



Employment Agreement for Legal Services

- 1. Parties.** The Parties to this Employment Agreement ("Agreement") are the City of Wapato ("City") and Theodore J. Schott ("Attorney").
 - a. The City:
 - i. The City is a municipal corporation organized under the laws of the State of Washington.
 - b. Attorney
 - i. Attorney is licensed to practice law in the State of Washington.
- 2. Effective Date of Agreement.** This Agreement is effective March 25th, 2019.
- 3. Recitals.**
 - a. The City desires to employ the services of Attorney as City Attorney and Prosecuting Attorney for the City of Wapato;
 - b. Attorney desires to accept provide services as a vendor "1099" as City Attorney/Prosecuting Attorney for the City of Wapato.
- 4. Agreement to contract for services.** The City agrees to contract as City Attorney/Prosecuting Attorney; to perform the functions and duties outlined below and to perform such other legally permissible and proper duties and functions as the City Manager may assign from time to time.
- 5. Term.** This Agreement is effective for three months from date of signature.
- 6. Compensation.**
 - a. 2019 Attorney's hourly rate is \$50.00 per hour.
 - b. Travel Expenses. The City must reimburse Attorney for reasonable and customary expenses actually incurred in connection with the business of the City, including food, lodging, and travel expenses while away, provided that prior arrangements are made with the City Clerk/Treasurer and upon approval of the City Manager.
 - c. **Duties.** Attorney will perform all duties of the City Attorney/Prosecuting Attorney; as set forth below and other duties as may be assigned from time to time by the City Manager.
 - d. General Purpose. This is a professional position that plans, directs, and coordinates comprehensive legal services for the City; provides counsel to the City Administrator, Mayor, Council, staff, committees and commissions;

provides legal advice to guide City policies, decisions and activities; represents the City and supervises and directs representation of the City at various court levels and tribunals in criminal and civil litigation and in administrative hearings; drafts and interprets City ordinances and resolutions; negotiates real property acquisitions; provides advice, counsel and representation to protect the City's interests; participates in the City's short and long range planning to assure proper consideration of legal issues.

- e. Supervision. Attorney works under the direction of the City Administrator.
- f. Essential duties and functions.
 - i. Plans and coordinates comprehensive legal services for the City; attends meetings and provides ongoing legal advice to the City Administrator, Mayor, Council, and staff, represents and supervises and directs representation of the city at civil and criminal misdemeanor matters and in administrative hearings.
 - ii. Reviews documents prepared by staff to assure proper legal principles and procedures are followed and to assure that legal advice to city clients is accurate, responsive, and sensitive to political and policy considerations.
 - iii. Prosecutes violations of the City's municipal code.
 - iv. Prosecutes and/or defends, in courts of original jurisdiction, and on appeal, civil actions brought by or against the city, or against officials, officers, and/or employees in their official capacity, including, but not limited to, condemnations, local improvement districts, zoning regulations and jurisdictional disputes, and issues not sounding in tort and referred under the City's liability insurance program.
 - v. Provides legal advice to guide city policies, decisions and activities; drafts and interprets city ordinances and resolutions, deeds, contracts, and other legal documents; provides advice, counsel and representation to protect the city's interests.
 - vi. Attends city council meetings, and special meetings when needed, and provides legal advice as requested; reviews legal propriety of documents under consideration by the council or city administrative officials.
 - vii. Participates in proceedings for the vacation of streets, condemnation of lands for municipal purposes, for land acquisitions, and for related legal transactions.
 - viii. Participates in the drafting and review of letters, ordinances, contracts, resolutions, policies, real estate documents, and other legal documents enacted by the city to assure proper wording, limit the city's liability.

7. **Notice.** Any notices required to be given by the City to Attorney or by Attorney to the City must be delivered to the following parties at the following addresses:

City of Wapato
City Administrators Office
205 E. 3rd ST.
Wapato, WA 98951

Theodore J. Schott
8 N. 11th Ave
Wapato, WA 98951

Date _____