

CITY OF SEBASTOPOL CITY COUNCIL
AGENDA ITEM REPORT FOR MEETING OF: June 4, 2024

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To: Honorable Mayor and City Councilmembers
From: Mary Gourley, Assistant City Manager/City Clerk
Deborah Muchmore, Muchmore Than Consulting, HR Consultant
Subject: Interviews – City Attorney Services

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RECOMMENDATION: This item is to request the City Council conduct interviews for City Attorney Services as follows:

1. 9:15 am Colantuono Highsmith Whatley, PC
2. 10:30 am Redwood Public Law
3. 11:45 am Adams, Silva, and McNally LLP
4. 1:15 pm Prentice Long

To protect the integrity of the interview process, interview questions will be asked in an oral format by Councilmembers and are not included in this staff report.

EXECUTIVE SUMMARY:

The City of Sebastopol issued Request for Proposals (RFPs) for City Attorney Services and received four Proposals as of the deadline. City staff and Human Resources Consultant have reviewed the proposals, and all were responsive and meet the requirements to provide City Attorney Services.

BACKGROUND:

The City Council is the hiring authority for the City Attorney per the City Municipal Code. It is anticipated that the material provided in the Statements of Qualifications, Council interviews with the firms, potential follow-up interviews, as well as references, will be the determinative factors in selecting counsel. The fee arrangements proposed by firms are important, as well as experience, service delivery, communications, and other qualifications of the firm. Following the interviews at this meeting, the Council will at a subsequent meeting select a firm or firms following a careful evaluation of all relevant information or direct staff to set up additional interview(s); or could reject all proposals and direct staff to conduct a second Request for Proposal process.

The role of the City Attorney

In addition to other roles related to the prosecution of misdemeanors, issuing subpoenas, and representation, the California Government Code defines the role of a City Attorney in sections 41801 – 41805 as:

- 41801. *The City Attorney shall advise the City officials in all legal matters pertaining to city business.*
- 41802. *The City Attorney shall frame an ordinance or resolution required by the legislative body.*
- 41803. *The City Attorney shall perform other legal services required from time to time by the legislative body.*

Sebastopol’s City Attorney must also:

- Provide clear and concise legal advice and consultation as requested, to the governing body and staff within a mutually agreed upon time frame.
- Attend City Council meetings and be prepared to advise the Council and Staff on matters on the agenda as well as parliamentary procedure and substantive issues that arise during the meeting.
- Attend City Council Commission, Board, Committees and other meetings as needed.

- Prepare occasional reports and present information at public meetings.
- Provide guidance and training with regard to the Brown Act, Conflict of Interest, CEQA, Political Reform Act, Public Records Act, Law, parliamentary procedure, ethical law advice and analysis, election matters, tort liability and risk, due process and other legal requirements imposed by statute and common law, municipal employment practice, and good governance to public officials, elected, appointed officials and City staff.
- Provide designated office hours or times of availability, as agreed to with the City Council.
- Prepare, review, and revise staff documents, including, but not limited to, initiation of memoranda concerning legal issues, contracts, agreements, ordinances, resolutions, land use decisions including appeals, public improvements, easements, dedications, rights-of-way, and City Council staff reports.
- Represent, coordinate and/or advise the City in litigation not covered by REMIF, CIRA or LWP or otherwise handled by outside counsel.
- Represent the city in litigation and oversee coordination with special legal counsel on all City litigation including oversight of the City's risk management program
- Provide legal advice and assistance to operating departments.
- Review compliance with public records for public records requests, records destruction and assist with contract development. Provide and maintain templates for contracts, agreements and other documents so that staff can prepare these items with minimal or no need for legal review.
- Provide legal advice and assistance to various City Commissions and Boards.
- Perform legal work related to land use issues.
- Manage outside counsel as requested.
- Research municipal or other legal matters as requested by the City Council and at times City Manager or City Manager designee.
- Prepare an estimated legal budget for inclusion into the City's annual adopted budget.
- Monitor pending and current state and federal legislation and court decisions, as appropriate, and provide written updates on those that have the potential to affect the City. Provide suggested action or changes in operations or procedures to assure compliance.

ANALYSIS:

City staff and the City's human resources consultant have reviewed the proposals and determined that all four firms meet the qualifications to provide City Attorney Services

The City's human resources consultant contacted references provided by each firm in their proposals and found positive results for all firms. The results of the reference checking process and the questions asked as of the date of May 29, 2024 are provided in the chart following this analysis. Respondents were asked to answer each question with a response of High, Adequate, or Low. The final question asked, "How would you characterize the advice of the attorneys or firm." For that question the responses were On Point, Conservative, or Risky. With few variations, the references for all proposers were good.

Questions Asked	Adams, Silva, McNally	Colantuono, Highsmith & Whatley	Prentice Long	Redwood Public Law
How responsive are Attorneys and Firm to City Council, City Manager, and City staff requests for legal advice?	High x 3	High x 3	High x 2 Adequate x 1	High x 3
Are the written communications and oral presentations of the firm or representing attorney clear, concise, timely, and useful?	High x 3	High x 3	High x 3	High x 3
How much confidence and trust do you have that the advice and guidance provided by the Attorneys and Firm is consistently correct sharing all risk factors objectively, and providing sound, useful guidance?	High x 3	High x 3	High x 3	High x 3
How available are the Attorneys and Firm for in person Council, Planning Commission, and other meetings?	High x 3	High x 3	High x 3	High x 3
Is the advice of the Attorneys and Firm useful and provided with an understanding of Council objectives and political, social, and practical aspects of issues.	High x 3	High x 3	High x 3	High x 3
Has the Attorneys and Firm managed costs and of general counsel, staff counsel and support services, and outside counsel effectively and efficiently?	High x 3	High x 3	High x 3	High x 2 Adequate x 1
In your experience, have the Attorneys and Firm respected and facilitated Council's decision-making process and effectively carried out Council directives?	High x 3	High x 3	High x 3	High x 3
How have the Attorneys and Firm performed on complex and controversial issues in providing advice and counsel and representing the agency?	High x 3	High x 3	High x 3	High x 3
Do you feel the Attorneys and Firm understand their role and responsibilities in regard to the City Council, the City Manager, and City staff?	High x 3	High x 3	High x 3	High x 3
How would you characterize the advice of the Attorneys and Firm?	On Point x 3	On Point x 2 Conservative x 1	On Point x 3	On Point x 3

Proposal Information Follow Up

Staff followed up regarding the proposal information provided with supplemental questions. The questions supplemental questions asked and the answers to the questions are provided along with the proposals as attachments to this item.

COMMUNITY OUTREACH:

This item has been noticed in accordance with the Ralph M. Brown Act and was available for public viewing and review at least 72 hours prior to the scheduled meeting date.

FISCAL IMPACT:

There is no fiscal impact caused by conducting the interviews.

OPTIONS:

It is recommended that the Council conduct the interviews with the four firms that submitted proposals; and at a subsequent Publicly Noticed City Council meeting; select a firm or firms following a careful evaluation of all

relevant information; direct staff to set up additional interview(s); or reject all proposals and direct staff to conduct a new Request for Proposal process.

ATTACHMENTS:

Supplemental Questions and Answers

Proposals Attached in Order of Interviews:

- Colantuono Highsmith Whatley, PC
- Redwood Public Law
- Adams, Silva, and McNally LLP
- Prentice Long

APPROVALS:

Department Head Approval: Approval Date: 5-29-2024

CEQA Determination (Planning): Approval Date: 5-29-2024

The proposed action is not a project under the California Environmental Quality Act (CEQA)

Administrative Services (Financial) Approval Date: 5-29-2024

Costs authorized in City Approved Budget: Yes No N/A

Account Code (f applicable) _____

City Attorney Approval: Approval Date: 5-29-2024

City Manager Approval: Approval Date: 5-29-2024

Questions Asked	Adams, Silva, McNally	Prentice Long
How many in-person meetings (such as City Council or Planning Commission) does your proposal include? If none, how many would you be willing and able to attend and at what cost?	Our proposal is based on an hourly rate for legal services. We are willing to participate in necessary activities/meetings required by the City in our areas of expertise (human resources, labor/union negotiations, governance, and bidding/contract procurement). If counsel is required outside of our areas of expertise would also be billed at an hourly rate by attorneys at other firms that we would help identify and coordinate. Please see the proposed rate sheet for the hourly rates.	Our proposal is full service which includes attending all in-person meetings that are requested by the City. Our flat rate proposal is for approximately 55 hours per month, so if the meeting schedule is particularly robust, we may consider adjusting that as we reevaluate the contract going forward.
Is travel included in the rates or is there an additional cost and when does it apply?	Travel would be billed at the regular hourly rate. We do our best to actively work on matters for clients during travel to minimize cost. Additionally, the costs associated with travel would be billed to the City. Due to the expense associated with travel, we would attempt to utilize remote meeting options as often as possible.	Travel to Council and Planning meetings is included in the flat rate. If additional Travel is needed on behalf of the City, that would be at our hourly rate.
What is considered General Counsel and what is outside the City Attorney general counsel scope?	We consider anything within our areas of expertise (human resources, labor/union negotiations, governance, and bidding/contract procurement) to be general counsel services. Anything that is outside of our expertise we would need to contract with a secondary law firm.	The only areas we believe are outside of General Counsel services, and which we are not prepared to provide, are bond counsel and criminal consultation. As set forth in our proposal, litigation and labor negotiations would not be included in our flat rate proposal. The proposal submitted sets forth with more specificity which services would be better suited for flat rate and which would be better suited for hourly rate.
Do you require office space on site?	We do not require regular office space. If we are required to attend an in-person meeting at the City, we would request a space to work upon our arrival while waiting for the meeting and/or a space to work after the meeting before leaving town.	If the City would like us to perform office hours, it would be beneficial to provide us with an area to set up our computer and meet with Departments/Council.
What are your protocols for Council, City Manager, or staff reaching out for services and consultation?	Ideally, as General Counsel/City Attorney, we would have frequent and direct contact with the City Manager and department heads to discuss and assist with legal matters related to relevant City matters. Generally, we would typically send one-way communications to the Council on matters to be considered by the Council. At times, it is appropriate for General Council to have direct communications with individual Councilmembers.	Our goal is to meet the needs of Council and City Manager, so we typically follow your lead in how you want our services requested. We have a legal service request form which we can institute as a way to get a formal legal opinion, but we can also respond to phone calls and emails at your pleasure.
When push comes to shove, who do you work for the Council, the City Manager, the City?	As the City Attorney, we represent the City which is governed by the City Council.	We represent the City through the City Council as a whole.
Do you prefer one City contact or are you comfortable working with multiple contacts based on topic?	We are comfortable with working multiple contacts on matters.	It is the City's pleasure how to structure the agreement.
If the City considers a tax measure in an election, is counsel related to the measure part of General Counsel or extra services and at what hourly cost?	We would work with an affiliated law firm on any tax measures. The affiliated law firm would have its own billing/rate structure.	That is part of our flat rate, and we currently have four (4) that we are working on for other jurisdictions so good portion of the research and forms have already been created.
How would analysis of other ballot measures with effect on the City be billed (e.g., Rountable)?	We would work with an affiliated law firm on any ballot measures. The affiliated law firm would have its own billing/rate structure.	That would be included under flat rate.

Questions Asked	Redwood Public Law	Colantuono, Highsmith & Whitley
How many in-person meetings (such as City Council or Planning Commission) does your proposal include? If none, how many would you be willing and able to attend and at what cost?	We will attend all City Council meetings in-person. We will attend other meetings, including the Planning Commission, in-person whenever requested. Attendance of the City Attorney (or back-up) at these meetings is charged at the rate for general services.	We are willing to attend as many meetings as the City requires. The cost is treated differently under the two fee options we provided. Under the <u>Fixed Retainer model</u> , the time at the meeting is included as General Services for two (2) council meetings and one (1) planning commission meeting per month. Those meetings (totaling 3 per month) are included in the flat fee. After that, additional meetings would be charged at the special services rate. Under the <u>Hourly Rate model</u> , time at Council or Planning Commission meetings is charged as Basic/General services. The cost would be \$350/hr.
Is travel included in the rates or is there an additional cost and when does it apply?	Travel time to City meetings will be billed at 50% of the general services rate.	Under the <u>Fixed Retainer model</u> , travel time for two (2) council meetings and one (1) planning commission meeting per month are included in the flat fee. Firm is seeking reimbursement for transportation, lodging and mileage at cost and IRS rate. Additional meetings and other tasks requiring attendance would be at the ½ portal to portal general rate. Travel for litigation is at the litigation rate. Under the <u>Hourly Rate model</u> , travel to meetings, and general and special services are at the ½ portal to portal hourly rate (\$350), and litigation matters are at the litigation rate. Firm is seeking reimbursement for transportation, lodging and mileage at cost and IRS rate. Travel for litigation matters is proposed as portal to portal at the applicable hourly rate. Firm is seeking reimbursement for transportation, lodging and mileage at cost and IRS rate.
What is considered General Counsel and what is outside the City Attorney general counsel scope?	General Services are routine legal services related to the day-to-day operation of the City. Special services are non-routine matters involving specialized areas of law that require advanced expertise and specialized knowledge. Page 13 and Page 14 of the proposal include a detailed listing of what qualifies as general services and what qualifies as special services. Given the length, that information has not been copied here.	Pages 21 – 23 of our proposal describe those services. Those have been presented in Exhibit A to the attached at pp. 8 – 10. In short, General Services ("Basic Legal Services") would be attendance at City Council meetings (in person or zoom); review/preparation of ordinances, resolutions, agreements, and other documents of a routine nature; consultation with council and staff on routine legal issues; legal research and preparation of opinions of a routine nature; property acquisition/disposition issues (non-condemnation, inverse or litigation); monthly agenda review; and coordination with outside counsel. Litigation, Employment, and Special Services are "Extraordinary Services". Litigation includes any case brought by or against the city, code enforcement/compliance matters, and city prosecutor functions. Employment includes personnel issues, labor law, and employment law. Litigated matters would be at the litigation rate. Other Special Services include public financing (Prop. 218/26), taxation issues, and the Mitigation Fee Act; training seminars; public safety issues; Pitchess motions (police personnel document hearings); economic development agreements; eminent domain/inverse condemnation matters; CEQA advice; evaluation of coverage under insurance or risk program; water law; cannabis regulation; and other items not covered by general services. Preparing responses to Public Records Act requests is not general services but done at a reduced rate. There is no difference in services between the Fixed Retainer and Flat Hourly Rate models.
Do you require office space on site?	We do not require dedicated office space on site. We would request the use of a conference room or office at times so that we can meet with staff and Councilmembers (particularly on the days of Council meetings). However, if such space is not available, we will adapt.	No. We are self sufficient and do not require office space on site. We do appreciate a place in City Hall however, but do not require it. The vast majority of general counsel clients do not have dedicated office space in city hall for city attorney services and we are able to utilize conference rooms or other locations for meetings when on site. If the City would like dedicated office hours, we would need to set up a place such as a conference room to hold meetings on that day.
What are your protocols for Council, City Manager, or staff reaching out for services and consultation?	If retained, we will meet with the City Manager and Council to determine what protocols for requesting services are desired. We use different processes for different clients and can accommodate whatever protocols the City desires. For many of our clients, senior staff and councilmembers can reach out to us for services directly. For other clients, the protocol is for all requests to flow through the city manager. Additionally, some clients have a policy that if a councilmember requests a service that will take more than a specified amount of time, the request must come from the city council as a whole. We are willing and able to accommodate whatever protocol the City prefers.	Each would be given my cell phone number and encouraged to call any time of day. Same goes with email. We encourage communication. If the Council would like to establish a different protocol, we are OK with that too.
When push comes to shove, who do you work for the Council, the City Manager, the City?	As City Attorney, we report to the City Council. A collaborative and positive working relationship between the City Manager and City Attorney is valuable and important for the daily operations of the City. However, we take direction from the City Council not the City Manager, and will carry out the direction provided by the City Council.	The City Council. The City Council is elected to be the policy maker for the City and provide direction to the City Manager and City Attorney to carry out those policy decisions. While we work very closely with the City Manager, and we work for the good of the City as a whole, our employer is the City Council.
Do you prefer one City contact or are you comfortable working with multiple contacts based on topic?	We are comfortable working with multiple contacts and are happy to coordinate with as many individuals as the City desires.	We are comfortable with multiple contacts. We however will adjust to what protocol the City desires. Our typical communication protocol is the City Manager and City Attorney communicating for assignment of issues, then as needed the City Manager delegating such contact to Directors and other City personnel. Likewise, depending on the project the City Attorney delegates associates to communicate directly with city personnel.
If the City considers a tax measure in an election, is counsel related to the measure part of General Counsel or extra services and at what hourly cost?	Legal services related to City ballot measures, including tax measures, is considered a special legal service. The cost for special legal services is \$325-\$475 per hour, depending on the subject matter and attorney providing the services.	Taxation issues and election matters are Special Services. Under either fee model, the rate is \$395/hour.
How would analysis of other ballot measures with effect on the City be billed (e.g., Rountable)?	An analysis of how ballot measure might impact the City will either be special services or general services, depending on the complexity of the particular ballot measure and the level of analysis requested. For statewide ballot measures, we often analyze the general impact of measures for multiple clients, and the cost of that analysis is split between clients at the general services rate. However, an in-depth analysis of how a particularly complex measure will impact Sebastopol will be billed as a special legal service.	Analysis of the CBRT tax measure would be Special Services which under either fee model, the rate is \$395/hour. Analysis of other ballot measures may be General Services which under the Retainer model would be included in the retainer hours, and under the Hourly Rate model would be \$350/hour.

COLANTUONO
HIGSMITH
WHATLEY, PC

ANDREW L. JARED | (213) 542-5700 | AJARED@CHWLAW.US

May 1, 2024

VIA EMAIL

Mary Gourley
Assistant City Manager
7120 Bodega Avenue
Sebastopol, CA 95472
(707) 823-1153
mgourley@cityofsebastopol.gov

Re: City Attorney Services

Dear Ms. Gourley:

Thank you for the opportunity to propose our services as City Attorney for the City of Sebastopol. We at Colantuono, Highsmith & Whatley are very pleased to do so.

Colantuono, Highsmith & Whatley, PC, was founded in 2002 when several members of an established firm created the firm of Colantuono & Levin. We are regarded as one of the preeminent municipal law litigation and general counsel firms in the state. The firm has grown from its initial six members and one office, to where the firm now employs 34 attorneys, based out of five offices in Grass Valley, Sonoma, Pasadena, Solana Beach, and Sacramento. Services for Sebastopol will be provided out of the Sonoma, Sacramento and Pasadena offices.

As experts in municipal law, particularly in the area of fees, ratemaking and taxation, we are often called upon to litigate difficult cases where others have been unable to achieve results. We have represented over 140 public agency clients statewide.

We strive to provide legal advice that is Helpful, Understandable, and Reasonably Priced. We currently serve as City Attorney for Sonoma, Novato, Yountville, Lakeport,

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Martinez, Auburn, Grass Valley, Barstow, Calabasas, Ojai, Sierra Madre, Montague, Etna, Weed, and Yreka.

We are known for our depth of expertise in public revenues, land use and planning, elections, labor and employment, post-redevelopment, housing, public works contracting, utility services, CEQA, the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 and Local Agency Formation Commissions (LAFCos), cannabis regulation, special districts, public safety and police issues, code enforcement, conflicts of interests, the Political Reform Act, open meeting laws, and records laws.

We propose that Andrew L. Jared serve as your City Attorney, and Mackenzie D. Anderson as Assistant City Attorney. The remaining lawyers on our team will be available to assist as needed. This includes the firm's founding partner, Michael G. Colantuono, who is perhaps the state's leading expert on local government revenues, such as rates, fees, assessments, and taxes, and Propositions 13, 62, 218, and 26.

Mr. Jared holds a Juris Doctorate from Pepperdine University School of Law, a Masters of Science in Environmental Management from the University of London, and a Bachelor of Arts in Geography from University of California, Los Angeles.

He has over 20 years of experience as an attorney and since 2006 has been dedicated to municipal law. He is experienced in the full range of municipal topics cities face. He currently served as City Attorney for the Yreka, Montague, and Etna, and General Counsel for the Goleta Water District. He served as City Attorney of the cities of South Pasadena, Chico, and Pomona (Assistant / Acting City Attorney).

In reviewing the practice areas listed in the RFQ, there are no issues listed that Mr. Jared has not personally worked on during his career. His personal expertise lies in those listed in in the RFQ under General Municipal Specialty, and Real Property. Others in the firm primarily handle the Litigation Defense issues. His specialties are:

- Municipal Advisory
- Land Use/CEQA
- The California Public Records Act
- The Brown Act
- Public Contracting / Public Works
- Election Law
- Historic Preservation
- Housing Law and Homeless Issues

He serves on the Editorial Board for the League of California Cities / CEB publication *The California Municipal Law Handbook*, and has done so since 2015. This year, as editor of

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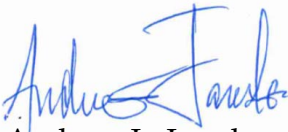
Chapter 10 on Land Use and Housing, he was responsible for revising the chapter to create an entirely new chapter on Housing. This new chapter—to be titled Chapter 14 Housing Regulation in the upcoming 2024 edition—enhances the scope of understanding about the numerous changes in housing law cities in California face over recent years. Prior editorial duties included chapters on Contracting and Public Works; and Ethics, Open Meetings, and Public Records.

Enclosed with this letter is a formal proposal that addresses the requirements of the Request for Qualification. Our firm is prepared to provide the full range of services the City Attorney may be called upon to provide.

We believe that CHW is the best choice for Sebastapol not only for our experience, knowledge and value, but also for the dedication that we bring to every client. Our goal is to achieve your goals and become a member of your team.

If we can provide any further information to assist your review of this proposal, please let us know. Thank you for the opportunity to propose our services.

Very truly yours,



Andrew L. Jared

ALJ:mlw

COLANTUONO
HIGHSMITH
WHATLEY, PC

**PROPOSAL TO THE CITY OF SEBASTOPOL
FOR CITY ATTORNEY SERVICES**

May 1, 2024

SUBMITTED BY:

Andrew L. Jared, Esq.
Colantuono, Highsmith & Whatley, PC
Telephone: (213) 542-5700

E-mail: AJared@chwlaw.us

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Executive Summary

Colantuono, Highsmith & Whatley, PC is unique for its approach in the delivery of legal services. Our core commitment is to provide advice our clients find helpful, understandable, and fairly priced. We understand the issues facing emerging communities, and the stresses places on City Councils to make difficult decisions balancing “progress” and “quality of life”. Ultimately, those are the Council’s decisions, and we stand ready to assist.

