CLARKSVILLE CITY COUNCIL
SPECIAL SESSION
MAY 12, 2021, 4:30 P.M.

AGENDA

1)   CALL TO ORDER *Mayor Joe Pitts*

2)   PRAYER *Councilperson Wallace Redd*

3)   PLEDGE OF ALLEGIANCE *Councilperson DaJuan Little*

4)   ATTENDANCE *City Clerk*

5)   HIRING OUTSIDE COUNSEL

   1.   **ORDINANCE 93-2020-21** (First Reading; Postponed April 29th) Amending the Official Code relative to hiring outside counsel *Councilperson Allen*

6)   ADJOURNMENT

ORDINANCE 93-2020-21

AN ORDINANCE AMENDING THE OFFICIAL CODE OF THE CITY OF CLARKSVILLE , TENNESSEE, TITLE 6, "FINANCE AND TAXATION," CHAPTER 5, "BUDGETS, IMPLEMENTATION, AND ADMINISTRATION," SECTION 6-514(B), "INTERNAL SERVICE FUND," RELATIVE TO HIRING OUTSIDE COUNSEL

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CLARKSVILLE, TENNESSEE:

That the Official Code of the City of Clarksville, Tennessee, is hereby amended by deleting the existing language in Section 6-514(b) in its entirety and by substituting instead the following:

~~(b) The city attorney, and his/her assistants, shall be responsible for claims and litigation management, under the supervision of the city council, not otherwise inconsistent with his duties as city attorney as provided in the City Charter, or with state law of general application, to include the Tennessee Rules of Professional Conduct for attorneys. The city attorney shall have full authority regarding the determination as to whether to retain outside counsel, and the selection of outside counsel, with regard to all legal matters involving the city, to include defense of claims made or threatened against the city, and the city attorney shall make reports to the city council regarding same from time to time, or as otherwise directed by the mayor or city council.~~

(b) The city attorney, and his/her assistants, shall be responsible for claims and litigation management, under the supervision of the city council, not otherwise inconsistent with his/her duties as city attorney as provided in the City Charter, or with state law of general application, to include the Tennessee Rules of Professional Conduct for attorneys. Should the city attorney deem it necessary to retain outside counsel, the city attorney shall submit a request to the city council, which request shall state: the grounds for retaining outside counsel; the proposed scope of the outside counsel's employment; the city attorney's best estimate of the total cost of retaining outside counsel for the grounds stated; and the city attorney's best estimate of the total liability exposure presented to the City by any such matter in which outside counsel is involved. The city council, by majority vote, shall have full authority regarding the determination as to whether to retain outside counsel, and the selection of outside counsel, with regard to all legal matters involving the city, to include defense of claims made or threatened against the city. The city council, by majority vote, shall have full authority to apportion funding for retaining outside council. Should the cost of any such outside council retained exceed the estimate provided in the city attorney's request, the city attorney shall submit a report to the city council detailing the reasons for the cost overrun and the city attorney's best estimate of the total additional cost of such outside council. Additional funds for outside council shall be apportioned by the city council only after the city attorney submits such report and only upon majority of the city council. The city attorney shall provide the city council with a monthly report on the status of every matter in which outside council is involved, which report shall include: a running total of the cost of the outside counsel for each such matter; the city attorney's best estimate of the total liability exposure presented to the City by any such matter; and the city attorney's best estimate of the likelihood of success of each such matter.

POSTPONED: April 1, 2021 to Special Session or May 6, 2021
POSTPONED: April 29, 2021 to Special Session on or before May 13, 2021
FIRST READING:
SECOND READING:
EFFECTIVE DATE: