



JONES MAYER
— L A W —

**RESPONSE TO REQUEST FOR PROPOSALS
FOR LEGAL SERVICES
ALTADENA LIBRARY DISTRICT**

FULLERTON

3777 North Harbor Blvd.

Fullerton, CA 92835

P: 714-446-1400 | F: 714-446-1448

WWW.JONES-MAYER.COM

CITRUS HEIGHTS

6349 Auburn Blvd.

Citrus Heights, CA 95621

P: 916-771-0635 | F: 916-771-0690

COVER LETTER

Submitted Electronically via Bid Net Direct

Altadena Library District
Attn: Nikki Winslow, District Director
600 E. Mariposa Street
Altadena, California 91001

Re: Proposal for Altadena Library District for Legal Services

Dear Ms. Winslow:

Let me begin by thanking you for the opportunity to respond to the Request for Proposals for Legal Services (RFP) for the Altadena Library District. The following proposal sets forth Jones Mayer's background, capacity, and approach to legal services. We believe that we are the best qualified to serve as Counsel for the Altadena Library District ("District") because we have the right combination of experience and flexibility to provide high quality, comprehensive and affordable services. The proposal and fee schedule may become part of the agreement between the Altadena Library District and Jones Mayer.

All elements of the RFP have been reviewed and are understood. Jones Mayer has the legal expertise and qualifications as outlined in Section III – Proposer Qualifications. We are fully prepared to provide Altadena Library District with the Services, Duties and Functions identified in Section IV - Scope of Work of the RFP and will do so in a timely and cost-efficient manner. We have reviewed the Altadena Library District's Professional Services Agreement and agree to enter into a contract with the Altadena Library District under the terms and conditions prescribed by the Agreement. No exceptions are requested at this time.

Jones Mayer is a premier law firm focused on providing a full spectrum of legal services to cities and special districts throughout California. The firm has exclusively focused on public agency law for over forty-five years, giving our attorneys extensive experience to handle the wide variety of issues cities confront. The firm currently serves as the contract City Attorney for twenty (20) California cities and General Counsel for seventeen public agencies and special districts. For a number of our clients, we have served in that role for decades, including La Habra (since 1976), Westminster (since 1989), Whittier (since 1990), Fullerton (since 1995), and Costa Mesa (since 2004). Our longstanding tenure with these clients demonstrates the confidence these cities have in the quality and efficiency of our services, as well as the strength of our relationships.


Jones Mayer also fulfills the role of City Attorney for Bishop, Blythe, Bradbury, Citrus Heights, Clearlake, Colusa, Encinitas, Fort Bragg, Gardena, La Verne, Lakewood, Nevada City, Placentia, Santa Fe Springs and West Covina; as well as Successor Agency Counsel to the Cities of Costa Mesa, Santa Fe Springs, West Covina and Westminster. The firm also serves as City Prosecutor for Baldwin Park, Brea, Buena Park, Clearlake, Costa Mesa, Fullerton, La Habra, Lakewood, Santa Fe Springs, Placentia, West Covina and Westminster. Our firm currently serves as General Counsel for nine agencies including the San Juan Water District, South San Luis Obispo

County Sanitation District and the Sewerage Commission – Oroville Region. The firm also performs services as general and special counsel for dozens of other public agencies around the State of California. Additionally, we have recently been awarded a position on the Sacramento Public Library Authority’s list of approved legal service providers specializing in litigation and labor and employment law.

We are pleased to propose the services of Baron J. Bettenhausen, Partner with Jones Mayer, as Lead Counsel to the Altadena Library District and Partner, Brittany E. Roberto as the primary backup. Mr. Bettenhausen and Ms. Roberto’s extensive years of experience in the representation of cities and public entities makes them well qualified to serve as Counsel for Altadena Library District.

We look forward to the opportunity to meet with you. In the interim, if you have any questions, please do not hesitate to contact me. I am readily available via phone at (714) 446-1400 or email at rdj@jones-mayer.com. Thank you once again for this opportunity.

Very truly yours,



Richard D. Jones
President

RDJ:kfk

JONES MAYER

PROPOSAL TO PROVIDE LEGAL SERVICES

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SECTION I -- EXPERIENCE:

1) Company name, address, telephone number, and authorized representative(s).

JONES MAYER
Richard D. Jones, President
3777 N. Harbor Blvd.
Fullerton, CA 92835
Tel: (714) 446-1400
Email: rdj@jones-mayer.com

2) Identify the number of years of experience in providing legal services, similar in size and scope to that requested in the RFP.

Jones Mayer began as the Law Offices of Shay, Stirling, Jones & Jones in the mid-1960s. In 1986, the firm became the Law Offices of Richard D. Jones. In 2001, the Law Offices of Richard D. Jones merged with the firm of Mayer & Coble to become Jones & Mayer. In 2022 the firm re-branded to Jones Mayer. Jones Mayer is a dba of Richard D. Jones, A Professional Law Corporation.

For over forty-five years Jones Mayer has represented cities, counties, joint power authorities, transportation authorities, water agencies and various other local and statewide public entities in California. We have provided advice and representation to the governing bodies and law enforcement agencies of numerous cities, counties and the state. Every attorney at our firm is exclusively dedicated to serving public entities. We have earned a statewide reputation for our work with the League of California Cities, with cities, and other governmental organizations throughout the state, representing, protecting, and defending the interests of our clients.

Additional details of the types of services we provide to our clients can be found below in subsection [3\) Proposer References](#).

A discussion of Mr. Bettenhausen and Ms. Roberto, the proposed Lead Counsel and primary backup, are discussed in [Section II - Personnel](#) below.

3) Proposer References: Provide five (5) client references for which the proposer has provided similar services. References shall include date and description of service,

project location, completion dates, organization’s name, contact person, title, address, and telephone number.

Professional References for Proposed Counsel Baron Bettenhausen:	
Project Location, Organization’s Name, Contract, Contact Person, and Dates:	Description Of Service:
<p>Daisy Perez Assistant City Manager City of Fullerton Tel: (714) 738-4102 daisy.perez@cityoffullerton.com</p> <p>Sunayana Thomas Community and Economic Development Director Tel: (714) 738-6837 Sunayana.thomas@cityoffullerton.com</p> <p>Contract Dates: 1995 to Present</p>	<ul style="list-style-type: none"> • City Attorney Services, including but not limited to: • Oversee and manage the legal affairs of the City and to ensure the policies, programs, and activities of the City and its employees and agents are carried out in compliance with all applicable law and that the best interests of the City; • Attend City Council and Planning Commission meetings in person; • Review of agendas and related consultation with City staff regarding the proper placement and/or description of business items on agendas; • Render written opinions on given issues related to City business; • Approve the form and content of all contracts; • Prepare/review all Ordinances, Resolutions, Contracts, Memorandums with Public Agencies, Deeds, Leases, Staff Reports; • Collaborate and coordinate with Staff for efficiency of creating, editing, revising and managing the City's Contracts, MOUs, Engagement Letters, Requests for Proposal (RFP), etc. • Assist the Human Resources Department in advising the City Council and the City Manager in employer-employee relations; • Assist the Human Resources Department with meeting and conferring in good faith with representatives of recognized employee organizations; • Provide research and consultation on current trends, practices, and community standards of other public employers on a variety of labor related issues; • Meet with designated staff to assist in formulating the management proposals for negotiations; • Participate in drafting proposals for negotiations; • Provide employee/labor relations training as needed. • Review and evaluation of the need as well as the engagement, coordination, and supervision of activities of any special
<p>Paulina Morales Assistant City Manager City of West Covina 1444 West Garvey Ave. S. West Covina, CA 91790 Tel: (626) 939-8401 pmorales@westcovina.org</p> <p>Jo-Anne Burns Planning Manager Tel: (626) 939-8422 jburns@westcovina.org</p> <p>Contract Dates: 2014 to Present</p>	
<p>City of Westminster Steve Ratkay Planning Manager 8200 Westminster Blvd Westminster, CA 92683 Tel: (714) 548-3247 SRatkay@Westminster-CA.gov Contract Dates: 1989 to Present</p>	

Professional References for Proposed Counsel Baron Bettenhausen:

Project Location, Organization's Name, Contract, Contact Person, and Dates:	Description Of Service:
	<p>counsel retained by the District as requested. Including financial management, cost containment strategies; and administration of contracts. Review of special counsel attorney invoices, coordination of special legal counsel's activities, and direction to special legal counsel regarding strategies and communication;</p> <ul style="list-style-type: none"> • Providing conflict of interest assistance in seeking advice from the Fair Political Practices Commission; • Review, analyze, redact and/or develop written responses to California Public Records Act requests (Gov. Code section 6250 et seq.); • Provide advice ensuring its operational compliance with all applicable federal, state, and local legislation, statutes, codes, and procedures. This includes, monitoring and applicability of pending state and federal legislation and regulations, and new case law, as appropriate; including and not limited to: 1) Ralph M. Brown Act; 2) Public Records Act; 3) Political Reform Act; • Make written or oral reports regarding the status of any legal actions in which the City is involved. • Provide analysis of proposed and enacted legislation, published legal opinions and other matters that may have an impact on the operations of the City. • Represent the City in legal proceedings. • Respond to inquiries from the City within 24 hours of the initial contact and maintain reasonable availability to respond to events of an emergent nature.

4) Proposer shall describe the role of the legal services department in the firm and attach a copy of the firm's relevant filings, licenses or certifications as needed.

The legal entity name of the firm is Richard D. Jones, a Professional Law Corporation dba Jones Mayer. Jones Mayer is a Professional Law Corporation. The Federal Employer Identification number is 33-0945054. The California Secretary of State Entity Number is 2302278. See below [Section II – Personnel](#) for information regarding attorney licenses.

The firm's divisions include the Transactional Division, which serves as advisors to city councils, boards of directors, commissions and staff in all areas relevant to governmental agencies including general public agency law, eminent domain/inverse condemnation, environmental law, public contracting law/construction, public employment, and real estate. Our Civil Litigation Division prosecutes and defends public agencies in a broad array of lawsuits, including but not limited to, administrative and traditional petitions for writ of mandate, personnel matters, personal injury, property damage and condemnation proceedings. Our Labor and Employment Division advises public agencies on labor and employment related issues and conducts labor negotiations and personnel investigations upon request. Our Law Enforcement Division advises and counsels law enforcement throughout the state. The Receiverships Division handles health and safety receiverships for public agencies and our Prosecution Division includes civil and criminal enforcement of municipal and local code violations and red-light abatement proceedings. Within the specific context of each type of project, the firm has experience with and is able to perform any necessary preliminary investigations, due diligence, and research.

5) List all disciplinary actions, administrative proceedings, malpractice claims or other like proceedings against your firm or any of its personnel relating to your firm's services as legal services, whether current, pending, or occurring in the last five (5) years. Please indicate disposition of each claim.

There are no pending legal actions, including disciplinary actions, alleging malpractice or violations of law against the firm or its attorneys. There have been no settlements or judgments involving malpractice or violations of law entered into by the firm or its attorneys within the past five years. It is a hallmark of our firm that we have a strong record of maintaining longstanding relationships with our clients.

SECTION II -- PERSONNEL

We are confident that our firm is sufficiently staffed to serve the Altadena Library District's needs. Jones Mayer is comprised of fifteen (15) partners, twenty (20) associates, eleven (11) of counsel attorneys, two (2) paralegals and twenty-five (25) staff members working in our various divisions. Jones Mayer's Southern California office is located in the City of Fullerton (3777 N. Harbor Blvd., Fullerton, CA 92835; phone (714) 446-1400) and the majority of our attorneys and staff work from the Fullerton office. Mr. Bettenhausen and Ms. Roberto both work from the Fullerton Office.

The proposed Lead Counsel for Altadena Library District is Baron J. Bettenhausen, Partner with Jones Mayer. Mr. Bettenhausen would be responsible for managing the relationship with the District, managing all Altadena Library District projects, and providing or supervising all other services requested under the Scope of Work. Mr. Bettenhausen's proposed back-up is Partner Brittany E. Roberto.

We ensure that our attorneys are readily available and responsive to the needs of our clients so that we can promptly and efficiently address the myriad of issues which may arise. The

proposed attorneys are available and prepared to perform the work requested by Altadena Library District. The proposed attorneys have a manageable workload which will allow them to dedicate sufficient time and effort to each assignment from Altadena Library District. Attorney workloads are balanced to ensure optimal performance and client satisfaction.

Baron J. Bettenhausen, Partner

Education

- J.D., Regent University School of Law (2004)
- B.A. Communication Arts, University of the Nations (2001)

Certificates or Licenses

Admitted to practice before the:

- California Supreme Court (Dec. 2004) (SBN: 234017)
- United States District Court for the Southern District of California

We propose Baron J. Bettenhausen as City Attorney. Mr. Bettenhausen was first admitted to the State Bar of California on December 1, 2004, Bar No. 234017, and is currently licensed to practice in the US District Court for the Central and Southern Districts of California. Mr. Bettenhausen began his practice of law in the fields of real estate, corporate law, and construction law. This background served Mr. Bettenhausen well once he joined the Jones Mayer Transactional Law division in 2010. In 2021, he was made a partner at Jones Mayer.

Mr. Bettenhausen was appointed City Attorney to the City of Blythe in 2015 and City Attorney to the City of California City in 2019. He currently serves as Assistant City Attorney to the cities of Fullerton and West Covina. As such, Mr. Bettenhausen is well qualified to provide clear and concise legal advice daily, as requested or required, to members of the City Council, the City Manager, Commissions and City Staff.

He has appeared and presented before many City Councils, Planning Commissions, Successor Agencies, Housing Authorities, and Joint Powers Agencies throughout the state as lead counsel on a wide variety of unique and specialized projects. Most recently, Mr. Bettenhausen assisted our clients to navigate through the highly complex regulations related to SB 1383 Organic Waste Recycling, accessory dwelling units, telecommunications laws, and a number of housing legislations.

As a City Attorney, Mr. Bettenhausen has experienced almost every area of law a city would expect from their City Attorney, including every area of legal service identified in your RFP. His experience covers both training and advising public officials on the Brown Act, Conflicts of Interest (Political Reform Act and Government Code Section 1090), the Public Records Act, and AB 1234 ethics training. He has assisted numerous public agencies on dispute resolution, and has drafted numerous ordinances, resolutions, code amendments, agreements, and other documents in support of public agency goals and to keep our clients in compliance with federal and state law.

As primary advisor to several planning commissions, Mr. Bettenhausen also has extensive knowledge with respect to all manner of litigation, labor negotiations, personnel and labor disputes, general liability, and employee relations; he has drafted, interpreted contracts and franchises in every department for public agencies. The only area of public law which Mr. Bettenhausen and our firm does not provide is workers' compensation counsel and lead bond counsel. In the event a need for these services arises, we locate and supervise special counsel for our clients.

A copy of Mr. Bettenhausen's resume is attached hereto as [Appendix A](#).

