

MEMORANDUM

TO: Charlotte City Council

FROM: Thomas M. Hitch, City Attorney *TMH*

RE: **CITY ATTORNEY REPORT**

DATE: January 8, 2016

The following is my report to the City Council on several issues in which our office has been engaged since the last Council meeting:

1. Freedom of Information Act Request. I continue to assist the City Clerk in response to a recent Freedom of Information Act request.

2. Eaton County Medical Care Facility. I have received correspondence from the City Manager regarding the refusal on the part of Eaton County to pay for certain equity and hook-up charges for the Eaton County Medical Care Facility. Our records indicate that the architect/project manager for Eaton County, who oversaw the initial construction in 2008, was aware that these equity fees were due, but apparently made no arrangements for such payments to the City. Pursuant to section 68-99(B), the charges for these equity fees, along with other fees for water and sewer, are a lien on the property and, thus, not subject to the typical statute of limitations. I will be working with the City Manager regarding the process for proceeding towards collection in this matter.

3. Ordinance Drafting. The City Manager has asked that I draft an ordinance to amend section 2-141 of the sustainability ordinance in order to continue its existence to March 16, 2020. That ordinance will be ready for first reading at the next Council meeting.

TMH:bks