

City of Lynnwood
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CITY OF LYNNWOOD
ORDINANCE NO. 2311

AN ORDINANCE OF THE CITY OF LYNNWOOD, WASHINGTON, AMENDING SECTIONS 2.16.010 OF THE LYNNWOOD MUNICIPAL CODE AND SECTION 2 OF ORDINANCE 65, AND ADOPTING A NEW CHAPTER AND SECTIONS OF THE LYNNWOOD MUNICIPAL CODE, ALL IN REGARD TO ESTABLISHING A CONFIRMATION PROCESS FOR THE OFFICE OF CITY ATTORNEY.

WHEREAS, RCW 35A.12.090 authorizes the City Council to establish by ordinance a confirmation process for all officers and employees appointed by the Mayor; and

WHEREAS, LMC 2.16 authorizes the Mayor to appoint a City Attorney as a city official; and

WHEREAS, RCW Chapter 35A.11.020 authorizes the City Council to organize and regulate internal city operations and processes, and to define the functions, duties, and authority of city officers and staff;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LYNNWOOD DOES HEREBY ORDAIN AS FOLLOWS:

Section 1. Amendment. Sections 2.16.010 of the Lynnwood Municipal Code, and Ordinance 65, section 2 (1960), is hereby amended to read as follows:

The appointment of the City Attorney shall be by the Mayor subject to a City Council confirmation process which includes, but is not limited to, a majority vote of the City Council.

Section 2. New Chapter and Sections. There is hereby established in the Lynnwood Municipal Code, Chapter 2.06 entitled, "City Council Confirmation Process for Appointed Officials and Employees." Each section herein, is a new section to be included within Chapter 2.06.

2.06.010 Scope. This Chapter shall apply to the appointment and confirmation process of the following appointive city officials and employees: City Attorney under LMC 2.16.020.

1 2.06.020 Confirmation Process Resolution or Motions – Elements. Any
2 appointive officials or employees named in Section 2.06.010 shall be subject to
3 a confirmation process established by a City Council resolution or motion,
4 which for the referred candidates may include, but is not limited to: interviews,
5 review of document submissions, open questions, and a hearing before the City
6 Council.

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8 2.06.030 Referral of Candidates.

9 No City Councilmember shall be invited to, nor participate in, any
10 administrative interview panel for candidate selection of appointive officials or
11 employees. At the conclusion of the initial administrative interview process, the
12 Mayor shall refer to the Council at least three (3) candidates for a City Council
13 confirmation process . The Council resolution or motion made pursuant to
14 Section 2.06.020, may change the number of candidates to be referred by Mayor
15 based upon substantial justification acceptable to the Council. At the
16 conclusion of the City Council confirmation process, the Mayor may make an
17 appointment from the group of referred candidates to the Council for a
18 confirmation vote. Provided, that individual Councilmembers may contact the
19 Mayor informally prior to the appointment to informally voice their opinions
20 and recommendations, if any, but the City Council shall take no action to
21 recommend or direct the Mayor’s appointment of any candidate.
22

23 2.06.040 Confirmation Vote. The confirmation of a proposed appointment by
24 the Mayor shall be by a majority vote of the City Council.
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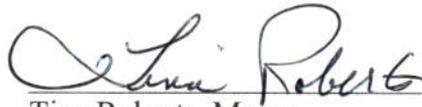
26 Section 3. Severability. If any section, sentence, clause or phrase of this
27 ordinance should be held to be invalid or unconstitutional by a court of competent
28 jurisdiction, such invalidity or unconstitutionality shall not affect the validity or
29 constitutionality of any other section, sentence, clause or phrase of this ordinance.

30 Section 4. Effective Date. This ordinance, being an exercise of a power
31 specifically delegated to the City legislative body, is not subject to referendum, and
32 shall take effect five (5) days after passage and publication of an approved summary
33 thereof consisting of the title.

