

**CITY OF MILWAUKIE**  
**RESOLUTION NO. 9-2003**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON, DELEGATING TO THE CITY MANAGER THE AUTHORITY TO EXCUSE THE CITY ATTORNEY FROM REGULAR AND SPECIAL MEETINGS OF THE CITY COUNCIL PURSUANT TO MILWAUKIE MUNICIPAL CODE SECTION 2.04.120.**

**WHEREAS**, Milwaukie Municipal Code Section 2.04.120 requires the attendance of the City Attorney at "all regular and special meetings" of the Council "[u]nless excused by the council;" and

**WHEREAS**, the City Attorney is a contract position that is billed on an hourly basis; and

**WHEREAS**, there is a cost savings to the City when the City Attorney does not attend Council meetings when there is nothing on the agenda that requires City Attorney advice; and

**WHEREAS**, it is the policy of the City Council that the City is best served when it errs on the side of maximizing the use of its legal advisor; and

**WHEREAS**, it is likewise the policy of the City to provide quality services at the most reasonable cost and to implement cost savings where possible; and

**WHEREAS**, when an agenda does not require the presence of the City Attorney, the required consent of Council is often impossible to ascertain in advance of the meeting;

**WHEREAS**, the City Manager is aware of Council agendas in advance and is able to determine whether any agenda item requires the presence of the City Attorney.

**NOW, THEREFORE, BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF MILWAUKIE THAT:**

**SECTION 1.** The City Council of the City of Milwaukie does hereby find and declare that there are meetings at which it is appropriate to excuse the City Attorney from attendance pursuant to Milwaukie Municipal Code Section 2.04.120; and

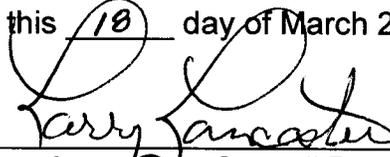
**SECTION 2.** The City Council of the City of Milwaukie further finds that the consent required of the Council to so excuse the City Attorney from attendance pursuant to Milwaukie Municipal Code Section 2.04.120 is often difficult to obtain in a timely manner; and

SECTION 3. The City Manager is delegated the authority to excuse the City Attorney from attendance at regular and special meetings of City Council after consultation with the City Attorney and in consideration of the policies relating to use of legal advice and cost savings stated above; and

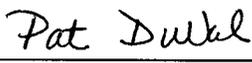
SECTION 4. The City Manager shall state that the City Attorney has been excused from a meeting pursuant to this Resolution and Milwaukie Municipal Code Section 2.04.120 at the commencement of the Council meeting upon recognition by the presiding officer; and

SECTION 5. This resolution shall take effect upon its adoption.

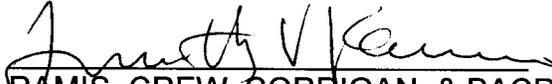
Introduced and adopted by the City Council on this 10 day of March 2003.

  
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Larry Lancaster, Council President

ATTEST:

  
\_\_\_\_\_  
Pat Duval, City Recorder

APPROVED AS TO FORM:

  
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RAMIS, CREW, CORRIGAN, & BACRACH, LLP