

RESOLUTION NO. 4377-2021

RESOLUTION OF THE FORT BRAGG CITY COUNCIL

and

RESOLUTION NO. ID 442-2021

RESOLUTION OF THE FORT BRAGG MUNICIPAL IMPROVEMENT DISTRICT BOARD

and

RESOLUTION NO. RS 30-2021

RESOLUTION OF THE FORT BRAGG REDEVELOPMENT SUCCESSOR AGENCY

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

WHEREAS, the City of Fort Bragg (“City”) entered into a Retainer Agreement for City Attorney Services with the Law Offices of Jones & Mayer (“Jones & Mayer”) on July 8, 2019 pursuant to Resolution 4166-2019, Resolution ID 413-2019, and Resolution RS 21-2019; and

WHEREAS, the City and Jones & Mayer desire to modify the terms of the agreement to designate and appoint Scott Porter as the Assistant City Attorney, Assistant District General Counsel and Assistant Agency General Council in the place and stead of Ryan R. Jones; and

WHEREAS, based on Mr. Porter’s experience and expertise in general municipal law matters, the Council finds that Mr. Porter is well-qualified to serve as Assistant City Attorney, Assistant District General Counsel; and Assistant Agency General Counsel; and

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

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

Section 2. Scott Porter is hereby appointed to the position of Assistant City Attorney of the City of Fort Bragg, Assistant General Counsel of the Fort Bragg Municipal Improvement District, and Deputy General Counsel of the Fort Bragg Redevelopment Agency, said appointment to become effective upon being sworn in to those positions, and upon being so sworn, Scott Porter shall be empowered to perform the duties of Assistant City Attorney, Assistant District General Counsel and Assistant Agency General Counsel, respectively.

Section 3. The appointment 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. Scott Porter shall be bound by the Retainer Agreement for City Attorney Services with the Law Offices of Jones & Mayer, as the same may be amended from time to time.

Section 5. Scott Porter 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 Scott Porter as Assistant City Attorney, Assistant District General Counsel, and Assistant Agency General Counsel is not a “project” as that term is defined under the California Environmental Quality Act, and therefore, is not subject to environmental review.

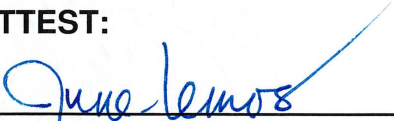
The above and foregoing Resolution was introduced by Council/Board/Agency Member Peters, seconded by Council/Board/Agency Member Albin-Smith, and passed and adopted at a regular meeting of the City Council of the City of Fort Bragg/District Board of the Fort Bragg Municipal Improvement District No. 1/Fort Bragg Redevelopment Successor Agency held on the 12TH day of April, 2021, by the following vote:

- AYES:** Councilmembers Albin-Smith, Morsell-Haye, Rafanan, Peters and Mayor Norvell.
- NOES:** None.
- ABSENT:** None.
- ABSTAIN** None.
- RECUSE:** None.



BERNIE NORVELL
Mayor

ATTEST:



June Lemos, CMC
City Clerk

**FIRST AMENDMENT TO
RETAINER AGREEMENT
FOR CITY ATTORNEY SERVICES
CITY OF FORT BRAGG**

This First Amendment to Retainer Agreement for City Attorney Services ("Agreement") is made and entered into by and between the LAW OFFICES OF JONES & MAYER ("Jones & Mayer) and the CITY OF FORT BRAGG (the "City"), a municipal corporation of the State of California.

RECITALS

- A. Jones & Mayer is a firm in the general practice of law with extensive municipal experience, and is fully able to carry out the duties described in this Amendment to Agreement.
- B. The City entered into a Retainer Agreement with Jones & Mayer on July 8, 2019 to provide contract legal services for the City.
- C. The City desires to amend its contract with Jones & Mayer to appoint Scott Porter as Assistant City Attorney for the City of Fort Bragg, Assistant District General Counsel for the Fort Bragg Municipal Improvement District No. 1 and Assistant Agency General Counsel for the Fort Bragg Redevelopment Successor Agency in the place and stead of Ryan R. Jones.

AGREEMENT

NOW, THEREFORE, in consideration of the mutual terms and conditions set forth in this Agreement, Jones & Mayer and the City agree as follows:

- 1. Paragraph 1.A. of the Retainer Agreement is hereby amended to replace all references to Ryan R. Jones with Scott E. Porter.
- 2. Except as expressly amended herein, the Retainer Agreement between the City and Jones & Mayer dated July 8, 2019, is hereby reaffirmed.

IN WITNESS WHEREOF, the duly authorized representatives of the parties have executed this First Amendment to Agreement on the ____ day of April, 2021.

CITY OF FORT BRAGG

JONES & MAYER

By: _____
Tabatha Miller, City Manager

By: _____
Richard D. Jones, Owner

ATTEST:

June Lemos, CMC, City Clerk