

**RESOLUTION R23-12-34**

**A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF EL MIRAGE, ARIZONA AMENDING THE CITY OF EL MIRAGE EMPLOYEE POLICY MANUAL.**

**WHEREAS**, pursuant to Section § 30.06.A. of the City Code of the City of El Mirage, “The Council shall, by resolution, adopt a personnel policy and procedures manual,” and

**WHEREAS**, the current Employee Policy Manual was adopted by the El Mirage City Council on September 21, 2021, by Resolution R21-09-23, with a subsequent revision adopted by Resolution R22-12-28, and

**WHEREAS**, City Management finds it necessary to revise the policy manual to comply with changes in the law, align City policies with best practices, the City’s recruitment and retention strategies, and outline updated benefits the City offers and provides to eligible employees.

**NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of El Mirage as follows:**

That the Employee Policy Manual adopted by the El Mirage City Council on September 21, 2021, by Resolution R21-09-23, with a subsequent revision adopted by Resolution R22-12-28, is amended as attached hereto as Exhibit A, with changes effective January 1, 2024.

**APPROVED AND ADOPTED** by the City Council this 5th day of December 2023.

\_\_\_\_\_  
Alexis A. Hermosillo, Mayor

ATTEST

APPROVED AS TO FORM:

\_\_\_\_\_  
Sharon Antes, City Clerk

\_\_\_\_\_  
Justin Pierce, City Attorney

**EXHIBIT “A”**  
**RESOLUTION 23-12-34**

**Code of Conduct, Section 3: Anti-Discrimination and Harassment**

**Anti-Discrimination and Anti-Harassment:** The City strives to provide an environment free of actions constituting harassment, discrimination, and/or other conduct prohibited by federal and state law; therefore, the City does not tolerate discrimination or harassment. All allegations of discrimination and harassment will be investigated promptly and thoroughly.

**Definition of Discrimination:** Discrimination is defined as the differential treatment of a person or group of people based on actual or perceived ~~race, color, sex, gender, sexual orientation, age, religion, national origin, disability, marital status, veteran status, genetic information,~~ race, color, sex (including pregnancy and related conditions, sexual orientation, or gender identity), national origin, religion, age (40 and older), equal pay, disability or genetic information (including employer requests for, or purchase, use, or disclosure of genetic tests, genetic services, or family medical history), retaliation for filing a charge, reasonably opposing discrimination, or participating in a discrimination lawsuit, investigation, or proceeding, interference, coercion, or threats related to exercising rights regarding disability discrimination or pregnancy accommodation, or any other class protected under local, state, or federal law. The City is committed to a workplace free from discrimination; therefore, discrimination is prohibited in employment activities, including but not limited to recruiting, hiring, promotion, disciplinary action, termination, layoff, recall, transfer, leaves of absence, compensation, and training.

Reasonable accommodations for religious observances and practices of employees or prospective employees will be provided unless such accommodation would impose an undue hardship or cause a significant risk to workplace safety. Employees must submit a request for accommodation to their supervisor and/or Human Resources. Supervisors must confer with Human Resources regarding any accommodation request for final resolution. The extent of the City's obligation is determined by considering business necessity, financial costs, expenses, and resulting employee issues.

**Definition of Harassment:** Harassment is defined as unwelcome conduct towards a person or group of people based on race, color, sex, gender, sexual orientation, age, religion, national origin, disability, marital status, veteran status, or genetic information. The City is committed to a workplace free from harassment; therefore, harassment is prohibited in the workplace.

Sexual harassment is defined as unwelcome physical, verbal, or visual sexual advances, requests for sexual favors, or other sexually oriented conduct that is offensive or objectionable to the recipient. This could include behavior that demeans, embarrasses, humiliates, annoys, or alarms. This would include but is not limited to remarks of a sexual nature about a person's clothing or body, remarks about sexual activity, or speculations about sexual experiences.

Harassment includes, but is not limited to, the following behaviors:

**Verbal and/or Written Harassment:** Nicknames, derogatory comments, explicit or implied threats, sexual propositions, slurs, or otherwise offensive words or comments based on the characteristics defined above, whether made in general, directed to an individual, or a group of people regardless of whether the behavior was intended to harass. This includes inappropriate sexually oriented comments on appearance, including dress or physical features, or sex-oriented stories.

