



DEPARTMENT OF HUMAN RESOURCES
CITY & SCHOOLS

CITY OF STAUNTON
POSITION DESCRIPTION

JOB TITLE: City Attorney	DEPARTMENT: City Attorney's Office
IMMEDIATE SUPERVISOR: City Council	GRADE/RANK: N/A-Employment Agreement
	FLSA/ESSENTIAL STATUS: Exempt

SUMMARY:

The City Attorney serves as counsel and legal advisor to City Council, the City Manager, and City staff, as well as the City's various Boards, Agencies, and Commissions. The City Attorney is responsible for handling all legal affairs on behalf of the City of Staunton. In addition, the City Attorney reviews and drafts ordinances and resolutions for consideration by City Council, updates and maintains the City Code, administers all pending civil litigation by and against the City, and conducts courtroom prosecution of violations of City ordinances. The City Attorney reports directly to and serves at the pleasure of City Council and is subject to removal at their discretion in accordance with the provisions of the City Code or other applicable law. The City Attorney exercises full supervision over all employees of the Office of the City Attorney.

ESSENTIAL DUTIES AND RESPONSIBILITIES:

The City Attorney is responsible for handling all legal affairs on behalf of the City of Staunton. To perform this job successfully, an individual must be able to perform each essential duty satisfactorily.

The City Attorney is appointed by City Council in accordance with the City Charter, Chapter II, Section 10 and §15.2-1542 of the Code of Virginia. In the event that any portion of this job description conflicts with the provisions of the foregoing authorities or other applicable law, the State Code, Charter provisions, City Ordinance provisions, and other lawful authority shall supersede.

Legal Representation-The City Attorney serves as lead counsel on complex legal matters on behalf of the City, and may delegate such duties in his/her discretion as necessary and appropriate in accordance with the best interests of the City of Staunton. Such representation may include but is not limited to representation in Civil and Criminal matters in state court, federal court, and other administrative proceedings.

The City Attorney may represent or assign and manage representation to various departments on continuing prosecution and litigation matters, and represents the City in administrative proceedings such as the prosecution of employee grievances; representation of the City's interests before the Board of Zoning Appeals; civil mediation proceedings, and other administrative matters.

The City Attorney is responsible for managing all outside counsel retained to represent the interests of the City. The City Attorney manages and serves as the liaison on all legal matters handled through counsel appointed by the City's insurer and indemnifier.

Legal Counsel-The City Attorney provides legal counsel to the City of Staunton and its employees on all legal matters related to the operations and interest of the City of Staunton. While the City Attorney is ultimately responsible to City Council, in his/her role as legal advisor, he/she may also provide counsel to the City Manager and various departments of the City on specific issues related to City government affairs.

Standards of Conduct-As a licensed, practicing attorney in the Commonwealth of Virginia, the City Attorney must adhere to the Professional Rules of Conduct as promulgated by the Supreme Court of Virginia. Additionally, as a direct appointee of City Council, the City Attorney is expected to display exemplary standards with regard to conduct both in and out of the Office.

The minimum performance expectations include, but are not limited to, the following functions/tasks:

- Provides legal services to a directorate and to major boards and commissions, personally advising the heads of such groups on legal matters. Also provides legal counsel to other City staff as requested;
- Manages, supervises and reviews the work of attorneys and legal support staff, as well as managing the office budget, support contracts, etc.;
- Attends City Council meetings;
- Attends meetings of boards and commissions of the City and renders on-the-spot legal advice;
- Drafts ordinances, resolutions, contracts, deeds, leases, releases, franchises and other complicated legal documents on behalf of the City;
- Prepares drafts of bills for introduction in the Virginia General Assembly;
- Prosecutes suits, actions and proceedings for and on behalf of the City;
- Processes and litigates claims against the City;
- Prepares cases for trial, interviewing witnesses, examining law and evidence;
- Represents the City in complex trial and appellate litigation;
- Researches, interprets, and applies laws, court decisions, and other legal authority in the preparation of opinions and briefs;

- Analyzes legislation including proposed state and federal legislation affecting the City;
- Reviews the legality and/or sufficiency of contracts, bonds, bids, leases, insurance and claims;
- Serves the City's interests in various contract negotiations;
- Conducts title searches, certifies titles and handles closings;
- Renders legal advice on complex matters on a daily basis to officers, departments and agencies of the City and;
- Performs other duties that may be required by ordinance, resolution, or City Council.