We are widely known for achieving positive results in the courts of appeal or trial courts for our special counsel clients, and for bringing that knowledge and experience to our general counsel clients. This starts with providing accurate and timely advice on a day-to-day business at the transactional and advisory level.

The firm has grown from its initial six members and one office, to now employing 34 attorneys, based out of five offices in Pasadena, Grass Valley, Sonoma, Solana Beach, and Sacramento. Services will be provided primarily by Andrew Jared and Mackenzie Anderson. We propose the following staff to assist the City:

City Attorney	Andrew L. Jared
Assistant City Attorney	Mackenzie Anderson
Chief Litigation Counsel	John Abaci
Deputy Litigation Counsel	Matthew C. Slentz
Paralegal	McCall Williams

Our administrative assistants and paralegals are valued members of the team. We have a talented team of administrative assistants and paralegals to provide secretarial, administrative, and clerical support that is crucial for our litigation and transactional practices.

We are adept at addressing the needs of full service and charter cities. Our firm is comprised of two practice groups:

- **Transactional/Advisory:** Our attorneys cover all City Council and Planning Commission meetings. We conduct annual trainings on the Brown Act, Public Records Act, conflict of interest laws, sexual harassment prevention, and recent changes in land use law. We also regularly advise cities and other public agencies on election law issues, from advising cities on initiatives and referendums, to preparing ballot measures, arguments for and against and, of course, impartial analyses. We regularly review and draft simple and complex

agreements including but not limited to agreements pertaining to real property (whether for acquisition or regulation), construction and subdivision agreements, professional services agreements, employment agreements, memoranda of understanding with bargaining units, and public works project bidding documents.

- **Litigation Practice:** Our firm represents public entities in matters from simple code enforcement to complex matters of first impression impacting cities on a statewide basis. A list of some of the significant appellate representations included as Attachment B.

Proposed Attorneys

We propose Andrew L. Jared to serve as City Attorney. Since 2006 he has been dedicated to representing public agencies throughout California. He has over twenty-five years of total legal experience. He holds a J.D. from Pepperdine University School of Law, an M.Sc. from the University of London in Environmental Management, and a B.A. from the University of California at Los Angeles in Geography.

He serves as City Attorney and Planning Commission Counsel to the Cities of Yreka, Etna, and Montague. He previously served as City Attorney to the City of Chico and City of South Pasadena. He served for 12 years as Assistant City Attorney in the City of Pomona, serving in a *de facto* City Attorney role for two years. He is an experienced legal advisor at public meetings and provides advice on the Brown Act, Political Reform Act, Public Records Act, parliamentary procedure and internal City Council policies and procedures that may arise. He has attended well over five hundred public meetings of City Councils and other public agencies as legal counsel. He is dedicated to public service, having served the City of Glendora as a Planning Commissioner for eight years and member of the Trails Committee for eight years.

We propose that Mackenzie Anderson serve as Assistant City Attorney. Ms. Anderson holds a J.D. from UC Berkeley School of Law, and a B.A. from Temple University. Ms. Anderson specializes in land use, CEQA, and public works matters. Ms. Anderson would serve in place of Mr. Jared in the event that Mr. Jared is unavailable.

Rounding out the team are litigation specialists John Abaci and Matthew Slentz, and paralegal McCall Williams.

The resumes of the team are included below.

Proposed City Attorney — Andrew L. Jared

Andrew Jared is Senior Counsel in Colantuono, Highsmith & Whatley’s Pasadena office. He has specialized in representing cities and other public agencies in every aspect of municipal law since 2006. Mr. Jared joined the firm in January 2020.

His extensive experience includes serving as City Attorney for the Cities of Yreka, Montague, Chico, Red Bluff (interim), and South Pasadena; Acting City Attorney/Assistant City Attorney for the City of Pomona; and Assistant/Deputy City Attorney for the cities of Pomona, Chico, and South Pasadena. He currently serves as City Attorney for the Cities of Yreka and Montague, and General Counsel for the Goleta Water District.



Education:

- J.D., Law, 2001, Pepperdine University, Malibu, CA
- M.Sc., Environmental Management, 1999, Wye College, University of London (Imperial College), Kent, UK
- B.A., Geography, 1993, University of California at Los Angeles, Los Angeles, CA

Bar Number: State Bar Number 216935

Admission Date: December 7, 2001

Admissions:

Supreme Court of the State of California
Ninth Circuit Court of Appeal
United States District Court, Central District of California
United States District Court, Eastern District of California

His practice covers the full range of public law issues, including land use, elections, conflicts of interest, open meetings law, CEQA, public works and public contracting compliance, labor and employment, cannabis regulation and enforcement, telecommunications regulation, and litigation. He has prepared hundreds of ordinances and resolutions, and attended over five-hundred public meetings. He is currently advising on the approval and certification of the 6th Cycle Housing Element for several cities. His practice has traditionally focused on land use issues including CEQA, General Plan approval, and adaptive reuse of sites. He has counseled clients on water contamination issues, and overseen outside counsel litigating MTBE, perchlorate, and

TCP 1,2,3 cases. He has counseled clients on labor law issues, employment law, employee relations, and reprimands and terminations. He began his career as a litigator in complex litigation matters. He continues to be involved in litigation matters to this day but primarily is focused on transactional and advisory work, while overseeing litigation counsel. Drafting and interpreting contracts is a daily activity for Mr. Jared. He is the primary reviewer of contracts and staff reports related to contracts for his general counsel clients. He has negotiated and interpreted franchise agreements for refuse, telecommunications, and public utility services. He has dealt with prevailing wage compliance issues, and public works delay claim cases. His strongest suit is negotiating resolution to complex legal disputes and conflict resolution.

He currently serves as the editor of Chapter 10 of the Municipal Law Handbook covering topics of Land Use and Housing. He has previously served as editor of Chapter 2 covering Conflicts of Interest, the Political Reform Act, Government Code section 1090, the Public Records Act, and the Brown Act; and Chapter 6 concerning Public Contracting.

PROFESSIONAL BACKGROUND:

City Attorney/General Counsel Positions Held:

- **City of Yreka**
 - City Attorney, May 2023 to Present
- **City of Montague**
 - City Attorney, August 2023 to Present
- **City of Etna**
 - City Attorney, January 2024 to Present
- **City of South Pasadena**
 - City Attorney, September 2021 to June 2023
 - Assistant City Attorney, February 2019 to August 2021
- **Goleta Water District**
 - General Counsel, July 2022 to Present
- **City of Red Bluff**
 - Interim City Attorney, February 2022 to April 2022
- **City of Chico**
 - Outside Special Counsel, March 2020 to Present
 - City Attorney, December 2019 to March 2020
 - Acting City Attorney, December 2018 to December 2019
 - Assistant City Attorney, February 2015 to December 2018
- **Banning Library District**
 - General Counsel, 2015 to 2019
- **City of Pomona**
 - Acting City Attorney and Planning Commission Counsel, 2016 to 2018

- Assistant City Attorney and Planning Commission Counsel, 2008 to 2016
- Deputy City Attorney and Planning Commission Counsel, 2006 to 2008

Publications

- **“Ballot Measures and Public Agencies”**,
Institute for Local Government (ILG) -- Annual update (2022)
- **“Ethics Law Principles for Public Servants: Key Things to Know”**,
Institute for Local Government (ILG) -- Annual update (2022)
- ***Municipal Law Handbook, CEB/League of California Cities***
Member, Chapter 2, Editorial Recommendations Subcommittee, 2023 – Present
Chair, Chapter 10, Land Use, 2024 – Present
Chair, Chapter 10 and 14, Land Use and Housing Regulation, 2023 – 2024
Chair, Chapter 2, Open Government & Ethics, 2021 – 2023
Chair, Chapter 7, Public Contracting, 2020 & 2021
Reviewer, Chapter 10, Land Use, 2007

Speaking Engagements

- “Homelessness Issues”, Concurrent Discussion Group, League of California Cities City Attorneys Spring Conference (May 2024)
- “Homelessness Issues”, Concurrent Discussion Group, League of California Cities City Attorneys Spring Conference (May 2023)
- “Public Records, Ethics, and Open Government (AB 1234 Training)”, League of California Cities Annual Conference (*September 8, 2022*)
- “Public Contracting: Purchasing Requirements and Renewable Energy/Energy Efficient Projects”, League of California Cities City Attorneys Spring Conference (May 2022)
- “Homelessness Issues”, Concurrent Discussion Group, League of California Cities City Attorneys Spring Conference (May 2022)
- “Social and Environmental Justice Through the General Plan”, Argent California Land Use Conference (November 2021)
- “Update on Emergency Preparedness Ad Hoc Committee”, League of California Cities Annual Conference (September 2021)
- “Public Records, Ethics, and Open Government (AB 1234 Training)”, League of California Cities Annual Conference (September 2021)
- “Is Big Brother Watching? The California Public Records Act and Privacy Issues Update”, California Lawyers Association Annual Meeting (September 2020)
- “Emergency Orders/Declarations: How and Why”, Covid-19 Webinar Series, League of California Cities (April 2020)

- “Law Enforcement Agencies and the Public Records Act”, California Law Enforcement Association of Records Supervisors, Inland Chapter (April 2008)

League of California Cities:

- **Municipal Law Handbook Editorial Board**
2013 – 2015, 2019-Present
- **Ad Hoc Committee on Disaster Response**
Member, 2019-2022
- **Committee on Transportation, Communications, and Public Works**
City Attorneys Department Appointee, 2016-18

Teaching and Public Service:

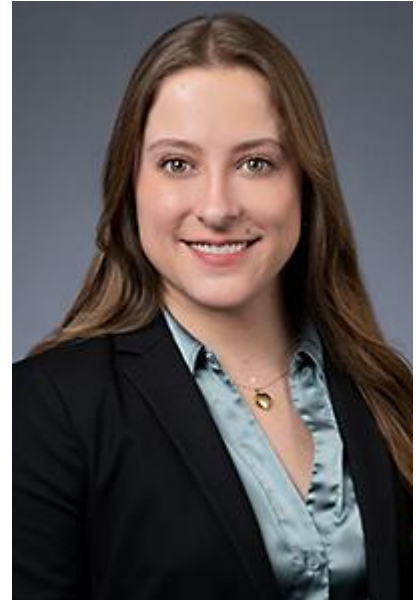
- Adjunct Professor
 - Department of Urban Studies and Planning, California State University, Northridge, (2016 – 2020)
 - Teaching courses in Planning Law, Sustainability, and Land Use Law
- Community Service
 - Pomona Rotary Club, Rotary International, Member (2011 - 2015)
 - Rotary District 5300, Rotary Youth Leadership Awards (RYLA) (2013)
 - Pomona Valley Habitat for Humanity, Board of Directors (2014 -2015)
- Boards and Commissions
 - Mt. San Antonio College Citizens' Oversight Committee, (2014 - 2016)
 - Planning Commission, City of Glendora
 - Chair (2013 -2014, 2017 – 2018)
 - Commissioner (2011 - 2018)
 - Trails Committee, City of Glendora
 - Member (2003-2011)
 - Glendora Executive Selection Committees, Chief of Police (2011, 2017)

Specific Areas of Expertise and Training:

- | | |
|---------------------------------|-------------------------|
| • Municipal Advisory | • Election Law |
| • California Public Records Act | • Historic Preservation |
| • Brown Act | • Public Contracting |
| • Land Use/CEQA | • Public Works |

Proposed Assistant City Attorney – Mackenzie Anderson

Mackenzie is an Associate with Colantuono, Highsmith & Whatley’s municipal advisory practice and resident in our Sacramento office. She advises our municipal agency clients on a variety of public law issues, including land use, open meetings law, CEQA, conflicts of interest, elections, Public Records Act, public works, cannabis regulation, and public contracting.



Education:

J.D., 2021, University of California, Berkeley School of Law
B.A., English/Political Science, 2017, Temple University

Year admitted to the California Bar and Bar Number:

State Bar Number 346794

Professional Background:

- City of Weed- Deputy City Attorney
- City of Yreka- Deputy City Attorney

Experience Prior to Joining the Firm:

Before joining the firm, Mackenzie completed a two-year clerkship with the Equal Employment opportunity Commission (EEOC). There she conducted over 100 interviews investigating workplace discrimination allegations under Title VII, ADA, ADEA, EPA, and GINA. She also worked at the Santa Clara District Attorney’s Office in the Juvenile Crimes Division, researching issues regarding hate crimes and probation conditions.

As an undergraduate at Temple University, she worked for the Office of the Mayor of Philadelphia to conduct outreach and build community networks for the Office of Civic Engagement and Volunteer Services.

Practice Areas:

- Municipal Advisory
- Brown Act
- Public Records Act
- Land Use
- Conflict of Interest
- Public Contracting Law
- Cannabis Regulation
- California Environmental Quality Act

Deputy Litigation Counsel – John Abaci

John A. Abaci is senior counsel in the firm’s advisory and litigation practice groups and a resident of our Sonoma office. Before joining CHW, John was with Walter & Pistole providing advice and litigation services on behalf of municipal clients around the Bay Area.



John has been a litigator since 1994, initially as a Deputy District Attorney handling criminal prosecutions, consumer protection and insurance fraud cases and, since 1998, for municipal clients. He has litigated a variety of cases, including personal injury, inverse condemnation, nuisance abatement, disability, and civil rights. He is a panelist defense counsel for Bay Area risk pool providing pooled self-insurance to local agencies.

He also advises public agencies on a wide range of matters including government claims, law enforcement, personnel, public records, and public works. John has achieved successful results for public agencies through various methods drawing upon his breadth and depth of experience, achieving outcomes such as recovering over \$100,000 in a city’s costs to abate a public nuisance.

He has frequently represented police agencies in defense of motions seeking police personnel records, subpoenas, and various other types of proceedings. He has also obtained workplace violence restraining orders for employees, including orders restricting access to city property and public meetings. John has also negotiated and drafted franchise and joint powers agreements. He has served on committees for the City Attorneys Department of the League of California Cities, including co-moderating a panel in 2021 on the implications of social unrest for cities.

John graduated from U.C. Berkeley with Honors in 1990 and Hastings College of the Law in 1993.

Practice Areas:

- Public Safety Defense Litigation
- Employment Law
- Municipal Advisory
- Complex Litigation

Year admitted to the California Bar and Bar Number:

State Bar Number 166493, Admitted December, 1993

Deputy Litigation Counsel – Matthew C. Slentz

Matthew is an associate with Colantuono, Highsmith & Whatley’s litigation practice group and resident in our Pasadena office. Matthew litigates a range of disputes for our public agency clients in both trial and appellate courts, including suits involving inverse condemnation, utility user taxes, Public Records Act disputes, post-redevelopment disputes, rates and fees, government contracts, land use and cannabis regulation.



Before joining CHW, Matthew served as Chief Deputy Public Defender for Stanislaus County. In this role, Matthew managed a team of attorneys defending misdemeanor cases, including violations of local ordinances, coordinated with city and county officials on nuisance abatement strategies, and helped formulate his agency’s response to the COVID-19 pandemic.

As a deputy public defender, Matthew conducted 25 jury trials to verdict in felony and misdemeanor cases. He has filed writs and appeals in local and appellate courts and has extensive motion-practice, including Pitchess motions and Cervantes hearings.

While in law school, Matthew worked as a legal assistant for the Department of the Treasury’s Office of Inspector General. He also served as the Executive Senior Editor for the Georgetown Journal of International Law and on the board of the Equal Justice Foundation.

Matthew graduated magna cum laude from Georgetown University Law Center. At graduation, he received the Alan Goldstein Award for excellence in criminal defense and was inducted into the Order of the Coif. He received a Bachelor of Arts in Philosophy from the University of California, Irvine, where he was a Regents’ Scholar and graduated with Scholastic Merit.

Year admitted to the California Bar and Bar Number:

State Bar Number 285143, Admitted December, 2012

References

Although our firm is well known in local government throughout California, the following contacts are especially familiar with the work of Mr. Jared's work as City Attorney.

City of South Pasadena (pop. 26,314):

Colantuono, Highsmith & Whatley served as City Attorney to the City of South Pasadena since 2014. Mr. Jared served as Assistant City Attorney from February 2020 to September 2021. In September 2021, Mr. Jared was appointed as City Attorney after having been the primary on site presence for the firm throughout the COVID-19 pandemic. He served through June 2023. He was the primary attorney handling all day to day matters of this full service city. He was the primary attorney guiding the City through adoption and certification of the 6th Cycle of the Housing Element. This included a legal challenge to the city's efforts, as settlement agreement, addressing three Developer's Remedy applications, and CEQA review.

Armine Chaparyan
City Manager
626.403.7210
achaparyan@southpasadenaca.gov

City of Chico (pop. 102,338):

Mr. Jared formerly served as City Attorney for Chico, and now is Special Counsel on two matters, including one matter with the Court of Appeal. From 2014 to 2021, he worked directly with each of the references providing general legal services, including advice to the City Council and City staff on numerous items; preparing opinions, ordinances, resolutions, agreements, and related documents for the City; attending all meetings of the City Council, and Commissions; and litigation and other special counsel services. He was Acting City Attorney from December 2018 and City Attorney from December 2019 through March 2021. Significant issues he personally dealt with included the Housing Accountability Act, establishing Council districts, cannabis regulation, and homelessness issues. Each reference can attest to the extra mile he goes to in delivering customer service to his clients.

Chris Constantin
Former Assistant City Manager
(909) 394-6210
cconstantin@sandimasca.gov

Brendan Vieg
Community Development Director
530.879.6806
Brendan.Vieg@chicoca.gov

Town of Yountville (pop. 3,356):

Colantuono, Highsmith & Whatley has provided services as Town Attorney since 2015, including preparing legal opinions, ordinances, resolutions, agreements, and related documents for the Town.

Mr. Jared also served as Assistant Town Attorney for Yountville in 2010 to 2015 at a different law firm. During that time, he advised on design-build public works contract for Town Hall, planning issues, and handled various aspects of a construction defect/delay claim lawsuit brought by the town against a contractor for the town center. Identifying and utilizing a design-build contract for Town Hall was a direct result of the issues encountered with the Town Center litigation.

Mr. Rogers can speak to the legal services provided by both Mr. Jared and the Firm.

Steve Rogers
Town Manager
707.310.2139

Support Staff

All attorneys and paralegals at CHW are at the disposal of all of our clients. We currently employ 34 attorneys, 3 paralegals, and 1 law clerk.

From time-to-time we hire promising legal talent awaiting bar results and second- and third-year law students as interns and law clerks. Interns are primarily used for legal research on complex legal projects.

The firm also employs paralegals and legal secretaries specializing in litigation and transactional matters. Our paralegals provide support by preparing documents for discovery responses, reviewing documents that provided by opposing parties, managing, and preparing exhibits for hearings and trials, and supporting depositions and trials. Our transactional paralegals support attorneys working by formatting and compiling routine assignments such as contracts, resolutions, and ordinances.

Our legal secretaries are trained to provide word processing and other support, including use of our sophisticated macro packages to simplify document development.

McCall Williams will serve as the paralegal dedicated to Sebastopol. She hold a B.A. from University of California, Santa Cruz in Environmental Studies. She has worked as a paralegal at Colantuono, Highsmith & Whatley, PC for 3 years and has been in the legal profession since 2016.

Paralegals and interns are charged at an hourly rate and are assigned tasks when appropriate for the client. We do not charge for word processing or secretarial time.

Description of Services

CHW is a recognized leader in California municipal law. We represent local government agencies, including cities, special districts, and local agency formation commissions, nearly exclusively. Our attorneys are well versed in every aspect of transactional, advisory, and litigation practice for municipalities in California. We serve over 140 agencies statewide. Our firm has experience in representing cities in every aspect municipal law. We can meet all the legal needs of the City of Sebastopol, whether litigation or transactional/advisory, through high-quality, cost-effective direct legal support.

The firm presently serves as City Attorney/Town Attorney to the following cities:

- City of Auburn (2015 – Present)
- City of Barstow (2002 – Present)
- City of Calabasas (2003 – Present)
- City of Etna (2023 – Present)
- City of Grass Valley (2011 – Present)
- City of Lakeport (2013 – Present)
- City of Martinez (2020 – Present)
- City of Montague (2023 - Present)
- City of Novato (2020 – Present)
- City of Ojai (2015 – Present)
- City of Sierra Madre (2003 – Present)
- City of Sonoma (2020 – Present)
- City of Weed (2021-Present)
- Town of Yountville (2015 – Present)
- City of Yreka (2023 - Present)

Working almost exclusively with public agencies and drawing on our deep well of public law experience, we handle the full range of legal issues confronting California's cities, counties, and other public agencies.

Our list of current and former public agency clients are listed in Attachment A.

General Municipal Law Advisory Practice

The firm has a broad understanding of municipal law. We are particularly skilled at all aspects of the Brown Act, the Public Records Act, the Political Reform Act, Government Code section 1090, common law conflict of interest rules, and public contracting. Mr.

Jared has attended over 500 public meetings and drafted literally hundreds of ordinances and resolutions on a wide variety of topics.

Labor and Employment (advisory and litigation) Practice

The firm regularly advises on personnel matters, including interpretation of personnel rules, disciplinary proceedings, workers compensation law, and employee relations. The firm provides training on harassment issues.

Mr. Jared is experienced in advising public agencies regarding labor and employment law, including advising on implementation and interpretation of employment agreements for non-represented “at-will” personnel, and on recruitment, discipline, and retention matters for small cities with unrepresented employees. He is experienced in advising public agencies during the employee discipline and termination process for miscellaneous, public safety, and management employees, including negotiated departures, and in guiding agencies through executive management transitions. He has also drafted and revised personnel regulations.

Taxation/Prop 218 Issues

CHW is identified as the state wide expert in Taxation and Prop 218 Issues. The Firm includes California’s leading experts on local government revenues, including Propositions 13, 26 and 218. Michael Colantuono, one of the Firm’s founding members, leads the team on all public financing matters. He recently chaired the League of Cities Committee that wrote the League of Cities’ Propositions 26 and 218 Implementation Guide. Please see Attachment B for a number of the cases we have argued at the courts of appeal and California Supreme Court on this issue.

Workers Compensation

Teresa Highsmith heads the Firm’s Labor and Employment practice. We are called upon from time to time to address worker’s compensation issues.

