

April 27, 2023

VIA EMAIL

City of Arcata, City Manager's Office
Attn: Contracts and Special Projects Manager
736 F Street
Arcata, CA 95521
dallred@cityofarcata.org

Re.: Response to Request for Proposals – Arcata City Attorney Services

Dear Ms. Allred,


On behalf of White Brenner LLP (the "Firm" or "White Brenner"), I am pleased to submit our proposal to Provide City Attorney Services to the City of Arcata ("City"). Our Firm is uniquely qualified, and we hope you will consider the range of services the Firm could provide to the City during your selection process.

The legal name and contact information for the Firm, as well as the primary contact person authorized to bind the Firm, is below:

Legal Firm Name and Address:

White Brenner LLP
1414 K Street, 3rd Floor
Sacramento, CA 95814
Phone | 916.468.0950
Fax | 916.468.0951
Website | www.whitebrennerllp.com

Primary Contact:

Douglas L. White, Managing Partner
Office | Sacramento
Direct | 916.468.0947

Fax | 916.468.0951
Email | doug@whitebrennerllp.com

White Brenner is a law firm with deep roots in California. Based in Sacramento, we have a particular focus on sound public policy. Our lawyers and lobbyists work in the areas of government relations, regulatory, municipal, special districts, political,

ethics and conflicts of interest, real estate and land use, environmental and natural resources, water, litigation and more. We are recognized for our expertise in highly specialized areas not commonly found at other firms. We diligently represent private businesses, cities, counties, and special districts. Our partners have years of experience at some of the largest global and national law firms, including Greenberg Traurig, Littler Mendelson, and Stoel Rives.

The Firm is well-versed in the laws that regulate cities, towns, special districts, and other public agencies in the state of California. In order to provide the best service to our clients, our attorneys stay up to date on current general municipal and public law issues and trends that affect public agencies, including changes to the Ralph M. Brown Act, Public Records Act, Political Reform Act, and other relevant statutes.

The Firm believes in a proactive approach to representation and keeps a pulse on emerging case law and regulations that may impact local government entities in areas including drought regulations, local ordinances and resolutions, real estate, land use and planning, environmental and natural resources, CEQA/NEPA, water law, general plans, administrative law, employment and personnel matters, Proposition 218, ethics, and Conflicts of Interests. The Firm rounds out the legal services offered to clients by providing governmental affairs and lobbying services at the state capitol.

Our attorneys and legislative advocates represent public interests across the state. The Firm proudly serves as City Attorney or Special Counsel to the cities of Angels Camp, Arroyo Grande, Ceres, Dixon, Livingston, Newman, Oakdale, Patterson, Redwood City, Riverbank, and Sonora, to name a few. The Firm also serves as General Counsel or Special Counsel to the California Electronic Recording Transaction Network (CERTNA), San Miguel Community Services District, Grizzly Flats Community Services District, Georgetown Divide Public Utility District, Rio Linda-Elverta Community Water District, San Simeon Community Services District, County of San Joaquin, Reclamation District 799, and Westley Community Services District, among others. In addition, our attorneys are often hired by other prominent public and municipal law firms seeking assistance with complex litigation, transactional, and regulatory compliance matters.

We have evaluated the City's needs based on the scope of services set forth in the RFP and are confident in our ability to execute all of the legal services to the highest ability and quality specified by the City. We believe that the City Council plays an integral role in facilitating and ensuring that the City is able to accomplish its missions and goals within the complex framework of federal, state, and local laws and regulations. Our approach to tackling the array of challenges a public agency

may face is to maintain an active and cooperative relationship with the City Council and staff. We believe this active level of involvement and candid communication regarding the strategy and management of the City's legal affairs leads to optimal results.

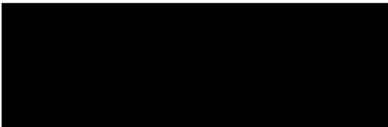
At this time, the Firm does not foresee any potential conflicts of interest that may arise with representing the City. This proposal and subsequent fee schedule are valid and binding for a 180-day period following the submission deadline of April 27, 2023.

The following proposal outlines the qualifications of not only the Firm, but also the experience and varied expertise of our attorneys. In addition, the overview highlights our belief in providing a full range of services at cost-effective rates, as well as our overall commitment to our clients.

Should you have any questions, please do not hesitate to contact me directly. Thank you for your consideration.

Kind regards,

White Brenner LLP



Douglas L. White
Managing Partner

Enclosure

General Information

White Brenner LLP (the “Firm” or “White Brenner”) is pleased to present this proposal to provide City Attorney services to the City of Arcata (the “City”) in response to the City’s Request for Proposals (“RFP”). Our attorneys practice virtually every legal specialty that would be of interest to the City, providing full-service advice and counsel to our clients. The Firm is uniquely qualified and prepared to deliver the highest quality legal services at competitive rates.

Values

What sets a law firm apart from all others? Its culture, its brand, and its commitment. White Brenner delivers on its commitment to clients and to the people that work so hard to deliver exceptional service and value to clients each and every day. What makes White Brenner unique is that we don’t just write down values and ignore them when things get tough or when following them earns us less money. We honor them. We live by them.

Our values serve as a framework for our Firm and guide every aspect of our business strategies. We believe that if we continue to honor these values, we will continue to accomplish our goal of being a leading provider of highly sophisticated, government-related legal services. Our attorneys and professionals work for the Firm because they enjoy delivering high level, creative legal work with a true commitment to our clients and the communities we represent.

Diversity

At White Brenner, diversity is an essential part of our Firm’s identity. We are committed to fostering an inclusive community of professionals of all races, religions, genders, sexual orientations, and family structures. We see our individual differences as an asset that enhances the quality of life for each of us and strengthens what we can accomplish as a firm. We believe our success is directly attributable to the unique skills, talents and viewpoints contributed by attorneys from a variety of different backgrounds and beliefs. The groundbreaking work we handle at White Brenner benefits from our diversity.

White Brenner works hard to create a workplace that allows our attorneys, paralegals, and staff to transcend differences and value similarities to ensure we provide our clients with a distinctive level of client service.

Scope and Location

Throughout our ten years of operation, the Firm has been proud to represent a range of public interests across the state as City Attorney or Special Counsel to the cities of Angels Camp, Arroyo Grande, Ceres, Dixon, Livingston, Newman, Oakdale, Patterson, Redwood City, Riverbank, and Sonora, to name a few. The Firm also serves as General Counsel or Special Counsel to the California Electronic Recording Transaction Network, San Miguel Community Services District, Grizzly Flats Community Services District, San Simeon Community Services District, County of San Joaquin, Westley Community Services District, Rio-Linda Elverta Community Water District, Reclamation District 799, and the Riverbank Local Redevelopment Authority, among others. The Firm currently serves as Special Counsel to the City of Arroyo Grande regarding Water Rights Issues. In addition, our attorneys are often hired by other prominent public and municipal law firms seeking assistance with complex litigation, transactional, and regulatory compliance matters.

Legal Name and Address

White Brenner LLP
Type of Entity: Partnership
1414 K Street, 3rd Floor
Sacramento, CA 95814

Telephone: 916.468.0950
Fax: 916.468.0951

Legal Form of Submitter

White Brenner LLP is a limited liability partnership formed in California. The Firm was established in 2013 to serve as a comprehensive resource for clients' legislative, regulatory, and litigation needs. White Brenner has been in business ten years, primarily servicing municipal clients.

Location of Office

White Brenner LLP has one office located at the address above which would serve the City.

