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2 **CITY OF LYNNWOOD**
3 **ORDINANCE NO. 2311**
4

5 AN ORDINANCE OF THE CITY OF LYNNWOOD, WASHINGTON,
6 AMENDING SECTIONS 2.16.010 OF THE LYNNWOOD MUNICIPAL
7 CODE AND SECTION 2 OF ORDINANCE 65, AND ADOPTING A NEW
8 CHAPTER AND SECTIONS OF THE LYNNWOOD MUNICIPAL CODE,
9 ALL IN REGARD TO ESTABLISHING A CONFIRMATION PROCESS
10 FOR THE OFFICE OF CITY ATTORNEY.
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12 WHEREAS, RCW 35A.12.090 authorizes the City Council to establish by
13 ordinance a confirmation process for all officers and employees appointed by the
14 Mayor; and

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

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

20
21 **NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LYNNWOOD**
22 **DOES HEREBY ORDAIN AS FOLLOWS:**
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24 **Section 1. Amendment.** Sections 2.16.010 of the Lynnwood Municipal Code,
25 and Ordinance 65, section 2 (1960), is hereby amended to read as follows:

26 The appointment of the City Attorney shall be by the Mayor subject to a City
27 Council confirmation process which includes, but is not limited to, a majority
28 vote of the City Council.
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30 **Section 2. New Chapter and Sections.** There is hereby established in the
31 Lynnwood Municipal Code, Chapter 2.06 entitled, "City Council Confirmation Process
32 for Appointed Officials and Employees." Each section herein, is a new section to be
33 included within Chapter 2.06.

34 **2.06.010 Scope.** This Chapter shall apply to the appointment and confirmation
35 process of the following appointive city officials and employees: City Attorney
36 under LMC 2.16.020.
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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.

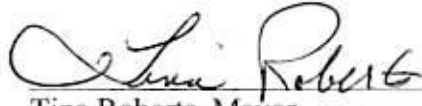
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23 2.06.040 Confirmation Vote. The confirmation of a proposed appointment by
24 the Mayor shall be by a majority vote of the City Council.
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26 Section 3. Severability. If any section, sentence, clause 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.

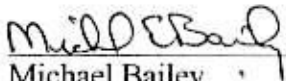
30 Section 4. Effective Date. This ordinance, being an exercise of a power
31 specifically delegated to the City legislative body, is not subject to referendum, and
32 shall take effect five (5) days after passage and publication of an approved summary
33 thereof consisting of the title.

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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1 SIGNED AND APPROVED by the Mayor of the City of Lynnwood,
2 Washington, this 24 day of April, 2000.

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5 
6 Tina Roberts, Mayor

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8 Attested/Authenticated by:

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11 
12 Michael Bailey
13 Finance Director

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15 Approved As To Form
16 Office of the City Attorney:

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19 Greg A. Rubstello
20 City Attorney
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