

RESOLUTION NO. 15-15

**A RESOLUTION AUTHORIZING THE MAYOR OF THE CITY OF DRAPER TO
APPOINT TRACY COWDELL AS CITY ATTORNEY
FOR THE CITY OF DRAPER.**

WHEREAS, the Mayor desires to appoint TRACY COWDELL as City Attorney of the City of Draper in accordance with the appointment procedures provided by law and City Ordinance; and

WHEREAS, Draper City Municipal Code 2-5-020 requires the advice and consent of the City Council in order for the Mayor to appoint the City Attorney; and

WHEREAS, Draper City Municipal Code 2-5-060 requires that the City Attorney be appointed by a majority vote of the City Council; and

WHEREAS, TRACY COWDELL has the credentials, experience and professionalism necessary to be the City Attorney.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF DRAPER CITY, STATE OF UTAH, AS FOLLOWS:

Section 1. Appointment. The Mayor is hereby authorized to appoint TRACY COWDELL as City Attorney, in accordance with appointment procedures provided by law and City Code.

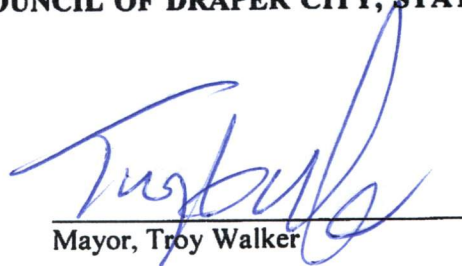
Section 2. Severability Clause. If any part or provision of this Resolution is held invalid or unenforceable, such invalidity or unenforceability shall not affect any other portion of this Resolution, and all provisions, clauses and words of this Resolution shall be severable.

Section 3. Effective Date. This Resolution shall take effect immediately upon its passage.

**PASSED AND ADOPTED BY THE CITY COUNCIL OF DRAPER CITY, STATE OF UTAH,
ON THIS 3rd DAY OF MARCH, 2015.**



ATTEST:



Mayor, Troy Walker



City Recorder

Sections 2-5-020 and 2-5-060 of the Draper City Municipal Code

2-5-020: VACANCIES:

The mayor, with the advice and consent of the city council, may appoint and fill vacancies in all appointed offices provided for by law or ordinance. All appointed officers shall continue in office until their successors are appointed and qualified.

2-5-060: CITY ATTORNEY:

- A. **Appointment:** The city attorney shall be appointed by a majority vote of the city council. The city may contract with or retain an attorney licensed to practice law in the state of Utah. The city may make a separate contract with an attorney or attorneys for the performance of criminal prosecutorial legal services. All attorneys under contract with the city shall communicate with each other as necessary to properly correlate their efforts.
- B. **Duties:** The city attorney shall act as legal advisor to the city in all matters pertaining to contracts with or by the city or questions of legality arising out of any law, ordinance or otherwise. The city attorney shall appear on behalf of the city in all suits at law or in equity in which the city is a party, and shall prosecute or defend them, as the case may be, in all courts until they are finally disposed of. He or she shall advise all city officers in relation to their official duties, prepare and draft all such ordinances, resolutions and regulations as the city council or city manager may from time to time request and perform such other duties as the ordinances of the city and the general laws require or as the city council may direct. The city attorney shall attend meetings of the city council and other meetings of the city when requested to do so. The city attorney may, with the consent of the city council, retain special counsel on matters pertaining to the legal affairs of the city if the same is deemed necessary and desirable and such special counsel shall be compensated by the city. The city attorney shall, when requested to do so, furnish written opinions on subjects submitted by the city council or by the city manager.
- C. **Additional Duties:** The city attorney shall perform such other duties as the city council may provide by ordinance, resolution, regulation, or directive.