

CHAPTER 10
CITY ATTORNEY DEPARTMENT

SECTION:

- 3-10-1: Establishment of Department
- 3-10-2: Appointment of City Attorney; Management
- 3-10-3: Responsibilities of City Attorney
- 3-10-4: No Private Duty Established

3-10-1: ESTABLISHMENT OF DEPARTMENT: The City Attorney Department is hereby established as an administrative department of the City. (Ord. 3003, 04-23-15)

3-10-2: APPOINTMENT OF CITY ATTORNEY; MANAGEMENT:

The City Attorney shall be appointed by the Mayor, subject to confirmation by a vote of at least four (4) members of the Council. The City Attorney may be removed by the Mayor, with or without cause, subject to a confirming vote of at least four (4) members of the Council, or by the Council upon its own initiative upon a unanimous vote thereof. The City Attorney Department shall be managed by the City Attorney. (Ord. 3003, 04-23-15)

3-10-3: RESPONSIBILITIES OF CITY ATTORNEY:

The City Attorney shall have the responsibilities and authority to:

- (A) Act as the legal advisor of the City and represent the City in all suits or proceedings in which the City is interested.
- (B) Perform duties as may be prescribed by ordinances and resolutions duly passed.
- (C) Prosecute violations of City ordinances, state traffic infractions, and state misdemeanors committed within City limits by exercise of the same powers as the County prosecutor including, but not limited to, granting immunity to witnesses.
- (D) Provide a wide range of independent legal-related advice, support, and information to the Mayor, City, County, City boards and commissions, and other officials of the City, in accordance with federal, state, and City legislation.
- (E) Organize and oversee work of outside legal counsel, and determine scope of outside legal services, as needed.
- (F) Exercise independent legal judgment in legal matters related to City activities and concerns.

(G) Participate in negotiation and resolution of sensitive, significant, controversial, and/or complex legal matters.

(H) Draft and review opinions, resolutions, ordinances, contracts, and other legal documents and instruments.

(I) Oversee preparation of departmental budget and City codification system.

3-10-4: NO PRIVATE DUTY ESTABLISHED:

Nothing in this Chapter shall create a private right, duty, or obligation of the City in favor of any person, or give rise to any private right of action, on account of any failure by the City or any employees of the City Attorney Department to perform the duties prescribed herein. (Ord. 2919, 06-13-13; Ord. 3003, 04-23-15)