

CITY OF HUNTINGTON BEACH
CLASS SPECIFICATION



TITLE: SENIOR DEPUTY CITY ATTORNEY

PERSONNEL COMMISSION APPROVAL: JULY 19, 2006

COUNCIL APPROVAL: SEPTEMBER 5, 2006

PERSONNEL COMMISSION APPROVAL: JULY 19, 2006, DECEMBER 18, 2019
(REVISED) DECEMBER 18, 2019 (REVISED)

COUNCIL APPROVAL: SEPTEMBER 5, 2006

JOB CODES: 0484
EMPLOYMENT STATUS: REGULAR FULL-TIME
UNIT REPRESENTATION: Non-Associated MEO
FLSA STATUS: EXEMPT
EEOC CODE: PROFESSIONAL

DUTIES JOB SUMMARY

Under general direction from the City Attorney and Chief Assistant City Attorneys, performs a wide range of specialized and highly complex professional legal duties. All attorneys who work in the office are expected to be highly competent and professional attorneys, taking a high level of ownership of his or her work, and be able to deliver, in a professional manner at all times, high quality work product and results, efficiently. Provides in-house legal services to the City; assists the City Attorney in providing legal advice and representation to City government, its officials, and employees; represents the City in litigation both as a plaintiff and defendant in civil litigation; drafts various contracts, ordinances, and resolutions; and provides responsible and complex administrative support to the assigned Assistant City Attorney or City Attorney

SUPERVISION RECEIVED AND EXERCISED

Reports to: City Attorney or Chief Assistant City Attorneys, as specified.
Supervises: Administrative support, part-time staff.

DISTINGUISHING CHARACTERISTICS

This is a unique position from Deputy City Attorney I through III in that the Senior level is assigned in either a trial counsel position with emphasis in litigation and civil jury trial experience or assigned at a high level, advisory position with emphasis in complex transactions and serving as staff counsel to City boards, commissions and committees.

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Incumbents may provide direction and assistance to less experienced attorneys at the Deputy City Attorney I-III level~~have limited supervisory responsibilities~~ and are assigned to handle high exposure litigation principally in areas of personnel, police, tort defense, inverse condemnation, and public works or high exposure transactional assignments principally in the areas of redevelopment, land use, public works and finance. Employees at this level receive minimal instruction or assistance and are fully aware of the operating procedures and policies of the work unit. ~~This position is not flexibly staffed nor generally attained from level III.~~

EXAMPLES OF ESSENTIAL DUTIES

Trial Counsel position:

- Performs the full range of litigation work;
- ~~R~~esponsible for litigation, trials, damage or other civil suits in State and federal courts, including appellate work and the representation of the City's Police Department and its officers in Pitchess motions, as directed by the City Attorney or the Chief Assistant City Attorneys;
- ~~r~~Represents management in hearings involving City employee disciplinary matters, as directed by the City Attorney or the Chief Assistant City Attorneys;
- ~~h~~Handles all aspects of assigned cases or /claims including investigation, pleading preparation, discovery, law and motion, court appearances, settlement negotiations, legal research, witness preparation, and trials for tort defense, writ actions, Pitchess motions, appellate work, civil rights actions, code enforcement, nuisance abatement, administrative actions and employee grievances, as directed by the City Attorney or the Chief Assistant City Attorneys;

Advisory Position:

- Performs the full range of advisory work;
- ~~E~~xplains City policies and issues to employees, elected officials and the general public;
- ~~P~~erforms a full range of legal research, analysis, interprets laws, ruling and regulations, and provides legal opinions to departments, boards, commissions, agencies and established committees, as directed by the City Attorney or the Chief Assistant City Attorneys; ~~and~~
- ~~A~~ttends meetings with City staff and/or members of the public on behalf of the City and serves as legal advisor during meetings of public bodies, including the City Council, Personnel Commission and Planning Commission, as directed by the

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City Attorney or the Chief Assistant City Attorneys;

Examples of Essential Duties for Both Positions

- ~~Both assignments p~~Performs to prevent and minimize legal exposure by providing legal advice to City officers and employees;
- ~~M~~makes decisions concerning the advisability to prosecute, compromise or dismiss civil citations or criminal violations;
- ~~May participate in supervising other attorneys,~~ support staff and interns; provide work assignments and direction to other attorneys; review and evaluate work product; and participate in evaluating performance of assigned staff, as directed by the City Attorney or the Chief Assistant City Attorneys;
- ~~May p~~participate in selecting outside counsel to represent the City; as assigned, supervise outside counsel;
- ~~A~~attends and participate in professional groups and committees;
- ~~R~~esponds to citizen inquiries regarding ~~various~~all types of legal issues including those concerning City business;
- Attends professional training to stay abreast of industry best practices;
- Reports to work as scheduled and works a variety of schedules including evenings, weekends and holidays as required;
- Commutes or travels to offsite locations for work within and outside the City;
- Performs related duties and responsibilities as assigned.
~~—and, perform related duties and responsibilities as required.~~

The preceding duties have been provided as examples of the essential types of work performed by positions within this job classification. The City, at its discretion, may add, modify, change or rescind work assignments as needed.