34
35 ADOPTED by the City Council of the City of Lynnwood, Washington, at its
36 regular meeting held the 24th day of April, 2000.
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SIGNED AND APPROVED by the Mayor of the City of Lynnwood,
Washington, this 24 day of April, 2000.


Tina Roberts, Mayor

Attested/Authenticated by:


Michael Bailey
Finance Director

Approved As To Form
Office of the City Attorney:


Greg A. Rubstello
City Attorney

SUMMARY OF ORDINANCE NO. 2311

of the City of Lynnwood, Washington

On the 24th day of April, 2000, the City Council of the City of Lynnwood, passed Ordinance No. 2311. A summary of the content of said ordinance, consisting of the title, provides as follows:

AN ORDINANCE OF THE CITY OF LYNNWOOD, WASHINGTON, AMENDING SECTIONS 2.16.010 OF THE LYNNWOOD MUNICIPAL CODE AND SECTION 2 OF ORDINANCE 65, AND ADOPTING A NEW CHAPTER AND SECTIONS OF THE LYNNWOOD MUNICIPAL CODE, ALL IN REGARD TO ESTABLISHING A CONFIRMATION PROCESS FOR THE OFFICE OF CITY ATTORNEY.

The full text of this Ordinance will be mailed upon request.

DATED this 8th day of April, 2000.



MICHAEL E. BAILEY, FINANCE DIRECTOR

Affidavit of Publication

STATE OF WASHINGTON,
COUNTY OF SNOHOMISH.

} ss.

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of the City of Lynnwood, Washington

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The full text of this Ordinance will be mailed upon request. DATED this 8th day of April, 2000.

MICHAEL E. BAILEY,
FINANCE DIRECTOR
Published: May 10, 2000.

The undersigned, being first duly sworn on oath deposes and says that she is Principal Clerk of THE HERALD, a daily newspaper printed and published in the City of Everett, County of Snohomish, and State of Washington; that said newspaper is a newspaper of general circulation in said County and State; that said newspaper has been approved as a legal newspaper by order of the Superior Court of Snohomish County and that the notice.....

Summary of Ordinance #2311

City of Lynnwood

a printed copy of which is hereunto attached, was published in said newspaper proper and not in supplement form, in the regular and entire edition of said paper on the following days and times, namely:

Published: May 10, 2000

and that said newspaper was regularly distributed to its subscribers during all of said period.

[Handwritten signature]

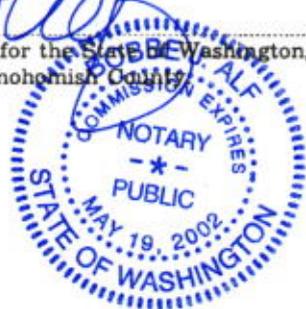
Principal Clerk

Subscribed and sworn to before me this 10th

day of May 2000

[Handwritten signature]

Notary Public in and for the State of Washington, residing at Everett, Snohomish County



RECEIVED
MAY 15 2000
CITY OF LYNNWOOD
FINANCE DIRECTOR

CERTIFICATE

I, the undersigned, MICHAEL E. BAILEY, the duly appointed Finance Director of the City of Lynnwood, Washington, hereby certify that the Ordinance here to attached is a full, true and correct copy of Ordinance No. 2311 of the City of Lynnwood, Washington, entitled as follows:

AN ORDINANCE OF THE CITY OF LYNNWOOD, WASHINGTON, AMENDING SECTION 2.16.010 OF THE LYNNWOOD MUNICIPAL CODE AND SECTION 2 OF ORDINANCE 65, AND ADOPTING A NEW CHAPTER AND SECTIONS OF THE LYNNWOOD MUNICIPAL CODE, ALL IN REGARD TO ESTABLISHING A CONFIRMATION PROCESS FOR THE OFFICE OF CITY ATTORNEY.

That said ordinance was passed by the Council of said City and was published and posted according to law; that said ordinance was duly published in the official newspaper of said City on 5-10-2000.

DATE: 5/15/2000



Finance Director of the
City of Lynnwood, Washington