

CITY OF CHARLOTTE

COUNCIL POLICY

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1. PURPOSE

The purpose of this policy is to describe the process by which Charter section 6.6 (D) will be implemented so as to arrange for the attendance of the City Attorney at City Council meetings.

2. AUTHORITY

This policy is adopted pursuant to the provisions of section 4.7(I) of the Charter.

3. CITY ATTORNEY ATTENDANCE AT COUNCIL MEETINGS

3.1 The City Attorney will attend Council meetings only pursuant to a request of the Mayor or the City Manager or any two members of the City Council, except as provided in paragraph 4.

3.2 A request that the City Attorney attend a Council meeting shall be made as much in advance of the meeting as is possible. The failure of the City Attorney to attend a Council meeting after having been requested to do so pursuant to this policy shall not be considered a violation of this policy if 1) the City Attorney immediately notifies the requesting party that he has a prior commitment that will prevent his attendance or 2) if the request is received by the City Attorney after 12:00 noon on the day of the meeting.

3.3 A request that the City Attorney attend a Council meeting may be made in writing, in person, by telephone or by electronic mail. The request shall state the matter or matters, if any, on which the City Attorney's counsel is being sought.

3.4 When the City Manager wishes the City Attorney to attend a Council meeting, he or she may communicate directly with the City Attorney concerning that request. When the Mayor or City Council members wish the City Attorney to attend a Council meeting, they should ask that the City Manager or City Clerk relay that request to the City Attorney; provided, however, in instances in which the matter to be discussed is of such a nature that relaying the request through the City Manager or City Clerk is undesirable, the Mayor and City Council members may contact the City Attorney directly.

3.5 As soon as is practical following the confirmation that the City Attorney will be attending a Council meeting, all Council members will be notified of his or her

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attendance via electronic mail, which notification will state the matter on which the City Attorney's Council is being sought.

3.6 When the City Attorney is requested to attend a Council meeting, he or she shall be entitled to be present for the entire meeting and to be paid for the time spent at such meeting. The City Attorney shall be permitted to excuse himself from the remainder of a meeting following his informing the Council concerning the matter or matters for which his attendance was requested.

3.7 During any meeting attended by the City Attorney, the Mayor, Council members and/or City Manager may request his or her counsel on matters other than those included in the request for his or her attendance.

4. RIGHTS PROTECTED

This policy shall not be interpreted to prevent the City Attorney from voluntarily attending any meeting of the City Council, except a closed meeting called pursuant to the provisions of P.A 267 of 1976, as amended, and addressing the Council in accordance with the Council's rules for its meetings.

5. EFFECTIVE DATE

This policy shall become effective following the conclusion of the meeting at which it is approved.