

**Resolution of the City of Gustavus, Alaska  
Resolution No. 2011-08**

**A Resolution to Adopt "Policy on Use of the City Attorney(s)"**

**WHEREAS** the City of Gustavus has the need to develop a policy and procedure document related to the use of our City attorney(s); and

**WHEREAS** the City Council agreed informally on October 21, 2011 to follow this policy to assure fair, efficient, and cost-effective use of the City attorney(s); and

**WHEREAS** the City Council acknowledges the need to receive information in writing that can be shared by the Council and maintained in City records; and

**WHEREAS** this policy was discussed by the City Council at the January 6, 2011, the January 20, 2011, and the February 3, 2011 work sessions;

**AND NOW THEREFORE BE IT RESOLVED** that the Gustavus City Council adopts Resolution 2011-08, which includes Exhibit A "Policy on Use of the City Attorney(s)."

PASSED and APPROVED by the Gustavus City Council this 10<sup>th</sup> day of February, 2011.

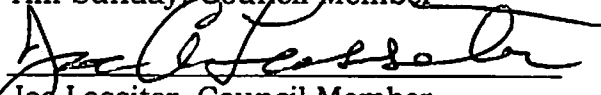
  
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Jim Mackovjak, Mayor

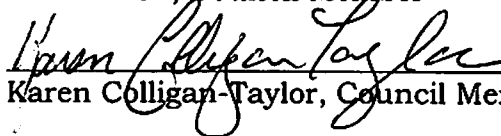
  
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Louis Cacioppo, Vice Mayor

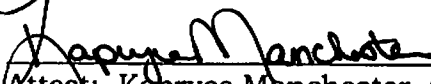
  
\_\_\_\_\_  
Melanie Lesh, Council Member

Via Teleconference  
\_\_\_\_\_  
Tim Sunday, Council Member

Via Teleconference  
\_\_\_\_\_  
John Nixon, Council Member

  
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Joe Lassiter, Council Member

  
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Karen Colligan-Taylor, Council Member

  
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Attest: Kapryce Manchester, CMC  
City Clerk

## **CITY OF GUSTAVUS**

### **POLICIES AND PROCEDURES**

#### **Policy on Use of the City Attorney(s)**

##### **POLICY**

It is the policy of the City of Gustavus to maintain a written record of queries to the City attorney(s) and of attorney responses. Toward this end, it is City policy that questions for the City attorney(s) shall be submitted in writing in hard copy or by e-mail to the Mayor (or Mayor's Designee) or City Clerk for the Mayor's consideration. In turn, the City attorney(s) are requested to respond in writing, prefacing their responses with the original question—for example, "You asked if the City has the authority to tax airplanes passing through its airspace."

If at least two council members submit a question to the Mayor for the attorney, the Mayor shall agree to forward the question to the attorney, provided that it does not, in the opinion of the Mayor, duplicate a question that has been previously answered. The City Clerk is authorized to seek attorney advice directly for questions related to performing routine City duties. The Mayor will contact the attorney(s) directly as necessary.

##### **PROCEDURE**

If one council member or a committee would like to pose a question to the City attorney, the question will be submitted in writing in hard copy or by e-mail to the Mayor or City Clerk for the Mayor's consideration.

If more than one council member is making a request, only one member of the two or three need send an e-mail to the Mayor or City Clerk. A simple statement in an e-mail message from Council Member A, for example, stating that "Council Member B and I request that you ask our City's attorney if the City has the authority to tax airplanes passing through its airspace," is adequate.

Within three working days of receipt of the question, the Mayor will submit the question to the attorney, or explain why the request has been delayed or denied.

The Mayor will promptly share the question and the attorney's response with the City Clerk and with the Council. The Clerk will keep a record of questions and attorney responses.