



## DUTY STATEMENT

### POSITION INFORMATION

Classification Title	Attorney IV
Position Number	415-001-5780-001
CB Identifier	R02
Working Title	General Counsel
Division / Unit	Executive Office / Legal
<b>Incumbent Name</b>	
Working Location	Auburn, CA
Supervisor/Manager	Angela M. Avery, Executive Officer
Tenure	Permanent Full-time
Effective Date	
Conflict of Interest Filing (Form 700) required for this position.	Yes

***All employees are expected to work cooperatively with others; maintain regular, consistent, and predictable attendance; and possess integrity, initiative, dependability, and good judgment.***

### GENERAL DESCRIPTION

Under the general direction of the Executive Officer of the Sierra Nevada Conservancy (SNC), the Attorney IV is expected to oversee the full range of legal matters arising out of SNC’s programs, and to work with well-informed discretion and independence. The Attorney IV provides complex and sensitive legal services with broad discretion and minimal supervision to the Executive Team and SNC’s statutorily constituted board on all legal matters related to the functions and operations of SNC including, but not limited to, land use, environmental permitting, contracts, grants, real property interests, municipal law, California Public Records Act, Bagley-Keene Open Meeting Act, and operations of state government. The Attorney IV provides oral and written legal advice, conducts research, develops legal strategies, negotiates and drafts contracts and grants, reviews and edits staff recommendations and environmental assessments, reviews CEQA documents, and reviews pending and proposed legislation, as needed. Assignments involve novel legal theories and/or practice involving rapid evolution of law and specialization in the area of natural resources and general government law. Some overnight travel throughout the Sierra Nevada Region is required.

### JOB FUNCTIONS

(E=Essential / M=Marginal Functions)

#### **30% (E) – Advises the executive team on complex and sensitive legal matters**

- Provides legal advice to the executive team and the SNC Governing Board, which includes appointees from the Governor’s Office, the Legislature, and local government.



- Provides advice on difficult intergovernmental negotiation and strategy formation in order to foster consensus among multiple jurisdictions across the Sierra Nevada-Cascade Region (including local, state, and federal agencies) on complex natural resource enhancement and restoration projects.
- Provides advice on statutory interpretation on a variety of laws, including the SNC enabling statute, California Environmental Quality Act (CEQA), the Bagley-Keene Open Meeting Act, Public Records Act, Political Reform Act, including Form 700, and Information Practices Act, among others.
- Applies knowledge of California and federal law, including land use, real property, contracts, and environmental law, in order to advise SNC staff and the Executive Director regarding matters in all substantive SNC program areas, including but not limited to tribal rights, conservation-based easement or fee-title property transactions, land ownership and management, public access, wildlife protection, water rights, and sustainable communities' investment.
- Attends all meetings of the SNC Board (which might involve overnight travel); provides legal advice to the Board, both as requested and to ensure that the meeting is conducted consistent with legal requirements, including the Bagley-Keene Open Meeting Act; and provides advice on parliamentary or other procedural issues that might arise.

**20% (E) – Advises the executive team on all aspects of program implementation and applicable funding source requirements (general obligation funds or other funding sources)**

- Provides legal advice to staff regarding the development of SNC grant guidelines consistent with the requirements of the applicable funding source, including the statutory requirements of bond funds.
- Reviews grant solicitation packages for compliance with grant guidelines and bond or other funding requirements, and provides additional legal review, analysis, and oversight of the SNC grant solicitation, evaluation, and approval processes.
- Provides legal advice to staff regarding SNC's solicitation, selection, awarding, and management of grants funded by general obligation bonds or other sources of funding, including, but not limited to, the General Fund and various reimbursement agreements. Advises staff on legal issues associated with implementation of projects, including multi-jurisdictional and multipurpose projects implemented on lands having diverse ownership in a complex regulatory environment.

**20% (E) – Advises and assists in the preparation and review of recommendations and agreements for the implementation of the most complex aspects of SNC programs and projects**

- Reviews and advises on the development of contracts and grant agreements using state statutes, regulations, and case law as necessary for the implementation of all SNC grant and contract programs. Ensures that state fiscal resources are protected and that projects are implemented in accordance with applicable law and policy.



- Provides advice on public contract law, including procurement process, leveraged procurement agreements, contract award, and administration, competitive solicitations, purchase documents, socioeconomic programs, and contract reporting.

**10% (E) – Reviews, analyzes, drafts, or recommends legislation, rules, and guidelines regarding matters in all substantive SNC program areas**

- Conducts legal review of pending and proposed legislation that might affect SNC's operations; drafts proposed legislation, rules, and guidelines; reviews and updates SNC's Conflict of Interest Code, as necessary; and coordinates with SNC management and staff to advance SNC's policy goals.

**10% (E) – Privacy Program and Public Records Act Requests**

- Serves as the SNC Privacy Officer and provides advice on the Information Practices Act as well as statutory provisions and administrative regulations governing the management of confidential or sensitive information.
- Responds to requests for public records under the California Public Records Act. Coordinates with and advises staff regarding requests for documents. Provides training to staff regarding compliance with the California Public Records Act. Organizes and reviews volumes of documents and coordinates with staff.

