



Alameda Contra Costa Transit District Classification Specification

Exhibit- D

General Counsel/Chief Legal Officer - DRAFT

Class Code	FLSA Status	EEO-CAT	Represented Status	Resolution Number
002	Exempt	EE04 – Officials/Administrators	Unrepresented	08/10/2022

General Counsel

Class-Code	FLSA-Status	EEO-CAT	Represented-Status	Salary-Grade	Effective-Date	Resolution-Number
002	Exempt	EE04—Officials/Administrators	Unrepresented	Individual-Contract	08/27/2011	11-036

DEFINITION: ~~Appointed by~~ Under policy direction and the jurisdiction of the Board of Directors ~~and, oversees all programs, activities, and staff within the Office of the General Counsel. The incumbent serves as the District's chief legal officer, represents the District in and is accountable for developing and implementing legal matters, compliance strategies, long- and short-range plans, policies, goals and objectives; acts as legal advisor to the Board and other District officers~~ staff; organizes and manages the attorney staff and activities of the ~~Legal Department~~ Office including the referral of matters to outside counsel.

REPORTS TO: ~~The District's Board of Directors.~~

This is an at-will, department-head classification. The incumbent is appointed by and serves at the pleasure of the Board of Directors. The incumbent also serves as the Corporation Legal Counsel for the AC Transit Financing Corporation Board of Directors.

DISTINGUISHING CHARACTERISTICS: The General Counsel/Chief Legal Officer (CLO) is a Board Officer position reporting directly to the Board of Directors. The incumbent in this position has full responsibility for all District legal matters, activities, and staff within the Office of the General Counsel. This classification is distinguished from the Assistant General Counsel classification, in that the latter manages the day-to-day activities within the Office whereas the General Counsel/CLO is responsible for the department's strategic direction and reporting to and implementing policies set forth by the Board of Directors.

REPRESENTATIVE FUNCTIONS may include, but are not limited to: the following:

- Plans and implements the strategic direction for the Office of the General Counsel; establishes and oversees the implementation of departmental policies, priorities, goals, and objectives; develops administrative policies, procedures, and work standards to ensure that the goals and objectives are met, and that programs provide mandated services in an effective, efficient, and economical manner.
- Provides governance and leadership within the Office of the General Counsel; plans and directs the selection, professional development, supervision, review, and evaluation of directors, managers, and employees; develops, mentors, and guides staff in achieving goals and objectives; coaches and develops employees; provides constructive feedback on performance and behaviors; reviews and evaluates work; counsels and handles personnel actions as needed; works to strengthen the District through improving morale, team building and implementation of programs to develop and train employees.
- Manages, develops, and administers the annual budget for the Office of the General Counsel; directs the forecast of additional funds needed for initiatives, projects, staffing, equipment, materials, and supplies; directs the monitoring of, and approves expenditures; directs and implements adjustments, as needed.
- Participates in the development of the District's Strategic Plan.
- Provides assistance, leadership, advice, and counsel to the General Manager, Board of Directors, and District staff in all District legal matters, risk mitigation, and proceedings.
- Provides legal advice and consultation to the Board of Directors and other Board Officers.
- Advises the Board of Directors and District ~~departments on~~ staff concerning legal matters through oral or written opinions; drafts legal opinions; legal memoranda; District policies, resolutions, and ordinances; and other relevant legal documents.



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- ~~Directs~~Oversees and 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~~
- Oversees the preparation of and/or prepares a variety of reports and documents related to legal activities and ~~litigation~~litigated 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 and District staff 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.
 - Ensures and evaluates the ~~Reviews the~~ efficiency of the Legal Department's organizational structure and ~~evaluates and~~ implements processes and procedures to improve the department's effectiveness and performance. ~~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~~Oversees staff responding 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 may impact the District.
- Provides legal advice and assistance in labor negotiations.
 - ~~Develops and recommends the annual budget for the Legal Department.~~
- 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.~~
- 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.
- Provides legal counsel to the AC Transit Board of Directors, Board Officers and Financing Corporation respectively.
- Performs other duties or special projects as assigned, and/or as determined by the Board.

MINIMUM 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;



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judicial proceedings at the administrative, trial, and appellate levels; the Rules of Evidence; principles, methods, materials, and practices of legal research; principles and practices of budget preparation, administration and monitoring; management, leadership, and supervisory techniques applicable to a professional law office or legal department; ~~and~~ personal computers and current programs for word processing, spreadsheets, and ~~presentation~~presentations at the intermediate level of proficiency; techniques for providing a high level of customer service by effectively working with the public, vendors, contractors, and District staff.

Ability to: Demonstrate unquestioned ethics and integrity; work collaboratively with the General Manager/CEO 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; develop goals, objectives, complex budgets, policies, procedures and work standards; 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 of law.

Experience: ~~Six~~Equivalent to ten (10) years of increasingly responsible and direct experience in the practice of civil law ~~that included litigation; at least;~~ three (3) years of experience directing subordinate attorneys and the professional and administrative staff of a law firm or legal department, and two ~~year(s)~~(2) years working 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. **License/Certification:**

-License/Certification: Must be a current member in good standing of the California State Bar Association.

Special Requirements:



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Physical Requirements: ~~(1) Must maintain the physical ability necessary to perform tasks in an office setting, operating computers, keyboards, work extended hours as needed; (2) work outside regular business hours as required by the Board and other peripheral equipment. Must maintain the physical mobility necessary to transport oneself the demands of the job; (3) travel to various locations around the District. as needed.~~

Established Date: (Res. #)

Revision Date: 08/11/2011 (Res. # 11-036)