**Physical Harassment:** Assaulting, impeding, or blocking movement, physical interference, or movement when directed at an individual based on the above-mentioned characteristics. This includes touching, pinching, patting, grabbing, leering, kissing, hugging, and promises in return for submission to physical acts.

**Visual Forms of Harassment:** Derogatory, prejudicial, stereotypical, or otherwise offensive posters, photographs, cartoons, notes, bulletins, drawings, or pictures based on above mentioned characteristics. This applies to posted material and material maintained in or on City equipment or personal property in the workplace.

**Complaint Reporting:** Employees who have complaints of discrimination or harassment should report it immediately through their chain of command and/or to Human Resources.

**Withdrawal of Complaint:** The complainant may withdraw the complaint at any point during the investigation but must do so in writing. Withdrawal of a complaint does not limit the City's right to proceed with an investigation.

**Complaint Process:** When an employee complains of discrimination or harassment, the following procedure will apply:

Any person in a chain of command who receives a complaint regarding discrimination or harassment must notify the Human Resources Director immediately.

Management employees, with direction from Human Resources, may attempt to resolve the complaint, but if they cannot, the complaint will be referred to Human Resources.

The Human Resources Director or designee will appoint an appropriate individual to investigate the complaint thoroughly. The complaint will be kept confidential to the extent permitted by law.

Upon conclusion of the investigation, the Department Director or Human Resources Director will document the findings and/or resolution to the complainant.

Any employee who engages in discriminatory or harassing behavior makes a discrimination or harassment complaint in bad faith, knowingly files a false claim, or retaliates against an employee for making a complaint of discrimination or harassment may be subject to disciplinary action up to and including termination of employment.

### **Code of Conduct, Section 9: Conflicts**

**Secondary Employment:** Regular full-time and **part-time** employment by the City is considered an employee's primary occupation and takes precedence over all other occupations. ~~Full-time~~ Employees may not have other employment which presents a conflict of interest or a time conflict. All secondary employment must be reported in accordance with this policy. The City, in its sole discretion, will determine whether the secondary employment presents a conflict of interest or time conflict.

A conflict of interest exists when an employee's secondary job tends or appears to interfere with the employee's job responsibilities with the City, negatively affects workplace safety, or involves the use of the City's time, facilities, equipment, or supplies, or may be viewed as work on behalf of the City. Secondary employment of police must also conform to Police Department Policies and Procedures.

A time conflict exists when the working hours of a secondary job directly conflict with an employee's work schedule, mandatory overtime, or emergency service obligations, if any, or when the demands of a secondary job prohibit adequate rest or otherwise negatively affect the employee's job performance.

**No employee of the City of El Mirage may be employed by a vendor to provide services billable to the City of El Mirage without prior approval of the Human Resources Department.**

The employee must complete and submit the Secondary Employment Form to their Department Director for approval. All requests for secondary employment must be sent to Human Resources and maintained in the employee's personnel file.

Employees are encouraged to engage in volunteer activities. However, employees should evaluate their volunteer activities in the same manner as secondary employment to identify

any potential conflict with the employee's position with the City of El Mirage. Employees should discuss any potential conflicts with their Department Director.

No employee of the City of El Mirage may be a volunteer for a vendor that provides services billable to the City of El Mirage, without prior approval of the Human Resources Department.

## **Employment, Section 2: Probationary Period**

**Probationary Period:** Regular full-time and regular part-time employees newly hired or promoted serve a probationary period. This probationary period is designed to give the employee time to learn the position and the supervisor time to evaluate the employee's potential and performance. During the probationary period, the employee serves at will, and the employee's performance is subject to close review.

Regular full-time and regular part-time employees must satisfactorily complete the probationary period to continue in the position.

Temporary employees, on-call employees, and employees appointed by the City Council are employed at will and do not serve a probationary period.

**Timing:** The probationary period generally begins on the first day of work and lasts twelve months. At the end of the probationary period, the supervisor shall submit a performance evaluation utilizing the City's designated evaluation program. Completion of probation shall not be considered automatic and shall not occur by default. Successful completion of probation shall be indicated by submission of a performance evaluation, utilizing the City's designated evaluation program, with an overall rating of meets or exceeds expectations.