Brittany E. Roberto, Partner

Education

- J.D., University of San Francisco, School of Law (2015)
 - Magna Cum Laude
 - Comments Editor, Law Review
- B.A., Spanish, Minor in Education, University of California, Irvine (2010)

Certificates or Licenses

Admitted to practice before the:

- California Supreme Court (Nov. 2015) (SBN: 305079)

Ms. Roberto was admitted to the State Bar of California in November 2015 and joined Jones Mayer as an attorney in December 2015 after working at the firm as a law clerk from 2014 through 2015. Ms. Roberto primarily works as a transactional attorney and focuses her practice on municipal law. Ms. Roberto has served as the City Attorney for the City of Blythe since November 2020. She also serves as the Assistant City Attorney for the City of West Covina, as general counsel to the Palo Verde Valley Transit Agency, as counsel to the La Habra Planning Commission, and as a Deputy City Attorney for several other city clients.

In her capacity as a City Attorney, she has experience directing, coordinating and personally supervising all legal services for cities. Ms. Roberto has experience in handling and advising clients in all areas of municipal law, including but not limited to the Brown Act, Political Reform Act, Fair Political Practices Commission regulations, conflict of interest law, election law, labor and employment law, land use and planning law, and public contracting and competitive bidding requirements. She also has extensive experience preparing, reviewing and revising ordinances and municipal code amendments, resolutions, legal memoranda and staff reports, and in negotiating, drafting and revising a wide variety of agreements including professional service agreements, public works agreements and encroachment agreements as well as assisting city clients in preparing templates for standard city agreements. Ms. Roberto also conducts AB 1234 training.

A copy of Ms. Roberto's resume is attached hereto as [Appendix B](#).

SECTION III -- QUALIFICATIONS

Jones Mayer is known for approachability, responsiveness, and an ability to effectively operate within a team-building environment. We pride ourselves on our flexibility in responding to our clients' needs and our problem-solving attitude. We utilize a hands-on style that has proven successful in all our communities. Due to our extensive experience serving public agencies, Jones Mayer and in particular Mr. Bettenhausen understand and are well situated to provide all the services identified in Section IV – Scope of Work set forth in your RFP.

Jones Mayer is creative in finding solutions and is proactive in helping our clients avoid legal pitfalls. A hallmark of this firm's service is responsiveness and an ongoing commitment to working closely with our clients. This team approach has provided an exceptional level of efficiency and responsiveness to the needs of our clients. The attorneys of Jones Mayer pride themselves on their quick return of phone calls and the firm's flexibility in responding to client needs. An effective Attorney will assist with identifying issues, crafting solutions, and implementing the client's goals and visions, while keeping in mind costs, risks, and overall objectives.

To accomplish this, communication is critical at every level. A close working relationship with the District Director, Board President and district staff allows our office to efficiently and effectively respond as issues arise. We are dedicated to affecting a strong relationship through efficient communications via phone, e-mail, and electronic transmission of documents. Our Attorneys also typically attend weekly staff meetings to effectively spot potential issues before they become problems. We frequently provide office hours to facilitate a strong relationship. Within any parameters set forth by the Altadena Library District, we are prepared to be similarly available to staff and provide office hours as requested. A close working relationship helps avoid the evolution of problems into costly litigation.

In regard to the handling of assignments, Jones Mayer employs a "project manager" approach where the Lead Counsel is the primary contact for all projects from initiation to completion. This ensures consistent advice and points of contact in the delivery of legal services. Accordingly, District Director, Board President and staff should contact the Lead Attorney.

Jones Mayer also proactively reports new legal developments to our clients in various ways. Because of our exclusive focus on municipal law, our firm is uniquely situated to stay abreast of current legal developments. When a new law or regulation is issued impacting our clients, we prepare legal memoranda explaining the impact of a new law. When one of these memoranda is prepared for one of our clients, we will send the same memorandum to all our clients affected by the issue. If necessary, the memoranda are tailored to the specific circumstances, codes, and rules applicable to individual cities. Recent legal developments are also discussed with our clients at weekly department head meetings. The firm also puts out a regular Client Alert memorandum on changes in the law affecting public safety. If it is clear a new case or statute is going to have a specific impact on one of our clients, the issue will be discussed with the City Manager and appropriate measures will be taken if warranted. Our goal

is to be proactive in providing our clients with the information they need to make informed and effective decisions.

When action is required, the handling attorneys prepare detailed memoranda for review and consideration by the District Board in closed session, in accordance with the Brown Act. Memoranda are drafted to provide necessary case status information in a concise and understandable format, with clearly articulated recommended action (if appropriate), and specific requests for District Board action. Ready access to our attorneys, and the ability to obtain updates and details, are two of the distinguishing features of our representation.

Please see above [Subsection 3\) Proposer References](#) for information regarding the types of services the firm provides to public entity contracts of similar size and scope. Please see [Section II – Personnel](#) for specific experience and qualifications of the Proposed attorney Baron J. Bettenhausen.

SECTION IV -- COST SECTION

Jones Mayer understands the current economic climate for public agencies in California and understands that public agency clients must have cost-effective service. The Section VII – Cost Sheet is attached hereto as [Appendix C](#).

Hourly Rate Billing Option:

We propose to provide the legal services according to the following hourly rates:

\$245.00 per hour	Blended rate for General Legal Services
\$275.00 per hour	Blended rate for Special Legal Services
\$150.00 per hour	Paralegal / Law Clerk

General Legal Services are those services which involve regular, recurring legal and factual issues. General legal services include: attendance at meetings of the District and their duly appointed committees, attendance at regular staff meetings, representing the Altadena Library District in intergovernmental projects, providing legal counsel and advice, both written and oral, to elected and appointed officials as to Altadena Library District business, working with Altadena Library District staff on all agenda items for District meetings, negotiation, drafting, review and revision of District agendas, routine agreements, contracts, instruments, ordinances, reports, resolutions, orders, forms, notices, and other documents as requested by the District, and providing legal advice concerning Brown Act, CEQA, Public Records Act, Political Reform Act and other conflict of interest compliance, supervision and coordination of legal services performed by special and outside counsel, and recurring District Board and staff in-service training as requested by the District (about 8 hours per year). Office Hours are included as a General Legal Service. We propose providing 4 – 6 hours a week for office hours subject to adjustment and negotiation as desired by the District Director/Board President. The hourly rate includes travel to and from the off-site workplace to the on-site workplace. Considering the RFP's flexible or on-demand nature, we are unable to identify a cost cap or projected estimate

of hours for completion of the project. We are committed to remaining within the District's budget. We understand that public agency clients must have cost-effective representation. Since we only serve public agency clients, we understand the current economic climate for public agencies in California.

Specialized Legal Services would not be included under the retainer and would include those matters which present unique legal and/or factual issues. Special legal services differ from general legal services in that they are of an irregular non-recurring basis. Examples include all litigation, whether civil or criminal, and work that is of unusual complexity or requiring an extraordinary dedication of attorney time, as determined by the District Director/Board President. The Firm will not unilaterally designate any matter as a special project. For any "special" matter, we will first obtain approval from the District Director/Board President and we will provide a proposed budget for said work.

It is our goal to keep as much work as possible under general legal services. While it may seem contrary for a law firm to want to reduce its billings, we have found that in order to maintain a healthy and long-term relationship with our clients, keeping the billing reasonable is essential. If you ask our current clients, you will find that our billing practices are sensible because of our long-term approach to client relationships. Moreover, we appreciate that the money spent on our services are precious tax dollars that could be used for other important services. Public agencies in California have limited resources and must spend their revenue judiciously.

Our proposed rates shall remain firm through the first three years of the contract between the District and Jones Mayer. Should the option to renew for two (2) additional one (1) year terms be exercised, we would request annual rate adjustments based upon the Consumer Price Index increase for the prior year utilizing the standard Consumer Price Index (CPI) "All Urban Consumers" published by the U.S. Department of Labor, Bureau of Labor Statistics (BLS) at <https://www.bls.gov/cpi/data.htm> for the geographic area established by the BLS which includes the Altadena Library District on such date as CPI is determined. The annual CPI rate increase would be capped at 5%.

We do not bill fax, word processing, or small reproduction matters (under 100 pages). The firm will charge the client for actual necessary costs incurred for all of the following, including but not limited to: court filing fees, attorney services (includes service of process fees, e-filing fees, arbitrators, and mediators), messenger services, Lexis-Nexis research, overnight/express mail service, mileage, parking fees, travel expenses, including hotel, air travel and car rentals, but excluding routine travel expenses to the city, actual costs for large reproduction projects if performed by an outside service, or \$0.10 per page (b/w) and \$0.20 per page (color) if performed in house, and any other expense not listed above which becomes necessary to the successful resolution of a client matter.

Routine travel expenses would not be charged. The firm will charge for actual necessary costs incurred for travel expenses for Specialized Legal Services and Litigation, if applicable, including mileage, hotel, air travel and car rentals.

Appendix A

Resume of Baron J. Bettenhausen

BARON J. BETTENHAUSEN

(714) 466 – 1400

Partner



Practice Areas

Public Law

Municipal Law

Land Use

Contracts

Education

J.D. Regent School of Law,
Dean's List

Bar and Court Admissions

United States District Court for the
Southern District of California
California Supreme Court

Professional Affiliations

State Bar of California
Orange County Bar Association

Baron J. Bettenhausen is a Partner with Jones Mayer in our Transaction and Public Law Division and has experience serving as primary legal advisor to a wide range of government agencies including as City Attorney, Assistant City Attorney, general counsel, and special counsel to many municipal agencies and special districts. Mr. Bettenhausen is experienced in managing the legal needs of public agencies. His practice includes advising and training City Councils and Planning Commissions regarding legislative updates, the Brown Act, Conflict of Interest, land use, and environmental issues. He has advised numerous city departments, commissions and staff on compliance with the ever-changing regulatory landscape public agencies face. He is well versed in CEQA, public works, real estate, and in researching and preparation of municipal code sections, drafting and reviewing agreements, handling Public Record Act requests, and preparing legal opinions and analysis on a variety of issues affecting public entities.

During his tenure with Jones Mayer, Mr. Bettenhausen has served in the following public offices:

City Attorney, California City; 2019-2022

City Attorney, Blythe; 2015-2019

Assistant City Attorney, Fullerton; 2022- Present

Assistant City Attorney, West Covina; 2022- Present

Interim Assistant City Attorney, Palmdale; 2022- Present

Assistant City Attorney, Grand Terrace; 2015-2018

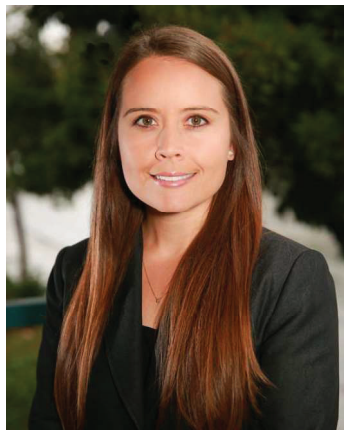
Appendix B

Resume of Brittany E. Roberto

BRITTANY E. ROBERTO

Partner

(714) 446-1400



Practice Areas

Municipal Law
Transactional Law
Contracts
Land Use and Zoning

Education

University of San Francisco,
School of Law (J.D.,
Magna Cum Laude, 2015)
University of California,
Irvine (B.A., Spanish,
2010)

Bar and Court Admissions

State Bar of California

Brittany Roberto joined Jones Mayer in December 2015. Ms. Roberto primarily works as a transactional attorney and focuses her practice on municipal law. Ms. Roberto has served as the City Attorney for the City of Blythe since November 2020. She also serves as the Assistant City Attorney for the City of West Covina, as general counsel to the Palo Verde Valley Transit Agency, as legal counsel for the La Habra Planning Commission and as a Deputy City Attorney for several other clients.

Ms. Roberto has experience in handling and advising clients in most areas of municipal law, including, but not limited to, the Brown Act, Political Reform Act, Fair Political Practices Commission regulations, conflict of interest law, election law, labor and employment law, land use and planning law, and public contracting and competitive bidding requirements. She also has extensive experience preparing, reviewing, and revising ordinances and municipal code amendments, resolutions, and legal memoranda, and in negotiating, drafting and revising a wide variety of agreements including professional service agreements, public works agreements and encroachment agreements and in preparing templates for standard agreements.

Ms. Roberto obtained her Juris Doctor from the University of San Francisco School of Law (USF), where she graduated in the top 5% of her class. Prior to pursuing her legal education, Ms. Roberto obtained her undergraduate degree in Spanish from the University of California, Irvine.

Appendix C

Section VII - Cost Sheet

**SECTION VII
COST SHEET**

7.0 INTRODUCTION

Proposer shall complete cost sheet to include all costs, including travel and per diem in accordance with the Scope of Work defined in Section IV. Proposer will submit detailed cost sheets on reimbursable costs, as back up to this summary page; however, total costs must be reflected on this summary page.

Proposer shall also include a Fee Schedule for additional services that may be requested.

7.1 COST FOR SCOPE OF WORK, SECTION IV

a. Fee Schedule For Legal Services For Term Of Contract

Position	Hourly Rate				
	1 st Year	2 nd Year	3 rd Year	4 th Year	5 th Year
Rate for Attorney General Services	\$245.00 per hour	\$245.00 per hour	\$245.00 per hour	+CPI rate increase, capped at 5%	
Rate for Attorney Special Services	\$275.00 per hour	\$275.00 per hour	\$275.00 per hour	+CPI rate increase, capped at 5%	
Paralegal / Law Clerk	\$150.00 per hour	\$150.00 per hour	\$150.00 per hour	+CPI rate increase, capped at 5%	

b. Identify costs cap as necessary.

Considering the contract's flexible or on-demand nature, we are unable to identify a cost cap. We are committed to remaining within the District's budget. We understand that public agency clients must have cost-effective representation. Since we only serve public agency clients, we understand the current economic climate for public agencies in California.

This proposal submitted by: Jones Mayer
 Company Name

Address: 3777 N. Harbor Blvd.
Fullerton, CA 92835

Telephone Number: (714) 446-1400

Fax Number: (714) 446-1448

Business License Number: 2302278

Contact Name: Richard D. Jones

Authorized Signature: *Richard D. Jones*



BBK
BEST BEST & KRIEGER LLP
ATTORNEYS AT LAW

Proposal to Provide **Legal Counsel Services**

Presented to:
Altadena Library District
September 26, 2023

COVER LETTER

September 26, 2023

SUBMITTED VIA BIDNETDIRECT @ [HTTPS://WWW.BIDNETDIRECT.COM/CALIFORNIA/ALD](https://www.bidnetdirect.com/california/ald)

Nikki Winslow, District Director
Altadena Library district
600 E. Mariposa St.
Altadena, CA 91001

Re: Proposal to Provide Legal Services to Altadena Library District

Dear Ms. Winslow,

Best Best & Krieger LLP (BBK) is pleased to present this proposal to provide legal services to the Altadena Library District (Altadena or District). BBK is fully capable of providing the legal services described in the District's Request for Proposals. BBK can and will always make available to the District the staffing necessary to rapidly and efficiently handle all of your legal needs.

BBK is a full-service law firm with 250 attorneys in offices in throughout California, delivering effective, timely and service-oriented solutions to complex legal issues facing all public entities. For over 130 years, the firm has been providing legal services to public agencies and has attorneys qualified for every aspect of special district representation. Additionally, BBK has been retained by the District to serve as counsel in the areas of employment law, litigation and claims and community facilities district formation. Given the firm's wide-ranging practice areas, BBK offers unparalleled breadth and depth of legal experience with localized availability from BBK's Southern California offices, as well as individualized familiarity with the District. We pride ourselves not only on our commitment to exceptional legal representation, but also to community investment as stakeholders in the success of our clients.

