

# City Attorney

City of Fremont, CA



# The Community

**C**entrally located and serving as the eastern anchor of the Bay Area and Silicon Valley, the City of Fremont (pop. 235,439) is the 4th largest City in the Bay Area and prides itself on being a vibrant and strategically urban community. Originally an agricultural area comprised of five small towns, Fremont has developed into a technological and advanced manufacturing power base that captures metropolitan living at its best, with one of the most ethnically and culturally diverse populations in the Bay Area.

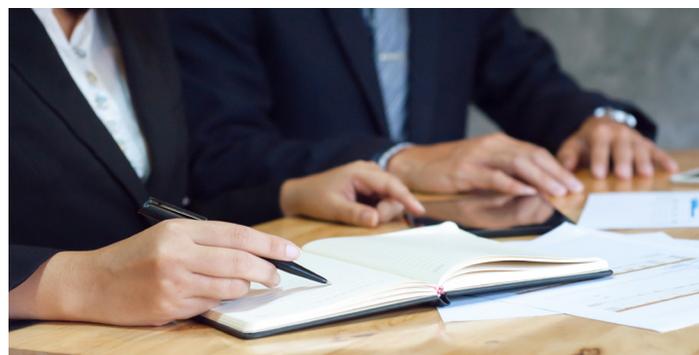
Within its 92-square miles, Fremont boasts over 42 million square feet of office, R&D, manufacturing, and warehouse building space. It is home to a wide variety of over 1,200 innovative high tech, life science, and clean technology firms including Tesla Motors, Lam Research, Thermo Fisher Scientific, Boston Scientific, and Western Digital, among many others. The City's Innovation District is known as the hottest new address for start-ups. Over the last two years, companies in Fremont received more than \$400 million in venture funding according to PitchBook Data.

In 2017, a new Bay Area Rapid Transit System (BART) station opened in the Warm Springs/South Fremont area; an additional extension to San José is expected to open soon, connecting Fremont to the rest of Silicon Valley for the first time by public transport. Activation of the City's Warm Springs area continues to bring employment growth and housing developments, while downtown Fremont is being transformed into a vibrant, pedestrian-friendly urban mixed-use district.

Fremont boasts a high rate of home ownership, a nationally recognized and highly rated public school system, and low crime and unemployment rates. Fremont residents have an average household income of approximately \$114,000, and 59 percent hold bachelor's, graduate, or professional degrees.

With so much to offer, it's no surprise that Fremont is frequently recognized as an ideal place to live. Fremont was recently ranked as the Happiest City in the U.S., the Least Stressed City in America, the 2nd Best City to Raise a Family in the country, and the 14th Healthiest City in America, all by WalletHub. In addition, SmartAsset™ named Fremont the 10th Best City to Work from Home, and Verizon ranked Fremont as the 11th Most Ambitious City in the U.S. Fremont is also consistently ranked as one of the safest cities in the country.

***An innovative, high-tech city with a growing economy and a vibrant community life, Fremont is a City moving forward.***



# City Government

**I**ncorporated on January 23, 1956, Fremont is a General Law City operating under a Council/Manager form of government. In 2018, the City Council implemented district-based elections, with six council districts and a mayor elected at-large. Together, the members of the City Council adopt the City budget and make all major policy decisions.

The City Council is assisted in its duties by a variety of advisory boards, commissions, and committees, whose members are appointed by the Mayor, subject to the approval of the Council. The City Council also appoints both the City Manager and the City Attorney. City departments include City Attorney; City Clerk; Community Development; Community Services; Economic Development; Finance; Fire; Human Resources; Human Services; Information Technology Services; Police; and Public Works. Garbage collection and recycling are provided through contract with Republic Services.

Fremont maintains a workforce of approximately 965 staff and is an employer that values its people, creativity, quality service, integrity, open communication, mutual respect, and diversity. City employees find their work challenging, and most importantly, enjoy the chance to make a difference through public service.

Fremont operates on a FY 2021-22 General Fund Budget of \$231.4 million. The local economy is expected to continue to expand for the next few years, and the City's most significant revenue sources are property tax and sales tax. The City also has healthy financial reserves with a total reserve level of 19 percent, with a budget that provides a sensible combination of funding for maintaining and, in some cases, improving on current service levels while strategically investing for the City's future.

Fiscal discipline and wise stewardship have served the City well over the years and remains the City's philosophy. Fremont continues to dedicate resources to important economic development, capital projects, and legislative advocacy initiatives while remaining committed to fulfilling the City Council's vision that Fremont will be a strategically more urban, vibrant, sustainable, well-designed, diverse and globally connected economic center anchored by strong neighborhoods, community pride, an involved citizenry, and an outstanding quality of life.

To learn more about Fremont, visit: <https://www.fremont.gov/>.

# City Attorney's Office

The City Attorney is appointed by the City Council and serves as chief legal counsel to the City Council, Mayor, City Manager, City departments, boards and commissions and is responsible for administration of all legal affairs of the City. The City Attorney's Office provides legal advice on matters that affect the conduct of City business, oversees all work done by outside counsel on behalf of the City, provides risk management services, drafts and reviews all ordinances, resolutions, contracts, and other legal documents, represents the City in litigation, administrative hearings, and other legal matters and assists the City in negotiating complex agreements. With a budget of \$11.2 million, the City Attorney is supported by 9 staff members including an Assistant City Attorney, three (3) Senior Deputy City Attorneys, three (3) risk management staff members, a Law Office Supervisor, and a Paralegal.

