

ORDINANCE NO. 14,510

AN ORDINANCE to amend the Municipal Code of the City of Des Moines, Iowa, 2000, adopted by Ordinance No. 13,827, passed June 5, 2000, by amending Section 2-360 thereof, regarding the duties of the city attorneys, to specifically authorize the city attorneys to sign notices and affidavits given in the proceedings to convert tax sale certificates held by the City to tax deeds.

Be It Ordained by the City Council of the City of Des Moines, Iowa:

Section 1. That the Municipal Code of the City of Des Moines, Iowa, 2000, adopted by Ordinance No. 13,827, passed June 5, 2000, is hereby amended by amending Section 2-360 regarding the duties of the city attorneys, to specifically authorize the city attorneys to sign notices and affidavits given in the proceedings to convert tax sale certificates held by the City to tax deeds, as follows:

Sec. 2-360. Duties generally.

The city attorney or deputy city attorneys and assistant city attorneys shall have the following duties:

- (1) *Prosecuting and defending suits generally.* To appear for the city, prosecute and defend all causes in all state or federal courts or administrative agencies in which the city is a party or interested.
- (2) *Prosecuting and defending suits upon request.* When requested to do so by the mayor, the city council or the city manager or when the interests of the city require, to appear for the city before any other court or tribunal and prosecute or defend all actions or proceedings in which the city may be a party or interested.
- (3) *Prosecuting and defending suits brought by or against officers and employees.* To prosecute or defend all

actions and proceedings brought by or against any city officer in his or her official capacity or any city employee growing out of acts connected with his or her employment as required by law.

- (4) *Giving opinions.* When requested, to give an opinion in writing upon all questions of law submitted by the mayor, by the council or any member thereof, by the city manager or by the director of any city department or office.
- (5) *Drafts of contracts, forms, etc.* When requested, to prepare drafts of contracts, forms and other writings which may be required for use by the city.
- (6) *Preparation of ordinances.* To prepare such ordinances as the council from time to time may direct and to provide in writing to the council whenever so requested an opinion as to the validity of ordinances prior to their final passage by the council.
- (7) *Processing of claims.* To process all claims filed against the city, determine the liability of the city on each, and propose to the city council compromise or payment of such claims where appropriate.
- (8) *Processing of tax sale certificates.* To sign on behalf of the city the notice of expiration of right of redemption from tax sale pursuant to I.C. §447.9, and the affidavit of service pursuant to I.C. §447.12.
- (9) *Other duties.* To perform such other and further duties as may be enjoined upon the legal department or the members thereof by this Code or other city ordinances.

Sec. 2. This ordinance shall be in full force and effect from and after its passage and publication as provided by law.

FORM APPROVED:

Roger K. Brown, Assistant City Attorney

T.M. Franklin Cownie, Mayor

Attest:

I, Diane Rauh, City Clerk of the City of Des Moines, Iowa, hereby certify that the above and foregoing is a true copy of an ordinance (Roll Call No. 05-2698), passed by the City Council of said City at a meeting held November 7, 2005 signed by the Mayor on November 7, 2005 and published as provided by law in the Business Record on November 21, 2005 Authorized by Publication Order No. 4970.

Diane Rauh, City Clerk