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

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

2.06.040 Confirmation Vote. The confirmation of a proposed appointment by the Mayor shall be by a majority vote of the City Council.

Section 3. Severability. If any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

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

ADOPTED by the City Council of the City of Lynnwood, Washington, at its regular meeting held the 24th day of April, 2000.
SIGNED AND APPROVED by the Mayor of the City of Lynnwood, Washington, this __ 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
STATE OF WASHINGTON
COUNTY OF SNOMISH.

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.

Principal Clerk

Subscribed and sworn to before me this... 10th

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