

RESOLUTION NO. 2017- 8247

**RESOLUTION TO AMEND JOB CLASSIFICATION PLAN TO
ADD ASSISTANT COUNTY COUNSEL RANGE 4370, DEPUTY COUNTY COUNSEL I
RANGE 3073, DEPUTY COUNTY COUNSEL II RANGE 3228, DEPUTY COUNTY
COUNSEL III RANGE 3738 AND AMEND FISCAL YEAR 2016-2017 POSITION
ALLOCATION FOR COUNTY COUNSEL DEPARTMENT #20080**

WHEREAS, Plumas County Personnel Rule 5.01 provides amendments to be made by resolution of the classification plan covering all positions in the County service; and

WHEREAS, this position is necessary in the daily operational needs of the County Counsel's Department; and

WHEREAS, the Human Resources Director has added a new job classification for an Assistant County Counsel range 4370; and

WHEREAS, this request was brought to the attention of the Human Resources Director who is now requesting approval of this resolution to amend the 2016-2017 Position Allocation for fund #20080; and

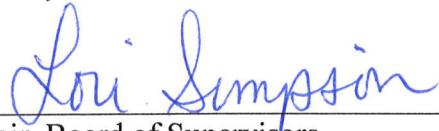
NOW, THEREFORE BE IT RESOLVED by the Plumas County Board of Supervisors as follows:

1. Approve the new job classifications for Assistant County Counsel range 4370. Deputy County Counsel I range 3073, Deputy County Counsel II range 3228, and Deputy County Counsel III range 3738.
2. Approve the amendments to the Fiscal Year 2016/2017 Position Allocation for the following position:

<u>County Counsel #20080</u>	Current FTE	Proposed FTE
Assistant County Counsel, or	1.00	1.00
Deputy County Counsel III, or		
Deputy County Counsel II, or		
Deputy County Counsel I		

The foregoing Resolution was duly passed and adopted by the Board of Supervisors of the County of Plumas, State of California, at a regular meeting of said Board on the 18th day of April, 2017 by the following vote:

AYES: Supervisors: ENGEL, GOSS, SANCHEZ, SIMPSON
NOES: Supervisors: THRALL
ABSENT: Supervisors: NONE


Chair, Board of Supervisors


Clerk, Board of Supervisors

Exhibit A

ASSISTANT COUNTY COUNSEL

DEFINITION

Under administrative direction, assist in planning, organizing and managing the County Counsel's office; directs and supervises the work of the office; performs highly complex and difficult legal work; provides legal counsel to County of Plumas and its various subdivisions; performs litigation; acts for the County Counsel in his/her absence; performs related work as required.

DISTINGUISHING CHARACTERISTICS

This is the senior advanced journey level in the Deputy County Counsel class series and is responsible for assisting the County Counsel with administering the ongoing activities of the County Counsel's Office. The incumbent serves at the pleasure of the appointing authority and assists in accomplishing departmental goals and objectives within general policy guidelines. The incumbent also provides professional legal services and advice to the Board of Supervisors, County departments, special districts and commissions on civil and administrative matters. As the Assistant County Counsel, this position provides supervision and management of the other office personnel, including supervision of the Deputy County Counsel; develops and administration of the department budget, directing department operations, and by serving as second-in-command to the County Counsel and primary acting County Counsel in the County Counsel's absence.

REPORTS TO

County Counsel

CLASSIFICATIONS DIRECTLY SUPERVISED

Exercises direct supervision over Deputy County Counsel I/II/III, technical, and clerical personnel.

