

ORDINANCE

An Ordinance to amend Section 3.480 of the Manitowoc Municipal Code regulating City Attorney.

The Mayor and Common Council of the City of Manitowoc do ordain as follows:

Section 1. Section 3.480 is amended to read as follows:

“3.480 City Attorney.

(1) City Attorney. The City Attorney shall be appointed by the Common Council for an indefinite term. In addition to other duties, it shall be the duty of the City Attorney to keep the Municipal Code in a currently revised form...

...

(2) Informed Consent.

(a) Pursuant to this section, the Common Council provides informed consent for the Office of the City Attorney to share information regarding the Office’s representation of the City, including the identity of the City as a client and information which may not be available to the public at the time of release, to the extent necessary for the purposes of consulting and collaborating with other municipal attorneys or legal counsel representing other governmental jurisdictions or other public or private organizations or parties, for the benefit of the City. This informed consent includes but is not limited to participation with legal listservs, joint meetings or conferences with other attorneys, and individual consultations with other attorneys with expertise in the subject matter or legal interests similar to those of the City.

(b) This section shall not provide informed consent for the Office of the City Attorney to release confidential information relating to the representation of the City where communication of the information would disadvantage the City’s legal position or where communication of the information is likely to result in that information being conveyed to a party that is adverse to the City in the particular matter related to the information or to that party’s legal counsel. In its sole discretion, the Common Council may establish additional restrictions or conditions related to its informed consent pursuant to this section.

(c) In specific instances where the Office of the City Attorney deems it necessary to seek more specific informed consent regarding communication of information due to the requirements of subsection (b) or due to other obligations of the City Attorney under the rules of professional conduct for attorneys or to other factors or circumstances, the City Attorney may seek such informed consent from the Mayor and the Mayor may, in their sole judgment, determine whether such informed consent may be provided on behalf of the City.

Section 2. This ordinance shall take effect the day after publication.

INTRODUCED _____ ADOPTED _____

JUSTIN M. NICKELS, Mayor

Fiscal Impact:	Anticipated no greater than \$100 for ordinance publication and code update costs of which are appropriated in the 2024 adopted budget. No additional tax levy or 2024 budget amendments.
Funding Source:	1100-15100-532100
Finance Director Approval:	/SMA
Approved as to form:	/EGN

This Ordinance was drafted by Eric G. Nycz, City Attorney