

*Repealed
by Ord
2168*

ORDINANCE NO. 900

AN ORDINANCE OF THE CITY OF KIRKLAND, WASHINGTON, PROVIDING THAT THE OFFICE OF THE CITY ATTORNEY SHALL BE APPOINTIVE, SETTING FORTH THE DUTIES OF SAID OFFICE, AND PROVIDING FOR THE MANNER OF DETERMINING COMPENSATION FOR SUCH OFFICE:

THE CITY COUNCIL OF THE CITY OF KIRKLAND DO ORDAIN AS FOLLOWS:

Section 1. The office of City Attorney in and for the City of Kirkland is hereby declared to be an appointive office as provided by the laws of the State of Washington, and said office shall be filled by appointment, by the Mayor with confirmation by a majority vote of the City Council.

Section 2. 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 or employees in their official capacity. He shall attend all regular and special meetings of the City Council and regular and special meetings of such Boards or Commissions of the City as shall request his presence. He shall represent the Chief of Police in prosecutions for violations of City Ordinances before all Courts with competent jurisdiction to hear same, as directed by the City Council. He shall perform such other legal duties as the City Council shall order from time to time or direct by Ordinance.

Section 3. The office of City Attorney is found to be of a part-time nature and the duties of such office vary greatly, according to unforeseen circumstances affecting the growth and development of the City, the City Attorney, therefore, shall receive a monthly retainer in such amounts as the City Council may from time to time establish by Ordinance. The monthly retainer paid by the City as fixed from time to time by Ordinance shall be compensation 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, that this shall not include representing the City in any Superior Court action, nor preparation therefor, nor shall the retainer include time spent on purchasing property, obtaining easements, rights-of-way, nor time spent on obligation bond issues, revenue bond issues, or condemnation actions, nor time spent in the preparation and drafting of special ordinances or resolutions; nor services rendered in connection with any local improvement districts or annexations, 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, which rate shall be consistent with and based on the hourly fee and court proceedings fee established by the Seattle-King County Bar Association. The said rate shall be the rate paid for all services performed by the City Attorney other than those covered by the monthly retainer; provided, however, that if the said rate established by the Seattle-King County Bar Association should be changed or a fee schedule should be hereafter adopted by the East King County Bar Association, then the said rate may be changed, accordingly, by ordinance. 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 City Council.

Section 4. From time to time, as the need arises, the City Council may employ additional counsel to assist the City Attorney in Superior Court actions, financing arrangements or other proceedings, the compensation for such services to be set by the Council at the time of the employment of such additional counsel.


Section 5. The terms and effective date of this Ordinance notwithstanding, the present unexpired elective term of said office shall continue until said term expires on the first Monday in April, 1964.

Section 6. This Ordinance shall be in force and take effect five (5) days from and after its passage, approval and posting or publishing in accordance with law.

INTRODUCED the 18th day of March 1963.
PASSED and APPROVED the 15 day of April, 1963.


MAYOR

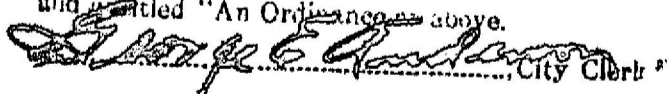
ATTEST:


City Clerk

Approved as to Form:


City Attorney

I hereby certify that the foregoing is a true and correct copy of an Ordinance of the City of Kirkland and that the same was published or posted according to law, said Ordinance being No. 900 and entitled "An Ordinance" above.


City Clerk