Bargaining Unit: MM

FLSA: Exempt

Position Number: 01830

#### **CHIEF DEPUTY CITY ATTORNEY**

#### **DEFINITION**

Under administrative direction, to perform high-level and complex professional legal and administrative work; oversight and supervision of all litigated matters, training and supervision of subordinate attorneys and support staff on litigated matters; provide legal research, advice, and counsel to City staff, Planning Commission, and other boards; review and draft contracts, ordinances, and other documents; and perform other related duties as required. Serve as Acting City Attorney in the temporary absence of the City Attorney.

### **DISTINGUISHING CHARACTERISTICS**

This is a mid-management position responsible for providing high-level and complex professional legal and administrative work to the City Attorney's Office. This position provides functional and technical direction to the Deputy City Attorney class and exercises supervision over office support staff relating to the litigation function. Incumbents are responsible for the direction and outcome of litigated and related matters with a high degree of independence, subject to general direction from the City Attorney.

# **REPORTS TO**

City Attorney

# **CLASSIFICATIONS SUPERVISED**

Staff assigned to the City Attorney's Office.

**EXAMPLES OF IMPORTANT AND ESSENTIAL DUTIES** (The following is used as a partial description and is not restrictive as to duties required.)

Prepares pleadings and makes appearances in Court on litigated matters.

Develops strategy and formulates tactics regarding individual litigated matters while understanding the broader organizational impacts of individual litigation decisions.

Oversees litigation docket and calendaring system and sets priorities for accomplishing litigation-related work in an efficient manner.

# **EXAMPLES OF IMPORTANT AND ESSENTIAL DUTIES** (continued) -

Develops strategy and formulates tactics regarding individual litigated matters while understanding the broader organizational impacts of individual litigation decisions.

Oversees litigation docket and calendaring system and sets priorities for accomplishing litigation-related work in an efficient manner.

Coordinates claim processing and reserve set asides for claims likely to become litigated.

Supervises and oversees litigated matters assigned to outside special counsel.

Responsible for developing and monitoring individual litigated matter budgets and provides direct input into development of overall department budget.

Prepares updates, information, briefings, and requests for authority recommendations on the same.

Performs legal research and prepares opinions regarding City business.

Attends Planning Commission meetings as necessary and provides advice on land use (including Subdivision Map Act, CEQA, Brown Act, Political Reform Act), as well as procedural matters.

Reviews development-related finance and implementation plans, including Development Impact Fees, studies, and public financing documents.

Provides verbal and written advice on a daily basis to other City departments, as necessary.

Drafts and reviews legal documents, including, but not limited to, contracts, ordinances, resolutions, leases, deeds.

Responds to citizen complaints and requests for information.

Analyzes recent cases and legislation and recommends changes in policies and procedures to meet legal requirements.

Assists in organizing and coordinating the work in the City Attorney's Office.

# **EXAMPLES OF IMPORTANT AND ESSENTIAL DUTIES** (continued) -

Performs special projects and assignments.

Serves as acting City Attorney in the temporary absence of the City Attorney.

Performs related duties as assigned.

#### **TYPICAL PHYSICAL REQUIREMENTS**

The physical 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 disabilities to perform the essential functions.

While performing the duties of this job, the employee is frequently required to stand and walk, sit for extended periods of time, talk and hear. The employee is occasionally required to use hands to finger, handle, feel, or operate objects, tools, or controls; and reach with hands and arms; life and move objects weighing up to 50 pounds. The employee is occasionally required to climb or balance, stoop, kneel, crouch, or crawl.

Specific vision abilities required by this job include close vision, color vision, and the ability to adjust focus. Requires frequent use of personal computer, including text processing and spreadsheet programs, calculator, telephone, copy machine, and fax machine.

# **TYPICAL WORKING CONDITIONS**

Work is performed in an office and/or courtroom environment; occasionally works outside as necessitated by research; frequent contact with other staff and the public. The noise level in the work environment is usually quiet while in the office, or moderately loud when in the field.

While performing the duties of this job, the employee occasionally works in outside weather conditions. The employee is occasionally exposed to wet and/or humid conditions, toxic or caustic chemicals.

### **DESIRABLE QUALIFICATIONS**

#### **Knowledge of:**

Principles of municipal law, including functioning of California Charter law cities and the various departments thereof.

State and federal laws and constitutional provisions affecting municipal operations.

Effective public speaking techniques.

Legal research methods, including LEXIS and other electronic research methods.

Rules of evidence and conduct of hearings in court and administrative proceedings.

Familiarity with planning and land use law, Subdivision Map Act, CEQA, finance, public contract law, municipal code enforcement proceedings, and constitutional law preferred.

#### **Ability to:**

Perform professional legal research

Appear and try civil and criminal cases in both State and Federal Courts

Analyze and applying legal principles to complex problems

Develop strategy and tactics for complex litigated matters

Meet deadlines and set priorities for workload

Understand and interpret laws and regulations and provide well-reasoned legal advice

Communicate effectively both orally and in writing

Deal effectively with City officials, staff, outside agencies, and the public

Maintain confidentiality

Work collaboratively and independently

Relate effectively to those contacted in the course of work, being tactful and courteous

Distinguish between legal and policy matters

Work under pressure of deadline with little or no supervision

Utilize personal computer and computer software to perform text processing, spreadsheet functions, and electronic legal research

# **Training and Experience:**

Any combination of training and experience likely to provide the required knowledge and abilities is qualifying. A typical way to obtain the required knowledge and abilities would be:

# **DESIRABLE QUALIFICATIONS (continued) -**

### **Training and Experience (continued):**

Juris Doctorate from a law school accredited by the American Bar Association or the California Bar Association, and five (5) years of increasingly responsible professional legal experience, at least three (3) of which must have been in California in an area of law applicable to municipal government operations.

#### Special Requirements

Active membership in the State Bar of California.

Possession of, or ability to obtain, an appropriate, valid California Driver's license.

Incumbent will be required to file a Statement of Economic Interest under the Fair Political Practices Commission.

Must be willing and able to work the hours necessary to accomplish the job requirements, including working irregular hours to attend evening meetings and travel to attend court, classes, meetings, and/or seminars, as required.

Reference: City of Merced Personnel Rules and Regulations, Sections 5.05 and 5.07.

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APPROVED

Chairperson, Personnel Board

DATE: December 9, 2002