

City of Portland

Corporation Counsel Search Committee



Thursday, June 1, 2023 at 8:00 AM

To submit written public comment on an agenda item, email atorregrossa@portlandmaine.gov. Submissions must be received by 12:00 pm the day before the Search Committee meeting to guarantee their inclusion in the agenda packet. All submissions must include the commenter's name and legal address. To help ensure your comment is submitted for the correct item, please include the name of the agenda item (see below).

REMOTE ACCESS INFORMATION:

The Corporation Counsel Search Subcommittee will conduct this meeting remotely via Zoom pursuant to the Remote Meeting Policy adopted by the Portland City Council. Allow your computer to install the free Zoom app to get the best meeting experience. If you are not able to attend live either in person or via Zoom, a recording will be available in the [Agenda Center](#) following the meeting.

For public comment via Zoom, you will need to use the "raise your hand" feature. To raise your hand via the telephone, please hit *9. You will be unmuted by the host when it is time for public comment.

When: Jun 1, 2023 08:00 AM Eastern Time (US and Canada)

Topic: Corporation Counsel Search Committee

Please click the link below to join the webinar:

<https://portlandmaine-gov.zoom.us/j/84934178322?pwd=WmtBUHlCdzNvY1hWUWZPNmhxR2JBZz09>

Passcode: 231578

Or One tap mobile :

+13017158592,,84934178322#,,,,*231578# US (Washington DC)

+13052241968,,84934178322#,,,,*231578# US

Or Telephone:

Dial(for higher quality, dial a number based on your current location):

+1 301 715 8592 US (Washington DC)

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+1 929 205 6099 US (New York)

+1 669 444 9171 US

+1 669 900 6833 US (San Jose)

+1 689 278 1000 US

+1 719 359 4580 US

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City of Portland Corporation Counsel Search Committee

Thursday, June 1, 2023 at 8:00 AM

+1 507 473 4847 US

+1 564 217 2000 US

Webinar ID: 849 3417 8322

Passcode: 231578

International numbers available: <https://portlandmaine-gov.zoom.us/j/kdigFc7FFZ>

1. Call to Order
2. Approval of Minutes from 5/24 Meeting
 - a. Approve Minutes.
3. Review, Public Comment, and Vote on Search Materials
 - a. Job Description with Proposed Edits
 - b. Salary Comparables
 - c. Proposed Job Posting Locations
 - d. Proposed Job Ad Language
4. Discuss Resume Review, Prescreen, and Interview Process
5. Set Next Meeting
6. Adjournment

CORPORATION COUNSEL SEARCH COMMITTEE MEETING MINUTES

May 24, 2023, 8:00 am via Zoom

Committee Members Present: Mayor Kate Snyder, Councilor Pious Ali, Councilor April Fournier, Councilor Mark Dion

Other Council Members Present: Councilor Regina Phillips

Staff Present: Anne Torregrossa, HR Director

8:04 Call to Order

Introduction to Search Committee process and role by Mayor Snyder.

Anne Torregrossa identified that the HR Department did have the capacity to support running this search if the Council did not want to have an intensive national search and did not want a complicated interview and review process. The Committee and Councilor Phillips provided their thoughts on that and the Committee decided that a regional search would be sufficient and would like the HR Department to conduct that Search.

Anne then introduced several documents that she had provided the previous evening by email to the search committee, including a draft job description, draft job ad, proposed list of locations to post the job ad. Councilor Ali provided an edit to the job description, which was added. The Committee would like additional time to review and provide feedback on these documents.

Councilor Dion requested that Anne locate and circulate some materials on considerations for hiring an attorney, and specifically an in-house attorney, if available. Anne also suggested some educational materials surrounding the role of an in-house attorney with respect to navigating who is the client.

The Committee and Councilor Phillips provided the guidance that all materials should be circulated to the full Council, and the full Council should be invited to future meetings if non-Committee members would like to attend. Anne will recirculate materials and Councilors will provide their feedback directly to Anne for inclusion in the next week's packet.

The Committee discussed and was comfortable with aiming for a June 9, 2023 deadline to post the job, and a three to four week posting timeframe before applicant resumes would be reviewed.

The Committee set the next meeting for June 1, 2023 at 8:00 am. The Agenda will include public comment and Committee review and vote on the job description, salary range, job ad, and posting locations.

8:53 Motion to adjourn (Dion); second (Fournier); passed 4-0.



City of Portland, Maine JOB DESCRIPTION

Class Title:	Corporation Counsel	FLSA:	Exempt
Class Grade:	Council Appointee	EEO Category:	Professionals
Date:	February 2022	Risk Code:	8810

Nature of Work

This is professional legal work serving as chief counsel to the City of Portland. The incumbent provides sound legal advice to the City Council, Mayor, City Manager and City staff on a wide range of issues. Responsibilities also include frequent consultation with municipal officials, preparation of legal opinions, ordinances, and court documents, legal research, and human resource and financial management of Corporation Counsel's Office~~the Legal Department~~.