The Department Director may recommend, and the City Manager may approve, extending the probationary period up to an additional six months. The reasons for the extension will be explained to the employee in writing, which will be sent to the Human Resources Director and a copy placed in the employee's personnel file. After the extended probationary period, the employee must satisfactorily complete the probationary period extension to continue in the position.

An employee who is promoted or demoted is subject to a six-month promotion or demotion probationary period (12 months for sworn Police Department and certified Fire Department employees) unless specifically waived by the City Manager.

For Police Officers required to meet the Arizona Police Officers certification standards, the probationary period begins on the date following receipt of such certification.

~~**Completion of the Probationary Period:** At the end of the probationary period, the employee's performance is evaluated. At least 2 weeks prior to the completion of the promotion or demotion probationary period, the supervisor shall provide the employee with a written determination of the employee's successful/failed completion of the probationary period.~~

**Transfer/Promotion/Temporary Assignment:** Employees in their probationary period shall not be eligible or selected for transfer, promotion, or temporary/interim assignments unless such selection is recommended by the employee's Department Director and approved by the City Manager.

If an employee in their probationary period is transferred or promoted, the employee is required to complete their initial probationary period or a six-month transfer/promotion probationary period, whichever is greater, unless specifically waived by the City Manager.

**Termination during the Probationary Period:** During the probationary period, a newly hired or promoted employee may be terminated at any time by the Department Director with the approval of the City Manager, with or without cause and without recourse.

**Layoff during the Probationary Period:** If a probationary employee is laid off and subsequently recalled to work within a ~~period of~~ twelve months, the employee shall be credited with prior probationary time.

**Appeal Rights during the Probationary Period:** An employee serving a probationary period is in an at-will status and does not have the right to appeal a disciplinary action or file a grievance during the probationary period.

### **Employment, Section 3: Position Change**

**Reclassification:** Reclassification is the movement of a position from one grade to another on the Classification and Compensation Structure. The position could move to a higher or lower pay grade based on internal and external position equity.

When the duties of a position are substantially changed, the Department Director shall submit a written recommendation to the Human Resources Director including the justification for the reclassification and the changes to the position's responsibilities or requirements, such as experience, education, or certification. The request will be reviewed by the Human Resources Director. A job audit, which is an analysis of the critical elements of a position against a predetermined formula for measuring the relative worth of a position and placement in the City's Classification and Compensation Structure, will be undertaken. If the Human Resources Director determines that the request is justified, the request will be provided to the City Manager for approval.

When an employee's position is reclassified **and** ~~or~~ assigned to a higher pay grade, the affected employee's pay will be placed at the minimum pay in the new grade or will receive a 7% increase, whichever is greater, not to exceed the maximum of the position's pay grade. A reclassification or assignment to a higher pay grade that is not requested as part of the budget process must be approved by the City Manager.

When an employee's position is reclassified **and** ~~or~~ assigned to a lower pay grade, the affected employee's pay will not be decreased even if their pay is at or above the maximum of the new grade. Employees whose pay is at or above the maximum of the new grade will be frozen and the employee will not receive further pay increases until the maximum pay of the grade increases to include the employee's rate of pay.

#### **Employment, Section 4: Performance Management**

**Performance Evaluation:** A performance evaluation is utilized to measure and provide feedback on performance and build understanding, accountability, and employee engagement.

The performance of employees is evaluated upon the completion of the probationary period and at least once annually ~~by February 15~~, for all regular full-time and part-time employees using the City's designated evaluation software.

The performance evaluation is completed by each employee's immediate supervisor and reviewed by the Department Director or designee for completeness, accuracy, and objectivity.

The evaluation is submitted and routed for authorizing signatures. Once obtained, the evaluation is reviewed with the employee in a private meeting and documented using the performance evaluation system.

#### **Employee Training and Development, Section 1: Training and Development,**

**Tuition Reimbursement:** The City agrees to assist employees in their pursuit of additional training and higher education in **core courses or job-related electives in a degree program** ~~courses~~ **either related to the employee's current position or reasonably anticipated to benefit the employee in a City career path.** ~~related to their employment responsibilities and promotion opportunities, including core courses in a degree program, but excluding non-job-related electives not approved as a core course in the degree program.~~

In-person and online courses must be from a fully accredited college, university, or approved technical/trade/business school.

