance and responsiveness when scheduling conflicts occur.

The Firm currently has no first and third Monday City or Town Council scheduling conflicts.

Compensation and Reimbursement

Fee basis and hourly rates. The Firm will provide all legal services requested by the City at the following discounted municipal hourly rates:

<u>Attorney Position</u>	<u>Hourly Municipal Rate</u>
Partner	\$260.00
Counsel	\$245.00
Senior Associate	\$220.00
Associate Attorney	\$205.00
Paralegal/Law Clerk	\$100.00
Ken Fellman	\$335.00

The Firm charges Developers the following hourly rates to review pass through matters:

<u>Attorney Position</u>	<u>Developer Reimbursable Rate</u>
Partner	\$290.00
Counsel	\$270.00
Senior Associate	\$240.00
Associate Attorney	\$225.00
Paralegal/Law Clerk	\$115.00
Nina Williams	\$325.00

Billing and invoicing. WWFD provides a computer-generated, detailed billing statement each month for fees and disbursements, reflecting services already performed and costs already incurred. Invoices are due upon receipt.

Expense reimbursement. WWFD bills mileage to and from the Louisville office at the IRS-approved rate and bills one-half travel time at the applicable hourly rate. Document printing and copying charges are \$0.10 per page (black and white) and \$0.50 per page (color) for in-office copies. Copying, collating, binding, and scanning performed outside the office is billed at actual third-party cost.

References from Representative Clients

City of Salida (2017 to Present):

- The Firm serves as City Attorney for the City of Salida, providing general counsel services to the City Council, City Administrator, and City staff. The Firm's work includes day-to-day municipal advising; drafting and reviewing ordinances and resolutions; land use and development code updates and implementation support; contract and intergovernmental agreement drafting and negotiation; open records and governance compliance guidance; and meeting support for the City Council and boards and commissions, as requested. The Firm has also supported the City through complex and sometimes controversial land use matters and public hearings requiring careful procedure, clear record-building, and

defensible decision-making. As a community that has lots of complex tourist-related challenges, Salida has allowed our firm to get very familiar with affordable housing related tensions.

- **Contacts:**
 - Aaron Vassalotti – City Manager – 719-401-8758
 - PT Wood - Chaffee County Commissioner, former Mayor - 719-239-022
 - Dan Shore – former Mayor - 719-221-6384
 - Christy Doon - City Administrator - 719-530-2624)

Town of Avon – Firm Client from (2023 to Present)

- Relevant services provided by the Firm include: employment law matters, negotiating and processing large annexation applications including with the State Land Board; navigating numerous complex real estate transactions and lease agreements; advising on affordable housing policies; drafting updated deed restriction templates; assisting on Council rules and procedures; drafting ordinances and resolutions on many matters specific to mountain ski town; advising on sustainability projects; assisting with complex PUD amendments; drafting and analyzing development agreements and vested rights extensions requests; presenting various council and PZC workshops; advising HR and personnel issues in the absence of an HR manager or director; advising and drafting ordinances related to the regulation of natural medicine; and advising on first amendment applications and flag policies.
- **Contacts:**
 - Eric Heil - Town Manager – 970-748-4004
 - Patty McKenney – Deputy Town Manager – 970-748-4021

City of Woodland Park (2019 to Present)

- Relevant services include: complex real estate transactions, including those related to Downtown Development Authority and acquisition of property for water reservoir; various contentious planning commission, board of adjustment and development matters; development agreements; resolution of complicated RLUIPA claims from large religious institution; advise and draft short-term rental regulations and amendments to same; various employment and law enforcement claims and settlements; and land use code re-write.
- **Contacts:**
 - Michael Lawson, former City Manager – 303-915-0083
 - Hilary LaBarre, JD, Former Mayor - 303-349-4066
 - Suzanne LeClercq, City Clerk and Deputy City Manager – 719-687-5295

Insurance and Conflicts

There are no public disciplinary proceedings against any lawyer or employee of the Firm. Our professional liability insurance carrier is General Star National Insurance Company and our limits



are One Million Dollars (\$1,000,000.00) per occurrence and Two Million Dollars (\$2,000,000.00) in the aggregate. As stated above, there are no known potential conflicts of interest between the Firm and the City of Ouray. The Firm understands that the City reserves the right to obtain services from other attorneys when the City, in its sole discretion, believes the use of another firm is in the City's best interests. The Firm also affirms that the position of City Attorney will not be reassigned within the Firm without the approval of the City Council.

Thank you for your consideration and please let me know if you require any additional information.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Nina P. Williams'.

