

City response to the Rimmer appeal – here is the code.

Clarification Regarding Authority to Appeal

The statement that the City Attorney possesses independent authority to appeal an adverse court decision overstates the authority granted by the Edmonds City Code. While **ECC 2.05.020** authorizes the City Attorney to *represent* the City in litigation, it does not delegate to the City Attorney unilateral authority to determine litigation policy, including whether the City will pursue an appeal. Under Washington municipal law, the decision to appeal a final judgment is a policy determination reserved to the City’s governing authority—the City Council—and must be exercised through council direction or authorization. Although the City Attorney may file a notice of appeal as a ministerial act to preserve appellate rights due to short statutory deadlines, that procedural step does not substitute for, nor eliminate the requirement of, City Council authorization to proceed with the appeal. Absent such authorization, the appeal may not properly continue and must be dismissed.