



City of Tempe

ASSISTANT CITY ATTORNEY

JOB CLASSIFICATION INFORMATION

<i>Job Code:</i>	508**/049	<i>Department / Office:</i>	City Attorney
<i>Supervision Level:</i>	Non-Supervisor	<i>State Retirement Group:</i>	ASRS
<i>Status:</i>	Unclassified**/Classified	<i>Market Group:</i>	Assistant City Attorney
<i>Safety Sensitive / Drug Screen:</i>	No	<i>Physical:</i>	No

Click [here](#) for more job classification information including current salary range.

****This classification is unclassified, which means the employee or the City can terminate the employment relationship at any time, for any or no reason, with or without cause or notice**

REPORTING RELATIONSHIPS

Receives direction from the Deputy City Attorney.
Provides direct supervision to assigned staff.

MINIMUM QUALIFICATIONS

<i>Experience:</i>	One (1) year of civil litigation / transactional legal experience.
<i>Education:</i>	Juris Doctorate from an accredited law school.
<i>License / Certification:</i>	Membership in good standing with the State Bar of Arizona.

ESSENTIAL JOB FUNCTIONS

Essential job functions are the fundamental duties of a position: the things a person holding the job absolutely must be able to do.

To actively support and uphold the City’s stated mission and values. To provide a wide range of professional legal services to the Mayor, City Council, City departments and various boards and commissions; to represent the City in litigation and legal matters; and to provide assistance to the City Attorney.

OTHER DUTIES AS ASSIGNED

Please note this job description is not designed to cover or contain a comprehensive listing of all activities, duties or responsibilities that are required of the employee for this job. Duties, responsibilities and activities may change at any time with or without notice.

When assigned to Civil Division - Transactional:

- Attend meetings with department officials and employees to discuss legal questions, code enforcement policies, impacts of planning decisions and procedures to be followed in various actions.
- Participate in interdepartmental group meetings to draft new ordinances and amendments to existing City ordinances.
- Review City violations of zoning, tax, building safety and nuisance ordinances; and possibly advise and coordinate code enforcement practices and procedures relative to violations.
- Represent the City in hearings before administrative agencies.
- Assist department heads in establishing departmental policies by applying legal points and procedures; recommend changes in policies and procedures in order to meet legal requirements.
- Prepare legal opinions on proposals submitted to the City Attorney's office by City Council, boards and commissions and departments; and research, draft, and propose new legislation or changes to existing legislation as required.
- Represent the City at meetings and serve as legal advisor to City departments and divisions.
- Advise City Clerk's office on legal questions regarding elections.
- Review City real estate transactions for completeness and legality; and draft development agreements, purchase and sale agreements, easements and other documents concerning real property.
- Respond to and resolve difficult and sensitive citizen inquiries and complaints; review and supervise the investigation of complaints; and recommend resolutions to complaints.
- Review legal forms such as bids, contracts and bonds for services and supplies to the City.
- When called upon, mentor and assist in the professional development of less-experienced attorneys on staff.
- Assist in the supervision and evaluation of support staff in the City Attorney's Office.
- Monitor new legislation and recently decided case law; attend continuing legal education seminars; and attend Council meetings as needed.
- Provide pro-active performance planning utilizing performance management tools.
- Perform related duties as assigned.

When assigned to Civil Litigation:

- Represent the City in civil litigation in State and Federal court in areas such as tort, real estate, contracts, Section 1983, and employment; prepare pleadings, substantive and procedural motions, discovery and trial exhibits and filings; and try cases until dismissed, settled or determined by court or jury.
- Represent the City in State and Federal Appellate court and in arbitration matters; perform legal research; and prepare appellate briefs and oral arguments.
- Represent the City in administrative hearings.
- When called upon, mentor and assist in the professional development of less-experienced attorneys on staff and law school externs.
- Assist in the supervision and evaluation of support staff in the City Attorney's Office.

- Monitor new legislation and recently decided case law; attend continuing legal education seminars; and attend Council meetings as needed.
- Perform related duties as assigned.