Proposed City Attorney

Douglas L. White
1414 K Street, 3rd Floor
Sacramento, CA 95814
T: 916.468.0950

Doug@whitebrennerllp.com

Proposed Deputy City Attorney

Nubia Goldstein
1414 K Street, 3rd Floor
Sacramento, CA 95814
T: 916.468.0950

Nubia@whitebrennerllp.com

Range of Services

The Firm works collectively as a team to offer a range of services for the benefit of our clients, and the City will benefit from the full resources of the Firm. In addition to the proposed legal team, the Firm's other partners and associates are highly trained and qualified in a wide range of legal areas. Below is a list of the Firm's practice areas and the attorneys that practice in each area. Full resumes detailing each attorney's background and experience may be found under the "Attorney Resumes" section of this proposal.

- Public Law (municipal and special districts): Douglas White, Barbara Brenner, Nubia Goldstein, Tom Hallinan, Joshua Varinsky, Christina Pritchard, Jeresia Ewell
- Water (rights, quality, rate setting): Barbara Brenner, Kerry Fuller
- Employment and Labor Law: Douglas White, Nubia Goldstein, Debra Hinshaw Vierra, Angela Schrimp de la Vergne, Maria Fatima Gioletti, Jeresia Ewell
- Litigation: Barbara Brenner, Nubia Goldstein, J. Scott Miller, Angela Schrimp de la Vergne, Maria Fatima Gioletti, Christina Pritchard
- Environmental and Natural Resources: Barbara Brenner, Kerry Fuller
- Land Use: Douglas White, Barbara Brenner, Nubia Goldstein, Joshua Varinsky
- Administrative and Regulatory: Barbara Brenner, Nubia Goldstein
- Ethics and Conflicts of Interest: Douglas White, Nubia Goldstein
- Legislative Advocacy: Randy Pollack, Elisabeth White, Nubia Goldstein

Relevant Prior Experience

The Firm is well-versed in the laws that regulate cities and other public agencies in the State of California. In order to provide the best service to our clients, our attorneys stay up to date on current general municipal and public law issues and trends that affect public agencies. The Firm has a pulse on emerging case law and regulations that may impact local government entities in areas including code enforcement, real estate, land use and planning, environment and natural resources, CEQA/NEPA, water law, general plans, administrative law, employment and personnel matters, Proposition 218, ethics and conflicts of interests. The Firm rounds out the legal services offered to clients by providing governmental affairs and lobbying services at the State Capitol.

As City Attorneys and General Counsel to cities and public agencies across the state, our attorneys regularly provide day-to-day legal advice and counsel on transactional and litigation matters. That advice and counsel includes, but is not limited to, issues related to regular Council meetings, as well as other special meetings; the Ralph M. Brown Act and Public Records Act; election law; the Political Reform Act and conflicts of interest; public contracts and prevailing wage compliance; environmental issues, including CEQA, NEPA, the Endangered Species Act, and toxic substances; natural resources issues; planning, building, and development matters; employment law matters, including termination, discrimination, disciplinary actions, and labor negotiations; and litigation.

In addition to the Firm's legal counsel services, below is a sampling of services that the Firm provides to municipal clients of similar industry and interests as the City. These projects and abilities demonstrate not only our attorneys' qualifications to provide the requested scope of services, but also the expertise to assist with almost any other legal need the City may have.

- The Firm currently represents public agencies in nearly every aspect of general municipal service:
 - Project Negotiation – Economic development (negotiated with developers of a Restoration Hardware Distribution and an Amazon Fulfillment Center to facilitate development of the warehouses under existing entitlements)
 - Labor and Employment Law – Employee relations advice and counsel (discharge and discipline, protected leaves, negotiations, arbitrations, and strikes)
 - Public Works – Wastewater treatment (successfully represented City of Dixon in financing new \$40 million treatment facility, Proposition 218 rate setting, and defending taxpayer litigation)

- o Litigation – CEQA (successfully represented the City of Riverbank in a CEQA litigation matter, which resulted in a \$4,000,000 settlement awarded to the city)
 - o Land Use – Local Agency Formation Commission (“LAFCO”) annexations (represented the cities of Patterson, Oakdale, Riverbank and Newman in significant annexations and sphere of influence modifications before the Stanislaus County LAFCO)
- The Firm understands the City’s business, from rate setting to real estate transactions to environmental compliance:
 - o Every Proposition 218 proceeding involving our Firm has been successfully completed
 - o Real Estate (assisting with will all aspects of CIP projects such as securing easements, preparing purchase and sale agreements, securing and issuing licenses, and assisting in LAFCO proceedings)
 - o CEQA/NEPA (representing cities and special districts to obtain state and federal approvals)
- Our proximity to the State Capitol, coupled with in-house advocacy attorneys, provides the City with better access to policymakers; and
- Our attorneys currently represent approximately 30 cities and special districts throughout the state. We are well seasoned to work collaboratively to address the City’s needs.

Finally, as part of the Firm’s commitment to providing exceptional service to its clients, White Brenner is an active member of several public law organizations and associations, such as the League of California Cities, California Special Districts Association, and Association of California Water Agencies, as well as other similar organizations.

Staffing

Proposed City Attorney

White Brenner is committed to proposing the most qualified attorney(s) to meet the needs of each client. In line with that commitment, the Firm proposes Mr. Douglas White as City Attorney and Ms. Nubia Goldstein as Deputy City Attorney to lead the City's legal team.

The Firm culture of White Brenner embraces a collaborative work model, while taking care to respect the needs and desires of each client regarding sensitive information. As such, the City Attorney will coordinate with the Deputy City Attorney and any other approved attorneys to provide significant opportunities to contribute to the success of City matters. Therefore, if a scheduling conflict or unforeseeable extended absence should occur for the City Attorney, the City may rest assured that the Deputy City Attorney, or any of our other attorneys or of counsels, will be able to step in to virtually attend meetings and participate knowledgeably, and to assist the City in any way necessary.

Support Staff

In addition to the proposed team, White Brenner currently employs a total of 14 attorneys, 3 paralegals, and 1 legal secretary who assist as needed.

Role of City Attorney

We believe the City Attorney plays an integral role in facilitating and ensuring that the City is able to accomplish its missions and goals within the complex framework of federal, state, and local laws and regulations. The City Attorney is not just a legal counselor but also an advocate and at times a member of the City's management team. Our approach to tackling the array of challenges a city may face is to maintain an active and cooperative relationship with staff, City Manager, and the City Council. We believe this active level of involvement and candid communication regarding the strategy and management of the City's legal affairs leads to optimal results.

Our Firm will work closely with the City Council, City Manager, and staff to determine how to best meet the City's legal needs. Within the first six (6) months, White Brenner will review current City processes, documents, and procedures and make recommendations for process improvements. The priority is to have the most qualified attorneys and legal professionals work on projects within their respective practice areas. There are specific times when attorneys from outside the Firm will be required or favored. For instance, if the need arose, our Firm would assist the City with procuring bond and disclosure or workers' compensation counsel. Also, there are times when hiring an outside attorney is preferable. Examples include labor negotiations where tough negotiations may compromise the City

Attorney's ability to maintain City employee trust necessary to accomplish day-to-day activities. In the end, priority will always be given to achieving the best result for the City and its residents.

Availability

The Firm's office is open to the public during standard business hours. However, our attorneys understand that issues can arise outside of normal workdays and hours. As such, our attorneys believe in being readily available to clients by both phone and email for urgent questions and in case of emergencies.