Elections Law Experience:

The firm has a robust elections law practice, including advising the City of San Diego, Los Osos Community Services District, and the Cities of Ojai, Calabasas, and Vernon on candidate qualification and nomination issues. We have also advised cities on recent initiatives and referenda, and two recent proposed initiatives and a referendum. We are currently working on a charter amendment and several ballot questions for the November 2024 ballot. Mr. Jared has litigated issues regarding qualified candidate questions based on residence in district, and timing of candidate registration.

Urban Runoff/Solid Waste/Recycling

Mr. Jared has significant experience in dealing with solid waste and recycling franchises. He has also dealt with land use challenges to locating competing transfer stations within the city. He has provided advice on organic waste reduction under SB 1383.

He has dealt with regional litigation regarding urban runoff, as well as project-specific requirements to reduce runoff.

Telecommunications (advisory and administrative proceedings)

Mr. Jared has dealt with cities imposing local regulation to address telecommunication facilities on city streets. He has negotiated leases and sale of city assets for co-location and transfer of property for cell tower locations. Partner Matthew Summers has advised Calabasas, Ojai, and Lakeport in a number of vigorous disputes regarding cell tower siting. He drafted the code amendments for Calabasas, Ojai, and Sierra Madre in response to the Federal Communications Commission's adoption of new regulations protecting "small" wireless facilities and implementing the "Section 6409" federal exemption from local zoning for modifications to existing wireless facilities.

Code Enforcement

The firm routinely is called upon to act as city prosecutor for enforcement of municipal codes, either through civil or criminal prosecution. Mr. Jared was responsible for enforcing several injunctive relief cases in the City of Pomona against land owners not following city zoning regulations.

Disability issues/FEHA/ADA

We regularly advise on disability access issues in the land use context. Mr. Jared advised the City of Pomona on both pre-litigation and litigation issues surrounding access to city streets and sidewalks citywide in the City of Pomona. The City had over 500 miles of streets and sidewalks, and three companion cases were filed simultaneously. The cases were settled with a stipulation to adopt a sidewalk improvement plan.

On the employment side of these issues, the Firm regularly advises on reasonable accommodations, and the intricacies of the law relating to employee discipline and terminations.

Bidding and Procurement

Mr. Jared is a recognized expert in public procurement and bidding. He has presented at the League of California Cities' City Attorney conference on the topic. He regularly fields questions from attorneys statewide on the topic based on his paper written on novel approaches for bidding on public works projects for energy savings projects.

He has also counseled several clients on prevailing wage law, the California Uniform Public Construction Cost Accounting Act (CUPCCAA), cooperative procurement ("piggybacking"), and contract standardization/simplification.

California Public Records Act

The firm is a leading expert in the Public Records Act. Holly Whatley successfully argued for the City of Los Angeles in *Ardon v. Los Angeles* that the inadvertent release of attorney-client privileged documents on public records request did not waive privilege. We regularly handle CPRA requests for our clients and provide advise to staff on this issue daily. Mr. Jared is currently litigating a case against a college district that is violating the CPRA in denying access to their records to our client city who are concerned about the location of a college campus in their community.

Business Improvement Districts

Mr. Jared has been involved in the creation and renewal of several business improvement districts. We regularly consult with clients on the Prop 218 and 26 impacts of adoption of such districts. Mr. Jared drafted a code amendment for a charter city to allow for a local-based commercial improvement district in addition to a state-based district.

Public Entity Tort Claims

The firm assists clients with responses to tort claims frequently. We also serve as defense counsel with the defense of cases that are not resolved through the claims process.

Public Safety Defense

Pamela Graham heads the Firm's Public Safety Defense practice. We have been hired to defend the City of Vallejo in relation to a number of high profile cases involving their department. We provide advise to clients with public safety departments on recent developments to avoid litigation. We also act as defense counsel when required to do so.

Construction Law/Public Works/Prevailing Wage Matters

Mr. Jared is an expert in this field of law. He has edited Chapter 7 “Public Contracting” of the Municipal Law Handbook published by the League of California Cities and CEB. He is serving on a subcommittee to revise this chapter. He has negotiated several matters dealing with delay claims alleged by contractors against cities. He litigated a delay claim and construction defect matter for the Town of Yountville based on the work of a prior attorney in preparing the scope of work for a major public works project.

General Writ Litigation

The firm specializes in writ practice. Michael Colantuono is a certified appellate specialist and has argued in all levels of courts in the state of California. We are regularly called in to assist or take over litigation for other attorneys statewide. Please see Attachment B for a partial list of the cases we have litigated over the years.

Condemnation/Eminent Domain

Jennifer Pancake heads our Condemnation practice group. She has over 30 years litigating such matters. We also advised clients on how to use condemnation processes for economic development purposes, and the pre-litigation procedures required for right of way takings.

Unlawful Detainer/Eviction

The firm has experience in this field. The instances in which this has occurred have been rare as our clients typically do not have tenants.

Development/Redevelopment Law

The firm has several widely recognized experts in development and post-redevelopment/successor agency law. Our victories in this include a published appellate victory in a successful constitutional challenge to the State’s self-help provisions of A.B. 1484, the post-redevelopment legislation on behalf of 4 cities and their successor agencies, *City of Bellflower v. Cohen*, (2016) 245 Cal.App.4th 438; a constitutional challenge to the San Diego County Auditor-Controller’s method of allocating redevelopment dissolution funds. Notably, the firm’s Managing Shareholder and an expert in municipal finance, was selected by a coalition of seven San Diego County cities to bring a constitutional challenge to the San Diego County Auditor-Controller’s method for allocating funds from the redevelopment agency dissolution process.

CEQA/Land Use/Environmental/Hazardous Materials/Brownfields

Mr. Jared is an expert in land use law. He has advised clients for over 18 years on land use issues, including CEQA, general plan and specific plan adoption, housing element review and litigation, real estate and environmental issues. Mr. Jared started his legal career working in environmental and toxic tort litigation.

Foreclosure

The firm is currently advising on several foreclosure issues involving CDBG and other city-subsidized notes on property.

Water Use

Mr. Jared serves as General Counsel to the Goleta Water District and is an expert at water law issues. He has counseled clients on water conservation measures and ordinances. He has been involved in litigation relating to ground water pollution (MTBE, perchlorate, nitrates). He has work on water acquisition and production, including water rights purchases/sales, easements, production facilities, and treatment facilities.

Public Law, Brown Act, and Public Records Act Experience:

The firm advises cities on a daily basis regarding Brown Act compliance, and is adept at identifying lawful approaches to meet the client's needs, e.g. utilizing adjourned meetings to allow discussions to continue as needed to another day. That base of knowledge and experience allows the firm to advise cities on all aspects of the Brown Act, and also the Public Records Act, Political Reform Act, Government Code section 1090, common law conflict of interest rules, and parliamentary procedure and internal city policies and procedures — all issues that can arise quickly during the course of a public meeting and require swift, effective resolution.

Intergovernmental Relations

We represent agencies at all levels of local government. We regularly represent various local agency formation committees (LAFCO). We do not have any known conflicts of agencies adverse to the City of Sebastopol.

Proposed Pricing & Fee Structure

We propose two alternative approaches. Hourly rates are presented as blended rates for all attorneys unless otherwise stated.

1. Fixed Retainer. We typically serve of our cities on a general retainer model and find that it is often the most effective and efficient way to provide a city with quality legal services at minimal cost. We would be willing to work with the City to draft a retainer-based model for Basic Services with Extraordinary Services billed on an hourly rate of \$375 per hour. Based on our representation of other clients, we have assumed that the 60 hours per month for Basic Services. **We are willing to negotiate a base retainer that more accurately reflects the city’s needs at the per hour rate of \$375 per hour.**

Based on an assumption of a base retainer of 60 hours per month, we would provide retainer services for \$22,500. This would cover attendance at council and other meetings; and other Basic Services. We are open to a reduction in this amount if the history of such services is less than 60 hours. If however historically the City generally uses over 60 per month for such Basic Services, we would request that such amount be adjusted accordingly. The hourly rate for basic general services would be \$375 per hour.

Service		Rate
Basic Services		\$22,500 (assuming 60 hours at \$375 /hr.)
Extraordinary Services	Special Services	\$395/hr.
	Public Records Request	\$250
	Litigation	\$420/hr.; \$440 (shareholders)
	Employment/Labor/Personnel	\$410 /hr.
	Appeals	\$465/hr.
Reimbursable		\$465/hr.
Paralegal		\$220
Other Costs		Photocopies: \$0.15/page over 25 pages Mileage: IRS rate
Travel		Two council meetings and one planning commission meeting per month travel at no charge; all other travel costs at cost, and travel ½ portal-to-portal hourly

		rate; litigation portal-to-portal hourly rate.
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2. Flat Hourly Rate. We propose a flat hourly rate model as well.

Service		Rate
Basic Services		\$350/hour all attorneys
Extraordinary Services	Special Services	\$395/hr.
	Public Records Request	\$250
	Litigation	\$420/hr.; \$440 (shareholders)
	Employment/Labor/Personnel	\$410 /hr.
	Appeals	\$465/hr.
Reimbursable		\$465/hr.
Paralegal		\$220
Other Costs		Photocopies: \$0.15/page over 25 pages Mileage: IRS rate
Travel		Travel time ½ portal-to-portal hourly rate; litigation portal-to-portal hourly rate. Travel costs at cost for transportation and lodging; mileage at IRS rate

Definitions. “Basic Legal Services” are defined as follows:

1. Attendance at meetings of the City Council (including regular sessions, closed sessions, and as needed special sessions) either in person or via video/teleconference. Regular meetings to be held on the first and third Tuesday evenings.
2. Review and/or preparation of ordinances, resolutions, orders, agreements, forms, notices, declarations, certificates, deeds, leases and other documents of a routine nature required by the City.
3. Consultation with the City Council, City Manager, and department heads, or authorized representatives as needed, rendering legal advice and opinions concerning legal matters that affect the City, including new legislation and court decisions.
4. Perform research and interpret laws, court decisions and other legal authorities to prepare legal opinions and to advise the Council and management staff on legal matters pertaining to City operations.

5. Legal work pertaining to property acquisition, property disposal, public improvements, public rights of way and easements, and matters relating to public utilities.
6. Coordinate the work of outside legal counsel as needed, and directed by the City Council and City Administrator.
7. On a monthly basis, attend a conference for review of agenda items and other matters with Council members and staff at city hall.

“Extraordinary Services” are defined as follows:

1. Litigation
 - A. Litigation not otherwise handled by a self-insured program
 - B. Enforcement of City codes, zoning regulations, and building standards through administrative and judicial actions. (Preparation for litigation as criminal or civil matter through time of filing)
 - C. Perform City prosecutor functions on Municipal Code violations and code enforcement operations. (Preparation for litigation as criminal or civil matter through time of filing)
2. Employment, labor and personnel issues and disputes
 - A. Guidance on City personnel matters, including employee disciplinary and grievance matters. (At Employment Law rate)
 - B. Legal research and analysis, negotiation, bargaining, and dispute resolution pertaining to labor, employment and personnel matters. (At Employment Law rate)
3. Special Services
 - A. Review public records requests, review responsive records, and advise as to applicable privileges. (At Public Records Request Reduced Rate)
 - B. Public financing matters
 - C. Provide advice and annual training on ethics, conflicts, Brown Act and other routine topics for city staff, appointed and elected officials. (Two hour annual training session)
 - D. Legal advice and opinions concerning municipal revenue issues, including Proposition 218, Mitigation Fee Act, and general and special tax matters.
 - E. Law enforcement matters
 - F. Pitchess motions

- G. California Environmental Quality Act advice
- H. Advice and drafting of agreements for economic development, including exclusive negotiating agreements, disposition and development agreements, development agreements, and related real estate and eminent domain services (other than routine review of escrow documents, title reports and standard sale or purchase contracts).
- I. Insurance coverage services, such as advice and representation regarding disputes with the City's risk pool or other insurance provider.
- J. Water law services.
- K. Cannabis regulation and enforcement services.
- L. Such other non-litigation services as may be required by the City not covered under General Legal Services.

Special services would be within the retainer when Basic services are below 60 hours for that month. Public Records, Litigation, Employment and Appeals would not count towards retainer hours.

"Litigation" is defined as preparation of any Basic or Special Services matter for trial, mediation, arbitration or other adversarial forum, from time of decision to proceed to such forum or from time of receipt of notice of notice of claim, filing, complaint or suit, through resolution of such action.

"Appeal" is defined as a the review of any Litigation matter by a reviewing tribunal or body. Does not include appeal of commission decisions to City Council.

"Reimbursable" fees is for work where the City has a reimbursement agreement with a private party (e.g., developer) or other agency for the reimbursement of fees and costs associated with a project being processed for the City. The Firm remains the attorney for the City but the fees are paid for by the third party. This typically is work performed on land development projects based on a deposit for services basis. Collection from the reimbursing party is responsibility of city.

Travel time for performance of services shall be charged at the Basic Services hourly rate portal to portal from attorney's office of residence. Travel costs shall be billed at cost (e.g., air fare, hotel, and transportation). Billable travel time for litigation and reimbursable matters would be at the Basic Service hourly rate portal to portal from attorney's office of residence.

The following services are excluded from our representation:

- Bond counsel and advice on bonds issued by City.

Staying in budget

The firm is sensitive to the need to control costs, recognizing that public money and public trust are at stake. We develop cost management strategies in cooperation with our public clients to ensure the most effective and efficient use of our services. We have identified opportunities and strategies to contain costs, such as by providing a template for staff to use in completing routine contracts, rather than drafting a custom contract each time.

In our periodic conferences with the management team, track progress of all projects and prioritize assignments. Managing the cost of legal services requires a team approach and we will make every effort to provide the City with the information needed to control the cost of legal services, whether provided by Colantuono, Highsmith & Whatley, PC or other counsel.

The Firm also frequently shares costs among our many municipal clients throughout the state of California. For example, we provide annual and periodic legislative updates, as well as important and relevant case law updates and direction to our public agency clients, with each agency paying a proportionate fraction of the total cost of research and preparation of the memoranda.

Method of payment

We provide monthly invoices billed in one-tenth increments with descriptions of each activity engaged in by each attorney. Invoices are issued on each account or billing category identified by the City for ease of accounting. We will work with the Finance Department to establish such billing categories as makes sense with the budget and the city's accounting procedures. We prefer electronic payment, but also accept payment by check.

Training costs

Training costs are addressed through general and legal services negotiated with the parties. We are also amendable to a flat fee training cost to be negotiated. We provide training on the Brown Act, AB 1234, Ethics, Public Meetings, Planning Commissioner basic training, and mandated sexual harassment training.

Cost of living adjustment

We do request that any rates agreed to be subject to an annual adjustment to be made on the first anniversary of the agreement. We propose an increase based on the CPI year over year for the area, not to exceed 4%.

Maximum legal expenditure

We are open to discussions and negotiation on this topic. We are not in a position to provide a proposal as we do not have sufficient information at this time about the non-publicly identified issues you are facing.

Availability and Commitment to Provide Services

As identified above, Mr. Jared will be assigned as the City Attorney. Ms. Anderson will serve as primary Assistant City Attorney as the primary attorney covering Planning Commission meetings. She will also serve as the back up attorney in the event that Mr. Jared is unavailable. Mr. Abaci will be the primary litigation counsel. All other attorneys in the firm, in all offices will be called on from time to time to assist on other projects.

Mr. Jared is committed to establishing a working relationship with the council and entire city team. If hired, his commitment will be to the City of Sebastopol. His policy is to return calls and emails as soon as possible, but in no event longer than 24-hours. Every council member and department head is provided his personal cell phone number and encouraged to call at any time of the day or day of the week.

Deadlines are set by the client. We are here to serve your needs.

Litigation services provided by Mr. Abaci will be done directly from the Sonoma office. Mr. Jared and Ms. Anderson will provide services from the Sonoma office, and the Pasadena and Sacramento offices respectively. Primary support staff and support attorneys will primarily be done remotely from the Pasadena office.

Coordination with the City Manager and Department Heads

The City Manager is the primary contact to the organization. We keep the CM informed of our progress and status of assignments typically through email. We are available to discuss assignments with the CM and the Council, being sensitive to serial meetings when discussing matters with the Council.

The relationship between the City Manager, City Attorney, and Department Heads works best when there is open communication, an understanding of each other's duties, and respect. Our firm is here to provide legal advice that other municipal professionals can rely upon to complete their jobs. Keeping each other apprised of progress and changes in project status is critical to successful communication. To that end, we recommend a weekly meeting with the City Manager. We are typically in touch with key members of the organization several times a day, most often via email, but as well by phone, in person meetings, and video conference.

Assignment Delegation

Most work is handled directly by the City Attorney. Mr. Jared's approach is to become involved in projects rather than assigning matters to associates. Ms. Anderson will be primarily assigned to planning issues. Mr. Abaci will be assigned to code compliance issues. As a team, Mr. Jared, Ms. Anderson and Mr. Abaci will address the vast majority of the assignments.

That being said, we match the right person with the task at hand, both in assigning talent within the firm as well as knowing when a matter is better served by outside counsel. If the City Attorney or Assistant City Attorney recognize that another member of the firm would better represent the City, for instance if such member of the firm has recently researched the matter for another client, we do not let organizational silos prevent the client from taking advantage of that expertise. The firm is structured to allow for all members of the firm to be at the client's disposal.

As for use of resources outside of the firm, there are few areas of municipal law in California that Colantuono, Highsmith & Whatley, PC has not dealt with or cannot handle. Our interest is that the client receives the best representation and if we identify a more cost-effective legal solution for the client, we make such recommendation. This has come up most recently concerning actions on behalf of municipal clients in water quality litigation and disaster recovery litigation, where the Firm recommended outside counsel to represent clients on a contingency basis (no fee unless recovery).

While the firm is known throughout the state as pre-eminent expert in Municipal Finance, we do not serve as "bond counsel," but have strong relationships with firms who provide such services.

Working Relationship

We understand that the City Attorney is not a policy maker or a manager but rather assists those in these positions with accurate, timely, and helpful legal advice. We see our relationship within the overall organization as legal advisor to facilitate the Council's policy decisions. We see our role as part of the city team. In short, we work with the City Manager and staff to carry out the direction of the City Council.

Mr. Jared works to establish relationships with each councilmember, commissioner, director, and most importantly the City Manager. He provides each with his cell phone number to ensure the most direct and expedient method of communication.

In order to work closely with all parties in the organization, Mr. Jared will need to spend time meeting with each council member and department head individually and provide time regularly to work with the City Manager to develop the working relationship appropriate for the City's needs.

Response Time from City Attorney

Accessibility is of vital importance in the relationship between the City Council, the City Manager, and the City Attorney. We have a policy of returning all client calls within 24 hours or less. Mr. Jared is easily accessible via smartphone for telephone calls and emails. Communication from Councilmembers and the city manager are of the highest priority and are addressed as soon as possible.

We operate on a cloud computing system allowing each of our attorney's access to their computer desktop and our firm document library from anywhere. The Firm maintains a comprehensive electronic library of legal memoranda, training materials, and agreements, ordinances, and documents of every kind which have been prepared for its various public agency clients. Unlike some firms which charge a flat rate for the Firm's work product, we recycle this extensive body of knowledge, charging the client only to update and customize the existing work and pass on the savings to you.

Systems for Timely Response

As most issues are transmitted through email or phone call, responses are typically same day/next day.

For litigation matters, we provide regular status reports including immediate updates on any significant legal developments, and quarterly or monthly reports on pending matters such as major projects or litigation. We also provide a regular reports of significant activities, apprising the City Council and City Manager on the status of major projects. More importantly, we strive to have regular personal contact with City staff and Council members so that the written information our clients receive never comes as a surprise.

Transmittal of Requests and Communication with City Attorney

We find that emailing assignments to the City Attorney and their support staff allows for the work to be completed in the most expedient manner. As our relationship becomes established, additional methods of transmission can be created.

We are adept at working together with our clients remotely, using email, Dropbox, and other online systems to assist with preparation and review of agenda items and staff reports, warrants, contracts, and other legal documents.

Actual or Perceived Conflicts

We are not aware of any current or foreseeable conflicts of interest between the City and our current clients. The Firm represents public entity clients almost exclusively. We are not aware of any client conflicts with the City of Sebastopol.

Within the County of Sonoma, we represent the City of Sonoma as City Attorney. We also provide special counsel work for the County of Sonoma, the Sonoma County Water Agency, and the County of Sonoma Civil Service Commission. We previously represented the Sonoma County LAFCo, and the Sonoma Marin Area Rail Transit District. We know of no clients within the City of Sebastopol. We are not actively representing a client in a matter adverse to the City of Sebastopol.

The Firm's recent and current public agency clients are listed in Attachment A. Clients marked with an asterisk (*) are those for whom we provide general counsel or city attorney services. All others receive specialized legal services.

To protect client confidentiality, we typically cannot disclose the nature of the specialized services we provide for specific clients unless that information is publicly available. If there are particular clients for whom you would like to know the nature of the services provided, we will provide that information if public or seek client consent.

As new matters arise for our existing clients or potential new clients, we complete a comprehensive conflict check for each proposed new client or matter to identify any possible conflicts of interest, then either refuse the representation or secure client consent to the representation, as appropriate for each matter. The Firm represents public entity clients almost exclusively. While we may occasionally represent a private client, we have only done so when we can be certain that the private matter cannot pose a potential conflict of interest with any of our public clients. Accordingly, we can state that we have no private clients which could potentially pose a conflict of interest should we represent the City of Sebastopol.

We also confirm that neither Andrew Jared nor any member of our proposed legal team has been the subject of (1) an enforcement action by the Fair Political Practices Commission at any time during legal practice and (2) been prosecuted by the California State Bar at any time during legal practice.

Additional Information

The Firm is well known statewide for both its transactional/advisory work as well as its appellate practice. Our list of current and former public agency clients are listed in Attachment A. A list of some of the significant appellate representations in included as Attachment B.

Attachment A - List of Client Agencies

The Firm is general counsel to those agencies marked with an asterisk(*).

