

City Attorney

DEPT: Legal Services
DIV:
DATE: July 2016

FLSA: Exempt
EEOC: Professionals



POSITION SUMMARY

Performs **professional, managerial and complex civil and criminal law functions** for the city which requires the application of professional judgment and skill; performs any and all functions incident to statutory or customary duties of the City Attorney; advises the city on all legal matters as called upon. This position is designated as at-will.

SUPERVISION RECEIVED

Works under the broad policy guidance and direction of the City Administrator.

SUPERVISION EXERCISED

Provides general supervision to Assistant City Attorney, City Prosecutor, Para-Legal Assistant, Senior Legal Secretary, Legal Secretary and Risk/Emergency Manager.

ESSENTIAL FUNCTIONS

Oversees the prosecution of all charges of violation and municipal ordinances and regulations in the courts or administrative tribunals and prosecutes and defends, or supervises the prosecution and defense of all actions and appeals involving the city in all courts and before all boards, commissions and administrative agencies.

Performs legal research including extensive analysis of legal positions. Determines and applies legal principles and precedents to problems and issues.

Furnishes legal advice, counsel and assistance to the Mayor, City Council, City Administrator and all other city officers, boards, commissions and agencies in relation to their respective duties and the business of the city.

Initiates actions to protect the city's interests including the preparation of pleadings and briefs, oral arguments, trials and settlement negotiations.

Develops and recommends city policies upon request of the administration and council.

Selects and manages outside counsel.

Prepares ordinances, resolutions, contracts, leases and memoranda for consideration and approval. Prepares reports, correspondence, agreements, agenda items, legal opinions and other written documents.

Makes oral and written presentations to the Mayor and City Council and various other boards and commissions.

Provides training to city staff regarding legal requirements of job responsibilities.

Attends city council and planning commission meetings. Attends other meetings and conferences with city officials to determine the intent of official actions

Determines the propriety of major actions under city ordinances and codes, and state and federal law

Prepares and approves proposed ordinances for final determination

Reviews contract procedures for city operations and functions

Handles real estate transactions including acquisition and sale of land and interests in land through preparation of contracts, leases, easements, deeds, trust deeds, instruments of title, liens, releases and other documents

Prepares and/or reviews contract documents for construction projects and for the purchase, lease, or sale of goods, services and professional services

Performs related duties as required.

MINIMUM QUALIFICATIONS

1. Education and Experience:
 - A. Graduation from college with a Juris Doctorate Degree from accredited law school by the American Bar Association;

AND

- B. Eight (8) years of responsible experience handling civil and criminal matters, two of which must have been in a supervisory or managerial capacity;

OR

- C. An equivalent combination of education and experience.

2. Required Knowledge, Skills, and Abilities:

Thorough knowledge of laws affecting municipalities and their employees; rules of proper verbal and written communication; ethical principles, state and local statutes, and municipal organization and procedure; city codes and ordinances; organization, function, and legal limitations on the authority of various city departments and enforcement and procedural problems; state and federal constitutional and statutory provisions relating to municipalities; accepted legal principles and court decisions; judicial procedure; rules of civil and criminal procedure; rules of evidence; principles and practices of personnel management and supervision; principles of criminal and civil law. **Working knowledge** of principles and practices of effective supervision and performance management of subordinate staff.

Considerable skill in organization, the art of diplomacy and cooperative problem solving; the use of discretion and independent judgment; acquiring and retaining familiarity with a large number of complex court cases and sophisticated and rapidly changing principles of law and applying these principles to complex factual situations.

Ability to effectively counsel, persuade and inform others regarding city operations, policies and needs under the close scrutiny of the public, media, political interests, courts and other agencies of government; respond impromptu, examine witnesses effectively and argue persuasively often under hostile and stressful circumstances; relate positively and professionally with legal counsel, judicial, administrative and legislative officials, media, co-workers and the public; exhibit patience and empathy with persons holding hostile or opposing views; maintain professional confidences; constructively and creatively solve problems and resolve disputes; represent the city with decorum in a manner which promotes public confidence in the city, its officials and employees; frequent contact with senior management on matters requiring explanations and discussions and daily contact with other city departments requiring tact and judgment to avoid friction; clearly assign risks for negligence and failure to perform contract duties; great responsibility for making decisions in matters of serious financial or practical consequence or involving the welfare of lives and property; draft contract provisions for city departments; taking requests by departments and translating them into legal terminology with sufficient clarity to clearly describe the duties of each party to withstand court challenges; read, analyze and interpret complex documents; respond effectively to sensitive inquiries or complaints; understand and interpret the city's budget information and the finances of the various aspects of city business; define problems; collect data, establish facts, and draw valid conclusions; must work effectively with elected and appointed officials, to analyze matters, to plan and to express oneself clearly and concisely orally and in writing; writing speeches and articles using original or innovative techniques or style; make effective and persuasive speeches and presentations on controversial or complex topics to senior management, public groups, and other organizations and individuals at the local, state and federal level.

3. Special Qualifications:

License to practice law in the State of Utah

4. Work Environment:

Tasks require a variety of physical activities not generally involving muscular strain. Physical demands may occur in activities related to walking, standing, stooping, sitting, reaching, etc. Tasks require considerable time on project sites exposing the incumbent to a wide spectrum of weather conditions. Talking, hearing and seeing required in the daily performance of job duties. Mental application utilizes memory for details, emotional stability and discriminating thinking and creative problem solving. Periodic travel required in course of performing portions of job functions.

Disclaimer: The above statements describe the general nature, level, and type of work performed by the incumbent(s) assigned to this classification. They are not intended to be an exhaustive list of all responsibilities, demands, and skills required of personnel so classified. Job descriptions are not intended to and do not imply or create any employment, compensation, or contract rights to any person or persons. Management reserves the right to add, delete, or modify any and/or all provisions of this description at any time as needed without notice. This job description supersedes earlier versions.

I _____ have reviewed the above job description. Date: _____

(Employee)