White Brenner would like to propose our attendance at City meetings virtually, unless requested to attend in person. Our team of experienced attorneys will provide the City with the same level of personalized attention and expertise that we would if we were meeting in person. We utilize the latest technology to ensure seamless communication and video conferencing.

The Firm does not foresee any current or future professional commitments that would hinder or interfere with our availability or service to the City. Mr. White currently serves as City Attorney for the cities of Angels Camp, Dixon, and Sonora; General Counsel for the San Miguel Community Services District; and Deputy City Attorney for the cities of Ceres, Livingston, Oakdale, Riverbank, and Patterson. He currently attends the Dixon City Council meetings on the first and third Tuesday of each month at 7:00 pm and attends the Sonora City Council meetings, as requested, on the first and third Monday of each month at 5:00 pm. Mr. White attends all meetings for all other cities he represents on an as-needed basis.

Ms. Goldstein currently serves as City Attorney for the cities of Ceres, Patterson, and Newman; Deputy City Attorney for the cities of Angels Camp, Dixon, Livingston, and Sonora; General Counsel for the California Electronic Recording Transaction Network and San Simeon Community Services District; and Special Counsel for the City of Redwood City. She currently attends Newman City Council meetings on the second and fourth Tuesday of each month at 7:00 p.m. and attends Patterson City Council meetings on the first and third Tuesdays of each month at 7:00 p.m.

Although Mr. White has the availability to virtually attend as-needed meetings for the City, should any conflict arise, the City would be notified in advance of any meeting he is unavailable to attend. Ms. Goldstein would then attend in his stead.

The City may request office hours as part of a contract for City Attorney services. In such cases, attorneys from the Firm will be available to attend in person, as necessary, or may participate in staff meetings through teleconferencing methods, such as Zoom or Microsoft Teams. We would be happy to further discuss specific requirements and the scheduling of such office hours during an interview with the City in order to best meet the City's needs.

Proactive Approach

Our attorneys are committed to staying at the forefront of legal developments. A benefit to having an active governmental relations group within the Firm is their immediate involvement in the early stages of any and all legislation that may have a direct effect on our municipal clients. In addition to our government relations communications, the Firm also tracks and regularly sends out e-alerts to clients on a variety of relevant topics, including the latest water rights and quality regulations; Fair Political Practices Commission, ethics, conflicts of interests, and political updates; new and ongoing legislation; and major state and federal decisions.

As a complimentary service to our clients, and to keep them in full compliance with the law, the Firm regularly coordinates and schedules mandated trainings, covering topics such as AB 1234, AB 1825, and AB 1661. We also offer trainings on the Ralph M. Brown Act, the Public Records Act, Robert's Rules of Order and parliamentary procedures, and many other topics that may be of interest to the City. In conjunction to these trainings, the Firm frequently publishes other resources, such as the Brown Act Pocket Guide, which serves as a handy reference material for clients.

Communication and Response Times

Communication is key to delivering exceptional client service. The Firm believes that before taking significant action, it is imperative that we consult with our clients to keep them informed of major developments. The attorneys at White Brenner believe in being readily available and accessible to their clients and are committed to providing whatever turn-around time is needed to meet each client's expectations. It is customary for attorneys to provide same-day response to all emails and phone calls, in the absence of an established expectation. If Mr. White is unavailable for any reason, Ms. Goldstein would step in to attend a meeting or assist the City, as needed. City staff is encouraged to communicate with us on any issue that needs attention. We encourage our clients to share with us all expectations and concerns regarding our services during the course of our representation.

In order to facilitate communication and timely responses, the Firm is committed to staying at the leading edge of technology. All attorneys at White Brenner have smart phones, laptop computers, and state-of-the-art, highly secure remote access to the Firm's document management system and other critical software applications. The Firm utilizes Microsoft Office 365 Suite, as well as Microsoft Word for word-processing of all documents. Our office is equipped for video and phone conferencing, which allow for direct and efficient communication and, in some cases, reducing the cost and hassle of travel. The Firm prides itself on providing its attorneys and staff with the most recent technology available in order to support the Firm's commitment to being readily accessible to clients and providing exceptional service.

Monthly Reporting

The Firm supports the City's request to virtually attend regularly scheduled meetings in order to keep the City Council and City Manager informed of all ongoing legal matters, trends, and developments. A regularly scheduled check-in call with the City Manager is also encouraged so that we can be informed of any new concerns that arise and stay proactive in our service and legal advice. In the event an issue arises that needs more immediate attention, we would work directly with the City Manager or whomever the City designates to determine the best approach in developing a response.

Reports regarding the status of litigation, as well as non-litigation projects, are always available upon request.

Types of Reports

The Firm regularly provides our municipal clients with a variety of reports, including staff reports, City Council summary reports, memorandums, and resolutions, among others. Our attorneys and legislative advocates also send periodic e-alerts on a variety of subjects, including new and relevant legislation, court decisions, and regulatory and administrative matters.

Transmittal of Requests

City leadership should be actively involved in the strategy and management of your legal affairs, and our goal is to encourage candid and frequent communication between the City and our Firm. City staff is encouraged to communicate with us directly on any issue or matter that you feel deserves attention, and we will endeavor to respond promptly. In order for us to assist you effectively and efficiently, we assume that you will provide us with the factual information you have which relates to the subject matter of our agreement, and that you will make any appropriate business or technical decisions. In addition, we encourage you to share with us, at all times, your expectations and any concerns regarding our services during the course of our representation.

The Firm can provide files electronically or via mail. Clients can upload and download documents and files of all types and sizes through the Firm's secure client portal, which is accessed through the Firm's website by selecting "Login" at the bottom of the navigation bar or through the URL <https://whitebrennerllp.sharefile.com>. The Firm also utilizes FedEx as one of our primary overnight freight services for physical and original files.

Style of Interaction at Public Meetings

We do not believe there is a one-size-fits-all model as it relates to our style of participation in City Council, special, and staff meetings. While we typically take a proactive approach in representing our clients' best interests, there are times when the more appropriate approach is to step back and manage a particular issue in a more reactive manner. Flexibility is key, and we focus on the needs of each client. Our commitment is to communicate early and often to ensure that our services are provided in a way that will exceed the City's expectations.

Tracking and Managing Legal Costs

In order to provide the most cost-effective and quality service to our clients, we consider experience, attorney rates, and the City's requests very seriously when we assign work. For example, if a particular task can be completed by a paralegal versus an attorney, the Firm will endeavor to assign the work to the most cost-effective and best-suited person.

The City will receive a monthly itemized billing statement with detailed information of each matter that was worked on in that month, which attorney or staff member performed the work, and the amount of time worked on each matter. Should the Firm foresee a month where services are anticipated to be higher than average, the Firm will communicate with the City in advance so there are no surprises when the invoice arrives. The monthly invoice details the work performed and the types of charges incurred. Payment is due within thirty (30) days after the date of our invoice.

Coordination of Work with City Manager and Staff

Our team pledges to be available to our clients at the client's convenience. As City Attorney, we believe we are an extension of the City and, therefore, are committed to being readily accessible to the City Council, City Manager, and City staff.

We believe in fostering an engaging and productive relationship between the City's legal team and the City Manager, Department Heads, and staff. What makes this possible is frequent contact between all involved in order to advance the City's legal and other objectives. In addition to regularly scheduled check-in calls with the City Manager, we also encourage Department Heads to continually check in with us, whether on a regular basis or as needed.