**5% (E) – Coordinates with outside counsel on issues of statewide and Regional significance**

- Collaborates with Natural Resources Agency general counsel, as applicable, on legal matters with broad cross-organizational impacts, and which are routinely resolved by departmental legal offices at the Chief Counsel/Attorney V level.
- Works with general counsel from federal, state, regional, and local agencies on complex legal issues affecting SNC and the Sierra Nevada-Cascade Region and all jurisdictions contained within.
- Attends regular meetings of the Natural Resources Agency Lead Counsels and serves as the liaison to attorneys at the Attorney General's Office and at various control agencies including the Department of General Services, Office of Legal Services, Cal HR, the Department of Finance, and other similarly constituted legal offices as required.

**5% (M) – Miscellaneous Activities**

- Responds to general calls and emails, attends and presents at staff meetings, complies with administrative reporting requirements (e.g., completion of timesheets, travel expense claims, training requests, individual development plans), participates in required trainings, and attends monthly meetings and forums.

**SUPERVISION RECEIVED**

The Attorney IV provides complex and sensitive legal services with broad discretion with minimal supervision by the Executive Officer. The Attorney IV is expected to operate independently, exercising good judgement on a daily basis.



## **SUPERVISION EXERCISED**

None.

## **ATTENDANCE**

Must maintain regular and acceptable attendance at such level as is determined at SNC's sole discretion. Must be regularly available and willing to work the hours SNC determines are necessary or desirable to meet its business needs.

## **REQUIRED KNOWLEDGE, SKILLS, AND ABILITIES (from Class Specifications)**

Knowledge of: Legal research methods and performing research; legal principles and their application; scope and character of California statutory law and of the provisions of the California Constitution; principles of administrative and constitutional law; trial and hearing procedure; and rules of evidence; court procedures; administrative law and the conduct of proceedings before administrative bodies; legal terms and forms in common use; statutory and case law literature and authorities; and provisions of laws and Government Code sections administered or enforced.

Ability to: Perform research, analyze, appraise and apply complex and difficult legal principles, facts and precedents to difficult and complex legal and administrative problems; present statements of fact, law, and argue clearly and logically; draft statutes and regulations; prepare correspondence involving explanation of legal matters; analyze situations accurately and recommend an effective course of action; review and prepare state contracts; review and understand information technology contracts; use basic computer skills, internet, email, and ability to use legal research tools.

## **OTHER INFORMATION**

Incumbent must possess good communication skills; use good judgment in decision-making; exercise creativity and flexibility in problem identification and resolution; manage time and resources effectively; have the ability to act independently; be open-minded, flexible, tactful; and be responsive to SNC management needs. Must have the ability to conduct the majority of legal research electronically and the ability to sit for long periods of time in a chair at a computer in the office.

## **WORK ENVIRONMENT**

The duties of this position are performed primarily indoors in a modern office environment. The incumbent's workstation is located at SNC Headquarters office and is equipped with standard or ergonomic office equipment, as appropriate. Telework may be considered, with incumbent's ability to post to Headquarters, other SNC offices, or other locations, as needed. Prolonged sitting, use of telephone, personal computer, and copier are required. Incumbent must work well under pressure, meeting multiple and sometimes conflicting deadlines. Occasional overnight travel throughout the Sierra Nevada Region is required.

## **TELEWORK ELIGIBILITY AND EXPECTATIONS**

This position is eligible for telework, unless otherwise noted by duty. Any approved alternate work location and specific working schedule must be documented on the SNC



Telework Agreement (STD 200). All telework agreements are developed under and subject to the conditions and criteria established in the SNC Telework Program Policy (HR-02).

**EQUAL EMPLOYMENT OPPORTUNITY (EEO) STATEMENT**

All SNC employees are expected to conduct themselves in a professional manner that demonstrates respect for all employees and others they come in contact with during work hours, during work-related activities, and anytime they represent the Department. Additionally, all SNC employees are responsible for promoting a safe and secure work environment free from discrimination, harassment, inappropriate conduct, and retaliation.

**Duties of this position are subject to change and may be revised as needed or required.**

**EMPLOYEE ACKNOWLEDGEMENT**

**I have read and understand the duties listed above and I can perform these duties with or without reasonable accommodation.** (If you believe reasonable accommodations are necessary, discuss your concerns with the hiring supervisor/manager. If unsure of a need for a reasonable accommodation, inform the hiring supervisor/manager, who will discuss your concerns with Human Resources.)

Employee Printed Name \_\_\_\_\_

Employee Signature \_\_\_\_\_

**SUPERVISOR ACKNOWLEDGEMENT**

**I have discussed the duties of this position with, and have provided a copy of this duty statement to, the employee named above.**

Supervisor Printed Name \_\_\_\_\_

Supervisor Signature \_\_\_\_\_