



CITY OF PALO ALTO OFFICE OF THE CITY ATTORNEY

April 26, 2021

The Honorable City Council
Palo Alto, California

Council Approval of Appointment of Terence Howzell as Chief Assistant Attorney

Recommendation

The City Attorney recommends that the Council approve the appointment of Terence J. Howzell to the position of Chief Assistant City Attorney.

Background

The City Attorney makes appointments to positions in the City Attorney's Office. The City Attorney's appointment to the Chief Assistant position is subject to approval of the Council. (Municipal Code section 2.08.120(4).)

The Chief Assistant City Attorney position (formerly called "Principal Attorney") was approved by the City Council in Fiscal Year 2015. The position strengthens strategic legal services with respect to both transactional/counseling and litigation functions. The Chief Assistant manages the day-to-day operations of the City Attorney's Office, supports legal team members, advises key departments with respect to complex and high-risk matters, and manages the City's litigation portfolio. The Chief Assistant supports the City Manager and the Council on selected matters.

Discussion

The City Attorney requests approval of the appointment of Terence J. Howzell to the position of Chief Assistant City Attorney.

Mr. Howzell has been practicing law for 33 years, including serving in Palo Alto from November 2015 through January 2021 in the same role of Chief Assistant City Attorney. Prior to representing Palo Alto, Mr. Howzell spent 18 years in the San Francisco City Attorney's Office, where he has served in increasingly senior positions in the areas of employment law, labor relations, public contracting and general advice matters. He has litigated numerous disputes in state and federal courts and before a variety of administrative agencies. Mr. Howzell has served as a team leader with a track record of mentoring and supporting attorneys. He earned his Juris Doctor from the University of California, Berkeley, and holds a Bachelor of Arts in English Literature from Dartmouth College.

Mr. Howzell will begin work on April 26, 2021.

Resource Impact

Mr. Howzell will be an at-will employee serving at the pleasure of the City Attorney. His annual salary will be \$254,405, which is within the Council-approved range for the position, subject to a 13 day reduction in FY 21 ending June 30, 2021, as provided in the FY 2021 Cover Letter to the Compensation Plan for Management and Professional Personnel, pro-rated for the period of service. Benefits will be as provided in the Council-approved Compensation Plan for Management and Professional Personnel.

These costs can be met within the City Attorney’s Office’s FY 21 budget and are also consistent with planning scenarios departments have been asked to prepare for consideration for the FY 22 budget. Two senior-level attorney positions – the Chief Assistant and one Assistant City Attorney position – have been vacant for four months and six months, respectively, straining the ability of the City Attorney’s Office to timely meet the legal services needs of all City departments and officials in an increasingly-complex environment. Filling one of the two vacant positions will reduce the use of outside counsel to supplement in-house attorney resources.

Policy Implications

This appointment is consistent with existing City policies.

Environmental Review

Approval of the appointment is not a project subject to environmental review.

Department Head: Molly Stump, City Attorney