Coordination of Work with Mayor and City Council

Each City and City Council is unique, from their resources and skillsets to how they approach challenges. What communication methods and strategies work for one City Council may not work for another. As such, we hope that the Council will share their expectations with us

early on so that we can work to develop the most productive and symbiotic relationship possible. For us, this relationship begins with open and active communication, which we hope the Mayor and City Council will reciprocate.

Special Counsel Services

The Firm is proud to provide a wide range of services to our clients, including litigation and other specialties such as water law, environmental compliance, workplace investigations, etc.

The only services our Firm does not provide are workers' compensation or criminal law related. When these issues come up, workers' compensation is generally handled by an outside insurance provider, which we help coordinate, and we would refer criminal matters to outside counsel as appropriate.

We believe this allows us to keep our overall costs down, as our attorneys already have a base set of knowledge regarding the City.

Professional Development

Each attorney at White Brenner attends continuing legal education training each year that exceeds the minimum requirements of the State Bar of California. The Firm supports and encourages its attorneys to regularly attend workshops, seminars, and continuing legal education programs that advance their skill development in areas that add the most value to our clients. Each year, for example, the Firm sends at least two attorneys to trainings provided by the National Institute for Trial Advocacy. We also encourage our attorneys to attend and participate in several conferences, seminars, association activities, and webinars throughout the year. This includes the League of California Cities' Annual Conference, the League of California Cities' Annual City Attorney Conference, the California Special District Associations' Annual Conference, the Association of California Water Agencies' conferences, as well as many other diverse seminars and symposiums across the state and country. Our legislative advocates also participate in the League of California Cities' City Caucus meetings, as well as the California Special Districts Association's Legislative Committee, in order to stay up to date on bills affecting cities and keep our municipal clients aware of and engaged in any legislation that may affect cities throughout the state.

Transference of Institutional Knowledge

In order to proactively advise our clients, one of the first steps that we take with a new client is to arrange an initial kick-off meeting between our team and the City. This would include the proposed legal team and any other relevant attorneys or legal staff who may

assist the City during our representation, as well as the City Manager, Mayor, and whomever else the City designates. During this meeting we would brief the City on our own processes, as well as discuss in further depth the City's short-term and long-term plans and any ongoing legal issues. Not only does this allow everyone to familiarize themselves with each other, it allows us to create a more specific plan for the City's legal work and sets a precedent for cooperative communication moving forward. Following this initial meeting with the City's leadership, our proposed team can better assess what the City's most urgent legal needs are, what issues may arise in the future, and which areas should be proactively tracked and handled. We do not bill for these meetings. The Firm also performs a legal audit of the City to inform the City Council and City Manager of any issues that may be of concern.

Evaluation of Need for Outside Counsel

White Brenner is proud to provide a full range of services to our municipal clients. Our attorneys and legislative advocates have extensive experience and laudable track records in nearly every matter that could be of interest to a city, special district, or other public entity. In order to prevent the City's legal fees from rising, the assigned City Attorney or Deputy City Attorney would first carefully analyze the given case or matter to see if one of our other knowledgeable attorneys can handle or assist based upon their experience, background, and availability. The Firm embraces a cooperative work model, while taking care to respect the needs and desires of each client regarding sensitive information. An integral piece of White Brenner's team approach is that our City Attorney services are provided by a partner or senior associate and two or more junior associate counsel. This approach encourages client and associate-counsel direct contact, as well as provides our clients with more rapid response time, varied expertise developed by our diversified legal practitioners, disbursement of client institutional knowledge, and inherent continuity in our provision of legal services. Throughout this process, we would keep the City informed of any additional attorney assignments, as we believe in making sure that our clients are comfortable with the level of work being performed.

However, the Firm also recognizes that there are some issues that our attorneys should not or cannot handle, and that it may be more cost efficient for the City to employ outside expert advice or services. If an issue arises that falls outside of the Firm's range of services, we will assist the City in coordinating professional advice or outside legal counsel. Example of cases that may require outside counsel include criminal matters, workers' compensation, complex tax matters, and bankruptcy.

Qualifications

Firm Qualifications

The Firm views the City Attorney's role as providing the highest quality legal services possible in an efficient, cost effective, non-political manner. Below is an overview of some of the Firm's areas of expertise, accomplishments, and previous experiences that benefit municipal clients:

General Municipal Law

Our attorneys assist clients in successfully maneuvering through legal complexities and governmental mandates. Serving as City Attorney and General Counsel to several public agency clients, our attorneys regularly provide day-to-day legal advice and counsel on transactional and litigation matters, including, but not limited to, the following areas:

- General City Attorney services at City Council meetings (virtual), as well as other special meetings, as requested;
- Public law;
- The Ralph M. Brown Act and Public Records Act;
- Election law;
- The Political Reform Act and conflicts of interest;
- Public contracts, including professional consultants, public works and commercial services, and prevailing wage compliance;
- Environmental issues, including the California Environmental Quality Act (CEQA), the National Environmental Policy Act (NEPA), the Endangered Species Act, and toxic substances;
- Natural resources issues, including water law, toxic waste health hazards, and air quality compliance;
- Planning, building, and development matters;
- Code enforcement;
- Employment law matters, including termination, discrimination, disciplinary actions, and labor negotiations; and
- Litigation.

Land Use

White Brenner provides a full range of legal services in the context of land use planning, environmental review under CEQA and NEPA, infrastructure finance, natural resources management, land conservation, and municipal law. The Firm represents public agencies in all aspects of the land use entitlement process, from project applications to administrative proceedings and legislative approvals.

Our land use group specializes in the development and financing of technologies that maximize the economic potential of backbone infrastructure. We embrace “green” principles, such as tertiary water treatment and alternative energy, not only for their environmental benefits, but for improving the bottom line of public agencies and the operators of those systems.

Government Relations

White Brenner stands out from others by providing in-house legislative and governmental affairs services for private and municipal clients. The Firm is ideally positioned to provide exceptional government relations, lobbying, and political and public law representation to its clients. As discussed above, Randy Pollack, one of the Firm’s partners, has over 25 years of experience working in and around the State Capitol as a legislative advocate. As a former chief consultant and chief of staff to an Assemblymember, Mr. Pollack has well established relationships with legislators and staff of both parties, which are instrumental in laying a foundation for effective representation for our clients. In addition to Mr. Pollack, several of the Firm’s attorneys and staff members are also registered lobbyists. As such, the Firm offers lobbying registration and basic lobbying services for no additional charge. These services include bill monitoring and custom updates and presentations as requested.

Environmental

White Brenner understands the dual responsibility of protecting our unique and valuable natural resources while continuing to progress as a society. Attorneys at the Firm have worked consciously to develop a deep expertise in all aspects of environmental law, with a particular emphasis on California’s unique regulations and requirements.

Attorneys at the Firm represent clients in environmental permitting, regulatory compliance, enforcement and litigation, business transactions, and legislative advocacy that involve environmental problems or risks. Whether the project involves water quality, compliance with CEQA and NEPA or the California Coastal Act, or matters involving air quality, hazardous waste, asbestos, and the California and Federal Endangered Species Acts, the Firm has led private and public clients to a successful outcome. White Brenner assists clients with due diligence requirements, site audits, site remediation, and cost recovery. The environmental

and natural resources practice at White Brenner includes working with the California Environmental Protection Agency, U.S. Environmental Protection Agency, U.S. Bureau of Land Management, California Department of Toxic Substances Control, California Air Resources Board, California State Water Resources Control Board, and Regional Water Quality Control Boards.