When assigned to the Water Utilities division of the Municipal Utilities Department:

- Attend meetings with department officials and employees to discuss legal questions, code enforcement policies, impacts of planning decisions and procedures to be followed in various actions, concerning water law issues. Topics may include water rights, water supplies, water quality, reclaimed water and reuse, water and wastewater utility financing, water and wastewater infrastructure, and related regulatory, land use and administrative law.
- Participate in interdepartmental group meetings to draft new ordinances and amendments to existing City ordinances concerning water issues.
- Represent the City in state and federal court litigation, including appellate courts; prepare pleadings, discovery documents and exhibits, present oral arguments, and conduct all necessary preparation including working with expert witnesses and outside counsel; conduct hearings before administrative agencies; and perform other litigation duties relating to water and wastewater issues.
- Assist department heads in establishing departmental policies by applying legal points and procedures; recommend changes in policies and procedures in order to meet water law requirements.
- Prepare legal opinions on proposals submitted to the City Attorney's office by City Council, boards, commissions and departments; research, draft, and propose new legislation or changes to existing legislation concerning water-related issues, as required.
- Draft and negotiate contracts and other agreements including settlements with regulatory agencies, governmental and non-governmental entities, and Indian communities.
- Work collaboratively with governmental and non-governmental entities to represent the City's interests in regional and national water matters, including drafting multi-party agreements to resolve water disputes and related issues.
- Advise City Council and departments on legal questions, opinions, recommendations, ordinances, resolutions and internal City documents concerning water matters, and conduct necessary legal research.
- Proactively support the City's water interests by participating in stakeholder working groups concerning regulatory changes and legislation; recommend resolutions for sensitive citizen inquiries and complaints concerning water law.
- Review legal forms such as bids, contracts and bonds for services and supplies related to water and wastewater matters.
- When called upon, mentor and assist in the professional development of less-experienced attorneys on staff.
- Assist in the supervision and evaluation of support staff, externs, and clerks in the City Attorney's Office.
- Monitor new legislation and recently decided case law; attend and participate in legislative hearings and meetings to represent and protect the City's water interests; complete required continuing legal education hours; and, attend and participate in City Council meetings as needed.

- Perform related duties as assigned.

When assigned to the Police Department:

- Provide legal advice to Police Department Command Staff and supervisors on administrative and operational issues.
- Be available on call (including weekends and holidays) to provide legal consultation and guidance to law enforcement personnel conducting criminal investigations; respond to major incidents involving serious injury, death, and/or extensive property damage involving or related to police action.
- Provide written legal opinions for the Police Department, including investigations of facts and conducting legal research.
- Prepare the Police Department's legal documents, including, but not limited to, draft orders and documents required for search, seizure, and forfeiture activities or other investigative purposes.
- Research court cases and legislative actions affecting law enforcement operations and notify appropriate personnel.
- Represent the City as needed, on legislative issues of interest to the Police Department.
- Foresee potential liability concerns; conduct legal research and review recent legislation and court decisions to determine the relationship with current and/or proposed policies, procedures, law enforcement protocol, officer training, handling/disposition of evidence, etc.; recommend, draft, and/or amend revisions to policy and procedures.
- Consult with the City's Risk Management Department on individual claims against the Police Department; compile and summarize the Police Department's position in response to any claims.
- Serve as liaison between the Police Department and Assistant handling civil litigation cases; represent the City in civil litigation in State and Federal courts.
- Evaluate claims against the Police Department, examine reports of enforcement activities, and review disciplinary matters to identify trends/patterns and recommend changes in policies and procedures as need.
- Coordinate and conduct training on legal matters. Review operational training outlines.
- Assist Department in personnel and other employment related matters and consult with Assistant City Attorneys assigned to the Human Resources Department.
- Draft, review, revise and negotiate contracts, Intergovernmental Agreements, and other legal documents on behalf of the Police Department.
- Review hiring, transfer, promotional, and compensation processes in conjunction with the City Attorney's Office and the Human Resources Department for compliance with City policy and State and Federal requirements.
- Review internal personnel investigations and any proposed disciplinary actions.
- May assist in negotiating the Memorandum of Understanding (MOU) with the Tempe Officers' Association (TOA) and other Police Department work groups requesting formal representation under the City's meet and confer ordinance.

- Assist with RICO forfeiture proceedings as directed by the City Attorney.
- Attend and participate in Police Department Command Staff meetings.
- Attend and participate in police legal advisor association meetings, such as Arizona Legal Advisors Association (ALAA) and International Association of Chiefs of Police (IACP) - Legal Officers Section.
- Represent the City Attorney's Office and/or the Police Department at City Council meetings, including Working Groups, informal discussions, formal presentations and other, as directed.
- Perform related duties as assigned.