Nina P. Williams
Managing Partner

Attachment: Firm's Business Values

FOR MORE INFORMATION:

- WWFDLaw.com
- [Linkedin.com/company/wilson-williams-fellman-dittman](https://www.linkedin.com/company/wilson-williams-fellman-dittman)
- [Linkedin.com/in/ninapwilliams/](https://www.linkedin.com/in/ninapwilliams/)

Business Values

WE ARE OUR GREATEST RESOURCES

- We work together as a team, and support one another
- We collaborate with each other, and grow together
- We assist our clients by applying the depth of knowledge and collective best practices of our team
- We continuously learn, grow, listen, teach, lead, mentor, and connect

WE WORK HOW WE LIVE

- We approach our work the same way we approach our lives
- We live and work with integrity, accountability, humility, and passionate dedication
- We are authentic and creative problem solvers who bring our passion to everything we do and who are
- We work alongside you, every step of the way
- Your problems become our challenge, and goal, to solve

WE ARE OF SERVICE

- We strive to make an impact
- We serve with a comprehensive approach beyond the law
- We assist dedicated elected officials and public and private management, both to assist in their daily operations and to help them achieve their long-term goals
- We work for governments and entities “closest to the people”
- We work for private entities who seek to make a difference in their communities

WE ARE INNOVATIVE

- We strive to be cutting edge, we take initiative and embrace technology and innovative practices
- We think critically, listen to diverse perspective, and aim to offer our own unique perspectives for creative problem solving
- We are eager to jump in to improve a process or solve a problem
- We use our business acumen to help our clients and to run an efficient law firm
- We are hungry, stay curious, and push for continuous improvement
- We don't use a cookie-cutter approach, or force a “one size fits all” mold onto our clients

WE GROW OUR COMMUNITY

- We naturally connect our clients, our resources, and our professional network
- We expand our community everyday
- We are inclusive of people from all backgrounds and walks of life
- When you hire us or join our team, you join our entire community



PROPOSAL


Legal Services for the City of Ouray

Wyatt Hamilton Findlay, PLLC
200 Quebec St., Ste 300-111
Denver, CO 80230

www.whflegal.com

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WYATT HAMILTON FINDLAY, PLLC

MUNICIPAL LAW | ECONOMIC DEVELOPMENT | LAND USE

January 30, 2026

RE: Proposal for City Attorney
City of Ouray

Honorable Mayor and Council,

We are honored to present this proposal to you, underscoring our deep commitment to the continued and future prosperity of Ouray.

Having proudly served as counsel for more than thirty cities and towns, we appreciate the tremendous effort required to safeguard the authentic essence of rural communities while orchestrating the managed growth that residents and local businesses aspire to achieve. Our firm's extensive experience spanning decades equips us with a profound understanding of internal City operations and Council dynamics.

Within this proposal, you will find detailed information about our firm's philosophy, our team's qualifications, and our modern, tailored approach to meeting your specific needs.

Your consideration means the world to us. Together, we believe we can build a collaborative relationship that will support your visionary goals and elevate the future of Ouray.

Best regards,



Whitt Wyatt
Managing Member - Legal Services
Wyatt Hamilton Findlay, PLLC

📞 972.762.6418

@ whitt@whflegal.com

Contents: Statement of Qualifications

Appendix A – Firm Resumes



FIRM INTRODUCTION

WHF is a full-service municipal law firm with decades of experience representing all types of local governments. Our team has served as city attorney; economic development counsel; litigation counsel; municipal insurance defense counsel; municipal judge, prosecutor, and police legal advisor for more than 30 cities, towns, and local governments across Colorado and Texas.

Our attorneys are experienced in handling the demands of growing communities, presently serving as legal counsel for clients with as few as 150 residents to urban communities with hundreds of employees and budgets exceeding \$150 million. We also have a deep understanding of the challenges facing traditionally rural and suburban communities where new and redevelopment activity are at the forefront, having handled multiple economic development projects with construction values in the hundreds of millions of dollars. Our full-service municipal practice further includes:

- Municipal General Counsel
- Public Safety & Law Enforcement
- Real Estate Transactions
- Zoning & Land Use
- Condemnations & Eminent Domain
- Employment / HR Law
- Development Agreements & Annexation
- Colorado Open Records Act (CORA)
- Colorado Open Meetings Law
- Economic Development
- Parks & Recreation Services
- Litigation & Defense
- Municipal Prosecution
- Code Enforcement & Substandard Buildings

SERVICE PHILOSOPHY



FLEXIBILITY

We approach our role with an unwavering commitment to neutrality and adaptability, ensuring that the interests of the Council and staff are our sole focus. We affirm that our commitment to Ouray goes beyond a mere professional obligation – it's a dedicated partnership rooted in understanding and supporting your unique objectives. Our philosophy is simple yet profound: Your agenda is our agenda. This principle hinges on aligning ourselves entirely with the City's strategic vision – understanding, collaborating, and championing the goals and objectives set forth by the Council and staff from day one. With WHF, the focus remains steadfast on molding our approach to align perfectly with the distinctive essence of Ouray, ensuring your City's needs are always our top priority.

