



Assistant City Attorney

Definition

Under general supervision, this position assists the City Attorney in the performance of duties and responsibilities as the legal counsel to the City of Cupertino ("City"), including drafting legal documents, assisting in the preparation and representation of the City in litigation, prosecuting City codes and regulations, conducting research and providing advice to City employees, and to perform related work as required. The Assistant City Attorney is the mid-level position for staff attorneys that serves the City Attorney's Office. Incumbents are responsible for complex and routine professional legal tasks.

Class Characteristics

This classification is the intermediate level of the Attorney series. Incumbents perform legal work at an experienced level in all areas of municipal law that are applicable to the City of Cupertino.

Typical Job Functions

Management reserves the right to add, modify, change, or rescind the work assignments of different positions and to make reasonable accommodations so that qualified employees can perform the essential functions of the job.

Drafts, analyzes, and reviews ordinances, amendments to ordinances, resolutions, contracts, deeds, releases, permits, licenses and other legal instruments.

Assists in the preparation and provides legal advice to City Council, boards, commissions, committees, and City staff, and reviews and interprets legal authority which may include but is not limited to Federal, State, County, and City constitutions, charters, statutes, ordinances, rules, regulations, court decisions, and laws.

Assists in the representation of the City, its officers and employees in all litigation including preparation of dockets, anticipating defenses, presenting evidence, developing case theory, pleadings, briefs, motions, and other documents, preparation and trial of legal matters and handling of appeals.

Assists with claims process.

Assists in the collection of debts and damages due to the City.

Assists in the enforcement of City ordinances, building codes, and fire codes, and prosecutes violators thereof.

Assists with interaction with outside counsel and other legal consultants.

Serves as advisor to the Planning Commission and attends public meetings.

May act as a backup advisor to commissions at public meetings.

May assist with City Attorney's Office budget.

May assist with administration of law library and computer legal research.

May perform general law office administration including interface with public, accounts payable, among other things.

Performs other duties as assigned.

Qualifications

Knowledge of:

Local government law which may include but is not limited to Public Records Act, Brown Act, conflicts of interest, public contracts, employment practices, elections, land use & development, housing, CEQA, eminent domain, real estate, telecommunications, policies & procedures.

Principles and practices of government and government programs including industry standards/best practices in assigned area of responsibility which may include but is not limited to Human Resources, City Clerk, Planning, Community Development, Information Technology, Finance, Parks & Recreation, and Public Works.

Municipal ordinance prosecution principles, criminal principles, municipal laws and ordinances and court methods and procedures.

Ability to:

Apply legal principles to determinations on individual cases, projects, and problems.
Investigate and analyze legal issues and proactively develop creative solutions that contemplate practical implications.

Perform legal research and analysis.

Write quality legal documents and memoranda.

Communicate in a manner that is organized, clear, concise, thorough, accurate, persuasive, and with appropriate tone.

Negotiate settlements and contracts.

Exercise independent judgment, making decisions when appropriate and seeking guidance/direction when necessary.

Maintain confidential information and to exercise discretion.

Use a computer and related software applications.

Establish, maintain, and foster positive and effective working relationships with those contacted in the course of work.

Education and Experience

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

Juris Doctorate from an accredited law school, Bachelor of Arts, Bachelor of Science, or equivalent degree from an accredited college or university, and six (6) years of experience as an attorney.

Licenses and Certifications

Member in good standing with the State Bar of California and possession of or ability to obtain a valid California driver's license.

Physical Demands

Must possess mobility to work in a standard office setting and courtroom environment and use standard office equipment, including a computer, vision to read printed materials and a computer screen, and hearing and speech to communicate in person, before groups, and over the telephone. This is primarily a sedentary office classification although standing and walking between work areas may be required. Finger dexterity is needed to access, enter, and retrieve data using a computer keyboard, typewriter keyboard, or calculator and to operate standard office equipment. Positions in this classification occasionally bend, stoop, kneel, reach, push, and pull drawers open and closed to retrieve and file information. Employees must possess the ability to lift, carry, push, and pull materials and objects up to 20 pounds.

Environmental Elements

Employees work in an office environment with moderate noise levels, controlled temperature conditions, and no direct exposure to hazardous physical substances. Employees may interact with members of the public or with staff under emotionally stressful conditions while interpreting and enforcing departmental policies and procedures.

FLSA: Exempt
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