1. Allan Hancock Community College District
2. Anaheim, City of
3. Antioch, City of
4. *Auburn Urban Development Authority
5. *Auburn, City of
6. *Barstow Redevelopment Agency/Successor Agency
7. *Barstow, City of
8. Basin Water Conservation District
9. Belmont, City of
10. Benicia, City of
11. Bighorn Desert View Water Agency
12. Brentwood, City of
13. Broad Beach Geologic Hazard Abatement District
14. Burbank, City of
15. *Camarillo Health Care District
16. *Calabasas, City of
17. Calaveras County Local Agency Formation Commission (LAFCo)
18. Calexico, City of
19. Calleguas Municipal Water District
20. Central Coast Water Authority
21. Cerritos, City of
22. ChangeLab Solutions (formerly Public Health Institute)
23. Chico, City of
24. Chula Vista, City of
25. Cupertino, City of
26. East Palo Alto, City of
27. El Cajon, City of
28. Escondido, City of
78. Orange County Local Agency Formation Commission (LAFCo)
79. *Orangeline Development Authority (also known as Eco-Rapid Transit)
80. Oxnard, City of
81. Pacific Grove, City of
82. Pajaro Valley Water Management Agency
83. Palm Springs, City of
84. Palo Alto, City of
85. Paramount, City of
86. Pasadena, City of
87. Pico Rivera, City of
88. *Pomona Oversight Board
89. Poway, City of
90. Arroyo Grande, City of
91. Redding, City of
92. Redlands, City of
93. Rialto, City of
94. *Rialto Oversight Board
95. Richmond, City of
96. Riverside, City of
97. Riverside County
98. *Rough & Ready Fire District
99. San Benito, County of
100. San Bernardino Local Agency Formation Commission (LAFCo)
101. *San Bernardino Oversight Board
102. San Diego, City of
103. *San Diego County Local Agency Formation Commission (LAFCo)

- 29. *Etna, City of
- 30. First Five Yuba
- 31. Fresno, City of
- 32. *Garden Valley Fire Protection District
- 33. Glendale, City of
- 34. Glendora, City of
- 35. Gold Coast Health Plan
- 36. Goleta, City of
- 37. *Goleta Water District
- 38. *Goleta West Sanitary District
- 39. *Grass Valley, City of
- 40. *Higgins Fire District
- 41. Humboldt, City of
- 42. Huntington Beach, City of
- 43. Huntington Park Oversight Board
- 44. Imperial Irrigation District
- 45. Incorporate Olympic Valley
- 46. *Lakeport, City of
- 47. Lakewood, City of
- 48. Lathrop, City of
- 49. Livermore, City of
- 50. Lodi, City of
- 51. Long Beach, City of
- 52. Los Angeles, City of
- 53. Marin Municipal Water District
- 54. Marina, City of
- 55. Mariposa County
- 56. *Martinez, City of
- 57. Midpeninsula Regional Open Space District
- 58. MJM Management Group
- 59. Modesto Irrigation District
- 60. *Montague, City of
- 61. Montecito Water District
- 62. Montecito Sanitary District
- 63. Monterey, City of
- 64. Monterey County Local Agency Formation Commission (LAFCo)
- 104. San Diego County Water Authority
- 105. San Diego Unified Port District
- 106. *San Gabriel Oversight Board
- 107. San Juan Capistrano, City of
- 108. San Jose Water Company
- 109. San Luis Obispo, City of
- 110. San Luis Obispo County Local Agency Formation Commission (LAFCo)
- 111. San Marcos, City of
- 112. Santa Ana, City of
- 113. Santa Barbara, City of
- 114. Santa Fe Springs, City of
- 115. Santa Maria, City of
- 116. Sausalito, City of
- 117. *SELACO Workforce Investment Board, Inc.
- 118. Shasta County Local Agency Formation Commission (LAFCo)
- 119. *Sierra Madre, City of
- 120. SMUD
- 121. Solano County Local Agency Formation Commission (LAFCo)
- 122. Solvang, City of
- 123. *Sonoma, City of
- 124. South Gate, City of
- 125. South Pasadena, City of
- 126. *Tahoe Forest Hospital District
- 127. *Temple City Oversight Board
- 128. Torrance, City of
- 129. Truckee Fire Protection District
- 130. Tulare, City of
- 131. Turlock Irrigation District
- 132. Ukiah Sanitation District
- 133. Union Sanitation District
- 134. Vallejo Sanitation and Flood Control District

- 65. Monterey Peninsula Water Management District
- 66. Mountain View, City of
- 67. *Napa, City of
- 68. *Napa County Local Agency Formation Commission (LAFCo)
- 69. Nevada County
- 70. Newhall County Water District
- 71. Newport Beach, City of
- 72. North San Juan Fire District
- 73. *Novato, City of
- 74. Ocean Avenue Association
- 75. *Ojai, City of
- 76. *Ophir Hill Fire Protection District
- 77. Orange County Mosquito and Vector Control District
- 135. Vallejo, City of
- 136. Ventura County
- 137. Ventura, City of
- 138. Vernon, City of
- 139. Vista, City of
- 140. Watsonville, City of
- 141. *Weed, City of
- 142. *Yountville, Town of
- 143. *Yreka, City of
- 144. Yuba City, City of
- 145. *Yuba County Local Agency Formation Commission (LAFCo)

Attachment B – Significant Appellate Representations

California Supreme Court

American Civil Liberties Union Foundation of Southern California v. Superior Court (City of Los Angeles) (2017) 3 Cal.5th 1032 (automated license plate reader data exempt from disclosure under Public Records Act unless anonymized) (counsel for amicus)

Ardon v. City of Los Angeles (2016) 62 Cal.4th 1176 (inadvertent release of attorney-client privileged documents on public records request did not waive privilege)

Ardon v. City of Los Angeles (2011) 52 Cal.4th 241 (class action challenge to local taxes, assessments and fees permitted by California Government Claims Act but may be barred by claiming ordinance)

Bighorn-Desert View Water Agency v. Verjil (2006) 39 Cal.4th 205 (Prop. 218 applies to metered water rates; initiative to reduce water rates prohibited to extent it would require voter approval of subsequent rate increases) (counsel for amici)

Bonander v. Town of Tiburon (2009) 46 Cal.4th 646 (general validation procedure for public agency action does not apply to actions to contest assessments under Municipal Improvement Act of 1915) (counsel for amici)

California Cannabis Coalition v. City of Upland (2017) 3 Cal.5th 924 (Prop. 218 requirement that general taxes appear on ballots with Council or Board seats does not apply to initiative tax proposal) (counsel for amici)

Citizens for Fair REU Rates, Feefighter, LLC v. City of Redding (to be argued mid-2018), Case No. S224799 (Is PILOT transfer from electric utility to City's general fund grandfathered by Proposition 26?)

City and County of San Francisco v. UC Regents (pending), Case No. S242835 (power of cities and counties to tax parking fees imposed by UC on campus visitors (counsel for local government amici)

City of Alhambra, et al. v. County of Los Angeles, et al. (2012) 55 Cal.4th 707 (counties misapplied property tax administration fees to taxes received in lieu of Vehicle License Fees and sales taxes under the VLF Swap and Triple Flip)

City of Fontana v. California Department of Tax & Fee Administration (review pending) Case No. S246278 (petition for review of decision affirming allocation of sales taxes among competing jurisdictions)

City of Grass Valley v. Cohen, et al., (review denied) Case No. S246191 (petition for review of post-RDA dispute over contract with County Transportation Commission to fund freeway interchange)

City of Hayward v. Board of Trustees of the California State, Case No. S203939 (reviewed granted, held for lead case, and vacated and remanded) (duty of CSU to seek funding to make feasible mitigation of impacts of expansion of CSU East Bay on fire services of City) (author of amicus support for review)

City of Oroville v. Superior Court (California Joint Powers Risk Management Authority), Case No. S243247 (fully briefed and awaiting argument) (inverse condemnation liability for sewer flooding cause by plaintiff's failure to install back water valve required by Uniform Plumbing Code)

City of Pasadena v. Superior Court (Mercury Casualty Co.) (2014) 228 Cal.App.4th 1228 (unsuccessful petition for review) (inverse condemnation liability for fallen tree)

City of San Buenaventura v. United Water Conservation District (2017) 3 Cal.5th 1191 (groundwater augmentation charge subject to Proposition 26, not 218)

Concerned Citizens for Responsible Government v. West Point Fire Protection District (Case No.195152) (dismissed as moot after briefing regarding application of Prop. 218's requirements of special benefit and proportionality to fire suppression benefit assessment) (counsel for amici; request for depublication, amicus brief on the merits, opposition to post-dismissal request for publication)

Great Oaks Water Co. v. Santa Clara Valley Water Dist. (pending), Case No. S231846 (request to re-publish Court of Appeal decision pending grant-and-hold review of Prop. 218 challenge to groundwater augmentation charges)

Greene v. Marin County Flood Control & Water Conservation District (2010) 49 Cal.4th 277 (property owner ballots on property related fees under Prop. 218 not subject to ballot secrecy)

Haas v. County of San Bernardino (2002) 27 Cal.4th 1017 (County counsel's unilateral selection of temporary administrative hearing officers on an ad hoc basis violates due process) (counsel for amici)

Homebuilders Ass'n of Tulare / Kings Counties v. City of Lemoore (2010) 185 Cal.App.4th 544 (upholding development impact fees) (author of pro per opposition to request for depublication)

Howard Jarvis Taxpayers Ass'n v. City of La Habra (2001) 25 Cal.4th 809 (continued imposition and collection of a utility user's tax without voter approval was an ongoing or continuous violation of Proposition 62, with statute of limitations beginning anew with each collection) (counsel for amici)

In re Transient Occupancy Cases (2016) 2 Cal. 5th 151 (bed taxes do not apply to full priced charged by on-line resellers of hotel rooms) (counsel for local government amici)

Jacks v. City of Santa Barbara (2017) 3 Cal.5th 248 (supplemental franchise not a tax even though passed through to utility customers if reasonably related to value of right of way made available)

Kurwa v. Kislinger (2017) 4 Cal.5th 109 (application of final judgment rule to appeal from case in which some claims were voluntarily dismissed and subject to tolling agreement) (counsel for amicus California Academy of Appellate Lawyers)

Leider v. Lewis (2017) 2 Cal.5th 1121 (no taxpayer standing to enforce criminal laws in challenge to confinement of elephants in LA Zoo) (counsel for local government amici)

McWilliams v. City of Long Beach (2013) 56 Cal.4th 613 (Government Claims Act preempts local tax and fee claiming ordinances and allows class claims)

People ex rel. Lockyer v. R.J. Reynolds Tobacco Co. (2005) 37 Cal.4th 707 (tobacco company's distribution of free cigarettes violated statute regulating non-sale distribution of cigarettes) (counsel for amici)

Plantier v. Ramona Municipal Water District (pending) Case No. S243360 (exhaustion of administrative remedies defense to Prop. 218 challenge to sewer rates) (counsel for local government amici)

Richmond v. Shasta Community Services Dist. (2004) 32 Cal.4th 409 (increased capacity charge and fee for fire suppression imposed on applicants for new service connections was not an "assessment" subject to Proposition 218)

Court of Appeal for the First Appellate District

Brooktrails Township CSD v. Board of Supervisors (2013) 218 Cal.App.4th 195 (successfully requested publication on behalf of League of California Cities)

Building Industry Association v. City of San Ramon (2016) 4 Cal.5th 62 (citywide Mello-Roos District to fund supplemental municipal services to new development complied with statute) (counsel for amicus League of California Cities)

City of Scotts Valley v. County of Santa Cruz (2011) 200 Cal.App.4th 97 (calculation of no- and low-property tax city subvention) (counsel for amici)

City of Vallejo v. NCORP4, Inc. (2017) 15 Cal.App.5th 1078 (City properly limited marijuana dispensary licenses to those who complied with its earlier tax)

Green Valley Landowners Association v. City of Vallejo (2015) 241 Cal.App.4th 425 (effort to enjoin sale of part of City water utility subject to successful demurrer without leave to amend as seeking to enforce an implied contract and to compel subsidized water rates in violation of Prop. 218)

Kahan v. City of Richmond (pending) Case No. A150866 (class action challenge to collection of delinquent trash fees on tax roll did not violate assessment provisions of Proposition 218)

Paland v. Brooktrails Township CSD Bd. of Directors (2009) 179 Cal.App.4th 1358 (monthly minimum water service fee for account inactivated for non-payment not subject to assessment provisions of Prop. 218) (counsel for amici)

Walker v. Marin Municipal Water District (pending), Case No. A152048 (amicus brief for local government associations; case tests whether exhaustion of administrative remedies requires participation in protest hearing before challenging a property related fee under Prop. 218)

Court of Appeal for the Second Appellate District

AB Cellular LA, LLC v. City of Los Angeles (2007) 150 Cal.App.4th 747 (City's decision to implement federal law to expand cell tax to cover all airtime was a tax "increase" requiring voter approval under Proposition 218 but earlier instructions to carriers enforceable to require payment of tax)

Arcadia Redevelopment Agency v. Ikemoto (1991) 16 Cal.App.4th 444 (agency challenge to application of property tax administration fees to tax increment) (counsel for amici)

Birke v. Oakwood Worldwide (2009) 169 Cal.App.4th 1540 (pervasive outdoor secondhand smoke may form the basis for private nuisance claim) (counsel for amicus California Chapter of the American Lung Association) (filed amicus brief and argued)

City of Glendale v. Superior Court (Glendale Coalition for Better Government) (2016) Case Nos. B270135, B283819 (alternate writ issued to reverse order allowing discovery in water rates case limited to administrative record; appeals from judgment and fee award pending)

City of Pasadena v. Medical Cannabis Caregivers (unpublished) Case Nos. B277868, B277827 (3/5/18) (won affirmance of preliminary injunctions against unpermitted marijuana dispensaries and related judgment upholding zoning ordinance)

Glendale Coalition for Better Government v. City of Glendale (pending) Case No. B281994; *Saavedra, IBEW v. City of Glendale* (pending) Case No. B281991 (Prop. 26 challenge to transfer from electric utility to general fund)

Glendale Coalition for Better Government v. City of Glendale (pending) Case No. B282410 (Prop. 218 challenge to tiered water rates)

Goleta Ag Preservation v. Goleta Water District (pending), Case No. B277227 (defense of Proposition 218 challenge to tiered water rates and notice to customers not property taxpayers)

Newhall County Water District v. Castaic Lake Water Agency (2016) 243 Cal.App.4th 1430 (successful challenge to wholesale water rates based on use of groundwater not managed by wholesaler)

Re-Open Rambla, Inc. v. Board of Supervisors (City of Malibu) (1995) 39 Cal.App.4th 1499 (county's title to closed road vested in city upon incorporation despite city's effort to avoid accepting the street)

Ruskey v. Goleta Water District (pending), Case No. B275856 (appellate defense of successful demurrer for lack of standing in Prop. 218 challenge to water rates)

San Luis Obispo Local Agency Formation Commission v/ Central Coast Development Co. (pending) Case No. B279000 (appeal from denial of attorneys' fees under developer's written indemnity agreement following successful defense of challenge to denial of annexation)

Schmeer v. County of Los Angeles (2013) 213 Cal.App.4th 1310 (plastic bag ban ordinance provision for \$0.10 fee on paper bags was not a tax under Prop. 26 because proceeds did not fund government) (counsel for local government amici)

Sipple v. City of Hayward (2014) 225 Cal.App.4th 349 (standing and claiming defenses to quasi-class refund claim for allegedly overpaid telephone taxes) (petition for review denied)

Court of Appeal for the Third Appellate District

City of Auburn v. Sierra Patient & Caregiver Exchange, Inc. (unpublished), Case No. C069622 (upholding preliminary injunction against medical marijuana dispensary opened in violation of zoning and business license ordinances)

Auburn Police Officers Association v. City of Auburn (unpublished), Case No. C067972 (stipulated reversal regarding availability under Meyers-Milias-Brown Act of writ review of City Council's denial of grievance from exercise of escape clause from salary increases pursuant to MOU)

City of Bellflower, et al. v. Cohen, et al. (2016) 245 Cal.App.4th 438 (self-help provisions of post-redevelopment legislation violate Prop. 22's protection for local government revenues)

City of Chula Vista, et al. v. Sandoval (pending), Case No. C080711 (defense of trial court victory in challenge to County's calculation of post-RDA RPPTF revenues)

City of Fountain Valley v. Cohen, et al. (pending) Case No. C081661 (representing taxing agency in Successor Agency's appeal of post-RDA dispute with Department of Finance over recognized obligations)

City of Grass Valley v. Cohen, et al. (2017) 17 Cal.App.5th 567 (contract with County Transportation Commission to fund freeway interchange likely a recognized obligation)

of former RDA)

City of Lakewood v. Cohen, et al. (pending) Case No. C078788 (appeal of post-RDA dispute with Department of Finance over recognized obligations)

City of Paramount v. Cohen, et al. (settled on appeal) Case No. C078968 (defense of trial court win in post-RDA dispute regarding enforceable obligation to maintain project funding to third party)

County of Nevada v. Superior Court (unpublished), Case Nos. C076851, C082927 (interlocutory writ review of trial court writ of mandamus overturning use permit conditions for ridge-top residence; appeal from judgment pending)

Davies v. Martinez (unpublished), Case No. C078986 (appeal dismissed as to our defense of summary judgment for attorney in breach of fiduciary duty claim by incarcerated former client suing in pro per)

Howard Jarvis Taxpayers Ass'n v. City of Roseville (2002) 97 Cal.App.4th 637 (in-lieu franchise fee charged to water and sewer utilities for benefit of general fund violated Prop. 218) (counsel for amici on request for rehearing)

Inyo County LAFCO v. Southern Mono Healthcare District (pending) Case No. C085138 (defense of trial court victory in dispute involving LAFCO power to regulate out-of-boundary service by healthcare district)

Lockyer et al. v. County of Nevada et al. (unpublished), Case No. C075249 (successful appellate defense of land use permits for cell tower)

Court of Appeal for the Fourth Appellate District, Division I (San Diego)

California Taxpayers Action Network v. City of San Diego (pending) Case No. D072987 (defense of dismissal on demurrer of challenge to business improvement district assessment)

Howard Jarvis Taxpayers Ass'n v. City of San Diego (1999) 72 Cal.App.4th 230 (BID assessment on businesses collected as surcharge on business license tax neither levy on real property nor special tax within meaning of Proposition 218) (counsel for amici)

Jentz v. City of Chula Vista (unpublished), Case No. D055401 (consistency of specific plan with slow-growth initiative)

Plantier v. Ramona Municipal Water District (2017) 12 Cal.App.5th 856 (rev. granted) (exhaustion of administrative remedies defense to Prop. 218 challenge to sewer rates) (counsel for local government amici)

Reid v. City of San Diego (San Diego Tourism Marketing District) (pending) Case No. D072493 (defense of dismissal on initial demurrer of class action challenge to business improvement district assessment)

San Diegans for Open Government v. City of San Diego (San Diego Tourism Marketing District) (pending) Case No. D072181 (appeal from award of attorney fees to unsuccessful challenger to tourism assessment on catalyst theory)

San Diegans for Open Government v. City of San Diego (San Diego Tourism Marketing District) Case Nos. D064817, D065171, D068022, D069965 (writ review of denial of demurrer to Prop. 26 challenge to renewal of tourism marketing district, re discovery of plaintiff association's members, discovery of computer of late founder of plaintiff association, and discovery of extra-record evidence for use on the merits)

San Diegans for Open Government v. City of San Diego (Downtown San Diego Partnership) (settled on appeal), Case No. D065940 (defense of trial court victory in taxpayer challenge to expenditures of PBID assessment on homeless programs)

San Diegans for Open Government v. City of San Diego (57 Municipal Assessment Districts) (unpublished), Case No. D065929 (successful defense of trial court dismissal of challenge to MADs for lack of standing; petition for review pending; successful defense of petition for review)

Webb v. City of Riverside (pending) Case No. D073449 (defense of trial court dismissal of challenge to general fund transfer from electric utility)

Court of Appeal for the Fourth Appellate District, Division 2 (Riverside)

Beutz v. County of Riverside (2010) 184 Cal.App.4th 1516 (Landscaping and Lighting Assessment engineer's report insufficient to satisfy standards of Prop. 218)

City of Barstow v. Fortunye (settled on appeal), Case No. E0355595 (implementation of decree adjudicating Mojave River)

City of Riverside v. Superior Court (Bailey) (pending) Case No. E070235 (writ to stay trial and obtain neutral venue in dispute between mayor and city over scope of veto power)

Crystaplex Plastics, Ltd. v. Redevelopment Agency (2000) 77 Cal.App.4th 990 (supplier may recover against agency for amount of check where subcontractor received and negotiated check without knowledge, consent, or endorsement of supplier even though Agency made check to both subcontractor and supplier)

Inland Oversight Committee v. City of Ontario (2015) 240 Cal.App.4th 1140 (sustaining dismissal of Prop. 26 challenge to Tourism Marketing District Assessment for lack of standing and due to untimely appeal) (counsel for amici)

Mission Springs Water District v. Verjil (2013) 218 Cal.App.4th 892 (suit to bar initiative repeal of water rates from ballot subject to SLAPP, but SLAPP motion properly denied)

because evidence showed initiative would violate District's statutory duty to fund adequate water supply) (counsel for amici)

San Bernardino Public Employees Association v. City of Barstow (settled on appeal), Case No. E032858 (City refusal to implement bargained for pension enhancement due to bargaining conduct of self-interested City negotiator)

Trask v. Riverside City Clerk (unpublished), Case No. E065817 (defense of election challenge to proposed charter amendment; remanded for dismissal as moot)

Court of Appeal for the Fourth Appellate District, Division 3 (Santa Ana)

Citizens Ass'n of Sunset Beach v. City of Huntington Beach (2012) 209 Cal.App.4th 1182 (Prop. 218 does not apply to extension of City taxes into annexation area)

City of El Cajon v. San Diego County LAFCO (unpublished), Case No. G041793 (DCA upheld challenge to denial of island annexation)

City of San Juan Capistrano v. Capistrano Taxpayers Association (2015) 235 Cal.App.4th 1493 (inclining block conservation rates failed under Prop. 218, but recovery of recycled water program costs from all customers permissible)

Wetlands Restoration v. City of Seal Beach, et al. (unpublished), Case No. G010231 (defense of City's housing element)

Court of Appeal for the Fifth Appellate District

Citizens for Constitutional Government v. Board of Supervisors of Mariposa County (pending), Case No. F074986 (defense of trial court victory in Prop. 218 challenge to fire suppression benefit assessment)

City of Clovis et al. v. County of Fresno (2014) 222 Cal.App.4th 1469 (interest rate applicable to repayment of PTAF following *Alhambra v. Los Angeles County*) (argued for amicus League of California Cities)

Foster Poultry Farms, Inc. v. City of Livingston, Case No. F059871 (appeal dismissed by City following recall of Council majority) (procedures for increase in water rates under Proposition 218) (co-author of amicus brief)

Howard Jarvis Taxpayers Ass'n v. City of Fresno (2005) 127 Cal.App.4th 914 (transfer from utility enterprise to general fund pursuant to voter-approved charter provision as payment in lieu of property taxes violated Proposition 218's restrictions on use of property related fees)

Neilson v. City of California City (2005) 133 Cal.App.4th 1296 (flat-rate parcel tax not an unconstitutional general tax, but rather a special tax dedicated to specific purposes; equal protection does not entitle absentee landowners to vote) (counsel for amici)

Vagim v. City of Fresno Case Nos. F068541, F068569, F069963 (2014) (defense of writ seeking to compel provision of title and summary of initiative to lower water rates, defense contends resulting rates would be illegally low, appeal and writ petition from denial of declaratory relief in same dispute, writ regarding stay on appeal)

Court of Appeal for the Sixth Appellate District

Award Homes v. County of San Benito Case No. H044894 (pending)(defense of trial court victory and new trial motion in dispute as to development fees)

Citizens for Responsible Open Space v. San Mateo County LAFCO (2008) 159 Cal.App.4th 717 (rejecting procedural challenges to annexation to open space district) (ghost-writer of amicus brief)

Eiskamp v. Pajaro Valley Water Management Agency (2012) 203 Cal.Ap.4th 97) (challenge to groundwater charge barred by res judicata effect of earlier settlement) (successfully opposed review and depublication)

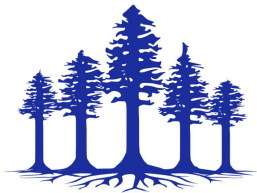
Griffith v. Pajaro Valley Water Management Agency (2013) 220 Cal.App.4th 856 (successful defense of Proposition 218 challenge to groundwater augmentation charges)

Holloway v. Vierra, San Lorenzo Valley Water District (argued 3/6/18) Case Nos. H044492, H044505, H044704, H044800 (taxpayer's Government Code § 1090 and Political Reform Act enforcement action against Water District and former director; appeals from judgments and attorney fee award)

Monterey Peninsula Taxpayers Assn v. Monterey Peninsula Water Management District (argued 2/27/18), Case No. H042484 (appeal from successful defense of District's refusal to place referendum on ballot to repeal water supply charge)

Legal Services

Proposal Prepared For:
The City of Sebastopol



Redwood
Public Law

Alex J. Mog
Senior Of Counsel

409 13th Street, Ste 600, Oakland CA, 94612
(916) 307-1522
alex.mog@redwoodpubliclaw.com



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Letter of Transmittal

May 1, 2024

City of Sebastopol
Attn: Mary Gourley, Assistant City Manager
7120 Bodega Avenue
Sebastopol, CA 95472

Re: Response To RFQ to Provide Legal Services for the City of Sebastopol

Honorable Mayor Rich & Members of the City Council,

On behalf of Redwood Public Law, LLP, I am pleased to submit the enclosed proposal of qualifications to provide legal services to the City of Sebastopol.

