



City Attorney's Office

MEMORANDUM

TO: Sweet Home City Council
FROM: W. Blair Larsen, City Attorney
DATE: July 14, 2026
RE: Recommendations for Replacement City Attorney and other Legal Services

As you are aware, I will be leaving employment with the City of Sweet Home at the end of August, which necessitates finding a replacement for the position of City Attorney. This is a City Charter-mandated position that is appointed directly by the City Council. The City Attorney does not need to be a direct employee and can be a contracted firm or individual.

My recommendation is that the City seek to contract with individual(s) or firm(s) to obtain needed legal services, rather than directly employ a City Attorney. There are some options regarding how to accomplish this.

I. Current Legal Services

Currently, the City of Sweet Home employs an in-house City Attorney (myself), who provides legal advice to the City Council and Staff, contract review, ordinance drafting and review, employment issues, and misdemeanor prosecution. The City receives additional legal services related to the City's various insurance coverages. The City also contracts with attorney Akin Blitz to represent the City in labor negotiations and conflicts, however this work is being done as needed, and there is no active contract for this work.

While the City is required by the Charter to have a City Attorney, it is not required to have a City Prosecutor. However, if the City were to eliminate prosecution, it would require downsizing the Sweet Home Municipal Court to traffic and code violations only, and would require an agreement with the District Attorney's Office or a private firm to handle any appeals.

II. Typical Division of Labor in Legal Services Contracts for Small Cities

Most small cities under 25,000 in population, as well as many larger cities, contract with individual attorneys or law firms for legal services, rather than hire an attorney directly. Most of these contracts divide the work into three main categories—misdemeanor prosecution (when applicable—many small cities do not prosecute at all), labor union legal services, and general City Attorney work.

It is unusual to have one firm or attorney that handles all of these services. In fact, while some cities combine general City Attorney work with labor representation, legal services for labor issues are most often handled by a specialist. It is advisable to keep prosecution and labor law separate, because the City Prosecutor needs to maintain good relationships with City police officers, and the City's labor attorney must be free to take positions against the police officers' union.

Prosecution services are more often combined with general City Attorney work, but even that seems to be less common than contracting with a specialist prosecutor or foregoing prosecution entirely.



III. Options

The City Council has four options for legal services:

1. Seek to hire an in-house City Attorney to handle both prosecution and general City Attorney work. This would essentially be the same as the current situation just with a different attorney. Given the current market for attorneys in Linn County, this option would likely be the most expensive, which is why I don't recommend this option.
2. Issue a Request for Proposals (RFP) for legal services, which could be done in several ways.
 - a. Issue three separate RFPs for general legal services and land use (City Attorney), prosecution (City Prosecutor) and labor representation.
 - b. Issue two RFPs, one for general legal services and prosecution, and one for labor representation.
 - c. Issue two RFPs, one for general legal services and labor representation, and one for prosecution.

IV. Conclusion

My recommendation is to issue three separate RFPs for general legal services and land use, prosecution, and labor representation. I would make clear in the documents that individual submitters or firms could respond to two of the three RFPs, but not all three, so that the City can maintain a separation between prosecution and labor representation.