Through our long history of providing a variety of legal services to many Southern California special districts, we are well-versed in general counsel, public contracting, construction and facilities; environmental law, contracts, real estate, California Voting Rights Act and federal and state budgeting processes and assist in any other matters requested by the District.

BBK proposes that I, Rich Egger, serve as client relationship manager for Altadena with assistance from Oscar Verdugo, proposed assistant general counsel to the District to include supporting any laws and regulations governing California Special District including the Government Code, Brown Act, Public Records Act, Political Reform Act and General public sector law, contracts and preparation review and adoption of ordinances and resolutions. Please do not hesitate to contact one of us if you have any questions. Our contact information is below:

Richard T. Egger, Partner
2855 E. Guasti Rd., Ste. 400
Ontario, CA 91761
Phone: (909) 466-4915
Email: richard.egger@bbklaw.com

Oscar Verdugo
74-760 Highway 111, Ste. 100
Indian Wells, CA 92210
Phone: (760) 837-1617
Email: oscar.verdugo@bbklaw.com

We will be assisted by Grant Orbach, who will provide further special counsel legal services such as public contracting code, labor code and other procurement processes, including bidding, awarding, contracting for and construction of public works and improvements; and Sarah Owsowitz to support any environmental needs, including the California Environmental Quality Act (CEQA) and National Environmental Protection Act (NEPA). For more specific or nuanced matters, such as real estate matters, California Voting Rights Act and federal and state budgeting processes and appropriations, our team members can propose attorneys to handle matters as the need arises.

The enclosed proposal demonstrates BBK's acceptance and willingness to enter into a contract with the District. I am an authorized individual of the firm approved to bind BBK contractually. The firm has no exceptions to the District's contract.

Thank you for considering our proposal. We look forward to meeting with you in person to further showcase our qualifications and willingness to provide legal services to the District.

Sincerely,

A handwritten signature in blue ink, appearing to read "R. T. Egger", with a long horizontal flourish extending to the right.

Richard T. Egger
of BEST BEST & KRIEGER LLP

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A. EXPERIENCE

1. Company Information

Established in Riverside, California in 1891, Best Best & Krieger LLP (BBK) is the most experienced and largest full-service public agency law firm in California. BB&K is proud to trace the firm's success back to the professionalism and community service groundwork laid by its founders more than 130 years ago. In order to serve our clients' local and national interests, BBK maintains nine offices throughout California – Del Mar, Indian Wells, Irvine, Los Angeles, Ontario, Riverside, Sacramento, San Diego and Walnut Creek – and offices in Oregon, Texas and Washington, D.C.

BBK is a limited liability partnership consisting of 250 attorneys, 46 paralegals and 145 administrative staff. Our firm includes equity and non-equity partners, of counsels, associates and governmental affairs directors as well as administrative directors, paralegals, legal practice assistants and administrative staff.

The firm would provide legal services through our Ontario office located at 2855 E. Guasti Road, Suite 400, Ontario, CA 91761, although our attorneys and support staff are located throughout all offices and work on a variety of matters and clients across the state.

2. Years of Experience

BBK has significant experience representing special districts of similar size and complexity to the Altadena Library District. BBK attorneys have provided legal services to Altadena since 2018. We understand the need to keep the District Board of Directors and all District staff updated on the progress of our legal work. We quickly respond to legal issues as they arise. Throughout the firm's history, we have been committed to working within municipal legal budgets, providing high-quality, cost-effective and efficient legal services. Given California's current economy, we are now even more committed to providing affordable service.

For more than 130 years, we have represented more than 800 public entities and special districts with general and special counsel services, such as:

- Local agency formation commissions (LAFCOs)
- Regional councils of governments
- Water districts and agencies
- Transportation
- Joint powers authorities
- Multi-species habitat conservation agencies
- Sanitation and wastewater districts
- Community services districts
- Fire protection
- Park and recreation districts
- Hospital districts
- Resource conversation districts

BBK currently represents several dozen special districts of similar size and nature to Altadena.

3. Proposer References

Please do not hesitate to contact any of the following references for a more in-depth discussion of our ability to provide legal services for the Altadena Library District.

BB&K References	
<p>Date and Description of Service: General Counsel advice re Public Safety</p> <p>Project Location: Ontario, California</p> <p>Completion Date: Ongoing</p> <p>Organization Name: Ontario Police Department</p> <p>Contact Person, Title: Mike Lorenz, Chief of Police</p> <p>Address: 2500 S. Archibald Avenue, Ontario, CA 91761</p> <p>Telephone: (909) 395-2001</p> <p>Email: MLorenz@ontariopolice.org</p>	<p>Date and Description of Service: General Counsel advice</p> <p>Project Location: Pomona, California</p> <p>Completion Date: Ongoing</p> <p>Organization Name: Los Angeles County Fair Association (Fairplex)</p> <p>Contact Person, Title: Walter Marquez, Chief Executive Officer</p> <p>Address: 1101 W. McKinley Avenue, Pomona, CA 91768</p> <p>Telephone: (909) 623-3111</p> <p>Email: wmarquez@fairplex.com</p>
<p>Date and Description of Service: Governance and Brown Act advice</p> <p>Project Location: 401 N. Garfield Avenue, Montebello, CA 90640</p> <p>Completion Date: Ongoing</p> <p>Organization Name: Mexican American Opportunity Foundation</p> <p>Contact Person, Title: Dr. Ciriaco "Cid" Pineda, President and Chief Executive Officer</p> <p>Address: 401 N. Garfield Avenue, Montebello, CA 90640</p> <p>Telephone: (323) 890-9600</p> <p>Email: cpinedo@MAOF.org</p>	<p>Date and Description of Service: Representation in Writ of Mandate Proceeding</p> <p>Project Location: Monterey, California</p> <p>Completion Date: Ongoing</p> <p>Organization Name: Local Agency Formation Commission of Monterey County</p> <p>Contact Person, Title: Kate McKenna, AICP, Executive Officer</p> <p>Address: 132 W. Gabilan Street, Suite 102, Salinas, CA 93901 (P.O. Box 1369, Salinas, CA 93902)</p> <p>Telephone: (831) 754-5838</p> <p>Email: mckennak@monterey.lafco.ca.gov</p>
<p>Date and Description of Service: General Advice re Municipal law</p> <p>Project Location: Ontario, California</p> <p>Completion Date: Ongoing</p> <p>Organization Name: City of Ontario</p> <p>Contact Person, Title: Scott Ochoa, City Manager</p> <p>Address: 303 E. B Street, Ontario, CA 91764</p> <p>Telephone: (909) 395-2000</p> <p>Email: SOchoa@ontarioca.gov</p>	

4. Role of Legal Services

BBK proposes that Richard Egger serve as the client relationship manager for Altadena with assistance from Oscar Verdugo, proposed assistant general counsel to the District supporting any laws and regulations governing California Special District including the Government Code, Brown Act, Public Records Act, Political Reform Act and General public sector law, contracts and preparation review and adoption of ordinances and resolutions. Rich will be the primary contact person for all matters and will supervise all legal services provided by our firm. Grant Orbach will provide further special counsel legal services, including public contracting code, labor code and other procurement processes, including bidding, awarding, contracting for and construction of public works and improvements; and Sarah Owsowitz will support any environmental needs including CEQA and NEPA. For more specific or nuanced matters, such as real estate matters, California Voting Rights Act and federal and state budgeting processes and appropriations, our team members can propose attorneys to handle matters as the need arises.

All attorneys proposed to perform legal services for the District are admitted to practice law in the State of California and are members in good standing with the State Bar of California. Richard Egger has over 30 years of experience.

In addition to our proposed attorney team, any of the firm’s 250 attorneys can be called upon should the District face matters in special counsel areas and added to the team upon further review with the District. Our paralegals, who possess decades of experience in core public law issues such as the Brown Act, the Public Records Act and conflicts of interest, will also be available to the District, as will our deep bench of experienced legal practice assistants, IT staff, librarians, and other administrative personnel.

Proposed Team	Requested Practice Area
Richard T. Egger	Client Relationship Manager and Key Contact; Contracts; Ordinances and Resolutions; and general public sector law
Oscar Verdugo	Assistant General Counsel; Day-to-Day Key Contact; Contracts; Ordinances and Resolutions; and General Public Sector Law
Grant Orbach	Public Procurement, Construction and Contracting
Sarah Owsowitz	Environmental (CEQA/NEPA)

5. Disciplinary, Administrative and Malpractice Claims

The firm discloses the following four cases as either recently settled or ongoing litigation within the past five years:

1. *Corrective Education Company v. BBK* – Los Angeles Superior Court Case No. 18STCV01229 (filed 10/15/2018). CEC asserted that a former BBK attorney did not provide correct advice concerning a shoplifting diversion program operated by the client. The parties have reached a mutually agreeable settlement and the case was dismissed 01/29/2021.


2. *Airs Aromatics v. BBK* – Orange County Superior Court Case No. 30-2019-01109888-CU-PN-CJC (filed 11/05/2019). This case was filed by a former BBK client alleging that an attorney who joined BB&K did not handle a matter correctly before joining BBK. The complaint had no merit, and BBK vigorously opposed the lawsuit. The parties reached a settlement and the case was dismissed on 11/16/2022.
3. *Lawrence Jay Jacobson; Darlene Anne Bolivar v. Lavine & Associates CPA, Inc., a California corporation; Jon M. Lavine, an individual; Lois W. Williams, an individual; Bruce G. Holden, an individual; Best, Best & Krieger, LLP, a California Limited Liability Partnership; Gordon Rees Scully Mansukhani, LLP, a California Limited Liability Partnership; Nexus Development Corporation, a Delaware corporation; NDC, Long Beach, LLC, a dissolved Delaware Limited Liability Corporation; Curtis r. Olson, an individual; Matthew B. Kaufman, an individual; Larry D. Vince, an individual; Scott R. Magee, an individual; Sandra J. Hartness, an individual; Asset Investments, Inc., a dissolved California corporation.* Orange County Superior Court Case No. 30-2022-01269337-CU-RI-WJC. The plaintiffs are beneficiaries of a family trust. BBK attorney Bruce Holden represented the trustee of the family trust in administering the trust. Mr. Holden left BBK to join a different law firm over 10 years ago. The plaintiffs allege that Mr. Holden conspired with the trustee to misuse trust assets. The plaintiffs sued Best Best & Krieger LLP as well as Mr. Holden's new law firm. Best Best & Krieger denies the allegations and intends to vigorously defend itself in the lawsuit. The case is new and no trial date is scheduled.
4. *Daniel Horwath, individually and as trustee of the Daniel & Rosa Horwath Family Trust Dated September 1, 2000, and as liquidating member of Violet Street Properties, LLC v. S&H Packing & Sales Co., Inc., a California corporation; Robert Underwood, an individual; Vido Artukovich, an individual; Buchalter, a professional corporation; Hill, Farrer & Burrill, LLP; Peter Knepper, an individual; BuxBaum HCS, LLC, a California limited liability company; Best Best & Krieger LLP; and Does 1-100, inclusive.* Los Angeles County Superior Court case number 22STCV37042. This lawsuit is part of an intra-family corporate governance dispute. The Plaintiff sued BBK and two other large law firms, along with multiple individuals associated with a corporation. The lawsuit alleges that the individuals improperly paid significant legal fees to the three law firms, and that the law firms conspired with the corporate directors to do so. BBK's position is that it performed appropriate legal services to earn the fees paid. BBK intends to defend the case vigorously.

B. PERSONNEL

1. Attorney Team

As described in section A.4. above, our proposed team includes Richard Egger as client relationship manager; Oscar Verdugo as proposed assistant general counsel; Grant Orbach as special counsel for services including procurement matters; and Sarah Owsowitz as special counsel for environmental services.

Richard T. Egger, Partner

	Phone	(909) 466-4915
	Email	Richard.egger@bbklaw.com
	Location	Ontario, CA
	Education	University of California, Davis School of Law, J.D. University of California, Riverside, B.A.
	Bar Number	California: 162581 (12/14/1992) Oregon: 231937 (6/16/2023)

Richard Egger represents public agency and business clients in strategic problem solving and complex litigation matters. He handles matters in state and federal court. Richard is BBK’s general counsel, and in this capacity he oversees all legal matters for the firm. His work with public agencies has included advice and representation about the Brown Act, the Public Records Act and public contracting issues.

Richard has handled a variety of litigation matters for California public entities, including challenges under the Brown Act, the Public Records Act, challenges to invocations before council meetings, significant contract disputes, including bid protests, Section 1983 cases, alleged discrimination under the federal and state fair housing laws, bid protests concerning large professional service contract awards, as well as towing franchises and pre-election challenges to ballot summaries and candidate statements.

Richard is admitted to practice in the U.S. Ninth Circuit Court of Appeals and all federal District Courts in California.

Oscar Verdugo, Associate



Phone	(760) 837-1617
Email	oscar.verdugo@bbklaw.com
Location	Indian Wells, CA
Education	Notre Dame Law School, J.D. University of Southern California, B.A., sociology, <i>cum laude</i>
Bar Number	California: 331521 (6/6/2020)

Oscar A. Verdugo is an associate and member of BBK’s Municipal practice group. After graduating from the University of Southern California, Oscar went on to study at the University of Notre Dame Law School.

Before his career as an attorney, Oscar worked in various areas of the California justice system for years. While still enrolled at USC, Oscar returned to his hometown in the Coachella Valley and worked with the Riverside County District Attorney’s office and the Superior Court of California. Oscar also spent time as a Restorative Justice Group leader at the Indio Juvenile Hall for many years to help area youth learn how to return to their communities as productive members of society.

Oscar has worked for both corporate and government organizations. His experience includes working as a judicial extern for Justice Brian M. Hoffstadt at the California Court of Appeal; DTE Energy in Detroit, Michigan; and advising small businesses through the Notre Dame Clinical Law Center in South Bend, Indiana.

Grant R. Orbach, Associate



Phone	(916) 329-3692
Email	grant.orbach@bbklaw.com
Location	Sacramento, CA
Education	University of the Pacific, McGeorge School of Law, J.D. University of California, Riverside, B.A., political science, international affairs
Bar Number	California: 292664 (12/3/2013)

Grant R. Orbach is a construction attorney who advises public agency clients on all phases of the construction process, helping develop informed, cost-effective plans to build sophisticated public improvements while safeguarding taxpayer funds from unforeseen costs. Grant’s approach to his practice

is focused on consulting with the public agency to determine its objectives, and with that information, working to develop a plan to implement those objectives in an efficient manner.

