

Policy 2-1

COUNCIL POLICY 2-1

Legal Review of Documents

DISTRIBUTION: Mayor and City Council

All Departments

SUBJECT: Legal Review of Ordinances, Resolutions, Contracts and other matter to be approved by Council

PURPOSE: To establish procedures for reviewing ordinances, resolutions, contracts, other types of agreements and other matters to be approved by Council.

BACKGROUND: City departments, the Manager and the City Council and Mayor routinely receive requests for the approval of ordinances, resolutions, contracts (agreements) and other matters that impact the City and place requirements on staffs time, resources and the finances of the City. Prior to council consideration, these requests must be reviewed by the Office of the City Attorney to determine the legality of the request and the form of the request to insure that the requirements to be approved are in accordance with the Muskogee Code of Ordinances, and the Oklahoma and United States Statutes and Constitutions.

PROCEDURES: Procedures for Review:

- A. Review of documents will be accomplished by the staff of the City Attorney's office prior to the matter being placed on the Council Agenda.
- B. In order to accomplish this task in a timely manner the document must be submitted to the Office of the City Attorney at least two (2) weeks prior to the item being placed on the agenda of the Finance Committee or the Public Works Committee. An exception to this rule may be approved by the City Manager with the concurrence of the City Attorney.
- C. If, following review by either the Finance Committee or the Public Works Committee, the document is amended by recommendation of either of these committees every effort will be made to place the item on the next City Council meeting. If, because of the length the revision, the document cannot be ready for the next council meeting that fact will be discussed by reviewing committee and a date for the Council consideration will be agreed upon.
- D. Evidence of review by the Office of the City Attorney will be shown on the document by the use of the following "Approved as to Form and Legality this ____ day of ____, 20__.
_____, John H. Vincent, City Attorney"

REFERENCES: None.

EFFECTIVE DATE:

RESCISSION: This policy becomes effective February 11, 2009.

RESPONSIBILITY DEPARTMENT: CITY ATTORNEY

JOHN TYLER HAMMONS, Mayor

ATTEST:

PAMELA A. BUSH, CITY CLERK

(seal)

Approved as to form and legality this _____ day of _____, 2009.

JOHN H. VINCENT, CITY ATTORNEY