



GAVIN NEWSOM
GOVERNOR

STATE OF CALIFORNIA

GOVERNOR'S OFFICE OF BUSINESS AND ECONOMIC DEVELOPMENT (GO-BIZ)

POSITION DUTY STATEMENT

Classification ATTORNEY III	Unit 105	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 performing the more complex and sensitive legal work for the Infrastructure State Revolving Fund Loan Program ("ISRF Program"), the Bond Program, the Small Business Finance Center ("SBFC"), the Climate Catalyst Revolving Fund programs ("Catalyst Programs"), the Venture Capital Program, and any other current or new IBank programs and operational issues, as needed.

ESSENTIAL FUNCTIONS:

50%	<p>Legal Review of Financing and Funding Documents and Requirements:</p> <ul style="list-style-type: none"> • Takes the lead role in structuring and negotiating financing transactions for the ISRF, Climate Catalyst Revolving Fund, SBFC, and/or Venture Capital programs. • Provides advice to General Counsel, IBank Executives, and program managers on complex and sensitive legal issues related to all stages of financing for existing or new programs. • Provides legal oversight on compliance with federal and state funding requirements. • Monitors aspects of the ISRF Program in order to comply with tax law restrictions associated with tax-exempt bonds issued to provide program funding, constitutional debt limit requirements, and other securities and regulatory requirements. • Handles restructuring and loan modifications, assists in the identification of troubled loans and develops work-out strategies, develops strategy for handing troubled assets, and assists program staff in developing and implementing strategies to maintain the status of loans as performing assets. • Serves as in-house counsel and takes responsibilities for all legal aspects of IBank's own issuances. • Evaluates and conducts compliance and risk mitigation strategies to ensure conformity with funding source's legal, contractual, regulatory, policy, and guideline requirements and standards. • Advises IBank executives and management on legal and organizational risks of non-compliance and recommends remedial measures.
15%	<p>Legal Review of Conduit Bond Financing Documents:</p> <ul style="list-style-type: none"> • Acts as issuer's counsel for conduit bond financings and renders legal opinions. • Reviews and negotiates complex conduit bond financing documents prepared by outside Bond Counsel and Underwriter's Counsel for compliance with IBank's policies and practices and to ensure that IBank's interests are adequately protected.

	<ul style="list-style-type: none"> • Conducts legal research of federal tax, disclosure and securities law questions related to the financing of tax-exempt and taxable bonds. • Handles Internal Revenue Service audit, negotiates with auditors, and coordinates with borrowers throughout audit. • Monitors external issuer counsel as needed.
15%	<p>Legislative Analysis:</p> <ul style="list-style-type: none"> • Reviews, drafts, and analyzes legislation relating to existing or prospective IBank programs. • Works with GO-Biz's Legislative Affairs 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 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. • Advises IBank executives and management about legislation. • Other legislation-related duties, including responding to legislative staff and constituent inquiries and general research assignments.
10%	<p>Legal Research and Analysis:</p> <ul style="list-style-type: none"> • Conducts research 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 programs and financing transactions. • Analyzes, evaluates, 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 makes recommendations as to course of action.
10%	<p>Other:</p> <ul style="list-style-type: none"> • Handles Public Records Act requests for all IBank programs and asserts exemptions as required or necessary. • Takes primary responsibility for Fair Political Practices Commission filings and related compliance matters. • Provides legal analysis and advice relating to the Political Reform Act, Open Meeting Act, attorney-client privileges and the work-product doctrine. • Develops, documents, and maintains control processes and measures to enable effective risk management and compliance to minimize legal and financial impact to IBank. • Interacts with the Attorney General's Office on any litigation relating to IBank. • Ensures procurement processes and contracts comply with state manual and Public Contract Code requirements. • Acts as Secretary of IBank's Board of directors, prepares Board meetings materials, and maintains Board records. • Represents IBank at workshops and conferences. • Handles other duties as assigned.
MARGINAL FUNCTIONS:	
5%	Other duties as assigned

SUPERVISION EXERCISED:

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SUPERVISION RECEIVED

The Attorney III does not provide direct supervision.

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 and Federal agencies.

INITIATIVE AND INDEPENDENCE OF ACTION

The position requires a high degree of creativity and initiative in identifying and finding solutions to non-routine problems and issues. It requires proper judgment and accurate assessment of the significance of sensitive situations and activities. It requires the accurate setting of priorities along with good time management to ensure completion of work activities within specific time frames.

CONSEQUENCE OF ERROR

Significant error, poor judgment, and lack of professionalism could result in the loss of economic growth and job creation in California and results in negative impacts to the operations and programs administered by the department.

CERTIFICATION

This position statement fairly represents the responsibilities 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 Human Resources 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'S ACKNOWLEDGEMENT: I HAVE DISCUSSED WITH MY SUPERVISOR THE DUTIES OF THIS POSITION AND HAVE RECEIVED A COPY OF THE DUTY STATEMENT

The statements contained in this duty statement reflect general details as necessary to describe the principal functions of this job. It should not be considered an all-inclusive listing of work requirements. Individuals may perform other duties as assigned, including work in other functional areas to cover absence of relief, to equalize peak work periods or otherwise balance the workload.

Employee Name (Printed)

Employee Signature

Date

Employee's Title Attorney III

SUPERVISOR'S 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's Name(Printed)

Supervisor's Signature

Date

Supervisor's Title General Counsel