“ On behalf of the Town of Log Lane Village, I would like to say that it has been a pleasure working with **Dan** and **Whitt**. They are a very professional, efficient and reliable team. Anytime my staff or I had a question or concern, they were available to answer in a timely manner. I would highly recommend their services. ”

~ Naomi Zuniga, Mayor of Log Lane Village

“ I can't recommend **Wyatt Hamilton Findlay** highly enough for Municipal legal counsel. There are a lot of legal firms with the technical skills to fulfill their contractual obligations, but what sets them apart is their customer service and the relationships they build with their clients. Their responsiveness is top notch, no matter the issue. If you have the chance to enter into a contract with **Wyatt Hamilton Findlay**, don't hesitate to do so – you won't regret your decision. ”

~ Amy Nasta, Florence City Manager (Former)

“ **Whitt** brings an exceptional blend of experience and common sense and stands out as a true professional. His unique approach to issues sets him apart from any other city attorney I've worked with previously. ”

~ Director of Public Works and Engineering





RESPONSIVENESS

Responsiveness forms the bedrock of trust and efficacy between the City and its legal counsel. In a world where instant access is the norm for everyday services, we firmly believe that the City's legal counsel should exemplify the same immediacy. Our commitment to you extends beyond business hours – we are available around the clock, 24/7, through in-person and virtual meetings, phone calls, emails, or text messages. Our aim is to seamlessly integrate into your team, just a 'click' or 'tap' away at any given moment. Familiar with the varied and intricate daily workings of councils and staff, we swiftly adapt to your workflows, adjusting our internal processes to align with the anticipated needs of the City. We recognize that unexpected questions are a part of the landscape and we are always poised to address these matters promptly, ensuring your concerns are met without delay.

“ We at the city of Colleyville are ecstatic about the law firm **Wyatt Hamilton Findlay**. The WHF law firm gives superb legal advice and superior support in their field of law. Customer service is top notch and always there in a moment of need. We are proud to have the **Wyatt Hamilton Findlay** law firm as a part of our team!”



– Bobby Lindamood, Mayor of Colleyville



COLLABORATION

Distinguishing ourselves in the municipal legal landscape, our firm operates uniquely with a roster of highly experienced partners, each deeply immersed in the intricacies essential for effectively working with boards, councils and staff. Embracing an exclusive partner-only model, we emulate the flat organizational structure often characteristic of in-house positions. This model ensures unrestricted access to our seasoned attorneys, who are all well-equipped to swiftly address any issue that may surface. Our local government practice stands apart from the conventional law firm model still prevalent in municipal law firms today.

We pride ourselves on our ability to become an extension of your Council and staff, leveraging our comprehensive understanding of your daily operations to anticipate issues before they arise. At WHF, we utilize the latest cloud-based project management software to ensure you have real-time access to the status of all legal projects on which the firm's attorneys are working. This approach guarantees staff and Council alike are always informed on the most up-to-date status of the projects we're handling for the City.





OURAY'S DEDICATED ATTORNEY TEAM



Alex Phipps
Attorney
Co-Lead Attorney



Dan Findlay
Partner
Co-Lead Attorney



Sarah C. Ross
Partner



Whitt Wyatt
Managing Member,
Legal Services

OURAY'S DEDICATED SUPPORT TEAM



Tiffany Camelin
Paralegal



Cassie Gunther
Paralegal

CURRENT CLIENT LIST

The following represent the current local government clients that the firm serves as city attorney or general counsel:

- City of Colleyville
- City of Florence
- City of Mansfield
- City of Maypearl
- City of Palmer
- City of Quitman
- City of Yantis
- Town of Addison
- Town of Brock
- Town of Dennis
- Town of Log Lane Village
- Town of Mobile City
- Town of Moffat
- Town of Westcliffe
- Town of Williamsburg
- Colleyville Tax Increment Financing District
- Colleyville Economic Development Corporation
- Maypearl Economic Development Corporation
- Palmer Economic Development Corporation
- Quitman Economic Development Corporation

STATEMENT OF NO CONFLICTS

Our client-first service model means we never seek to represent other clients that pose a potential conflict with your representation. In the unlikely event a conflict should ever arise in the course of our representation, we would promptly and openly address the conflict with all parties involved and immediately resolve the conflict in conformance with the applicable rules of ethics and professional responsibility.

PREDICTABLE & TRANSPARENT PRICING

TRADITIONAL HOURLY SERVICE

Our uniform billable hour structure is simple, transparent, and predictable. All of our attorneys charge the same flat hourly rate of \$240/hr for general legal matters and \$275/hr for litigation matters. We also charge \$120/hr for the services of our paralegals. We bill in quarter-hour increments.¹

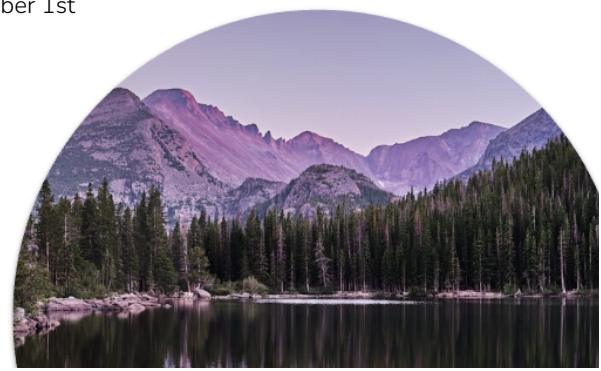
CUSTOM SERVICE STRUCTURES

Our team's core mission is to serve the Council and staff with the same convenience of an in-house attorney, but with the breadth of experience only a team of experienced lawyers can provide. We are therefore open to discussing any specific fee arrangements that would help remove any barriers to us providing you the best service possible.

