RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILPTIAS AMENDING RESOLUTION 1626, THE CLASSIFICATION PLAN

WHEREAS, the City of Milpitas has a Classification Plan adopted as Resolution No. 1626 on December 17, 1968, in accordance with the Personnel Rules and Regulations of the City of Milpitas (Resolution No. 792 as amended) and has amended that Classification Plan from time-to-time; and

WHEREAS, amendments to the Classification Plan are now necessary to account for changes within the organization, transfer of duties, new job responsibilities, adjustments to salary ranges, and the development of new classifications. At this time specifically are needed new classifications for staffing of the newly created in-house City Attorney's Office;

NOW THEREFORE, BE IT RESOLVED that Resolution No. 1626 is hereby amended effective _____, as follows:

Establish new classifications with the following titles and salary ranges:

Title	Proposed Salary Range
Assistant City Attorney	$129,993.00 - $158,007.00
Deputy City Attorney	$102,527.00 - $124,622.00
Paralegal	$63,069.00 - $76,661.00
Legal Assistant	$62,604.00 - $76,095.00

PASSED AND ADOPTED this _____ day of _____ 2007, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

_____
Mary Lavelle, City Clerk

APPROVED:

_____
Jose S. Esteves, Mayor

APPROVED AS TO FORM:

_____
Michael Ogaz, City Attorney

CITY OF MILPITAS
EFFECTIVE: 12/07
EEOC: Admin
FLSA: Exempt
UNIT: Unrepresented
PHYSICAL: 1

ASSISTANT CITY ATTORNEY

DEFINITION

Under administrative direction, assists the City Attorney in administration of the City Attorney's Office; performs difficult and complex professional legal work including representation of the City in litigation; provides legal advice and opinions to the City Council, Planning Commission, City staff and other City commissions and committees; acts for the City Attorney as assigned or during his/her absence.

DISTINGUISHING CHARACTERISTICS

This is a one-position class which is distinguished from the next lower class of Deputy City Attorney by the level of difficulty and complexity of work performed and by the exercise of supervision over subordinate staff. An incumbent in this class is expected to frequently use a high degree of independent judgment, and is expected to be capable of performing the full range of duties common to the position of City Attorney. These are performed as necessary and include work in an assisting capacity or full scope in the absence of the City Attorney. The incumbent handles cases as assigned or as dictated by the general policies of the City Attorney.

EXAMPLES OF DUTIES - Duties may include, but are not limited to, the following:

Directs specified program area activities of the City Attorney's Office; assigns legal work to subordinate staff and reviews for technical accuracy and completeness.

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.

Negotiates and drafts and/or approves complex and routine ordinances, resolutions, contracts, deeds, leases, development agreements, owner participation agreements, Memorandum of Understanding (MOU) and other legal documents and instruments.

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.

Acts as senior counsel in handling serious, controversial and complex legal matters.

Drafts and/or reviews complex and routine ordinances, resolutions, contracts, deeds, leases and other legal documents and instruments.

Advises staff on personnel and employee relations matters; advises staff and elected officials on FPPC, Government Code 1090 and other conflict of interest questions.

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.

Assists in or prepares cases for administrative and judicial hearings and represents the City in such hearings.

Represents the City Attorney at various City Council, board and commissions meetings and in court as assigned.

Responds to citizen complaints and requests for information.

Participates in the supervision, training and evaluation of the City Attorney's staff.
Perform related duties as assigned.

QUALIFICATIONS

Knowledge of:

- Civil and administrative procedure
- Pleadings and practices and effective techniques in the presentation of court cases
- Judicial procedures and rules of evidence
- Responsibilities and obligations of public officials and administrative agencies
- Municipal government organization, structure and functional responsibilities
- Supervisory principles and methods, including program development and implementation and work assignment, and employee selection training, work evaluation, and discipline

Ability to:

- Plan, organize, supervise, review, and evaluate varied legal activities and functions
- Train, motivate, and evaluate assigned staff
- Assist in developing and implementing goals, objectives, policies, procedures and work standards
- Perform complex legal research, analyze complex problems, evaluate alternatives and make sound recommendations
- Exercise independent judgment within general policy guidelines and legal parameters
- Establish and maintain effective working relationships with those contacted in the course of the work
- Represent the City effectively in meetings with others
- Prepare clear, concise and competent reports, correspondence and other written materials

EXPERIENCE AND EDUCATION

Experience: Three to five years of responsible professional legal experience including experience in municipal law.

