# IVINS CITY STAFF REPORT
**City Council Meeting 11/21/2024**

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| **Agenda Item:** | 5C: Ordinance 2024-16 re: City Attorney Duties |
| **Submitted by:** | Bryan Pack, City Attorney |

Under current law, the City Attorney heads the Legal/Human Resources Department.[1] This structure made sense when the City Attorney also served as the City Manager; however, because most HR functions are administrative (e.g., recruiting, hiring, training, benefits), it's recommended that the City Manager directly supervise the City's HR operations. The main substantive change proposed in the ordinance, therefore, is in Section 2, which removes the standalone Legal/HR Department. If adopted, HR functions would instead fall directly under the City Manager's oversight without requiring a separate department. This adjustment does not impact the City Attorney's ability to provide legal guidance, as the City Attorney will retain full responsibility for advising on legal matters.

The changes in Section 1 are largely technical, aimed at improving readability. The only substantive updates are:

- **Subsection 13**: Codifies the City Attorney's responsibility to adhere to the Utah Rules of Professional Conduct governing all Utah-licensed attorneys. While this obligation is already in effect, this amendment explicitly includes it in the City Code for clarity, ensuring readers understand that these professional standards remain applicable.
- **Subsection 14**: Authorizes the City to engage outside counsel. The City already uses outside counsel for criminal prosecutions and certain litigation, and this addition formally recognizes that engaging such support is permissible.

Respectfully submitted: _____

Bryan Pack, City Attorney

[1] Ivins City Code Section 2.03.204.