

**CLASS SPECIFICATION**  
**Assistant City Attorney**

**GENERAL PURPOSE**

Under general direction, assists in managing operations of the City Attorney's Office and performs a wide range of legal services of a complex nature in representing the City and providing advice and counsel to City staff, the City Council and official City boards and commissions; conducts legal research and drafts legal documents; represents the City and its employees in federal and state litigation and administrative hearings; and performs related duties as assigned.

**DISTINGUISHING CHARACTERISTICS**

Assistant City Attorney is responsible for providing legal services and counsel on a wide range of highly complex and sensitive legal issues confronting City departments, elected officials, City management, employees and official City boards and commissions. An incumbent is also responsible for assisting the City Attorney in the management and supervision of the City Attorney's Office. Overall assignments are typically complex, require particularized skills and political sensitivity and involve significant risk and consequences for the City. Duties and responsibilities are carried out with considerable independence within the framework of established policies, procedures and guidelines.

Assistant City Attorney is distinguished from Deputy City Attorney in that an incumbent in the former class is responsible for assisting in the management of the City Attorney's Office and is responsible for the more complex cases involving a higher degree of sensitivity and greater risk and consequences for the City. The Assistant also serves as Acting City Attorney when needed.

**ESSENTIAL DUTIES AND RESPONSIBILITIES**

The duties listed below are intended only as illustrations of the various types of work that may be performed. The omission of specific statements of duties does not exclude them from the position if the work is similar, related or a logical assignment to this class.

1. Assists in planning, organizing, supervising and evaluating work the City Attorney's Office; with staff, develops, implements and monitors work plans to achieve assigned goals and objectives; contributes to development of and monitoring of performance against the annual Office budget; participates in developing, implementing and evaluating work programs, plans, processes, systems and procedures to achieve Office and City goals, objectives and performance measures consistent with the City's quality and service expectations; assists in planning and evaluating the performance of Office staff.
2. Provides legal advice to City executives and managers on a wide range of law and regulations, including employment, environment, real estate, right of way, construction, tort liability, public records, Brown Act, conflicts of interest and public agency powers, obligations and limitations; conducts research and provides opinions and advice regarding the duties, powers, functions and

obligations of City departments and related bodies; provides risk assessments and advice to elected officials and City staff on current legal issues; provides advice and direction to ensure City compliance with legal requirements; reviews documents for legality; determines priorities and timelines for the resolution of numerous competing legal issues.

3. Prepares and litigates or oversees private counsel in litigating City cases in all areas of law and commercial, business and construction disputes, including the review, analysis and investigation of claims made against the City and its employees; represents the City and its employees in state and federal litigation; prepares for trial by investigating and mastering non-legal information and facts, legal provisions, statutes, case law and City Code; investigates claims and defenses raised by claimants; interviews witnesses; conducts document discovery; investigates and locates evidentiary materials; performs legal research; tries cases; drafts appellate briefs and oral arguments before state and federal appellate courts; participates in negotiations and settlement discussions; prepares cost/benefit analyses of pursuing litigation versus other forms of resolution; prepares and takes depositions; selects expert witnesses; files pre-trial pleadings and motions; drafts hearing briefs; handles appeals.
4. Researches legal issues and statutory and case law; drafts and reviews opinions, ordinances, resolutions, Code amendments, contracts, leases, deeds and other legal documents and instruments; drafts and approves ordinances, resolutions and contracts as to form and legality; prepares oral and written legal opinions for City departments and staff; drafts, reviews and finalizes legal documents; reviews and approves contracts; drafts explanatory memoranda on legal implications of complex issues; reviews department documents for legal sufficiency.
5. Attends meetings of and provides advice to the City Council and other official boards and commissions as requested by the City Attorney; represents the City in administrative hearings before City bodies and state and federal agencies; represents the City in negotiations to resolve issues involving litigation risk.
6. Reviews proposed legislation for policy and fiscal impacts on the City; advises City staff on legal and policy issues; monitors and prepares comments on proposed federal and state legislation and regulation; recommends changes in City policies and practices in order to comply with legal requirements.
7. Responds to complex public records requests; provides interpretations of City Code provisions to citizen and public official requests.