Employees will not be eligible for tuition reimbursement during their initial probationary period.

~~Each employee who wishes to be reimbursed must receive a written commitment from the Department Director, Human Resources, and the City Manager prior to enrolling in the course.~~

An employee requesting reimbursement under the tuition reimbursement policy must **complete the required application, include proof that the coursework is a core course or job-related elective in a degree program either related to the employee's current position or reasonably anticipated to benefit the employee in a City career path, and receive approval from authorizing approvers, as designated on the City's form.** ~~submit a written request for reimbursement to the Department Director on forms approved by the City. The request must include proof that the coursework is a core course in a degree program or a job related elective. The Department Director reviews the request and submits a recommendation to the City Manager for a final decision. Prior to submitting a recommendation to the City Manager, the~~ **The Human Resources Department Director** must certify the availability of funds within the department budget. **The Human Resources Director** ~~City Manager~~ may reject any request that does not meet the requirements described in this policy **if there is no availability of funds** or if the City Manager determines **approval will** ~~would~~ cause a financial hardship for the City.

Reimbursement will be at 100% of the tuition charged per credit hour up to **the tax-exempt IRS calendar year limit,** ~~a maximum of \$4,000 per calendar year,~~ **pending sufficient availability of city funds. The City follows IRS guidelines regarding the limit of tax-free educational assistance.** ~~The maximum reimbursement amount may be modified through the annual budget process with the recommendation of the City Manager and approval of the budget by the Council.~~

**Tuition reimbursement is not available more than one time for the same course.**

**The calendar year in which the reimbursement is paid to the employee shall determine the calendar year in which the tuition reimbursement amount will be counted. For example, if a course is taught from October to December and the reimbursement is paid the following January, the course reimbursement amount must be counted toward January's calendar year limit.**

For undergraduate classes, reimbursement shall be paid at the end of each semester upon presentation of proof of each course passed with a "C" grade or higher or its equivalent, where letter grades are not used. For graduate classes, reimbursement shall be paid at the

end of each semester upon presentation of proof of each course passed with a "B" grade or higher and presentation of receipt for tuition costs.

Employees shall be eligible for reimbursement of required expenses such as **tuition, books, registration, and course fees.** ~~administration fees, lab fees, books, recreation fees, etc.—as part of the annual limit as identified above, or not exceeding maximum reimbursement~~

The reimbursement amount shall be reduced by any financial assistance the employee receives from any outside source. When applying for tuition reimbursement, the employee shall notify the Human Resources Department of any financial assistance from an outside source.

The courses must be taken on an employee's time and be personally paid for by the employee.

Any employee who resigns before completion of a course or is discharged will automatically terminate their eligibility for reimbursement.

Upon successful completion of the course, the employee shall submit the following documentation to the Human Resources Department for approval:

1. A copy of the Human Resources Department-approved application for tuition reimbursement.
2. A copy of the official grade report or transcript from the educational institution.
3. An original paid tuition billing statement.
  - a. The billing statement must itemize all charges for the course, including tuition.
  - b. The billing statement must itemize financial assistance from another source (i.e., scholarships, grants, military education benefits, etc.)
  - c. The billing statement must indicate a “zero” balance for the course to be eligible for tuition reimbursement.
4. The documents must be submitted within sixty (60) days after completion of the course. Exceptions to this deadline must be approved by the City Manager.
5. Reimbursement will be on a first-come, first-served basis and depends on the sufficient funds of City resources to support the program and may be paid up to the employee’s maximum calendar amount, as identified in this policy.

### **Compensation, Section 5: Stipend Pays**

**Bilingual Pay:** A bilingual pay incentive is available to all **eligible** City employees serving in a position that requires interaction with the public in a language other

than English and/or who are called upon to interact with the public in a language other than English regularly. **Bilingual Pay is subject to the Bilingual Pay Administrative Policy.**

**Full-time and part-time employees shall be eligible for bilingual proficiency testing upon a recommendation by the Department Head in collaboration with Human Resources; employees at the Program/Division Manager level or equivalent level and above are not eligible.**

Each Department Director is responsible for determining the need for bilingual services by department employees. Competency must be demonstrated through proficiency testing coordinated through the Human Resources Department. Employees who demonstrate competency in speaking a foreign language are eligible for bilingual pay.

