

RESOLUTION NO. 501

A RESOLUTION DESIGNATING N. ROBERT SHIELDS FORFEITURE COUNSEL AND AUTHORIZING AN AGREEMENT WITH N. ROBERT SHIELDS AND THE MARION COUNTY DISTRICT ATTORNEY.

WHEREAS, 1989 Oregon Laws, Chapter 791 authorizes the City of Stayton to institute civil forfeiture proceedings to legally confiscate property seized as a result of certain illegal activities; and

WHEREAS, Marion County Legal Counsel's formerly designated as the City's "forfeiture counsel" has terminated the Agreement to so serve; and

WHEREAS, N. Robert Shields is qualified to handle forfeiture litigation and is willing to contract with the City on a case by case basis at an hourly rate; and

WHEREAS, the law requires that the Marion County District Attorney receive a portion of the forfeiture proceeds for its investigation and prosecution services; NOW, THEREFORE,

THE CITY OF STAYTON RESOLVES AS FOLLOWS:

SECTION 1. On behalf of the City of Stayton, the Mayor and the City Administrator are authorized to sign the Agreement with N. Robert Shields and the Marion County District Attorney, a copy of which is attached hereto, and by this reference incorporated herein.

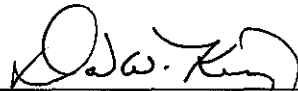
SECTION 2. N. Robert Shields is designated "forfeiture counsel" as that term is defined under 1989 Oregon Laws, Chapter 791.

SECTION 3. Notwithstanding Sections 1 and 2 of this Resolution, the Marion County legal counsel shall remain "forfeiture counsel" for incidents subject to forfeiture proceedings occurring prior to the execution of the attached Agreement unless the appropriate documents are approved by the involved court allowing substitution of counsel.

PASSED BY THE COMMON COUNCIL of the City of Stayton this 16th day of November, 1992.


WILLMER VAN VLEET, Mayor 11-17-92
Date

APPROVED AS TO FORM


DAVID W. KINNEY, City Administrator 11-17-92
Date


DAVID A. RHOTEN, City Attorney NOV 19 1992
Date