ASSISTANT COUNTY COUNSEL - 2

EXAMPLES OF DUTIES

- Assist County Counsel in planning, organizing and directing the work of the County Counsel's office. Identifies with the County Counsel the direction and goals of the Office.
- Acts in the absence of County Counsel or at his/her discretion.
- Prepares, maintains, and implements policies and procedures in the Office of County Counsel to ensure compliance and consistency with legal mandates, laws and guidelines as well as the directives of the Board of Supervisors and the County Counsel.
- Directs, monitors, and oversees the development of the County Counsel's annual budget; provides oversight and direction in the on-going administration of the budget's revenue and expenditure transactions, recordkeeping, and fiscal reporting.
- Implements directions and policies established by County Counsel.
- Assigns, directs, and reviews the work of deputies assigned under his/her direction.
- Advises and assists in training deputies in law, research, and litigation techniques.
- Represents the County Counsel in meetings of boards, commissions, or other County agencies, local, state, and federal agencies and the public providing oral and written legal advice and counsel.
- Confers with and advises officers of County Departments and representatives of special districts on questions pertaining to their respective powers, duties, functions, and obligations.
- Represents the County and other agencies in court and administrative proceedings.
- Performs legal work for the County in pre-trail and settlement conferences.
- Acts as legal advisor to County officials on complex legal issues.
- Monitors legal developments including legislation and court decisions related to public agency law and activities and evaluates their impact upon County operations.
- Researches and interprets laws, court decisions and other legal authorities.
- Prepares legal opinions and briefs; drafts ordinances, leases, resolutions and other legal instruments.
- Reviews legal documents, briefs, pleadings, legal opinions, contracts, Memorandums of Understanding (MOU), leases, ordinances and other legal instruments.
- Prosecutes legal action on behalf of, and defends actions against, the County and its subdivisions before courts of origin, appellate courts, and various administrative bodies.
- May have on-going responsibility for serving as legal advisor to a specific County Board or Commission such as LAFCO or the Planning Commission.
- Develops and maintains professional relationships.
- Performs other duties as assigned.

TYPICAL PHYSICAL REQUIREMENTS

Sit for extended periods; frequently stand and walk; normal manual dexterity and eye-hand coordination; corrected hearing and vision to normal range; verbal communication; use of office equipment including computers, telephones, calculators, copiers, and FAX.

TYPICAL WORKING CONDITIONS

Work is performed in an office and courtroom environment; continuous contact with staff and the public.

DESIRABLE QUALIFICATIONS

Knowledge of:

- Principles of Criminal, Constitutional, Civil and Administrative Law.
- California codes and statutes applicable to criminal and civil law.
- Court Proceedings, discovery techniques, jury selection, settlement practices and other matters related to trial and appellate.
- Judicial procedures and the rules of evidence.
- Federal, state, and local statutory, regulatory, administrative and case law applicable to local jurisdictions.
- The Brown Act, the Conflict of Interest Laws and other laws relevant to County operations.
- Computers and software used in professional legal work.
- Plumas County and department policies, rules and regulations.
- Budget development and control.
- Principles of personnel management and supervision.
- Proper English usage, spelling, grammar and punctuation.
- Contemporary trends and practices of County Counsel Office operations.
- Legal research methods.

Ability to:

- Perform the more complex professional legal and legal research work.
- Plan, organize, direct, and review the work of assigned staff.
- Analyze facts and apply legal principles and precedents to specific local government problems.
- Perform complex legal research, analyzing multi-faceted problems, evaluating alternatives and making sound recommendations.
- Prepare clear, concise and complete legal documentation and reports, correspondence and other written materials.
- Assemble and analyze information and prepare written reports and records in a clear and concise manner.
- 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.
- Interpret, explain and apply County Personnel Rules, policies and MOUs.
- Effectively represent the County Counsel's Office with the public, courts, law enforcement agencies and other government jurisdictions.
- Maintain significant flexibility in daily operations and decision making.
- Enter and retrieve data from a computer with sufficient speed and accuracy to perform assigned work.
- Work with considerable independence and initiative while exercising good judgement in recognizing scope of authority.

ASSISTANT COUNTY COUNSEL – 4

Ability to continued:

- Use tact, initiative, prudence and independent judgement within general policy procedural and legal guidelines.
- Develop legal issues and present clear and logical arguments and statements of fact and law.
- Deal tactfully and courteously with the public, representatives of other agencies, and other County staff.
- Effectively represent the County Counsel functions in contacts with the public, community organizations, and other government agencies.
- Establish and maintain cooperative working relationships.
- Ability to maintain and take appropriate steps to preserve confidentiality.