Grant has practiced in this area for the better part of a decade, and as a result has significant experience guiding public agencies through the variety of issues encountered in public construction projects, including:

- Preparation and solicitation of construction contract documents under various delivery models (i.e., traditional design-bid-build, design-build, lease-leaseback, informal bidding under the California Uniform Public Construction Cost Accounting Act and public-private-partnerships
- Resolution of bid protests
- California Environmental Quality Act review and compliance
- Performance and payment bond management
- Prevailing wage
- Change orders and delays
- Project close out and
- Construction claims resolution

Sarah E. Owsowitz, Of Counsel



Phone	(925) 977-3308
Email	sarah.owsowitz@bbklaw.com
Location	Walnut Creek, CA
Education	University of Minnesota Law School, J.D. University of Minnesota, Twin Cities, M.P. University of Chicago, B.A.
Bar Number	California: 202783 (11/23/1999)

Sarah E. Owsowitz’s practice focuses on CEQA advice and litigation, with a particular concentration on regional county and city-level planning documents, large-scale commercial, industrial and residential developments and water projects, as well as those projects with significant cultural resource issues. Sarah represents both public and private clients in administrative proceedings and litigation involving CEQA, as well as state and local planning and zoning laws. She is of counsel in BBK’s Environmental Law & Natural Resources practice group.

She is the author of multiple CEQA and land use-related articles and lectures regularly on topics that include current trends in CEQA case law, statutes and guidelines, tribal cultural resources, CEQA and vehicular miles traveled, administrative records and the preparation and defense of water supply analyses in CEQA documents.

Prior to joining BBK, Sarah was with Cox Castle & Nicholson and Morrison & Foerster. Before that, for nearly seven years, she served as a deputy city attorney for the City and County of San Francisco.

C. QUALIFICATIONS

1. General Counsel (Special Districts)

BBK has particular experience in virtually all the law applicable to our clients, including as relevant here, matters pertaining to general board governance and day-to-day operations of public entities. We have more than 130 years of experience advising numerous local agencies, including, without limitation, joint power authorities, cities, counties, special districts, and state agencies. We are therefore knowledgeable about the many legal issues that arise in the daily operations of our clients' governing bodies and officers. For example, we can address matters ranging from delegation of board authority to water and wastewater matters.

We have accumulated comprehensive experience and resource materials in the following public law fields:

- **Government Claims Act** procedures and immunities applicable to public agencies and public officials
- **Brown Act** – public disclosure, notice and meeting requirements,
- **Public Records Act** – public disclosure of records and advice relating to records retention policies
- Ad Valorem **property taxation** assessment, levy, collection and use, Prop. 13 formulas, County Auditor tax distribution procedures and public entity tax exemptions
- **Parcel tax** creation, implementation, and use for operations and long-term debt security
- **Public finance**, including **General Obligation (GO) bond** issues for taxpayer-supported new construction or renovation upon voter approved ballot measures
- **Real property issues**, including applicable **Surplus Land Act**
- **Government / Public Official Ethics** and **Conflicts of Interest** regulations, statutory and common law public official conflicts rules (Section 1090 contract conflicts), district officials' **financial disclosure** rules (**Form 700**), California statutory and common law prohibitions against public official **incompatible activities**, along with specific health care district rules on conflicting competitive employment relationships
- **District elections** and administrative procedures, **board vacancies and appointments**
- **State constitutional limitations** on local agencies (gift of public funds, unlawful delegation of authority, constitutional debt limitation, etc.)
- **District board governance (bylaws / policies / rules of meeting procedure)**
- **Board delegation** and management authority in the public sector (assistance with Board / management roles)

- **Investment fund policy requirements** for California local governments, e.g., the State LAIF fund participation

BBK attorneys are fully qualified in advising clients on the interpretation and application of the Brown Act. Our advice covers all applicable provisions of the Brown Act , including, without limitation: requirements for agenda preparation, posting and distribution; closed session topics and reporting; notices and agendas for special and emergency meetings; adding agenda items after an agenda is posted; conducting meetings by teleconference; application of the Brown Act to committees of official bodies; issues pertaining to disruptions at public meetings and attendant First Amendment concerns; and avoiding violations and penalties.

We frequently provide advice and training workshops to elected and appointed public officials regarding conflict-of-interest laws, including the Political Reform Act, self-interested contracts (Government Code Section 1090), campaign contribution conflicts, incompatibility of public offices, and Assembly Bill (AB) 1234. Given the import and fluidity in these laws, we stay abreast of the most recent decisions from the Fair Political Practices Commission (FPPC) and frequently draft requests for FPPC written advice for clients.



As a value-added service, BBK offers the **ARC: Advanced Records Center** — a full-service, scalable and responsive resource utilizing experienced legal personnel and leading-edge technology to supplement in-house resources for greater consistency, efficiency and lower litigation liability (or risk). ARC provides comprehensive legal service with cost-effective support for records-related matters including PRA request processing, as well as policy drafting and training.

Always at the forefront on emerging issues, our attorneys and paralegals are leading authorities in public agency and PRA law. Members of our firm were instrumental in helping prepare the League of California Cities' Guide to the California Public Records Act. We speak and write extensively on legislative changes and legal developments impacting how the PRA is interpreted and applied, and always keep our clients informed. For example, BBK was one of the first law firms to advise clients on the significant impact of the California Supreme Court's 2017 *City of San Jose* decision regarding disclosure of records stored on personal electronic devices. Through decades of practice, we understand the challenges our public agency clients face and are well prepared with strategies to help streamline the response process and avoid costly pitfalls. Our services include:

- Helping clients efficiently locate, review and produce hard copy and electronic records while ensuring privacy rights are respected
- Evaluating what should be disclosed — and which documents and communications are exempt from disclosure
- Establishing best practices for agency staff members on PRA compliance, access and response protocols, and privacy protection
- Providing clear guidance and assistance in responding to, and fulfilling, records requests

- Drafting determination letters that document the agency response efforts, build public trust and shield the agency from costly litigation
- Keeping our clients current regarding pending legislation and cases, court decisions and significant statutory and regulatory developments
- Providing customized training programs on best practices
- Representing clients' processes before courts to defend their disclosure determinations and claims of exemption
- Consulting with city attorneys on PRA disclosure, litigation and writs
- Guiding clients through the legal provisions affecting police, fire and public education records under the PRA and education statutes

Further, with the emergence of new technologies, we use ARC's certified e-Discovery specialists to regularly advise clients regarding the use of public and private electronic devices, and the public's right to access information, including electronic communications.

Please note that routine PRA matters will be handled by the General Counsel; the services offered by the ARC are available for the District to consider for complex requests and/or when ARC's expertise is desired.

2. Public Contracting and Procurement

Because we represent various public agencies that systematically engage in public works projects, our attorneys frequently deal with construction and public works contracts and issues. BBK attorneys not only draft bid specifications and documents, but frequently help clients comply with competitive bidding requirements, resolve disputes and claims (including mediation and litigation), navigate day-to-day construction issues relating to prevailing wage compliance, review and analyze change orders, claims for delay, and payment requests and assist in the selection of competent professional consultants and construction contractors. We have assisted several agencies in complex negotiations relating to the settlement of large construction contract disputes involving fraudulent performance and payment bonds for uncompleted public buildings, bankruptcy filings of general contractors and various subcontractors, and tax liens and other claims made by the Internal Revenue Service (IRS). We have significant experience in navigating issues with sureties, including tendering of work under a performance bond and negotiating a takeover agreement.

BBK's attorneys also help with issues arising during contract selection process. We frequently review proposals and proposal documents, including bonds, insurance and bid procedures, for legal sufficiency and responsiveness and otherwise assist clients in the evaluation process. Our attorneys support clients in the process of qualification-based selection of design professionals and in negotiations of performance requirements, indemnity, and other "legal terms" of professional services agreements. Additionally, BBK provides advice regarding the use of project labor agreements, local hiring and other related procurement issues.

BBK's experience extends to typical and atypical legal issues that may arise in the life of public works projects. Thus, our attorneys have experience in the resolution of bid protests, sole source analysis (e.g.,

Public Contract Code section 3400), the Americans with Disabilities Act, Clean Air Act, federal contracting requirements, which may vary between federal agencies, and Buy America requirements. Additionally, many of these issues involve agency decision making and BBK attorneys have significant experience defending agency decision making, including through the defense of writs of mandate.

Similar to the breadth of our services, BBK advises on a wide range of public works projects, including transportation systems, water storage and transmission facilities, wastewater treatment and recycling systems, educational facilities and energy efficiency projects. With a California-licensed professional civil engineer and other engineers on our team, we not only offer services that involve review for legal sufficiency, but also industry knowledge and first-hand experience in designing and constructing public facilities.

BBK attorneys have experience with many forms of contracting, including traditional design-bid-build with “hard” competitive bidding, design-build, design-sequencing, construction manager multi-prime, and other creative project delivery mechanisms. Most recently, BBK has been called upon to advise on significant energy improvement projects, including procuring energy services contracts under Government Code section 4217, et seq.

3. Environmental Law

Preserving the environment while attempting to accommodate a growing population requires legal knowledge, regulatory finesse, and the ability to strategize, litigate and negotiate to overcome many hurdles.

BBK’s Environmental Law & Natural Resources practice is a nationally recognized leader in advising both public agencies and private clients on the maze of legal, regulatory and political challenges they face. From sustainability and clean technologies to water conservation projects, recycling facilities, air emissions concerns and a host of other issues, BBK helps clients resolve environmental concerns, enabling them to move their projects forward and plan for the future.

Regulatory Compliance

BBK attorneys are adept at managing the interplay of environmental laws, including CEQA, NEPA, state and federal clean water, clean air and endangered species acts, the Comprehensive Environmental Response, Compensation and Liability Act, the Resource Conservation and Recovery Act and the Natural Community Conservation Planning Act, among others. With long-standing, effective working relationships with the federal and state agencies that administer these laws, we can streamline assessment reviews, efficiently and cost-effectively obtaining necessary approvals and permits.

Whether a development project involves water rights, water quality, endangered species, air quality, hazardous materials or another environmental issue, we have the regulatory, transactional and litigation experience to resolve matters so that our clients can meet their goals while protecting the environment and assuring compliance with all legal requirements and regulatory restrictions.

Strategic Guidance

We provide practical strategies to both public entity clients, including special districts. We assist with:

- CEQA and NEPA documentation, including environmental impact reports and environmental impact statements
- Conservation easements
- Establishing habitat conservation plans
- Government affairs and advocacy
- Land use, zoning, and entitlements
- Phase I, II and III site audits
- Pre-project planning and strategy and determination of the required environmental review
- Project siting, permitting and approvals
- Remediation
- Solar and other renewable energy proposals and projects
- Telecommunications projects

Environmental Litigation

With so many competing interests, disputes often arise regarding the development of land and the use of limited natural resources. BBK's Environmental Litigation team is among the strongest and most experienced teams in the nation, handling precedent-setting litigation in the defense of environmental project approvals in court and asserting and defending our clients' interests before the Environmental Protection Agency, the California Public Utilities Commission, the State Water Resources Control Board, Regional Water Quality Control Boards, land use authorities and other local, state and federal agencies.

4. Contracts

BBK has extensive experience handling contracts and franchise law. We have drafted thousands of contracts for public agency clients, ranging from simple real property acquisition, software license, professional services agreements, and architect and construction management agreements, to specialized agreements and complex construction agreements, including alternative delivery methods (e.g., construction manager-at-risk, lease-leaseback, design-build, etc.).

5. Ordinances and Resolutions

Every municipal law attorney in our firm is trained in ordinance drafting. We tailor our services to individual client needs and strive to prepare ordinances in plain English as opposed to complex legalese

that can often be inaccessible. Our services vary in this area. For some clients, we draft all ordinances; for others, we review staff drafts for legal sufficiency. Because BBK has a vast array of public entity clients, it is rare for us to confront a new or novel issue, and we tap into our general breadth of experience to increase cost-efficiency. When asked to draft an ordinance or resolution, our vast experience and online database of ordinances and resolutions can save clients considerable time and expense.

6. Real Estate

From due diligence, contract negotiation, strategy, and repositioning to environmental concerns, regulatory restrictions, and permitting issues and disputes over property rights and uses, many concerns can arise in real estate. Addressing all the issues is absolutely necessary but can be complex and daunting without knowledge and experience.

BBK's experienced Real Estate attorneys advise on real estate assets, policy, and investment strategies. We negotiate, document, structure and restructure real estate acquisition, sales, finance, leasing, property management and development contracts for commercial, retail, office, industrial, residential and mixed-use properties and projects.

Comprehensive Services and Unrivaled Experience

Leveraging the skill of our Public Finance, Litigation and Bankruptcy & Creditors' Rights attorneys and the knowledge and experience of our leading Business, Environmental Law & Natural Resources, Municipal Law and Special Districts teams, we offer unrivaled proficiency and comprehensive service at affordable rates. With 12 offices from coast to coast, we offer the right combination of skills, knowledge and connections to help clients get complex deals done efficiently.

Representing both private and public entities as commercial property owners, residential and commercial developers, tenants, lenders and borrowers, as well as pension funds, investors, corporations and nonprofit entities, BBK assists on all types of development projects related to:

- Acquisitions, investments and dispositions
- Development, redevelopment and construction
- Due diligence
- Distressed properties, bankruptcies, reorganizations and loan workouts
- Leasing
- Public and private finance and refinancing/Mello-Roos bonds
- Environmental issues, including compliance with CEQA and NEPA, state and federal Clean Water and Clean Air acts, Endangered Species Act and other applicable laws
- Affordable housing
- Residential and commercial common-interest developments/association management

- Land use, zoning, permitting and entitlements
- Transportation, infrastructure and port projects
- Dry utilities, alternative energy, and power purchase agreements
- Transactional real estate matters, title reports, escrow issues and boundary disputes
- Tax issues and tax credits
- Fees, assessments, and exactions
- LAFCO, annexation, and Williamson Act compliance
- Special districts and municipal issues
- Public-private partnerships
- Prevailing wages and project labor agreements
- Tidelands and port leasing
- Title disputes, quiet title, partition and eminent domain
- Timberlands

Our attorneys coordinate with the transaction parties, local, state, and federal agencies, engineers, and environmental and economic consultants to assure that all issues are addressed. When disputes arise, we effectively resolve them in and out of court.

We also represent community associations advising on all aspects of association governance. Our experience includes representing associations in connection with real estate issues that arise within those communities.

7. California Voting Rights Act

Elections and voting rights are at the core of local government. BBK attorneys and professionals are recognized leaders in providing support and advice on all local election issues relating to voting rights, candidates, and ballot measures.

Our team assists clients with all types of voting issues, including voting rights and districting, election procedure, candidate nomination, ballot titles, statements and arguments and ballot measures on a broad array of topics from voter-approved taxes to charter amendments to land use measures. We are experienced in initiative drafting, filing, publication, and circulation, advising on campaign regulations, publicly funded ballot measure informational efforts, election contests, election timing, ballot security, recall procedures, referendums, ballot recounts, election-result contests and other post-election matters.

Election Law Resource Center

BBK's Election Law Resource Center gives public agencies the vote of confidence they need with our Election Law Toolkit and hotline help via telephone or email. The Toolkit, updated annually, includes the latest forms, templates, outlines, checklists and schedules to process, track and conduct regular elections, including resolutions and filings, outlines, and other election elements. It includes guidance and explanatory notes. For an annual fee, clients receive the Toolkit and access to the hotline for support using the election templates or for basic election-related questions.

