



MARIPOSA COUNTY

Human Resources · (209) 742-1379



RESOLUTION - ACTION REQUESTED 2019-132

MEETING: March 12, 2019
TO: The Board of Supervisors
FROM: Kimberly Williams, Human Resources Director
RE: Approve New Classification-Assistant County Counsel

RECOMMENDATION AND JUSTIFICATION:

Effective immediately, approve a new classification and job description of Assistant County Counsel; set the monthly salary range at \$9,103.61-\$11,065.50; assign the position as a Confidential classification; allocate one full-time position to the County Counsel's Office; and eliminate the full-time Deputy County Counsel allocation effective immediately.

In October 2018, the Board of Supervisors approved a Deputy County Counsel classification and set the monthly salary range at \$7,954.63-\$9,668.92. Shortly thereafter, a recruitment was opened with the hope of finding a qualified individual who could come on board and effectively fit in the role of deputy. The recruitment did not attract a large pool of candidates and after discussion with the County Counsel, it was decided that the position should be elevated to an Assistant County Counsel because of the importance of attracting and finding a somewhat well-seasoned practitioner to assist with performing the highly responsible and complex work that the County Counsel performs. County Counsel serves as the legal representative on a variety of legal matters in support of County departments, the Board of Supervisors, and various outside agencies.

The job description for the Assistant County Counsel was modeled after the Deputy County Counsel classification and minor changes were made to certain areas of the job description, such as the essential functions and employment standards. In addition, the minimum qualifications were increased to require an individual to have five years of experience from the three years of experience required for the Deputy County Counsel. Further, although not a requirement, language was added that one year in a supervisory capacity is desirable.

As noted at the time the Deputy County Counsel classification was approved, an analysis was done by an outside consultant and the analysis showed that the Deputy County Counsel classification is paid somewhat more than the Deputy District Attorney classification. This analysis consisted of external review of salaries from comparable counties as well as an internal comparison of like classifications. The consultant further stated that if an Assistant County Counsel position is created, it should be paid approximately 15% less than the County Counsel. It is, therefore,

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recommended that the monthly salary range of \$9,103.61-\$11,065.50 is approved, which is 14% less than the County Counsel.

The Complete Step Schedule for the Assistant County Counsel position will be as follows:

	Monthly Salary
Step 1	\$9,103.61
Step 2	\$9,558.79
Step 3	\$10,036.73
Step 4	\$10,538.57
Step 5	\$11,065.50

It is further recommended that the Assistant County Counsel is assigned as a Confidential classification because the incumbent in the position will be privy to labor negotiations.

BACKGROUND AND HISTORY OF BOARD ACTIONS:

During the 2018/2019 fiscal year budget hearings, the Board of Supervisors approved funding for a Deputy County Counsel to provide additional legal assistance to the department. Subsequently, at their meeting of October 16, 2018, the Board approved the classification of Deputy County Counsel.

ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

Do not approve this action as recommended. Existing staff will have to manage and oversee the mandates required of the department to the best of their ability.

FINANCIAL IMPACT:

During the 2018/2019 fiscal year budget hearings, monies were approved to add a new position to County's Counsel's office.

ATTACHMENTS:

Assistant Co Counsel (PDF)

RESULT: ADOPTED [UNANIMOUS]

MOVER: Rosemarie Smallcombe, District I Supervisor

SECONDER: Merlin Jones, District II Supervisor

AYES: Smallcombe, Jones, Long, Cann, Menetrey

ASSISTANT COUNTY COUNSEL

To provide legal service to the Board of Supervisors and all departments; to handle difficult and complex cases and assignments in the County Counsel's office; and to act for the County Counsel in his or her absence.

SUPERVISION RECEIVED AND EXERCISED

Receives administrative direction from the County Counsel and works toward definite objectives that require use of a wide range of procedures. Plans, and/or determines specific procedures or equipment required to meet assigned objectives, and solves non-routine problems. Refers only unusual matters to the County Counsel.

This position does not supervise county staff but does provide advice and guidance to other departments.

EXAMPLES OF ESSENTIAL FUNCTIONS

Provides general and case specific advice in juvenile dependency matters; reviews and revises petitions, reports and orders after hearing; makes court appearances.

Reviews contracts, ordinances, resolutions and other legal documents for legal sufficiency; prepares same for the County Counsel as requested.

Researches and prepares legal opinions.

Oversees and participates in litigation pertaining to Public Guardian/Public Conservator cases; reviews and revises petitions, reports and orders; and makes court appearances.

Performs general administrative work, including conducting and attending meetings and preparing correspondence.

Appears before courts and at administrative proceedings to represent the County's interests.

Reviews and interprets current legislation and litigation relevant to County services and/or administration.

Represents the County in court in potentially dangerous dog cases; performs associated work with each case; reviews and analyzes Sheriff's reports and documents as well as court documents; makes court appearances.

May advise and/or represent the County Board of Supervisors, County officers, County departments, their employees, boards, commissions, and dependent special districts.

EMPLOYMENT STANDARDS

Knowledge of:

Principles and application of civil, constitutional and administrative law.

Principles and practices of public agency administration.

Applicable Federal, State, and local laws, codes, and regulations.

Legal research methods.

Trial and hearing procedures.

Rules of evidence.

Current principles and practices of public law.

Techniques for providing a high level of customer service by effectively dealing with the public and staff.

Organization, duties, powers, limitations, and authority of County Counsel and County government.

Ability to:

Research, analyze and apply legal principles, facts, evidence and precedents to legal problems.

Prepare and present cases of law in court.

Present statements of law, fact, and argument clearly and logically in written and oral form.

Analyze and draft ordinances, resolutions, contracts and other legal documents.

Deal courteously and communicate effectively with a variety of individuals in the course of work.

Analyze, interpret, apply, and enforce applicable Federal, State and local policies, procedures, codes, laws and regulations.

Identify problems, research and analyze relevant information.

Develop and present recommendations and justification for proposed solutions.

Prepare clear and concise reports, correspondence, procedures, and other written materials.

Maintain accurate files and records.

Organize and prioritize a variety of projects and multiple tasks in an effective and timely manner.

Organize own work, set priorities and meet critical time deadlines.

Complete multiple priority projects with conflicting deadlines.

Makes presentations to the Board of Supervisors and other groups.

Maintain confidential information in accordance with legal standards and/or County regulations.

Be organized, accountable, friendly, ethical, and professional at all times.

TYPICAL WORKING CONDITIONS

Work is typically performed in a normal office environment and/or a court room.

TYPICAL PHYSICAL REQUIREMENTS

Requires the ability to sit at a desk for long periods of time and intermittently walk, stand, stoop, kneel, crouch and reach while performing office duties. Must be able to maintain effective audio-visual discrimination and perception needed for communicating with others, reading and writing. Must be able to use a telephone to communicate verbally and a keyboard to communicate through written means, to review information and enter/retrieve data, to see and read characters on a computer screen. Must be able to frequently lift and carry objects weighing up to ten pounds.

MINIMUM QUALIFICATIONS

Experience:

Five years of increasingly responsible experience in the practice of law. One year in a supervisory capacity is desirable.

Education:

Graduation from an accredited school of law.

Additional Requirements:

Current membership in the State Bar of California.

Possession of a valid California driver's license. Under certain circumstances, the Human Resources Director may accept a valid driver's license from another State if applicant acknowledges his/her intent to acquire a California driver's license within three months by signing an acknowledgement form.

This class specification lists the major duties and requirements of the job and is not all-inclusive. Incumbents may be expected to perform job-related duties other than those contained in this document.