

CITY ATTORNEY

City of Berkeley, CA





THE COMMUNITY

The City of Berkeley covers approximately 10 square miles with a population of 112,000 residents. The population is highly educated and ethnically, economically, socially and politically diverse. Berkeley is noted for its activism and community involvement.

Sheltered by rolling hills and bordered by the San Francisco Bay, Berkeley enjoys a mild climate year-round. Acres of open space, neighborhood parks and City bike lanes offer numerous opportunities to explore the outdoors. The mild coastal climate allows the community to enjoy Berkeley's wide variety of recreational and leisure opportunities whatever the season.

Berkeley has a wealth of cultural life, and there is much to enjoy within the City's few square miles. The public marina, panoramic bay views, international shops and restaurants, arts / theater district, and the UC Berkeley campus are but a few of its attractions. Berkeley's beautiful setting, pleasant climate, and recreational and cultural activities offer a wide variety of leisure opportunities.

Berkeley is only 12 miles from the shops, restaurants and entertainment of San Francisco, and the Bay Area Rapid Transit (BART) train system and the ferry at Oakland's Jack London Square provide easy access between the two. Getting around within Berkeley is easy on foot, by taxi, or via public transportation. The City is served by three BART stations, a network of buses, and the UC Berkeley campus shuttle.

CITY GOVERNMENT

The City of Berkeley operates under its own charter with a Council/Manager form of government. The City Council consists of eight Councilmembers, elected by districts for four-year terms, and one Mayor, elected "at large" for a four-year term. The City of Berkeley provides a comprehensive set of services to the community. In addition to the traditional municipal services, the City operates its own Health, Housing & Community Services Department providing public health, mental health and environmental health services to the community. The City operates its own residential and commercial solid waste collection, recycling and disposal service. The City's Parks, Recreation and Waterfront Department offers a number of summer camps, and operates a 1,000 berth marina. The City's FY 2017 budget is \$334.5 million, of which \$161.5 million is allocated from the General Fund. The City has a workforce of 1,324 employees.

The City Council has identified several priority areas that will be the focus of City staff during the next several years: maintaining a balanced budget and focusing on efficient service delivery, homelessness, developing affordable housing, and responding to health disparities in the community, improving the City's aging infrastructure (streets, sewers, buildings), improving the City's economy through economic development efforts, enhancing diversity within the City organization, and implementing resilience and sustainability strategies.

For more information, visit www.ci.berkeley.ca.us.

THE CITY ATTORNEY'S OFFICE

The City Attorney's Office provides legal support to City government. Its client is the City of Berkeley, speaking through the City Council, and its mission is to ensure that the City conducts its affairs in a manner that complies with law while accomplishing its goals as determined by the City Council and voters, and to minimize its liability. The City Attorney determines the merits of claims and defends against suits filed, while also filing suits on behalf of the City. The City Attorney's office advises the City Council and City departments, and represents the City in lawsuits where the City is a party. The City Attorney strives to advance the City's legal interest by aggressively prosecuting and defending civil actions or by settling claims and suits, based on an impartial evaluation of their merits. There are 8 attorneys, including the City Attorney, 2 paralegals and 3 support staff in the City Attorney's Office.

THE POSITION

The City Attorney is an at-will position that reports to the City Manager. The City Attorney acts as the Chief Legal Officer of the City and is responsible for all aspects of the City's legal work, whether performed by professional staff or outside counsel. In addition, this individual acts as the legal representative for all elected and appointed officials and City departments. Responsibilities also include personally handling sensitive and complex legal matters and rendering advice and opinions to the City Council, Boards and Commissions, the City Manager and others and supervising professional and support staff. The City Attorney's Office is fast-paced with a demanding workload. This position is open due to the planned retirement of the incumbent.

Major Responsibilities

- Provide expert counsel and defensible opinions on various land use issues, including:
 - Land use and zoning issues in a compact urban environment;
 - Affordable housing policies and fees;
 - California Environmental Quality Act (CEQA) compliance; and
 - Revision of Berkeley's Zoning Ordinance.
- Defend Berkeley's status as a sanctuary city.
- Assist with Council's adopted initiatives on affordable housing and homelessness.
- Take on novel legal issues and vigorously defend the City in litigation.
- Implement the goals set forth in the City's Strategic Plan.
- Nurture and develop attorney staff; provide mentorship and guidance.
- Provide legal advice to Mayor and Council on Brown Act, Public Records Act and other laws related to governance.
- Attend all City Council meetings and provide legal advice as necessary.
- Work collaboratively with Senior Executive Leadership on varied and complex legal issues to further the City's goals.