Voting Rights and Redistricting

Voting districts in California must be drawn in compliance with state and federal constitutional and statutory requirements. These include requirements under the Federal Voting Rights Act, the 14th Amendment, the California Voting Rights Act, and redistricting guidelines in the California Constitution, Government Code, Elections Code, and local charters and ordinances.

We are experienced in helping public agencies consider "by district" voting, with proportional voting districts as required by federal and state law. We also advise on redistricting/reapportionment issues that often arise whenever a new federal census report is published every 10 years.

Census data forms are the building blocks for any redistricting exercise, but a deeper analysis of community characteristics, shifting demographics, voter data, election outcomes, and/or attitudinal profiles is critical in a successful redistricting process. BBK's team is experienced in helping public agencies develop a statistically reliable understanding of the communities they serve. Utilizing a demographic analysis of census and voter data, as well as advanced statistical techniques and modeling, we provide public agencies with a redistricting process that is efficient, seamless and in compliance with the myriad laws and regulations involved in redistricting.

We regularly advise clients on legal challenges brought under California and federal voting rights laws. Under the July 2020 California Appellate Court voting rights decision, *Pico Neighborhood Association v. City of Santa Monica*, there are still uncertainties and risks of costly court challenges pending the California Supreme Court's hearing of that case on appeal.

General Election Advice, Initiatives, and Referendums

We provide day-to-day election advice relating to elections on candidates, initiatives, referendums, charter amendments, and recalls, including advice on taxes, assessments, fees and general obligation bonds. Our attorneys routinely help clients draft and place local measures on the ballot and respond to citizen-driven initiatives and referendum measures.

Election Finance

BBK provides campaign finance guidance under California's Political Reform Act and Fair Political Practice Commission regulations and Federal Election Commission regulations. Our attorneys regularly advise public agencies on the limits that apply to public agency spending in connection with informing the public about ballot measures; have advised many cities to ensure that local candidates and political action committees comply with applicable campaign disclosure requirements; and have helped clients draft their own local campaign contribution limitation ordinances to the extent permitted by law. We also assist local

agency formation commissions in regulating pre-election and protest election financing of LAFCO proposals.

Election Litigation

BBK is well-qualified to represent clients in the rapidly emerging areas of voting rights, suffrage and election integrity.

8. Federal and State Budgeting and Appropriations

BBK's Government Affairs team represents our clients' positions on complex policy issues to decision makers and key stakeholders. We devise innovative funding techniques and help clients develop actionable goals and implement strategic legislative action plans. Additionally, we assist clients by:

- Helping them obtain funding for vital infrastructure projects
- Enhancing client relationships with federal and state officials, staff and administrators
- Protecting client interests at risk from changing laws, regulations and policies
- Assisting in expediting permitting, reviews, authorizations and execution of infrastructure projects
- Communicating and advocating their interests to elected representatives, key committee members, agencies and other individuals garnering their support and resolving conflicts, issues and concerns
- Advising on, representing and preparing clients to testify at legislative, executive branch and regulatory meetings
- Handling strategic communications with those in government, the media and the public

As a nationally recognized leader on water and environmental and natural resources issues, BBK has worked on all of the major national environmental legislation, advocated for new laws and obtained unprecedented funding for client projects.

D. COST SECTION

7.1 **COST FOR SCOPE OF WORK, SECTION IV**

a. **Fee Schedule For Legal Services For Term Of Contract**

Position	Hourly Rate				
	1 st Year	2 nd Year	3 rd Year	4 th Year	5 th Year
General Counsel Attorney	\$340	\$354	\$368	\$383	\$398
Special Counsel Attorney	\$295-\$655	\$307-\$681	\$319-\$708	\$332-\$736	\$345-\$765
Paralegal*	\$180	\$187	\$194	\$202	\$210
Advanced Records Center**	\$225	\$234	\$243	\$253	\$263

b. **Identify costs cap as necessary.**

This proposal submitted by: Best Best & Krieger LLP
 Company Name


Address: 3390 University Ave., 5th Floor
Riverside, CA 92501

Telephone Number: (951) 686-1450

Fax Number: (951) 686-3083

Business License Number: FEIN 95-2157337

Contact Name: Richard T. Egger

Authorized Signature: 

E. CONCLUSION

BBK appreciates the opportunity to submit our qualifications and we thank you for considering our proposal. We are confident our experience, as well as our current relationship with Altadena Library District, makes our firm the ideal candidate to work with the District on all related legal services required.

We look forward to the opportunity to discuss our proposal with you in more detail and, if selected, we would be honored to work with you in these areas. If you require any additional information, please feel free to contact Richard Egger by phone at (909) 466-4915 or by email at richard.egger@bbklaw.com



KRONICK
MOSKOVITZ
TIEDEMANN
& GIRARD

September 26, 2023

Altadena Library District

Proposal for Legal Services

Submitted to:

Nikki Winslow, Library Director
Altadena Library District
600 E Mariposa St
Altadena, CA 91001
nwinslow@altadenalibrary.org

Submitted by:

Jeffrey A. Mitchell, Shareholder
Kronick Moskowitz Tiedemann & Girard



September 26, 2023

Nikki Winslow
Library Director
Altadena Library District
600 E Mariposa St
Altadena, CA 91001

Re: Proposal for Legal Services

Dear Ms. Winslow:

On behalf of Kronick Moskowitz Tiedemann & Girard ("Kronick"), I am pleased to provide the Altadena Library District ("District") with our proposal to provide legal counsel services, including, but not limited to, litigation and investigative services. With over 60 years of experience as one of California's leading public agency law firms, Kronick is well-qualified to assist the District with its legal needs, as described and listed in further detail herein. As General Counsel for the Sonoma Public Library, we have experience dealing with the myriad of issues that confront libraries every day.

With over 30 specialized attorneys and a wide array of skilled support staff, Kronick has been a leading provider of legal services to more than 100 public agencies since 1959. Our expertise spans a wide range of areas, including municipal law, labor and employment law, litigation, and more. Kronick's accomplished attorneys have achieved significant milestones, such as securing notable victories in the California Supreme Court and shaping California water policy, leading to the creation of water and hydroelectric projects in the 1960s. The firm's extensive experience in representing special districts allows us to offer comprehensive legal support.

The District can rely on Kronick's expertise, resources, and availability to meet its legal needs in a timely and efficient manner. We appreciate this opportunity and look forward to collaborating closely with the Library Director on any legal matters. Finally, this proposal remains firm for a 120-day period and complies with all the requirements outlined in the RFP. We take no exceptions to the items discussed in the Request for Proposal ("RFP").

Thank you again for the opportunity to submit our qualifications. We are enthusiastic about the prospect of representing the District and welcome the chance to meet with your Board of Trustees and staff to discuss the unique capabilities of Kronick and how we can best serve the District's needs.

Very truly yours,

KRONICK, MOSKOVITZ, TIEDEMANN & GIRARD
A Professional Corporation

A handwritten signature in blue ink that reads "J Mitchell".

JEFFREY A. MITCHELL



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EXPERIENCE

Kronick Moskovitz Tiedemann & Girard (“Kronick”) is a full-service law firm with a dedicated legal team that collectively represents a diverse mix of private business and public sector clients throughout California. We are pleased to present our qualifications to the Altadena Library District (“District”).

Kronick takes great pride in its ability to provide a high level of service at competitive rates. We prioritize getting to know our clients and establishing long-term relationships, and they appreciate the economies our approach provides. We place a premium on being responsive. We are immediately available to our clients and can tailor a unique approach to each client's needs rather than follow a "one size fits all" approach. However, our communication systems and relationship management tools utilize current technology to support our commitment to responsiveness and communication.

Kronick is particularly proud to present this proposal given our passion for promoting library services, having represented the Sonoma County Library since 2021 and the Town of Loomis' municipal library since its inception in 2016. Kronick has been a leading provider of legal services to more than 100 public agencies since 1959.

Authorized Representative:
Jeffrey Mitchell, Shareholder
Kronick Moskovitz Tiedemann & Girard
1331 Garden Hwy, 2nd Floor
Sacramento, CA 95833
916-321-4500
jmitchell@kmtg.com

REFERENCES

Sonoma County Library

Erika Thibault, Library Director
6135 State Farm Drive
Rohnert Park, CA 94928
(707) 545-0831
ethibault@sonomalibrary.org

Kronick has provided general counsel services to the Library since 2021. Mr. Mitchell has served the Library as General Counsel and Ms. Clark has served the Library as Assistant General Counsel since 2021.

Capitol Area Development Authority

Danielle Foster, Executive Director
1522 14th Street
Sacramento, CA 95814



(916) 322-2114
dfoster@cadanet.org

Kronick has served as General Counsel for CADA since 1995. Mr. Mitchell has worked for CADA since 1995 and has been General Counsel since 2011. Ms. Clark has worked for CADA since 2019, including labor and employment litigation, landlord tenant litigation, and public contracting.

City of West Sacramento

Aaron Laurel, City Manager
1110 W Capitol Ave
West Sacramento, CA 95691
(916) 617-4558
aaronl@cityofwestsacramento.org

Kronick has represented the City of West Sacramento since its incorporation in 1987; Mr. Mitchell has served as City Attorney since 1989. Ms. Clark has worked for the City since 2019. Kronick provides City Attorney legal services for West Sacramento, as well as representing the City in negotiations with developers and regulatory agencies.

City of Rio Vista

Kristina Miller, City Manager
City of Rio Vista
One Main Street
Rio Vista, CA 94571
(707) 374-6451
kmiller@ci.rio-vista.ca.us

Kronick has served as City Attorney for the City since 2011; Ms. Clark has served as Assistant City Attorney since 2019 and is currently serving as Interim City Attorney.

Susanville Sanitary District

Steve Stump, General Manager
45 S. Roop Street
Susanville, CA 96130
(530) 257-5665
steve@susanvillesanitarydistrict.com

Kronick, Mr. Flautt, and Ms. Clark have provided special counsel services to the District since 2020, particularly in labor and employment matters including employment defense in federal court.



ROLE OF LEGAL SERVICES DEPARTMENT IN FIRM

Kronick is a full-service law firm based in Sacramento with a dedicated legal team that collectively represents a diverse mix of private business and public sector clients throughout California. Established in 1959, Kronick is recognized as one of California's leading law firms. We provide general counsel and special counsel services to over 100 public agencies throughout the state, including several clients since the firm's inception, a testament to the firm's practice approach of accessibility, pragmatism, and strong client advocacy.

Over the years, Kronick's attorneys have achieved many milestones, from the formulation of California water policy that led to the development of water and hydroelectric projects implemented by the Brown Administration in the 1960s to two California Supreme Court victories in 2010 and 2019, respectively, in which Kronick represented the State of California in cases establishing new standards regarding state employment.

Kronick has more than 30 attorneys specializing in a variety of practice areas, including labor and employment, investigations, municipal and public agency, litigation, and intellectual property. The firm also has 5 paralegals and about 20 support staff professionals. Kronick's clients benefit not only from this wide range of civil law expertise, but also from insights that come from representing various other types of local and state government agencies, including counties, special districts, joint powers authorities, joint powers insurance authorities, and school and community college districts.

Kronick supports and encourages strong community service and civic participation. We have been a League of California Cities partner for many years, and several of the firm's attorneys have had the privilege of serving on the Editorial Board for the League's Municipal Law Handbook. Similarly, as it relates to their practices and areas of expertise, Kronick attorneys are involved in more than 80 industry and trade organizations and speak at about 50 conferences annually. Kronick attorneys and professional staff share a strong commitment and responsibility to enhance the communities in which they live and work. As a firm, we support over 20 community organizations and programs through a combination of financial contributions, donations of in-kind services, and volunteerism.

Kronick attorneys are regularly recognized by their peers and clients for their work. Most recently, eighteen of Kronick's attorneys were recognized in *The Best Lawyers in America*® 2022 including Ms. Clark, Mr. Chisum, and Mr. Mitchell. Thirteen Kronick attorneys were included in the 2023 *Northern California Super Lawyers and Rising Stars* lists ranging from municipal law to litigation.

DISCLOSURES

Like virtually every other law firm, Kronick is occasionally included as a defendant in professional liability claims. The only such incident in the past five years resulted in a unanimous jury verdict that completely exonerated the firm and awarded it damages and expenses.

PERSONNEL

The following is a comprehensive list of all personnel who may be assigned to District work, including their names and background descriptions. As General Counsel, Jeffrey A. Mitchell will serve as the designated lead contact. We understand that any substitution of the lead contact must receive prior approval from the Library Director.

When special legal services such as labor and employment law, investigations, intellectual property, and litigation, Mr. Mitchell will coordinate with the other proposed Kronick attorneys. We find that a team approach to serving our public agency clients provides for a mutually beneficial relationship by allowing our attorneys to draw on each other's knowledge and experience to the ultimate benefit of the client. Our broad range of experience in working with all types of public agencies enables us to provide fast and cost-effective representation.

Qualifications for each attorney are outlined below and resumes are included under the "Attorney Resumes" tab.

JEFFREY A. MITCHELL

Jeffrey A. Mitchell is a shareholder in the firm, manager of the firm's public agency practice group, and a member of Kronick's Board of Directors. He predominantly counsels public sector clients including cities, joint powers authorities and special districts in matters relating to governance, contracts, real estate, land use and planning, and general municipal law. Mr. Mitchell currently serves as General Counsel to CalSAWS, a joint powers authority of all 58 Counties charged with administering the State's welfare systems, and CADA, the Capitol Area Development Authority. CADA is a joint powers authority of the City of Sacramento and the State of California responsible for managing and developing State-owned real estate within the Capitol area.

With more than 30 years' of experience, Mr. Mitchell advises his clients on a wide range of day-to-day legal and contractual matters facing public entities. He is an experienced negotiator and assists his clients in negotiating and drafting real estate and land use agreements, as well as other agreements essential to the operation of public agencies. He currently serves a number of public sector clients as legal counsel, including:

- General Counsel for the Sonoma County Public Library
- City Attorney for the City of West Sacramento
- Town Attorney for the Town of Loomis, which operates the Loomis Municipal Library
- City Attorney for the City of Isleton
- General Counsel for the Port of West Sacramento
- General Counsel for the Capitol Area Development Authority
- General Counsel for the CalSAWS Consortium
- General Counsel for the Fair Oaks Water District
- General Counsel for Florin County Water District
- General Counsel for Sierra Lakes County Water District
- General Counsel for Cooperative Personnel Services
- General Counsel for the Downtown Sacramento Revitalization Corporation
- General Counsel for the River City Stadium Finance Authority

Mr. Mitchell participates in speaking engagements throughout the year. His topics generally focus on conflicts of interest, open meeting laws, and land use and economic development issues.

Mr. Mitchell has been with Kronick since he graduated from law school in 1990. His extensive experience representing large and small public agencies as city attorney and general counsel makes him particularly well suited to serve in this role for the District. Kronick understands the evolving complexity of laws and regulations impacting public agencies and the challenges they bring to public officials trying to implement projects and enhance their communities. To assist our clients, we draw on decades of collective experience and expertise from attorneys who have



been serving as both general and special counsel to public agencies throughout California. This collaboration translates into efficient, comprehensive service for our clients in all areas of public agency law, including governance, statutory powers, environmental laws and regulations, employment and labor, public finance, and litigation.