**Amount:** Bilingual pay for eligible employees will be paid \$0.75 per hour. Exempt employees will receive an additional \$60.00 per pay period.

At no time will an employee be able to obtain more than one bilingual pay stipend regardless of the number of languages, including sign language, the employee becomes proficient in.

### **Employee Leave, Section 1: Sick**

**Sick Accrual:** Full-time employees accrue ~~3.7 hours of paid sick leave time~~ per pay period, up to 96 hours per year, with no maximum limit. Part-time, temporary, and on-call employees accrue paid sick time at a rate of 1 hour for every 30 hours worked, up to 40 hours of paid sick time each calendar year. Accrued and available paid sick time has no cash value and is not eligible for payout.

### **Employee Leave, Section 2: Vacation**

**Vacation Accrual Schedule:** Full-time employees accrue ~~3.08 hours of paid vacation~~ per pay period, up to 80 hours the first year of employment, and 10 additional hours for each year of service thereafter, up to 180 hours per year. **Part-time employees accrue paid vacation time at a rate of 1 hour for every 30 hours worked, up to 40 hours of paid vacation time each calendar year.**

**Accrual Requirements:** Regular full-time **and part-time** employees begin to accrue vacation at the time of hire.

An employee will not accrue vacation during a pay period in which the employee is in an unpaid status.

Usage: Use of leave by non-exempt employees must be rounded up to the nearest quarter hour. Use of leave by exempt employees shall be recorded in full or partial day increments.

Upon termination from the City, employees will be paid for unused vacation accruals at the base rate except for employees who terminate from the City for any reason before the completion of twelve months of **regular full-time or part-time** service. Employees in the first twelve months of employment are ineligible to receive vacation leave payout.

When an employee moves from full-time to part-time or temporary status, vacation accruals are paid to the employee at the base rate.

**Maximum Accruals:** The maximum amount of vacation leave a **regular full-time** employee may accumulate at any time is 320 hours unless otherwise approved by the City Manager. **The maximum amount of vacation leave a regular part-time employee may accumulate at any time is 180 hours unless otherwise approved by the City Manager.**

## **Employee Leave, Section 2: Vacation**

**Donated Vacation:** Regular full-time employees may apply to the Human Resources Department to receive donated vacation once all paid leave is exhausted. Employees on intermittent leave are not eligible for donated leave. Intermittent leave is defined in the Family and Medical Leave (FMLA) policy.

Only vacation leave may be donated. Leave is donated on an hour-for-hour basis. There is no maximum amount of leave that can be donated by any one individual. However, the donor must have a balance of at least 40 hours after the donation is subtracted. The donated time that is not used will not be returned to the donor. This unused leave will be assigned to a leave bank for use by a future eligible employee. A donor may not specify who is to receive the donated leave.

To request vacation leave donations, employees must have a situation that meets one or more of the following criteria:

A medical emergency is defined as a medical condition of the employee or an immediate family member that will require the prolonged/extended absence of the employee from duty and will result in a substantial loss of income to the employee due to the exhaustion of all paid leave available. An immediate family member is defined as a spouse, child, or parent.

A major disaster is defined as a disaster declared by the president under §401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (the Stafford Act), or as a major disaster or emergency declared by the president pursuant to 5 U.S.C. §6391 for federal

government agencies. An employee is adversely affected by a major disaster if the disaster has caused severe hardship to the employee or to a family member of the employee that requires the employee to be absent from work.

**Suspension of Leave Accumulation:** Leave accumulation, such as vacation, sick leave, or holiday benefits, will be suspended during unpaid leave, including pay periods in which the employee is receiving donated leave.

### **Employee Leave, Section 3 Holidays**

**Paid Holiday.** Regular full-time employees in active pay status on the day a holiday is observed will receive an amount equal to their regularly scheduled shift at their regular rate, not to exceed 10 hours. This amount will be known as a Paid Holiday.

Active pay status is defined as a period when an employee is eligible to receive pay directly from the City, including, but not limited to, hours worked and/or paid leave (**Employees receiving donated leave are not eligible to receive paid holiday(s)**).