QUALIFICATION REQUIREMENTS:

Education and/or Experience- Law degree; ten years progressively responsible experience and/or training in the practice of law; preferably municipal law and administrative experience; or equivalent combination of education and experience. Employment requires licensure by the Virginia State Bar and must have the ability to maintain membership as a condition of continued employment.

Certificates, Licenses, Registrations-Member of the Virginia Bar, licensed to practice under the laws of the Commonwealth of Virginia. Member of the Virginia Local Government Attorneys preferred.

Language Skills-Ability to read, analyze, and interpret the most complex documents. Ability to respond effectively to the most sensitive inquiries or complaints orally or in writing. Ability to make effective and persuasive speeches and presentations on controversial or complex topics. Ability to handle complex trial and appellate litigation and demonstrated skill in legal drafting.

Other Knowledge, Skills and Abilities-Comprehensive knowledge of the laws, ordinances and regulations. A thorough knowledge of municipal law including but not limited to Contracts, Eminent Domain, Land Use, Building Code and Zoning Enforcement, Employment Law, Constitutional Law, Torts, Parliamentary Procedure, Tax, Real Estate, Administrative Law, and other areas is essential. The City Attorney must have extensive knowledge of Civil and Criminal Procedure and the ability to prepare pleadings, articulate and convey legal arguments, and provide exemplary representation on legal matters. Some knowledge of the organization, function and methods of operation of the staff and operating departments. Ability to analyze a variety of complex legal problems, to make sound recommendations for their solutions and to prepare working procedures. Ability to express information effectively, both orally and in writing. Ability to establish and maintain effective working relationships with other officials, employees and the public.

SPECIAL REQUIREMENTS:

Position may be required to work both nights and weekends in order to accomplish organizational and city council/departamental goals. Individual in this position does not have grievance rights in accordance with Section 15.2-1507 of the Code of Virginia. Position reports to City Council. Background check and valid driver's license required, with a good driving record.

PHYSICAL DEMANDS AND ENVIRONMENTAL CONDITIONS:

This is sedentary work requiring the exertion of negligible amount of force constantly to move objects, up to 10 pounds of force frequently and some light work requiring the exertion of up to 20 pounds of force occasionally. Work requires stooping, reaching, fingering, grasping and repetitive motions; typing/word processing requires the ability to perform repetitive tasks involving fine motor skills. Vocal communication is required for expressing or exchanging information and instructions by means of the spoken word. Hearing is required to perceive information at normal spoken word levels, and to receive detailed information through oral communications and/or to make fine distinctions in sound. Visual acuity is required for preparing and analyzing written or computer data, operation of machines, determining the accuracy and thoroughness of work, and observing general surroundings and activities; the work is not subject to adverse environmental conditions.

ADA:

The employer will make reasonable accommodations in compliance with the Americans with Disabilities Act of 1990.

SUPERVISORY RESPONSIBILITIES:

Manages a staff of 1 (Legal Manager and FOIA Officer) in the day-to-day operations of a law office, including the determinations for the appropriate outsourcing of legal work. Carries out supervisory responsibilities in accordance with the organization's policies and applicable laws. Responsibilities include interviewing, hiring, and training staff; planning, assigning, and directing work; appraising performance; rewarding and disciplining employees; addressing complaints and resolving problems.

This position description in no way states or implies that these are the only duties to be performed by this employee. The City Attorney will be required to follow any other instructions and to perform any other related duties as assigned by City Council. City Council has the right to update, revise or change this job description and related duties at any time.

EVALUATION:

Performance of this position will be evaluated by City Council in accordance with City policy, using information from various sources to study and review the position holder's ability and effectiveness in carrying out the above responsibilities.

Revised Date: October 2020