THE IDEAL CANDIDATE

The ideal candidate will be a trusted advisor and highly intuitive professional who embodies the perfect blend of legal expertise and business savvy. He/She will be a strategic and collaborative team player who is intuitive, politically astute, respectful, and approachable. This person will have exceptional writing skills, the ability to think and act quickly, and a strong commitment to community service in a progressive environment. To blend well with the culture of the organization, the next City Attorney should be a possibilities thinker who has a "no fear" attitude, a calm demeanor, and a good sense of humor. Finally, this individual must be a hard worker with the confidence and humility to remain neutral.

Education and Experience

Graduation from a college or university with an appropriate law degree and eight (8) years in the practice of law AND four (4) years experience managing and supervising a professional staff is required. Experience in a municipal setting is desirable.

Other Requirements

- Must possess a valid California driver's license and have a satisfactory driving record
- Must be a current member of the California State Bar Association
- Must be willing to attend evening meetings

COMPENSATION & BENEFITS

The salary for this position is \$156,588 to \$211,164 annually. Placement within the range will be dependent on qualifications. The City of Berkeley also provides a very generous benefits package to its employees. For this position, it includes:

Retirement

CalPERS - City employees are included in the California Public Employees Retirement System (CalPERS). Retirement formula is either 2% at age 62, or 2.7% at age 55 depending on the individual's eligibility. Employees are vested in CalPERS after 5 years of full-time service.

SRIP - The City contributes 6.7% of the employee's salary (up to a maximum annual salary of \$32,400) into a 401(a) Supplemental Retirement Income Plan account (SRIP). The City is not a member of Social Security, therefore only the Medicare portion is deducted from employees' salaries.

Deferred Compensation

Three voluntary deferred compensation 457 plans are offered. Employees may contribute up to \$18,000 per year on a pre-tax basis.

Medical Plans

The City offers a choice of a Kaiser HMO Plan or Sutter Health Plus Plan. The City contributes up to the full family premium for the Kaiser HMO Plan. Employees may pay additional premium costs if they choose the Sutter Health Plus Plan. Employees who have medical coverage under another plan may choose to waive City-provided medical coverage and receive a monthly stipend.

Dental Plan

The City provides group dental benefits through Delta Dental Plan of California. The City contributes up to the family coverage for the plan, which covers 90% of the dental charges up to \$3,000 annually per person. Orthodontic benefits are offered at a \$3,000 lifetime maximum per person. Employees who have dental coverage under another plan may choose to waive City-provided dental coverage and receive a monthly stipend.

Life Insurance

The City provides employees with a \$25,000 Life Insurance and Accidental Death & Dismemberment policy. Employees have the option to purchase additional term life insurance up to a maximum of \$300,000.

Sick Leave

Twelve days of paid sick leave earned annually.

Vacation

Vacation is accrued at the following annual rate: Two weeks per year for the first two years; Three weeks in years 3 – 5; Four weeks in years 6 – 17; Five weeks in years 18 – 24; Six weeks in 25 years and after.

Holidays

Thirteen regular holidays and three floating holidays annually.

Administrative Leave

50 hours of Administrative Leave annually.

Long-Term Disability

The City provides long-term disability insurance that provides partial income replacement in the event of disability. Benefit is paid at 60% of salary.

Retiree Medical Coverage

The City pays a portion of the medical premiums of the retiree and eligible spouse or domestic partner based upon years of service. Requires at least 8 years of CalPERS service with the City and is at least age 55.

YMCA Membership

The City subsidizes the services for most employees by paying for 75% of the membership fee. Employees who choose to join, pay for the remainder of the fee. The Berkeley Downtown YMCA is across the street from the Civic Center Building.

Transit Subsidy

The City provides annual free Eco-pass for AC Transit, and an IRC 132(f) plan for transit vouchers where employees may set aside pre-tax income to pay for public transportation expenses. City contributes \$20 per month to the plan for employees using public transportation.

HOW TO APPLY

Please apply on-line by March 24, 2017 at www.alliancerc.com. The tentative interview dates for this position are Monday, April 17, and Tuesday, April 18, 2017. All applicants are requested to hold these dates open on their calendars while they await responses to their submittals.

For questions and inquiries, please contact Cindy Krebs or Sherrill Uyeda.

Cindy Krebs

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or **Sherrill Uyeda**

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