Mr. Mitchell has been a licensed attorney in good standing with the State Bar of California since 1990 (Bar No. 149003).

Mr. Mitchell's favorite book is *Lord of the Rings* by J. R. R. Tolkien.

OLIVIA R. CLARK

Olivia R. Clark is an attorney and member of Kronick's public agency group. In this role, Ms. Clark advises public agency clients on all matters from advice and counsel to litigation. Her advice and counsel practice especially focuses on matters related to public contracting, conflicts of interest, public employment and labor matters, public records, and open meeting laws. She blends strong advocacy and creative thinking to assist public agencies, including joint powers authorities, in negotiating, drafting, and reviewing agreements, developing policies and regulations, and defending those actions in negotiation, arbitration, mediation, or litigation, if needed. Ms. Clark is especially experienced in advising both public and private entities in matters related to land use and planning and contracting related to the same. Ms. Clark currently serves as Assistant General Counsel to the Sonoma County Library and Assistant City Attorney to the City of Rio Vista.

Ms. Clark regularly presents and authors articles on issues related to public agency law. She regularly gives AB 1234 trainings, Brown Act "refreshers", and Public Records Act trainings to client leadership, standing bodies, and staff. Most recently, she presented to the Association of California Water Agencies, an association of a wide variety of public water agencies, on conflicts of interest, specifically those related to the Fair Political Practices Act and Government Code section 1090.

Blending her comfort in navigating the veritable minefield of regulations with her passion for building the Northern California community she is proud to call home, Ms. Clark works to help her clients feel informed and, when necessary, advocate their interests in various venues. Ms. Clark received her J.D. from the University of California, Davis School of Law and her bachelor's degree from the University of California, Berkeley. She was admitted to the State Bar shortly after graduating from law school in 2017 (Bar No. 316689).

Her favorite book is *The True Confessions of Charlotte Doyle* by Avi. As part of her book club, her most recent read was *Finlay Donovan is Killing It* by Elle Cosimano.

WILLIAM CHISUM

William "Bill" Chisum is a shareholder in the firm whose practice emphasizes representation of public agencies in litigation pertaining to eminent domain, water and other resources, taxing authority and collection, nuisance abatement, and environmental issues to name a few. His litigation experience includes handling cases at the trial and appellate levels in both state and federal courts.

Mr. Chisum's work includes representation of cities such as the City of Elk Grove, the City of West Sacramento, the City of Folsom, the City of Anderson, and the City of Citrus Heights in their efforts to acquire property for municipal purposes through condemnation actions, and

representation of other public entities, including water and school districts, in similar land acquisition actions.

Additionally, he has considerable experience preparing trial and appellate briefs and has authored briefs regarding government obligations under environmental laws, the diversion of water from the Sacramento River and San Joaquin Delta, Mello-Roos Act taxation and collection provisions, Proposition 218 fee litigation, the Government Claims Act, civil rights requirements, enforcement of sign and medical marijuana ordinances and constitutional provisions governing adult-use businesses.

Specific examples of legal matters Mr. Chisum has handled on behalf of clients include:

Dow v. Lassen Irrigation Company (2022) 79 Cal.App.5th 308

Dow v. Lassen Irrigation Company (2022) 75 Cal.App.5th 482

Dow v. Lassen Irrigation Company (2021) 63 Cal.App.5th 901

Amerco Real Estate Co. v. City of West Sacramento (2014) 224 Cal.App.4th 778

Dow v. Lassen Irrigation Company (2013) 216 Cal.App.4th 766

Mr. Chisum currently serves on the California Special District Association's Legal Advisory Working Group and previously served on the California Judicial Council's Civil and Small Claims Advisory Committee.

Mr. Chisum has been a licensed attorney in good standing with the State Bar of California since 1989 (Bar No. 142580).

Mr. Chisum's prefers to read non-fiction and he is currently reading *The Presidents Man* By Dwight Chapin, a distant relative who worked in the Nixon administration, and next is *The Last King of America* by Andrew Roberts.

KEVIN FLAUTT

Kevin Flautt is a shareholder with Kronick who advises and litigates on behalf of public agency clients in all matters, including wage and hour issues, labor and collective bargaining issues including the negotiation of MOUs, due process and discipline for public sector employees, discrimination, harassment, disability accommodation, 42 U.S.C. § 1983 litigation, public employee privacy rights, leaves of absences, writ of mandate proceedings, and other public employment-based actions, including litigation of these matters before the California appellate courts. Mr. Flautt also has an extensive background in navigating and litigating the requirements of the Public Safety Officers Procedural Bill of Rights and the Firefighters Procedural Bill of Rights Acts. Mr. Flautt further provides representation in PERB unfair practice charges at all stages, or litigating MMBA matters in superior court where appropriate. He also advises his clients in the areas of commercial bankruptcy, creditor's rights, and general construction litigation including writ practice.

Mr. Flautt has filed and participated in dispositive motions in the following cases:

Medic Ambulance v. Sacramento Metropolitan Fire District: Defendant's Demurrer granted without leave to amend; Judgment entered in favor of Defendants based upon immunity to tort and contract causes of action from low bidder upon rejection of all ambulance service bids.

NKS Real Estate Holdings, Inc., et al. v. County of Sacramento, et al.; Defendant's Demurrer granted to allegations that the Sacramento Metropolitan Fire District and its

former Fire Chief discriminated and retaliated against Plaintiffs when they failed to approve an application to construct an accessory dwelling unit by highlighting Plaintiffs' failure to comply with claims presentation requirement of the Government Claims Act.

Los Angeles Airport Peace Officers Association v. City of Los Angeles, et al.; representing Plaintiff, Petition for Writ of Traditional Mandamus granted seeking a writ of mandate directing Respondent the City of Los Angeles to comply with its ministerial duties under the Meyers-Milias-Brown Act ("MMBA") as to employee assignment rotations and associated damages.

Los Angeles City Attorney's Association v. City of Los Angeles, et al.; representing Plaintiff, Petition for Writ of Traditional Mandamus granted seeking a writ directing Respondent the City of Los Angeles to comply with its ministerial duties as related to allegations that the City impaired LACAA members' right to earn the Maximum Subsidy provided under the Retiree Medical Plan when it deprived the Los Angeles City Employees' Retirement System ("LACERS") Board of the authority previously delegated to it - the authority to make increases within the parameters specified in Ordinances.

Mr. Flautt's published cases:

Collondrez v. City of Rio Vista (2021) 61 Cal. App. 5th 1039; Defendants' SLAAP motion granted and upheld in a published decision based on protected compliance with police officer transparency law.

Deborah Stampfli v. Susanville Sanitary District (E.D. Cal., December 10, 2021) 2021 WL 5867554; Plaintiff filed a wrongful termination lawsuit against the District and its governing board members in US District Court alleging she was not an at-will employee and was entitled to due process prior to termination of her employment along with assorted state law claims. FRCP 12 (b) 6 motion to dismiss successfully narrowed the scope of the case by eliminating all state law claims for damages based on Plaintiff's failure to file a government claim, and secured dismissal of the District on employment claims and complete dismissal of all District board members, without leave to amend, from the case in their individual and official capacities based on upon *Monell* and *Twombly* grounds.

Mr. Flautt earned his law degree from the University of the Pacific, McGeorge School of Law in 2008 and holds a bachelor's degree from the University of California at San Diego. He was admitted to the State Bar of California in 2008 (Bar No. 257892) and is in good standing with the State Bar.

Mr. Flautt's favorite book is *The Count of Monte Cristo* by Alexandre Dumas.

IAN SANGSTER

Mr. Sangster draws on his extensive litigation experience to assist public agencies in navigating the myriad of personnel issues that can arise in the public sector. For example, Mr. Sangster developed a deep knowledge of the Fair Labor Standards Act through his work on dozens of cases alleging violations of the overtime provisions of the Act, many of which resulted in formal litigation and court-approved settlements. (See, e.g., *Aboudara, et al. v. City of Santa Rosa*, (N.D. Cal., May 10, 2019) Case No. 4:17-cv-01661-HSG; *Valentine, et al. v. Sacramento Metropolitan Fire District*, (E.D. Cal., June 15, 2019) Case No. 2:17-cv-00827-KJM-EFB; *Burris, et al. v. City of Petaluma*, (N.D. Cal., June 28, 2019) Case No. 4:18-cv-02102; *Englert, et al. v. City of Merced*, (E.D. Cal. May 26, 2020) Case No. 1:18-cv-01239; *Seguin, et al. v. County of*



Tulare (E.D. Cal. April 24, 2018) Case No. 1:16-cv-01262-DAD-SAB; *Walterscheid, et al. v. City of El Monte* (C.D. Cal. June 25, 2019) Case No. 5:18-cv-01112.)

Mr. Sangster also has experience defending against class and representative (i.e., PAGA) actions asserting claims under the California Labor Code. (See, e.g., *Hernandez, et al. v. Cima's Landscape & Maintenance, Inc.*, Sacramento Superior Court, Case No. 34-2019-00268638.) Mr. Sangster uses this experience to offer advice and counsel to public entities grappling with wage and hour issues, including those arising from provisions in their Memoranda of Understanding. Mr. Sangster also leans on his experience litigating numerous disability-related lawsuits to help clients understand their legal obligations when engaging in the interactive process with employees seeking accommodation(s).

Mr. Sangster's experience representing public employee associations and their members also allows him to provide advice regarding personnel matters unique to the public sector. For example, Mr. Sangster's prior representation of over 100 public employees in disciplinary investigations, including multiple arbitrations, enables him to provide advice regarding all facets of public employee discipline. Likewise, Mr. Sangster's litigation of constitutional claims, both substantive and procedural, allows him to advise on similar matters. (See, e.g., *Calmelet v. Board of Trustees of the CSU, et al.*, (E.D. Cal., Sept. 4, 2020, Case No. 2:19:CV-02537) [secured dismissal of public employee's claim of 1st Amendment Retaliation]; *Stampfli v. Susanville Sanitary District* (E.D. Cal., Case No. 2:20-cv-01566-WBS-DMC [pending litigation concerning, among other things, whether public agency violated employee's alleged right to procedural due process].)

Mr. Sangster was admitted to the State Bar of California in 2012 (Bar No. 287963) and is in good standing with the State Bar. He earned his law degree from the University of California, Hastings College of the Law, in 2012 and holds a bachelor's degree from the University of California at Los Angeles.

Mr. Sangster's favorite book is *Thinking, Fast and Slow* by Daniel Kahneman.

QUALIFICATIONS

Kronick's qualifications, character, integrity, reputation, and past performance showcase our ability to perform the services requested by the District.

As described below, we are experienced and prepared to provide the entirety of the services sought by the District and described in the RFP Scope of Work.

GENERAL MUNICIPAL LAW

Kronick understands the evolving complexity of laws and regulations impacting public agencies and the challenges that they bring to public officials trying to implement projects and enhance their communities. To assist our clients, we draw on decades of collective experience and expertise from attorneys who have been serving as both general and special counsel to public agencies throughout California. This collaboration translates into efficient, comprehensive service for our clients in all areas of public agency law, including governance, statutory powers, environmental laws and regulations, employment and labor, public finance, economic development, land use, and litigation.

For six decades, Kronick has assisted cities, counties, special districts, and local and state government agencies in all aspects of their legal powers, duties, and responsibilities. Whether a



situation calls for preventative counseling, skillful negotiation, forceful advocacy, or financial guidance, our clients know they can rely on Kronick to marshal the legal, political, and financial solutions quickly and confidently they need to move their projects and policies forward in the most timely and cost-conscious manner achievable. We can effectively and efficiently provide the District with advice and counsel at all its legislative (and advisory, as requested) meetings, prepare important legal documents such as contracts and ordinances, and defend the District in litigation should the need arise.

On a weekly basis, we provide advice on compliance with the Ralph M. Brown Act, Public Records Act, Political Reform Act, conflicts of interest law, and other special district and municipal law. Throughout the year, and especially when new officials are sworn in, we also give presentations and trainings to staff, officers, legislative bodies, and a combination thereof on compliance with such laws.

PUBLIC WORKS AND PUBLIC CONTRACTING

Public works and public contracting are integral to any public agency and any comprehensive public sector legal practice. We are well versed in all types of contracts related to public sector construction. Our attorneys have negotiated, drafted, and reviewed thousands of public works contracts, service agreements, consultant contracts, and purchasing contracts. Kronick attorneys are also knowledgeable in state and federal public works contracting requirements, including bidding, licensing, wage and prevailing wage issues, and bonding.

EMPLOYMENT LAW MATTERS

To assist our public agency clients, Kronick maintains a full-service labor and employment practice that specializes in all aspects of labor and employment law. Areas of emphasis include employment advice and counsel, labor contract and negotiations, employee discrimination and harassment, litigation and class action defense, including police and non-police tort defense, workplace investigations, and training.

Kronick's representation of public agencies includes extensive experience in the defense of employment-related lawsuits, including, but not limited to, wage and hour class actions, individual wage claims, discrimination, retaliation, sexual harassment, whistle-blower, and wrongful termination. Kronick also has significant experience litigating workplace torts and federal and state civil rights cases, including police and firefighter tort defense.

Kronick's litigation attorneys have successfully defended public agencies, including numerous cities, before every level of federal and state court, including an impressive appellate record that has resulted in several published decisions in favor of public employers. Kronick also represents its clients before the Department of Labor Standards Enforcement, the Civil Rights Division (formerly known as the Department of Fair Employment and Housing), the Equal Employment Opportunity Commission, the U.S. Department of Labor, and other federal and state administrative tribunals on a full array of employment-related matters.

In addition to litigating employment-related litigation, Kronick's attorneys also have extensive experience in the area of traditional labor litigation. Kronick's attorneys regularly defend employers before the California Public Employment Relations Board ("PERB") and litigate traditional labor cases in both federal and state courts.

Kronick's labor and employment attorneys work closely with public agencies to implement comprehensive policies and procedures that help prevent and correct workplace problems. We

provide group and custom training on workplace investigations, workplace privacy, responding to employee requests for disability accommodations, employee discipline/termination and preventing harassment, discrimination, and retaliation claims. Kronick has extensive experience in drafting and revising employee handbooks and personnel policy manuals. We advise public agencies on essential policies to include in handbooks and manuals, including, for instance, appropriate policies relating to harassment, alcohol and drug testing, Family Medical Leave Act, California Family Rights Act, Pregnancy Disability Leave rights and obligations, and other federal and state-mandated leaves of absence.

Kronick's dedication to helping public agencies extends also to labor law. Kronick's labor and employment attorneys have significant experience representing public agencies in collective bargaining matters before PERB and are well-versed in the Meyers-Milias-Brown Act, and related statutes. Kronick's services include representation of public agencies at the bargaining table during negotiations (as well as in the "backroom"), the development of executive and senior management contracts, review of collective bargaining policies and procedures, advice on grievance procedures, analysis of contract proposals, drafting of contract language, and immediate verbal response on collective bargaining contracts and other labor relations issues.

Our labor and employment attorneys help public agencies to achieve advantageous contract language, and, when necessary, assist with the implementation of an employer's Last, Best and Final Offer ("LBFO"). We provide assistance and support at every phase of contract negotiations and administration.