Supervision Received

The Corporation Counsel is a Council appointee who works independently and at the discretion of the City Council ~~and the City Manager~~. Work is reviewed by the Council and Mayor~~the City Manager~~. Client is the City of Portland as an entity and the Corporation Counsel is not obligated to any one person or position.

Supervision Provided

The Corporation Counsel supervises all Associate Corporation Counsel positions, as well as office support staff.

Essential Duties and Responsibilities

Provides sound, clearly stated legal advice to City Councilors, the Mayor, the City Manager, and City staff~~clients~~.

Outlines options to help guide policymakers and operating managers make decisions.

~~Helps Councilors perform their jobs well by assisting them to ask the right questions about legal matters and the ramifications of the answers, thus encouraging them to ask questions.~~

Gives prompt and courteous attention to requests from Councilors about the legal implications of City matters affecting their constituents.

Answers requests for legal advice from Councilors, the City Manager, the City Clerk, and City staff promptly. ~~Makes sure all Councilors and the City Manager have the same information about all legal matters.~~

Represents or arranges for legal representation ~~Provides court representation~~ for the City in all administrative and court proceedings. Hires and provides oversight to outside counsel, where needed. Provides accurate guidance about the chances of winning in any legal conflict.

Attends all City Council meetings and provides legal counsel as requested. May attend Boards or Commissions meetings as advisory legal counsel.

Maintains a cooperative relationship with the City Manager, City Clerk, and staff, while still providing candid and objective legal advice when needed. Keeps the City Manager well informed about requests from City staff for legal advice.

Assists in managing disagreements within the City by advising on~~describing~~ the legal ramifications of each position.

Maintains high public confidence in the Office of Corporation Counsel~~Legal Department~~.

Administers the Office of Corporation Counsel~~Legal Department~~ in a sound and organized way, and ensures.~~Makes sure~~ the Office~~Department~~ staff operates as a team and the Office ;~~makes sure the Office~~Legal Department speaks in public with one voice about all legal issues.

Performs related work as required.

Requirements of Work

Considerable experience in the practice of law, with special emphasis on administrative and municipal law; graduation from an accredited school of law; admission to the Maine Bar.

Thorough knowledge of the principles and procedures of civil law, especially as they relate to municipal government and the ability to apply this knowledge to varied legal problems.

Thorough knowledge of the principles, methods, and practices of legal research.

Considerable knowledge of local ordinances, bylaws, charters, and of State and federal law provisions affecting municipalities.

Working knowledge of municipal government structure and operations and the relationships to other public jurisdictions.

Ability to establish and maintain effective working relationships with City Councilors, the Mayor, the City Manager and City staff.

Physical Demands and Work Environment

The physical demands described here are representative of those that must be met by an employee to successfully perform the essential functions of this position. Reasonable accommodations may be made to enable individuals with disabilities to perform the functions.

This position mostly involves light levels of physical activity. Exerting up to 20 pounds of force occasionally and/or 10 pounds of force frequently, and/or a negligible amount of force to move objects.

Activity	Frequency	Activity	Frequency
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Climbing: Ascending or descending ladders, scaffolding, ramps, poles and the like, using feet and legs and/or hands and arms. Body agility is emphasized.	Rarely if ever	Balancing: Maintaining body equilibrium to prevent falling when walking, standing or crouching on narrow, slippery or erratically moving surfaces.	Rarely if ever
Stooping: Bending body downward and forward by bending spine at the waist.	Occasionally	Kneeling: Bending legs at knee to come to a rest on knee or knees.	Rarely if ever
Crouching: Bending the body downward and forward by bending leg and spine.	Occasionally	Crawling: Moving about on hands and knees or hands and feet.	Rarely if ever
Reaching: Extending hand(s) and arm(s) in any direction	Occasionally	Standing: Particularly for sustained periods of time.	Occasionally
Walking: Moving about on foot to accomplish tasks, particularly for long distances.	Occasionally	Pushing: Using upper extremities to press against something with steady force in order to thrust forward, downward or outward.	Rarely if ever
Pulling: Using upper extremities to exert force in order to draw, drag, haul or tug objects in a sustained motion.	Rarely if ever	Lifting: Raising objects from a lower to a higher position or moving objects horizontally from position-to-position.	Occasionally
Repetitive Motions: Substantial repetitive movements (motions) of the wrists, hands, and/or fingers (picking, pinching, typing).	Frequently	Grasping: Applying pressure to an object with the fingers or palm.	Rarely if ever
Feeling: Perceiving attributes of objects, such as size, shape, temperature or texture by touching the skin, particularly that of fingertips.	Rarely if ever	Talking: Expressing or exchanging ideas by means of the spoken word. Those activities in which they must convey detailed or important spoken instructions to other workers accurately, loudly, or quickly.	Frequently
Hearing: Ability to receive detailed information through oral communication, and to make fine discriminations in sound, such as when making fine adjustments on machined parts.	Frequently	Seeing: The ability to perceive the nature of objects by the eye.	Frequently

Note

This job description in no way states or implies that these are the only duties to be performed by the employee(s) incumbent in this position. Employees will be required to follow any other job-related instructions and to perform any other job-related duties requested by any person authorized to give instructions or assignments.

