

RESOLUTION NO. ____-2017

RESOLUTION OF THE FORT BRAGG CITY COUNCIL

and

RESOLUTION NO. ID ____-2017

RESOLUTION OF THE FORT BRAGG MUNICIPAL IMPROVEMENT DISTRICT BOARD

and

RESOLUTION NO. RS ____-2017

RESOLUTION OF THE FORT BRAGG REDEVELOPMENT SUCCESSOR AGENCY

- (1) APPROVING AN AGREEMENT BETWEEN THE CITY OF FORT BRAGG AND JONES & MAYER FOR THE PROVISION OF LEGAL SERVICES AND AUTHORIZING THE CITY MANAGER TO EXECUTE SAME; AND**
(2) APPOINTING RUSSELL HILDEBRAND TO SERVE AS CITY ATTORNEY, DISTRICT GENERAL COUNSEL AND AGENCY GENERAL COUNSEL, AND APPOINTING RYAN JONES TO SERVE AS DEPUTY CITY ATTORNEY, DEPUTY DISTRICT GENERAL COUNSEL AND DEPUTY AGENCY GENERAL COUNSEL

WHEREAS, in June 2017, Fort Bragg's City Attorney, Samantha Zutler, informed the City Council that Burke, Williams & Sorensen, LLP would not be renewing its contract to provide City Attorney services to Fort Bragg; and

WHEREAS, the City subsequently conducted a procurement process for City Attorney services which resulted in the submittal of proposals from six different entities; five of which were interviewed by the Council on September 25, 2017; and

WHEREAS, the City Council has deemed it to be in the best interest of the City to enter into a Retainer Agreement with the Law Offices of Jones & Mayer for the provision of legal services; and

WHEREAS, approval of the Retainer Agreement for City Attorney Services will not result in a direct or reasonably foreseeable indirect change in the environment; therefore the requested action is not subject to the California Environmental Quality Act and does not require environmental review, pursuant to Title 14, Chapter 3 of California Code of Regulations (CEQA Guidelines), section 15060(c)(2).

WHEREAS, Jones & Mayer has proposed that Russell Hildebrand, an attorney with Jones & Mayer, serve as City Attorney, District General Counsel to the Fort Bragg Municipal Improvement District No. 1 ("District") and Agency General Counsel to the Fort Bragg Redevelopment Successor Agency ("Agency"); and

WHEREAS, Jones & Mayer also proposed that Ryan Jones, an attorney with Jones & Mayer, serve as Deputy City Attorney, Deputy District General Counsel, and Deputy Agency General Counsel; and

WHEREAS, based on Mr. Hildebrand's experience and expertise in general municipal law matters, including his experience in providing counsel on labor and employment law, general municipal law, land use and environmental law, the Council finds that Mr. Hildebrand is

well qualified to serve as City Attorney for the City, General Counsel for the District, and General Counsel for the Agency and Mr. Jones is well qualified to serve as Deputy City Attorney, Deputy District General Counsel; and Deputy Agency General Counsel; and

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Fort Bragg, the District Board of the Fort Bragg Municipal Improvement District No. 1, and the Agency Board of the Fort Bragg Successor Agency each hereby declare, determine and order as follows:

Section 1. A Retainer Agreement for City Attorney Services, as set forth in Exhibit "A," attached hereto and incorporated herein by reference, is hereby approved and the City Manager is authorized to execute said Agreement on behalf of the City.

Section 2. Russell Hildebrand is hereby appointed to the position of City Attorney of the City, General Counsel of the District, and General Counsel of the Agency, said appointment to become effective upon being sworn in to those positions, and upon being so sworn, Russell Hildebrand shall be empowered to perform the duties of City Attorney, District General Counsel and Agency General Counsel, respectively.

Section 3. Ryan Jones is hereby appointed to the position of Deputy City Attorney of the City, Deputy General Counsel of the District, and Deputy General Counsel of the Agency, said appointment to become effective upon being sworn in to those positions, and upon being so sworn, Ryan Jones shall be empowered to perform the duties of Deputy City Attorney, Deputy District General Counsel and Deputy Agency General Counsel, respectively.

Section 4. The appointments made through, and the authority granted by, this resolution shall include the responsibility and authority to regularly advise the City Council, the District Board, the Agency Board, and their respective staffs and perform various other duties as needed.

Section 5. Russell Hildebrand and Ryan Jones shall be bound by the Retainer Agreement for City Attorney Services with the Law Offices of Jones & Mayer, as the same may be amended from time to time.

Section 6. Russell Hildebrand and Ryan Jones shall comply with City of Fort Bragg Conflict of Interest rules, and the Political Reform Act (Government Code §8100, et seq.) and the FPPC Regulations (2 Cal. Code of Regulations §18109, et seq.).

Section 7. The appointment of Russell Hildebrand as City Attorney, District General Counsel, and Agency General Counsel and the appointment of Ryan Jones as Deputy City Attorney, Deputy District General Counsel, and Deputy Agency General Counsel are not a "project" as that term is defined under the California Environmental Quality Act, and therefore, is not subject to environmental review.

The above and foregoing Resolution was introduced by Council/Board/Agency Member _____, seconded by Council/Board/Agency Member _____, and passed and adopted at a regular meeting of the City Council of the City of Fort Bragg/District Board of the Fort Bragg Municipal Improvement District No. 1/Fort Bragg Redevelopment Successor Agency held on the 23rd day of October, 2017, by the following vote:

AYES:

NOES:

**ABSENT:
ABSTAIN
RECUSE:**

**LINDY PETERS,
Mayor/Chair**

ATTEST:

**June Lemos, CMC
City/District Clerk/Agency Secretary**