

March 18, 2024

Mendocino City Community Services District

Proposal for Legal Services

Submitted by:

Lauren Bernadett, Senior Counsel
Kronick Moskowitz Tiedemann & Girard



LAUREN BERNADETT
lbernadett@kmtg.com

March 18, 2024

Ryan Rhoades, Superintendent
Mendocino City Community Services District
mccsd@mcn.org

Re: MCCSD Legal Services Proposal

Dear Mr. Rhoades:

On behalf of Kronick Moskovitz Tiedemann & Girard (“Kronick”), I am pleased to present the Mendocino City Community Services District (“MCCSD”) with our proposal for general counsel legal services. Based on our background, skill, knowledge, and commitment to efficiently resolving any matter facing our clients, we are well-qualified to assist MCCSD with its legal needs.

For more than 65 years, Kronick has been recognized as one of California’s leading public agency law firms. Our core team possesses extensive experience in all the services MCCSD needs. It brings the advantage of a full-service law firm with a broad range of practices and experience that adds to the value of the legal services we will provide to the District, the Board of Directors, the General Manager, and the MCCSD staff. Indeed, for the past six decades, our firm has advised and represented public agencies similar to MCCSD including, but not limited to, community services districts, groundwater sustainability agencies, county water districts, and sanitary districts.

Kronick does not foresee any actual or potential conflicts of interest that would prevent the firm’s representation of the District. I will be the primary contact during the selection process, and any questions can be directed to me at lbernadett@kmtg.com or (916) 321-4374. I have full authority to sign this letter on behalf of the firm. This proposal is firm for 90 days and complies with all the requirements of the RFP. The information submitted is true and correct.

Thank you for the opportunity to submit our qualifications. We are enthusiastic about the prospect of representing MCCSD and welcome the opportunity to meet with your Board of Directors and staff to discuss Kronick’s capabilities and the many ways we can serve the District.

Sincerely,

LAUREN BERNADETT
Kronick, Moskovitz, Tiedemann & Girard
A Professional Corporation
1331 Garden Hwy, 2nd Floor
Sacramento, CA 95833



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Executive Summary

Kronick is a full-service law firm with a dedicated legal team that has been recognized as one of California's leading public agency law firms since 1959. We provide general counsel and special counsel services to over 100 public agencies throughout the state, including several clients since the firm's inception, which we see as a testament to the firm's practice approach of accessibility, pragmatism, and strong client advocacy. We understand and recognize the District's preference for a more local presence and are happy to be headquartered in Sacramento and serve clients largely in Northern California and the Bay Area.

Our clients include a myriad of special districts, joint powers authorities, cities, counties, and various departments of the State of California. We offer expertise in public agency law, labor and employment law, land use and planning, water rights and water quality, environmental law, real estate law, municipal finance, public agency litigation, public contracting and bidding, the Brown Act, conflicts of interest, and the Public Records Act. Our broad range of experience in working with all types of public agencies enables us to provide high-quality and cost-effective representation.

Kronick's experience in representing special districts is both broad and deep. For instance, we currently provide general counsel services to the Petaluma Valley Groundwater Sustainability Agency, Santa Rosa Plain Groundwater Sustainability Agency, Sonoma Valley Groundwater Sustainability Agency, Ukiah Valley Basin Groundwater Sustainability Agency, Del Paso Manor Water District, Florin County Water District, Foresthill Public Utilities District, El Dorado Hills Community Services District, and Sonoma County Library. We provide special counsel services for water law to the four groundwater sustainability agencies listed above, San Luis & Delta Mendota Water Authority, Westlands Water District, Woodbridge Irrigation District, and a host of other special districts throughout California.

Kronick has over 30 attorneys specializing in a variety of practice areas, including public agency, natural resources and water, environmental and land use, construction and public works, trial and appellate litigation, and labor and employment. Kronick's clients benefit from this wide range of civil law expertise and from insights that come from representing various other types of local and state government agencies, including cities, counties, and joint powers authorities ("JPAs").