COMPETENCIES

CLASSIFICATION LEVEL	INCLUDES	COMPETENCIES
Foundational	All Employees	Inclusion, Communication, Interpersonal Skills, Integrity, Professionalism, and Willingness to Learn
Non-Supervisory	In Addition >	Teamwork, Customer Service, Initiative, and Dependability / Reliability
Supervisory	In Addition >	Staffing, Monitoring Work, Delegating, Development / Mentoring, and Support Others
Manager	In Addition >	Preparing / Evaluating Budgets, Monitoring / Controlling Resources, and Motivating / Inspiring
Deputy Director	In Addition >	Entrepreneurship and Networking
Director	In Addition >	Organizational Vision

For more information about the City of Tempe's competencies for all classifications:

[City of Tempe, AZ : Competencies](#)

JOB DESCRIPTION HISTORY

Effective June 2001

Revised January 2002

Revised April 2004 (unclassified to classified status)

Revised September 2005 (inclusion of prosecutorial assignments)

Revised February 2006 (inclusion of litigation assignment)

Revised September 2007 (clearly defined task by assignment - experience reduced to a min. of 3 years)

Revised April 2010 (update job duties, exp when assigned to Water)

Revised November 2013 (classified to unclassified for new employees)

Revised August 2014 (update job duties, and supervision received)

Revised April 2018 (minor changes to essential function)

Revised September 2022 (update job duties when assigned to Civil Litigation)

Revised November 2023 (reclassified the Asst. City Attorney into two distinct job classifications based upon assignment in either the civil or criminal division)

Revised January 2024 (update job duties when assigned to Police Department)

PHYSICAL DEMANDS AND WORK ENVIRONMENT

Job Title: Assistant City Attorney

Job Code: 508 / 049

	Never	Occas.	Freq.	Contin.
ENDURANCE / ENVIRONMENT / MOVEMENT	0% of time	1-35% of time	36-65% of time	66-100% of time
Sit			X	
Stationary / Stand			X	
Move / Traverse	X			
Machinery*	X			
Electrical*	X			
Power Tools*	X			
Hand Tools*	X			
Personal Protective Equipment*	X			
Respirator*	X			
Airborne Chemical Exposure	X			
Airborne Biological Exposure	X			
Computer Software				X
Physically handling of chemicals	X			
Indoors				X
Outdoors		X		
Around, in or on water	X			
Extreme Heat	X			
Extreme Cold	X			
Office Setting				X
Confined Spaces	X			
Excessive Noise**	X			
Heights	X			
Sewage Exposure	X			
Bodily Fluid or bloodborne pathogen exposure	X			
Bend / Stoop / Twist		X		
Crouch / Squat		X		
Kneel / Crawl	X			
Above Shoulder Level	X			
Below Shoulder Level	X			
Repetitive Arm Use		X		
Repetitive Wrist Use		X		
Repetitive Hand Use		X		
Climb Stairs / Ladders	X			
Neck Range of Motion	X			
Traverse Uneven Surface	X			
Traverse Even Surface	X			

VEHICLE OPERATION	YES	NO
Will this position drive a City vehicle?	X	
Will this vehicle require a Commercial Drivers License?		X

VISION REQUIREMENTS	YES	NO
Close (clear vision at 20 inches or less)	X	
Distance (clear vision at 20 feet or more)		X
Color (ability to identify and distinguish colors)		X
Depth Perception (three-dimensional vision, ability to judge distances and		X
Peripheral (ability to observe an area that can be seen up and down or to the		X
Ability to adjust focus (ability to adjust the eye to bring an object into sharp focus)	X	

Maximum LIFT / CARRY	Lift	Carry	Maximum PUSH / PULL	Push	Pull
5-25lbs	X	X	5-25lbs	X	X
26-50lbs			26-50lbs		
51-75lbs			51-75lbs		
76-100lbs			76-100lbs		

ADDITIONAL CONSIDERATIONS:
<ul style="list-style-type: none"> - May require working extended hours. - May work alone for extended periods of time. - May travel to/from meetings and various locations.

*DEFINITIONS/EXAMPLES
Machinery: bucket truck, riding mowers, backhoe etc.
Electrical: wiring, outlets, fuses etc.
Power Tools: push mowers, jackhammers, drills, chainsaw etc.
Hand Tools: hammers, wrenches, shovels, wheel barrels, saws etc.
Personal Protective Equipment: Tyvek coveralls, hard hats, fall protection harness etc.
Excessive Noise exists when you raise your voice to communicate with someone who is 3 ft away.
Respirators: 1/2 face or full-face cartridge.
Hepatitis A and Hepatitis B vaccinations are offered to employees in the OSHA bloodborne pathogens

****Hearing test is required**