CITY OF MILPITAS
EFFECTIVE: 12/11/07
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, Commissions, City staff and City 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.

EXAMPLES OF DUTIES (Cont'd)

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

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.

MINIMUM 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

Ability to (Cont'd):

- 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: Minimum of 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 12/18/07

Carmen Vadez
Human Resources Director — Date 12/18/07