

# Whittier Municipal Codes

## Updated April 21, 2015

### **SECTION 600. - Officers To Be Appointed by the City Council.**

**In addition to the city manager, there shall be a city attorney who shall be appointed by and serve at the pleasure of the city council.**

### **SECTION 602. - City Attorney; Powers and Duties.**

To become and remain eligible for city attorney the person appointed shall be an attorney-at-law duly licensed as such under the laws of the State of California, and shall have been engaged in the practice of law for at least five years prior to his appointment. The city attorney shall have power and may be required to:

- (a) Represent and advise the city council and all city officers in all matters of law pertaining to their offices.
- (b) Represent and appear for the city in any or all actions or proceedings in which the city is concerned or is a party, and represent and appear for any city officer or employee, or former city officer or employee, in any or all actions and proceedings in which any such officer or employee is concerned or is a party for any act arising out of his employment or by reason of his official capacity.
- (c) Attend all regular meetings of the city council and give his advice or opinion in writing whenever requested to do so by the city council or by any of the boards or officers of the city.
- (d) **Approve the form of all contracts made by and all bonds given to the city, endorsing his approval thereon in writing.**
- (e) Prepare any and all proposed ordinances and resolutions for the city and amendments thereto.
- (f) Surrender to his successor all books, papers, files and documents pertaining to the city's affairs.

The city council shall have control of all legal business and proceedings and may employ other attorneys to take charge of any litigation or matter or to assist the city attorney herein.

## **SECTION 608. - Illegal Contracts; Financial Interest**

**No member** of the city council, department head **or other officer of the city** (except a member of any board or commission), **shall be financially interested, directly or indirectly, in any contract, sale or transaction to which the city is a party.**

No member of any board or commission shall be financially interested, directly or indirectly, in any contract, sale or transaction to which the city is a party and which comes before the board or commission of which such person is a member for approval or other official action or which pertains to the department, office or agency of the city with which such board or commission is connected.

Any contract, sale or transaction in which there shall be such an interest, as specified in this section, shall become void at the election of the city when so declared by resolution of the city council.

No member of the city council, department head or other officer of the city, or member of any board or commission shall be deemed to be financially interested, within the meaning of the foregoing provisions, in any contract made with a corporation where his only interest in the corporation is that of a stockholder and the stock owned by him shall amount to less than three per cent of all the stock of such corporation issued and outstanding.

**If any member** of the city council, department head **or other officer** of the city, or member of a board or commission **shall be financially interested as aforesaid, upon conviction thereof he shall forfeit his office in addition to any other penalty which may be imposed for such violation of this charter.**