



## Assistant City Attorney

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### Summary

Act as legal advisor to the City Council, City Manager, City department directors and other employees, and members of other City bodies; represents the City in litigation and other legal proceedings, including legal and regulatory matters involving other governmental and/or private parties; and assists in the performance of the duties and functions of the City Attorney in accordance with the City Charter, California State law, the City's Municipal Code, and other applicable law.

### Class Characteristics

General direction and supervision is provided by the City Attorney. Responsibilities include the direct and indirect supervision of management, professional, technical, and support services personnel.

The Assistant City Attorney is an advanced journey-level class required to perform extremely sensitive and complex legal work and to function with a high degree of independence and accountability. The incumbent is expected to be capable of performing the full range of duties common to the position of Assistant City Attorney and to have, develop, and maintain subject matter expertise as needed to fulfill the City's legal requirements and perform tasks assigned to the Assistant City Attorney. The Assistant City Attorney assists in the performance of any and all of the responsibilities of the City Attorney, as assigned, including, when directed and/or authorized, acting on behalf of the City Attorney in the City Attorney's absence.

### Essential Duties, Skills, and Demands of the Position

*The duties, skills, and demands described here are representative of those that must be met by an employee to successfully perform the essential functions of this job. Reasonable accommodations may be made to enable individuals with a disability to perform the essential duties, skills, and demands.*

#### Duties:

The Assistant City Attorney is responsible for performing and supervising the performance of the following types of representative duties, in addition to others that may be prescribed by the City Attorney or required from time to time:

Help the City Attorney plan, organize, coordinate, and direct all City legal activities, including those of City Attorney Department employees, outside legal service providers, investigators, and experts retained by the City.

Act as legal advisor, and render legal opinions and recommendations to the City Council, City Manager, City department directors and other employees, and members of other City bodies, as assigned.

On a relief basis as assigned represent the City Attorney on the City's executive team lead by the City Manager and consisting of the Assistant City Manager, all department directors, and assigned City managers.

Help the City Attorney participate in the development and implementation of City goals, objectives, policies, initiatives, and other priorities, and formulate and identify innovative legal solutions and strategies to accomplish City goals objectives, policies, and initiatives.

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Attend City Council meetings and meetings of other City bodies, and represent the City in meetings of other government and private entities, as assigned.

Prepare and/or review and make recommendations on ordinances, resolutions, rules, policies, pleadings, agreements, and other legal documents, as assigned.

Prepare and/or review and make recommendations on City agreements and assist in agreement negotiations on behalf of the City and provide and maintain agreement tools as appropriate to assist the City Attorney in supervising the drawing of all City contracts, as assigned.

Review and provide legal analysis and advice regarding defense and resolution of claims and lawsuits against the City, as assigned.

Review and provide recommendations on bond and financing papers, insurance policies, and other documents affecting the City, including recommendations upon the validity and sufficiency of such documents, as assigned.

Perform legal research and preparation of analysis, opinions, pleadings, correspondence and other legal documents, as assigned.

Help the City Attorney coordinate legal activities with other City departments and divisions, outside agencies, and private parties, as assigned.

In case of emergency serve as Emergency Operations Center staff on a relief basis for the City Attorney as assigned and participate in and support emergency operations planning and training activity as assigned.

Provide legal training to City legislative body members and staff, as assigned.

Track, analyze, and make recommendations on new legislative and case law developments affecting City programs, policies, objectives, and interests, as assigned.

Respond to citizen complaints and requests for information, as assigned.

Help the City Attorney prepare and administer the City Attorney Department budget.

Represent the City at community events and at professional gatherings, as assigned.

Help the City Attorney select, supervise, train, and evaluate assigned staff.

Serve as the City Attorney on a relief basis, as assigned.

Perform related duties as assigned.

When Assigned to Litigation:

Represent the City in lawsuits and administrative hearings and appear before courts and administrative and other bodies to represent the City's interests, as assigned.

Enforce City Charter and Municipal Code violations through prosecution of civil, criminal, and administrative cases, seek abatement of public nuisances, recover the cost of City litigation and damage to City property; assist in acquiring and condemning property for public purposes, as assigned.

When Assigned to Advice:

As assigned help the City Attorney provide legal advice and prepare and issue statements to members of news media and others concerning City activities, operations, and issues.

Review and make recommendations on agendas and agenda items of the City Council and other

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City bodies regarding accomplishment of City objectives and compliance with applicable legal and regulatory requirements, as assigned.

Advise and represent the City in labor and employment related matters including labor negotiations, disciplinary proceedings, and grievances, as assigned.

Skills/Abilities:

Assist in the planning, organization, and coordination of the City's legal services.

Interpret, apply, and follow legal principles and procedures.

Apply legal knowledge and principles before courts and other bodies.

Present statements of law, fact, and arguments clearly and logically.

Conduct research on complex legal problems and prepare sound legal opinions.

Properly interpret and make recommendations in accordance with laws, regulations, and policies.

Analyze and prepare a wide variety of complex legal documents.

Exercise sound, independent judgment consistent with City Attorney direction and general policy guidelines.

Operate office equipment including computers and supporting word processing, spreadsheet, and database applications.

Communicate clearly and concisely, both orally and in writing.

Establish and maintain effective working relationships with those contacted in the course of the work.

Physical Demands and Work Environment:

Employee is regularly required to sit at desk and in meetings for long periods of time; talk or hear, in person, in meetings and by telephone; use hands and fingers to handle, feel or operate standard office equipment; and reach with hands and arms. Intermittently, twist to reach equipment surrounding desk; walk to observe department activities; bend and squat to perform file searches; perform simple grasping and fine manipulation; use telephone and write or use a keyboard to communicate through written means; operate an automobile to attend meetings. While performing duties, the employee is regularly required to use written and oral communication skills; analyze legal principles; observe performance and evaluate staff; explain and interpret legal requirements, policies and procedures; interact with the City Council, City management and the public.

**Qualifications**

Knowledge of:

Organization, duties, powers, limitations and authority of City government and a City Attorney.

Legal principles and practices, including civil, criminal, constitutional, and administrative law and procedure.

Statutes, ordinances, and regulations affecting City operations.

Laws and practices related to redevelopment and community development.

Zoning laws, map amendments, and other land use related laws.

Court decisions relating to municipal corporations.

Judicial procedure and rules of evidence.

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Methods of legal research.

Established precedents and sources of legal reference applicable to municipal activities.

Office procedures, methods, and equipment including computers and applicable software applications such as word processing, spreadsheets, and databases.

Education and Experience

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

Education:

Equivalent to a Juris Doctor degree from an accredited law school.

Experience:

Three years of experience performing duties comparable to those of an assistant city attorney in the office of a city attorney, county counsel, special district counsel, or private law firm providing legal services to local government clients.

Certifications/Licenses:

Membership in the State Bar of California and admittance to practice before all State and Northern Federal Districts Courts in California.

Possession of a valid California Class C driver's license.

Special Note:

This classification is exempt from civil service as specified in the City Municipal Code and serves at the will of the City Manager on the recommendation and advice of the City Attorney.

Established: 12/02/2013

Resolution #: 2013-158 N.C.S.; 2021-155 N.C.S.

Revised: 9/20/2021

Department: City Attorney

FLSA Status: Exempt