

**TOWN OF SUPERIOR  
RESOLUTION NO. R-10  
SERIES 2022**

**A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF SUPERIOR APPROVING AN AMENDMENT TO THE AGREEMENT WITH HOFFMANN, PARKER, WILSON, CARBERRY, P.C., FOR LEGAL SERVICES**

**WHEREAS**, on December 14, 2005, the Board of Trustees approved an agreement between the Town and Hayes, Phillips, Hoffmann and Carberry, P.C. for legal services;

**WHEREAS**, in October 2015, the Board of Trustees approved an amendment to that agreement to increase the compensation, increase the required insurance and change the name of the law firm; and

**WHEREAS**, in October 2018, the Board of Trustees approved an amendment to that agreement to increase the compensation and increase the required insurance; and

**WHEREAS**, the Board wishes to amend the 2005 agreement again by increasing the compensation to be paid to the law firm.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF SUPERIOR, COLORADO, as follows:**

**Section 1.** The Third Amendment to the Agreement for General Counsel Services between the Town of Superior and Hoffmann, Parker, Wilson, Carberry, P.C. is hereby approved in the form attached hereto.

**ADOPTED this 24th day of January, 2022.**

DocuSigned by:  
*Clint Folsom*  
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\_\_\_\_\_  
Clint Folsom, Mayor

**ATTEST:** DocuSigned by:  
*Patricia Leyva*  
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Patricia Leyva, Town Clerk

**THIRD AMENDMENT TO AGREEMENT FOR GENERAL COUNSEL SERVICES**

THIS THIRD AMENDMENT TO AGREEMENT FOR GENERAL COUNSEL SERVICES (the "Third Amendment") is made and entered into this 24<sup>th</sup> day of January, 2022, by and between the Town of Superior, a Colorado municipal corporation with an address of 124 East Coal Creek Drive, Superior, Colorado 80027 (the "Town"), and Hoffmann, Parker, Wilson & Carberry, P.C., an independent contractor with a principal place of business at 510 16<sup>th</sup> Street, Suite 611, Denver, Colorado 80202 ("HPWC").

WHEREAS, on December 12, 2005, the Town and HPWC's predecessor entered into an Agreement for General Counsel Services (the "Agreement");

WHEREAS, in October 2015, the Town and HPWC agreed to an Amendment to the Agreement (the "First Amendment"); and

WHEREAS, in October 2018, the Town and HPWC agreed to an Amendment to the Agreement (the "Second Amendment"); and

WHEREAS, the Town and HPWC wish to amend the Agreement again to increase the compensation amount.

NOW, THEREFORE, for the consideration hereinafter set forth, the receipt and sufficiency of which are hereby acknowledged, the parties hereto agree as follows:

1. Section 7 of the Agreement is hereby amended to change the rate of compensation to \$215 per hour, effective January 1, 2022.
2. All provisions of the Agreement not expressly modified in the First Amendment, Second Amendment and/or this Third Amendment shall remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have executed this Third Amendment on the date first set forth above.

DocuSigned by:  
**TOWN OF SUPERIOR, COLORADO**  
*Clint Folsom*  
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\_\_\_\_\_  
Clint Folsom, Mayor

ATTEST: DocuSigned by:  
*Patricia Leyva*  
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\_\_\_\_\_  
Patricia Leyva, Town Clerk

**HOFFMANN, PARKER, WILSON &  
CARBERRY**

*Kendra Carberry*

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Kendra L. Carberry