

RESOLUTION NO. 3756-2014

RESOLUTION OF THE FORT BRAGG CITY COUNCIL

and

RESOLUTION NO. ID 368-2014

RESOLUTION OF THE FORT BRAGG MUNICIPAL IMPROVEMENT DISTRICT BOARD

and

RESOLUTION NO. RS 12-2014

RESOLUTION OF THE FORT BRAGG REDEVELOPMENT SUCCESSOR AGENCY

APPOINTING SAMANTHA ZUTLER TO SERVE AS CITY ATTORNEY, DISTRICT COUNSEL AND AGENCY COUNSEL and APPOINTING RAFAEL MANDELMAN TO SERVE AS ASSISTANT CITY ATTORNEY, ASSISTANT DISTRICT COUNSEL, AND ASSISTANT AGENCY COUNSEL

WHEREAS, in June 2014, Fort Bragg's City Attorney, David Warner, resigned after providing services to the City for 1.5 years under a contract with Meyers Nave; and

WHEREAS, at that time, Meyers Nave indicated that it could not provide a long-term replacement City Attorney to the City of Fort Bragg; and

WHEREAS, the City subsequently conducted a procurement process for City Attorney services which resulted in the submittal of proposals from ten different entities; five of which were interviewed by the Council on October 17, 2014; and

WHEREAS, on November 10, 2014, the City of Fort Bragg ("City") entered into a contract with the firm of Burke, Williams & Sorensen, LLP ("BWS") for legal services; and

WHEREAS, BWS has proposed that Samantha Zutler, an attorney with BWS, serve as City Attorney, general counsel to the Fort Bragg Municipal Improvement District No. 1 ("District") and general counsel to the the Fort Bragg Redevelopment Successor Agency ("Agency"); and

WHEREAS, BWS also proposed that Rafael Mandelman, an attorney with BWS, serve as Assistant City Attorney, Assistant District Counsel, and Assistant Agency Counsel; and

WHEREAS, based on Ms. Zutler's experience and expertise in general municipal law matters, including her experience in providing counsel on labor and employment law, to the City of Fort Bragg over the past several years; and Mr. Mandelman's expertise in general municipal law matters, including land use and environmental law, the Council finds that Ms. Zutler is well qualified to serve as City Attorney for the City, General Counsel for the District, and General Counsel for the Agency and Mr. Mandelman is well qualified to serve as Assistant City Attorney, Assistant District Counsel; and Assistant Agency Counsel; and

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

Section 1. Samantha Zutler is hereby appointed to the position of City Attorney of the City, General Counsel of the District, and General Counsel of the Agency, said appointment to become effective upon being sworn in to those positions, and upon being so sworn, Samantha Zutler shall be empowered to perform the duties of City Attorney, District General Counsel and Agency General Counsel, respectively.

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

Section 3. The appointments made through, and the authority granted by, this resolution shall include the responsibility and authority to regularly advise the City Council, the District Board, the Agency Board, and their respective staffs and perform various other duties as needed.

Section 4. Samantha Zutler and Rafael Mandelman shall be bound by the Agreement for Legal Services with BWS, as the same may be amended from time to time.

Section 5. Samantha Zutler and Rafael Mandelman shall comply with City of Fort Bragg Conflict of Interest rules, and the Political Reform Act (Government Code §8100, et seq.) and the FPPC Regulations (2 Cal. Code of Regulations §18109, et seq.)

Section 6. The appointment of Samantha Zutler as City Attorney, District General Counsel, and Agency General Counsel and the appointment of Rafael Mandelman as Assistant City Attorney, Assistant District Counsel, and Assistant Agency Counsel are not a "project" as that term is defined under the California Environmental Quality Act, and therefore, is not subject to environmental review.

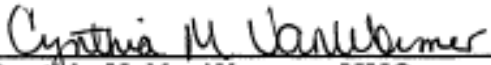
The above and foregoing Resolution was introduced by Council/Board/Agency Member Kraut, seconded by Council/Board/Agency Member Courtney, and passed and adopted at a regular meeting of the City Council of the City of Fort Bragg/District Board of the Fort Bragg Municipal Improvement District No. 1/Fort Bragg Redevelopment Successor Agency held on the 10th day of November, 2014, by the following vote:

AYES: Council/Board/Agency Members Courtney, Deitz, Kraut, and Mayor/Chair Turner.
NOES: None.
ABSENT: Council/Board/Agency Member Hammerstrom.
ABSTAIN: None.



DAVE TURNER,
Mayor/Chair

ATTEST:


Cynthia M. VanWormer, MMC
City/District Clerk/Agency Secretary