

CITY OF NEWBERG
Position Description

TITLE: City Attorney

SALARY RANGE: \$104,220 - \$133,014

DEPARTMENT: Legal

LOCATION: City Hall

CHARTER LEVEL:

- **Position:** The Charter designates the city attorney position.
- **Personnel:** Legal department staff are supervised on a day-to-day basis and reviewed by the city attorney. The city attorney works under the guidance of the City Council and is subject to its direction.
- **Budget:** The city attorney is responsible for preparing and administering the budget for the legal department.

DIVISION: Office of City Attorney

DATE: April 24, 2013

GENERAL PURPOSE:

Performs high-level administrative, technical, and professional work in negotiating and finding creative solutions to issues in effort of preventing potential claims and lawsuits, drafting legal documents, preparing court briefs, prosecuting crimes, responding to and conducting civil lawsuits, advising city elected officials and staff as to legal rights, limitations, and obligations; and other legal practices applicable to state, local and federal law.

The city attorney is an appointive officer of the city as provided for in Chapter VIII, Section 35 of the Charter. This excerpt follows:

Section 35. City Attorney.

The office of city attorney is established as the chief legal officer of the city government. A majority of the council must appoint and may remove the attorney. The attorney must appoint and supervise, and may remove any city attorney's office employees.

SUPERVISION RECEIVED:

The city attorney works under the broad policy guidance of the City Council, and is subject to its direction.

SUPERVISION EXERCISED:

The city attorney shall exercise supervision over all legal department employees either directly or through subordinate supervisors.

REQUIRED KNOWLEDGE, SKILLS, AND ABILITIES

- Extensive knowledge of state statutes relating to municipal affairs, and laws relating to the purchase of goods and services, contracting, labor, employment, land use, environment, and traffic.
- Working knowledge of modern policies and practices of municipal law and public administration.
- Knowledge of state laws and local ordinances, resolutions, and orders; ensures that they are faithfully performed.
- Skill in preparing briefs and enforcing all provisions of the City's franchises, leases, contracts, and other legal documents.
- Ability to prepare and analyze comprehensive legal reports; ability to carry-out assigned projects to their completion; ability to effectively communicate verbally and in writing; ability to establish and maintain effective working relationships with employees, City officials, the court system, and the public; ability to efficiently and effectively administer a municipal legal department.
- Demonstrate effective personal traits such as initiative, creativity, judgment, fairness, and impartiality; demonstrates respect for individuals and City's franchises, leases, and contracts.
- Ability to foster a work environment that supports and encourages the investigation and implementation of innovative applications.

MINIMUM QUALIFICATIONS FOR EDUCATION, EXPERIENCE, AND LICENSURE

Graduation from an accredited law school with a Juris Doctor degree in law, three (3) years of experience as a practicing attorney, a license to practice law in the state, member in good standing of the state Bar Association, and a valid state driver's license.

TYPICAL EXAMPLES OF WORK:

The city attorney may perform a combination of some or all of the following duties that are a representative sample of the level of work appropriate to this position. However, these examples do not include all duties that an employee may be expected to perform, as directed by the City Council. The following examples do not constitute an employment agreement between the employer and the employee and is subject to change by the employer as the needs of employer and requirements of the job change consistent with contract of employment.

1. Management:

- a. Responsible for the management and supervision of the legal department to achieve goals within available resources by appropriately delegating duties.
- b. Oversees the administration of workloads and staff assignments by studying, standardizing, and determining work roles, responsibilities, and procedures to improve efficiency and effectiveness of operations; preparing work schedules to expedite workflow.
- c. Appoints and removes all department staff.
- d. Assures the training, motivation, and evaluation of legal department staff and directs changes as needed.

2. Planning Goals:

- a. Provides leadership and direction in the development of short and long-range plans with the legal staff and City Council.
- b. Administers plans, reviews progress, and directs changes as needed, based on new developments in technology, legislation, practices, and regulations.
- c. Investigates, integrates, and implements technology where administratively and fiscally feasible.
- d. Gathers, interprets, and prepares data for studies, reports, and policy recommendations.
- e. Coordinates department activities with other departments and agencies as needed.

