



The City of Fremont, California

invites your interest in the position of



Senior Deputy City Attorney or Deputy City Attorney



Recruitment Services Provided by Ralph Andersen & Associates



Opportunity for a Skilled Professional

The City of Fremont is seeking a public sector attorney to join its legal team. This recruitment effort is intended to attract candidates for consideration who have excellent communication and analytical skills, excel in a fast-paced and dynamic environment, and have the experience needed to more fully establish an in-house employment law practice to support a vibrant citywide municipal operation.

Under the direction of the City Attorney, this position will be focused on employment law including personnel matters and labor relations. This position may be filled at the Senior Deputy or Deputy City Attorney level based on experience. Additionally, this legal professional will be involved in developing and refining personnel policies, including those focused on furthering the City's diversity, equity, and inclusion goals across all city departments, as well as working on special projects as assigned by the City Attorney.

The Community

Centrally located and serving as the eastern anchor of the Bay Area and Silicon Valley, the City of Fremont prides itself on being a vibrant and strategically urban community. Fremont is an ethnically and culturally diverse city of approximately 229,467 people with an area of 92 square miles, making it the fourth most populous city in the San Francisco Bay Area and the 15th largest City in California.

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. Fremont boasts over 42 million square feet of office, R&D, manufacturing, and warehouse building space. It is home to over 1,200 innovative high tech, life science, and clean technology firms including Tesla Motors, Lam Research, Thermo Fisher Scientific, Boehringer Ingelheim, and Facebook, 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.

Fremont residents enjoy a moderate climate, high rates of home ownership and educational achievement, a nationally recognized and highly rated public school system, and low crime and unemployment rates. With so much to offer, it's no surprise that Fremont is frequently recognized as an ideal place to live and work.



The Organization

The City of Fremont is a full-service general law city operating under a Council-Manager form of government that combines the civic leadership of elected officials with the managerial experience of an appointed City Manager. Policy-making and legislative authority are vested in a seven-member city council. Six Councilmembers are elected on a by-district basis, with the Mayor separately elected to a four-year term by a citywide vote.

The City Council appoints the City Manager and City Attorney. The City Manager is responsible for implementing City Council policy and administering the day-to-day operations and affairs of the City in a businesslike and prudent manner. The City Attorney serves as chief legal advisor to the City, providing transactional and litigation services to the City, as represented by the City Council, City advisory bodies, and City departments.



The City of Fremont is an organization of approximately 1,019 full-time dedicated employees and supported by a FY 2023-24 General Fund budget of \$278.1 million. City operations are organized into the following departments: City Manager's Office, City Attorney's Office, Community Development, Community Services, Economic Development, Finance, Fire, Human Resources, Human Services, Information Technology Services, Police, and Public Works.

The City Attorney's Office

The City Attorney's Office provides legal advice to the City Council, City advisory bodies, and City staff on the legal propriety of proposed municipal actions. The City Attorney's Office is a five-attorney office consisting of the City Attorney, Senior Deputy City Attorney II (2), Senior Deputy City Attorney (1), and one vacant attorney position to be filled at the Senior Deputy or Deputy City Attorney level. The City Attorney's Office also consists of support staff and the Risk Management Division responsible for administration of claims filed against the City, the workers' compensation program, insurance program, and employee safety program.

The following key areas represent the overarching responsibilities of the Office of the City Attorney:

- Serve as the legal strategist and advisor to the 7-member City Council, City boards and commissions, and City staff;
- Provide legal advice and support to all operating departments within this full-service City including police and fire;
- Involvement with all aspects of employee relations including support with labor negotiations;
- Provide risk management services through the Risk Management Division;
- Draft and review leases, ordinances, deeds, insurance, bonds, resolutions, contracts, and other legal documents; and
- Prosecute all violators of the City ordinances and represent the City in all legal actions and proceedings.

The Position

The position of Senior Deputy/Deputy City Attorney will report to the City Attorney and exercises professional judgment in formulating legal advice with a primary focus on employment law. In addition to employment law, this position is well suited to an individual who also has a working knowledge of municipal law basics, including the Brown Act, the Political Reform Act, and the Public Records Act. Although responsibility for management of professional and administrative staff remains with the City Attorney, the Senior Deputy/Deputy City Attorney may provide technical or functional supervision to support staff.

This position will be the primary point of contact to provide legal advice and opinions to the City operating departments and associated staff members on employment related issues. In addition to California laws, specific knowledge of Federal employment laws, and policies including anti-discrimination laws is also desired.

This position will be directly involved in employee and labor relations on a day-to-day basis for all city-wide classifications including public safety (police and fire). While labor negotiations with the City's nine labor unions is generally handled by the Human Resources Department with support from outside legal counsel, the Senior Deputy/Deputy City Attorney will liaison with responsible City staff at a policy level to support the direction of the City Council.

Other responsibilities for this position include:

- Perform legal research and provide legal opinions and advice regarding various employee and labor relations as well as employment laws impacting the City.
- Draft and/or review legal documents including ordinances, resolutions, administrative regulations, and contracts.
- Prepare and edit staff reports to Council and commissions.
- Participate in multi-departmental teams to evaluate workplace issues related to employment and recommend and implement solutions.
- Provide training to City staff and City officials to summarize and update issues of employment law; equity and inclusion in recruitment and selection; and best practices in municipal employment law.
- Advise City staff on the investigation of employment claims and complaints by or against the City and recommend action to be taken.
- Work with outside legal counsel on, or occasionally represent the City in, employment litigation, arbitrations, administrative hearings, mediations, and other negotiations, including the establishment and implementation of litigation and negotiation strategies.