Education: Juris Doctor degree from an accredited law school.

LICENSE AND CERTIFICATE

- Membership in the State Bar of California.
- Possession of, or ability to obtain and maintain an appropriate, valid California Driver's License.

SPECIAL REQUIREMENTS:

Essential duties requires the following physical abilities and work environment.

Ability to work in a standard office environment, ability to attend night (evening) meetings, and ability to travel to various locations within and outside the City of Milpitas.

Approved by:

_____	_____
City Attorney	Date
_____	_____
Human Resources Director	Date

CITY OF MILPITAS
EFFECTIVE: 12/07
EEOC: Admin
FLSA: Exempt
UNIT: Unrepresented
PHYSICAL: 1

DEPUTY CITY ATTORNEY

DEFINITION

Under the general direction of the City Attorney or the Assistant City Attorney; provides a wide range of professional legal services: daily legal advice directly to City staff; legal analysis for City boards and commissions and City Council; drafts legal documents; and may represent the City in civil litigation, arbitrations, mediations, and administrative hearings.

DISTINGUISHING CHARACTERISTICS

This is a single, or in the event there is no Assistant City Attorney, may be a two position class that includes litigation, contract negotiating and drafting, researching issues of municipal law, and providing advice to all City departments. The incumbent works on a variety of legal issues and performs related work as required. The incumbent receives direction and supervision from the City Attorney or the Assistant City Attorney, but is responsible for exercising independent judgment in implementing direction. The incumbent may provide technical supervision over legal clerical or paralegal staff to accomplish work assignments.

EXAMPLES OF DUTIES - Duties may include, but are not limited to, the following:

Perform legal research and prepare opinions on various legal problems for City departments, the City Council, and various boards and commissions.

Prepare and draft ordinances, resolutions, contracts, deeds, leases and other legal documents and instruments; review such documents and offer opinions as to legal acceptability when presented to the City for consideration by an outside agency.

Represent the City in civil actions brought by or against the City.

Investigate claims and complaints by or against the City and recommend action to be taken.

Prepare cases for administrative hearings and represent the City in such hearings.

May represent the City Attorney at various City Council and board and commission meetings and in court when necessary.

Respond to citizen complaints and requests for information.

Represent the City in the community and at professional meetings as required.

Perform related duties as assigned.

QUALIFICATIONS

Knowledge of:

- Civil and administrative procedure
- Pleading and practices and effective techniques in the presentation of court cases
- Judicial procedures and rules of evidence
- Principles, methods and techniques of legal research and investigation
- Responsibilities and obligations of public officials and administrative agencies
- Municipal government organization, structure and functional responsibilities

Ability to:

- Define issues, perform legal research, analyze problems, evaluate alternatives and make sound recommendations
- Present statements of fact, law and argument clearly and logically
- Exercise sound, independent judgment within general policy guidelines and legal parameters
- Interpret state and federal laws and constitutional provisions affecting municipal operations and conduct legal research as necessary to ascertain relevant law
- Establish and maintain effective working relationships with those contacted in the course of the work
- Represent the City effectively in hearings, courts of law and meetings with others
- Prepare clear, concise and competent resolutions, ordinances, contracts, leases, permits, reports, correspondence and other written materials

EXPERIENCE AND EDUCATION

Experience: Three years of responsible professional legal experience including experience in municipal law.

Education: Juris Doctor degree from an accredited law school.