3. Communications:

- a. Provides written and oral professional legal advice to the City Council, city manager, and department heads in a timely, clear, thorough, and concise manner.
- b. Communicates official plans, policies, and procedures to legal department staff and to the public.
- c. Presents information to councils, boards, commissions, civic groups, and to the general public.
- d. Production of the weekly "Legal Bulletin" to the City Council.
- e. Issues clearly written and concise oral instructions to assign duties and examine work for exactness, neatness, and conformance to policies and procedures.
- f. Maintains harmony among legal department staff and works to resolve grievances, including giving and accepting direction and instructions in a positive manner.

4. Fiscal Agent:

- a. Assures that assigned areas of responsibility are performed within budget and demonstrates effective and efficient use of budgeted funds, personnel, materials, facilities, and time pursuant to ORS Chapters 291-297.
- b. Performs cost control activities and monitors revenues and expenditures in all departments, to assure sound fiscal control and to encourage innovative practices.
- c. Prepares an annual legal department budget and administers the adopted budget.

5. Community Relations:

- a. Performs and assists legal department staff in performing duties to adjust errors and to address complaints.
- b. Projects a positive public image and is courteous to the public at all times.
- c. Maintain effective relations with media representatives.
- d. Promotes cooperation among the City Council, staff, and citizens in developing policies and to build a sense of community.

6. Intergovernmental/Interagency Relations:

- a. Maintains effective communication with local, regional, state, and federal government agencies.
- b. Provides legal advice to City staff pursuing financial resources (grants) from other agencies.
- c. Contributes to good government through participation in local, regional, state, and professional committees and organizations.
- d. Confers with colleagues with specialty areas of law to establish and verify basis for legal proceedings; and serves as a liaison between outside legal counsel and City officials on specialized legal issues.

7. Consultative Legal Services:

- a. Advises the City Council of legal conditions with current and future trends; issues legal opinions.
- b. Advise City officials of changes to state or federal laws affecting City operations.
- c. Interprets laws, rulings, and regulations for City officials and staff.
- d. Recommends for adoption by the City Council such measures deemed necessary and expedient.

8. Legal Preparation:

- a. Drafts ordinances, resolutions, contracts, agreements, deeds, leases, and franchises; reviews documents prepared by other departments, agencies, and parties.
- b. Approves ordinances, resolutions, and contracts as to legal form; provides legal advice as to substance.
- c. Gathers evidence in civil, criminal, and other cases to formulate defense or to initiate legal action; conducts research; interviews clients and witnesses, and handles other details in preparation for trial; prepares legal briefs, arguments and testimony; develops strategy in preparation for presentation in cases; files briefs in the appropriate court.
- d. Represents the City in court and before quasi-judicial or administrative agencies of government.

WORK CONDITIONS:

The work environment characteristics described here are representative of those an employee encounters while performing the essential functions of this job. Reasonable accommodations may be made to enable individual's with disabilities to perform the essential functions.

1. Must be bondable.
2. Ability to deal with distraught or difficult individuals.
3. Ability to attend monthly staff meetings and activities outside of normal working hours.
4. Ability and willingness to travel as needed and perform the duties and responsibilities.
5. Serves as city manager pro tem in the absence of the city manager and assistant city manager from the City.

REQUIRED TOOLS AND EQUIPMENT USED:

Skilled in operating personal computer, including word processing, database, and spreadsheet management, motor vehicle; ten-key calculator; phone; copy, scanner, and fax machine.

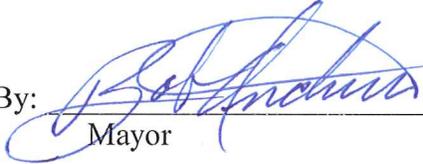
PHYSICAL DEMANDS:

While performing the duties of this job, the employee is frequently required to talk or hear; sit; use hands to handle, feel or operate objects, tools, or controls; and reach with hands and arms; stand or walk for considerable distances or time. Must occasionally lift and move up to 25 pounds. Specific vision abilities include close vision, distance vision, peripheral vision, depth perception, and the ability to adjust focus.

SELECTION GUIDELINES:

The selection process includes a formal application; rating of education, experience, and certification; oral interview; and reference and background checks.

Approval by Motion on this 1st day of May, 2013.

By:  _____
Mayor

Signature Attest that Motion was duly passed accepting position description
Effective Date: July 1, 2013

Revision History: Adopted and approved July 6, 2010, via Resolution No. 2010-2912