



Office of the City Manager

CONSENT CALENDAR
May 30, 2017

To: Honorable Mayor and Members of the City Council
From: Dee Williams-Ridley, City Manager
Subject: Appointment of City Attorney

RECOMMENDATION

Adopt a Resolution confirming the appointment of Farimah Faiz Brown as City Attorney to be effective July 10, 2017.

FISCAL IMPACTS OF RECOMMENDATION

The salary and benefits for the City Attorney are included in the Fiscal Year 2018 Department Budget. The position is paid 100% from the General Fund (budget code 010-1701-410-11-01). The monthly salary is \$16,250.

CURRENT SITUATION AND ITS EFFECTS

In January 2017, City Attorney Zach Cowan announced he will retire on July 28, 2017, after almost twenty-four years of service with the City. The City retained Alliance Resource Consulting to conduct a statewide search for a new City Attorney.

In accordance with the City Charter, Section 28(b) of Article VII, I am submitting my selection for the City Attorney to the City Council for confirmation. I have selected Farimah Faiz Brown for appointment to the vacant City Attorney position, to be appointed with a monthly salary of \$16,250. I am requesting confirmation of this appointment so that I may formally offer this regular at-will benefited department head position to Ms. Brown to be effective July 10, 2017.

BACKGROUND

The City Attorney's Office provides legal advice to the City in order to minimize liability and ensure conformance to legal requirements. 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 all City departments, and represents the City in lawsuits where the City is a party. The Office handles advice and litigation in all areas of the City's operations. There are a total of 13 FTE in the City Attorney's Office, including attorneys and support staff.

RATIONALE FOR RECOMMENDATION

Farimah Faiz Brown received her BA in Psychology from the University of California at Berkeley and her law degree from Hastings College of the Law. She began her practice

of law as a Deputy City Attorney at City of Livermore City Attorney's Office. She worked there four years and advised and represented the City on a broad range of municipal law issues, including land use, housing, public contracting, construction and leasing of public facilities, the Public Records Act, Brown Act and conflict-of interest laws.

Ms. Brown worked at the Oakland City Attorney's Office from 2004 through 2007 as a Deputy City Attorney III specializing in land use issues, including CEQA, planning and zoning, affordable housing, and Subdivision Map Act matters. She also advised the City Council, Planning Commission, and numerous departments, including the Planning Department. She also represented the City of Oakland in court in cases challenging the City's land use decisions.

Since 2007, Ms. Brown has been a Senior Assistant City Attorney for the City of Alameda. She is the lead land use lawyer and the primary attorney on the redevelopment of the Superfund Site at the Alameda Point Naval Air Station. She was the point person on the negotiations and transactions with the U.S. Navy, Environmental Protection Agency, California Water Board, the San Francisco Bay Conservation & Development Commission, as well as with affordable housing and environmental advocates. She also has extensive experience advising the Alameda City Council, Planning Board, Community Development Department, Public Works and other departments on all aspects of municipal law, including planning and zoning, CEQA, Brown Act and Public Records Act.

Ms. Brown has extensive experience in land use and other municipal law issues. She is highly respected in the City Attorney community.

ENVIRONMENTAL SUSTAINABILITY

There are no identifiable environmental effects or opportunities associated with the subject of this report.

ALTERNATIVE ACTIONS CONSIDERED

A recruitment process was conducted and other candidates were considered for the position.

CONTACT PERSON

Dee Williams-Ridley, City Manager, City Manager's Office, 981-7000

Attachment:

1: Resolution

RESOLUTION NO. ##,###-N.S.

CONFIRMING THE APPOINTMENT OF FARIMAH FAIZ BROWN AS CITY ATTORNEY

WHEREAS, Farimah Faiz Brown is currently a Senior Assistant City Attorney for the City of Alameda and has over sixteen years of municipal law experience. She has significant experience representing local government in the areas of Land Use, CEQA, Brown Act, Public Records Act, and Conflict of Interest, as well as other municipal law matters; and

WHEREAS, Ms. Brown also worked as a Deputy City Attorney in the Livermore and Oakland City Attorneys' Offices, and provided advice and representation on all areas of municipal law; and

WHEREAS, Ms. Brown has excellent legal credentials, background and training and is well respected throughout the Bay Area city attorney community; and

WHEREAS, Ms. Brown received her Bachelor of Arts from the University of California at Berkeley and her Juris Doctorate from Hastings College of the Law and is an attorney in good standing admitted to the State of California.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that it hereby confirms the City Manager's appointment of Farimah Faiz Brown as the City Attorney with a monthly salary of \$16,250 on the same terms and conditions as other, regular at will employees, as set forth in the Unrepresented Employee Manual effective July 10, 2017.