DETAILED INVOICING AND EXPENSES

The City will receive detailed invoices for all legal services provided over the course of each month that include the total time spent on each matter, the identity of the person(s) working on the matter, and a summary of the services provided. We strongly believe that fully transparent billing practices are one of the most important factors in providing quality legal services to our clients. We do not charge markup or overhead expenses. Pre-approved expenses will always be charged at cost; these include photocopies, postage, courier service, and reimbursement for mileage at current IRS rates. We may adjust our general schedule of rates periodically.

¹ Firm's rate schedule is subject to a market-based adjustment annually on October 1st




INSURANCE COVERAGE

We are insured by Hanover Insurance Company for a \$1,000,000 policy with a \$5,000 deductible. Neither the firm nor the attorneys we are proposing represent the City have ever been sued for malpractice.

TECHNOLOGY

We invest heavily in the latest technologies to facilitate a collaborative working relationship with our clients, particularly our rural communities. We utilize both Microsoft Office 365 and Google's cloud-based platforms. For client administration and billing we use Clio, an established cloud-based law firm management platform. For both internal and external communication, we regularly use all established remote meeting platforms, including Zoom, Microsoft Teams, Google Meets, and Webex so that we can be "in the room" at a moment's notice. We also utilize GovDox document automation in connection with our comprehensive collection of forms, contracts, resolutions, and ordinances commonly used by municipalities.





SELECT REFERENCES

WHF has served as city attorney for the following references:

Steve Wolfe

Mayor, City of Florence

steve.wolfe@florencecolorado.org

☎ 719.371.5908

Amy Nasta

City Manager (Former), City of Florence

☎ 719.280.7802

James Attaway

City Manager (Former), City of Quitman

☎ 903-315-7789

Naomi Zuniga

Mayor, Town of Log Lane Village

zuniga.naomi@yahoo.com

☎ 970.867.8027

Jerry Ducay

City Manager, City of Colleyville

jducay@colleyville.com

☎ 817.503.1116

We would be happy to provide additional references upon request.

“ What truly sets **Dan**—and more recently **Alex**—and the entire team at **Wyatt Hamilton Findlay** apart is their accessibility and communication. They are available when you need them, responsive, and proactive. On many days, I speak with **Dan** more than anyone else, which speaks volumes about both his commitment to the City and the strength of our working relationship. ”

~ Lori Cobler, Florence City Manager



APPENDIX A

FIRM RESUMES





alex@whflegal.com
📞 919-423-7418

ALEX PHIPPS

Alex joins the firm after spending the majority of his career working on state and local government legal issues. After several years at a large law firm working in real estate and land use, Alex spent nearly a decade working for state agencies in a general counsel capacity, advising public bodies on open government, legislation, and contested case proceedings. He also spent several years working as the senior legal research associate for the UNC School of Government, assisting professors with legal issues related to local government. Alex has deep respect for public service and the expectations and challenges that public servants face when responding to the needs of constituents.

PROFESSIONAL QUALIFICATIONS

Wyatt Hamilton Findlay, PLLC Attorney	2025 - Present
University of North Carolina, School of Government Senior Legal Research Associate	2022 - 2025
Texas Department of Licensing and Regulation Assistant General Counsel	2019 - 2022
Texas Board of Dental Examiners General Counsel (2018-2019) Litigation Manager (2014-2018)	2014 - 2019

BAR ACCEPTANCE + CERTS

Texas Bar, 2009
North Carolina Bar, 2022
Colorado Bar, 2025

EDUCATION

University of Texas School of Law (J.D.)
University of North Carolina (B.A.)

SKILLS + EXPERTISE

Municipal Law and Elections
Public Real Estate Transactions
Public Safety and Law Enforcement
Land Use and Annexation
Open Meetings and Transparency
Open Records and Public Information Act



DAN FINDLAY

Dan is a Western Colorado native with a passion for the state's singular natural environment. He has served as City Attorney for multiple Colorado municipalities and with the Colorado Division of Parks and Wildlife, where he developed a wealth of knowledge and a deep understanding of the relationship between state and local governments. Born and raised on the Western Slope, Dan has a place in his heart for local Colorado communities and, with his extensive experience in the public sector, brings incredible value and perspective to our Colorado clients.

dan@whflegal.com

📞 970-270-2405

PROFESSIONAL QUALIFICATIONS

Wyatt Hamilton Findlay, PLLC
Partner

2022 - Present

Colorado Parks & Wildlife
Procurement Director

2012 - 2022

BAR ACCEPTANCE + CERTS

Colorado Bar, 2010

EDUCATION

University of North Carolina School of Law (J.D.)
University of North Carolina (B.A.)

