



City Attorney

Summary

Under the general direction of the City Council, and subject to the City Council's charter authority to control all City litigation, the City Attorney: plans, organizes, coordinates, and directs the provision of all City legal services; acts as chief legal advisor to the City Council, City Manager, City department directors and other employees, and members of other City bodies; represents the City in litigation and other legal proceedings, including legal and regulatory matters involving other governmental and/or private parties; and performs and oversees the performance of duties and functions of the City Attorney in accordance with the City Charter, California State law, the City's Municipal Code, and other applicable law.

Class Characteristics

By City Charter, the City Attorney is one of the principal appointive officials of the City and receives policy direction from the City Council. The City Attorney supervises management, professional, technical, and support services personnel.

The City Attorney is responsible for managing all City legal activities, including activities of the City Attorney, Assistant City Attorneys, Paralegals, Legal Assistants, outside legal counsel, investigators, and other experts retained by the City. The City Attorney is responsible for resolving extremely sensitive and complex legal matters, and for providing analysis and recommendations to the City Council, the City Manager and other City officials and employees and representing the City in various legal and other proceedings before various bodies consistent with general direction of the City Council and the goals, objectives, initiatives and needs of the City, and legal requirements applicable to California charter cities.

Examples of Duties, Skills, and Demands of the Position

The duties, skills, and demands described here are representative of those that must be met by an employee to successfully perform the essential functions of this job. Reasonable accommodations may be made to enable individuals with a disability to perform the essential duties, skills, and demands.

Duties.

The City Attorney is responsible for performing and supervising the performance of the following types of representative duties, in addition to others that may be prescribed by the City Council or required from time to time:

Plan, organize, coordinate, and direct all City legal activities, including those of City Attorney Department employees, outside legal service providers, investigators and experts retained by the City.

Act as chief legal advisor; render legal opinions and recommendations to the City Council, City Manager, City department directors and other employees, and members of other City bodies.

Participate as an active member of the City's executive team lead by the City Manager and consisting of the Assistant City Manager, all department directors and assigned City managers.

Participate in the development and implementation of City goals, objectives, policies, initiatives and other priorities, and formulate and identify innovative legal solutions and strategies for accomplishing City goals, objectives, policies and initiatives.

Attend City Council meetings and meetings of other City bodies, and represent the City in meetings of other government and private entities as required.

As directed and authorized by the City Council and in coordination with the City Manager, Assistant City Manager and relevant department directors provide legal advice regarding and prepare and issue statements to members of news media and others concerning City activities, operations and issues.

Prepare and/or review and make recommendations on ordinances, resolutions, rules, policies, pleadings, agreements and other legal documents.

Review and make recommendations on agendas and agenda items of the City Council and other City bodies regarding accomplishment of City objectives and compliance with applicable legal and regulatory requirements.

Prepare and/or review and make recommendations on City agreements and assist in agreement negotiations on behalf of the City, and provide and maintain agreement tools as appropriate to supervise the drawing of all City contracts.

Advise and represent the City in labor and employment related matters including labor negotiations, disciplinary proceedings, and grievances.

Represent the City in lawsuits and administrative hearings and appear before courts and administrative and other bodies to represent the City's interests.

Enforce City Charter and Municipal Code violations through prosecution of civil, criminal and administrative cases, seek abatement of public nuisances, recover the cost of City litigation and damage to City property; assist in acquiring and condemning property for public purposes.

Review and provide legal analysis and advice regarding defense and resolution of claims and lawsuits against the City.

Review and provide recommendations on bond and financing papers, insurance policies and other documents affecting the City, including recommendations upon the validity and sufficiency of such documents.

Perform legal research and preparation of analysis, opinions, pleadings, correspondence and other legal documents.

Coordinate legal activities with other City departments and divisions, and with outside agencies and private parties.

In case of emergency serve as Emergency Operations Center staff as needed and participate in and support emergency operations planning and training activity as appropriate.

Provide legal training to City legislative body members and staff.

Track, analyze and make recommendations on new legislative and case law developments affecting City programs, policies, objectives and interests.

Respond to citizen complaints and requests for information.

Prepare and administer the City Attorney Department budget.

Represent the City at community events and at professional gatherings.

Select, supervise, train and evaluate assigned staff.

Skills/Abilities:

Plan, organize, coordinate, and direct all City legal services.

Interpret, apply, and follow legal principles and procedures.

Apply legal knowledge and principles before courts and other bodies.

Present statements of law, fact and arguments clearly and logically.

Communicate clearly and concisely, both orally and in writing.

Conduct research on complex legal problems and prepare sound legal opinions.

Properly interpret and make recommendations in accordance with laws, regulations, and policies.

Analyze and prepare a wide variety of complex legal documents.

Exercise sound, independent judgment within general policy guidelines.

Establish and maintain effective working relationships within the City and with persons and entities that have dealings with the City.

Physical Demands and Work Environment:

Employee is regularly required to sit at desk and in meetings for long periods of time; talk or hear, in person, in meetings and by telephone; use hands and fingers to handle, feel or operate standard office equipment; and reach with hands and arms. Intermittently, to twist to reach equipment and materials surrounding desk; walk to meetings and to observe department activities; bend and squat to perform file searches; perform simple grasping and fine manipulation; use telephone and write or use a keyboard to communicate through written means; operate an automobile to attend meetings. While performing duties, the employee is regularly required to use written and oral communication skills; analyze legal principles; observe performance of and evaluate staff; explain and interpret legal requirements, policies and procedures; and interact with the City Council, City management and other City officials, officials of other agencies and members of the public.

Qualifications

Knowledge of:

Organization, duties, powers, limitations and authority of City government, City officials and the City Attorney.

Legal principles and practices, including civil, criminal, constitutional and administrative law and procedures.

Statutes, ordinances and regulations affecting City operations.

Laws and practices related to redevelopment and community development.

Court decisions relating to municipal corporations.

Judicial procedures and rules of evidence.

Methods of legal research.

Established precedents and sources of legal authority applicable to municipal activities.

Education and Experience:

Any combination equivalent to the education and experience likely to provide the required knowledge and abilities would be qualifying. A typical way to gain such knowledge and abilities would be:

Education: Equivalent to a Juris Doctor degree from an accredited law school.

Experience: Five years of experience performing duties comparable to those of a city attorney or county counsel or senior or supervising attorney in the office of a city attorney, county counsel, special district counsel, or private law firm providing legal services to local government clients.

Certifications/Licenses:

Membership in the State Bar of California and admittance to practice before all State and Northern Federal Districts Courts in California is required.

Possession of a valid California Class C driver's license.

Special Note:

This single class position is exempt from Civil Service as specified under City Charter and serves at the will of the City Council.

Established: 12/02/2013

Resolution #: 2013-158 N.C.S.

Department: City Attorney

FLSA Status: Exempt