



# City of Grand Island

Tuesday, June 14, 2011

Council Session

## Item I4

**#2011-145 - Consideration of Approving Appointment of City Attorney Robert Sivick**

Staff Contact: Mayor Vavricek

# Council Agenda Memo

**From:** Mayor Jay Vavricek

**Meeting:** June 14, 2011

**Subject:** Council Approval of the Appointment of Robert Sivick as City Attorney

**Item #'s:** I-4

**Presenter(s):** Mayor Jay Vavricek

## Background

Former City Attorney Dale Shotkoski resigned his position as of January 14, 2011. Grand Island City Code §2-30 states the following: **Officers; Appointive:** The following shall constitute the statutory officers of the City of Grand Island which shall be appointed by the mayor and approved by the council. These officers shall hold office until the end of the mayor's term and until their successors are appointed and qualified. These appointive officers may be removed at any time by the mayor, with the approval of a majority of the council: City Administrator, City Attorney, City Clerk, City Engineer/Public Works Director, City Treasurer/Finance Director.

## Discussion

My recommendation for the person to fill the position of City Attorney is Mr. Robert Sivick. Bob is suitably experienced. He has both extensive private sector and governmental law experience. He has worked four years while serving as a county attorney and a village attorney with an extensive background as a legal professional with nearly two decades of private law practice experience in a metropolitan city.

Mr. Sivick is sufficiently educated and accredited to serve the City of Grand Island. He graduated from the University of Pittsburg at Johnstown, PA., with a Bachelor's degree in History and Political Science. He attended law school and graduated at Creighton University School of Law and received a Juris Doctorate. Sivick is a member of the Nebraska Bar Association and respected by other legal professionals.

Sivick's law practice includes nearly 20 years of experience in Omaha before accepting the appointment to serve the previously vacated County Attorney position in Howard County, Nebraska. He served in that role nearly four years during the balance of its elected term of office. Since then, he currently serves as the Attorney for Greeley, Nebraska while accepting the recommendation to be appointed as the City Attorney in Grand Island.

Mr. Sivick uniquely comprehends the demands to serve as a legal professional in public service. He knows the importance of the position and understands the public scrutiny associated with government of matters sensitive to taxpayers and the laws of Nebraska as directed by elected officials.

Bob served as a member of the Omaha City Council and grasps the matters of a major city government and the people it serves. As an elected official and as a county attorney, he understands being accessible to citizen concerns on Main Street to rural patrons with accountability to elected leadership. He has been respected within Nebraska as a Commissioner for the State of Nebraska Accountability and Disclosure Commission.

Pending City Council approval, Sivick's first day of service to the people of Grand Island will commence Wednesday, June 15. His starting salary will be, at step five of the eight step salary plan which is \$94,141.22. As City Attorney, Sivick will develop, plan, and implement department goals and objectives; recommend and administer policies and city procedures and monitor and interpret legislation impacting or affecting the city or its operations and activities. The City Attorney assists negotiations of collective bargaining agreements with the city's four labor unions; reviews the city's many complex utilities department agreements, drafts ordinances, resolutions, contracts, deeds, leases and other legal documents; assists in formulating proposed legislation for enactment by the State Legislature in regard to matters of interest to the City and to perform other duties as defined and potential future city government reform recommendations.

Bob has detailed knowledge of Nebraska municipal law and a strong desire to serve with many unique qualities necessary for the success of our community while serving as the City Attorney. I am confidently assured; Bob is the person today who can best achieve long term success in the position. He was the strongest candidate of the pool of applicants with the widest background and most experienced the City received in its recruitment and I ask the City Council's approval to appoint Robert Sivick as City Attorney of the City of Grand Island for the best long term interests of the people of Grand Island.

## **Alternatives**

It appears that the Council has the following alternatives concerning the issue at hand. The Council may:

1. Move to approve
2. Refer the issue to a Committee
3. Postpone the issue to future date

4. Take no action on the issue

### **Recommendation**

City Administration recommends that the Council approve Robert Sivick as City Attorney as Grand Island City Code allows.

### **Sample Motion**

Move to approve Robert Sivick as City Attorney.

RESOLUTION 2011-145

WHEREAS, under Neb. Rev. Stat., §16-308, the office of City Attorney for the City of Grand Island, Nebraska, is an appointed position; and

WHEREAS, under Grand Island City Code, §2-30, the office of City Attorney for the City of Grand Island, Nebraska shall be appointed by the mayor and approved by the council; and

WHEREAS, the Mayor has recommended the appointment of Robert Sivick as the City Attorney effective June 15, 2011: and

WHEREAS, Mr. Sivick will be compensated at step five of the City Attorney pay scale in compliance with the City Personnel Rules: and

WHEREAS, this position appointed by the Mayor and confirmed by the City Council shall hold the position to which they may be appointed until the end of the Mayor's term of office and until their successors are appointed and qualified; and

WHEREAS, this position appointed by the Mayor may be removed at any time by the Mayor with approval of a majority of the City Council.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, Robert Sivick is hereby duly appointed the City Attorney for the City of Grand Island, Nebraska, until the end of the Mayor's term of office.

Adopted by the City Council of the City of Grand Island, Nebraska, June 14, 2011.

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Jay Vavricek, Mayor

Attest:

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RaNae Edwards, City Clerk

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| Approved as to Form | ☐ _____         |
| June 9, 2011        | ☐ City Attorney |