SKILLS + EXPERTISE

Municipal Law and Elections
Public Real Estate Transactions
Public Safety and Law Enforcement
Land Use and Annexation
Open Meetings and Transparency
Open Records and Public Information Act
Economic Development
Parks and Recreation Services
Strategic Community Development



SARAH C. ROSS

Sarah, with her 12+ years of experience in agency representation and government relations, offers a unique understanding of governmental operations. Formerly Deputy Chief Counsel for the Arkansas Department of Human Services, managing a team of 100+ and developing statewide litigation strategies, she now represents Colorado and Texas municipalities, specializing in zoning, land use, code enforcement, and litigation. Additionally, Sarah currently serves as the Local Licensing Authority for the Town of Moffat.

sarah@whflegal.com

📞 903-701-2908

PROFESSIONAL QUALIFICATIONS

Wyatt Hamilton Findlay, PLLC

Partner

2023 - Present

Arkansas Department of Human Services

Office of Chief Counsel – Little Rock
Deputy Chief Counsel – County Legal Operations

2022 - 2023

Arkansas Department of Human Services

Office of Chief Counsel – County Legal Operations
Supervising Attorney – Regional Legal Litigation (2014-2022)
Attorney Specialist (2011-2014)

2011 - 2022

BAR ACCEPTANCE + CERTS

Arkansas Bar, 2006
Texas Bar, 2023
Colorado Bar, 2024

EDUCATION

University of Arkansas Bowen School of Law (J.D.)
Texas A&M – Texarkana (B.S.)

SKILLS + EXPERTISE

Municipal Law and Elections
Law and Code Enforcement
Legal Operations Management
Government Relations
Permitting and Licensing
Litigation
Legislative Processes
Zoning and Land Use
Municipal Prosecution



WHITT WYATT

Whitt's 17+ year career has been dedicated to advocating for local governments, with a primary focus on serving municipalities as City Attorney. Bringing a wealth of experience in the realm of local governance, Whitt has been a trusted legal advisor for more than 30 cities and municipalities, providing all manner of legal services while specializing in community development and land use law as well as general counsel services. A Denver resident since 2019, Whitt is committed to serving Colorado municipalities and expanding the firm's presence in the state.

whitt@whflegal.com

📞 972-762-6418

PROFESSIONAL QUALIFICATIONS

Wyatt Hamilton Findlay, PLLC

Managing Member – Legal Services

2022 - Present

Wood Banowsky, PLLC

Managing Partner – Local Government and Land Use

2019 - 2022

GovDox

Owner

2018 - Present

Nichols Jackson

Partner – Municipal Law and Land Use

2007 - 2019

BAR ACCEPTANCE + CERTS

Texas Bar, 2007

Colorado Bar, 2019

Certified Law Enforcement Instructor, 2007

SKILLS + EXPERTISE

Strategic Community Development
Public Safety and Law Enforcement
Public Real Estate Transactions
Condemnation and Eminent Domain
Municipal Law and Elections
Zoning and Land Use Annexations
Open Meetings and Transparency
Economic Development
Parks and Recreation Services

EDUCATION

Oklahoma City University School of Law (J.D.)

Oklahoma State University (B.S.)

SUPPORT TEAM



Tiffany Camelin
Paralegal

Tiffany serves as a paralegal and as the firm's records manager, helping to review, redact, and submit documents in response to CORA requests. She has exemplary organization and time management skills to perform administrative and clerical duties. Prior to joining WHF, Tiffany worked as a Police Records Manager for seven years.

SKILLS + EXPERTISE

Public Information Act
Microsoft Office Suite
Time Management
Attorney Support
Strong attention to detail
Lexis Nexis
NIBRS



Cassie Gunther
Paralegal

Cassie brings 10+ years of paralegal experience to the firm, specializing in municipal and civil litigation. Her background includes a decade with a city attorney's office, where she handled cases from various legal disciplines and levels, and a stint with a school district delving into education law. Cassie is known for her proactive approach, strong analytical skills, and meticulous attention to detail, all of which make her such an exemplary member of the WHF team.

EDUCATION

State University of New York at Canton
University of Texas at Arlington

Jeffrey J. Conklin

Managing Partner

Email: jjc@mountainlawfirm.com

Direct: 970.928.2124

January 27, 2026

Sent via Email

Michelle Metteer
City Administrator
City of Ouray
PO Box 468
Ouray, CO 81427
mmetteer@cityofouray.com

Harper E. Powell

Associate

Email: hep@mountainlawfirm.com

Direct: 970.928.3164

Michael J. Sawyer

Partner

Email: mjs@mountainlawfirm.com

Direct: 970.928.2118

Re: Proposal for City Attorney

Dear Mayor and City Council:

Karp Neu Hanlon, P.C. (“KNH”) is pleased to provide this proposal for City Attorney legal services to the City of Ouray (“Ouray” or the “City”). KNH is a full service, Martindale Hubble AV-rated law firm with offices in Glenwood Springs, Aspen, Basalt, and Ridgway. KNH has extensive skills, experience, and expertise in providing legal services to local governmental entities. As KNH has been the Interim City Attorney for Ouray since September 2025, we believe our continued legal expertise and experience working with Ouray would prove valuable to the City.

A. General Company Data

Karp Neu Hanlon, P.C.
201 14th Street, Suite 200
P.O. Drawer 2030
Glenwood Springs, CO 81602

Primary Contacts:

- Harper Powell, hep@mountainlawfirm.com, 970.928.3164
- Jeff Conklin, jjc@mountainlawfirm.com, 970.928.2124
- Michael Sawyer, mjs@mountainlawfirm.com, 970.928.2118

Karp Neu Hanlon, P.C. is a professional corporation. Our FEIN is 84-0827213.

