

**TOWN ATTORNEY**

**DEFINITION**

To perform professional and administrative legal work, including code development and revision, legal advice and consultation and trail work; and to perform related work as required.

**SUPERVISION RECEIVED AND EXERCISED**

Policy direction is provided by the Town Council. Administrative direction is provided by the Town Manager. Direct supervision is exercised over staff assigned to the Town Attorney's office.

**EXAMPLES OF ESSENTIAL JOB FUNCTIONS/DUTIES**

Depending on assignment, duties may include, but are not limited to, the following:

Provides oral and written legal opinions and advice to Town Councilmembers, Town Manager and Department Heads including such matters as:

actions, powers, duties, functions and obligations of Town's elected and appointed officials;

applicability of various laws, ordinances, court decisions and other precedents to specific questions and situations;

legal aspects of annexations, eminent domain proceedings, elections, code enforcement procedures, personnel and labor relations and other municipal activities.

1. Consult with staff as needed to resolve day to day business of town; discuss developing issues with Town Manager, Mayor and Council members, Staff, Boardmembers. Consider and advise on legal implications of proposed resolution or direction.
2. Review Town Council Agendas. Prepare for meeting; discuss agenda items with Manager, staff and affected individuals as necessary. Prepare legal advice in advance as needed.
3. Take appropriate actions to pursue or conclude matters considered and/or resolved at Town Council meetings. Draft resolutions; ordinances; correspondence; schedule meetings, etc..
4. Review and supervise the work of retained outside counsel handling Town litigation.
5. Represent Town (with or without outside counsel) in settlement and pre-litigation negotiations. Represent Town in contract negotiations as needed and requested.
6. Planning Matters. Provide advice as needed and requested to planning staff on wide array of matters involving both current and long range planning.

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7. Personnel/Labor Matters. Advise Manager and department heads on issues pertaining to personnel, discipline, and labor;
8. Attend Town Council meetings and other Commission, Board or Committee meetings as may be required.
9. Attend to the day to day legal affairs of the Town. Draft and review contracts, deeds/easements, correspondence. Perform routine legal duties: legal research, reading cases, reading legal journals etc.; read mail, prepare response when needed.
10. Discuss problems, issues with residents. Respond to phone calls, drop-ins, etc. Participate in resolution of local problems as needed and useful.
11. Discuss problems, issues with developers, builders. Respond to phone calls, drop-ins, etc.; schedule meetings with planning staff, concerned council members.
12. Participate in Bay Area City Attorney functions, City attorney division of LCC and other professional organizations to maintain knowledge of current state of municipal law and municipal affairs.

### **JOB RELATED AND ESSENTIAL QUALIFICATIONS**

#### **Knowledge of:**

- Organization, duties, powers, limitations and authority of local government, their officials, departments and the Town Attorney's office.
- Legal principles and practices pertaining to local government including civil criminal, constitutional and administrative law and procedures.
- Ordinances, statutes and court decisions affecting municipal corporations.
- Local, State and Federal judicial procedure and rules of evidence.
- Legal research methods.
- Established precedents and sources of legal reference applicable to municipal activities.
- Principles and practices of public administration with respect to budgeting, supervision

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and training.

**Ability to:**

- Effectively plan, organize and direct the activities of a Town Attorney's office.
- Organize, interpret and apply legal principles and knowledge to complex legal problems.
- Effectively apply legal knowledge and principles in court.
- Present arguments and facts logically and clearly in oral and written forms.
- Communicate effectively orally and in writing.
- Establish and maintain cooperative and effective relationships with those contacted in the course of work.
- Conduct legal research and prepare legal correspondence.
- Determine alternative approaches to problems and recommend a balanced use of legal and administrative approaches in resolving problems.
- Effectively train, supervise and evaluate assigned staff and effectively supervise and monitor the performance of retained outside counsel.

**EXPERIENCE AND EDUCATION**

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

**Education:** Graduation from an accredited school of law.

**Experience:** Four years experience as a practicing attorney in a municipal or other similar governmental setting, typically including rendering advice to elected and/or appointed officials and to employees on questions of law and conducting and supervising litigation for, or in defense of, a public agency.

**OTHER REQUIREMENTS**

Active membership in the State Bar of California.