Our attorneys assist both private and public clients through all aspects of CEQA. We assist with pre-project planning and strategy before CEQA is triggered to minimize costs and maximize environmental protection. Our attorneys are proficient at reviewing and preparing notices of exemption, initial studies, negative declarations, findings and statements of overriding considerations, addenda, and mitigation monitoring and reporting plans. We are also experts at writing and editing environmental impact reports to fully comply with CEQA's requirements. If a legal challenge should arise, our CEQA lawyers are skilled in the procedural and substantive complexities of litigating a CEQA case, including the short statutes of limitations, administrative record requirements, unique briefing, and oral argument trial. Similarly, we have experience in dealing with issues presented by NEPA. Our attorneys assist both private and public clients through the entire NEPA procedural process and document preparation, as well as through any subsequent litigation.

Our attorneys are skilled at reviewing and preparing notices of exemption, environmental assessments, and findings of no significant impact (FONSI). We are also experienced at writing and editing environmental impact studies to fully comply with NEPA's requirements, as implemented by the various federal agencies. If a legal challenge should arise, we are skilled in the procedural and substantive intricacies of litigating a NEPA case in federal court.

The Firm also advises clients on acquisitions, sales, and exchanges of various natural resources, such as timber, minerals, water, and other natural resources. We advise clients on the development of renewable energy projects, such as hydroelectric, solar, wind, and biomass from site acquisition to resource management and local, state, and federal approvals. The attorneys at White Brenner have expertise in water resource planning, endangered species regulations, and wetlands conversion and use. The Firm's expertise in environmental and natural resources includes administrative hearings, appeals, and state and federal litigation.

We have assisted clients in complex enforcement issues requiring the application of overlapping general plan policies, ordinances, easements, and quasi-public enforcement of Covenants, Conditions & Restrictions.

Public Labor and Employment

Our attorneys regularly provide advice and litigation services to our clients in all types of complex labor and employment matters, including:

- Employee handbooks and employment policies;
- Employee health and safety;
- Employee privacy/background investigations;
- Workplace investigations;
- Workplace violence;
- Family and medical leave;
- Disability and discrimination claims;
- Drug and alcohol testing;
- Wage and hour law, including prevailing wage;
- Sexual harassment;
- Performance improvement programs;
- Public employment termination;
- Wrongful termination and retaliation;
- Unemployment compensation;
- Labor negotiations;
- Imposed last, best, and final offer;
- Labor strikes;
- The Affordable Care Act;
- Healthy Workplaces, Healthy Families Act of 2014 (Paid Sick Leave Policies);
- Public employee retirement benefits; and
- Public Health Emergencies (COVID-19).

Responding to labor and employment claims requires the utmost sensitivity and professionalism. Many attorneys at the Firm have coordinated employment investigations on behalf of our clients, most often through the engagement of an independent, outside investigator. The Firm has actively participated in the resolution of claims related to sexual harassment, drug and alcohol testing, disability discrimination, wrongful termination and retaliation, and unemployment compensation.

The Firm also participates in labor negotiations and, when requested, the Firm has coordinated with essential employees to develop action plans in response to threatened walkouts and strikes. For example, the Firm assisted the City of Dixon in developing an action plan in response to a potential walkout. Ultimately, the Firm assisted the City's executive management team in negotiating an agreement with the bargaining unit to avoid a walkout, saving the City from a potential shutdown of its wastewater treatment plant.

In addition, the Firm's employment group routinely reviews and updates employee handbooks and policies for our clients. The Firm tracks changes to federal and state laws, such as any changes to the Public Employees' Retirement System, which could affect the City.

The Firm can provide custom-tailored training to the City in all areas related to harassment and discrimination to ensure that the City meets its requirements under AB 1825 and AB 1661.

Utility (Electric & Water)

The Firm specifically focuses on representing water districts, special districts, and cities that operate public water systems. We understand the benefit of developing long-term solutions that can successfully adapt to new and proposed state and federal laws and regulations related to water quality and water rights. One of the Firm's partners, Barbara Brenner, is a well-known figure in the water law community, with over 25 years of experience. Ms. Brenner leads our water rights and water quality practices, which include permit proceedings, regulatory compliance, legislative assistance, and state and federal litigation. White Brenner's water rights team assists in difficult matters involving water rights, supply, use, distribution, and policy. Our attorneys represent clients of all ranges, from small homestead owners to cities and water districts and large companies, in matters involving riparian, appropriative, and overlying water rights.

Our attorneys have represented clients before state and federal water resources agencies, environmental regulators, and other governmental agencies. We have a strong reputation and bring excellent working relationships with state and federal agencies to the table. Although we emphasize communication and negotiation in resolving conflicts, litigation and water rights adjudications are sometimes the only effective means of protecting our clients' interests.

We have represented clients in proceedings before the State Water Board and Regional Water Quality Control Boards, in matters involving conflicts between junior and senior water users, conversion of minimum stream flows to in-stream water rights, transfers and sales

of existing water rights, and conflicts between hydroelectric power use and municipal water use.

The long-term viability of the clients we serve is paramount to us. Accordingly, we help clients develop long-range management plans to ensure that they have the water needed to remain viable and that they meet obligations under state and federal laws, including the California Water Code, the Clean Water Act, state and federal endangered species laws, and the Warren Act. Such efforts include water transfers, acquiring and protecting water rights, and regional planning. In addition, water users in California face challenges beyond the acquisition of water rights, such as meeting the demands of constantly changing environmental regulations. White Brenner is ready to assist small and large water users and landowners in order to meet these permitting, regulatory, and long-term planning challenges.

Solid Waste/Recycling

White Brenner understands the benefit of developing long-term solutions that can successfully adapt to new and proposed state and federal laws and regulations related to solid waste disposal. Our attorneys assist private and public agency clients to meet constantly changing requirements for the treatment, storage, and distribution of solid waste. Our team has worked with the Regional Water Quality Control Boards, local and state Air Resources Boards, Solid Waste Management Authorities, and the California Environmental Protection Agency, as well as represented clients before regional, state, and federal agencies.

Furthermore, the Firm is actively engaged in representing businesses and trade associations on chemical and waste management and public policy initiatives. Our practice includes legislative, regulatory, and litigation assistance.

For years, our attorneys have represented clients before the Department of Toxic Substance Control, Office of Environmental Health Hazard Assessment, Department of Pesticide Regulations, and California Department of Resources, Recycling, and Recovery. Our established relationships help assure our clients are in the best position to meet the ongoing changes in California's Safer Consumer Products law, Proposition 65, pesticides regulations, and changes to the state's waste diversion goals.

With years of experience, our attorneys have been involved in representing clients through the legislative and regulatory implementation of the country's first green chemistry program, ensuring that recent proposed reforms to Proposition 65 do not inhibit or subject our clients to frivolous lawsuit abuses, and ensure compliance with California's 75% recycling, composting or source reduction diversion goals by 2020. Additionally, our

attorneys have worked on protecting clients from onerous extended producer responsibility proposals (EPR), while assisting a client in complying with California's EPR program for carpet.

Proposition 218 Issues

The Firm has extensive experience assisting municipal providers and special districts in compliance with Proposition 218. Our attorneys oversee the review of rate studies, resolutions and ordinances, notice and hearing requirements, and subsequent litigation involving rate setting matters. To date, every Proposition 218 proceeding in which the Firm has participated has been successful. The Firm has assisted the following clients in Proposition 218 proceedings: Amador Water Agency, Georgetown Divide Public Utility District, Rio Linda-Elverta Community Water District, Grizzly Flats Community Services District, and the cities of Dixon, Riverbank, and Oakdale.