B. Specific Company Information

1. KNH’s Expertise and Qualifications

The nature of KNH’s practice is largely centered on our municipal law practice. Our philosophy is important to us and our clients, and our qualifications in municipal law demonstrate our effectiveness in providing legal services for the City. KNH is committed to providing the highest quality and most cost-effective legal services

available to our clients. We pride ourselves on being a dynamic, client-focused organization recognized for excellence in the legal services field with a strong public service approach. We do this by creating value for our clients with innovative, consistent, and dependable counsel, by participating in our local communities, and by caring for our employees.

We believe that our highest calling in providing municipal representation is to empower elected officials to make good decisions that advance the goals of the community. KNH prides itself on working collaboratively with public entity staff to provide high-quality legal information that is understandable to elected officials and the public. Our attorneys work hard not to speak in “legalese” but to explain legal issues in practical terms with an emphasis on exploring options and long-range ramifications of decisions.

In providing legal services to the City, Harper Powell would be the primary responsible City Attorney. Harper began working for KNH as an intern during law school in 2023 before joining the firm as a licensed attorney in 2024. Jeff Conklin is the Managing Partner of KNH and has been with the firm since 2009. Jeff has been the Town of Parachute attorney since 2015, the Town of Basalt attorney since 2018 and the Town of Snowmass Village attorney since 2022. Michael Sawyer, also a KNH partner, has been with the firm since 2002. Michael has been the Town of Silt attorney since 2011 and the Town of Minturn attorney since 2014. Other attorneys with experience in municipal representation may assist on various projects depending on the issue involved. A Firm Resume that provides more details on the attorneys in the firm and our practice areas of expertise is attached. You can also view our attorneys and staff at <https://www.mountainlawfirm.com>.

2. Attorney Background

- Harper has been practicing municipal and land use law, her primary practice areas, since she was admitted to the Colorado Bar in 2024. Since then, she has served as the Assistant Town Attorney for the Town of Basalt, Town of Snowmass Village, Town of Parachute, and Town of Minturn and works with other local governmental entities through KNH, including serving as the Interim City Attorney for Ouray since September 2025. Harper’s municipal law interest and exposure began with her time as a law student and intern for KNH during law school.
- Harper has gained extensive experience working in municipal law matters, studying home rule authority, attending Town Council meetings, and serving local governmental clients.
- Harper’s clientele has mainly consisted of local government clients since starting with the firm in 2024. She has also worked with nonprofits and tribal clients.
- Preparing ordinances and resolutions is a routine part of Harper’s practice, which requires a thorough understanding of the charters and municipal codes of each client.

- Harper regularly drafts and negotiates agreements with other organizations and governmental entities, such as mutual aid and intergovernmental agreements for the sharing of law enforcement and emergency response services. Harper has also worked with state agencies regarding the adoption of code language to comply with Proposition 123 requirements, the Colorado Wildfire Resiliency Code, and other state mandates.
- Harper has been involved in several land use applications, including preparing subdivision improvements agreements, interpreting and negotiating vested rights provisions, commenting on plats, reviewing engineering and construction plans, navigating zoning regulations, and working with town staff members to process applications.
- Harper has interpreted home rule charters and studied the scope and limitation of home rule powers to assist clients in preparing for elections, passing tax initiatives, establishing fees for short-term rentals, and complying with state law mandates, among other issues.
- Harper regularly works on contracts for municipal clients, including drafting and negotiating professional services agreements, license agreements, rights-of-way easements, and other arrangements. Among other projects, Harper developed comprehensive right-of-way regulations for the Town of Basalt and edited and negotiated a ten-year franchise agreement for gas and electric utility for the Town of Minturn.
- In areas of public safety and risk management services, Harper has worked on mutual aid agreements for the provision of such services and assists law enforcement agencies in resolving issues related to the CCJRA and CORA. Harper has been working on collaborative arrangements and discussions between clients and other governmental entities in adopting the Colorado Wildfire Resiliency Code including the management and enforcement of such regulations by local fire districts. Harper also provides prosecution services for the Town of Basalt, which requires an in-depth knowledge of the municipal code and the functions of the Town's law enforcement division.
- In employment law matters, Harper has been involved in hiring Town managers, preparing employment contracts, and resolving personnel issues.
- Tax related issues are a frequent part of the municipal practice, and Harper has prepared ordinances and ballot initiatives to increase lodging and sales tax, has helped establish and manage a downtown development authority, and has addressed other issues that arise under TABOR.
- Harper frequently assists clients in reviewing CORA requests and resolving issues and questions related to CORA and CCJRA. For municipal elections, Harper has

prepared resolutions and ordinances to comply with Colorado elections laws and the Municipal Election Code.

- Harper primarily works from KNH's Basalt office but utilizes the firm's Ridgway office on visits to Ouray. A hybrid approach to attending the City's Council meetings with occasional or monthly visits to Ouray has proved effective. Harper has additional flexibility for in-person participation according to the City's needs.

