

**ORDINANCE NO. 2006-218**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CALABASAS AMENDING THE CHAPTER 2.20 OF TITLE 17 OF THE CALABASAS MUNICIPAL CODE REGARDING THE POWERS AND DUTIES OF THE OFFICE OF CITY ATTORNEY**

**THE CITY COUNCIL OF THE CITY OF CALABASAS DOES ORDAIN AS FOLLOWS:**

**SECTION 1. CODE AMENDMENT.** Section 2.20.020 of the Calabasas Municipal Code is hereby amended to read as follows:

“Section 2.20.020 Powers and Duties

A. The city attorney shall advise the city officials in all legal matters pertaining to city business.

B. The city attorney shall frame all ordinances and resolutions as requested by the city council or the city manager. The city attorney shall advise the city council as to the form and sufficiency of all ordinances and resolutions prior to their adoption, and no ordinance shall be introduced until it shall either have been approved as to form by the city attorney or until the city attorney has filed with the city clerk a statement of reasons why the ordinance is defective.

C. The city attorney shall perform other legal services required from time to time by the city council.

D. The city attorney shall represent the city in all causes in which the city is interested and shall have full and complete charge of the legal business of the city. The city attorney shall be the legal advisor to the city manager, to the city council and to all departments and agencies of the city, except as may be otherwise provided by the direction of the city council. The city attorney shall prosecute and defend actions and proceedings by and against the city and every department and agency thereof at the direction of the city council. In furtherance of these general powers, the city attorney shall:

1. Advise officers. Advise the city manager, the city council and its commissions and committees, and the heads of all departments,

agencies, boards and commissions on all matters relating to their official powers, duties and functions;

2. Give opinions. Render legal opinions upon any questions of law submitted by: (i) the city council, (ii) city manager, or (iii) with the consent of the city council or city manager, the heads of all departments, agencies, boards, or commissions;

3. Attend city council meetings. Attend in person or by designee all regular city council meetings for the purpose of giving the city council any legal advice requested by its members, and such special meetings and study sessions of the city council, meetings of commissions, and meetings of city council committees as the city council or city manager may request;

4. Prepare legal instruments. Prepare, review and approve all contracts, deeds, documents and instruments prior to the execution thereof by or on behalf of the city, its departments and agencies;

5. Appoint professional assistants. The city attorney may appoint deputy assistants and such other assistants as in his/her judgment are needed to carry on the legal business of the city.”

**SECTION 2. SEVERABILITY.** If any provision, section, paragraph, sentence or word of this ordinance, or the application thereof to any person or circumstance, is rendered or declared invalid by any court of competent jurisdiction, the remaining provisions, sections, paragraphs, sentences or words of this ordinance, and their application to other persons or circumstances, shall not be affected thereby and shall remain in full force and effect and, to that end, the provisions of this ordinance are severable.

**SECTION 3. CONSTRUCTION.** To the extent the provisions of the Calabasas Municipal Code as amended by this ordinance are substantially the same as the provisions of that Code as they read prior to the adoption of this ordinance, they shall be construed as continuations of those prior provisions and not as new enactments.

**SECTION 4. EFFECTIVE DATE.** This ordinance shall take effect thirty days after its passage and adoption pursuant to California Government Code section 36937.

**SECTION 5. CERTIFICATION.** The City Clerk shall certify to the passage and adoption of this ordinance and shall cause the same to be published or posted according to law.

**PASSED, APPROVED AND ADOPTED**, this \_\_\_th day of \_\_\_\_\_ 2006.

\_\_\_\_\_  
Barry Groveman, Mayor

ATTEST:

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Gwen Peirce, Assistant City Clerk

APPROVED AS TO FORM:

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Michael G. Colantuono, City Attorney