



GAVIN NEWSOM
GOVERNOR

STATE OF CALIFORNIA
GOVERNOR’S OFFICE OF BUSINESS AND ECONOMIC DEVELOPMENT (GO-BIZ)
CALIFORNIA INFRASTRUCTURE AND ECONOMIC DEVELOPMENT BANK (IBANK)

POSITION DUTY STATEMENT

Classification Title: Attorney III	Unit: Legal Unit	Name:
Working Title: Attorney III	Position Number: 373-105-5795-001	Effective Date:

GENERAL STATEMENT

As a valued member of the California Infrastructure and Economic Development Bank (“IBank”) team, you make it possible for IBank to contribute to the State’s economic development and job creation efforts by being innovative and flexible, reporting to work as scheduled, working cooperatively with team members and others, and treating others fairly, honestly and with respect. Your efforts are important to each member of the team, as well as those we serve.

Under the general direction of the CEA C – Chief Counsel (General Counsel), the Attorney III is responsible for the legal work of the Infrastructure State Revolving Fund Loan Program (“ISRF Program”), the Bond Program, the Small Business Finance Center, and the programs under the Climate Catalyst Revolving Loan Fund, sensitive and complex legal work of other current and new IBank programs and operational issues.

ESSENTIAL FUNCTIONS	
30%	<u>General State Government Administration:</u> Prepares responses to Public Records Act requests for all IBank operations. Determines what public records are exempt from disclosure. Helps maintain records and responses. Has primary responsibility for Fair Political Practices Commission filings and related compliance matters. Provides legal analysis and advice on matters related to the Political Reform Act, Bagley-Keene Open Meeting Act, attorney-client privileges and the work-product doctrine. Conducts research and interacts with the Attorney General’s Office on any litigation relating to IBank or impacting its interests. Provides legal research and assistance with State Administrative Manual requirements related to contracts and other administrative and operational issues. Participates in IBank workshops and conferences. May act as Secretary of IBank’s Board of directors and may be responsible for preparing Board meetings and maintaining Board records and meeting records. Other duties as assigned.
20%	<u>Legal Research and Analysis:</u>

	<p>Researches and analyzes complex, often first-impression, legal issues related to the Bergeson-Peace Infrastructure and Economic Development Bank Act and other laws, regulations and guidelines applicable to IBank's financing transactions and other programs. Researches, analyzes, and provides advice on commercial and municipal financings, including secured financings, credit enhanced financings, participated and syndicated financings, and structured financings. Prepares memoranda or provide written analysis of legal issues researched and make recommendations as to course of action.</p>
20%	<p><u>Legislative Analysis:</u> Acts as the lead legislative advisor to IBank management. Works with GO-Biz's Legislative Director to analyze legislation relating to IBank's programs, including conducting research to determine the effect of legislation, interaction with external groups involved in legislation, and preparation of a written analysis that recommends a position to GO-Biz and the Governor's Office. Monitors and tracks legislation and budget initiatives that impact or could impact IBank and keeps IBank management informed of developments and upcoming deadlines. Takes lead role in determining legislative changes or proposals necessary or convenient for the operation of IBank and in drafting such legislation. Other duties as assigned, including responding to legislative staff and constituent inquiries and general research assignments.</p>
10%	<p><u>Program Structuring, Monitoring, and Implementation:</u> With the oversight and input of IBank's General Counsel and Executive Committee, participates in structuring and implementing new financing programs and modifications to existing programs. Assists in the development and refinement of program requirements and parameters, including security and underwriting provisions, and related documentation. Assists in all phases of structuring, amending, documenting, and negotiating financings for new IBank programs, which financings may include structured financings, secured financings, credit enhanced financings, syndicated financings and participated financings. Develops and monitors regulatory and contractual compliance for new IBank programs and ensures that conditions and requirements are met. Provides advice to program staff related to all aspects of IBank financing program structure.</p>
10%	<p><u>Loan and Finance Documentation and Deal Management:</u> With a significant degree of independence, drafts or reviews loan documents (loan agreements, credit agreements, revolving credit facilities, installment sale agreements, financing leases, site leases, deeds of trust, security agreements, guarantees, indemnity agreements, ancillary agreements and related debt documents) for standard loan transactions and also assists in the drafting and review of documents for complex transactions, including secured transactions and structured finance transactions. Participates in corresponding and negotiating with opposing counsel on all aspects of loan documents. For standard transactions this participation will be in a lead role and for highly complex transactions this participation will be in a subordinate role. Takes lead role in closing loan documents, identifies necessary conditions precedent to closing financing transactions and ensures that all conditions to closing are met. Works with outside counsel as necessary and appropriate for the transaction.</p>

10%	<p><u>Legal Underwriting and Review of Loan Financing Documents:</u> Provides advice to General Counsel, the Executive Director, the Chief Deputy Executive Director and the Chief Credit Officer on complex legal issues related to all stages of loan financing (inquiry, pre-qualification, application, due diligence review, legal and programmatic compliance, final staff report, loan agreement negotiation, disbursements and compliance with loan agreement and tax law requirements). Assists in structuring loan transactions and, where necessary, advises on the need for, and structuring, loan modifications, assists in the identification of troubled loans and develops work-out strategies, develops strategies for handing troubled assets and assists program staff develop and implement strategies to maintain the status of loans as performing assets.</p>
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SUPERVISION EXERCISED
The Attorney III does not provide direct supervision.

SUPERVISION RECEIVED
This position receives direction from the General Counsel; this incumbent has primary responsibility for planning, organizing, and accomplishing work independently on financing and bond transactions. The Attorney III coordinates with and follows the General Counsel's direction on legal policy matters and other matters of general concern to IBank.

PUBLIC AND INTERNAL CONTACTS
Regular and frequent contact with senior officials in the executive branch of government, public and private attorneys, IBank employees at all levels, and representatives from other State agencies.

INITIATIVE AND INDEPENDENCE OF ACTION
This position requires a high degree of administrative, technical and management capability over extremely sensitive financial assistance transactions and matters. The incumbent is relied upon to develop and ensure the completion of assignments, and delegate work in complex situations without direct supervision. The ability to set and manage priorities, develop policy for all programs and ensure completion of work is required. This position also requires a high level of problem-solving, technical skills, perceptive judgment, independence of action, and accurate assessment of intricate situations.

CONSEQUENCES OF ERROR
Poor judgment, action, opinion or advice could result in a substantial revenue loss to the State, the failure to meet the needs of the public and businesses, and a negative image of IBank.

CERTIFICATION
This duty statement fairly represents actual responsibilities, duties performed and reporting relationship of the position. If any aspect of this statement is substantially changed, a new statement will be prepared and submitted to the Personnel Office.

I have read and understand the duties listed above and can perform them either with or without reasonable accommodation. Reasonable accommodation needs should be discussed with your hiring supervisor. If you are unsure whether you require reasonable accommodation, please inform your supervisor who will discuss your concerns with the Reasonable Accommodation Coordinator.

Employee Signature:

Attorney III California Infrastructure and Economic Development Bank	Date

Employee's Printed Name:

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Supervisor's Signature:

General Counsel California Infrastructure and Economic Development Bank	Date

Supervisor's Printed Name:

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