

Job Title: **Deputy City Attorney**

Classification: **Exempt-Professional**

Department: Legal



Supervisor: City Attorney

Effective: 10/01/2021

I. JOB SUMMARY:

The Deputy City Attorney assists the City Attorney in providing in-house counsel, providing legal counsel to the City Manager, Elected Officials, and Departments, in all matters pertaining to the business of the City and represents the City in actions brought by or against the City or against City officials in their official capacity. The City Attorney is also responsible for planning, organizing, directing, and controlling the activities of the Legal Department. Duties require the exercise of extensive independent judgment as the ultimate legal authority for the City. Supervision is performed in accordance with general policies of the City Council and the accepted standards and practices of the legal profession. Work is performed under the general direction of the City Attorney and the City Manager.

II. EDUCATION & EXPERIENCE REQUIREMENTS:

- A Juris Doctorate Degree from an accredited law school.
- One (1) to two (2) years of progressively responsible related work experiences; municipal experience preferred.
- Must be a member of the State Bar of Texas and ability to maintain it as a condition of continued employment.

III. EMPLOYMENT REQUIREMENT:

- Applicant will be subject to a complete background investigation. Incomplete, inaccurate and/or failure to report information will cause the applicant rejection from consideration.
- Applicant must take and pass a pre-employment drug, physical and pre-placement screening administered by the City of Mission appointed physician at the City's expense.
- Must have a current valid class "C" Driver License from the Texas Department of Public Safety with no more than two (2) moving traffic violations within the past two (2) years.

IV. SKILL ABILITY REQUIREMENT:

- Knowledgeable in organizations, duties, powers, limitations and authority of City government.
- Knowledgeable in Texas Statutes and principals of administration and constitutional law.
- Knowledgeable in Methods of legal research.
- Knowledgeable in purposes and functions of governmental agencies, boards, commissions and other governmental bodies.
- Knowledgeable in civil service; preferred.

- Primary duty requires the exercise of discretion and independent judgment with respect to matters of significance involving comparing and evaluating possible courses of action and decision making after the various possibilities are considered.
- Assists in recommending, interpreting and implementing policies and procedures.
- Arbitrates questionable items within the limits of general policies.
- Ability to work independently toward general results. Must originate, plan, adapt, invent, and continue to accomplish tasks.
- Ability to work with a number of diversified and unrelated, intangible facts and elements. Usually no precedent is available. Planning requires consideration of the city's overall policies, rules and objectives. Job requires the interpretation of data as a basis for making decision.
- Ability to meet deadlines.
- Ability to interact with outside companies or agencies.
- Ability to evaluate facts and interpret the law in individual cases, and perform legal research.
- Ability to analyze and apply legal principals, facts and precedents to legal problems.
- Ability to present laws, facts and arguments clearly and logically in written and oral form.
- Ability to establish cooperative working relationships with those contacted in the course of the work.
- Involves duties that affect serious or controversial matters that could greatly affect future organizational climate and work flow. The duties of this nature are highly significant and frequent. Duties deal with well-established policies and procedures. Demands quick, independent judgment to meet unexpected and/or serious developments. Decisions frequently affect entire organization.
- Ability to work with data of an extremely confidential nature. Any disclosure of this information could have a serious effect upon the internal or external relationships of the organization in relation to agencies, the community or the state, and could possibly affect the future.
- Responsible for high factual accuracy, or the exercise of sound judgment. Thoroughness and reliability are essential because of the detailed nature of the work. Mistakes may cause considerable financial loss and loss in prestige by the City in its dealings with others.

V. EQUIPMENT/MATERIALS: General office and safety equipment/materials to include but not limited to the following:

- Personal computer
- Keyboard
- Telephone
- Calculator
- Personnel Policy
- Manual
- Laptop
- Printer/Scanner
- Fax Machine
- City Vehicle
- Various Computer Software

VI. ESSENTIAL JOB FUNCTIONS:

- Implement the explicit policies enacted by the City Council.
- Attends and makes presentations at City Council meetings in the absence of the City Attorney.
- Acts as a legal advisor to the City Council, City boards and senior City staff.
- Reviews, prepares, or assists in the preparation of all agendas, ordinances, resolutions, agreements and contracts, leases, legal opinions, deeds, liens, subpoenas, city policies, and all other City related matters, by reading various documents, entering data into the computer, attending meetings with staff, council and others, writing letters, conducting legal research and negotiations and using dispute resolutions techniques, and approves the form of such instruments.
- Responds to open record requests and seeks opinions from the Texas Attorney General on any denials.
- Responsible for oversight to City litigation docket and debt collection procedures.
- Attends and participates in various meetings, by conducting presentations, participating in discussions and writing documents.
- Provides legal advice on City cemetery related matters.
- Drafts legislation pertaining to municipalities and monitors state and federal legislative activity.
- Reviews property Title Search reports to ensure 100% ownership and clear of liens or judgments and generates title opinions for the Community Development Housing Assistance Program.
- Monitors and controls performance of the department in conformance with objectives, plans, schedules, and budgets.
- Provides proactive legal counsel on issues pertaining to personnel policies and procedures and provides counsel in all compliance employment matters such as but not limited to EEOC, FLSA and FMLA requirements.
- Assists the City Attorney in providing legal counsel for all actions brought by or against the City or against City officials for actions performed in their official capacity.
- Attends City Council meetings and conferences for the purpose of learning policies underlying official action, and gives advice on legal questions involved, including advice as to alternative legal and administrative approaches to the solution of major City problems.
- Demonstrates continuous effort to improve operations, decrease turnaround times, streamline work processes, and work cooperatively and jointly to provide quality seamless customer service.
- Investigates and prosecutes civil and Class "C" misdemeanor criminal complaints.
- All other duties as assigned by City Attorney and City Manager.

