



The San Diego Association of Governments invites applications for the position of:

## deputy general counsel

A job at SANDAG is guaranteed to stimulate your mind, expand your skills, and accelerate your professional development. We are committed to recruiting highly talented individuals who are dedicated to working on important issues and passionate about making significant contributions that impact the lives of people all around the region. We look for people that have extraordinary leadership and vision; people that drive change and produce results; people who take ownership of projects and never settle for "good enough."

SANDAG values and rewards continuous improvement. We offer a fulfilling work environment that will challenge your capabilities. And it is a place where you can take ownership for the next steps in your career while being supported with opportunities, tools, and resources that will allow you to be successful.

**This position will remain open until filled and the first review of applications will begin on February 8, 2019.**

**Expected start date: April 2019**





## **Overview of the Office of General Counsel**

*Working in close collaboration with members of the Executive Office and the SANDAG Board of Directors, the Office of General Counsel enables SANDAG staff and management to succeed in implementing Board priorities in an innovative and ethical manner. The Office acts as legal counsel supporting agency functions, and helps employees, the Board of Directors, and SANDAG Policy Advisory Committees. Examples of recent and upcoming projects include supporting major SANDAG construction projects within its capital program, including the Mid-Coast Trolley Project and Downtown Stopover and Multiuse Facility, by providing advice and guidance for the environmental review process, the acquisition of right-of-way, contract procurements, and claims. The team is known for being progressive, proactive, and providing outstanding customer service.*

### **Deputy General Counsel Role**

As a member of the six person Office of General Counsel, the Deputy General Counsel will serve as a technical resource to agency executives and project managers and will support various programs, projects, and services by providing oversight and legal guidance related to agency contracting and procurement processes, providing legal guidance and opinions to various committees and working groups, overseeing the work of outside counsel, and providing highly responsible and complex assistance to the General Counsel.

### **Job Responsibilities**

This opportunity is best suited for an experienced legal professional with an interest in furthering their expertise in a regional public agency setting. We anticipate significant career development will occur while working on the types of duties and responsibilities described below and through mentoring and close collaboration with management staff. Examples of primary responsibilities for this position include:

- Represent SANDAG directly or through the supervision of outside counsel representing SANDAG in legal proceedings before courts, administrative agencies and boards, arbitrators, and other administrative agencies.
  - Manage the mediation, resolution, and litigation of construction claims, stop payment notices, false claims, performance bonds, payment bonds, and mechanic's lien claims pursuant to the public works construction law; oversee outside counsel hired to represent the agency in such matters.
  - Manage right-of-way acquisition for SANDAG projects, generally in coordination with outside counsel; present updates to SANDAG management and the Board of Directors.
  - Provide technical legal support to the Board of Directors, Policy Advisory Committees and working groups; review meeting agendas and notices; ensure meeting proceedings, decisions, and recommendations are consistent with and in compliance with public agency meeting requirements and practices such as the Brown Act and Robert's Rules of Order; present and explain legal issues and opinions in public meetings.
  - Provide general legal guidance and opinions to agency executives, managers, and project managers on a wide variety of legal issues and requirements pertaining to the agency's programs, projects, services, and responsibilities.
  - Develop a thorough understanding of the goals and priorities of the agency's various departments in order to support their programs and projects; serve as a strategic partner with project managers to address issues.
  - Supervise, mentor, train, and provide career development opportunities for team members.
  - Assist with responding to media requests concerning legal issues and difficult and sensitive inquiries and complaints; oversee responses to Public Records Act requests.
- Oversee and conduct the review and final approval of contracts, agreements, amendments, memoranda of understanding, real property documents, releases, leases, task orders and other legal documents that bind or obligate SANDAG.
  - Provide legal guidance and recommendations on public agency contracting and procurement processes ensuring contracts and agreements are consistent with federal, state, and/or local funding agency requirements, particularly FTA and FHWA; ensure SANDAG is properly and effectively represented.
  - Serve as an agency resource regarding privacy and data sharing, and software license agreements.
  - Assist project managers with complex capital projects including oversight of CEQA and NEPA issues, develop memoranda of understanding between project stakeholders, and implement public private partnerships.

## Experience and Qualifications

Numerous factors contribute to an individual's ability to be successful in any given role. For this position, we are searching for an articulate, confident legal professional with highly developed communication and collaboration skills and the ability to explain complex issues in an easily-understandable way. An aptitude for analytical thinking and innovation and a commitment to providing outstanding service while meeting numerous time-sensitive deadlines also are important characteristics.

The minimum education, training, and experience qualifications include a Juris Doctorate from an accredited law school and a minimum of seven years of increasingly responsible, professional municipal, transportation, environmental, and/or land use legal experience as an attorney focusing on municipal or governmental law, including two years of supervisory experience. Status as a member in good standing of the State Bar of California is required.

The following information describes the specific types of career experiences that are most relevant to this position.