Kronick supports and encourages strong community service and civic participation. Our Firm has been a partner of the California Special District Association ("CSDA") and the League of California Cities ("LOCC") for many years. To develop, maintain, and expand their practices and areas of expertise, Kronick attorneys are involved in more than 80 industry and trade organizations and speak at about 50 conferences annually.

Kronick is a professional corporation and not a subsidiary of a larger firm. Kronick's office is located at 1331 Garden Highway, Sacramento, California 95833.



Qualifications

General Special District Law

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

Kronick has assisted special districts, cities, counties, and local and state government agencies in all aspects of their legal powers, duties, and responsibilities for over six decades. Whether a situation calls for preventative counseling, skillful negotiation, forceful advocacy, or financial guidance, our clients know they can rely on Kronick to marshal the legal, political, and financial solutions quickly and confidently they need to move their projects and policies forward in the most timely and cost-conscious manner achievable. We can effectively and efficiently provide MCCSD with advice and counsel at all its legislative (and advisory, as requested) meetings, prepare important legal documents such as contracts and ordinances, and defend MCCSD in litigation should the need arise.

Our attorneys regularly advise clients regarding the Ralph M. Brown Act, the California Public Records Act, the Political Reform Act, conflict of interest laws, and the Public Contract Code among the varied other statutory schemes governing special districts. Our attorneys regularly attend special district meetings and advise on the full range of questions and procedural matters that arise in those meetings. We have worked with special districts, as well as cities, counties, and various other public agencies, and thus are familiar with all types of California local government.

Ordinances and Resolutions

Kronick attorneys have extensive experience preparing ordinances and resolutions for clients. Ms. Bernadett spends much of her time interpreting federal, state, and municipal regulations. Even more important, she frequently drafts, reviews, and revises ordinances, resolutions, and administrative policies to ensure compliance with applicable laws and works effectively with officials to achieve policy objectives in a legally defensible manner.

Kronick attorneys often help our clients prepare grant applications and win specialized grants for agency projects or administration, including numerous GSA funding grants. We are skilled in working with public agencies to ensure compliance with grant terms and conditions and that all procurements comply with funding requirements.

Public Contracting

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



Kronick attorneys are also well-versed in state and federal public works contracting requirements, including bidding, licensing, wage and prevailing wage issues, and bonding. We regularly assist our clients in procuring complex and large dollar-value public works projects, including the use of alternative project delivery vehicles, such as progressive design-build.

Our attorneys also regularly assist our clients in developing purchasing policies and provide advice regarding obtaining services and goods, including taking advantage of other public agency contracting (such as State contracts) and special agency cooperative services. In addition, we help locate information technology design and development of software and cloud transition services. We also have experience in negotiating equipment and real property licenses leases and large equipment purchases.

Labor and Employment – Advice and Litigation

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

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

Kronick's labor and employment attorneys work closely with public agencies to implement comprehensive policies and procedures that help prevent and correct workplace problems. We provide group and custom training on workplace investigations, workplace privacy, responding to employee requests for disability accommodations, employee discipline/termination, and preventing harassment, discrimination, and retaliation claims. Kronick has extensive experience in drafting and revising employee handbooks and personnel policy manuals. We work closely with human resources personnel on best practices and procedures and offer training to management and other employees to avoid personnel disputes and minimize the risk of employee claims.

CEQA and Environmental Law

Kronick's attorneys are experienced in advising agencies on the thorough preparation of the California Environmental Quality Act ("CEQA") and National Environmental Policy Act ("NEPA") environmental documents for proposed projects. Through our representation of public agency clients, as well as private clients involved in projects requiring agency approvals, Kronick's attorneys have considerable experience ensuring that environmental review documents are legally defensible and successfully defending them against challenges.

