

ASSISTANT CITY ATTORNEY II

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DEFINITION

Under general direction of the City Attorney or designee, serves as legal counsel for the City, and in administering all phases of City legal work; performs specialized and complex legal work in connection with significant legal issues or critical specialty areas; performs other related work as required. This position may also be assigned to perform prosecutorial work on behalf of the City and/or the People of the State of California, similarly under the general direction of the City Attorney, Chief Assistant City Attorney, or designee.

DISTINGUISHING FEATURES

This classification is established above other attorney classification series, providing for an elevated level of decision making associated with complex and specialized legal services. Specialized legal services may be in areas such as: litigation and claims liability, employment law, public contracting, planning, zoning and environmental laws, complex transactions, police, fire, tidelands, Brown Act, first amendment, public records act, conflicts of interest, finance, real estate, public housing, information technology, records retention, state election laws, state and federal law pertaining to public utility law, redevelopment law, federal law and regulations pertaining to development of former military bases, and /or risk management. Work may involve assigning, supervising and reviewing the work of subordinate attorneys.

EXAMPLES OF DUTIES

The following list of duties is intended only to describe the various types of work that may be performed and the level of technical complexity of the assignment(s) and is not intended to be an all-inclusive list of duties. The omission of a specific duty statement does not exclude it from the position if the work is consistent with the concept of the classification or is similar or closely related to another duty statement.

Reasonable accommodations may be made to enable individuals with disabilities to perform these essential functions.

Essential Duties

1. Acts as principal counsel in specialized legal matters such as those pertaining to litigation and claims liability, human resources, employment law, public contracting, planning, zoning and environmental laws, complex transactions, police, fire, tidelands, Brown Act, first amendment, public records act, conflicts of interest, finance, real estate, public housing, information technology, records retention, state election laws, public utilities, redevelopment, development of former military bases, and /or risk management.
2. Represent the City and/or the People of the State of California in prosecuting violations of state and/or local laws through criminal, civil and/or administrative proceedings.
3. Represents the City and its officers and employees in litigation as necessary, including preparation of pleadings, briefs, motions and other documents; appears before federal and state courts and administrative agencies.
4. Confers with and renders assistance to department heads in establishing departmental policies by applying legal points and procedures; recommends changes in policies and procedures to meet legal requirements.
5. Assists in or prepares cases for administrative and judicial hearings and represents the City in such hearings.
- ~~4-6.~~ Coordinates and supervises the work of outside counsel engaged by the City for special legal issues and litigation matters
- ~~2.~~ Directs specified program area activities of the City Attorney's Office.
- ~~3.~~ Represents the City and its officers and employees in litigation as necessary, including preparation of pleadings, briefs, motions and other documents; appears before federal and state courts and administrative agencies.
- ~~4-7.~~ Negotiates and drafts and/or approves complex and routine ordinances, resolutions, contracts, deeds, leases and other legal documents and instruments.
- ~~5-8.~~ Performs legal research and prepares complex and routine opinions considering the actions, powers, duties, functions and obligations of the City Council, City officials, City departments and various agencies, boards and commissions.
- ~~6-9.~~ Provides legal assistance to various agencies, boards, and departments. Provides legal assistance to various agencies or boards
- ~~7.~~ Confers with and renders assistance to department heads in establishing departmental policies by applying legal points and procedures; recommends changes in policies and procedures to meet legal requirements.
- ~~8.~~ Assists in or prepares cases for administrative and judicial hearings and represents the City in such hearings.

- ~~9. Coordinates and supervises the work of outside counsel engaged by the City for special legal issues and litigation matters.~~
- ~~10. Represents the City Attorney's Office at City Council and other public meetings; provides legal advice to elected officials and staff during open and closed sessions in compliance with the Brown Act and other applicable laws.~~
- ~~10. Represents the City Attorney at various City Council, board and commissions meetings and in court as assigned.~~
- ~~11. Responds to citizen complaints and requests for information.~~ Represents the City Attorney's Office at various board and commissions meetings and in court.
12. Responds to citizen complaints and requests for information.
13. Represents the People of the State of California in daily appearances before the Alameda County Superior Court.
14. Reviews police incident reports for filing of criminal and municipal charges.
15. Communicates with victims and witnesses to provide court updates and ensure compliance with the Victim's Bill of Rights (Marsy's Law).
16. Coordinates with law enforcement and other justice partners on discovery, evidence, investigations, and testimony.
- ~~Prepares and represents the People and/or the City in jury and court trials.~~
- ~~11-17.~~
- ~~12. Serves as Acting City Attorney as required.~~
- ~~13. Assists in budget preparation and administration as assigned.~~
- ~~14. Supervises, trains and evaluates assigned staff attorneys and support staff.~~
- ~~15. Represent the City and/or the People of the State of California in prosecuting violations of state and/or local laws through criminal, civil and/or administrative proceedings.~~
- ~~16-18.~~ Conduct public meetings, workshops and training session to provide community education. Directs specified program area activities of the City Attorney's Office.