- Demonstrated knowledge of legal principles, practices, and procedures relating to administrative, contract, insurance, real property, transportation, land use, environmental, and construction matters particularly as applied to public agencies; knowledge of specific laws relevant to California local government agencies including the California Government Code, Public Records Act, and the Political Reform Act.
- Knowledge and demonstrated ability to interpret and apply federal, state, and local laws, codes, policies, and regulations pertaining to municipal finance, parliamentary procedures, and conflicts of interest.
- Knowledge and experience with standard public agency methodologies and strategies used in the competitive procurement of products and professional services, including experience with bid protests; demonstrated knowledge and experience with rules, regulations, and laws related to public agency contracts including the California Public Contract Code.
- Experience with specific laws relevant to California local government agencies to address federal and state regulations, dealing primarily with transportation and transit related issues; directly related experience with statutes applicable to the Federal Transit Administration (FTA), Federal Highway Administration (FHWA), and the California Department of Transportation (Caltrans).
- Experience with the California Environmental Quality Act (CEQA) and the National Environmental Policy Act (NEPA).
- Experience with public works construction law including various project delivery methods and relevant procurement principles.
- Experience working with local elected officials and supporting public boards, committees, and/or working groups by providing legal advice and ensuring compliance with the Robert's Rules of Order and the Brown Act.
- Knowledge of the California Tort Claims Act as well as experience in construction execution and litigation.
- Demonstrated experience analyzing complex legal issues and applying relevant legal principles and practices; experience evaluating alternatives and recommending an effective course of action; experience with methods of legal research and preparing sound legal opinions.
- Experience preparing a variety of legal documents, comprehensive reports, and correspondence; demonstrated experience preparing and presenting legal information in a clear and concise manner, both orally and in writing; ability to make effective and persuasive legal arguments.
- Demonstrated ability to exercise good judgment and make sound decisions on legal casework; ability to work effectively with outside Counsel, employees, and members of the public in a sensitive and diplomatic manner.
- Experience with litigation and other legal proceedings and the ability to review, strategize, and oversee outside counsel on the agency's legal matters; experience preparing and reviewing privacy policies associated with the use of technology.
- Ability to plan, organize, direct, and coordinate the work of professional employees; experience evaluating internal business processes and balancing workload with staff resources.
- The selected candidate also can anticipate a driving record check upon hire, and approximately annually thereafter. The results of the check may determine whether the selected candidate will be permitted to drive for SANDAG business.



## About SANDAG

SANDAG is one of the most recognized regional agencies in the nation with responsibilities that cover a broad range of complex, interrelated program areas connected by a quality of life theme. We are best known for our efforts related to transportation and this role continues to expand as we push beyond traditional boundaries to deliver a state-of-the-art transportation system for the region. With an employee group about 375 strong, we work for our Board of Directors - mayors, city council members, county supervisors, and other leaders representing the jurisdictions within the San Diego region and neighboring areas. They play the important role of making policy decisions that shape the future of the region. Our collaboration with stakeholders, partners, and the community, the precision of our data, the completeness of our reports and studies, and our sound recommendations are essential components of the regional decision-making process.

## Salary and Benefits

This position is considered an executive-level role and has an annual salary range of \$111,213 to \$177,941; the starting salary will depend on the qualifications and experience of the selected candidate.

Our benefits include traditional health, dental, and vision insurance as well as employee assistance, wellness, and work/life balance programs. Retirement and financial security benefits are provided through a pension plan and deferred compensation program. To support the need to rest and rejuvenate, employees are provided with a bank of paid time off in addition to paid holidays.

In addition to the benefits provided to all employees, this position is eligible for several enhanced benefits which include a Management Benefit valued at 2.5% of salary that can be applied towards time off, health premiums, or deferred compensation, and access to an Executive Health Program.

## How to Apply

We encourage all interested candidates to apply for this position by completing a SANDAG Employment Application form and providing responses to the supplemental questions. Resumes, cover letters, and work samples may be submitted in addition to the Employment Application but are not a substitute for this document.

The Employment Application can be downloaded in PDF format from the SANDAG website. Alternatively, a copy can be requested by calling (619) 699-1900 or emailing [hr@sandag.org](mailto:hr@sandag.org). Completed applications and related materials can be submitted via email, fax, regular mail, courier, or delivered by hand. See our *Careers / How to Apply* webpage for additional information.

**This recruitment will remain open until filled. The first review of applications will begin on Friday, February 8, 2019.**

In compliance with the Americans with Disabilities Act (ADA), SANDAG will accommodate persons who require assistance in order to apply for a position at SANDAG. Applicants requiring an accommodation due to a disability during any stage of the recruitment and selection process, including requesting this document and related application materials in an alternative format, should make their needs known by contacting Human Resources at (619) 699-1900, (619) 699-1904 (TTY), fax (619) 699-6905, or [hr@sandag.org](mailto:hr@sandag.org).

## Application Supplement

To help us further evaluate the skills and experience of individuals interested in this position, candidates are asked to respond to the Supplemental Questions below. The information can be up to 500 words per question and should be submitted with the Employment Application. This is considered a required component of the application; applications received without a response will be screened out of the selection process.

### Supplemental Questions

1. Describe your philosophy on management and supervision and provide an example of a recent leadership success.
2. Provide an example that demonstrates your ability to provide a creative solution to a challenge that was able to address the concerns of all stakeholders.

## Candidate Selection and Notification

Following the first review date listed above, candidates will receive written confirmation that their application has been received. The hiring manager will begin reviewing and evaluating applications within a few days of the first review date. Based on this evaluation, the best qualified candidates will be invited to continue in the selection process. All candidates will receive written notification as to the final outcome of their application.

## Further Information

The SANDAG website contains a wealth of information about our various project and program areas. The Careers section of the site lists all of our current Job Openings as well as information on how to apply for positions and Frequently Asked Questions about our recruitment process.

In compliance with the Immigration Reform and Control Act of 1986, applicants hired by SANDAG must show acceptable proof of identity and evidence of authorization to work in the United States.