

Options for Legal Counsel

Given Town Attorney Retirement,
Council Direction Needed on Future Legal Framework for Organization

Operational Options

In-House Counsel

- One-Voice – Town Attorney's
- Generalist
- History of Town, eventually
- Learns deep understanding of Staff/Council values
- More casual conversation
- Have multiple firms on contract for depth
- Cost more 'fixed' (\$270k + outside legal contracts)

Counsel with Firm

- Specialized expertise
- Easier to change by project
- Can delegate to experts rather than research themselves
- Only pay for hours needed
- Experience from other cities
- Cost more variable (\$200/hr)

Other Operational Options

Hybrid In-House and Firm

- Council has own Counsel (not full-time)
- Learns deep understanding of Council values
- Town Manager/Legal Department manages Individuals from Stable of Attorneys
- Cost variable (\$200/hr, est.\$300k)

Legal Specialties

- Specialized expertise for HR, PD, Land Use, Contracts, as needed
- Department Heads have dedicated expertise
- Only pay for hours needed
- Experience from other cities
- Cost more variable, but set by budget and Council

Selection Process for In-House Attorney

- 3-4 months with recruiter; Flat Rate
- Description of what you are looking for in a candidate
- Publication of position
- Review of applicants, short-list
- Interviews with Council, Department Heads.
 - Holidays may delay
 - After selection, Council needs to negotiate contract
 - Candidate may need to give notice with current employer

Selection Process for Municipal Law Contract

- Develop and approve RFP for what you are looking for in firm
- Publication of RFP for 1-2 months
- Receive and open bids
- Review and develop short-list
- Interviews with Council, Department Heads.
 - Holidays may delay
 - After selection, Council needs to review (likely standard) contract

Work During Transition

- Town Attorney currently working to complete several items before his retirement
 - DA with Smoke Tree; Process Improvements for Reasonable Accommodation/Other Congregant living; IGA with Phoenix Fire; Medical Marijuana Ordinance revisions, etc.
- Additional projects with completion schedules in 2020:
 - EPCOR Rate Case; Wireless Master License Agreement issues; procurements and contract advice (towing, photo enforcement, ambulance), Revisions to Police Department program applications and social media policy, etc.
- On-going operational issues will continue
 - Increased focus on Code Enforcement process and citations; consultation and advice to PD
- Recruit Prosecutor

Other Duties Needed

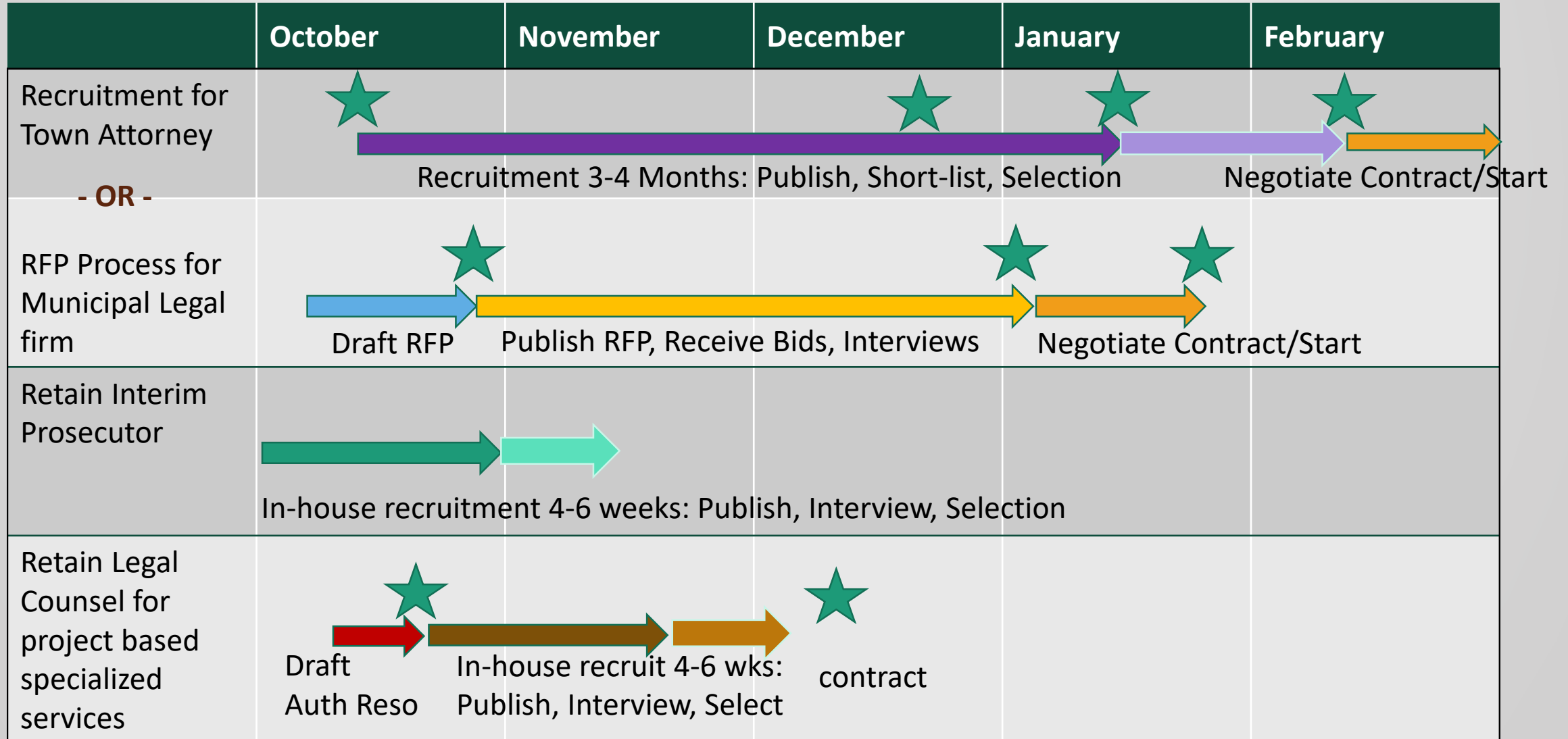
- Attendance and Support for Council, Staff, and Public
 - Attendance at public meetings
 - Review legal documents
 - Advice to council
 - Advice to staff
 - Review of sensitive written information from staff
 - Advice to boards
 - Negotiate and deal with other lawyers/outside parties
 - Confidential Communication with Council
 - Executive Session Legal Advice
- Legal Research and Direction on New Issues
 - Code Enforcement Research Legal Questions

During Selection Process Bolster Legal Assistance

- Fill Vacant Position with Interim Prosecutor – under process.
- Bring in additional Legal Counsel for specialized services to allow Town Attorney to train and document activities; continue meeting attendance.
- Additional Project-Based Legal Counsel
 - Ordinance review and recommendations related to Code Enforcement – one-time project
 - Police legal advisor work
 - General municipal assistance to complete FY 2020 work (as needed) and on-going operational needs

Estimated Schedule for Concurrent Activities

★ Note: Council Decision point



Council Discussion and Direction