I, Alex Mog, will serve as the point of contact for this introduction and the proposed City Attorney for this engagement. I will serve the City of Sebastopol from our Oakland office. My contact information is as follows:

Alex J. Mog, Senior Of Counsel
Redwood Public Law, LLP
409 13th Street, Ste 600
Oakland, CA 94612
(916) 307-1522
alex.mog@redwoodpubliclaw.com

Redwood Public Law, LLP, (“Redwood”) is a majority minority owned law firm, committed to public service and creating a meaningful impact for clients. The firm was formed with a specific focus on serving public agencies. While we are a new law firm, our experience representing public agencies is extensive. We currently serve as city attorney for 14 cities and general counsel for over 30 special districts in Northern California, including many in Sonoma County. Our clients range from small cities and mid-sized cities, to large and populous jurisdictions. We make every effort to understand our clients, to explain the law, to identify options and risk, and to collaborate on solutions.

In the cities where we serve as city attorneys, we strive to be an integral part of the management team, collaborating with staff and electeds to address the issues facing the city. Our successful track record is reflected in the fact that when Redwood was recently formed, 100% of the jurisdictions for whom our attorneys were serving as city attorney entrusted us to continue representing them at Redwood.

I currently serve as City Attorney for the City of Cloverdale, as well as the General Counsel of the Bodega Bay Public Utility District and Oro Loma Sanitary District. I understand the challenges and pressures facing small cities in Sonoma County, ranging from budget deficits and deteriorating infrastructure to state mandates and homelessness. I’ve had the privilege to work with Sebastopol on a number of projects over the last few years, and I hope to continue providing that service as your City Attorney.



Serving as my formal back-up, Sky Woodruff has served as a trusted advisor to local agencies both as general counsel and as special counsel on elections and tax, fee, and assessment matters. He currently serves as city attorney for the cities of Larkspur, South San Francisco, and El Cerrito. Rounding out our primary team is Schuyler Schwartz, an Associate at Redwood with experience advising and counseling cities, counties and special districts of all types throughout the state.

Providing additional services to Sebastopol will be Lindsay D'Andrea, Partner, and Erica C. Gonzales, Senior Associate. These individuals bring to the table substantial experience providing counsel to cities, counties, and special districts in the Bay Area and elsewhere.

Further, Redwood is able to call upon a deep bench of attorneys with issue-specific expertise across a range of interrelated practice areas should those resources be necessary.

We greatly appreciate this opportunity to build a relationship with the City of Sebastopol.

Sincerely,

A handwritten signature in blue ink, appearing to read "Alex Mog".

Alex J. Mog
Senior of Counsel



Identification of Attorneys & Support Staff

We have specially crafted a team of attorneys for this endeavor, with targeted experience in municipal law and interrelated practice areas. We feel confident that these individuals can effectively serve the City of Sebastopol in the entire scope of their needs, as outlined in the RFP. Short bios of our proposed team are included below, and full resumes follow.

Redwood Public Law also employs legal practice assistants and paralegals who are an integral and valued part of our team. We utilize these skilled professionals to assist with administrative and, for paralegals, substantive tasks whenever possible and appropriate in order to keep costs as low as possible for our clients.

Proposed Team for The City of Sebastopol



Proposed City Attorney: Alex Mog, Senior of Counsel

Alex currently serves as the City Attorney for the City of Cloverdale, General Counsel of the Bodega Bay Public Utility District and Oro Loma Sanitary District, and Assistant City Attorney for other Northern California cities. His areas of focus include housing, economic development, land use, and municipal finance. Alex regularly counsels public agencies on the full range of public law matters, including code enforcement, Political Reform Act compliance, the Brown Act, the Public Records Act, and public contracting.



Proposed Formal Backup: Sky Woodruff, Partner

For over 20 years, Sky has served as a trusted advisor to local agencies both as general counsel and as special counsel on elections and tax, fee, and assessment matters. Serving as city attorney for a diverse range of cities, Sky has helped new cities chart their initial course and established cities' plans for the future through land use and finance. He currently serves as City Attorney for the cities of South San Francisco, El Cerrito and Larkspur.



Proposed Assistant City Attorney: Schuyler Schwartz, Associate

Schuyler provides advice and counsel to cities, counties and special districts of all types throughout the state. She currently serves as Assistant City Attorney for the City of South San Francisco and El Cerrito, as well as supporting counsel for the City of Walnut Creek, and Town of Los Altos Hills, among other public agencies throughout California. Prior to Redwood Public Law, Schuyler worked as an attorney for the California State Water Resources Control Board where she advised the Department of Financial Assistance on funding for drinking water and clean water projects. Her experience includes reviewing compliance documents, PRA requests, and CEQA/NEPA documents.



Additional Team Member: Lindsay D'Andrea, Partner

Lindsay serves as General Counsel for the Tri-Valley Transportation Council and Assistant General Counsel for the Santa Cruz Regional Transportation Commission, Ventura County Transportation Commission, and the Sunol Smart Carpool Lane Authority. Lindsay has a special expertise and interest in public contracting and procurement; funding issues and associated agreements; land acquisition, and land use and the California Environmental Quality Act.



Additional Team Member: Erica Gonzalez, Senior Associate

Erica provides advice and counsel to cities, counties and special districts of all types throughout the state. She currently serves as Assistant City Attorney for the City of San Leandro and General Counsel for the Sweetwater Springs Water District and West Valley Sanitation District. As an experienced litigator, Erica handles all aspects and stages of litigation for both private and public clients and has experience in both state and federal court. Erica has also advised and counseled public entities on risk management and claim handling.

Firm's References

Town of Windsor

Jon Davis
Town Manager
(707) 838-5335
jdavis@townofwindsor.com

City of Cloverdale

David Kelley
City Manager
707-894-1710
dkelley@ci.cloverdale.ca.us

Oro Loma Sanitary District

Jimmy Dang
General Manager
(510) 276-4700
jdang@oroloma.org



Alex J. Mog
Senior of Counsel

(510) 877-5824
alex.mog@redwoodpubliclaw.com

About Alex

Alex Mog is Senior Of Counsel with Redwood Public Law. He currently serves as City Attorney for the City of Cloverdale and the General Counsel of the Oro Loma Sanitary District and Bodega Bay Public Utility District. He also serves as Assistant City Attorney and special counsel for a number of cities in Northern California, including for Windsor and Union City.

Alex has handled numerous unique legal and regulatory challenges. His areas of focus include real estate, housing, economic development, land use, and municipal finance. As part of his municipal finance practice, Alex assists cities and special districts with enacting development impact fees, adopting increased utility charges and connection fees, establishing assessment districts and community facilities districts, and enacting tax increases. In connection with these matters, Alex advises clients on compliance with Proposition 13, Proposition 218, the Mitigation Fee Act, and the Mello-Roos Community Facilities District Act.

Alex's real estate and economic development practice involves assisting clients with housing developments and real estate transactions. He frequently prepares leases, purchase and sale agreements, development agreements, easements, deed restrictions, loan documents, and affordable housing regulatory agreements for public agencies. In addition, Alex advises clients on various land use and planning issues.

Alex regularly counsels public agencies on the full range of public law matters, including code enforcement, Political Reform Act compliance, the Brown Act, the Public Records Act, and public contracting. While in law school, Alex externed for the Honorable Jon S. Tigar of the U.S. District Court for the Northern District of California and served as an editor for the Hastings Law Journal.

Areas of Expertise

Municipal & Special District Law
Economic Development
Public Contracts
Public Finance
Land Use
California Public Records Act
Housing
Real Estate

Education

University of California College of the Law, San Francisco (formerly Hastings College of the Law), JD, magna cum laude (2014)

University of California at Los Angeles, BA, cum laude, Political Science (2010)



Sky Woodruff
Partner

(510) 877-5840

sky.woodruff@redwoodpubliclaw.com

About Sky

For over 20 years, Sky Woodruff has served as a trusted advisor to local agencies both as general counsel and as special counsel on elections and tax, fee, and assessment matters. As a City Attorney, Sky and his team collaborate with clients on day-to-day local government operations, as well as complex, high-stakes issues that map the future of a community. He has worked with cities, counties, and special districts on dozens of ballot measures to raise revenue, set land use policy, protect public health, and regulate industry. Local government officials and consultants regularly seek his advice to identify options for enhancing revenue and protecting existing revenues against challenges.

Sky approaches his work as a member of client teams, attempting to understand their goals, identifying and strategizing about risks, and communicating the highest quality legal analysis to achieve desired outcomes. Serving as city attorney for a diverse range of cities, Sky has helped new cities chart their initial course and established cities' plans for the future through land use and finance. He has focused on revenue enhancement and stability, economic development, and housing and commercial development in line with each community's character. He has negotiated deals and processed land use approvals, while collaborating on long-range plans for financing significant infrastructure projects to meet the needs of future residents and businesses.

As elections counsel, Sky has advised local governments on agency-sponsored ballot measures, local recalls, and citizens' initiatives and referendums — including all forms of taxes, land use policy, water fluoridation, solid waste franchises, internal government organization, and roadway design policies. As a member of litigation teams, he has defeated a referendum to stop the 49ers stadium; defended Oakland's "strong mayor" charter amendments; protected decisions about contracting for services; and represented Alameda County in a high-profile election contest.

Sky serves as City Attorney for South San Francisco, El Cerrito, and Larkspur, and as General Counsel for Regional Government Services Authority. A frequent presenter on local government elections and revenue topics, he was also among the authors of the 2017 comprehensive update of the Proposition 26 and 218 Implementation Guide, published by CalCities.

Areas of Expertise

Municipal & Special District Law

Local Government, Fees, & Assessments

Local Elections Law

Public Finance

Land Use & CEQA

Energy, Public Power, and Telecommunications

Joint Powers Authority Formation, Governance, Dissolution

California Public Records Act

California Political Reform Act & Government Code 1090

Education

University of California at Berkeley, School of Law, JD (1998)

Georgetown University Walsh School of Foreign Service, BS, Humanities and International Affairs, summa cum laude and with honors in History (1994)



Schuyler Schwartz

Associate

(510) 877-5827

schuyler.schwartz@redwoodpubliclaw.com

About Schuyler

Schuyler Schwartz is an Associate at Redwood Public Law and provides advice and counsel to cities, counties and special districts of all types throughout the state.

Prior to joining Redwood Public Law, Schuyler worked as an attorney for the California State Water Resources Control Board where she advised the Department of Financial Assistance on funding for drinking water and clean water projects. Her experience includes compliance documents, PRA requests, and CEQA/NEPA review. Additionally, she has drafted loan, grant, and Installment Sale Agreements with cities, counties, schools, special districts, and Native American tribes.

She currently serves as Assistant City Attorney for the City of South San Francisco and El Cerrito, as well as supporting counsel for the City of Walnut Creek, and Town of Los Altos Hills, among other public agencies throughout California.

Prior to Redwood Public Law, Schuyler worked as an attorney for the California State Water Resources Control Board where she advised the Department of Financial Assistance on funding for drinking water and clean water projects. Her experience includes reviewing compliance documents, PRA requests, and CEQA/NEPA documents. Additionally, she drafted loan, grant, and Installment Sale Agreements with cities, counties, schools, special districts, and Native American tribes.

Schuyler graduated from the University of California College of the Law, San Francisco (formerly UC Hastings College of the Law) in 2020. While in law school, Schuyler focused on Environmental Justice and Water Law through coursework and externships. For her undergraduate degree, she attended Lewis & Clark College and graduated in 2015 with a B.S. in Environmental Studies and a B.A. in French Studies.

Areas of Expertise

Municipal & Special District Law

Education

University of California College of the Law, San Francisco, JD (2020)

Lewis and Clark College, BS, Environmental Studies and BA, French Studies (2015)



Lindsay D'Andrea
Partner

(510) 877-5825

lindsay@redwoodpubliclaw.com

About Lindsay

Lindsay D'Andrea serves as General Counsel for the Tri-Valley Transportation Council and Assistant General Counsel for the Santa Cruz Regional Transportation Commission, Ventura County Transportation Commission, and the Sunol Smart Carpool Lane Authority. She also serves as special counsel to the Alameda County Transportation Commission and San Francisco County Transportation Authority. In addition, Lindsay serves as Assistant City Attorney for the cities of Walnut Creek and South San Francisco.

Lindsay has a special expertise and interest in transportation agency work and issues. She has significant experience representing public agencies on transit-oriented and large-scale campus development projects, including negotiating and drafting development agreements and purchase and sale agreements. She also has substantial experience and expertise in public contracting and procurement; transportation funding issues and associated agreements; land acquisition, disposition, and entitlement; the California Public Records Act; the Mitigation Fee Act, the Brown Act, and the California Environmental Quality Act.

She has advised her clients on updates of organizational documents, conflict of interest codes, and interagency agreements, including preparation of JPA and administrative code amendments, and form cooperative agreements.

Areas of Expertise

Municipal & Special District Law
Transportation & Infrastructure

Education

University of Georgia School of Law,
JD, cum laude (2010)

University of Georgia, BA, Political
Science, magna cum laude with
Honors (2006)



Erica C. Gonzales
Senior Associate

(510) 877-5817

erica.gonzalez@redwoodpubliclaw.com

About Erica

Erica Gonzalez is a Senior Associate at Redwood Public Law and provides advice and counsel to cities, counties and special districts of all types throughout the state. She currently serves as General Counsel for Sweetwater Springs Water District and West Valley Sanitation District and as Assistant City Attorney for the City of San Leandro.

Prior to joining the firm, Erica worked as an Associate Attorney at a boutique law firm in San Francisco with a focus on public entity defense. She has a unique background in defending various types of public entities, including cities, municipalities, special districts, recreation districts, and transportation agencies in matters involving tort liability claims, design defect and dangerous condition of public property.

As an experienced litigator, Erica handles all aspects and stages of litigation for both private and public clients and has experience in both state and federal court. Erica has also advised and counseled public entities on risk management and claim handling.

Areas of Expertise

Municipal & Special District Law

Education

Thomas Jefferson School of Law, JD,
(2011)

University of California at Berkeley,
BA, Social Welfare and Minor in Public
Policy (2001)



Description of Services

The attorneys of Redwood Public Law LLP serve as the City Attorney for fourteen (14) cities and General Counsel for over thirty (30) special districts in Northern California, as well as special counsel to numerous other public agencies. Our clients range from small cities to very populous jurisdictions, and are as varied as California. Our priority is to become trusted strategic advisors for our clients, to assist them in implementing their goals and priorities.

Redwood attorneys have the diverse expertise necessary to advise Sebastopol on the wide range of issues facing a city in the ever-changing California legal environment. From day-to-day options, to emergency situations, we have the experience to assist Sebastopol with any issue that may arise. We have the capability to pull on the extensive expertise of our entire firm, as necessary. Our firm is built of attorneys with expertise in a range of subject matters, including but not limited to:

Affordable Housing	Local Elections Law - Initiative, Referendum,
The Brown Act	Recall, Campaign Finance, District Elections,
California Drought - Legal Services & Resources	Local Government and Non-Profit Ethics
California Political Reform Act and Government	Compliance
Code 1090	Local Government Reorganizations and
California Public Records Act	Annexations
Charter Amendments	Local Government Taxes, Fees and Assessments
Climate Change and Green Initiatives	Municipal and Special District Law
Code Enforcement and Nuisance Abatement	Open Meeting Laws
Construction Claim and Dispute Resolution	Prevailing Wage Law and Project Labor
Design Build Procurement	Agreements
Economic Development and Redevelopment	Public Contracting
Energy, Public Power and Telecommunications	Public Finance
Housing	Real Estate
General Counsel Services	State and Federal Grant Procurement
Joint Power Authority Formation, Governance,	and Infrastructure Related Development
Dissolution	Transportation and Infrastructure
Land Use and CEQA	

There are a limited number of practice areas identified in the Request for Qualifications that Redwood Public Law does not provide, such as workers compensation, tort claim defense, and foreclosure. Whenever an issue arises that requires expertise that the firm does not have, we will ensure that expert outside counsel are retained. We have experience working collaboratively and efficiently with outside counsel to ensure the City receives the highest quality legal services in a cost-effective manner.



Rates & Charges

Means of Compensation

Redwood Public Law, LLP proposes to charge for its services on an hourly basis. Hourly rates will differ depending on the attorney providing the services and the complexity of the matter.

Fee Schedule

Rates & Charges: Breakdown by Position

Title	General Services	Specialty Services	Cost Recovery Rate
Partners	\$345	\$375-\$475	\$400-\$495
Of Counsel	\$330	\$350-\$425	\$395-\$475
Assoiates	\$310	\$325-\$375	\$350-\$425
Paralegal	\$205	\$215	\$225

General Services

General Services include routine legal services related to the day-to-day operation of the City. General or routine legal services include:

- Attendance at regular or special City Council meetings;
- Planning Commission or other subordinate body meeting attendance, if requested;
- Review, revision, and/or preparation of routine agenda items, staff reports, resolutions, ordinances and agreement;
- Brown Act and other open meeting requirements advice and analysis;
- Advice and counsel regarding Government Claims Act and coordination with City staff, claims administrators, and risk pool staff;
- Routine analysis of other laws applicable to public agencies;
- Conflicts of interest and ethical laws advice and analysis;
- Meetings with City Council Members as requested to discuss City business;
- Public Records Act advice and assistance with routine public records requests;
- Routine legal advice and guidance to the City Council, the City Manager, and staff;
- Staff meeting attendance, as requested;
- Status updates to the City Council and staff on general legal services matters;
- Updates on new legislation and case law which could affect the City; and
- Training and preparation of training materials for City elected and appointed officials and staff.



Special Services

Special services are non-routine matters involving specialized areas of law that require advanced expertise and specialized knowledge. Special services include:

- Analysis and advice regarding CEQA and environmental issues;
- Cost-recovery services (legal services charged to third parties);
- Tax and public financing matters;
- Election law matters;
- Eminent domain services;
- Enterprise and special fund services;
- Financing mechanism formation (such as assessment, tax, and financing district formation);
- Labor and employment matters;
- Land use matter advice and analysis;
- Litigation (including pre-litigation claims handling, mediation, arbitration, administrative proceedings, and other formal hearings and proceedings);
- Construction and Facilities matters;
- Public Works contracting matters, including claims and disputes;
- Real estate matters (such as property acquisition and sale);
- Housing matters; and
- Successor Agency matters.

Time of Attorneys representing the City on non-routine matters will be charged at the applicable rate for non-routine matters, including where such non-routine work includes attendance at City Council meetings, meetings with City officials, etc.

Redwood will bill the City for reimbursement costs incurred in providing services to the City, such as express mail, postage, court costs, and mileage. Redwood will bill for the actual costs incurred, except for mileage which will be reimbursed at the IRS rate.

Redwood generally adjusts its rates on July 1 of each year, pursuant to the annual change in the Consumer Price Index, CPI-U published by the U.S. Department of Labor statistics for the San Francisco Bay Area, all items, not seasonally adjusted, rounded up to the nearest \$5 per hour.

Working Within Budget

We understand the budgetary pressures facing Sebastopol and will always be mindful of controlling legal costs. We have experience working with other small cities within limited budgets to ensure that legal services are provided in a cost-effective manner. We use the following strategies with all of our clients to help lower costs:

- Preparation of standard contract forms and provision of staff training and materials to minimize the need for attorney services for routine contracts.
- Preparation of standard response forms, and preparation and presentation of staff training and materials to reduce reliance on attorney services for responding to routine public records requests.
- Structuring legal service matters according to department, enterprise, and cost center to assist in allocating legal service costs and tracking and prioritizing legal services with minimal staff effort.
- Coordination with other clients on matters of mutual interest to provide, where possible and desirable, coordinated legal representation and reduced legal service costs.



We create and use different cost containment strategies, which we develop in coordination with the client. We strive for a proactive work approach with clients such that, if a client asks us to research a particularly complex issue, we may advise the client of the possible cost so that the client may decide the scope of the research, and whether there are cost efficient approaches to finding the information.