VII. NON-ESSENTIAL JOB FUNCTIONS:

- Attend City functions/business and other events when necessary.
- Some duties require the use of personal or City vehicles on City business. Must be physically capable of operating the vehicles safely.

- Assists and represents the City Manager and City Council by performing related work activities as needed.

VIII. WORK ENVIRONMENT:

Exposure to the following environmental conditions are required for this job.

		Amount of Time		
		Under 1/3	1/3 to 2/3	Over 2/3
	None			
Wet humid conditions (none-weather)		X		
Work near moving mechanical parts	X			
Work in high, precarious places	X			
Fumes or airborne particles	X			
Toxic or caustic chemicals	X			
Outdoor weather conditions		X		
Extreme cold (non-weather)	X			
Extreme heat (non-weather)		X		
Risk of electrical shock	X			
Work with explosives	X			
Risk of radiation	X			
Vibration	X			

IX. MANUAL DEXTERITY:

Both fine and gross hand manipulation are required to perform essential job functions. Gross hand manipulation is utilized to grip a series of files and reposition a keyboard to different computer stations. Fine finger dexterity is required to hand write notes, fill out forms, type reports, letters, and memos, input data in computer, and document information needed for day to day tasks.

NON-MATERIAL HANDLING ACTIVITIES

Tasks	Frequency	Performance
CLIMBING	O	Up and down 3-4 times a week one flight of stairs to deliver report and correspondence.
BALANCING	C	Telephone, books, files, binders, folders, pens, pencils, papers, stapler, stapler remover, paper clips, envelopes, markers.
STOOPING (Bending at waist)	F	Open file drawers to retrieve files below waist level sitting or retrieve, books from floor area or pickup materials that fall down to floor area.
KNEELING (one or both knees)	O	Retrieve things that fall on the floor, retrieve files from lower filing cabinets, or as needed to plug into electrical outlets
CROUCHING (bending at hips/knees)	F	Filing and lifting boxes, open file drawer at bottom section, to clear space removing a box on floor area, or empty boxes of computer paper and stacking them.
CRAWLING	O	Under desk to plug computer and printer, etc.
REACHING	C	Open drawers and retrieve files and documents, partial to full arm extension, reach above head to retrieve supplies, to answer telephone, type letters, retrieve books and binders, using computer mouse.
TWISTING/TURNING (rotation)	C	180 degrees at waist level to access printer, retrieve files, materials, office supplies, assist the public, sitting at desk within work station, answering the telephone, typing, opening drawers, sitting and standing up to 180 degrees at neck, waist and shoulder level.
HANDLING (manipulated objects)	C	Boxes of files, clerical supplies, telephone, ink cartridges, pens, pencils, papers, folders, and calculator to relay and procure information, using computer mouse, both hands to grip files and books exerting moderate force.
STANDING	C	Making copies, filing, sorting mail, greeting the public, faxing documents, retrieve clerical supplies, books, at shoulder level, opening file drawers, pick up and deliver documents.
WALKING	F	Retrieve paperwork within office and other offices within department up to 50 walking to copy room to make copies, within office doing job duties, walking to storage area, walking to bathroom, meetings, employee lounge, to file room for filing employee information.
SITTING	C	Typing letters and reports on computer key board or typewriter, attending meetings, sorting mail, answering telephone, greeting the public, reviewing files and other paper work, opening drawer to retrieve files.
FINGERING (finger dexterity)	C	Typing letters and reports on computer key board or typewriter, using 10 key calculators by touch, hand writing messages and notes, inputting data in computer, statistical reports, filing, and reviewing files, and using computer mouse, rolodex, tape dispenser.
GRASPING (whole hand activities)	C	Office supplies, equipment, file boxes, reams of paper, telephone, files, books, pens, pencils, letter opener, stapler, stapler remover, file drawer, papers, computer keyboard and mouse, letter stand, ruler, tape dispenser,

N-Never O-Occasional 1-33% F-Frequently 34-66% C-Constant 67-100%

I _____ understand the physical demands, work environment factors and mental functions of this job. I can fulfill the essential functions of this position as described in this job description.

Signature

Date