All duties and responsibilities are essential functions and requirements and are subject to possible modification to reasonably accommodate individuals with disabilities. To perform this job successfully, the incumbents will possess the skills, aptitudes, and abilities to perform each duty proficiently. Some requirements may exclude individuals who pose a direct threat or significant risk to the health or safety of themselves or others. The requirements listed in this document are the minimum levels of knowledge, skills, or abilities.

This document does not create an employment contract, implied or otherwise, other than an "at will" relationship.

Reviewed with employee by

Signature:		Name (print):	
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Title:		Date:	
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Received and accepted by

Signature:		Name (print):	
Title:		Date:	

The City of Portland is a drug free work environment and is an equal opportunity and affirmative action employer strongly committed to diversity, equity, and inclusion in its workplace.

**SALARY COMPARABLES
CORPORATION COUNSEL SEARCH**

State of Maine

Maine Deputy Attorney General (2021) = \$101K - \$122K

Maine Attorney General (2021) = \$117K

District Attorneys (2021) = \$105K - \$125K

Portland

Portland Associate Corp. Counsel pay range = \$103K - \$147K

MIG current salary (acting) = \$156K

DPW salary (2021) = \$151K

Advertised Portland Police Chief salary = up to \$175K

Non-Maine Municipal

Manchester, NH (2021) = \$157K

Concord, NH (2022) = \$149K

Lynn, MA (2021) = \$146K

Portsmouth, NH = \$111K - \$142K

Norwalk, CT (2020) = \$125K

South Burlington, VT (2021) = \$119K

Nashua, NH (2019) = \$116K

Private Sector Estimates

Private sector in house counsel estimates = \$125K - \$200K

Private sector associate (med-large firm) = \$125K+

**POTENTIAL POSTING LOCATIONS
FOR CORPORATION COUNSEL JOB AD**

In addition to the typical job boards (Indeed, MMA, etc.), you could consider posting to some or all of the following:

1. National League of Cities
2. Engaging Local Government Leaders (ELGL)
3. Association of Corporate Counsel
4. Golnhouse
5. Maine State Bar Association
6. See if we can publicize through Regional Organization of Municipal Attorneys (ROMA)
7. Law Crossing
8. Other local bar associations:
 - a. New Hampshire
 - b. Massachusetts
 - c. Vermont
 - d. Connecticut

POTENTIAL JOB AD LANGUAGE CORPORATION COUNSEL SEARCH

The City of Portland is a thriving municipality that boasts world class dining, arts, culture and tourism, and provides all of the benefits of a large city. Unlike a large city, however, Portland is only minutes from beaches, mountains, farmland, and other highly desirable recreational opportunities. With more than 65,000 citizens, Portland is Maine's largest city, but is small enough to maintain a close sense of community. Portland prides itself at being a leader within Maine in all areas, including innovative and inclusive political processes.

Portland is often on the cutting edge of legal issues, and is regularly a policy innovator in the State of Maine. We have big city benefits and issues in a small city package.

Within this context, the City is looking for its next chief legal advisor. The Corporation Counsel reports directly to the nine-member City Council, which includes the Mayor, and is responsible for supporting and advising the Council, Mayor, City Manager, City Clerk, and City staff on the wide variety of legal issues that the City faces. They are supported in this work by a team of five attorneys and three professional staff.

Regular duties of the Corporation Counsel's Office include advising on a wide variety of municipal, employment, administrative, real estate, contract, and other areas of law; interpreting and drafting ordinances; representing the City in litigation, or managing outside counsel hired on the City's behalf; jointly overseeing with the City Manager the City's risk management program; and meeting the City's other legal needs. The Corporation Counsel attends all City Council meetings, maintains excellent relationships with the Council and City staff, and serves as the face of the City's Corporation Counsel's Office. They are responsible for ensuring that the work of the Office is conducted in a manner to maintain high public confidence in the Office and in the City.

The right person for this job will have the utmost integrity, a collaborative and problem solving approach to issues, and excellent interpersonal, oral and written communication skills. The successful applicant must have significant municipal and/or administrative law experience, as well as experience managing a team of professionals. They must live in, or be willing to relocate to, Maine; and must have their JD and be admitted to the Maine Bar or be able to obtain admission within six months of hire.

The City of Portland prides itself on its outstanding benefits, collegial and mission-driven work environment, work-life balance, and options for some flexible work arrangements. Salary range for this position is XXXX. Deadline for applications for this position is XXX.