There is no “one size fits all” approach to managing legal costs. We propose a collaborative approach to meet the City’s budget expectations. As City Attorney, Alex will lead an initial meeting to understand the City’s specific budget requirements. Our firm will then work closely with the City Manager to develop an efficient plan that enables us to fulfill our duties while staying within budget. Furthermore, we always ensure that the City Manager is aware of any significant projects or issues that may have a material budgetary impact.

However, more than anything else, the most effective way to manage legal costs is for the City Attorney to engage regularly and early on important issues so that they can be addressed before they grow in seriousness and require special services or litigation.

Payment & Billing

Time is billed in minimum increments of one-tenth (0.1) of an hour. Redwood will bill the City on a monthly basis. Redwood will send the City monthly statements showing attorney fees and costs incurred and their bases. If no attorney fees or costs are incurred for a particular month, or if they are minimal, the statement may be held and combined with that for the following month unless you request a statement. We request that any balance be paid in full within 30 days after the statement is sent.

If the City ever has any questions regarding payment or billing, we encourage you to promptly bring those questions to our attention, so we can respond promptly.

In-Service Training

We propose to conduct an initial meeting with the City Manager to explore and address your City’s training needs. Our objective is to collaboratively devise a comprehensive plan aimed at delivering effective training services while ensuring adherence to budgetary constraints. We have extensive experience providing training on a wide variety of topics, including AB 1234 Ethics training, the Brown Act, Public Records Act, Conflicts of Interest, harassment prevention, and implicit bias training.



Availability & Commitment

Availability & Commitment

Each attorney from Redwood Public Law will remain fully committed to providing service to the City of Sebastopol during the entire duration of their duties, providing prompt responses with no conflicts of interest.

Our team will serve the City of Sebastopol from our Oakland Office at:

409 13th Street, Suite 600
Oakland, CA 94612

Redwood Public Law thoroughly appreciates this opportunity to work with the City of Sebastopol, and is committed to providing the highest quality legal services in a timely and collaborative manner to meet the City's particular needs. Our team and the firm as a whole understand the importance of consistency and continuity in legal representation. Our senior attorneys are actively engaged and hands-on with client matters—even as day-to-day activities may be handled by associate attorneys and paralegals when appropriate and cost-efficient to do so. This enables the senior attorneys to provide the oversight and continuity that ensure quality service while keeping costs reasonable for the client.

Proposed Attorney's Roles



Alex J. Mog
Proposed City Attorney



Sky Woodruff
Proposed Formal Backup



Schuyler Schwartz
Proposed Assistant City Attorney



Lindsay D'Andrea
Proposed Attorney Providing Services



Erica C. Gonzales
Proposed Attorney Providing Services

Firm's Capacity

Redwood Public Law recognizes the key to being a strong firm is proactively anticipating the needs of our clients and effectively juggling varied tasks with overlapping deadlines, including those that require a short turnaround. Given our firm's resources, in both its institutional knowledge and our individual attorneys, we can respond rapidly to matters regardless of their complexity and deadlines.

We are fully staffed to support the City of Sebastopol, as all of our personnel have experience in public law and many possess a specialty background that would well serve you in the full scope of your needs, as outlined in the RFQ.

We offer a strong pool of attorneys and associates who work side-by-side to create meaningful impact for our clients. All of our attorneys have experience in public law, with many possessing a background in the areas of environmental law, litigation, real estate and housing, and eminent domain. In addition, the firm employs staffing for human resources, accounting, marketing, conflicts, records, information technology, and facilities.



Communications



Our Approach

Redwood Public Law, LLP proposes a collaborative and efficient approach to the provision of legal services to The City of Sebastopol. We ensure that attorneys who are assigned have not only the background and experience to advise our client, but also the time to carefully strategize and thoroughly delve into the issues. Attention to team assignments and time management has been key to our success in representing public entities.

Our team and the firm as a whole understand the importance of consistency and continuity in legal representation. Our senior attorneys are actively engaged and hands-on with client matters—even as day-to-day activities may be handled by associate attorneys and paralegals when appropriate and cost-efficient to do so. This enables the senior attorneys to provide the oversight and continuity that ensure quality service while keeping costs reasonable for the client.

Means of Communication

The proposed City Attorney, Alex Mog, will be the designated point of contact for the City of Sebastopol. Our team will keep Alex up to date, copying him on any necessary correspondence and ensuring that he is equipped with the proper information. Any new requests will go through Alex in order to ensure that the most appropriate individual performs the work, depending on the subject matter and complexity.

Our proposed team strives to return every phone call or email within a few hours of receiving the contact, with a maximum turnaround of 24 hours. If additional time is necessary before we can provide a substantive response, we still timely respond in order to acknowledge receipt and provide an estimate of when a full response will be provided.



We will ensure that we are easily accessible via various methods, including email and video/phone conferences, even when away from the office, or in service of an urgent meeting. These meetings are useful in identifying issues, updating the status of cases or matters, and setting expectations on future tasks.

We are open to communicating advice orally, via virtual meeting, or via email, depending on the issue and the context. We can meet with you wherever you are and however you want.

Keeping Sebastopol Informed

Clear and responsive communications with the City of Sebastopol will be the priority, ensuring that all perspectives are heard and respected, in order to lay the groundwork for a collaborative, cohesive relationship to move your City forward. We have the background to answer most questions quickly, the instincts to know when to dig deeper (depending on what the circumstances warrant), and the understanding of real world implications.

We work hard to ensure that our clients are not “surprised” by unexpected issues or developments in a case. We further provide regular written case status reports to update our clients on pending matters. Of course, we are also available on an as-needed basis as issues arise outside of regular project team meetings or written status reports.

Regular Reports

We understand that you may require regular reports, updating you on our attorneys and the particular matters they are working on. If retained, we will meet with you to discuss the types of reports you would be interested in receiving and strategize a timeline (weekly, monthly, etc.) for you to receive them.

We will keep you informed on the status of projects, requests, and litigation. Some clients prefer a detailed matrix (summarizing the status of open matters, the individuals involved, and the responsible attorney), others request a brief status memorandum, while others tell us they do not want a monthly formal update, relying instead on our monthly billing statements. Further, some clients want to receive the information in person, via email, a periodic phone conference, or a combination of any of these options. We are committed to working with the City to ensure that we communicate and work with each individual in the manner they desire.

When we serve as counsel to a county, city, or town our goal is to become a strategic partner in helping that agency implement its public service mission, goals and mandates. We have the well-proven expertise and specialty experience required to serve Sebastopol in the most efficient and cost-effective manner.



Actual or Perceived Conflicts

Redwood Public Law, LLP has no actual or perceived conflicts of interest related to its potential representation of the City of Sebastopol.

We represent many public agencies in Sonoma County and California and accept new engagements all the time. It is virtually inevitable that Redwood Public Law, LLP will work on projects for other clients having different governmental or political objectives, beliefs, or views from the City. We will advise and/or seek approval from the City in accordance with rules and laws applicable to conflicts of interest in matters where the objectives or interests of the City may differ from or conflict with those of other Redwood Public Law, LLP clients or potential clients.

If any dispute arises, we will follow the professional rules of conduct.

Additional Information

Why Redwood Public Law?

At Redwood Public Law we pride ourselves on providing exceptional and extraordinary client service. We invest in our client's success and are valued strategic partners in assisting clients in implementing policy priorities set by their governing body.

Quality and client service are at the heart of Redwood Public Law's success. To develop a deeper understanding of how legal issues impact every aspect of daily operations, we invest time in gaining a "big picture" view of each client. In doing so, we combine the broad reach of the entire firm with the flexibility of a medium-sized team.

Our team includes attorneys with professional experience in the public, private, and non-profit sectors. By bringing together diverse lawyers who possess specialized experience with broad-based legal knowledge, and by training lawyers to undertake significant responsibility early in their careers, we can achieve excellent results with efficient and cost-effectively staffed teams. Our aim is to create an inclusive and collegial environment that promotes growth and success for lawyers at all stages of their careers. In turn, our clients are guaranteed to receive the highest quality of service, ultimately leading to long lasting working relationships.



ADAMS SILVA & McNALLY LLP

**STATEMENT OF
QUALIFICATIONS TO
PROVIDE LEGAL SERVICES**



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ADAMS SILVA & McNALLY LLP

PROPOSAL FOR LEGAL SERVICES

General Legal Counsel, Human Resources and Employee Relations/Negotiations, Governance

EXECUTIVE INTRODUCTION

Adams Silva & McNally (ASM) is pleased to submit this proposal for legal services and looks forward to the opportunity to continue working with the City of Sebastopol, to advance the City’s mission of providing growth, safety, high community spirit and continued improvements for each resident. ASM will work collaboratively with the City Manager and all staff to provide clear, concise, and effective legal advice and consultation.

I. Statement of Interest

Adams Silva & McNally is committed to partnering with the City of Sebastopol to provide positive outcomes for the City, its staff, and the community. ASM was founded on the principle of providing the highest quality and experienced legal services to our clients in a timely fashion.

II. Partnership Approach – *Together. Forward. Solutions.*

Our experiences and expertise are valuable resources to our clients. We help clients identify and avoid problems before they exist and create favorable solutions during disputes. Our legal advice is not “one-size-fits-all.” We tailor our legal services to fit the needs of each individual client, accounting for community dynamics, local budgets, union relationships, and the client’s goals. We appreciate that the appropriate solution in one situation may not satisfy the client’s goals in another. We listen to your needs, provide options to decision-makers, and assist in the implementation of the solution. At times, we assist our clients in reaching a compromise where it is beneficial to do so, and in other circumstances, we vigorously advance their position.

III. Summary of Qualifications

Adams Silva & McNally represents local public agencies throughout the state of California. We have offices in the Los Angeles and San Diego areas with ten attorneys dedicated to serving the needs of our public entity clients. The founding partners of ASM have dedicated their careers to representing public agencies, and with over fifty years of combined experience, we understand the needs of local public agencies and are committed to working side-by-side with the City of Sebastopol to accomplish your goals. Given our wide breadth of knowledge and



experience, we can respond quickly to your needs. Our experience enables us to identify legal issues that will or may arise in the future, allowing us to guide you through those issues and, if necessary, take steps to defend against them. ASM hereby submits this RFQ to provide legal counsel in the following areas:

- General Municipal Specialty
 - General municipal law advisory
 - Labor and employment, training, personnel investigations, employee discipline
 - Union Relations/Negotiations
 - Disability Issues/FEHA/ADA
 - Public Records Act
 - Brown Act
 - Conflict of Interest
 - Bidding and Procurement
 - If selected, ASM would contract with secondary law firms to meet the City's needs in the areas of tax, urban run-off/solid waste/recycling, code enforcement, telecommunications, elections procedures, and other municipal matters outside of our expertise.
- Litigation Defense: If selected to serve as the City Attorney, ASM is equipped to work with the City's outside legal resources through LWP, CIRA, and REMIF to assist with litigation defense and workers' compensation claims.
- Real Property: If selected to serve as the City Attorney, ASM would contract with specialized law firms to meet the City's legal needs in the area of Real Property.

EVALUATION CRITERIA

I. Capability and Related Experience

Adams Silva & McNally is committed to providing the City of Sebastopol with quality legal services. We provide high-quality legal services with an attentive, personal touch that only a boutique law firm can provide. We value our clients and the services they provide to their communities. We know that time is of the essence when faced with a legal issue. We strive to provide the most responsive and comprehensive legal services in the industry.



i. **Areas of Expertise**

Human Resources

ASM is equipped to assist the City of Sebastopol with all human resources legal matters. We regularly advise employers regarding employee benefits, leaves, evaluations, and wage and hour requirements. We also assist public agencies in conducting the interactive process and determining reasonable accommodations for employees with disabilities under the California Fair Employment and Housing Act and Americans with Disabilities Act. We frequently assist clients in navigating sensitive employee constitutional issues, including freedom of speech and free exercise of religion.

Disciplining and dismissing public employees can be a difficult and daunting, yet necessary task. At times, slight procedural missteps may reverse dismissals, leading to the continued employment of problem employees. We specialize in representing public agencies at all stages in the discipline process, including conducting employee-related investigations, documenting employee misconduct, engaging employees in progressive discipline, drafting disciplinary charges, and conducting discipline hearings.

Union Relations/Negotiations

Healthy relationships with unions foster positive resolutions to difficult issues. We understand the value of positive labor relations and consistently consider and address the anticipated impact on labor relations when providing advice to our clients. Yet, we also understand that, at times, the City requires assertive positions to support the needs of the community. We are particularly skilled in assisting our clients in these situations.

We represent public agencies in all aspects of the collective bargaining process. We vigorously advocate for outcomes in collective bargaining that support our clients' priorities. We understand that effective negotiations start with comprehensive preparation and sufficient supporting materials to support management proposals. We can assist the City of Sebastopol in any capacity during the negotiations process, from analyzing existing collective bargaining agreement language and providing suggested revisions to serving as the employer representative in negotiations. We specialize in both Interest-Based Bargaining and traditional bargaining methods, impasse procedures, and public communications.

We also frequently represent our clients before the Public Employment Relations Board regarding unfair practice charges. Additionally, we regularly assist clients in contract administration and grievance processing through arbitration.



Governance Matters

We understand the value of working collaboratively and the importance of communicating effectively with city council members, city governing staff, and the community. We are experienced and highly skilled in working with city councils and all levels of city staff. We often work closely with public information officers and other administrators to develop important messages for the community on sensitive issues.

We recognize that the technical legal requirements that govern the actions of public agencies can be difficult to navigate at times. Council members and staff may require the assistance and support of legal counsel in preparing for and conducting public meetings, hearing discipline appeals, avoiding conflicts of interest, and conducting legally compliant elections, to name a few. We have a broad range of experience in representing public agencies in these areas. We are well-versed in addressing the needs of elected officials and governing staff in all areas of public governance, including:

- The Ralph M. Brown Act and Robert's Rules of Order, including defending against allegations of Brown Act violations and remedying Brown Act violations.
- Conflict of interest requirements, including 1090 compliance, Form 700, common law conflicts of interest, and general board ethics.
- Communication with the public.

In addition to working with public agencies to govern effectively and legally, we frequently collaborate with officials to respond to requests under the Public Records Act (PRA). We are experienced in all aspects of the PRA, including reviewing and analyzing PRA requests, coordinating searches for responsive records, determining exceptions to disclosure, making initial and final responses, reverse PRA and *Marken* actions, and defending against PRA actions.

ASM attorneys are also experienced in collaborating with staff and council members in the preparation of city council and committee meeting agendas. We assist staff in establishing appropriate and lawful meeting procedures by providing counsel before, during, and after council meetings. Additionally, we are experienced in providing counsel during closed session meetings.

Bidding & Procurement

ASM attorneys are knowledgeable in the bidding process and bid protests. We have extensive experience drafting, reviewing, negotiating, implementing, and enforcing contracts. We are available to represent the City's interest in connection with negotiating or entering into contracts.



II. Our Dedicated Team

ASM has offices in El Segundo and Carlsbad, California. Five attorneys and two paralegals are based in El Segundo, and five attorneys, one law clerk, and one paralegal are based in Carlsbad. Although our offices are located in Southern California, we represent public entities throughout the state. Through telecommuting and video conferencing, we are able to meet virtually with City officials and to participate in City Council and committee meetings.

Adams Silva & McNally is committed to providing the City of Sebastopol with the most appropriate and cost-effective legal services. ASM proposes the following primary legal team for the City of Sebastopol:

- Kerrie McNally, Partner (City Attorney/Primary contact)
- Dean Adams, Partner
- Elizabeth Harland, Senior Associate
- Kate Mandel, Post-Bar Law Clerk
- Kimberly Smith, Of Counsel
- Victor Campos, Paralegal
- Brandy Wimmer, Paralegal

Individual attorney resumes are attached for reference as Exhibit A. ASM attorneys are conscientious of the City's budgetary constraints. Consequently, when appropriate, ASM will use highly skilled paralegals and law clerks to provide the City with cost-savings.

ASM is committed to providing quality legal services in the timeliest manner. To accomplish this, ASM is committed to using the identified team. Ms. McNally will serve as the primary contact/City Attorney for the City of Sebastopol. Upon determining the nature of the project/assignment, Ms. McNally will assess the availability of other team members to ensure appropriate staff assignments. ASM will contract with outside firms and/or attorneys to ensure the provision of timely, high-quality legal services and support to the City on matters outside of our general expertise.

We anticipate that the City Council may require the City Attorney to participate in City Council meetings. We are available to participate via video conference in all closed session meetings. If the City Council requires regular in-person participation in open and/or closed session meetings, we are available to discuss how ASM can assist the City in an alternative capacity, including maintaining our current relationship as counsel on human resources related matters.



ASM recognizes that relationships are the cornerstone of the attorney-client relationship. ASM places paramount importance on understanding the City of Sebastopol’s unique vision and culture. In this regard, ASM seeks to be an extension of your administration and will maintain a close working relationship with the City of Sebastopol by communicating on a regular basis to keep you informed on all matters assigned to our office. Additionally, ASM’s assigned team of attorneys will be the City of Sebastopol’s point of contact to ensure consistent and timely communications. All telephone calls and emails will be responded to within 24 hours. Prompt responses to inquiries will be provided and when necessary, ASM attorneys will work with City staff to establish timely deadlines for more complicated matters.

The attorneys of ASM recognize the importance of creative, problem-solving strategies. We do not provide “one-size fits all” services to all of our clients. Rather, we work collaboratively with each client to identify the approach that will work for and is best suited for them. At times, we work closely with officials and managers to develop a pre-litigation strategy to position the client for success. Other times, we work with staff to resolve specific disputes early, and provide training to staff to help ensure similar issues do not arise in the future. We always help clients assess the risks and benefits of every potential solution.

III. References

Larry McLaughlin, City Attorney and Mary Gourley, Assistant City Manager/City Clerk

City of Sebastopol

7120 Bodega Avenue

P.O. Box 1776

Sebastopol, CA 95473

Phone: (707) 823-1153

Email: lmclaughlin@cityofsebastopol.gov

Email: mgourley@cityofsebastopol.gov

Dr. Allan J. Mucerino, Superintendent of Schools

Alvord Unified School District

9 KPC Parkway

Corona, CA 92879

Tel: (951) 509-5000

Email: superintendent@alvordschools.org



Ilsa Garza-Gonzalez, Superintendent of Schools

Fallbrook Union High School District

2234 South Stagecoach Lane

Fallbrook, CA 92028

Tel: (760) 723-6332

Email: igarzagonzalez@fuhsd.net

Ryan Church, General Counsel

Chaffey Community College District

5885 Haven Ave.

Rancho Cucamonga, CA 91737

Tel: (909)652-6556

Email: Ryan.Church@chaffey.edu

IV. Rates & Charges

Please see our rate sheet attached as Exhibit B which would apply to the 2024-2025 fiscal year. ASM reviews its rates on an annual basis in March. If appropriate, we propose rate increases to our clients to be implemented in the next fiscal year. We work with our clients to ensure all parties are comfortable with the proposed rates. Additionally, we are amenable to negotiating multi-year agreements to help ensure stability.

Rates for any legal services obtained from attorneys outside of ASM may be different than those identified in Exhibit B.

No later than the 10th of each month, ASM will provide a monthly invoice to the City detailing the work provided to the City in the preceding month. Time is billed in increments of one tenth (.1) of an hour, rounded up to the nearest increment. In-service training may be billed in an alternative fashion (e.g., per training) as agreed upon by ASM and the City.



V. Availability and Commitment to the City of Sebastopol

ASM is proud to represent public agencies. The attorneys at ASM consider themselves a member of the local team and do everything possible to help the team succeed. We are committed to the City’s success. Attorneys are available for virtual and in-person on-site meetings. We are open to establishing virtual “office hours” where Ms. McNally will be available for meetings with City staff and Council. We understand that when a local public agency requests assistance from an attorney, the matter is pressing and important. Consequently, we have a well-established practice of responding to client inquiries within twenty-four hours. If an issue requires further research and analysis, we anticipate that a final product and response will be provided within a few days. We work collaboratively with staff to identify necessary deadlines and provide timely advice to assist the City with pressing matters.

VI. Communications

As identified above, ASM attorneys are available for on-site and virtual meetings. We are available to establish virtual “office hours.” ASM is conscientious of the City’s budgetary constraints and will work diligently to limit unnecessary travel and to stay within the budgeted amount for legal expenses.

If selected, Ms. McNally will serve as the main point of contact and will work directly with the City Manager, City Clerk, and Department Heads to facilitate timely responses to inquiries. Responses to inquiries will most often be provided via email and teleconference to ensure the provision of timely advice to relevant individuals. More significant issues that require detailed research will be provided via formal memorandum or letter.

ASM develops procedures with each individual client to ensure that all projects are completed in a timely manner. As a boutique law firm, we are not limited by a “one-size-fits-all” approach. We will be in regular contact with City staff on the progress of projects and will establish mechanisms for reporting progress on projects to staff and the City Council.

VII. Conflicts

Adams Silva & McNally has a professional and ethical obligation to avoid legal conflict of interests and to avoid having any direct or indirect financial interests in the course and scope of its representation of the City of Sebastopol. ASM is not aware of circumstances that could result in a conflict of interest in the course of representing the City of Sebastopol.

Adams Silva & McNally performs conflict checks on all new matters assigned to the firm. Should a potential conflict arise between two or more clients, ASM will be in immediate communication with all parties to disclose the related information and provide a plan of action that best protects the interests of all parties.



CONCLUSION

We look forward to working with the City of Sebastopol and supporting your efforts to provide quality services to your community. We understand that unsurmountable challenges may exist with utilizing our services as City Attorney. Under such circumstances, we are eager to discuss whether our services as Human Resources Counsel may continue as they are currently established.

If you have questions on this proposal, please contact Kerrie McNally at your convenience by email at kmcnally@asmesq.com or by phone at (424) 383-7082.

Respectfully Submitted,

ADAMS SILVA & McNALLY

Kerrie McNally

Partner



Exhibit A

Attorney Resumes



ADAMS SILVA & McNALLY LLP



KERRIE McNALLY

kmcnally@asmesq.com

Ms. McNally is a founding member of Adams Silva & McNally LLP. Ms. McNally represents and advises public agencies in the areas of labor and employment, governance, litigation, student discipline, Ed Tech, and special education. Ms. McNally's legal practice crosses the typical boundaries of practice groups. Ms. McNally has experience working with California public agencies on employee discipline and student matters arising from improper use of technology.