TRAINING AND EXPERIENCE

Experience:

Three (3) years of increasingly responsible experience with a public agency civil or administrative law at a level comparable to an Assistant County Counsel,

OR

Five (5) years of progressively responsible experience as an attorney in a county counsel's office, city attorney's office, or other civil public law office, two (2) years of which must have involved the supervision of legal staff.

Experience in contracts, land use, planning, labor and /or employment law are highly desirable.

Education:

Graduation from a recognized law school, or the completion of an equivalent program certified by the California State Bar Association required.

Special Requirements:

- Active membership in good standing with the California State Bar Association is required.
- Admission to practice before state and federal courts.
- Possession of a valid California Driver's License issued by the Department of Motor Vehicles and an insurance certificate proving adequate vehicle insurance. The valid California Driver's License must be maintained throughout employment.

All County of Plumas employees are designated Disaster Service Workers through State law (California Government Code Section 3100-3109). Employment with Plumas County requires the affirmation of a loyalty oath to this effect. Employees are required to complete all Disaster Service Work related training as assigned, and to return to work as ordered in the event of an emergency.

DEPUTY COUNTY COUNSEL I

DEFINITION

Under direction, to perform the less difficult professional legal work in the County Counsel's Office; and to do related work as required.

DISTINGUISHING CHARACTERISTICS

This is the entry and first working level in the Deputy County Counsel class series. Incumbents are typically assigned the less difficult and less controversial civil matters. Incumbents may expect to qualify for the next higher level of Deputy County Counsel II when they are regularly assigned more difficult and complex legal work and have completed one (1) year as a Deputy County Counsel I.

REPORTS TO

County Counsel.

CLASSIFICATIONS DIRECTLY SUPERVISED

None.

DEPUTY COUNTY COUNSEL I - 2

EXAMPLES OF DUTIES

- Confers with, and advises County Departments on routine legal questions.
- Drafts ordinances, contracts, leases, and resolutions, and other legal measures, submitting them to other Department legal staff for review and discussion.
- Develops recommendations concerning the advisability to prosecute, compromise, or dismiss civil litigation.
- Discusses cases with other legal staff.
- Performs legal research.
- May prosecute and defend legal actions against the County and its subdivisions before all courts and various administrative bodies.
- May investigate claims and potential lawsuits.
- May be delegated to serve as legal counsel and attend meetings of boards and commissions.
- Provides legal support for the Public Guardian Department.
- Dictates briefs and correspondence.

TYPICAL PHYSICAL REQUIREMENTS

Sit for extended periods; frequently stand and walk; normal manual dexterity and eye-hand coordination; corrected hearing and vision to normal range; verbal communication; use of office equipment including computers, telephones, calculators, copiers, and FAX.

TYPICAL WORKING CONDITIONS

Work is performed in an office and courtroom environment; continuous contact with staff and the public.

DEPUTY COUNTY COUNSEL I - 3

DESIRABLE QUALIFICATIONS

Knowledge of:

- California and federal statutes and cases and their application to governmental jurisdictions.
- The principles of Civil, Constitutional, and Administrative Law.
- Legal research methods.

Ability to:

- Analyze facts and apply legal principles and precedents to specific local government problems.
- Develop legal issues and present clear and logical arguments and statements of fact and law.
- Draft and edit ordinances, contracts, and legal instruments.
- Effectively represent the County Counsel functions in contacts with the public, community organizations, and other government agencies.
- Establish and maintain cooperative working relationships.

Training and Experience: Any combination of training and experience which would likely provide the required knowledge and abilities is qualifying.

Active membership in the State Bar of California.

Special Requirements: Must possess a valid driver's license at time of application and a valid California Drivers License by the time of appointment. The valid California License must be maintained throughout employment.

