Attachment A

Sec. 702. Eligibility, powers and duties of City Attorney.

To become eligible for City Attorney, the person appointed shall be an attorney-at-law duly licensed as such under the laws of the State of California, and shall have been engaged in the practice of law for at least five years prior to appointment.

The City Attorney shall have power and may be required to:

(a) Represent and advise the City Council and all City officers in all matters of law pertaining to their offices.

(b) Represent and appear for the City in any or all actions or proceedings in which the City is concerned or is a party, and represent and appear for any City officer or employee, or former City officer or employee, in any or all actions and proceedings in which any such officer or employee is concerned or is a party for any act arising out of such officer's or employee's employment or by reason of such officer's or employee's official capacity.

(c) Attend all regular meetings of the City Council and give advice or opinion in writing whenever requested to do so by the City Council or by any of the boards or officers of the City.

(d) Approve the form of all contracts made by and all bonds given to the City, endorsing the City Attorney's approval thereon in writing.

(e) Prepare any and all proposed ordinances or resolutions for the City and amendments thereto.

(f) Surrender to the City Attorney's successor all books, papers, files and documents pertaining to the City's affairs.

The City Council shall have control of all legal business and proceedings and may employ other attorneys to take charge of any litigation or matter or to assist the City Attorney therein.

The Office of City Prosecutor shall be created within the City Attorney's Office, and effective January 1, 2017, the City Attorney shall act as City Prosecutor and be charged with the duty on behalf of the people of prosecuting misdemeanor offenses arising out of violations of the Charter, City ordinances, and misdemeanor offenses arising out of violations of state law. The City Prosecutor shall prosecute all such misdemeanors committed within the city, and handle all appeals arising from it. The City Prosecutor shall draw complaints for such misdemeanors, and shall prosecute all recognizances or bail bond forfeitures arising from or resulting from the commission of such offenses. Whenever any person applying for a writ of habeas corpus is held in custody by any peace officer of such city, charged with having committed within the city any misdemeanor, a copy of the application for such writ shall be served upon such City Prosecutor at the time and in the manner provided by law for the service of writs of habeas corpus upon district attorneys. On behalf of the people, the City Prosecutor shall conduct all proceedings relating to such application.

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