### **Employee Leave, Section 7: Leave of Absence**

**Leave ~~Without Pay~~ of Absence:** **Upon written request, an employee may be granted a leave of absence.** ~~An unpaid leave of absence can only be requested if all leave accruals have been exhausted.~~ Requests for leave **of absence without pay** must be submitted in writing in advance of the leave and include the requested dates of leave and the reason for the request. Written requests are submitted to the Department Director. The leave request is reviewed by the Department Director and the Human Resources Director, who make recommendations subject to approval by the City Manager.

**Reasons for Leave:** A leave of absence ~~without pay~~ may be granted up to ninety days for non-medical reasons and up to one year for medical reasons covered by the Americans with Disabilities Act (ADA), Family and Medical Leave Act (FMLA), or similar federal or state law. Under extenuating circumstances or as required by law, the City Manager may grant an extension of a leave period upon written request by the employee.

**Use of Paid Leave During a Leave of Absence:** Unused paid leave will run concurrently with an employee's leave of absence. Employees who do not have available paid leave remain entitled to request a leave of absence for a qualifying reason; if approved, the leave of absence would be unpaid.

**Suspension of Leave Accumulation:** Leave accumulation, such as vacation, sick leave, or holiday pay, will be suspended during unpaid leave, including pay periods in which the employee is receiving donated leave.

**Benefits while on Leave:** Employees who are granted a leave of absence without pay shall retain their date of hire. ~~but shall not accumulate any paid leave time during the unpaid leave of absence nor be entitled to holiday pay.~~

Employees granted a leave of absence without pay are ineligible for an annual review of job performance or an adjustment in pay until the performance evaluation is completed immediately following the return to active employment status.

Employees on a leave of absence without pay may elect to continue group insurance coverage. However, unless the employee is on FMLA leave, the employee must assume the entire cost of both employee coverage and dependent coverage premiums through the City's Consolidated Omnibus Budget Reconciliation Act of 1986 (COBRA) administrator. ~~Payment must be submitted to the Finance Department by the 10th of each month to ensure continued coverage.~~

#### **Employee Leave, Section 10: Bereavement Leave**

Bereavement leave is available to regular full-time and part-time employees to attend to family needs that arise in connection with the death of an immediate family member. If an employee needs to take time off due to the death of an immediate family member, the employee should notify his or her supervisor immediately.

Bereavement leave replaces lost wages; it is not intended to provide additional compensation.

Immediate family for bereavement leave is defined as spouse, parent, child, sibling, grandparent, grandchild, and all step and in-law of same.

In the event of a death in the immediate family, time off with pay, up to 40 hours, will be granted to regular full-time employees, and up to 19 hours will be granted to regular part-time employees.

Time off without pay to attend the funeral of a relative that falls outside of the immediate family may be allowed with prior approval of the City Manager.

#### **Corrective Action, Section 4: Types of Disciplinary Actions**

##### **Informal Discipline:**

**Oral Counseling:** Oral counseling is an informal notification to an employee to address minor conduct or performance concerns. The discussion should include the specific areas

of unsatisfactory conduct or performance, how the employee is expected to correct his/her conduct or performance, and the timeframe for doing so. After discussion, a written summary of the meeting is provided to the employee.

### **~~Formal Disciplinary Action~~**

**Letter of Reprimand:** A written reprimand is a ~~formal~~ notification to an employee that there is cause for dissatisfaction with the employee's job performance and/or conduct.

### **Formal Disciplinary Action**

**Demotion:** Disciplinary demotion is the movement of an employee from one position to another position with a lower salary grade.

**Suspension without Pay:** The temporary separation of an employee from City service without compensation. Suspension for exempt employees is administered following current federal law under the Fair Labor Standards Act. Suspension without pay shall not exceed 30 calendar days.

**Termination of Employment:** Termination is the discharge for cause of an employee from City Service.

**To the extent that any provisions of this Corrective Action Policy conflict with the Peace Officer Bill of Rights ("POBOR"), as set forth in A.R.S. § 38-1102 *et seq.*, the provisions of the POBOR shall control.**

**APPROVED AND ADOPTED** by the City Council this 5<sup>th</sup> day of December 2023.

\_\_\_\_\_  
Alexis A. Hermosillo, Mayor

ATTEST

APPROVED AS TO FORM:

\_\_\_\_\_  
Sharon Antes, City Clerk

\_\_\_\_\_  
Justin Pierce, City Attorney