LICENSE AND CERTIFICATE

- Membership in the State Bar of California.
- Possession of, or ability to obtain and maintain an appropriate, valid California Driver's License.

SPECIAL REQUIREMENTS:
Essential duties requires the following physical abilities and work environment.

Ability to work in a standard office environment, ability to attend night (evening) meetings, and ability to travel to various locations within and outside the City of Milpitas.

Approved by:

_____ _____
City Attorney Date

_____ _____
Human Resources Director Date

CITY OF MILPITAS
EFFECTIVE: 12/07
EEOC: Admin
FLSA: Non-Exempt
UNIT: LIUNA
Confidential
PHYSICAL: 1

PARALEGAL

DEFINITION

Under general direction of the City Attorney, provide a variety of complex and highly responsible paralegal and administrative support duties in the Office of the City Attorney.

DISTINGUISHING CHARACTERISTICS

This is a single position classification and is responsible for administration and coordination of daily office operations in the City Attorney's Office. This class is characterized by the responsibility to provide paraprofessional support to the City's legal department by researching, analyzing and reporting on legal cases, issues and questions at the direction of professional staff and reviewing contracts and other legal documents. Incumbents work independently to plan, organize, and complete assignments, which are reviewed upon completion.

EXAMPLES OF DUTIES - Duties may include, but are not limited to, the following:

Prepare documents, including confidential documents, memos, correspondence, pleadings and other legal documents for litigation and administrative hearings.

Compile materials and assist in the preparation of contracts, leases and various permits.

Process basic and complex court documents requiring knowledge of legal procedures, format, and terminology in accordance with federal, state and local rules.

Perform legal research, draft legal memos and determine applicable law regarding municipal functions.

Assist in drafting ordinances and resolutions for consideration by City Council and coordinate the finalization of such documents with the City Clerk after Council action.

Coordinate the routine operations of the Office of the City Attorney which may involve the direction of others, perform administrative detail work and maintain appropriate records and statistics.

Review agenda request items to determine need for document preparation and secure backup documentation from City staff as needed.

Maintain and coordinate updating of the Municipal Code, Standard Operating Procedures (SOP), Memorandum of Understanding (MOU) and municipal forms.

Review incoming documents to determine time limits in processing of responses and maintain tickler files.

Provide preliminary review of incoming legal documents and make recommendations, as appropriate.

Monitor departmental expenditures for litigation.

Respond to inquiries and requests for information from the public and City staff.

Adhere to customer service philosophy and demonstrate skill in establishing a strong and positive image of department and City.

Perform related duties as assigned.

QUALIFICATIONS

Knowledge of:

- Methods of legal research
- Legal procedures, terminology, forms and documents
- Organization, procedures, and operating details of a municipal government
- Court rules relating to preparing and filing legal documents

Ability to:

- Understand the organization and operation of the City and outside agencies as necessary to assume assigned responsibilities
- Work cooperatively with other departments, City officials, and outside agencies
- Interpret and apply administrative and departmental policies and procedures
- Conduct researches independently and make logical recommendations
- Communicate clearly and concisely, both orally and in writing
- Deliver quality and timely customer service
- Establish, maintain and foster positive and harmonious working relationships with those contacted in the course of work
- Exhibit a high level of organizational skill and professional responsibility in conduct of job duties

EXPERIENCE AND EDUCATION

Experience: Two to three years of increasingly responsible administrative experience in a public or private law office.

Education: Completion of a Bachelor's degree in Administration Justice Studies or a closely related field or a Paralegal Certificate from an institution approved by the American Bar Association.

LICENSE AND CERTIFICATE

Possession of, or ability to obtain and maintain an appropriate, valid California Driver's License.

SPECIAL REQUIREMENTS:

Essential duties requires the following physical abilities and work environment.

Ability to work in a standard office environment, ability to attend night (evening) meetings, and ability to travel to various locations within and outside the City of Milpitas.

