Ordinance No. 2366

["Beginning July 1, 1998"]

(Amending or Repealing Ordinances)

Amended by Ord. 3512 (Now Sec. 2.20)
ORDINANCE NO. 2366

AN ORDINANCE of the City of Kent, Washington, relating to the Office of the City Attorney; codifying Ordinance No. 2352 by adding a new Chapter 2.10 to the Kent City Code; adding a provision authorizing the City Attorney to enter into interlocal agreements to provide legal services; and repealing Ordinance No. 2352.

WHEREAS, Ordinance Nos. 1177 and 1928 relating to the Office of the City Attorney were codified as Chapter 2.10 of the Kent City Code (KCC); and
WHEREAS, Ordinance No. 2352 repealed Ordinance Nos. 1177 and 1928 without reference to Chapter 2.10 KCC; and
WHEREAS, it is desirable to codify City ordinances to provide ease of reference for government and public operations; and
WHEREAS, it is further desirable that the Office of the City Attorney be available to provide legal services to other local governments and public offices; NOW, THEREFORE,

THE CITY COUNCIL OF THE CITY OF KENT, WASHINGTON, DO HEREBY ORDAIN AS FOLLOWS:

Section 1. Ordinance No. 2352, entitled "AN ORDINANCE of the City of Kent, Washington, creating the position of City Attorney; prescribing the duties of the office and qualifications of the attorney; providing for the appointment and salary of the City Attorney and the appointment of the Assistant City Attorney, prohibiting the private practice of law and repealing Ordinance 1177 and 1928." is codified as Chapter 2.10 of the Kent City Code, as follows:

"Chapter 2.10. CITY ATTORNEY"

"2.10.010. City Attorney. There is hereby created the position known as City Attorney. Said position is created in accordance with the Kent City Policy Manual.

"2.10.020. Appointment. The City Attorney shall be appointed by the City Administrator in accordance with the provisions of the Policies and Procedure Manual solely on the basis of professional experience, education, and demonstrated knowledge of accepted practices relating to the duties of the office.

"2.10.030. Qualifications. The City Attorney must be a graduate of an accredited law school and a member in good standing of the Washington State Bar Association."
2.10.40. Duties and Powers of the City Attorney. It shall be the duty of the City Attorney to advise all City Officials elected or appointed, City Employees and City Boards or Commissions in all legal matters pertaining to the business of the City and to approve all ordinances and resolutions as to form. The City Attorney shall supervise the representation of the City in all actions brought by or against the City or against City Officials in their official capacity. The City Attorney shall perform such other duties as the City Council, Mayor, or City Administrator may direct or as may be required by the laws of the State of Washington. The City Attorney shall have complete charge of all of the work of the office of the City Attorney and shall make periodic reports to the City Administrator.

2.10.050. Assistant City Attorneys. The City Attorney may appoint necessary assistants who shall have the power to perform any act which the City Attorney is authorized to perform.

2.10.060. Private Practice of Law Prohibited. The City Attorney or full time Assistant City Attorneys shall not practice law for renumeration in a private capacity as an attorney in any court of this state during their employment by the City or act as an advisor or advocate for any person who may wish to become a client. This section shall not be construed as prohibiting the City Attorney or a full time Assistant City Attorney from performing legal services for themselves or their immediate families or performing legal services of a charitable nature. Special Assistant City Attorneys employed on less than a full time basis to transact business of a legal or quasi-legal nature for the City may practice law in their private capacity. If a conflict of interest should develop between any attorney acting on behalf of the City and a private client, the attorney shall withdraw from representation of the private client and shall act only for the City.

2.10.070. Salary. The salary of the City Attorney shall be that as established in the Annual City Budget.

Section 2. A new Section 2.10.065 is added to the Kent City Code as follows:

2.10.065. Interlocal Agreements. Notwithstanding the provisions of 2.10.060, the City Attorney is authorized to consult with, and provide legal services to, governmental agencies, municipal and public corporations or other public offices. The City Attorney is authorized to enter into interlocal agreements or contracts to provide such consultation or legal services.
Section 3. Ordinance 2352 be and the same hereby is repealed.

Section 4. If any provision of this Ordinance or its application to any person or circumstances is held invalid, the remainder of the Ordinance or the application of the provisions to other persons or circumstances is not affected.

Section 5. EFFECTIVE DATE. This ordinance shall take effect and be in force five (5) days from and after its passage, approval and publication as provided by law.

ISABEL HOGAN, MAYOR

ATTEST:

MARIE JENSEN, CITY CLERK

APPROVED AS TO FORM:

P. STEPHEN DIJULIO, CITY ATTORNEY

PASSED the 20 day of Sept, 1982.
APPROVED the 21 day of Sept, 1982.
PUBLISHED the 23 day of Sept, 1982.

I hereby certify that this is a true copy of Ordinance No 2352, passed by the City Council of the City of Kent, Washington, and approved by the Mayor of the City of Kent as hereon indicated.

MARIE JENSEN, CITY CLERK

(SEAL)