Jeff Conklin and Michael Sawyer, partners in the firm, would also be assisting Harper in representing the City. Jeff and Michael have years of experience as Town Attorneys for several municipal clients at the firm and have extensive experience with land use, affordable housing, water, and other matters commonly experienced by western Colorado communities. More specifically, those matters include but are not limited to:

- Election law, including working with municipal clerks on the requirements for conducting a local election, pursuing ballot issues as part of coordinated elections, addressing "ranked choice voting" and "instant runoff" procedures, as well as more controversial matters such as a recall election.
- Planning, zoning, and project development, including large and small-scale mixed use development project, comprehensive plan development, annexations, development agreements, subdivision improvement agreements, land use code updates, special or conditional use review, and zoning/building code violations and enforcement.
- Public meetings and records, including the Open Records Act, Open Meetings Law, requirements related to executive sessions, public notice requirements, drafting ordinances and resolutions, and procedures for conducting public meetings.
- Public finance law, including TABOR issues, budgets, enterprises, public tax law, and sales tax collection/distrain.
- Public facility development, including issuance of bonds and obtaining other types of municipal finance, public private partnerships, and joint development agreements.
- Marijuana and liquor licensing, including code drafting and enforcement for violations of license requirements.
- Municipal court prosecution, including code enforcement, nuisance enforcement, and other matters within the municipal court jurisdiction.
- Intergovernmental agreements and authorities, including negotiating with state entities, counties and special districts to set up agreements to provide services.

- Utility law, including drafting utility codes, drafting utility service plans, reviewing contractor agreements, drafting franchise agreements, water right dedication and tap fee policies, utility liens, and collection of unpaid utility bills.
- Litigation practice, including C.R.C.P. 106 appeals of governmental decisions, condemnation proceedings, enforcement of contracts, easement and other real property disputes, employment defense, the Colorado Governmental Immunity Act, and the Tort Claims Act. Attorneys have successfully argued cases in the Colorado Court of Appeals and the Colorado Supreme Court.
- Real property acquisition, eminent domain, construction contract review, and professional services agreement drafting.
- Employment law issues, including drafting and updating personnel manuals, preparing employment contracts, and advising human resource managers.
- Advocacy and negotiations with county, state and federal agencies.
- Water law, including assessing water right dedications, water right title, water court applications, decreeing plans for augmentation, and water court litigation (including in the Colorado Supreme Court).
- Public Lands Law, including working with federal agencies on special use permits, land exchanges, federal land planning, and advocating for environmental protection in federal lands management.

Additionally, James Fosnaught, also a partner at KNH, who has been working for the City in two litigation matters, would continue his representation of the City in his capacity as the City's litigation attorney.

KNH's attorneys have not been found liable for a malpractice claim or to be in violation of any rule of professional conduct. A former attorney of KNH who departed the firm in 2017 was the subject of a frivolous malpractice claim, which was resolved via a confidential settlement in 2023, no current attorneys with the firm were alleged to have committed any malpractice. Similarly, two attorneys in the firm were the subject of a frivolous grievance filed with the Attorney Regulation Counsel for the Colorado State Supreme Court, the matter was immediately dismissed and Attorney Regulation Counsel took no action effective January 2020.

Our substantial well of knowledge and experience in the municipal law field will bring value to the City as a continuation of our current Interim City Attorney representation of the City.

3. KNH Staff

To allow our clients to benefit from decades of experience, KNH takes a team approach to representing governmental clients, and other KNH attorneys can assist on matters

that require their particular skills. KNH has sixteen attorneys, ten of which primarily practice municipal law, and three full-time paralegals who assist on municipal matters. The firm has a full-time business manager and an office administrator who handle client matters, accounting, and office management. Depending on the task, the most appropriate attorney or paralegal (with oversight by an attorney) may perform certain research, review, and drafting work to provide the relevant expertise and the most cost-effective services possible. Because of the size of our firm and the depth of our experience, an attorney at KNH will always be able to assist the City at any time. Again, the attached Firm Resume provides more details on the attorneys in the firm and our practice areas of expertise is attached. You can also view our attorneys and staff at <https://www.mountainlawfirm.com>.

4. Hours

According to our recent experience and based on our current workload for the City, KNH anticipates spending an average of fifteen to twenty hours per week to accommodate the City's need for contract attorney services. However, the hours per week required to serve the City can vary greatly depending on active matters with the City and the requests of City staff.

5. Availability

Harper and KNH attorneys are generally available during the hours of 8:30 a.m. to 5:00 p.m. Monday through Friday to respond to the needs of City Council, the City Administrator, or City Staff.

6. Reporting

KNH invoices the City monthly showing the number of hours worked, the cases and matters covered, and the cost of providing the services. The firm may also provide periodic reports to City Council upon request and scheduling. Harper is available to discuss and prioritize City projects with the City Administrator on a weekly or regular basis.

7. Technology

The firm uses Microsoft Office for its technology suite but has integrated with the City's sharing and transfer of electronic files and communications via Google Drive and the Google Workspace.

C. Current Clients/Conflicts of Interest

1. Potential Conflicts

KNH does not have any current or former clients having a substantial property or business interest in the City of Ouray during the past three (3) years. As such, the firm does not foresee any potential conflicts of interest resulting from representation of the City.