We work closely with human resources personnel on best practices and procedures and offer training to management and other employees to avoid personnel disputes and misunderstandings and minimize the risk of employee claims.

LITIGATION

Kronick has represented and defended public agencies across a wide spectrum of matters, including land use and CEQA disputes, the Public Records Act, construction defects, contract disputes, eminent domain, and natural resources.

ADR SERVICES

Kronick also offers skilled Alternative Dispute Resolution ("ADR") services – mediation and arbitration – to complement our litigation practice. Mediation and arbitration can help parties avoid lengthy public legal proceedings with the associated time and expense, by choosing to creatively and collaboratively settle disputes privately outside the courtroom. Whether our clients are involved in a two-party dispute, or a large multi-party case, mediation and/or arbitration can provide increased control and input while moving all parties toward resolution.

One type of ADR in which we are experienced and recommend, when appropriate, is mediation, a collaborative, solutions-oriented dispute resolution process, whereby prior agreement, all sides to a dispute present their claims to a neutral third-party mediator who then works with the parties involved to help them craft a mutually agreeable and legally binding agreement that fully resolves all of their disputes. Mediation allows all parties to confidentially present their positions fully, and work in concert with a trained mediator to develop a mutually beneficial resolution to their disputes. Unlike arbitration, the mediator is not authorized to order a resolution of the dispute but is trained to work with all parties to help the parties craft a mutually acceptable, legally binding agreement that fully resolves all of their disputes.

Another type of ADR in which we are experienced and recommend is arbitration. By agreement, all sides of a dispute present their claims to a neutral third-party arbitrator, who then considers the issues and delivers a decision. The arbitrator's decision can be binding or advisory, depending upon the agreement of the parties. Arbitration is generally quicker and more private than traditional in-court litigation.

Mediation and arbitration may also include settlement conferences, conciliation, and neutral evaluation, all of which are offered through Kronick.

Given these options, and with our guidance, our clients can then determine whether traditional public in-court litigation, mediation, or arbitration might be the better choice to resolve their disputes.

Kronick can also present hybrid approaches when appropriate, including a combination of mediation and arbitration, known as med-arb, or a combination of traditional litigation coupled with mediation to allow our clients the opportunity to gather facts when early mediation is not yet appropriate to allow the parties to craft their own resolution to their disputes. Our team will help our clients develop strategies for the best possible outcome, enabling you to select the best path forward, while duly considering costs, time, and private vs public exposure.

As part of the Kronick team, we offer:

- Certified mediators
- Experienced arbitrators
- Neutral analysis
- Traditional litigation counsel and appellate counsel
- In-person, virtual, or hybrid proceedings

ECONOMIC DEVELOPMENT AND REAL ESTATE

Development projects touch on numerous legal as well as economic issues, some anticipated, some not. Interrelated issues ranging from transportation and environmental considerations to eminent domain and affordable housing have become increasingly more challenging. Our team of expert attorneys partners with clients to provide the legal expertise necessary to effectively tackle each of these issues and help keep projects moving forward and within budget. We combine private and public economic development experience and expertise in such crucial areas as financing, real estate and land use, property acquisition and disposition, public improvements, multi-jurisdiction negotiations, environmental, and tax law.

We help our public agency clients analyze and negotiate the intricate aspects of real estate, land use, and financial transactions for development projects. We have successfully represented parties in all aspects of real estate and land use transactions. Our well-rounded and insightful approach helps effectively bring parties to an agreement and leads to streamlined resolutions on projects.

Kronick's real estate attorneys assist public agency clients in all facets of real estate transactions, including property acquisitions, sales, leases, DDAs, OPAs, affordable housing agreements, and other matters. Our experience includes the purchase and sale of vacant and improved land, lease agreements for agricultural, industrial, and commercial properties, property development (CC&Rs, joint ventures, and construction contracts), and eminent domain negotiations and litigation. While Kronick and our clients prefer to acquire property through negotiation, our attorneys regularly represent cities and other public agencies in condemnation proceedings when necessary. This process includes pre-condemnation negotiations,

preparation, and adoption of the resolution of necessity, and proceedings through any necessary trial and appellate process.

Kronick's real estate attorneys partner with clients and their engineers and consultants, and work closely with governmental staff and decision-makers, to ensure that our client's objectives are met in the most timely and cost-effective manner possible, while also satisfying governmental concerns and requirements.

RESPONSE TIME

Timeliness is of primary importance when the District needs legal assistance. Included below are time frames for response by Kronick to inquiries from the Board of Trustees or staff.

- Jeffrey Mitchell, jmitchell@kmtg.com, (916) 321-4591
- Olivia Clark, oclark@kmtg.com, (916) 321-4290
- William Chisum, wchisum@kmtg.com, (916) 321-4557
- Kevin Flautt, kflautt@kmtg.com, (916) 321- 4301
- Ian Sangster, isangster@kmtg.com, (916) 321-4348

Item	Response from Kronick Attorneys	Turnaround Time	Comments
Return calls, emails, voicemails	Generally, within a few hours unless a faster response is required; at maximum 24 hrs.	As requested, based on task/project.	Attorneys are available via mobile phones for constant and continuous access to e-mails, texts, and phone calls.
Research	Immediate to discuss research needed.	As requested, and agreed upon per project; generally, within two weeks unless a faster turnaround time is required.	Our existing clients find our research to be timely, thorough, and complete.
Contract preparation and review	Immediate to discuss work needed.	As requested, and agreed upon depending upon project; generally, within one week of first contact from staff.	Kronick represents a number of public agencies, so we have a number of standardized agreements to help expedite the process and reduce costs.
Periodic reviews: court decisions, legislation, legal or labor issues, etc.	Sent via e-mail. At times in person depending on importance of matter.	Frequent; as need arises.	We frequently send out " <i>Legal Alerts</i> " to clients and colleagues at no charge to provide updates on new legal issues.

Item	Response from Kronick Attorneys	Turnaround Time	Comments
Litigation	As determined by court or administrative forums' rules; also, pursuant to closed session meetings.	As determined by courts or administrative forums' rules; also, pursuant to closed session meetings.	In addition to complying with mandated court rules concerning litigation and diligently proceeding with a client's case, we ensure that the client is fully aware of and involved in litigation matters.

COST SECTION

As a full-service law firm, Kronick makes it a primary goal to manage legal costs through efficient staffing and competitive pricing of services.

Kronick maintains a sophisticated and flexible billing system, which provides clients with the ability to monitor their legal costs on a bi-weekly basis and receive alerts when their legal bills reach a certain threshold. Kronick's usual billing procedure is to submit a monthly itemization identifying the attorneys performing services, along with the time and a description of the services. Notwithstanding our usual procedure, Kronick can create custom statements specific to the District's current billing needs.

HOURLY RATES

For the municipal counsel services being requested, Kronick proposes the following discounted hourly rates. Rates include labor, general administrative, and overhead costs. Rates shall be guaranteed for one year from the date of placement on the pre-approved list following submittal of an initial or a renewal proposal. After that, all rates are subject to a 5 percent annual increase on January 1 of each year. Hourly rates are billed in increments of one-tenth of an hour for the legal staff involved, multiplied by the hours devoted on the client's behalf.

By Name

Jeffrey Mitchell.....	\$325
Olivia Clark	\$310
William Chisum	\$310
Kevin Flautt.....	\$310
Ian Sangster	\$310

By Job Classification

Shareholder/ Senior Counsel	Up to \$350/hr.
Associate	Up to \$310/hr.
Paralegal	Up to \$175/hr.
Law Clerk.....	Up to \$150/hr.



Fee Schedule for Legal Services for Term of Contract

Position	1st Year	2nd Year	3rd Year	4th Year	5th Year
Jeffrey Mitchell	\$325	\$341	\$358	\$376	\$395
Olivia Clark	\$310	\$326	\$342	\$359	\$377
William Chisum	\$310	\$326	\$342	\$359	\$377
Kevin Flautt	\$310	\$326	\$342	\$359	\$377
Ian Sangster	\$310	\$326	\$342	\$359	\$377

SPECIAL SERVICES

For special counsel services, Kronick proposes the following hourly rates:

Shareholder/ Senior CounselUp to \$450/hr.
AssociateUp to \$410/hr.
ParalegalUp to \$175/hr.
Law Clerk.....Up to \$150/hr.

Special counsel services may include: (1) all legal services not included within basic legal services described in the Scope of Work in the RFP; (2) complex or non-routine ordinances, contracts, or agreements; (3) complex or non-routine land use, planning, land acquisition, public works, labor, and employment, or other matters; (4) any litigation or administrative hearings; (5) public finance or bond matters; (6) power company or energy matters; (7) payroll and income tax issues; (8) employee disciplinary hearings; (9) labor, employment and personnel matters that would normally be assigned to outside counsel.

From time to time, the District may ask Kronick to perform legal services for which the District is entitled to seek reimbursement from third parties (e.g., work pursuant to indemnity agreements protecting the District, for example). In these circumstances, Kronick would charge a rate that more closely approximates the market rates for legal services provided to such private, third-party entities. For legal services for which the District is entitled to seek reimbursement from third parties, the following rate schedule shall apply:

Shareholder/ Senior CounselUp to \$550/hr.
AssociateUp to \$510/hr.
ParalegalUp to \$175/hr.
Law Clerk.....Up to \$150/hr.

MISCELLANEOUS COSTS

Travel expenses are reimbursable at the actual cost incurred for lodging, meals, parking, and bridge tolls, plus mileage at IRS-approved rates. Delivery charges, such as U.S. Mail, Federal Express, courier services, etc., are charged at Kronick’s actual cost. Also billed at cost would be fees assessed by courts and administrative agencies, and prior approved costs for experts and consultants, if any. Any other expenses incurred by Kronick would be billed to the District at



Kronick's actual cost. Kronick does not charge for faxes or long-distance telephone calls, nor does it charge for secretarial time.

ADDITIONAL INFORMATION

INSURANCE

Kronick is insured for professional liability by Lloyd's of London. The Firm's policy is designed to cover the professional liability exposures of a law firm. Coverage is provided for claims made against the Firm during the policy period arising out of its professional services. In general, the Firm's professional liability policy is intended to cover claims alleging economic damages. The limits of liability are \$10 million for each claim and in the aggregate, including defense costs. The policy is subject to all coverage terms and conditions, including policy exclusions. Kronick also carries comprehensive general liability insurance, Workers' Compensation and employers' liability insurance, and automobile liability. Should Kronick be awarded a contract with the District, the Firm would name the District as an Additional Insured and provide proof of such coverage prior to the commencement of any legal work.

CONFLICTS OF INTEREST

Kronick does not foresee any actual or potential conflicts of interest that would prevent the firm's representation of the District.

Kronick adheres to the California Rules of Professional Conduct in addressing actual or potential conflicts of interest amongst its clients. Kronick has an appointed Conflicts Administrator, who is a Kronick shareholder assigned to address conflicts issues that might arise in client representation. Whenever a potential conflict issue arises, Kronick notifies the affected parties immediately and works with the Conflicts Administrator to resolve such conflicts, which has historically been to the mutual benefit and satisfaction of all involved, and in accordance with the California Rules of Professional Conduct.

This resolution may require disclosure of certain representations and/or seeking informed written consent from the clients to continue representation on particular matters. In some cases, Kronick may have to decline the representation of a client or refer a matter to other legal counsel to ensure that both the reality and appearance of a conflict of interest are avoided.

CORE VALUES

At Kronick, we believe in providing exceptional legal representation and superior service to business clients of all sizes and in all industries, and to municipalities of all sizes and types. We focus on the core legal competencies every organization needs to succeed. Kronick is well-positioned to meet the legal needs of the District.

Community Involvement

Kronick attorneys and staff share a strong commitment and responsibility to enhance the communities in which they live and work. As a firm, our community involvement supports the following organizations and programs through a combination of financial contributions, donations of in-kind services, and volunteerism.

Diversity & Inclusion

Kronick is committed to recruiting, retaining, and promoting a diverse, inclusive community of lawyers and legal professionals. The firm's leadership is committed to an open and respectful culture comprised of individuals from diverse backgrounds, including, but not limited to, race, religion, national origin, sexual orientation, disability, life experiences, and socioeconomic background. We are implicitly aware that each person's unique background and experiences enrich the workplace by offering fresh perspectives and innovative solutions.

The firm supports organizations for minorities, women, and other underrepresented groups, including bar associations and professional and community organizations by making financial donations and providing pro bono legal services. The firm also continuously seeks opportunities to deepen our work with these organizations and further strengthen our overall diversity efforts. These include our participation in the Sacramento County Bar Diversity Career Forum, annual Unity Bar Dinner, annual King Hall Outreach Program luncheon, and Women Lawyers of Sacramento, as well as our pro bono work for the Asian, Black, and Hispanic Chambers of Commerce. The firm has two prior board chairs and three Senior Fellows of American Leadership Forum's Mountain Valley Chapter, which exists to connect diverse leaders in relationships of Trust throughout the greater Sacramento region.

We recognize the importance of prioritizing diversity and inclusivity for the long-term success of our firm, our clients, and our people. We are, and have long been, committed to creating an inclusive, open, and respectful culture comprised of individuals from diverse backgrounds, where each and every employee is given a platform for success.

By recognizing differences and encouraging the active and full participation of people of every culture, ethnicity, national origin, race, color, religion, gender, age, disability, and sexual orientation in our business processes, we will make better decisions, build more positive relationships, and strengthen our opportunities for success by bringing together the best of the best. This is not a "regardless of background" approach; we will achieve better results because of our collective backgrounds.

Sustainability

Sustainability is an integral part of Kronick's culture. While sustainability involves improving efficiencies and reducing our environmental footprint, it also encompasses more broadly our firm's relationship with its people and communities, and our collective role in maintaining the long-term viability of both.

To help soften our environmental footprint, we have implemented green and earth-friendly practices throughout our offices to reduce paper and energy waste. To the extent possible, we strive to minimize environmental impact throughout the supply chain, through the purchase and use of energy-saving equipment and appliances; the use of non-toxic, biodegradable cleaning products; and the use of eco-friendly materials such as low-VOC paint and products produced from sustainable sources, in renovations and maintenance.

CONCLUSION

Thank you for the opportunity to present this proposal to provide litigation to the Altadena Library District. Our firm is exceptionally qualified to provide the services listed in the District's RFP without the difficulties of having to resolve conflicts present with many of the firms in the area. We hope that you will strongly consider our proposal and allow us the opportunity to serve



as your counsel. If you have any questions or wish to discuss any matters contained in this proposal, please do not hesitate to contact us.

This proposal submitted by: Kronick Moskowitz Tiedemann & Girard


Address: 1331 Garden Hwy, 2nd Floor, Sacramento, CA 95833

Telephone Number: 916-321-4500

Fax Number: 916-321-4555

Business License Number: 94-2174974

Contact Name: Jeffrey A. Mitchell, Shareholder

Authorized Signature: 



KRONICK
MOSKOVITZ
TIEDEMANN
& GIRARD

ATTORNEY RESUMES



JEFFREY A. MITCHELL, SHAREHOLDER

(916) 321-4591 | jmitchell@kmtg.com

Jeff, manager of the firm's public agency practice group, predominantly counsels public sector clients including cities and special districts in matters relating to land use, planning and zoning, housing, real estate, and general municipal law. He has broad experience in state and federal laws related to use and reuse of land, tax credits, development issues, and funding programs for housing and economic development projects.