Harvey Levine recently retired following a 26-year career as Fremont's City Attorney; Debra Margolis, former City Attorney for Pleasant Hill, and Assistant City Attorney for Fremont, is serving as Interim City Attorney until a new City Attorney is selected by the City Council. Due to a current vacancy, the successful candidate will have the rare opportunity to select a new Assistant City Attorney during the early stages of their tenure.

## Mission Statement

*To effectively utilize available resources to provide excellent legal and risk management services, consistent with the highest professional and ethical standards, to the Mayor and City Council, City departments, and boards and commissions, with the goal of protecting and advancing the City's interests.*

# The Ideal Candidate

The City Council seeks an engaged and skilled legal advisor to assist elected officials and staff in delivering outstanding service to the community. This responsive individual will have strong leadership, management, and organizational skills with a customer-oriented mind-set. The individual will serve as a trusted partner and creative problem solver providing alternatives that advance organizational priorities and goals while ensuring the City is protected from possible liability and risk.

Fremont's City Attorney will have exceptional interpersonal skills with the ability to mentor and support a cohesive team environment along with proven success in establishing and maintaining strong relationships with City staff. The City Attorney will be an impactful communicator capable of delivering complex legal material and opinions in a clear, concise, and



understandable manner to a diverse audience. This down-to-earth and approachable professional will work with internal stakeholders to implement the City Council's policy direction with the best possible outcomes for the community in mind.

The ideal candidate will have a thorough understanding of general municipal law, including land use law, the California Environmental Quality Act (CEQA), the Brown Act, the Public Records Act, and the Political Reform Act. Experience in the field of labor and employment law would also be helpful. A successful City Attorney will be capable of educating and assisting the City Council in facilitating compliant and productive meetings that support constructive dialog and well-informed decision making. This confident and forthright individual will be comfortable speaking up and providing their legal advice to assist staff and the City Council in furthering community priorities and organizational goals.

The individual selected will be a versatile and collaborative leader with the ability to respond quickly in an ever-changing, demanding environment and effectively lead a high-performing team in being responsive to the City's legal needs. The City Attorney will have strong organizational skills and be familiar with available technology and modern law office business practices that can enhance office efficiency and productivity. A history of valuing the importance of consistent follow-through will also be expected.

Participating in all City Council meetings, council briefing sessions, and the City's executive team meetings, this individual must be well informed on current issues facing Fremont to adeptly contribute when developing strategies and solutions on a wide variety of matters. Demonstrating an accessible and flexible leadership style, this politically astute professional will set an example for staff in offering unbiased and contemporary alternatives for decision makers that address real-world challenges faced by the City.

Extensive executive or senior level experience in municipal law serving as a City Attorney, Assistant City Attorney or equivalent experience for at least 8 years is desirable. Experience that provides the competency necessary to address complex, innovative issues in a fast-paced environment is preferred. Candidates must possess a Juris Doctor degree from an accredited law school and maintain active membership in the State Bar of California.

# Compensation & Benefits

Compensation will be based upon experience and qualifications. Fremont's salary is supplemented by an attractive benefits package. Benefits provided to the City Attorney include but are not limited to:

## Retirement - CalPERS Retirement System

- 2 % at 60, three highest years for "CLASSIC" members. Employees pay 7% of member rate on a pre-tax basis.
- 2 % @ 62, three highest years for "NEW" members. Employees pay 6.75% of member rate on a pre-tax basis.

## City Paid Health Benefits Allowance – Monthly allowance of \$2,350 towards medical, dental and vision programs.

- Employees are eligible to receive up to \$580 per month if full allowance is not allocated towards health programs.

**Retiree Medical** – Reimbursement program available based on years of service. Consideration will be given for prior years of public agency experience.

**Employee Assistance Program** – Program provided.

**Life Insurance and Long-term Disability** – Maximum life insurance coverage of \$250,000 and LTD coverage provided.

**Annual General Leave** – Employees accrue 128 hours of annual general leave initially, increasing to 188 hours after 16 years of service. Consideration will be given for prior years of public agency experience.

**Holidays** – 12 fixed holidays, 1 floating holiday.

**Management Leave** – 112 hours initially, increasing to 124 hours after 11 years of service.

**Deferred Compensation Programs** – City may contribute towards a 401(a) program and 457(b) plan annually as part of a total compensation package.

**Reimbursement of relocation expenses** – Reimbursement of certain relocation expenses may be considered.



## APPLICATION AND SELECTION PROCESS

The closing date for this recruitment is **Sunday, October 10, 2021**. To apply for this opportunity, upload cover letter, resume and a list of six professional references using the "Apply Now" feature at [www.tbcrecruiting.com](http://www.tbcrecruiting.com).

**TB&CO.**

**Suzanne Mason • 562.631.2500**

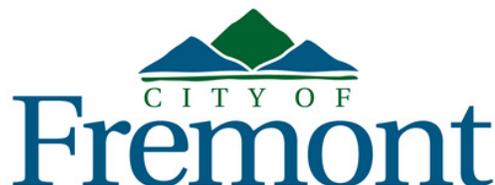
**Teri Black • 424.296.3111**

**TERI BLACK & COMPANY, LLC**

[www.tbcrecruiting.com](http://www.tbcrecruiting.com)

Following the closing date, resumes will be screened in relation to the criteria articulated in this brochure. Applicants with the most relevant qualifications will immediately be granted preliminary interviews by the consultants. Candidates deemed to be the best qualified will be invited to interview with the City Council in November with a selection anticipated shortly thereafter. The top candidate will undergo thorough background and reference checks. Please note that references will not be contacted until the end of the process and, at that time, will be done so in close coordination with the candidate impacted.

*The City of Fremont will coordinate interview activities in accordance with public health orders related to the COVID-19 pandemic.*

**CITY OF  
Fremont**