#### **OTHER DUTIES**

1. Keeps abreast of City functions, programs and operations and monitors changes in law and regulations for impacts.
2. Assists other attorneys in all phases of legal work on complex litigation.
3. Answers correspondence and public inquiries on legal matters related to City business.

## **QUALIFICATIONS**

### **Knowledge of:**

1. Principles and practices of civil and administrative law, especially as they relate to municipal governments.
2. State and federal court procedures and rules of evidence.
3. Interview techniques and methods and strategies for case preparation.
4. Pleadings and effective practices and techniques in the presentation of court cases.
5. Principles, methods and techniques of legal research and investigation.
6. City Council procedures, filing requirements and deadlines, as well as parliamentary procedures found in Code provisions that govern Council proceedings.
7. Municipal Code, state and federal law and regulation, court decisions and other legal requirements applicable to municipal government functions, operations and staff.
8. The Brown Act, the Fair Political Practices Act, the Public Records Act and other state laws and court cases applicable to municipalities and public bodies.
9. Principles and practices of legal communication.
10. Responsibilities and obligations of public officials and administrative agencies in the State of California.
11. Principles and practices of effective supervision.
12. City human resources policies and procedures and labor contract provisions.

### **Ability to:**

1. Prepare legal briefs and other legal documents and instruments.
2. Define issues, perform legal research, analyze problems, evaluate alternatives and develop sound conclusions and recommendations.
3. Present statements of fact, law and argument clearly, logically and persuasively.
4. Exercise sound, independent judgment within general policy guidelines and legal parameters.
5. Interpret state and federal laws, regulations, legislation and constitutional provisions affecting municipal operations.
6. Develop sound litigation strategy and represent the City effectively in hearings, courts of law and meetings.
7. Prepare clear, concise and comprehensive correspondence, reports and other written materials.
8. Use effective written and oral communication skills, including explaining complex and unfamiliar principles to non-technical audiences.

9. Advocate for the City in presenting statements of fact, law and argument clearly, logically and persuasively.
10. Objectively and neutrally evaluate witnesses, legal materials and evidence.
11. Organize, set priorities and exercise sound independent judgment within areas of responsibility.
12. Remain neutral on issues where there are competing political agendas.
13. Conduct computer assisted legal research and investigation.
14. Use a high degree of tact, discretion and diplomacy in dealing with sensitive situations and concerned or upset individuals.
15. Develop and maintain effective working relationships with elected officials, City management and staff, officers of the court, litigants and their attorneys, complainants, representatives of other public agencies, business and community leaders, media representatives, City residents, the public and others encountered in the course of work.

**Education, Training and Experience:**

A typical way of obtaining the knowledges, skills and abilities outlined above is graduation from a four-year college or university; graduation with a juris doctor degree from an accredited law school; and at least seven years of progressively responsible experience in the practice of civil law and civil litigation defense in a municipal setting.

**Licenses; Certificates; Special Requirements:**

Admission to the Bar of the State of California and admission to practice law before State of California and federal courts.

A valid California driver's license and the ability to maintain insurability under the City's vehicle insurance policy.

**PHYSICAL AND MENTAL DEMANDS**

The physical and mental demands described here are representative of those that must be met by an employee to successfully perform the essential functions of this class. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

**Physical Demands**

While performing the duties of this job, the employee is regularly required to sit; talk or hear, both in person and by telephone; use hands to finger, handle and feel computers and standard business equipment; and reach with hands and arms. The employee is frequently required to stand and walk.

Specific vision abilities required by this job include close vision and the ability to adjust focus.

**Mental Demands**

While performing the duties of this class, the incumbent is regularly required to use written and oral communication skills; read and interpret complex data, information and documents; analyze and solve complex problems; use math/mathematical reasoning; perform highly detailed work under changing, intensive deadlines, on multiple concurrent tasks; work with constant interruptions, and interact with elected officials, City management and staff, officers of the court, litigants and their attorneys, complainants, representatives of other public agencies, business and community leaders, media representatives, City residents, the public and others encountered in the course of work.

**WORK ENVIRONMENT**

The work environment characteristics described here are representative of those an employee encounters while performing the essential functions of this class. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

The employee works under typical office conditions, and the noise level is usually quiet.