SCANNED FROM MICROFILM

ORDINANCE NO. 926

AN ORDINANCE CREATING THE OFFICE OF CITY ATTORNEY, SETTING FORTH THE DUTIES OF SUCH OFFICE AND PROVIDING THE MANNER OF APPOINTMENT AND COMPENSATION FOR SUCH OFFICE.

THE CITY COUNCIL OF THE CITY OF EDMONDS DOES ORDAIN AS FOLLOWS:

Section 1. There is hereby created the office of City Attorney in and for the City of Edmonds, Snohomish County, Washington, pursuant to the laws of the State of Washington, which office shall be filled by appointment by the Mayor with confirmation by a majority vote of the City Council.

Section 2. Duties. The City Attorney shall advise the city authorities and officers on all legal matters pertaining to the business of the city and shall approve all ordinances as to form. He shall represent the City in all actions brought by or against the city or against city officials in their official capacity. He shall perform such other duties as the City Council, by ordinance, may direct.

In addition to the duties prescribed by the laws of the State of Washington as hereinabove set forth, the City Attorney shall 1) attend all regular and special Council meetings; 2) draft all ordinances, leases and conveyances, and such other instruments as may be required by the business of the City, when requested to do so by the City Council or the Mayor; 3) attend all regular and work meetings of the Board of Adjustment and Planning Commission of the City of Edmonds; 4) attend all sessions of the Edmonds Police Court.

Section 3. Compensation. The City Attorney shall receive a salary in such amounts as the Council may, from time to time, establish by ordinance. The salary paid by the City as fixed from time to time by ordinance shall be payment to the City Attorney for all legal services performed in connection with or having to do with all city operations, in a governmental, as distinguished from a proprietary capacity; provided,

however, this shall not include representing the City of Edmonds in any Superior Court action, nor preparation therefor; nor shall the salary include time spent on purchasing of property, obtaining easements, rights-of-way, nor time spent on special general obligation bond issues, revenue bonds issues or condemnation actions; and further, it is contemplated that, from time to time, some cause may come before the City requiring services over and above the formal duties of the City Attorney, and that when such services are requested and required by the City Council they,too, shall be compensated for at the rate now fixed for additional duties, and which rate is consistent with the hourly fee charged by the Snohomish County Bar Association, to-wit: $15.00 per hour. The said rate of $15.00 per hour shall be the rate paid for all services performed by the City Attorney other than those covered by the monthly salary; provided, however, if the hourly fee charged by the Snohomish County Bar Association shall be changed, then the hourly fee charged by the City Attorney shall be changed accordingly, by ordinance. It is further provided that the City Attorney shall be paid a regular fee for all Local Improvement Districts, computed at the rate of 3% of the first $100,000.00 of the total cost of such improvement and 1% on all sums in excess of $100,000.00, for each such district; PROVIDED, however, that there shall be a minimum legal charge for any Local Improvement District of not less than $300.00. It is further provided that in the event additional services or duties are required of the City Attorney, for which additional compensation is to be paid as above set forth, such additional duties and services shall be reflected in the minutes of the Council meeting preceeding the initiation of such services.

Section 4. Assistants or Deputies. The office of Assistant City Attorney be and the same is hereby abolished; provided, however, that the City Attorney may submit to the Mayor of the City of Edmonds the names of those attorneys he feels may act as Deputy City Attorneys in his absence,

and, thereupon, the Mayor May make appointment of such deputies, subject to confirmation by the City Council, to aid the City Attorney. There shall be no salary allowable for such deputies.

Section 5. Section 4 of Ordinance No. 266, passed October 1, 1913, be and the same is hereby repealed.

Section 6. Sections 1, 2, 3 and 4 of Ordinance No. 840, now codified under Chapter 1.36, sections 1.36.030, 040, 050 and 060, be and the said sections hereby are repealed.

Section 7. All actions heretofore performed by the City Attorney under the direction of the Mayor and with Council approval and for which compensation was received by said City Attorney, be and they are hereby ratified.

Section 8. The effective date of this ordinance shall be the 27 day of March, 1962.

James Timm
MAYOR

ATTEST:

Grace Harvey Lemmon
CITY CLERK

Passed: March 27, 1962

Published: April 5, 1962

Filed with City Clerk: March 28, 1962