DEPUTY COUNTY COUNSEL II

DEFINITION

Under general direction, to perform professional legal work in the interpretation and application of laws for the County of Plumas and its various subdivisions; to perform legal research and represent the County Counsel's Office in assigned legal proceedings and transactions; and to do related work as required.

DISTINGUISHING CHARACTERISTICS

This is the experienced journey level in the Deputy County Counsel class series. Incumbents are typically assigned a wide range of civil matters and cases. Also, they are expected to complete legal assignments with minimal assistance.

REPORTS TO

County Counsel.

CLASSIFICATIONS DIRECTLY SUPERVISED

None.

DEPUTY COUNTY COUNSEL II - 2

EXAMPLES OF DUTIES

- Serves as legal counsel and attends meetings of boards and commissions.
- Performs legal research.
- Investigates claims and potential law suits.
- Drafts and edits ordinances, resolutions, contracts, leases, deeds, and other legal instruments.
- Prosecutes legal action on behalf of, and defends actions against, the County and its subdivisions before all courts and various administrative bodies.
- Confers with and advises officers of County Departments and representatives of special districts on questions pertaining to their respective powers, duties, functions, and obligations.
- Provides legal support for the Public Guardian Department.
- Dictates briefs and correspondence.

TYPICAL PHYSICAL REQUIREMENTS

Sit for extended periods; frequently stand and walk; normal manual dexterity and eye-hand coordination; corrected hearing and vision to normal range; verbal communication; use of office equipment including computers, telephones, calculators, copiers, and FAX.

TYPICAL WORKING CONDITIONS

Work is performed in an office and courtroom environment; continuous contact with staff and the public.

DEPUTY COUNTY COUNSEL II - 3

DESIRABLE QUALIFICATIONS

Knowledge of:

- California and federal statutes and cases and their application to governmental jurisdictions.
- The principles of Civil, Constitutional, and Administrative Law.
- Legal research methods.

Ability to:

- Analyze facts and apply legal principles and precedents to specific local government problems.
- Develop legal issues and present clear and logical arguments and statements of fact and law.
- Perform legal research.
- Draft and edit ordinances, contracts, and legal instruments.
- Effectively represent the County Counsel functions in contacts with the public, community organizations, and other government agencies.
- Establish and maintain cooperative working relationships.

Training and Experience: Any combination of training and experience which would likely provide the required knowledge and abilities is qualifying. A typical way to obtain the required knowledge and abilities would be:

One (1) year of experience in the practice of civil law comparable to that of a Deputy County Counsel I with the County of Plumas.

Special Requirements:

Active membership in the State Bar of California.

Must possess a valid driver's license at time of application and a valid California Drivers License by the time of appointment. The valid California License must be maintained throughout employment.

DEPUTY COUNTY COUNSEL III

DEFINITION

Under general direction, to perform the more difficult and complex professional legal work in the interpretation and application of laws for the County of Plumas and its various subdivisions; to perform legal research and represent the County Counsel's Office in assigned legal proceedings and transactions; and to do related work as required.

DISTINGUISHING CHARACTERISTICS

This is the advanced journey level in the Deputy County Counsel class series. Incumbents are assigned the more difficult and complex civil matters and cases, as well as the full scope of legal assignments performed by the County Counsel's Office. They are expected to complete legal assignments with minimal guidance and assistance.

REPORTS TO

County Counsel.

CLASSIFICATIONS DIRECTLY SUPERVISED

None.

DEPUTY COUNTY COUNSEL III - 2

EXAMPLES OF DUTIES

- Serves as legal counsel and attends meetings of boards and commissions.
- Performs the more difficult and complex legal research.
- Investigates claims and potential law suits.
- Drafts and edits ordinances, resolutions, contracts, leases, deeds, and other legal instruments.
- Prosecutes legal action on behalf of, and defends actions against, the County and its subdivisions before courts of origin, appellate courts, and various administrative bodies.
- Confers with and advises officers of County Departments and representatives of special districts on questions pertaining to their respective powers, duties, functions, and obligations.
- May have on-going responsibility for serving as legal advisor to a specific County Board or Commission such as LAFCO or the Planning Commission.
- Provides legal support for the Public Guardian Department.
- Dictates briefs and correspondence.