MINIMUM QUALIFICATIONS

Any combination of education, training, and experience that would likely provide the knowledge, skills, and abilities to successfully perform in the position or assignment is qualifying. A typical combination includes:

Knowledge of:

- ~~Laws, l~~Legal principles, -and- practices and procedures of ~~municipal law;~~ civil, constitutional, and administrative law
- Judicial procedures and rules of evidence

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- Duties, powers, and limitations of a city government;
- Methods and techniques of legal research, competent legal analysis, writing and grammar
- ; tort law and liability litigation; judicial procedures and rules of evidence; ordinances, statutes and court decisions relating to municipal corporations;
- pPertinent Federal, State and local laws, codes and regulations
- Principles of basic supervision, training, and performance evaluation-
- Trial counsel also requires knowledge of statutes and court decisions relating to civil rights and public labor law-

Ability to:

- Maintain and demonstrate in all conduct and work a high level of professionalism, responsibility, and efficiency
- Be a skilled communicator who can translate complex or technical information into understandable terms and communicate concisely and clearly both orally and in writing
- Perform the most complex and specialized legal work in assigned area of practice
- Be dependable, self-motivated, highly ethical, and ready to provide competent and practical legal advice on a range of municipal topics
- Conduct high-level legal research, analysis, and writing
- Apply statutes and codes applicable to civil proceedings
- Properly interpret and make decisions advancing the best interest of the City in accordance with laws, regulations, and policies
- Present statements of law, fact, and argument clearly and logically
- Effectively apply legal knowledge and principles in court
- Prepare clear and concise legal documents and briefs
- Conduct research on legal problems
- Provide administrative and professional leadership and direction to assigned administrative/clerical support staff
- Establish and maintain positive and effective working relationships in the course of work and across departments
- As assigned, independently litigate or advise on the most complex types of cases or aspects of municipal law, including, but not limited to police civil rights cases and high exposure tort defense cases or land use, redevelopment, finance and public works with limited supervision.

Education: Graduation from a law school accredited by the American Bar Association

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with a Juris Doctorate degree.

Experience: Five (5) years' experience as a practicing trial or advisory attorney within a municipal law office, or a private firm that has contracted with a public agency for legal services. ~~of trial or advisory experience.~~ State and Federal jury trial experience is desired for the trial counsel position.

License/Certifications: Possession of a valid California Class C driver license and an acceptable driving record are required by time of appointment and throughout employment.

Current member in good standing with the California State Bar Association.

SPECIAL CONDITIONS

Employees are required to participate in the DMV Employer Pull Notice program.

Public Employee Disaster Service Worker: In accordance with Government Code Section 3100, all Huntington Beach city employees are required to perform assigned disaster service worker duties in the event of an emergency or a disaster.

~~Active membership in the State Bar of California. Due to the performance of field duties which may require operation of a City vehicle, possession of a valid California Driver's License and an acceptable driving record may be required.~~

PHYSICAL TASKS AND ENVIRONMENTAL CONDITIONS

The incumbent must be able to meet the physical requirements of the class and have mobility, balance, coordination, vision, hearing and dexterity levels appropriate to the duties to be performed.

Work is performed primarily indoors. The incumbent sits for prolonged periods. Stands and walks to retrieve work files or to other departments or office locations. Leans, bends and stoops to perform work behind a desk or to retrieve information. Pushes, turns or twists to move chair or body from desk. Reaches to place or retrieve files or open file drawers or cabinets. Light grasping to hold a writing instrument or documents; firm grasping as needed to lift and carry work files or operate office equipment; finger dexterity

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to type on a computer keyboard. Requires near vision in reading correspondence, plans, specifications, legal documents and other information. Acute hearing and oral skills required when communicating by telephone or in person.

Reasonable accommodation(s) for an individual with a qualified disability will be considered on a case-by-case basis.

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~~-- Work is performed in an office environment and requires the ability to exert a small amount of physical effort in sedentary to light work involving moving from one area of the office to another; requires the ability to sit, reach twist, lean and lift files and reports from desk tops or file drawers; requires sufficient hand/eye coordination to perform semi-skilled repetitive movements, such as use of a personal computer or other office equipment or supplies; must be able to work well under pressure and within certain time frames. Reasonable employee accommodation(s) for an individual with a qualified disability will be considered on a case-by-case basis.~~