Water Law

Since its founding in 1959, Kronick has been recognized statewide for its unsurpassed water rights and water resources law expertise. Our accomplished team of water attorneys advises clients on the multitude of laws and regulations that govern water use in California. Our water and natural resources practice includes unique expertise in groundwater.

Kronick successfully assists both public and private entities in obtaining, developing, and protecting their rights to quality, reliable water supplies. Increasingly, this involves negotiating complex regulatory and environmental laws that govern water diversion, use, and management.



Kronick attorneys understand and have dealt successfully with the regulatory agencies and courts at all levels concerning every aspect of water from water rights acquisition to the drafting of contracts for water transfers, to environmental protection and State and federal water quality laws.

Sustainable Groundwater Management Act (SGMA)

Kronick attorneys are well-versed in groundwater law before, during, and after the enactment of SGMA. Kronick water lawyers represent a range of clients on SGMA implementation issues and frequently present on SGMA issues at seminars and conferences statewide.

Through our representation of several GSAs, Kronick attorneys stay at the forefront of new SGMA and groundwater management issues. We represent GSAs as general counsel and as special counsel on SGMA matters, including fee implementation and adjustments.

Our team has significant experience addressing environmental and water rights issues arising where groundwater use affects flows in surface streams and vice versa — an issue arising in many basins as a result of SGMA’s requirement that GSPs address any significant groundwater-surface water interaction.

Water Rights

Kronick attorneys serve several clients as special counsel on water rights. We routinely appear before administrative agencies and state and federal courts to adjudicate water rights matters. That includes protesting water right change petitions, putting on witness testimony, offering documentary evidence, cross-examining opposing witnesses, and briefing. It includes responding to third-party administrative complaints filed at the State Water Resources Control Board (“SWRCB”) to challenge the ongoing use of water rights to serve existing, developed land uses. Our experience includes initiating court litigation alleging water rights violations and completing a contested reference of water rights issues to the SWRCB. We regularly appear in state and federal courts on water rights litigation and have a well-known track record of success. We have litigated water supply and related environmental issues in the U.S. Supreme Court, the Ninth Circuit Court of Appeal, the California Supreme Court, many if not all Courts of Appeal in California, many if not all Superior Courts of California, the California Public Utilities Commission (“CPUC”) and other tribunals.

Proposed Attorneys

Kronick understands that MCCSD is seeking proposals from experienced law firms to serve as General Counsel. Kronick is ready, prepared, and able to provide general counsel legal services, represent MCCSD in legal proceedings, and coordinate with special counsel.

Kronick is able to take on the responsibilities described in the RFP, including representing and advising the Board of Directors, attending meetings, providing timely legal advice, handling claims and complaints, reviewing funding options, responding to public records requests, advising on public contracting, and initiating or defending lawsuits. We will also ensure compliance with applicable laws and protect the District's best interests.

Kronick is committed to proposing the most qualified legal team to meet the District's needs. In line with that commitment, the firm proposes Lauren Bernadett to serve as General Counsel for the District. Ms. Bernadett will be supported by Olivia Clark who will serve as Assistant General Counsel. Additional attorneys would provide expertise in the areas of labor and employment, and litigation, as needed. Kronick is responsive to its client's needs and manages workloads to



ensure the necessary human resources are available when needed. We have the capacity and are enthusiastic about the opportunity to serve the District.

Lauren Bernadett – Proposed General Counsel

Ms. Bernadett practices water law and public agency law as Senior Counsel. She also teaches water law as an adjunct law professor at the University of Arkansas School of Law. Lauren provides general counsel services for groundwater sustainability agencies, water districts, irrigation districts, and public utilities districts. She advises clients on the Brown Act, Public Records Act, Proposition 218 processes, ordinances, policies, resolutions, contracts, conflicts of interest, as well as other legal issues that arise for her public agency clients.