The Ideal Candidate

In addition to the general qualifications listed above and on the job description, the ideal candidate will have at least three years of concentrated experience in labor and employment law in the public sector, including trial practice in court or PERB, arbitrations, contract negotiations, progressive discipline, internal investigations, administrative hearings, FMLA and similar leave policies. Although employment lawsuits are regularly assigned to outside counsel, litigation experience is highly desirable.

Exceptional communication, analytical, and interpersonal skills is necessary to thrive in this dynamic, fast-paced, and high-performance organization. The ideal candidate is a confident and engaging professional who can build internal relationships with department staff and has experience working with sworn personnel. Curiosity and a keen desire to take on special projects in support of the City Attorney and to assist in other areas of municipal law is key to the position.

The ideal candidate will also have the following personal traits and characteristics: embraces the core values of integrity, honesty, and leading by example; demonstrates a strong work ethic; possesses a collaborative and solution-oriented style that promotes effective and efficient resolution of matters; is a thoughtful legal professional who listens first, seeks input, and evaluates controversial situations and presents options in a clear and concise fashion; is approachable with a can-do attitude and customer service approach; embraces and practices equity, diversity, and inclusion in the workplace.



Qualifying Criteria

Candidates must possess a Juris Doctorate from a fully accredited law school and active membership in good standing with the State Bar of California. Candidates should have at least six years of municipal law experience to qualify at the Senior Deputy City Attorney level or three years of experience at the Deputy City Attorney level, working in the office of a city attorney, county counsel, special district counsel, or a private law firm providing legal services to local government clients. Employment law experience with a governmental agency is desirable. In addition, experience as a litigator or dealing with administrative proceedings is highly desirable.

Knowledge, Skills, and Abilities

- **Knowledge of:** employment law including all aspects of employee and labor relations that would be typical in a local government agency; municipal law including the Brown Act, the Political Reform Act, and the Public Records Act.
- **Skill in:** identifying and competently analyzing legal issues; providing well-reasoned and practical legal advice using sound judgment; concisely and effectively explaining complex issues, and persuasively advocating positions; composing and editing a high volume of documents in a timely manner, while maintaining high quality work product; and making professional and effective presentations at public meetings.
- **Ability to:** organize and prioritize work assignments in a fast paced work environment; take initiative to assist clients in innovatively achieving goals, while knowing when to inform supervisors of questions or legal risks; effectively resolve disputes through litigation, arbitration, mediation, and administrative hearings; think and act strategically, recognizing patterns of legal issues in order to recommend and assist in the implementation of systematic improvements to operations or policies; establish and maintain cooperative, professional, and effective working relationships with others; continuously update and develop knowledge of principles of municipal law; perform required services with minimal clerical support and supervise clerical staff as available for projects; act with loyalty, integrity, and positive energy; and maintain high ethical standards.



Compensation and Benefits

The City of Fremont offers a competitive salary and benefits program. This position may be filled at the Senior Deputy City Attorney or at the Deputy City Attorney level based on overall qualifications and years of experience:

- **Senior Deputy City Attorney:** Annual salary range is \$164,176 to \$221,655.
- **Deputy City Attorney:** Annual salary range is \$147,456 to \$199,059.

The salary range is scheduled to receive a 4% increase in July 2024.

Hybrid Work Schedule: The selected candidate will be offered a hybrid telework schedule that includes two anchor days in the office (Tuesday and Thursday) and one additional (flex) day in the office allowing for two days working from home each week. This anticipated schedule may be periodically altered, as needed based on the needs of the City Attorney.

The City of Fremont's benefits program includes:

Retirement: CalPERS Program

- 2% @ 60, three highest years for "classic" members hired on or after 4/8/12 (employee pays 7% of pre-tax member contribution)
- 2% @ 62, three highest years for "new" members under the Public Employee Pension Reform Act (employee pays 6.75% of pre-tax member contribution)

City Paid Health Benefits Allowance: \$2,500 monthly allowance is provided towards health benefits: medical (CalPERS), dental, and vision. Effective, January 1, 2024, the monthly allowance will increase to \$2,600. 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.

Life Insurance and Long-term Disability: Maximum life insurance coverage of \$100,000 and LTD coverage is 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.

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

Holidays: 13 fixed days and 1 floating holiday.

Deferred Compensation Plans: City contributes 2% of base salary towards 401(a) plan annually. A voluntary 457(b) deferred compensation plan is also available.

Tuition Reimbursement: Up to \$20,000 (based on eligibility requirements).

Application and Selection Process

Candidates are encouraged to **apply immediately** by submitting a cover letter and comprehensive resume to apply@ralphandersen.com. This recruitment is open until filled with the first review of resumes to occur on November 17, 2023.

This is a highly confidential process. Professional references will be contacted later in the process once mutual interest has been established. A detailed and completed release form will be required by top candidates to verify employment, education, and other verifications, as appropriate.

If you have questions or would like to discuss the opportunity further, please call Ms. Heather Renschler at (916) 630-4900. Confidential inquiries are welcomed. Additionally, requesting a specific date/time to discuss this career opportunity may be arranged by sending an email to: scheduling@ralphandersen.com.



The City of Fremont is an Equal Opportunity Employer

www.fremont.gov