



MEMORANDUM

P.O. Box 4100 ♦ FRISCO, COLORADO 80443

TO: MAYOR AND TOWN COUNCIL
FROM: LESLIE EDWARDS, FINANCE DIRECTOR
RE: RESOLUTION 24-22: A RESOLUTION OF THE TOWN COUNCIL OF THE
TOWN OF FRISCO, COLORADO, APPOINTING HOFFMANN, PARKER,
WILSON & CARBERRY, P.C. AS SPECIAL COUNSEL FOR TAX MATTERS
DATE: APRIL 9, 2024

Summary and Background: Article VI, Section 6-1(d) of the Frisco Town Charter authorizes the Town Council to employ special legal counsel to serve under Council's direction. As related to a tax matter, the need has arisen to employ special counsel that specializes in sales and lodging type taxes. Tax is a highly specialized area of law outside of our Town attorney's scope of expertise and it is customary for the Town to enter into an agreement with a specialized attorney when seeking resolution of tax matters. The Town currently faces a specific tax dispute, future disputes may also arise and create additional needs. Such resolution may or may not require litigation in court.

Analysis: The Town desires to maintain a level playing field that is equitable for those engaged in business within the Town of Frisco. To further such efforts, the Town Attorney and Staff have received recommendations regarding a highly regarded attorney by the name of Patrick Wilson who is employed by Hoffmann, Parker, Wilson, & Carberry P.C. and recommend Mr. Wilson and his associates to serve in this capacity. Mr. Wilson concentrates his practice in real estate, development, local government and public infrastructure matters, including eminent domain, quiet title, land use, tax and administrative law issues. The attached letter of engagement would secure the employment of the law firm of Hoffmann, Parker, Wilson, & Carberry P.C. as special counsel for tax matters.

Financial Impact: Per the Letter of Engagement, these fees will range from \$140 to \$350 per hour, depending on the level of attorney or paralegal required for the engagement. No additional appropriations are requested at this time to fund this engagement. In the event that additional appropriations are required, this matter will come back to the Town Council at a future meeting. The fees will be charged to the Town's General Fund.

Alignment with Strategic Plan: The choice to employ special counsel to aid in tax matters aligns with Quality Core Services to best aid Staff in the performance of their duties. This also aligns with Thriving Economy in protecting a level playing field and appropriate

collection of tax from those engaged in business within the Frisco community.

Staff Recommendation: Based upon the current needs of the Town of Frisco in tax matters, it is recommended the Town Council employ Hoffman Parker Wilson & Carberry P.C. as special counsel.

Approved By:

Tom Fisher, Town Manager
Diane McBride, Assistant Town Manager

Attachments:

Attachment 1 - Resolution 24-22
Attachment 2 - Engagement Letter for Hoffman Parker Wilson & Carberry P.C.
Attachment 3 - Biography for M. Patrick Wilson