

RESOLUTION R2024-XX

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NAPA, STATE OF CALIFORNIA, (1) AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE A PROFESSIONAL SERVICES AGREEMENT WITH BEST, BEST AND KRIEGER LLP FOR LEGAL SERVICES IN THE AMOUNT OF UP TO \$350,000; AND (2) APPOINTING CHRISTOPHER DIAZ OF BEST, BEST AND KRIEGER AS INTERIM CITY ATTORNEY EFFECTIVE SEPTEMBER 7, 2024

WHEREAS, City Charter Section 75 authorizes the City Council to appoint the City Attorney; and

WHEREAS, on April 2, 2024 the City Council appointed then Assistant City Attorney, Sabrina Wolfson, as Interim City Attorney effective May 1, 2024, and designated an ad hoc advisory subcommittee consisting of Mayor Sedgley and Councilmember Luross (Subcommittee) to guide the City Manager and Human Resources Director during the City Attorney recruitment process; and

WHEREAS, in April 2024, the City Attorney's Office entered into a Legal Services Agreement with Best, Best and Krieger LLP (BBK), an experienced and full-service municipal law firm, to provide Interim Assistant City Attorney services. Since that time, BBK attorneys have been working closely with City staff and providing legal advice on a variety of issues; and

WHEREAS, on August 6, 2024, Interim City Attorney, Sabrina Wolfson, informed the Mayor and Councilmembers of her intention to resign, with her last day being September 6, 2024; and

WHEREAS, given that staff has been working with BBK over the past several months, the need and desire for continuity of legal services, and the short time frame for appointing an Interim City Attorney, the City Manager's Office and Subcommittee obtained an updated proposal from BBK for Interim City Attorney services, which proposed Christopher Diaz of BBK as the Interim City Attorney; and

WHEREAS, Mr. Diaz, is an experienced municipal attorney, currently serving as City Attorney for the towns of Colma and Hillsborough, and is qualified to serve as Interim City Attorney; and

WHEREAS, the City Council has considered all information related to this matter, as presented at the public meetings of the City Council identified herein, including any supporting reports by City Staff, and any information provided during public meetings.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Napa, as follows:

ATTACHMENT 2

1. The City Council hereby finds that the facts set forth in the recitals to this Resolution are true and correct, and establish the factual basis for the City Council's adoption of this Resolution.
2. The City Council hereby authorizes the City Manager to negotiate and execute a Professional Services Agreement with BBK in an amount of up to \$350,000 in accordance with the rates set forth in BBK's proposal attached to the staff report as Attachment 1.
3. The City Council hereby appoints Christopher Diaz, Partner at Best, Best and Krieger LLP, to serve as Interim City Attorney effective September 7, 2024. The appointment is effective until terminated by the City Council, and it is anticipated that the appointment will be for an interim term until the City Council completes a competitive recruitment process to appoint a permanent city attorney. The Interim City Attorney shall exercise the duties and powers of the City Attorney as set forth in the City Charter, and as directed by the City Council through ordinances, resolutions, and minute actions.
4. This Resolution shall take effect immediately upon adoption.

I HEREBY CERTIFY that the foregoing Resolution was duly adopted by the City Council of the City of Napa at a public meeting of said City Council held on the 20th day of August, 2024, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST: _____
Tiffany Carranza
City Clerk

Approved as to form:

Sabrina S. Wolfson,
Interim City Attorney