Other Duties

- ~~1. Supervises, trains and evaluates assigned staff attorneys and support staff.~~
- ~~2. Conduct public meetings, workshops and training sessions to provide community education.~~
- ~~3. Assists in budget preparation and administration as assigned.~~
- ~~4. Serves as Acting City Attorney as required.~~

WORKING CONDITIONS

- ~~Indoor office environment.~~
- ~~Ambient office sounds and noises such as speaking, working office equipment, and software.~~
- ~~Travel to court, off-site meetings, or other City locations.~~
- ~~Requires attendance at evening meetings, such as City Council or Commission meetings, as needed~~

PHYSICAL DEMANDS

- ~~Dexterity of hands and fingers to operate a computer keyboard.~~
- ~~Seeing to read a variety of printed and digital materials.~~
- ~~Sitting or standing for extended periods while performing legal research, attending meetings, or in court.~~
- ~~Hearing and speaking to exchange information and make presentations.~~
- ~~Occasional lifting of materials such as files, binders, and legal documents (typically up to 25 pounds).~~

EMPLOYMENT STANDARDS

Education/Experience

Any combination equivalent to education and experience likely to provide the required knowledge and abilities. A typical way to obtain the knowledge and abilities would be:

Education: Juris Doctor degree from an accredited law school.

Experience: ~~Minimum six (6) Five~~ years of progressively responsible experience as a practicing attorney. Substantial experience in a lead or supervisory capacity, and in specialized legal matters such as those pertaining to litigation and claims liability, criminal prosecution, human resources, employment law, public contracting, planning, zoning and environmental laws, complex transactions, police, fire, tidelands, Brown Act, first amendment, public records act, conflicts of interest, finance, real estate, public housing, information technology, records retention, state election laws, public utilities, redevelopment, development of former military bases, and /or risk management is highly desirable

Knowledge

Knowledge of legal principles and practices including civil, criminal and administrative laws and procedures; judicial procedures and rules of evidence; methods of administrative laws and procedures; judicial procedures and rules of evidence; methods of legal research; law and practices related to municipal government; principles and practices of public administration; specialized knowledge in areas such as litigation and claims liability, employment law, public contracting, planning, zoning and environmental laws, complex transactions, police, fire, tidelands, Brown Act, first amendment, public records act, conflicts of interest, finance, real estate, public housing, information technology, records retention, state election laws, state and federal law pertaining to public utilities , redevelopment, development of former military bases and /or risk management.

Ability

Ability to effectively perform and administer all phases of City legal work including those requiring specialized knowledge; analyze, appraise, and apply legal principles and precedents to difficult legal problems; conduct legal research, prepare sound legal opinions and a variety of legal documents; demonstrate effective leadership; develop and implement goals, objectives, policies, procedures, work standards and internal controls; review and analyze complex and technical information; draw valid conclusions and project consequences of decisions and recommendations; set priorities and meet deadlines; interpret, apply and explain rules, laws, regulations, policies and procedures; issue instructions, directions and orders; analyze situations and make quick decisions requiring sound judgment; maintain level of knowledge required for satisfactory job performance; establish and maintain accurate records; prepare concise, comprehensive reports; communicate effectively; act with resourcefulness, courtesy and initiative; exercise independent judgment; establish and maintain effective working relationships with employees, public officials, community organizations and the general public; assist in budget preparation and administration; supervise, train and evaluate assigned staff.

Other Requirements

Bar Admission in any US state or territory and ability to obtain membership in the State Bar of California within 12 months of employment.

Possession of a valid California Driver's License and satisfactory driving record at the time of appointment is required as a condition of initial and continued employment only if the operation of a vehicle, rather than the employee's ability to get to/from various work locations in a timely manner, is necessary to perform the essential functions of the position.