Ms. McNally has successfully represented school districts in teacher dismissal hearings, certificated layoff hearings, classified termination hearings, grievance arbitrations and special education due process hearings. Ms. McNally has also successfully defended school district employment and special education actions in state and federal court. She also has extensive experience representing school districts before the California Department of Education, the Office for Civil Rights, the Department of Fair Employment and Housing and the Equal Employment Opportunity Commission.

Ms. McNally has lectured on the role of general education teachers within the special education matrix at the University of La Verne's College of Education and Organizational Leadership.

Ms. McNally is a sought-after speaker and trainer for public agencies. Prior to practicing law, Ms. McNally taught middle school science, math, Spanish and physical education.

Education

University of San Diego - Juris Doctor

University of California, Los Angeles -
Bachelor of Arts, Political Science

Admissions

California State Bar, 2006

United States Supreme Court

U.S. Court of Appeals, Ninth Circuit

U.S. District Court, Southern District of
California

U.S. District Court, Central District of
California

U.S. District Court, Northern District of
California



ADAMS SILVA & McNALLY LLP



DEAN T. ADAMS

dadams@asmesq.com

Mr. Adams is a founding member of Adams Silva & McNally LLP. Working with public agencies since his graduation from law school, Mr. Adams has served clients in the areas of labor and employment, student issues, special education, governance, litigation and business and facilities. Mr. Adams routinely represents school districts in federal court, superior court, administrative hearings, arbitrations, and mediations. Mr. Adams is frequently requested to present workshops and training programs on topics relating to labor and employment, student matters, and special education for school district administrators and staff.

In addition to his wealth of knowledge to support local public agencies, Mr. Adams prides himself on his personal approach to clients and partnering with them to address the issues they face. Mr. Adams understands the challenges today's board members, administrators, and staff encounter and rapidly responds to client inquires. Like all Adams Silva & McNally LLP attorneys, Mr. Adams tailors his service to meet clients' needs.

Prior to completing law school, Mr. Adams served as a student advocate with the University of San Diego Mental Health Legal Clinic. He also worked as a law clerk with the California Teachers Association, a union representative with the United Food and Commercial Workers, and a field representative with then-State Senator Jack O'Connell.

Education

University of San Diego - Juris Doctor

University of Baltimore - Master of Public Administration

California Polytechnic State University, San Luis Obispo - Bachelor of Arts, Political Science

Admissions

California State Bar

United States District Court, Southern District of California

United States District Court, Central District of California



ELIZABETH A. HARLAND

Ms. Harland is a senior associate at Adams Silva & McNally LLP. Her practice focuses on a wide variety of legal issues, including labor and employment, business and facilities, special education, student matters, charter schools, governance, and general education law. Ms. Harland has extensive experience representing school districts and has conducted presentations and trainings for school district staff on various topics, including special education and student issues.

Prior to joining Adams Silva & McNally, Ms. Harland served as a legal intern at the University of San Diego Education & Disability Clinic, where she represented low-income parents of students with disabilities in cases ranging from special education to limited conservatorships. Ms. Harland interned with the San Diego Volunteer Lawyer Program’s Family Law Project, where she appeared in family court on behalf of domestic violence victims and received the organization’s Distinguished Service Award. As a law clerk with the General Counsel of the San Diego County Regional Airport Authority, she assisted in the representation of its Board, executive staff, and its several divisions and departments on matters ranging from governance to employment disputes.

Ms. Harland earned her Juris Doctor at the University of San Diego School of Law. While there, she served on the Moot Court Executive Board, where she competed in a national moot court tournament hosted in Washington D.C. Ms. Harland has been published in the 2015 issue of the San Diego Journal of Climate and Energy Law.

Education

University of San Diego School of Law -
Juris Doctor

San Diego State University - Bachelor of Arts,
Political Science

Admissions

California State Bar

United States District Court, Southern District
of California



ADAMS SILVA & McNALLY LLP



KIMBERLY A. SMITH

Ms. Smith is Of Counsel to Adams, Silva & McNally LLP. For over fifteen years, she has proudly represented school districts in a range of legal matters including labor and employment, special education, student issues, governance, facilities, and personal injury litigation.

Prior to practicing education law, Ms. Smith represented individuals, families, public entities, and private businesses in litigation involving civil and constitutional rights, personal injury, construction and real estate, employment, insurance coverage and professional liability. She has considerable jury trial, administrative hearing, arbitration, and mediation experience. She has also handled numerous matters on appeal to the California Court of Appeal and the Ninth Circuit Court of Appeals.

Ms. Smith’s passion for education also led her to become a volunteer tutor with School on Wheels, which provides academic tutoring to children living in shelters, motels, cars, group foster homes and on the streets in Southern California. She continues to assist and mentor one of her students who is now preparing to go to law school.

Education

Syracuse University College of Law - Juris Doctor (magna cum laude)

University of California Berkeley - Bachelor of Arts, Sociology

Admissions

California State Bar

Pennsylvania State Bar

United States Court of Appeals, Ninth Circuit

United States District Court, Southern District of California

United States District Court, Central District of California

United States District Court, Eastern District of California

United States District Court, Northern District of California



Exhibit B

Adams Silva & McNally Professional Cost/Rate Schedule



PROFESSIONAL RATE SCHEDULE

(Effective July 1, 2024, for the 2024-2025 Fiscal Year)

1. HOURLY PROFESSIONAL RATES

Client agrees to pay Law Firm by the following standard hourly rate:

Partner / Senior Counsel / Of Counsel	\$315-\$325 per hour
• Kerrie McNally	\$325
• Dean Adams	\$325
• Kimberly Smith	\$325
Associate	\$280-\$315 per hour
• Elizabeth Harland	\$315
• Kate Mandel	\$280
Law Clerks	\$200-\$250 per hour
Paralegal	\$195 per hour

Time is billed in increments in units of one tenth (.1) of an hour, rounded up to the nearest increment. Law Firm shall charge its hourly rate for round-trip travel time from our office to the destination required by the Client. Computerized legal research is billed at cost. Additionally, actual travel expenses as described below will be billed.

2. COSTS AND EXPENSES

In-Office copying	\$0.15 per page
Incoming/Outgoing Facsimile	No Charge
Postage	Actual Usage
Mileage	IRS Standard Rate

Other services, such as third-party consultants, investigators, process servers, court reporter fees, transcription costs, and witness fees (including expert witness' fees) shall be charged to Client at the actual costs paid to the service provider by Law Firm plus an additional three (3) percent processing fee.

Other costs, such as messenger, airfare, and lodging, shall be charged on an actual and necessary basis with prior approval from City of Sebastopol.

STATEMENT OF QUALIFICATIONS
TO PROVIDE LEGAL SERVICES

The City of Sebastopol

prentice|LONG^{PC}



A LAW FIRM FOUNDED ON THE
PRINCIPLE OF SERVICE

April 22, 2024

Mary Gourley
Assistant City Manager
7120 Bodega Avenue
Sebastopol, CA 95472

Re: Statement of Qualifications to Provide Legal Services for the City of Sebastopol

Dear Ms. Gourley:

We respectfully submit this Statement of Qualifications to Provide Legal Services for the City of Sebastopol ("City").

Prentice|Long, PC is a law firm founded on the principle of service. Our Firm is comprised of seasoned and experienced attorneys with a proven track record. Every attorney in the Firm stays up-to-date on the changing laws surrounding municipalities and our history of the work demonstrates why we are best qualified to perform the services requested.

We are pleased to be able to offer the full-service legal services to the City of Sebastopol. Our main office is located in Redding, California, but we have attorneys stationed all over California, including in close proximity to your city. We advise public agencies on issues such as labor/employment, municipal law, water law, wastewater issues, and law enforcement/fire issues. We have a successful litigation record that extends all the way up to the Supreme Court of the United States. Prentice|Long, PC is also known for our trainings, which are made available to all of our clients on such matters as the Ralph M. Brown Act, sexual harassment, ethics standards for public employees, and personalized trainings to meet your needs.

The proposed price will be valid for a period of 90 days.

If you have any questions, please feel free to contact me at (530) 691-0800 or via email at margaret@prenticelongpc.com. We also encourage you to visit our website at www.prenticelongpc.com. Thank you for considering our Statement of Qualifications for Legal Services and we very much look forward to the opportunity to serve the City.

Very truly yours,

Margaret Long

Margaret Long, Partner

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INTRODUCTION

Prentice|Long, PC is a municipal law firm founded with the purpose of providing public agencies with first class legal services at a fair and reasonable rate. The Firm is a full-service municipal law firm which is able to provide affordable rates due to a business structure that maintains a reasonable overhead with built-in efficiencies. Prentice|Long, PC is extremely qualified to provide the services necessary to safeguard the legal needs of the City of Sebastopol. The Firm has built a reputation for being responsive, accurate, and proactive. We look forward to bringing our passion for protecting and serving public entities to the City.

BACKGROUND AND APPROACH TO LEGAL SERVICES

Prentice|Long, PC views the role of City Attorney's Office as a partnership with the other department heads and the City Manager to advance the policies of the City. It is our goal to find legal solutions to problems that may interfere with the City's goals and objectives.

We strive to address the City's questions and concerns on the spot, and we do this by staying current with legal standards and case law. However, there are times when a question from a councilmember or staff may require further research. Under those circumstances, we generally try to respond within 24 hours to avoid keeping our clients waiting.

The tracking of legal fees is done through advanced technology and personnel. Fees are always reviewed, prior to billing, by at least two partners for accuracy and to identify trends in billing which may be problematic.

Our methodology is based upon service. We listen to our clients, ask follow-up questions, research anything necessary, and deliver sound legal advice both quickly and effectively.

WORK PLAN

The Firm has an office in Redding and a satellite office in San Francisco. The City Attorney will serve the City from the Redding and San Francisco locations, and will attend all City Council meetings, City Council Commission, Board, Committees, and other meetings, as requested, in person. The Redding office location is our brick-and-mortar site, but we would prefer to be on site at the City.

Prentice|Long, PC offers its clients a full range of experience and knowledge to assist in the City's regular work such as guidance regarding conflict-of-interest matters, CEQA, Political Reform Act, Public Records Act, ethical law advice and analysis, election, tort liability and risk. In addition, advice regarding municipal employment practice and public administration to public officials, elected, appointed officials and City staff. Our Firm offers trainings specialized for the City's specific needs, including all mandated training, such as the Ralph M. Brown Act, ethics, and sexual harassment, with written materials. We also offer non-mandated trainings that are frequently requested and not only reduce liability within the City, but build staff knowledge and confidence. These trainings are personalized to fit the needs of each client and include handouts, presentation materials, and case studies specifically tailored to assist our clients in understanding the complex issues involved in public agency law.

Prentice|Long, PC has recently provided personalized training sessions in several subjects, including the Fair Labor Standards Act, Labor Negotiations, Workplace Discipline, Workplace Investigations, and the Brown Act, Ethics, and Proposition 218.

Prentice|Long, PC prides itself on service-oriented legal support. Our Firm not only has experienced attorneys ready to discuss, evaluate, advise, and research for the City, but a team of legal support staff including a law clerk, paralegal and legal assistants who are well-versed in public agency law, and document drafting. Our Firm finds the best working relationships between the City and City Attorney are ones that include open, consistent, and genuine communication. The City Attorney will work with the City Manager, and the Department Heads to build a trusted team, with shared goals for the City.

The City Attorney will be easily accessible via email, phone, text, or in-person office hours in order to receive inquiries or requests for assistance. Furthermore, the Firm's office has regularly scheduled hours where contact can be made quickly. The City Attorney will also be available via cell phone for emergency calls or issues that do occur during non-office hours. We pride ourselves on responding to our clients as soon as possible and within 24 hours if legal research is required.

We have attached a sample of our billing invoice for review, but can adjust it to meet your City's need. The Firm will bill in 1/10th of an hour increments and will request payment of fees within 30-days of submitting a monthly invoice. We bill expenses at actual cost, but do not incur them without prior permission of the City. Otherwise, the Firm is happy to adjust these billing practices to meet the needs of the City.

FIRM ORGANIZATION AND STAFFING

Amanda Uhrhammer, Partner
(Proposed City Attorney)

Sean Cameron, Partner
(Proposed Assistant City Attorney - General Municipal Law & Contracts/Land Use)

Margaret Long, Partner
(Proposed Deputy City Attorney - Personnel/Training)

Kelsey Walsh, Associate
(Proposed Deputy City Attorney - General Municipal Law, Code Enforcement & Public Guardian)

Caitlin Smith, Associate
(Proposed Deputy City Attorney - Legal Research)

Michelle Nasise, Associate
(Proposed Deputy City Attorney - Public Records Act Requests)

Andrew Plett, Associate
(Proposed Deputy City Attorney - Litigation)

Our Firm has multiple attorneys trained to handle all the legal needs of the City. Ms. Uhrhammer would be the City's primary point of contact, attend a majority of the meetings, and would serve as the City Attorney. All seven assigned attorneys, law clerk, paralegal and two legal assistants will be available for all legal services provided for the duration of the contract. City staff and council will have access to the attorneys 24/7, and would be given our cell phones to contact us for after-hour emergencies.

Prentice|Long, PC prides itself on employing the best available para-professional and clerical support staff. Our legal assistants, law clerk and paralegal are all versed in municipal law and litigation support, and are included as part of the fixed rate. Our Firm will work effectively with in-house staff and does not require any support from City personnel aside from a good working relationship and communication by staff for City requests to the City Attorney. We track all requests for legal services and ensure that they are done in a timely and correct manner. The Firm works with in-house staff in other city settings and is familiar with the protocols necessary to make such arrangement work.

No attorneys in the Firm are the subject of a State Bar complaint.

RESUMES



Amanda Uhrhammer

PROPOSED CITY ATTORNEY

Amanda Uhrhammer is a partner at Prentice|Long, PC. Ms. Uhrhammer's practice includes municipal law, workplace investigations, civil litigation, labor and employment law, and business law. Ms. Uhrhammer is currently the County Counsel for Lassen County.

Prior to joining Prentice|Long, PC, Ms. Uhrhammer was the Assistant County Counsel and then Interim HR Director of Nevada County. From 2011-2015, Ms. Uhrhammer was Senior Counsel at a Sacramento firm, representing primarily school districts. In 2010, Ms. Uhrhammer worked in a Roseville firm handling legal malpractice defense. From 1997-2009, Ms. Uhrhammer worked at a large firm in Sacramento representing primarily law enforcement associations, departing as the Managing Partner.

Ms. Uhrhammer has considerable experience in advising municipalities, and public and private organizations, on issues relating to employment, labor, workplace investigations, law enforcement, land use, eminent domain, public contracting, cannabis law, Proposition 218, and the Brown Act. Ms. Uhrhammer's expertise includes civil litigation, workplace investigations and employment matters. Ms. Uhrhammer also has experience in providing advice to planning commissions, water districts, community services districts, municipal airports and local transportation authorities. Ms. Uhrhammer provides training to public and private entities on a wide variety of topics, including sexual harassment, ethics, employment matters, and legal updates.

For her private sector clients, Ms. Uhrhammer regularly provides advice regarding workplace investigations, wage and hour issues, employment practices, discrimination, and sexual harassment matters. In litigation, Ms. Uhrhammer has represented clients in the full range of civil litigation issues, with particular emphasis on complex labor and employment matters. Ms. Uhrhammer remains actively involved with her clients from intake through the appellate process and has three published matters: *Pitts v. District of Sacramento* (2006) 138 Cal.App.4th 853; *Coleman v. Standard Life Ins. Co.*, 288 F.Supp.2d 1116 (E.D.Cal. 2003); *Guarino v. County of Siskiyou* (2018) 21 Cal.App.5th 1170.

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Education and Activities:

Ms. Uhrhammer received her Bachelor of Arts degree from University of California at Davis in 1991. She received her Juris Doctorate from McGeorge School of Law in 1996.

Ms. Uhrhammer has received awards as Top Lawyer in Employment Benefits from Sacramento Magazine in 2015 and 2016.

Ms. Uhrhammer is a member of the Association of Workplace Investigators, California State Bar Association, and Shasta-Trinity Counties Bar Association.

ADMISSIONS:

- California State Bar (1998)
 - United States Supreme Court
 - United States Federal District Court, Eastern District of California
 - United States Federal District Court, Northern District of California
 - United States Federal District Court, Central District of California
 - United States Federal District Court, Southern District of California
 - Ninth Circuit Court of Appeals
-
-



Sean Cameron

PROPOSED ASSISTANT CITY ATTORNEY (General Municipal Law & Contracts/Land Use)

Sean Cameron is a partner in the Redding office of Prentice|Long, PC. His practice includes transactional, contract, business, code compliance, ordinance, planning, environmental, and land use matters.

Mr. Cameron is currently the Deputy County Counsel for the County of Trinity, County of Modoc, County of Sierra, and the Assistant County Counsel for the County of San Benito.

Prior to joining Prentice|Long, PC, Mr. Cameron worked for Wells Fargo Securities, LLC, drafting and negotiating complex commercial contracts to facilitate securities trading and comply with federal banking requirements. Prior to going to law school, Mr. Cameron worked for Sullivan & Cromwell, LLP, as a legal assistant in the litigation group.

Mr. Cameron has extensive experience advising clients on contract issues, guiding clients from first drafts through execution with a keen focus on protecting the client's interests, while helping the client to foster productive and beneficial relationships. In addition, Mr. Cameron has broad experience advising clients on transactional and real property matters, including property transfers, leases, and easements. Mr. Cameron has also been instrumental in the development and amendment of local ordinances and policies for Prentice|Long, PC clients. Notably, he has been successful in developing and instituting policies and procedures related to water, cannabis, and elections.

Education and Activities:

Mr. Cameron completed his undergraduate degree in 2001 at the University of California, Santa Cruz, majoring in politics and legal studies, and received his Juris Doctorate from Golden Gate University School of Law, focusing on land use and environmental law, in 2009.

ADMISSIONS:

- California State Bar (2014)
-



Margaret E. Long

PROPOSED DEPUTY CITY ATTORNEY (Personnel/Training)

Margaret Engelhardt Long is a founding member of Prentice|Long, PC, and its managing partner. Ms. Long's practice includes municipal law, civil litigation, labor and employment law, and business law.

Prior to forming Prentice|Long, PC, Ms. Long was the managing partner of Cota Cole, LLP's Redding office. From 2005-2013, Ms. Long was an associate with the law firm of Kenny, Snowden & Norine in Redding, California. From 2003-2005, Ms. Long worked at Legal Services of Northern California, where she was the Managing Attorney.

Ms. Long has considerable experience in advising municipalities and public agencies on issues relating to employment, labor, public nuisance, law enforcement, land use, code enforcement, eminent domain, housing, public contracting, unlawful detainer, medical marijuana abatement, Proposition 218, and the Brown Act. Ms. Long's expertise includes facilitating local elections and initiatives, and engaging in labor negotiations on behalf of the local entity. Ms. Long also has experience in providing advice to planning commissions, water districts, community services districts, municipal airports and local transportation authorities. Ms. Long provides training to public and private entities on a wide variety of topics, including sexual harassment, ethics, employment matters, governance, and legal updates. In addition, Ms. Long represents five counties on their child dependency and Public Guardian matters.

For her private sector clients, Ms. Long regularly provides advice regarding wage and hour issues, employment practices, discrimination and sexual harassment matters. Ms. Long's transactional practice includes representing and advising clients on corporate formation and compliance, as well as contract drafting and review. In litigation, Ms. Long has represented clients in the full range of issues, with particular emphasis on complex labor and employment matters. Ms. Long remains actively involved with her clients through the appellate process, and was the lead attorney on two published matters: *Dutra v. Mercy Medical Center Mt. Shasta* (2012) 209 Cal.App.4th 750, and *Erlin v. United States* (9th Cir. 2004) 364 F.3d 1127.

Education and Activities:

Ms. Long received her Bachelor of Arts degree with honors from Wesleyan University in 2000. She received her Juris Doctorate from University of California, Davis in 2003, where she received the prestigious honor of becoming a member of The Order of the Barristers.

Ms. Long is a member of the California State Bar Association and Shasta-Trinity Counties Bar Association. Ms. Long has served as the Treasurer of the Shasta-Trinity Counties Bar Association, and President of the Shasta County Women’s Refuge Board of Directors (One Safe Place), and as a Board Member for Habitat for Humanity.

ADMISSIONS:

- California State Bar (2003)
 - United States Supreme Court
 - Ninth Circuit Court of Appeals
 - United States Federal District Court, Eastern District of California
-
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Kelsey Walsh

PROPOSED DEPUTY CITY ATTORNEY (General Municipal Law, Code Enforcement & Public Guardian)

Kelsey Walsh is an associate attorney in the office of Prentice|Long, PC. Ms. Walsh’s practice includes municipal law, public guardianships, marijuana abatement, unlawful detainers, dependency, and civil litigation.

Prior to joining Prentice|Long, PC, Ms. Walsh served as a Deputy District Attorney for the County of Shasta, quickly working her way through misdemeanors, onto general felonies, and then into the Family Violence Unit where she handled primarily felony domestic violence cases. While at the Shasta County District Attorney’s Office Ms. Walsh tried numerous cases to verdict. Ms. Walsh also has experience in the areas of estate planning, probate, conservatorships, and civil litigation.

Education and Activities:

Ms. Walsh completed her undergraduate degree at the University of California, Davis in 2009, and received her Masters and Juris Doctorate from Empire College of Law, in 2015.

ADMISSIONS:

- California State Bar (2016)
-
-



Caitlin Smith

PROPOSED DEPUTY CITY ATTORNEY (Legal Research)

Caitlin Smith is an associate attorney at Prentice|Long, PC. Ms. Smith’s practice includes municipal law, workplace investigations, civil litigation, labor and employment law, and business law.

Prior to joining Prentice|Long, PC, Ms. Smith served as Senior Assistant Attorney General for the State of Tennessee where she represented the prosecution in criminal appellate proceedings. She frequently appeared before the Tennessee Court of Criminal Appeals and successfully argued cases before the Tennessee Supreme Court. Ms. Smith regularly advised District Attorneys throughout the state on complex legal matters.

Ms. Smith served as the Extradition Team Leader, managing and supervising the team of attorneys who review all incoming and outgoing extradition requests for the state prior to final submission to the Governor of Tennessee. She also served as the Liaison to the Attorney General for human trafficking issues, and was a member of the statewide Human Trafficking Task Force.

Ms. Smith served on the Mass Violence Victim Response task force that enacted a statewide policy for providing services to victims in the event of a mass violence incident. She also served as the Liaison to the Tennessee Secretary of State for the Safe at Home Address Confidentiality Program that shields the private information of crime victims from government disclosure.

