

Chapter 2.19

CITY CLERK-TREASURER

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2.19.010 **Position of Clerk-Treasurer Created.**

- A. The combined office of Clerk-Treasurer is hereby created, combining the duties previously performed by the offices of the City Clerk and the City Treasurer. The Clerk-Treasurer shall exercise all the powers vested in and perform all the duties required to be performed previously by the individual offices of City Clerk and City Treasurer, including those duties specifically designated in RCW 35A.42.010 and RCW 35A.42.040.
- B. The Clerk-Treasurer shall keep a full and true record of every act and proceeding of the City Council and keep such books, accounts and make such reports as may be required by the State Auditor. The Clerk-Treasurer shall record all ordinances, annexing thereto a certificate giving the number and title of the ordinance, stating that the ordinance was published and posted according to law and that the record is a true and correct copy thereof. The record copy with the Clerk-Treasurer's certificate shall be prima facie evidence of the contents of the ordinance and of its passage and publication and shall be admissible as such evidence in any court or proceeding. The Clerk-Treasurer shall also perform such other duties as may be required by statute or ordinance.
- C. The Clerk-Treasurer shall receive and safely keep all money that comes into the possession of the City for all which triplicate receipts shall be executed, one to be retained in the files of the Clerk-Treasurer; and shall receive all money due to the City and disburse it upon warrants countersigned by the Mayor, and not otherwise. The Clerk-Treasurer shall make monthly statements for all money received and all canceled warrants as evidence of money paid. (Ord. 808, July 2006.)

- 2.19.020** **Bond.** The Clerk-Treasurer shall, upon appointment, execute and file a bond as required in Chapter 2.24 of this Code. (Ord. 808, July 2006.)

2.19.030 **Indemnification of Clerk-Treasurer.** Whenever an action or proceeding for damages that are brought against a past or present City Clerk-Treasurer arising from acts or omissions while performing, or in good faith purporting to perform their official duties, the Clerk-Treasurer may request the City to authorize the defense of the action or proceeding at the expense of the City. If the City Council finds the acts or omissions of the Clerk-Treasurer were, or in good faith purported to be, within the scope of his or her official duties, the request for defense and indemnification shall be granted. If the request is granted, the necessary expense of defending the action or proceeding shall be paid by the City. Any monetary judgment against the Clerk-Treasurer shall be paid on approval of the City Council. (Ord. 808, July 2006.)

2.19.040 **Determination/Exclusions of Indemnification.** The determination of whether the Clerk-Treasurer is performing, or in good faith purporting to perform his or her official duties, shall be made as provided in BCMC 2.48.050.B. However, the recommendation as to whether the acts or omission which gave rise to the claim occurred while performing or in good faith purporting to perform the official duties of the Clerk-Treasurer, shall be made by the Mayor.

Acts or omissions based upon any dishonest, fraudulent, criminal, willful, intentional or malicious act or course of conduct by the Clerk-Treasurer; any act or course of conduct of the Clerk-Treasurer which is not performed on behalf of the City; or any act or course of conduct which is outside the scope of the Clerk-Treasurer's employment with the City, shall exclude the Clerk-Treasurer from defense and indemnification by the City. (Ord. 808, July 2006.)