Due to the volume of the Firm's Proposition 218 work, our municipal attorneys have reviewed existing and newly proposed tiered rate structures in response to the *San Juan Capistrano* case. Our attorneys also stay abreast of ongoing proposals by organizations and interest groups advocating for amendments to the California Constitution to provide greater flexibility for rate setting, in response to the *San Juan Capistrano* case.

Affordable Housing

The attorneys at White Brenner have expertise in all facets of public housing law, including general legal counseling on housing and general plan requirements, implementation of HUD regulations for Section 8 programs, relocation requirements for redevelopment and public projects, nuisance abatement, and public safety programs aimed at improving housing conditions and neighborhood revitalization. The attorneys at White Brenner have the skills and experience necessary to provide a full range of housing services.

The Firm is experienced in all aspects of very low, low, and moderate-income housing, affordable housing initiatives, the HOME Program, administration of Section 8 housing, and more. We regularly follow legislation affecting all California cities, which enables us to stay on top of current issues in this area.

Code Enforcement

The Firm is prepared to represent the City in specific code enforcement matters, including, but not limited to, matters involving public nuisances, fire code violations, health and safety code violations, zoning code violations, unlicensed business activity, and building code violations. We routinely work with various city departments, including fire, police, code enforcement, and finance to prepare the most appropriate and coordinated response to

any nuisance or code enforcement situations and levy the costs on the responsible parties. Our past and current service as City Attorney and Special Counsel to various municipalities has provided the Firm a wealth of experience regarding these matters, and the City will stand to benefit from that extensive experience. For example, we recently revised the municipal code for several cities to allow those cities to recover attorney fees and administrative costs incurred in connection with nuisance abatement. The Firm has also represented municipalities in cases necessitating receiverships for both residential and commercial properties. In such cases, the Firm has experience in preparing the necessary receivership application, coordinating with the proposed receivers, and working with property owners to remedy violations to avoid protracted litigation.

Economic Development

We are experienced in drafting a variety of contracts and agreements, including construction and public works contracts. The Firm provides advice regarding competitive bidding, budgeting processes, and franchise negotiations. We also assist with complex negotiations and litigation matters related to public works projects. Our goal is to help our clients avoid litigation through excellent transactional documents and agreements.

Real Estate

Another unique offering the Firm provides is our expertise in real estate matters. Our managing partner, Douglas White, is recognized as one of the leading attorneys in the United States on issues related to renewable energy and sustainability and was named by the California Real Estate Journal as one of California's Green Leaders. Our attorneys routinely handle a broad spectrum of real estate matters, including commercial document preparation, for clients throughout California in every aspect of real estate, including:

- Residential development and subdivisions;
- Construction matters;
- Retail development and leasing;
- Office and industrial development and leasing;
- Commercial lease disputes;
- Ground leasing;
- Sales and acquisitions;
- Real estate finance;
- Workout transactions;
- Complex real estate litigation;

- Power purchase agreements; and
- Solar lease agreements

Municipal Elections

Our attorneys provide advice on election laws, including legal and strategic advice related to initiatives and referenda. We regularly advise our clients in drafting, filing, publishing, and circulating materials related to spending limits, ballot arguments, campaign regulations, election contests, election timing, ballot security, voter registration issues, candidate qualification and nomination procedures, ballot pamphlet issues, recall procedures, ballot recounts, election result contests, and other post-election matters. We can therefore assist the City in all aspects of conducting regular, special, and consolidated elections. We have a thorough understanding of California's Political Reform Act, the Voting Rights Act, Proposition 208, redistricting laws, and local campaign finance regulations.

Legal and Regulatory Compliance

White Brenner attorneys are committed to staying at the forefront of legal developments, including pending and newly adopted legislation and regulations that directly affect our clients. In addition to regularly sending out complimentary e-alerts to clients on a variety of relevant topics, including new and ongoing legislation, court rulings, and both weekly and annual updates from the State Capitol, the Firm also provides several other cost-effective resources to clients.

Bidding and Procurement

The Firm's attorneys regularly provide advice regarding contracting laws, such as competitive bidding requirements, prevailing wage laws, and state and federal procurement and budgeting processes. With the recent expansion of the prevailing wage laws and new powers granted to the Department of Industrial Relations regarding prevailing wage, legal compliance is more important than ever. Our attorneys regularly draft and review construction bid packages, contract documents, purchase orders, and other contracts tailored to each client's objectives. In addition, the Firm regularly monitors legislative updates affecting public contracting laws, which we summarize annually as a free service to our clients through our legislative update. The Firm has developed sample construction contracts, bid documents, and award findings.

California Public Records Act

White Brenner fully understands both the City's burden and the public's interest in obtaining timely responses to Public Records Act requests. The Firm has worked with many of our clients to streamline responses to records requests by assisting with the creation of

internal process flow-charts and through agreements with internet consultants to implement electronic form requests and responses. In 2016, the Firm's legislative advocacy team worked with a state assemblyperson to successfully sponsor a bill (SB 441) to expressly authorize public agencies to redact sensitive financial information from public records. This was in direct response to an attempted fraudulent transfer of funds made against one of our clients. The Firm also regularly provides e-alerts on legal updates to our public clients, such as the recent California Supreme Court case holding that private devices of local agency employees and public officials are covered under the Public Records Act.

Public Safety Defense

The Firm advises municipal police departments on general compliance issues. These issues typically include determination of proper Public Records Act request responses, subpoena responses, responding to *Pitchess* motions, and general policy issues raised by the public safety aspects of law enforcement. The Firm monitors and advises its clients regarding important Public Records Act rulings and legislative efforts, especially those related to public safety efforts. Angela Schrimp de la Vergne, as a Partner at the Firm, oversees *Pitchess* Motions with assistance from Nubia Goldstein, Christina Prichard, and Tom Hallinan. Together they have over 30 years of experience in civil litigation, including *Pitchess* motions.

Writ and Appellate Procedures

As a law firm specializing in representing public agencies, we have extensive experience and success in defending and initiating writ proceedings. We represent public and private clients on matters relating to all stages of litigation, including alternative dispute resolution, mediation, and appeals and writs. A sampling of our cases includes representing clients on election related matters, including election contests and California Voting Rights Act litigation, and representing public and private clients in real estate and land use matters, including the negotiation of development agreements, property acquisition, and eminent domain.

Our most notable successes involve Proposition 218 writ proceedings. The Firm successfully represented the City of Dixon in a pre-election challenge to two initiatives filed by a local taxpayer association on the basis the initiatives were unconstitutional and beyond the power of the electorate. By prevailing against the local taxpayer group, the City of Dixon was able to move forward with increasing its sewer rates to comply with a state regulatory mandate in order to protect Dixon's groundwater from contamination and implement a wastewater solution for the next generation. Amador Water Agency engaged the Firm to defend a similar taxpayer challenge to the agency's water rate increase. In 2015, the agency raised its rates in order to deal with a crippling budget deficit as a result of the drought

and reduced water consumption. The Firm successfully defended the agency in superior court. As a result, the water rate remains intact, helping to ensure that the agency will remain financially solvent, pending an appeal by the taxpayer group.

Condemnation/Eminent Domain

The Firm's attorneys have extensive experience in boundary disputes, disputes over easements, real estate purchase and sale issues, and other matters relating to real property.