TYPICAL PHYSICAL REQUIREMENTS

Sit for extended periods; frequently stand and walk; normal manual dexterity and eye-hand coordination; corrected hearing and vision to normal range; verbal communication; use of office equipment including computers, telephones, calculators, copiers, and FAX.

TYPICAL WORKING CONDITIONS

Work is performed in an office and courtroom environment; continuous contact with staff and the public.

DEPUTY COUNTY COUNSEL III - 3

DESIRABLE QUALIFICATIONS

Knowledge of:

- California and federal statutes and codes and their application to governmental jurisdictions.
- The principles of Civil, Constitutional, and Administrative Law.
- Legal research methods.

Ability to:

- Analyze facts and apply legal principles and precedents to specific local government problems.
- Develop legal issues and present clear and logical arguments and statements of fact and law.
- Perform legal research.
- Draft and edit ordinances, contracts, and legal instruments.
- Effectively represent the County Counsel functions in contacts with the public, community organizations, and other government agencies.
- Establish and maintain cooperative working relationships.

Training and Experience: Any combination of training and experience which would likely provide the required knowledge and abilities is qualifying. A typical way to obtain the required knowledge and abilities would be:

Four (4) years of experience in the practice of civil law comparable to that of a Deputy County Counsel II with the County of Plumas.

Special Requirements: Active membership in the State Bar of California. Possession of a valid California Driver's License issued by the Department of Motor Vehicles.

Exhibit B

Deputy County Counsel I
Current wage range -2607

		FY 16/17	FY 17/18	FY 18/19	FY 19/20	FY 20/21
	Current					
Regular wages 2607		\$ 54,246.00	\$ 56,971.00	\$ 59,821.00	\$ 62,816.00	\$ 65,957.00
Deputy County Counsel I		\$ -				
Retirement (Classic Rate)		\$ 12,117.47	\$ 12,726.18	\$ 13,362.81	\$ 14,031.84	\$ 14,733.47
FICA / Medicare		\$ 4,149.82	\$ 4,358.28	\$ 4,576.31	\$ 4,805.42	\$ 5,045.71
Total		\$ 70,513.29	\$ 74,055.46	\$ 77,760.12	\$ 81,653.26	\$ 85,736.19
Proposed						
Deputy Count Counsel 1 - 3073		\$ 63,918.00	\$ 67,122.00	\$ 70,491.00	\$ 74,027.00	\$ 77,730.00
Retirement (Classic Rate)		\$ 14,278.00	\$ 14,993.71	\$ 15,746.28	\$ 16,536.15	\$ 17,363.33
FICA/Medicare		\$ 4,889.73	\$ 5,134.83	\$ 5,392.56	\$ 5,663.07	\$ 5,663.07
Total		\$ 83,085.73	\$ 87,250.55	\$ 91,629.84	\$ 96,226.22	\$ 100,756.39
Five Year Differential	Difference	\$ (12,572.44)				
			\$ (13,195.08)			
				\$ (13,869.72)		
					\$ (14,572.95)	
						\$ (15,020.21)
Five year increase to Personnel Budget		\$ (69,230.40)				

