



MARIN MUNICIPAL WATER DISTRICT

District General Counsel

DEFINITION

Under the policy direction of the Board of Directors, the General Counsel serves as legal advisor to the Board of Directors, the General Manager and District staff. The District General Counsel is appointed by the Board of Directors and functionally reports to both the General Manager and Board of Directors.

DISTINGUISHING CHARACTERISTICS

The General Counsel is the chief legal advisor of the District. Responsibilities include oversight and provision of legal advice and representation to the Board of Directors and to all divisions within the District. The General Counsel manages complex legal functions with a high degree of proficiency and expertise to ensure that the District strategic goals and the mission are carried out in compliance with applicable laws, regulations, policies and procedures.

The incumbent provides effective leadership to subordinate staff and maintains an environment that fosters positive employee engagement, high productivity, and effective communication.

EXAMPLES OF DUTIES

Typical duties may include but are not limited to the following:

- Plans and organizes the activities of the legal department including managing staff and overseeing the work of consultants to ensure that work is accomplished effectively and in accordance with professional standards and in compliance with applicable laws, regulations, policies and procedures;
- Works collaboratively with the General Manager and District staff to advance initiatives and projects for the District in a legally sound manner providing advice, alternatives and consultation on associated risks;
- Studies, interprets, and applies laws, court decisions, ordinances, and regulations in advising the Board, the General Manager, division heads and other designated personnel to ensure District compliance;
- Prepares written opinions, ordinances, resolutions, amendments, agreements, leases, contracts and other legal documents;
- Represents the District in various proceedings such as trials, mediations, arguments on pre-trial motions, and hearings before administrative bodies;
- Manages outside counsel which may be retained to advise on, defend or prosecute actions requiring special expertise;

- Renders advice to District's representatives on labor relations, District personnel documents, and labor and employment law matters and may represent the District before mediators and/or arbitrators on matters arising from memoranda of understanding or personnel rules;
- Renders advice and assistance in administration of District's general liability risk management and insurance programs;
- Advises on legal aspects associated with eminent domain and land acquisition;
- Prepares opinions concerning the actions, powers, duties, functions and obligations of District personnel;
- Attends appropriate meetings to represent the District's interests as requested by the General Manager and other staff;
- Directs the preparation of Board documents; makes presentations to the Board on legal matters related to District activities, as required;
- Reviews and draft contracts, purchase orders and other procurement documents to ensure compliance with the Public Contract Code, District Code and other procurement policies;
- Reviews agenda packets for public meetings and advises on Brown Act requirements;
- Assists in preparation and administration of legal budget; effectively plans and monitors departmental budget expenditures and outside counsel services
- Provides conflict of interest assistance to Board members and staff on behalf of the District and assists Board members and staff in seeking advice from the FPPC;
- Perform other related duties as required

QUALIFICATIONS FOR EMPLOYMENT

Knowledge of:

- Laws, regulations, and case law governing governmental operations;
- California statutory and constitutional laws, including the Government code and laws related to the authority, responsibilities and obligations of public officials and administrative boards and agencies including, but not limited to, the Brown Act, the California Public Records Act and the California Environmental Quality Act (CEQA), water law and Contract law
- Principles and practices of effective management, including effectively working with a team, and supervision;
- Laws and procedures related to conducting hearings and meetings of public bodies;
- Principles and practices of public administration and organization;

Ability to:

- Analyze, interpret, and apply complex statutory and constitutional laws, ordinances, court decisions and other legal authorities;
- Represent the District in litigation;

- Prepare clear and concise opinions, legal documentation, reports, correspondence and other written materials;
- Analyze, appraise and organize facts, evidence and precedents and present such materials orally or in writing in an effective and logical manner; and
- Establish and maintain effective working relationships with those contacted in the course of work.

TRAINING AND EXPERIENCE:

Any combination equivalent to experience and education that could likely provide the required knowledge and abilities would be qualifying. A typical way to obtain the knowledge and abilities would be:

- Seven years of recent and increasingly responsible legal experience in public agency law which includes dealing with governmental agencies in California;
- Highly desirable to have direct experience in real property, including eminent domain; construction; environmental law; public employment; labor relations.

LICENSES AND/OR CERTIFICATIONS

Professional License: Current active membership in good standing with the California Bar Association and licensed to practice law in the State of California. **OTHER REQUIREMENTS:**

- Per California Government Code, Title 1, Division 4, Chapter 8, Section 3100 "all public employees are hereby declared to be disaster service workers subject to such disaster service activities as may be assigned to them by their superiors or by law."
- Must be available to attend evening meetings and frequently work outside of normal work hours.
- Depending upon assignment, possession of an appropriate California driver's license issued by the State Department of Motor Vehicles and satisfactory driving record.

PHYSICAL DEMANDS AND WORKING CONDITIONS

During the course of performing job duties the employee will need the mobility to work in a standard office setting, use standard office equipment such as a personal computer, word processing and data base software, calculator, a copy and/or fax machine; enter and retrieve data from personal computers and terminals via keyboards which is often performed while sitting for extended periods of time; operate office equipment requiring repetitive arm/hand movement and/or the coordinated movement of more than one limb simultaneously. The employee frequently stands, walks, bends at neck and waists, twists at neck and waist, uses repetitive hand movement, uses simple and power grasping with both hands, uses fine manipulation of both hands and fingers, and may require use of the arms above the shoulder, climb or balance; stoop, kneel or crouch. This position requires that the employee demonstrate adequate hearing and speech to converse in person and over the telephone, and vision to read printed materials and use a computer screen. The employee is occasionally required to lift and carry short distances objects such as reams of copier paper, office supplies, files, books, printed materials and other packages weighing up to 10 to 25 pounds.

The noise level in the work environment is quiet to moderate noise. Position may require the ability to work overtime and weekends as needed. *To be successful in this job, an individual must be able to satisfactorily perform*

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each of the listed duties. These duties are representative of the knowledge, skill and/or ability required for the position. Reasonable accommodations may be made to enable individuals with disabilities to perform the duties and functions of the position. Requests for reasonable accommodation should be directed to the Human Resources Manager.

Established: March 1997

Revised: August 2006, May 2020

Approved by: Human Resources Manager