2. Representative Clients

KNH maintains a broad base of public-sector clients, where our goal is to provide value-added, solution-oriented counsel. We serve as general counsel or special counsel to a number of cities, towns, special districts and authorities. Public-sector clients currently and in the last five years include:

General Counsel:

- Town of Basalt
- Town of Snowmass Village
- City of Glenwood Springs
- City of Rifle
- Town of Crested Butte
- Town of Eagle
- Town of Minturn
- Town of Silverthorne
- Town of Palisade
- Town of Parachute
- Town of Silt
- Town of Red Cliff
- Town of Rico
- Glenwood Springs Downtown Development Authority
- Garfield County Emergency Communications Authority
- Spring Valley Sanitation District
- West Glenwood Springs Sanitation District
- Aspen Fire Protection District
- Garfield County Clean Energy Collaborative
- Starwood Metropolitan District

Special Counsel:

- Colorado River Water Conservation District
- Town of New Castle, Colorado
- Beaver Creek Metropolitan District

The municipal clients KNH represents do not have foreseeable or potential conflicts of interest resulting from the firm's representation of Ouray.

In the private-sector, our clients include real estate developers, homeowner associations, farm and ranch owners, large and small businesses, and charitable organizations. We represent these clients on land use, real estate, water, governance, corporate, and employment matters, including related litigation.

This comprehensive client base offers each of our attorneys opportunities for exposure to a variety of legal issues, while still allowing each of them to focus on their respective areas of expertise. As a result, our clients benefit from decades of specialized knowledge, in addition to a well-rounded and seasoned team of professionals.

3. Meetings Schedule

Harper does not have a conflict with the Ouray's current meeting schedule.

As Assistant Town Attorney to Basalt, Snowmass Village, and Minturn, Harper occasionally attends those clients' meetings as an alternate to the primary town attorney (Jeff and Mike). The schedule of town council meetings for such clients are as follows:

- Town of Basalt – second and fourth Tuesdays of each month, 6:00 p.m.
- Town of Snowmass Village – first and third Mondays of each month, 4:00 p.m.
- Town of Minturn – first and third Wednesdays of each month, 5:30 p.m.

Again, Harper does not regularly attend the town council meetings for the Town of Snowmass Village or Town of Minturn and does not foresee any scheduling conflicts with the City's Council meetings.

D. Compensation and Reimbursement

KNH is committed to making its professional services available to local governments at reasonable rates and within the adopted budget. The firm intends to provide legal services according to an hourly rate for services. Harper's hourly rate is \$250, and Mike's and Jeff's hourly rates are \$295. The attached rate sheets detail all our attorney and paralegal rates. For land use matters involving a developer reimbursement of the City, as is standard practice, we charge slightly higher rates, as reflected in page 2 of the rate sheets. If preferred by the City, KNH is also willing to discuss an appropriate monthly "flat fee" arrangement, which has been used with other municipal clients. In addition to general legal services, KNH may continue to serve as counsel on litigation matters, which would be billed separately according to our general rates established on the rate sheet. Reimbursement for mileage expenses are according to the current IRS rate, as may be amended throughout the year. KNH does not charge for copying and office expenses. Other expenses that may be incurred for Ouray are billed at cost (e.g. lodging, if necessary).

E. References

We strongly encourage you to contact the following references:

Gloria Kaasch-Buerger, Town Manager
Town of Basalt
101 Midland Avenue
Basalt, CO 81621
(970) 279-4378
gloria.kb@basalt.net

Travis Elliott, Town Manager
Town of Parachute
222 Grand Valley Way
Parachute, CO 81635
(970) 985-9066
telliott@parachutecolorado.com

Clint Kinney, Town Manager
Town of Snowmass Village
130 Kearns Road
Snowmass Village, CO 81615
(970) 923-3777
ckinney@snowmass.gov

Rob Gutierrez, Town Manager
Town of Minturn
301 Boulder Street, #309
Minturn, CO 81645
(970) 943-9122
manager@minturn.org

Ryan Mahoney, Deputy County Manager
Pitkin County
530 East Main Street
Aspen, CO 81611
(970) 618-8068
ryan.mahoney@pitkincounty.com

F. Professional Liability Insurance

We take our professional obligations seriously and obtain continuing legal education and ethics training each year, primarily courses offered through the Colorado Municipal League (with which we have a very close relationship). KNH lawyers have served on the courts' ethics boards and disciplinary committees and are active in legal professional organizations dedicated to promoting high ethical standards and best practices. Our lawyers practice with integrity and professionalism and are responsive to their clients' needs. Communication is consistent and our clients are well-advised as to the status and strategies employed in their matters. As a result, no formal disciplinary actions have been taken against any of KNH's current attorneys or paralegals. Nevertheless, KNH maintains professional liability insurance through ALPS with a policy limit of \$4,000,000.00 for individual claims, or in aggregate.

Thank you in advance for considering KNH as the City's municipal attorneys. We would welcome the opportunity to discuss the services that KNH can offer to the City in greater detail. Please feel free to contact us for additional information.

Sincerely,

KARP NEU HANLON, P.C.



Jeffrey J. Conklin

HEP:

Enclosures: Rate Sheet
Firm Resume



Harper E. Powell



Michael J. Sawyer