



General Counsel

Class Code	FLSA Status	EEO Category	Represented Status	Salary Grade	Effective Date	Resolution #	Pages
002	Exempt	1 – Officials/Administrators	Unrepresented	Executive	8-17-11	11-036	1 of 2

DEFINITION: Appointed by the Board of Directors and serves as the District’s chief legal officer, represents the District in legal matters, acts as legal advisor to the Board and other District officers; organizes and manages the attorney staff and activities of the Legal Department including the referral of matters to outside counsel.

REPORTS TO: The District’s Board of Directors.

REPRESENTATIVE FUNCTIONS may include, but are not limited to:

- Provides legal advice and consultation to the Board of Directors and other Board Officers.
- Advises the Board of Directors and District departments on legal matters through oral or written opinions; drafts legal opinions; legal memoranda; District policies, resolutions and ordinances; and other legal documents.
- Directs the handling of legal settlements and legal defenses of claims against the District and oversees all litigation filed on behalf of or against the District. Prepares a variety of reports related to legal activities and litigation cases.
- Monitors legal developments and reviews and interprets current statutes and ordinances, proposed legislation, judicial decisions, and legal opinions that may impact the District. Recommends appropriate action to the Board of Directors and the District General Manager based on such reviews.
- Establishes and maintains goals and objectives for the Legal Department, consistent with Board of Directors direction.
- Ensures that the District’s interests are protected by foreseeing potential liabilities with regard to all District contracts and ongoing litigation and working to mitigate the District’s exposure to legal challenges.
- Reviews the efficiency of the Legal Department’s organizational structure and evaluates and implements processes and procedures to improve the department’s effectiveness. Directs the department’s activities and staff, including the training, supervision, and evaluation of attorneys, as well as technical and administrative staff.
- Provides direction to the Risk/Claims Department and arranges for the selection and hiring of outside legal counsel, as required.
- Appears in Federal and State courts as a legal representative of the District.
- Responds to, or reviews and approves, all responses to requests for information and records under the California Public Records Act.
- Drafts, reviews and/or approves all formal Requests for Proposal, Invitations for Bid, and contracts to which the District is a party for compliance with applicable laws and regulations as well as all legal documents relating to environmental matters that impact the District.
- Provides legal advice and assistance in labor negotiations.
- Develops and recommends the annual budget for the Legal Department.
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- Attends all meetings of the Board of Directors and Standing Committees, and reports to the Board concerning pending legislation and litigation, as well as the District's obligation to meet all applicable Federal, state, and local laws and regulations. Prepares or reviews staff reports related to Board agenda items as required.
- Directs the coordination of Legal Department activities with other agencies and appropriate community organizations. Represents the District at meetings of legislative bodies, and community forums, as required.

DESIRABLE QUALIFICATIONS:

Knowledge Of: Principles and practices of civil, constitutional, and administrative law applicable to transit operations; State and Federal laws and statutes affecting District operations; Federal laws and regulations related to the acquisition of grants including Section 13(c); California's Brown Act; conflict of interest laws and principles; state and federal environmental laws and regulations; municipal law and government finance; the principles of drafting and negotiating full funding grant agreements, letters of no prejudice, and other federal grant documents; judicial proceedings at the administrative, trial, and appellate levels; the Rules of Evidence; principles, methods, materials, and practices of legal research; management and supervisory techniques applicable to a professional law office or legal department; and personal computers and current programs for word processing, spreadsheets, and presentation at the intermediate level of proficiency.

Ability To: Demonstrate unquestioned ethics and integrity; work collaboratively with the General Manager while remaining an independent and objective Board Officer; study, learn, and apply knowledge of District operations at a level required to render valid and reliable legal advice; analyze, evaluate, and organize facts, evidence and precedents, and communicate such materials both orally, and in clear, written and legal form; analyze and evaluate a wide variety of legal documents and instruments; draft legal instruments such as resolutions, ordinances, contracts, and other pertinent documents; make effective court and hearing presentations; direct, motivate, train, and supervise the work of assigned legal, professional, and administrative staff serving as a change agent when necessary; establish and maintain effective working and professional relationships with the Board of Directors, a diverse variety of District staff, the legal community, and members of the public; express viewpoints while maintaining an openness to the Board's opinions.

Education: A Juris Doctor degree from an accredited law school and current membership in the California State Bar.

Experience: Six years in the practice of civil law that included litigation; at least three years experience directing subordinate attorneys and the professional and administrative staff of a law firm or legal department, and two year(s) in a legal capacity for a public agency, special District or private entity. Must have an understanding of transit law, labor relations and procurement as well as experience in advising a public or private Board; and an understanding of, or willingness to obtain, knowledge of open meeting laws, conflict of interest law, and the principles and conduct of public meetings.

Additional Requirement: (1) Membership in the California State Bar. (2) Must be able to work outside regular business hours as required by the Board, and the demands of the job.

License Requirement: Possession of, or ability to obtain, and maintain a California Class C Driver License.

Physical Requirements: Must maintain the physical condition necessary to: (1) perform tasks in an office setting operating a personal computer, keyboards, and other peripheral equipment; and (2) possess physical mobility in order to travel within the AC Transit District, and attend off-site meetings.