Attorneys of White Brenner have represented private property owners and government entities throughout California to obtain verdicts or settlements for just compensation in matters involving vacant agricultural parcels of land, as well as urban land developed with residential, commercial, or industrial uses. The Firm has experience counseling and representing clients through every stage of condemnation, from preliminary negotiations for the acquisition of property, to the institution of condemnation proceedings, and to the ultimate determination of just compensation through litigation and the appellate process.

Unlawful Detainer/Eviction (Commercial)

The Firm's litigation practice includes extensive unlawful detainer experience related to commercial properties on behalf of our public clients. Our attorneys have successfully negotiated with tenants of public agency-owned properties to avoid unnecessary litigation but have also obtained swift results in court when necessary. The unlawful detainer cases we have handled for public agencies include city-owned airport properties and office complexes.

Litigation Experience

Among the variety of matters that the Firm's litigation attorneys have worked on are cases involving the Brown Act, the Public Records Act, water resources and quality, CEQA, fee and rate challenges (including Proposition 218), hazardous materials and toxic clean-up, real estate, labor and employment matters, public contracting and bidding disputes, equal protection claims, civil rights claims and First Amendment issues, administrative writs, and more. The Firm's litigation attorneys practice in the federal and state courts, at both the trial and appellate levels.

Examples of a few key cases argued by the Firm's proposed City Attorney and Deputy City Attorney are as follows:

- Successfully represented the City of Dixon in a pre-election challenge to two initiatives filed by a local taxpayer association on the basis the initiatives were

unconstitutional and beyond the power of the electorate. By prevailing against the local taxpayer group, the City of Dixon was able to move forward with increasing its sewer rates to comply with a state regulatory mandate in order to protect the City's groundwater from contamination and implement a wastewater solution for the next generation.

- Successfully represented the City of Patterson in a decade-long dispute against members of Patterson Hotel Associates, LLC (PHC). Following several years of litigation, the three-week trial stemmed from the City's claim for unpaid taxes in the amount of \$237,000 and PHC's various cross claims for approximately \$4,000,000. The court found in favor of the City for all taxes owed, plus interest, and nothing owed by the City to PHC. Since the City was the prevailing party, the City was also awarded attorneys' fees and costs.
- Successfully represented the City of Riverbank in a CEQA litigation matter, which resulted in a \$4,000,000 settlement awarded to the City. This case was featured in the California Journal's Top Plaintiff Settlement and Verdicts.

In addition to general litigation, the Firm provides guidance on procedural and substantive responses to claims against public entities and employees under the California Government Claims Act. Our experience generally involves the defense of public entities and public employees. We utilize defenses based on claims procedures, late claims, general and specific immunities of public entities and employees, and laws regarding dangerous conditions on public property. Our attorneys will vigorously defend the City. We have a thorough understanding of liability theories and the applicable immunities that can be claimed.

Our litigation attorneys are also extremely familiar with insurance law. Several attorneys at the Firm have significant experience in insurance litigation. In addition, the Firm often coordinates with Joint Powers Insurance Agencies (JPIA) and risk management authorities to resolve claims in the most expeditious and cost-effective manner for our clients. We have worked with JPIA outside counsel to assist in the defense of basic tort and wrongful termination claims, for example.

Attorney Resumes

The Firm works collectively as a team for the benefit of our clients, and the City will benefit from the full resources of the Firm. Full resumes for Mr. White and Ms. Goldstein, as well as the rest of the White Brenner legal team, follow under the "Attorney Resumes" tab of this proposal.

Attorney Qualifications

Proposed City Attorney: Douglas L. White

Our Firm is committed to proposing the most qualified attorneys to meet the needs of each client. In line with that commitment, the Firm is proposing Douglas White as City Attorney. Mr. White is the Firm's Managing Partner, and his practice focuses on every aspect of municipal law, including the Brown Act, Public Records Act, Political Reform Act, Elections Code, Proposition 218, real estate, land use, planning, and redevelopment law. His clients include numerous cities and special districts. He has specific expertise in land use entitlements and project approvals, environmental reviews, real estate contracts and commercial transactions, leasing, building and project certifications, project financing, eminent domain, public contracting, and regulatory and governmental affairs. In addition to his municipal work, Mr. White has also successfully represented public and private clients in high-profile litigation matters and has obtained favorable judgments and settlements, including a \$4,000,000 settlement for the City of Riverbank in a CEQA litigation matter.

Mr. White currently serves as City Attorney for the cities of Angels Camp, Dixon, and Sonora; serves as General Counsel for the San Miguel Community Services District; and serves as Deputy City Attorney for the cities of Ceres, Livingston, Oakdale, Patterson, and Riverbank. He also provides Special Counsel services for a number of other cities. He advises public entities and officials on issues pertaining to the Brown Act, Political Reform Act, Public Records Act, public contracting, code enforcement, and other municipal and public law matters.

Prior to joining White Brenner, Mr. White served as legal counsel and Vice President of Government Affairs for the California Bankers Association, legal staff for the Fair Political Practices Commission and Chief of Staff, Legislative Director, and a consultant to various elected officials, including former Congressman Dennis Cardoza and former State Superintendent of Public Instruction Jack O'Connell.

Mr. White has been recognized as one of the leading attorneys in the United States on issues related to renewable energy and sustainability and been named by the California Real Estate Journal as one of California's Green Leaders. He has been selected as a Northern California Super Lawyer by *Super Lawyers Magazine* and been featured as a speaker and moderator at state and national conferences. Mr. White is an AV Rated attorney by Martindale-Hubbell and has been honored by his peers as Best of the Bar by the Sacramento Business Journal every year since 2014.

Attorney Name:	Douglas L. White
Areas of Expertise:	Municipal, Land Use, Real Estate
Education:	J.D., McGeorge School of Law, 1998 B.A., University of California, Davis, 1995
Date of Admittance to the California State Bar:	5/2000
Years of Practice:	20+
Employment History:	White Brenner LLP (formerly Churchwell White LLP), 2013-Present DL White Law Group, 2011-2013 Weintraub Tobin, 2010-2011 Greenberg Traurig LLP, 2009 Hoge Fenton Jones & Appel, 2007-2008
Scholastic Honors and Professional Affiliations:	Member, California State Bar, Real Estate Section Member, California State Bar, Environmental Section Former licensed Real Estate Broker
Municipal and Public Sector Experience:	<ul style="list-style-type: none"> • 20+ years of Local Government Experience • Current City Attorney for the cities of Angels Camp, Dixon, and Sonora • Deputy City Attorney for the cities of Ceres, Livingston, Oakdale, Riverbank, and Patterson • General Counsel to the San Miguel Community Services District • Mr. White has contributed to the California Municipal Law Handbook • Advises municipal clients on matters relating to land use and planning, development and redevelopment, real estate, and public contracting • Represents public clients in land use entitlements and project approvals, CEQA and NEPA, real estate contracts and commercial transactions, leasing, building and project certifications, and project financing • Successfully represented the City of Riverbank in a CEQA litigation matter, which resulted in a \$4,000,000 settlement awarded to the city. This case was featured in the Daily Journal's Top Plaintiff Verdicts and Settlements. • Successfully represented the City of Dixon in a pre-election challenge to two initiatives filed by a local taxpayer association on the basis the initiatives were unconstitutional and beyond the power of the electorate. By prevailing against the local taxpayer group, the City of Dixon was able to move forward with increasing its sewer rates to comply with a state regulatory mandate in order to protect the City's groundwater from contamination and implement a wastewater solution for the next generation.

