

RESOLUTION NO. 096
(Series of 2024)

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ASPEN,
COLORADO, WAIVING THE ATTORNEY CLIENT PRIVILEGE FOR THE
LIMITED PURPOSE OF THE RELEASE OF A CONFIDENTIAL
MEMORANDUM FROM THE CITY ATTORNEY REGARDING THE
PARTICIPATION OF COUNCILOR GUTH IN DISCUSSIONS AND
DECISIONS REGARDING THE ENTRANCE TO ASPEN**

WHEREAS, pursuant to Section 7.1 of the Aspen Municipal Charter, the City Attorney is the legal representative of the City and advises the council and city officials in matters relating to their official powers and duties; and

WHEREAS, in this capacity, communications between the City Attorney and the City Council are privileged; and

WHEREAS, in the capacity as the attorney for the City, on or about August 5, 2024, the City Attorney prepared and submitted to City Council a confidential communication regarding the Entrance to Aspen, in particular addressing the question of whether Councilor Guth may participate in discussions and decisions regarding the Entrance to Aspen; and

WHEREAS, adoption of this resolution would waive the attorney client privilege for the limited purpose of the public release of the August 5, 2024, Confidential Memorandum.

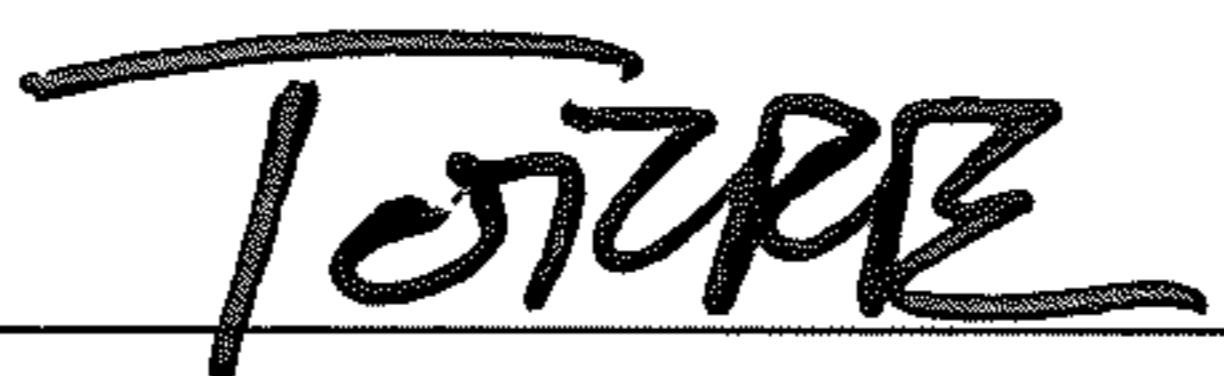
**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF
THE CITY OF ASPEN, COLORADO, THAT:**

The City Council hereby waives the attorney client privilege for the limited and specific purpose of releasing to the public a Confidential Memorandum dated

August 5, 2024, prepared by the City Attorney to address the question stated above, with such waiver of the attorney client privilege being for no other purposes whatsoever.

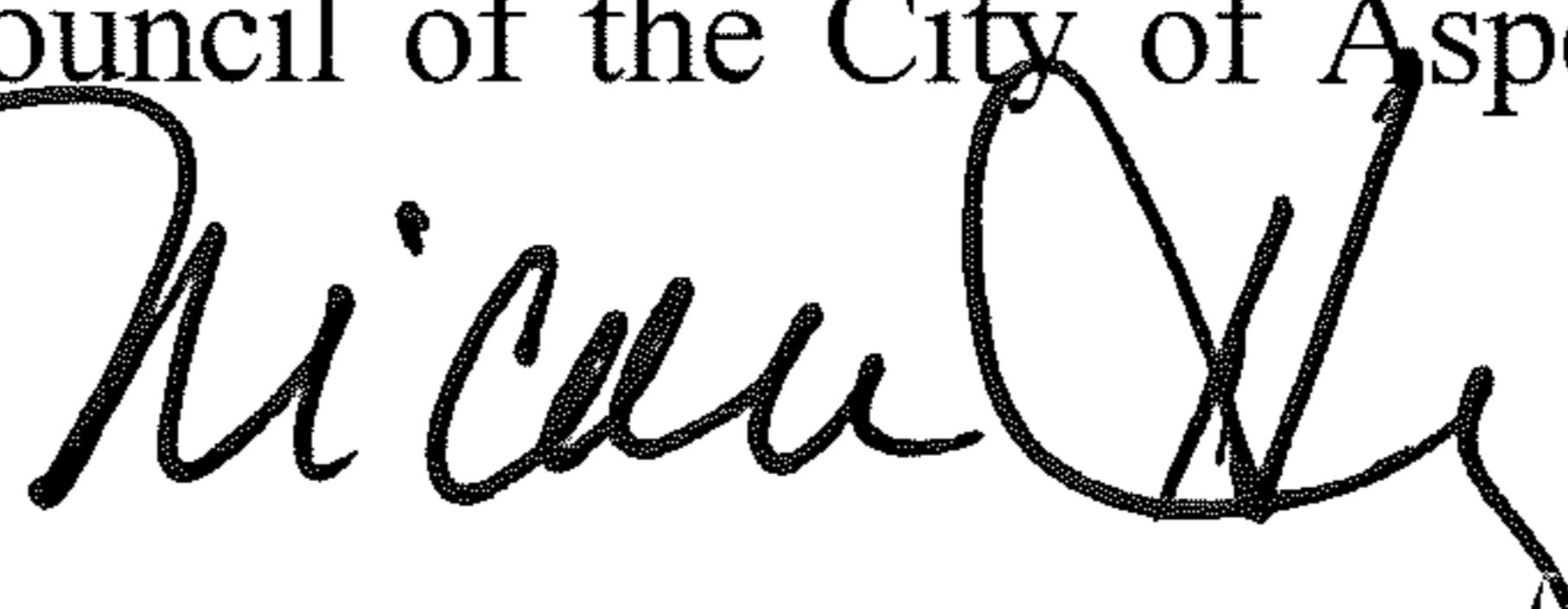
Further, Council directs staff to post such memorandum on the City's website upon the execution of this Resolution by the Mayor.

INTRODUCED, READ AND ADOPTED by the City Council of the City of Aspen on the 13th day of August 2024.



Torre, Mayor

I, Nicole Henning, City Clerk do certify that the foregoing is a true and accurate copy of that resolution adopted by the City Council of the City of Aspen, Colorado, at a meeting held on the day hereinabove stated.



Nicole Henning, City Clerk