Revised April 11, 2017

Deputy County Counsel II
Current wage range -2875

		FY 16/17	FY 17/18	FY 18/19	FY 19/20	FY 20/21
Regular wages		\$ 59,800.00	\$ 62,795.00	\$ 65,936.00	\$ 69,243.00	\$ 72,717.00
Deputy County Counsel II		\$ -				
Retirement (Classic Rate)		\$ 13,358.12	\$ 14,027.15	\$ 14,728.78	\$ 15,467.50	\$ 16,243.52
FICA / Medicare		\$ 4,574.70	\$ 4,803.82	\$ 5,044.10	\$ 5,297.09	\$ 5,562.85
Total		\$ 77,732.82	\$ 81,625.96	\$ 85,708.89	\$ 90,007.59	\$ 94,523.37
Deputy County Counsel II						
Proposed wage 3228		\$ 67,142.00	\$ 70,512.00	\$ 74,048.00	\$ 77,750.00	\$ 81,640.00
		\$ 14,998.18	\$ 15,750.97	\$ 16,540.84	\$ 17,367.80	\$ 18,236.74
		\$ 5,136.36	\$ 5,394.17	\$ 5,664.67	\$ 5,947.88	\$ 5,947.88
Total		\$ 87,276.54	\$ 91,657.14	\$ 96,253.51	\$ 101,065.67	\$ 105,824.62
Five Year Differential	Difference	\$ (9,543.72)				
			\$ (10,031.17)			
				\$ (10,544.63)		
					\$ (11,058.08)	
						\$ (11,301.24)
Five year increase to Personnel Budget		\$ (52,478.84)				

Prepared on March 30, 2017

Deputy County Counsel III
Current wage range -3166

		FY 16/17	FY 17/18	FY 18/19	FY 19/20	FY 20/21
	Current					
Regular wages		\$ 65,853.00	\$ 69,160.00	\$ 72,634.00	\$ 76,274.00	\$ 80,101.00
Deputy County Counsel III		\$ -				
Retirement (Classic Rate)		\$ 14,710.24	\$ 15,448.96	\$ 16,224.98	\$ 17,038.09	\$ 17,892.96
FICA / Medicare		\$ 5,037.75	\$ 5,290.74	\$ 5,556.50	\$ 5,834.96	\$ 6,127.73
Total		\$ 85,601.00	\$ 89,899.70	\$ 94,415.48	\$ 99,147.05	\$ 104,121.69
Deputy County Counsel III						
Proposed wage 3738		\$ 77,750.00	\$ 81,640.00	\$ 85,738.00	\$ 90,043.00	\$ 94,557.00
Retirement (Classic Rate)		\$ 17,367.80	\$ 18,236.74	\$ 19,152.15	\$ 20,113.81	\$ 21,122.14
FICA/Medicare		\$ 5,947.88	\$ 6,245.46	\$ 6,558.96	\$ 6,888.29	\$ 6,888.29
Total		\$ 101,065.67	\$ 106,122.20	\$ 111,449.11	\$ 117,045.09	\$ 122,567.43
Five Year Differential	Difference	\$ (15,464.67)				
			\$ (16,222.50)			
				\$ (17,033.63)		
					\$ (17,898.05)	
						\$ (18,445.74)
Five year increase to Personnel Budget		\$ (85,064.59)				

Revised April 11, 2017

Assistant County Counsel
Wage range - 4370

	FY 16/17	FY 17/18	FY 18/19	FY 19/20	FY 20/21
	New	Range			
Regular Wages	\$ 90,896.00	\$ 95,451.00	\$ 100,235.00	\$ 105,248.00	\$ 110,510.00
Assistant County Counsel	\$ -				
Retirement (Classic Rate)	\$ 20,304.35	\$ 21,321.84	\$ 22,390.49	\$ 23,510.30	\$ 24,685.72
FICA / Medicare	\$ 6,953.54	\$ 7,302.00	\$ 7,667.98	\$ 8,051.47	\$ 8,454.02
Total	\$ 118,153.89	\$ 124,074.85	\$ 130,293.47	\$ 136,809.77	\$ 143,649.74
ER health insurance					
Family Rate (12 month value)	\$ 17,832.00				
Total					
Five Year Differential	Difference	\$ 118,153.89	\$ 124,074.85	\$ 130,293.47	\$ 136,809.77
Five Year increase to Personnel Budget	\$ 652,981.72				\$ 143,649.74

Prepared on March 30, 2017

**PLUMAS COUNTY
BOARD
OF
SUPERVISORS**

**PLUMAS COUNTY
COUNSEL**
(R. Craig Settlemire)

PARALEGAL III
(Mari Snyder)

**ASSISTANT COUNTY
COUNSEL, or**
DCC I, or
DCC II, or
DCC III
(Vacant)