Proposed Deputy City Attorney: Nubia I. Goldstein

Ms. Goldstein's areas of practice include municipal law, litigation, eminent domain, and legislative advocacy. Ms. Goldstein serves as City Attorney for the cities of Newman and Patterson, and Deputy City Attorney for the cities of Angels Camp, Dixon, Ceres, Livingston, and Sonora. She also advises the Firm's public agency clients on issues related to the Brown Act, Public Records Act, Political Reform Act, Elections Code, Proposition 218, conflicts of interest, and personnel and employee negotiations. She represents the Firm's public and private clients in all stages of litigation and alternative dispute resolution. She is a member of the Public Law section of the California State Bar, a member of the Hispanic National Bar Association, and a registered lobbyist. Ms. Goldstein is also fluent in Spanish.

In addition to handling day-to-day municipal matters for her clients, Ms. Goldstein has guided the Firm's public clients through several high-profile litigation cases. On behalf of the City of Patterson (against Patterson Hotel Associates), the City of Dixon (against the Solano County Taxpayers Association) and Amador Water Agency (against the Howard Jarvis Taxpayers Association), she prevailed, receiving favorable decisions for all clients. Ms. Goldstein also assists the Firm's clients with labor, personnel, and elections issues.

Prior to joining White Brenner, Ms. Goldstein gained both legislative experience working at the State Capitol for a California Assemblywoman and political know-how while working on local election campaigns. She also built upon her governmental relations and legal experience at the California Attorney General's Office, Fair Political Practices Commission, and the Department of Fair Employment and Housing. She also previously worked in the Civil Law and Motion Department of the Sacramento County Superior Court. The accumulation of all these experiences naturally led Ms. Goldstein towards municipal law as an intersection of politics, policy, and law.

Ms. Goldstein has been selected every year since 2015 to the Super Lawyers Northern California Rising Stars list for the areas of State, Local & Municipal, General Litigation, and Lobbying, as well as to *Sacramento Magazine's* Top Lawyers list. She has also contributed to the *California Municipal Law Handbook*, California Special Districts Association's *Sample Policy Handbook*, and has been published in *TYL*, a publication of the American Bar Association.

Attorney Name:	Nubia I. Goldstein
Areas of Expertise:	Municipal, Litigation, Legislative Advocacy
Education:	J.D., McGeorge School of Law, 2010 B.A., California State University, Sacramento, 2006
Date of Admittance to the California State Bar:	12/2010
Years of Practice:	10+
Employment History:	White Brenner LLP (formerly Churchwell White LLP), 2013-Present DL White Law Group, 2011-2013
Scholastic Honors and Professional Affiliations:	Advocate, National Institute for Trial Advocacy (NITA) Member, Hispanic National Bar Association California Bar, Public Law Section Recipient, Witkin Award for Excellence Member, Traynor Honor Society Outstanding Student Service Award, McGeorge School of Law President and Executive Chair, McGeorge's Public Legal Services Society
Municipal and Public Sector Experience:	<ul style="list-style-type: none"> • Current City Attorney for the cities of Newman and Patterson • Deputy City Attorney for the cities of Angels Camp, Dixon, Ceres, Livingston, and Sonora • General Counsel for the California Electronic Recording Transaction Network and San Simeon Community Services District • Special Counsel for City of Redwood City • 10 years of Municipal Law experience • Ms. Goldstein has served as a contributor and editor of the California Municipal Law Handbook • Advises municipal clients on issues pertaining to the Brown Act, Political Reform Act, Public Records Act, public contracting, code enforcement, and other municipal and public law matters • Successfully represented the City of Patterson in a decade-long lawsuit against members of the Patterson Hotel Associates, LLC (PHA). This three-week trial stemmed from the city's claim for unpaid taxes in the amount of \$237,000 and PHA's various cross claims for approximately \$4,000,000. The court found in favor of the city for all taxes owed, plus interest, and nothing owed by the city to PHA. Since the city was the prevailing party, the city was also awarded attorneys' fees and costs.

	<ul style="list-style-type: none"> • Successfully negotiated fair monetary reimbursement to landowners subject to eminent domain claims by the West Sacramento Area Flood Control Agency • Successfully represented public and private clients in various ADR proceedings, including mediation and arbitration
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Backup Attorneys

White Brenner embraces a cooperative work model, while taking care to respect the needs and desires of each client regarding sensitive information. Both proposed attorneys have extensive experience representing cities and other public agencies throughout the state and can capably help lead the City’s legal team.

In addition to the proposed legal team of Mr. White and Ms. Goldstein, the City will benefit from the full attorney resources and expertise of the Firm. Full resumes for each member of the White Brenner legal team are included in the “Attorney Resumes” section at the end of this proposal.

Potential Conflicts of Interest

White Brenner maintains a comprehensive database on client representation. Prior to accepting any representation, the database is accessed to determine whether there are any existing conflicts. Additionally, each attorney is separately e-mailed a description of the proposed representation and asked to comment on any potential conflicts. A preliminary conflict check was conducted which indicated that there are no current conflicts with our representation of the City.

At this time, the Firm does not foresee any potential conflicts of interest that may arise with representing the City. Neither White Brenner, nor any of our attorneys, has represented any entity or individual with an interest adverse to the City, its City Council, its staff, or any of the boards, agencies, commissions, or organizations to which the City belongs. Nor does the Firm have any known former or current clients within the boundaries of the City. Should the Firm become aware of a potential conflict of interest, the City would be notified immediately, and the Firm would assist the City in coordinating professional advice or outside legal counsel that best suits the City's needs.

Actual or Perceived Conflicts

White Brenner LLP and its employees, to the best of the Firm's knowledge, have not made any political contributions of money, in-kind services, or loans to any member of the City of Arcata Council within the last five years.

Maintained Insurance

White Brenner currently maintains general liability insurance of \$2,000,000 per occurrence and \$4,000,000 aggregate, automobile, workers compensation of \$2,000,000 per occurrence, and errors and omission insurance of \$1,000,000 per occurrence and \$3,000,000 to comply with City requirements.

Additional Services

Additional Services

White Brenner attorneys are committed to staying at the forefront of legal developments, including pending and newly adopted legislation and regulations that directly affect our clients. In addition to regularly sending out complimentary e-alerts to clients on a variety of relevant topics, including new and ongoing legislation, court rulings, and both weekly and annual updates from the State Capitol, the Firm also provides several other cost-effective resources to clients.

In-Service Training


As a complimentary service to our clients, and to keep them in full compliance with the law, the Firm regularly coordinates and schedules mandated trainings, covering topics such as AB 1234, AB 1825, and AB 1661. We also offer trainings on the Ralph M. Brown Act, the Public Records Act, Robert's Rules of Order and parliamentary procedures, mandated reporter requirements, CEQA compliance, Proposition 218, legislative updates, and many other topics that may be of interest to the City. In conjunction with these trainings, the Firm frequently publishes other resources, such as the Brown Act Pocket Guide and an annual Legislative, Legal, and Initiative Update, which serve as handy reference material for clients.

Conclusion

White Brenner is excited about this opportunity, and we would be pleased to provide legal counsel services to the City of Arcata. We encourage the City to focus on our qualifications, our commitment to the provision of quality legal services and exceptional service, as well as our ability to offer these services at the most cost-effective rates available. We hope that you will strongly consider offering our Firm the opportunity to interview with the City so we can discuss our qualifications and experience in more detail.

Thank you for your consideration. If you require any additional information, please contact me at 916.468.0950 or at doug@whitebrennerllp.com.

Respectfully submitted,
WHITE BRENNER LLP



Douglas White
Managing Partner