Approved by:

_____	_____
City Attorney	Date
_____	_____
Human Resources Director	Date

CITY OF MILPITAS
EFFECTIVE: 12/07
EEOC: Admin
FLSA: Non-Exempt
UNIT: LIUNA
Confidential
PHYSICAL: 1

LEGAL ASSISTANT

DEFINITION

Under general supervision, performs difficult and responsible legal secretarial and administrative work involved in the conduct of the City Attorney's office.

DISTINGUISHING CHARACTERISTICS

This is a single position class with specialized legal administrative responsibility in a law office. This classification provides office management and performs a variety of complex legal assistant assignments within broad procedural guidelines with minimal supervision and instruction. Requires specialized knowledge of office management related policies, procedures, and practices as well as applicable federal and state laws and regulations. All responsibilities and duties must be performed in a confidential and tactful manner.

EXAMPLES OF DUTIES - Duties may include, but are not limited to, the following:

Receives and screens visitors and callers; refers them to the proper person as required; provides information to the public and to employees that requires mature judgment and a good knowledge and interpretation of legal matters handled by the City Attorney's office.

Transcribes tape recordings and word processes a variety of correspondence, memoranda, reports and documents from prior documents, rough copy or brief instructions; utilizes standard word processing, spreadsheet and data base applications; prepares agendas and may attend and take minutes of meetings of citizen, advisory, and administrative groups.

Prepares ordinances, resolutions, contracts, agreements, deeds, easements, complaints, pleadings and other legal documents; proofreads ordinances, resolutions, briefs, real estate descriptions, and other materials for accuracy, completeness and compliance with established standards; serves legal documents; prepares a semi-annual (or as needed) litigation report.

Maintains multiple calendars; arranges meetings, appointments and conferences; coordinates and makes travel arrangements.

Provides specialized program contact, processing and documentation support to legal-related City projects and programs.

Reads and routes incoming mail, including receipt of legal pleadings; independently composes standard responses to legal documents and correspondence on own initiative or from instructions.

Organizes and maintains files and indexing system for all legal documents, office records and library materials; retrieves records; purges files as required.

Searches records and compiles information from a variety of sources; maintains records of accounts payable for office supplies and other purchases and expenditures and serves as liaison to the Finance Department regarding department invoices; collects prepares and assembles all materials for City Attorney's budget.

Maintains confidential files; contacts department directors, members of the Council, public agencies and members of the public to obtain or transmit information for the City Attorney.

Perform related duties as assigned.

QUALIFICATIONS

Knowledge of:

- Legal principles and practices, legal terminology, forms and procedures required in a law office
- Law office standard methodology;
- Legal calendaring principles;
- Municipal or governmental functions and practices
- Federal, state and local court rules or how to access them.

Ability to:

- Effectively represent the City in contacts with governmental agencies, business and professional organizations and litigants
- Provide a high level of customer service to the public and City staff, in person and over the telephone
- Use tact, discretion and mature judgment in the handling of sensitive and confidential information
- Maintain records and preparing accurate and timely reports from statistical or legal information
- Communicate effectively orally and in writing

- Exhibit superior organizational skills and sense of responsibility
- Interpret, apply, and explain departmental policies and procedures
- Develop and maintain effective working relationships with others
- Research and compile a variety of legal matters and informational materials
- Work independently under pressure, organize and prioritize work assignments with little or no supervision to simultaneously complete several projects

EXPERIENCE AND EDUCATION

Experience: Two to three years of legal secretarial and office administrative work.

Education: An Associates Degree in Administration of Justice or a closely related field or a equivalent level of education through experience working in a legal setting.

LICENSE AND CERTIFICATE

Possession of, or ability to obtain and maintain an appropriate, valid California Driver's License.

SPECIAL REQUIREMENTS:

Essential duties requires the following physical abilities and work environment.

Ability to work in a standard office environment, ability to attend night (evening) meetings, and ability to travel to various locations within and outside the City of Milpitas.

Approved by:

_____	_____
City Attorney	Date
_____	_____
Human Resources Director	Date