Prior to joining the Criminal Appeals Division, Ms. Smith served as Assistant Attorney General in the Consumer Protection Division of the Tennessee Attorney General’s Office. In that role she investigated consumer protection violations and litigated cases through resolution to obtain injunctive relief and restitution for defrauded consumers. Her earlier career in private practice focused on domestic proceedings, including divorce, child custody and support, adoption, and post-divorce issues. She has also practiced in the areas of insurance defense and immigration proceedings. She has a wide array of experience in litigation, administrative law, and appellate practice.

Education and Activities:

Ms. Smith received her Bachelor of Arts degree at the University of California San Diego. She received her Juris Doctorate from the University of California Hastings School of Law in 2007.

She is a 2013 Class Member of the Tennessee Bar Association Law Leadership Program. She has served as a Board Member for Grace Medical Clinic, the Executive Fundraising Board for Big Brothers Big Sisters of Middle Tennessee, and as an Executive Board Member of the Tomorrow Fund. She served as a Big Sister from 2009 through 2016. In her spare time, Ms. Smith enjoys hiking, skiing, and exploring the outdoors with her family.

ADMISSIONS:

- Tennessee State Bar (2007)
 - California State Bar (2010)
 - Texas State Bar (2017)
 - Colorado State Bar (2021)
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Michelle Nasise

PROPOSED DEPUTY CITY ATTORNEY (Public Records Act Requests)

Michelle Nasise is a contract attorney in the Redding office of Prentice|Long, PC where her practice includes municipal law, public records act requests, unlawful detainer, and civil litigation. Working in the public sector for over a decade, she is familiar with issues relating to code enforcement, restraining orders, unlawful detainer, public contracting, conservatorships, juvenile dependency, medical marijuana abatement, law enforcement, and the Public Records Act.

Prior to joining Prentice|Long, PC, she served as a Deputy District Attorney for the County of Tehama, handling a range of cases from juvenile wardship matters to felony jury trials. Ms. Nasise specialized in domestic violence prosecution and co-founded the County’s multi-disciplinary sexual assault response team, Tehama SART.

Education and Activities:

Ms. Nasise completed her undergraduate degree at the University of California, Davis in 2007 and received her Juris Doctorate from Cal Northern School of Law, Chico, in 2012.

ADMISSIONS:

- California State Bar (2012)
-
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Andrew Plett

PROPOSED DEPUTY CITY ATTORNEY (Litigation)

Andrew D. Plett is an associate attorney at Prentice|Long, PC. Mr. Plett's practice includes civil litigation, municipal law, dependency law, conservatorship law, and mental health law.

Prior to joining Prentice|Long, PC, Mr. Plett served as Deputy County Counsel for Tehama County for six years where he represented a myriad of departments including, Social Services, Health Services, Sheriff, and Planning, as well as the Tehama County Air Pollution Control District.

Education and Activities:

Mr. Plett attended Cal Northern School of Law while working as a Child Protective Services social worker for Tehama County. During his time at Cal Northern, Mr. Plett received several academic achievement awards and graduated with his Juris Doctorate in 2014 as the class salutatorian.

ADMISSIONS:

- California State Bar (2014)
 - United States District Court, Eastern District of California
-

FIRM QUALIFICATIONS

Prentice|Long, PC is a law firm founded on the principle of service. Our Firm is comprised of seasoned and experienced attorneys with a proven track record of success as advice and litigation counsel. The attorneys of Prentice|Long, PC are dedicated to the welfare of our clients. We pride ourselves on being knowledgeable, and, more importantly, understanding our clients' needs. This depth of experience and concern for our clients allows us to truly serve, not just represent.

The principal attorneys of the Firm, Margaret Long, David Prentice, Amanda Uhrhammer, and Sean Cameron, have 60 plus years of municipal law experience. Moreover, every attorney in the Firm has ongoing municipal contact and routinely advises public agencies regarding the full panoply of municipal law, political issues, public employment, labor negotiations, and litigation on a daily basis.

The City Attorney will provide regular reports to the City of Sebastopol regarding any outstanding litigation or other pending legal issues. However, we do not provide legal advice to an individual member as doing so could create a conflict of interest. We are able to serve the City on site, so we can be present if any issues arise. In addition, we are always available by email and telephone, including cell phone.

Having multiple attorneys assigned to the City of Sebastopol allows us to provide greater coverage and timely responses to your requests. Our attorneys work seamlessly together to ensure all of the City's needs are being met. The proposed attorneys would fulfill the required services as set forth below, including but not limited to:

- Provide clear and concise legal advice and consultation on a daily basis as requested or required to members of the City Council, the City Manager, and City staff. Contacts are usually made via telephone and email, with prompt, same day response desired.
- Attend City Council meetings and be prepared to advise Councilmembers on matters on the agenda as well as procedural and substantive issues that arise during the meeting.
- Attend City Council Commission, Board, Committees and other meetings as assigned such as Ad Hoc and Standing committee meetings or joint meetings with outside agencies, from time to time, as requested.
- Prepare occasional reports and present information at public meetings as needed.
- Prepare, review, and revise Staff documents, as well as the myriad of other legal documents that may arise including, but not limited to, memorandums, agreements, contracts,

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ordinances, resolutions, land use decisions including appeals, public improvements, easements, dedications, rights-of-way, and City Council Staff reports.

- Represent, coordinate and/or advise the City in litigation not covered by RMIF, CIRA or LWP or otherwise handled by outside counsel.
- Represent the City in litigation and oversee coordination with special legal counsel on all City litigation including oversight of the City's risk management program.
- Provide legal advice and assistance to operating departments.
- Oversee public records requests and review compliance of responses, records destruction, and assist with contract development.
- Perform legal assistance related to land use issues.
- Research municipal or other legal matters as requested by the City.
- Assist in the preparation of an estimated legal budget for inclusion into the City's annual adopted budget.
- Monitor pending current state and federal legislation and court decisions that have the potential to affect the City operations or procedures and provide written updates. Provide suggested action or changes to assure City compliance.

Public Records Act and the Brown Act

Prentice|Long, PC has extensive knowledge of the Public Records Act, the Ralph M. Brown Act, and Elections Code compliance. The Firm has assisted newly-formed public agencies to establish policies and procedures to comply with the Ralph M. Brown Act from inception. We have also developed an interactive training seminar which we offer to educate our clients as to recent developments in the Ralph M. Brown Act and the legislatively or judicially enacted modifications. On behalf of our public agency clients, we regularly and routinely respond to requests made pursuant to the Public Records Act.

Ms. Uhrhammer would fulfill the required services as set forth below:

- Provide guidance concerning requirements of the Brown Act, Conflict of Interest (AB1234), the Political Reform Act, the Public Records Act, due process, and other legal requirements imposed by statute and law.

- Provide tailored trainings regarding the Brown Act, Good Governance, Ethics, and any other municipal law topics requested by the City.

Land Use, CEQA, and Other Environmental Issues

Prentice|Long, PC represents clients in all aspects of land use and environmental law. Our attorneys have significant familiarity litigating environmental disputes, defending clients against government enforcement actions, and handling real property issues and transactions, including purchase, sale, and leasing of contaminated property, rights-of-way and easements, property disposal, and public improvements. Our scope of this experience includes advice and representation, on site investigations and remedial actions, general plans and zoning, special use permits, the Subdivision Map Act, CEQA and NEPA, CERCLA, California Hazardous Substance Account Act, RCRA, Porter-Cologne, Proposition 65, air and water quality, water supply and rights, and utilities issues.

Prentice|Long, PC's attorneys have the capability of advising public and private clients regarding compliance with hazardous materials laws and regulations, including those involving preparation of hazardous materials business plans and regulation by certified unified program agencies. Our attorneys have litigated a variety of matters involving hazardous waste discharges, including claims under CERCLA and HSAA, RCRA, and other federal and state laws, and have also handled and are familiar with NPDES permitting issues.

Preparation of Ordinances, Resolutions, Orders, and Written Memoranda

Prentice|Long, PC regularly prepares ordinances, resolutions, and orders for its public agency clients. Whether requested by the public agency or suggested by the City Attorney, we have drafted ordinances to assist our clients in pursuing their legislative policies, including code enforcement, land use, resolutions of necessity for eminent domain, and environmental and water-related issues. Prentice|Long, PC also regularly prepares advice memoranda, status letters, and other written information to advise and inform its public agency clients.

Mr. Cameron focuses on land use, environmental law, and contract law and has been very successful in litigating such cases. In addition, Mr. Cameron can provide staff trainings on the required elements for a valid contract and contract review. He would fulfill the required services as set forth below:

- Prepare, review, and revise staff documents, including, but not limited to, initiation of memoranda concerning legal issues, contracts, agreements, ordinances, resolutions, land use decisions including appeals, and staff reports.

Municipal Litigation

Prentice|Long, PC attorneys have distinguished themselves as public agency litigators and have far-reaching practice in bench and jury trials, as well as administrative hearings. We are well versed in the issues that commonly face rural communities, as well as rules of procedure. Prentice|Long, PC attorneys are pleased to report a very high rate of success in litigation matters.

Ms. Uhrhammer and Mr. Plett can successfully fulfill the requirements as set forth below:

- Represent and/or advise the City in litigation not covered by the City's self-insured risk pools (which provide coverage for tort claims and worker's compensation claims) or otherwise being handled by outside counsel.

Personnel, General Liability, and Employee Relations

Our Firm has incomparable experience in all aspects of personnel and employee relations matters. We have advised our public agency clients on virtually all aspects of employee relations, up to and including employee separation and discipline, *Skelly* hearings, and employee arbitrations. When necessary, we have successfully defended public agencies in litigation filed by both current and former employees.

In addition to the requirements set forth below, Prentice|Long, PC is a leading expert in the field of workplace investigations. Each of our proposed City Attorneys are experienced in all aspects of the requirements as set forth below:

- Represent the City inter-agency projects and other legal matters.
- Oversee coordination with special legal counsel on all City litigation and general liability claims.
- Provide legal advice and assistance to City departments.
- Be prepared to provide, perhaps via the services of an experienced sub-contractor, strategic communication advice as may be required by the City Council.

Prentice|Long, PC can also offer expertise in:

Groundwater Management

Prentice|Long, PC has broad experience with the local groundwater management and Sustainable Groundwater Management (SGM) Programs. Specifically, the Firm serves as Attorney to Sierra Valley Groundwater Management District and Modoc County Groundwater Advisory Committee. We are experienced and understand resources available to local agencies, and can provide detailed guidance in managing groundwater basins sustainably.

Proposition 218 Compliance

Prentice|Long, PC is considered one of the leading experts on Proposition 218 compliance. The Firm frequently lectures on that subject, and wrote and published a popular Proposition 218 manual that is still used today.

REFERENCES

Richard Egan
County Administrative Officer
Lassen County
221 South Roop Street, Suite 3
Susanville, CA 96130
530-251-8320
regan@co.lassen.ca.us

Henie Ring, Assistant Chief Administrative Officer
County of San Benito
481 Fourth Street, 1st Floor
Hollister, CA 95023
831-636-4000
HRing@cosb.us

Gabriel Hydrick
Chief Administrator
Tehama County
727 Oak Street
Red Bluff, CA 96080
530-527-4655
rghydrick@co.tehama.ca.us

Elizabeth Hamilton
HHS Director
Trinity County
11 Court Street
Weaverville, CA 96093
530-623-1382
lhilton@trinitycounty.org

CONFLICTS OF INTEREST

Client List



- Sierra County
- Trinity County
- Modoc County
- Lassen County
- Lake County
- San Benito County
- Tehama County
- Plumas County Sheriff's Office
- Fresno County
- City of Merced
- City of Susanville
- City of Tulelake
- City of Willows
- Town of Fort Jones
- Hayfork Fire Protection District
- Chester Public Utilities District
- Indian Valley Community Services District
- Southern Cascade Community Services District
- Christian Valley Park Community Service District
- Lake Shastina Community Service District
- Scotia Community Service District
- McCloud Community Services District
- Westland Water District
- Sierra Valley Groundwater Management District
- Durham Irrigation District
- Siskiyou County Cannabis
- First Five of Sierra County

The Firm is not aware of any conflict of interest with our current clients. Should an actual conflict arise after our appointment, Prentice|Long, PC would take all necessary steps to eliminate such conflict and ensure proper representation.

Prentice|Long, PC has never been terminated from a client.

Ms. Uhrhammer, the Proposed City Attorney, has no known current or future professional commitments that would interfere with her provision of legal services to the City as outlined in this proposal.

PROPOSAL TYPE/FEE SCHEDULE

HOURLY RATE – FULL CITY ATTORNEY SERVICES

The Firm is pleased to offer the following rates to the City of Sebastopol:

Attorney	\$215 per hour
Paralegal	\$110 per hour

In the alternative, Prentice|Long, PC is willing to negotiate with the City to structure a professional services schedule which accommodates the needs of the City.

COST SCHEDULE

Any other expense not listed above that becomes necessary for the successful resolution of a client matter.	Actual cost and upon preapproval of City Manager.
2.0% administrative fee in lieu of separate charges for phone, fax and copies.	Based on the amount of fees billed during the month.
Reasonable travel expenses (mileage). (Travel to office hours and meetings with the City are included in the flat rate. This is for extraordinary travel).	Applicable IRS rate per mile x number of miles.

The goal of the Firm is to provide impeccable legal advice within the City budget. We are happy to work with the City to set a not-to-exceed amount, and will ensure that we stay within the budget set.

FLAT RATE – FULL CITY ATTORNEY SERVICES

The Firm is pleased to offer the City a flat rate of \$10,000/month retainer, which will cover the full scope of work, except for litigation and labor negotiations. This fee is based on an estimated time commitment of 55 hours per month and includes an option to reevaluate after twelve (12) months based on the ongoing needs of the City. Please see the chart below for additional terms and proposed fees.

Proposed Monthly Retainer/Flat Rate	\$10,000 (with an option to reevaluate after 12 months). Public Records Act Requests (“PRA”) - if there is a large PRA or more than five PRAs per month, the Firm reserves the right, with City Manager’s concurrence, to charge hourly rate or obtain outside counsel.
Services included in monthly retainer	All services are included within the monthly retainer except for litigation and labor negotiations. This includes attendance at all City Council meetings, office hours in the City, depending on the needs of City staff.
Hourly rates for services not included in retainer	\$215 per hour for attorney time spent on litigation and labor negotiations. \$110 per hour for Paralegal/Legal Professional.

The proposed fee structure and hourly rates are subject to further negotiation or revision, depending on the City’s needs. If a flat rate option is not preferred, please let our office know and we can provide a revised compensation proposal.

COST SCHEDULE

Any other expense not listed above that becomes necessary for the successful resolution of a client matter.	Actual cost and upon preapproval of City Manager.
2.0% administrative fee in lieu of separate charges for phone, fax and copies.	Based on the amount of fees billed during the month.
Reasonable travel expenses (mileage).	Applicable IRS rate per mile x number of miles.

INSURANCE

Prentice|Long, PC maintains professional malpractice insurance in the amount of not less than \$2 million per occurrence, and will agree to maintain throughout the term of this Agreement.

CLIENT CONFIDENTIALITY

Prentice|Long, PC has worked with Apex Technology Management since our inception in 2013. Apex continually provides our Firm with the most up to date security practices. Our quarterly meetings with them allow us to implement any necessary changes and updates to keep our network secure. The Firm has 24-hour monitoring and carries cyber insurance.

Our Firm also has a strict policy on client confidentiality and all employees are provided a standard confidentiality agreement upon hiring and/or resignation. This includes, but is not limited to, Firm financial information, client records, electronic data, and written records. Any breach of such agreement will be resolved immediately.

PROJECT SCHEDULE

Prentice|Long, PC expects to serve as City Attorney on an ongoing basis as the contract provides. Ms. Uhrhammer expects to keep office hours as needed by staff at the City.

STATEMENT OF COMPLIANCE

This Proposal is in strict compliance with the Request for Qualifications and no exceptions are proposed.

ADDITIONAL INFORMATION

Prentice|Long, PC agrees to carry out all responsibilities and duties under this agreement, and in particular regarding the employment of persons and sub-contractors working on the project, we will not discriminate based on race, color, creed, national origin, religion, sex, age, or handicap.

A primary strategy to reduce costs for outside legal services is education and training for staff and councilmembers. All the proposed attorneys are experienced in and prepared to present trainings in areas of municipal law including the Brown Act, Ethics, Good Governance, Human Resources, and other topics as requested or needed.

CONCLUSION

Prentice|Long, PC, and especially Ms. Uhrhammer, are excited about the opportunity to represent the City of Sebastopol as City Attorney. We are qualified to take on this task, and are committed to working closely with staff and the City Council should we be selected. We ask that you contact our references and very much appreciate the City of Sebastopol's consideration.

Thank you,
Prentice|Long, PC

ATTACHMENT A

Insurance for Professional Services



ARCH INSURANCE COMPANY

A Missouri Corporation

ADMINISTRATIVE OFFICE
One Liberty Plaza
53rd Floor
New York, NY 10006
Tel: 800-817-3252

HOME OFFICE
2345 Grand Blvd, Suite 900
Kansas City, MO 64108

LAWYERS PROFESSIONAL LIABILITY INSURANCE POLICY

THIS IS A CLAIMS-MADE AND REPORTED POLICY. PLEASE REVIEW YOUR POLICY CAREFULLY. THE POLICY IS LIMITED TO LIABILITY FOR ONLY THOSE CLAIMS THAT ARE FIRST MADE AGAINST THE INSURED AND REPORTED TO THE COMPANY DURING THE POLICY PERIOD UNLESS AND TO THE EXTENT THAT AN EXTENDED REPORTING PERIOD OPTION APPLIES.

DECLARATIONS

Policy Number: 11LPL10414609

Renewal of: 11LPL10414608

- Item 1. **Named Insured and Address**
Prentice Long, PC
2240 Court Street
Redding, CA 96001
- Item 2. **Producer Name**
AMBA
PO BOX 850386
MINNEAPOLIS, MN 55485-0386
- Item 3. **Policy Period**
From 12/1/2023 To 12/1/2024
12:01 A.M. Standard Time at the address of the Named Insured as stated herein.
- Item 4. **Limit Liability**
\$ 2,000,000 Each Claim
\$ 4,000,000 Aggregate
a. Claims expenses are included within the Limit of Liability.
- Item 5. **Deductible**
\$ 10,000 Per Claim
The deductible amount specified above applies to both damages and claim expenses.
- Item 6. **Premium**
\$ 61,944.00 Amount No. of Lawyers 12
- Item 7. **Forms Attached at Issue**
05 ML0002 05A 12 14 AIC Signature Page
05 LPL0002 05 04 17 Policy Form
00 LPL0175 00 04 17 Network Security Endorsement
01 LPL 0060 00 1102 Specific Attorney Prior Acts
00 ML 0065 00 0607 OFAC

By acceptance of this policy the Insured agrees that the statements in the Declarations and the Application and any attachments hereto are the Insured's agreements and representations and that this policy embodies all the agreements existing between the Insured and the Company or any of its representatives relating to this insurance.

Do Not Write In This Box	Remarks	Countersigned At	Issue Date
		MINNEAPOLIS	11/29/2023

11/29/2023

Authorized Representative Countersign Date

ATTACHMENT B

Sample Invoice

PRENTICE LONG, PC

2240 Court Street
Redding, CA 96001
Telephone: 530-691-0800
Fax: 530-691-0700

April 01, 2024

Invoice No. 6537

City of [REDACTED]

Client Number: 600.086 City of [REDACTED]

Matter Number: 512.431 City of [REDACTED]

For Services Rendered Through 3/26/2024.

Fees

<u>Date</u>	<u>Timekeeper</u>	<u>Description</u>	<u>Hours</u>	<u>Amount</u>
2/22/2024	[REDACTED]	[REDACTED]	1.30	[REDACTED]
2/26/2024	[REDACTED]	[REDACTED]	1.40	[REDACTED]
2/27/2024	[REDACTED]	[REDACTED]	2.00	[REDACTED]
2/28/2024	[REDACTED]	[REDACTED]	2.40	[REDACTED]
2/29/2024	[REDACTED]	[REDACTED]	2.50	[REDACTED]
3/4/2024	[REDACTED]	[REDACTED]	4.90	[REDACTED]
3/5/2024	[REDACTED]	[REDACTED]	2.10	[REDACTED]
3/7/2024	[REDACTED]	[REDACTED]	0.20	[REDACTED]
3/7/2024	[REDACTED]	[REDACTED]	0.30	[REDACTED]
3/7/2024	[REDACTED]	[REDACTED]	0.20	[REDACTED]

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Client Number: 600.086
Matter Number: 512.431

4/1/2024
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3/8/2024	[REDACTED]	[REDACTED]	0.90	[REDACTED]
3/12/2024	[REDACTED]	[REDACTED]	0.20	[REDACTED]
3/18/2024	[REDACTED]	[REDACTED]	0.30	[REDACTED]
3/20/2024	[REDACTED]	[REDACTED]	0.40	[REDACTED]
3/22/2024	[REDACTED]	[REDACTED]	1.20	[REDACTED]
3/22/2024	[REDACTED]	[REDACTED]	0.80	[REDACTED]
3/25/2024	[REDACTED]	[REDACTED]	6.70	[REDACTED]
3/26/2024	[REDACTED]	[REDACTED]	0.20	[REDACTED]
			Billable Hours / Fees:	28.00

Timekeeper Summary

- Timekeeper [REDACTED] worked 2.50 hours at [REDACTED] per hour, totaling [REDACTED]
- Timekeeper [REDACTED] worked 12.20 hours at [REDACTED] per hour, totaling [REDACTED]
- Timekeeper [REDACTED] worked 0.50 hours at [REDACTED] per hour, totaling [REDACTED]
- Timekeeper [REDACTED] worked 12.80 hours at [REDACTED] per hour, totaling [REDACTED]

Continued On Next Page

Client Number: 600.086
Matter Number: 512.431

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Aging Detail

<u>Current</u>	<u>31 - 60 Days</u>	<u>61 - 90 Days</u>	<u>Over 90 Days</u>
\$0.00	\$0.00	\$0.00	\$0.00

Current Invoice Summary

Prior Balance:	\$0.00
Payments Received:	\$0.00
Unpaid Prior Balance:	\$0.00
Current Fees:	██████████
Advanced Costs:	\$0.00
TOTAL AMOUNT DUE:	██████████

Thank You For Your Business

Please Remit Payment to the Above Address
Payment Due Upon Receipt