LEGAL EXPERIENCE

With more than 30 years of experience, Jeff advises his clients on a wide range of day-to-day legal and contractual matters facing public entities, as well as elections law disputes, including CVRA and FAIR MAPS issues. He is an experienced negotiator and assists his clients in negotiating and drafting real estate and land use related agreements, as well as other agreements essential to the operation of public agencies. He currently serves a number of public sector clients as legal counsel, including:

- City Attorney for the City of West Sacramento
- Town Attorney for the Town of Loomis
- City Attorney for the City of Isleton
- General Counsel for the Port of West Sacramento
- General Counsel for the Capitol Area Development Authority
- General Counsel for the Sonoma County Public Library
- General Counsel for the CalSAWS Consortium
- General Counsel for the Fair Oaks Water District
- General Counsel for Florin County Water District
- General Counsel for Sierra Lakes County Water District
- General Counsel for Cooperative Personnel Services
- General Counsel for the Downtown Sacramento Revitalization Corporation
- General Counsel for the River City Stadium Finance Authority

In his capacity as counsel to these agencies, he advises on a variety of legal matters, including:

- Development and implementation of economic development plans and projects
- Land use, zoning, subdivision map act, and environmental matters
- State and federal regulations governing affordable housing projects
- General compliance with laws applicable to public agencies, including election law, the Brown Act, conflicts of interest law, and laws related to public records

PRACTICE EXAMPLES

- Jeff was involved in negotiating and drafting land acquisition, financing, and development agreements related to constructing a Triple-A minor league baseball facility (Raley Field) in West Sacramento. Other recent projects include several large master-planned subdivisions, a large retail center, and a number of affordable housing projects in the greater Sacramento area.
- Jeff regularly represents public clients in the negotiation and drafting of development and regulatory agreement

related to housing and commercial developments, including a number of affordable housing and mixed-use projects. In this area, he advises clients on compliance with state and federal law, funding sources, contractual matters, and land use issues.

- As City Attorney and general counsel, Mr. Mitchell routinely handles various matters ranging from contract negotiation to litigation matters to general advice to staff and elected officials.

PROFESSIONAL ACTIVITIES & AFFILIATIONS

- *The Best Lawyers in America*, Municipal Law & Land Use and Zoning Law (2021-2024)
- Top Lawyer, *Sacramento Magazine* (2019, 2022, 2023)
- Article Editor, *California Real Property Journal*
- Member, Urban Land Institute
- Member, American Bar Association
- Member, California State Bar Association
- California State Bar#149003

ACADEMIC BACKGROUND

J.D. University of the Pacific, McGeorge School of Law, 1990

- Graduated with Great Distinction
- Member, Order of the Coif
- Editor-in-Chief, *Pacific Law Review*

B.A. Claremont McKenna College, 1981



OLIVIA R. CLARK, ASSOCIATE

(916) 321-4290 | oclark@kmtg.com

As an associate attorney, Olivia advises public agency clients in all matters, especially those related to municipal administration and governance, environmental law, water rights, and land use issues. She blends sharp advocacy and creative thinking to assist municipalities and special districts in negotiating, drafting, and reviewing agreements and developing various ordinances and regulations.

Olivia is especially experienced in advising public and private entities on land use and planning matters. Prior to joining the firm, she worked for a boutique law firm in Sacramento that specialized in land use permitting and environmental law litigation all over the State of California. Specifically, she has worked on issues related to the California Environmental Quality Act, the National Environmental Policy Act, the Endangered Species Act, the Brown Act, and public agency law, including those related to the Public Records Act and special districts.

Blending her comfort in navigating the veritable minefield of regulations with her passion for building the community she is proud to call home, Olivia works to help her clients feel informed and, when necessary, advocate their interests in various venues.

LEGAL EXPERIENCE

Following the fulfillment of her law degree, Olivia completed a research fellowship with the California Environmental Law and Policy Center at the University of California Davis School of Law, where she published papers on administrative procedures of the State Water Resources Control Board amidst drought exacerbated by climate change. Her other research focused on the reformation of the Colorado River Compact. She aided instruction in Climate Change Law and Policy and Water Law courses. Before that, she was a law clerk at the California Governor's Office of Research and Planning. She executed in-depth research to aid in drafting technical revisions to the CEQA guidelines pertaining to Tribal Cultural Resources and State Wildfire Areas.

PROFESSIONAL ACTIVITIES & AFFILIATIONS

- *The Best Lawyers in America: Ones To Watch*, Environmental Law & Land Use and Zoning Law (2022-2024)
- *Sacramento Magazine*, Top Lawyer (2020-2021, 2023)
- Board Member, Public Law Section, Sacramento County Bar Association
- Board Member, Executive Committee, Schwartz-Levi Inn of Court
- Board Member, California Environmental Law & Policy Center, University of California, Davis School of Law
- Member, California Lawyers Association, Environmental Law Section

ADMITTED TO PRACTICE

- California State Courts
- California State Bar #316689

ACADEMIC BACKGROUND

J.D., University of California, Davis School of Law, 2017

- Environmental Law Certificate, 2017

- Public Interest & Pro Bono Law Certificates, 2017
 - Negotiations Team, President
 - Emerging Leaders in Policy and Public Service Fellow
 - Environmental Law Conference at Yosemite Scholarship
 - ACWA Steve Hall Water Law and Policy Scholarship
 - Rocky Mountain Mineral Law Foundation Scholarship
 - Women Lawyers of Sacramento Scholarship
- B.A., University of California, Berkeley, 2014
- Cultural Anthropology
 - Spanish Literatures Minor



WILLIAM T. CHISUM, SHAREHOLDER

(916) 321-4557 | wchisum@kmtg.com

William is a shareholder in the firm whose practice emphasizes representation of public agencies in litigation pertaining to eminent domain, water and other resources, taxing authority and collection, nuisance abatement and environmental issues to name a few. His litigation experience includes handling cases at the trial and appellate levels in both state and federal courts.

LEGAL EXPERIENCE

For 30 years, William has worked with a number of public agencies representing them in a variety of legal matters such as:

- Property acquisition through eminent domain
- Water rights and allocation
- California environmental and natural resource law
- Agency taxing and spending obligations
- Nuisance abatement

William's work includes representation of cities such as the City of Elk Grove, the City of West Sacramento, the City of Folsom, the City of Anderson and the City of Citrus Heights in their efforts to acquire property for municipal purposes through condemnation actions, and representation of other public entities, including water and school districts, in similar land acquisition actions.

Additionally, he has considerable experience preparing trial and appellate briefs and has authored briefs regarding government obligations under environmental laws, the diversion of water from the Sacramento River and San Joaquin Delta, Mello-Roos Act taxation and collection provisions, civil rights requirements, enforcement of sign and medical marijuana ordinances and constitutional provisions governing adult-use businesses.

PRACTICE EXAMPLES

Specific examples of legal matters William has handled on behalf of clients include:

- *Dow v. Lassen Irrigation Company* (2022) 79 Cal.App.5th 308
- *Dow v. Lassen Irrigation Company* (2022) 75 Cal.App.5th 482
- *Dow v. Lassen Irrigation Company* (2021) 63 Cal.App.5th 901
- *Amerco Real Estate Co. v. City of West Sacramento* (2014) 224 Cal.App.4th 778
- *Dow v. Lassen Irrigation Company* (2013) 216 Cal.App.4th 766
- He successfully acquired property from numerous landowners for a major interchange improvement project located within the cities of Elk Grove and Sacramento, including the filing of nine eminent domain actions and obtaining orders of immediate possession to allow the project to proceed to completion. This has also included review of utility and project agreements, consulting regarding environmental issues and assisting with Caltrans administrative review and procedures.
- He successfully obtained the necessary property rights held by individuals and entities allowing the City of West Sacramento, the City of Folsom, the City of Anderson and the City of Citrus Heights to complete major roadway and transportation improvements including orders allowing for pre-judgment possession of property and pre-litigation

access for testing and inspection purposes.

- He has worked with water districts, school districts and other special districts to acquire property necessary for schools and other public purposes throughout various parts of California.
- He has represented landowners whose property has been subject to condemnation for a regional flood control project and has negotiated resolutions based upon payment of just compensation.
- He successfully enforced provisions of a municipal sign ordinance, including the recovery of attorney's fees (see *Amerco v. City of West Sacramento* (2014) 224 Cal.App.4th 778).
- He obtained nuisance abatement judgments forcing owners of derelict vessels to remove them from the Port of West Sacramento including obtaining a contempt citation against one of the vessel owners.
- He successfully defended the Vallejo City School District in a challenge to its taxing authority under the Mello-Roos Act, and has instituted actions on behalf of public agencies to collect delinquent special taxes.
- He negotiated a settlement of litigation brought against a school district to clean-up property based upon activities occurring in the 1950's and 1960's after first locating and obtaining agreements by insurers from that time period to provide coverage.
- He has been extensively involved, both at the trial and appellate levels, with work performed on behalf of the Westlands Water District and the San Luis and Delta-Mendota Water Authority regarding water allocation, environmental laws and contract interpretation.
- He had a significant role in this firm's representation of the City of Citrus Heights in actions challenging the city's obligations upon incorporation and challenging the city's adult-use ordinances and has also taken a lead role in drafting the City of Elk Grove's adult-use ordinance.
- He has successfully represented public entities and private parties in various general litigation matters including issues involving the California Environmental Quality Act, the Surface Mining Reclamation Act, quiet title, enforcement of medical marijuana zoning provisions, public contract actions and construction litigation.

PROFESSIONAL ACTIVITIES & AFFILIATIONS

William's professional activities and affiliations include:

- *The Best Lawyers in America*, Eminent Domain and Condemnation Law (2021-2024)
- *Northern California Super Lawyer* (2011-2015, 2019-2023)
- Top Lawyer, *Sacramento Magazine* (2015-2021, 2023)
- Article Editor, *California Real Property Journal*
- Member, California State Bar Association
- Member, Sacramento County Bar Association
- Appointed by the California Chief Justice as a member of the California Judicial Council's Civil and Small Claims Advisory Committee
- Presented seminars on Eminent Domain Practice and Procedure and Easement Law
- California State Bar #142580

ADMITTED TO PRACTICE

- All California State Courts
- United States District Court, Eastern, Northern, Central and Southern Districts of California
- United States Court of Appeals, Ninth Circuit
- United States Supreme Court

ACADEMIC BACKGROUND

J.D. University of California, Davis, 1989

B.A. San Diego State University, 1986



KEVIN A. FLAUTT, SHAREHOLDER

(916) 321- 4301 | kflautt@kmtg.com

Kevin advises and litigates on behalf of public agency clients in all matters, including wage and hour issues, labor and collective bargaining issues, due process and discipline for public sector employees, discrimination, harassment, disability accommodation, 42 U.S.C. § 1983 litigation, public employee privacy rights, leaves of absences, writ of mandate proceedings, and other public employment based actions. Kevin also advises his clients in commercial bankruptcy, creditor's rights, and construction litigation. He also advises the firm's municipal and special district clients on elections law disputes, including CVRA and FAIR MAPS issues.

LEGAL EXPERIENCE

Kevin's legal background includes more than a decade of substantive experience litigating in State, Federal, and Appellate Courts in the areas of public agency law, labor law, employment actions, business and securities litigation, real estate & lending law, commercial bankruptcy & creditor's rights, equine law, consumer fraud, attorney professional responsibility, and construction defect for both Plaintiff and Defense. Kevin possesses substantive experience litigating the numerous procedural requirements of the Public Safety Officers Procedural Bill of Rights Act and the Firefighters Procedural Bill of Rights Act. He also has experience prosecuting labor law actions before the Public Employment Relations Board and the Los Angeles Employment Relations Board, as well as in negotiating collective bargaining agreements and policies.

Kevin began his career clerking with the Civil Litigation Division of the United States Attorney's Office in Sacramento.

PROFESSIONAL ACTIVITIES & AFFILIATIONS

- Top Lawyers, *Sacramento Magazine* (2023)
- Member, Hispanic National Bar Association
- Member, Sacramento County Bar Association
- California State Bar#257892

ADMITTED TO PRACTICE

- All California United States District Courts
- Ninth Circuit Court of Appeal
- California State Courts

ACADEMIC BACKGROUND

J.D., University of the Pacific, McGeorge School of Law, 2008

- Dean's List 2007 and 2008 (Roger J. Traynor Honor Society)
- Honors at Entrance

B.A., University of California, San Diego, 2005

- Double Major in Political Science and Psychology



IAN B. SANGSTER, SENIOR COUNSEL

(916) 321-4348 | isangster@kmtg.com

Ian has a diverse litigation background, having represented both public and private sector clients in a wide variety of issues including wage and hour actions, employee discrimination, harassment and whistleblower claims, real estate disputes, and construction matters. He also has experience prosecuting and defending actions before administrative agencies, including the Public Employment Relations Board and the Department of Industrial Relations.

LEGAL EXPERIENCE

Ian has nearly a decade of substantive experience litigating before administrative agencies as well as State, Federal, and Appellate courts. He has extensive experience in the following areas:

- “Whistleblower” statutes
- Class and representative actions under the California Labor Code
- Collective actions under the Fair Labor Standards Act
- Collective bargaining
- Construction contract and defect claims
- Discrimination and harassment claims
- Employee discipline
- Unfair labor practice charges

PROFESSIONAL ACTIVITIES & AFFILIATIONS

- *Best Lawyers*, Litigation – Labor and Employment (2024)
- Member, Sacramento County Bar Association
- Member, California State Bar #287963

ADMITTED TO PRACTICE

- All California State Courts
- United States District Court, Northern, Central, and Eastern District of California
- California State Bar #287963

ACADEMIC BACKGROUND

J.D., University of California College of the Law, San Francisco, 2012

- *cum laude*

B.A., University of California, Los Angeles, 2007

- Bachelor of Arts, History

**SECTION VII
COST SHEET**

7.0 INTRODUCTION

Proposer shall complete cost sheet to include all costs, including travel and per diem in accordance with the Scope of Work defined in Section IV. Proposer will submit detailed cost sheets on reimbursable costs, as back up to this summary page; however, total costs must be reflected on this summary page.

Proposer shall also include a Fee Schedule for additional services that may be requested.

7.1 COST FOR SCOPE OF WORK, SECTION IV

a. Fee Schedule For Legal Services For Term Of Contract

Position	Hourly Rate				
	1 st Year	2 nd Year	3 rd Year	4 th Year	5 th Year
Shareholder/ Senior Counsel	\$325	\$341	\$358	\$376	\$395
Associate	\$310	\$326	\$342	\$359	\$377

b. Identify costs cap as necessary.

This proposal submitted by: Kronick Moskowitz Tiedemann & Girard
Company Name

Address: 1331 Garden Hwy, 2nd Floor
Sacramento, CA 95833

Telephone Number: 916 321-4500

Fax Number: 916 321-4555

Business License Number: 94-2174974

Contact Name: Jeffrey Mitchell

Authorized Signature: 