Lauren also serves as special counsel on water rights and resources to special districts, cities, and private clients. While Lauren understands, and in fact teaches, water law fundamentals, she also has a deep background in advocating for her clients and finding solutions to novel and complex water law issues in unprecedented political and physical climates. Lauren has represented clients on water rights, water quality, and water fees issues in administrative hearings and federal and state court. Lauren represented a group of over 300 public and private water rights holders where she guided them through complex appellate work, including briefing the California Supreme Court and the U.S. Supreme Court on water fees and tax issues. Lauren also has experience lobbying on behalf of clients' legislative interests and drafted the bill that created the State Water Resources Control Board's Administrative Hearings Office.

Ms. Bernadett has been a licensed attorney in good standing with the State Bar of California since 2013 (Bar No. 295251). She is licensed to practice in the U.S. Supreme Court, the United States Court of Appeals for the Ninth Circuit, the United States District Court for the Eastern District of California, and all California state courts. She received her LL.M. in Agricultural and Food Law at the University of Arkansas School of Law, her J.D. from the University of California, Los Angeles School of Law, and her B.A. from the University of California, San Diego.

Olivia R. Clark – Proposed Assistant General Counsel

Olivia Clark is an attorney and member of Kronick's public agency group. In this role since 2019, Ms. Clark advises public agency clients on all matters from advice and counsel to litigation. Her advice and counseling practice especially focuses on matters related to public contracting, conflicts of interest, public employment and labor matters, public records, and open meeting laws. She blends strong advocacy and creative thinking to assist public agencies, including various special districts, in negotiating, drafting, and reviewing agreements, developing policies and regulations, and defending those actions in negotiation, arbitration, mediation, or litigation, if needed. Ms. Clark is especially experienced in advising both public and private entities in matters related to land use and planning and contracting related to the same. Ms. Clark currently serves as Assistant General Counsel to the Sonoma County Library and Assistant City Attorney to the City of Rio Vista.

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



Ms. Clark received her J.D. from the University of California, Davis School of Law, and her bachelor's degree from the University of California, Berkeley. She was admitted to the State Bar shortly after graduating from law school (Bar No. 316689).

Jonathan Hsieh – Labor & Employment Counsel

Mr. Hsieh represents a wide range of clients in employment litigation, business litigation, general liability litigation, and health care litigation. His litigation background is diverse and includes representing cities, counties, and private entities in contractual disputes, construction claims, personnel actions, dangerous condition of public property claims, and other general liability lawsuits. He also has experience in complex civil litigation cases, such as class action lawsuits involving wage and hour and unfair competition claims, complex multi-party construction lawsuits involving cascading indemnity and coverage issues, and qui tam litigation.

In addition to litigation, Mr. Hsieh advises clients on personnel matters and compliance issues, ranging from wage and hour issues to navigating workplace complaints, hiring, termination, workplace investigations, drafting policies and handbooks, drafting and revising employment contracts, separation agreements, and resolutions.

Mr. Hsieh received his J.D. from the University of California at Berkeley School of Law in 2011 and was admitted to the California Bar in the same year (Bar No. 281700). He graduated from the University of North Carolina at Chapel Hill in 2008 with a bachelor's degree in economics.

Approach to Legal Services

Role of the General Counsel

The General Counsel's primary responsibility is to provide guidance to the Board of Directors. Ms. Bernadett is dedicated to offering legally sound advice and exploring creative legal strategies to help MCCSD achieve its goals. A strong working relationship between the General Counsel, management, and staff is crucial for the benefit of the municipal organization and the community it serves. While collaboration is essential, the General Counsel also maintains independence to provide objective advice to the Board.

Ms. Bernadett maintains regular communication with the General Manager and department heads, discussing projects and District issues through meetings, calls, and emails. She takes on work at the request of the General Manager or department heads. If a particular topic requires specialized expertise, Ms. Bernadett ensures that the appropriate legal professional from Kronick handles the task, overseeing and managing the work as needed.

Ms. Bernadett would keep District management and the Board of Directors apprised of all significant developments in a particular transaction or litigation and look to them for policy direction. Often, we find that this type of communication occurs organically because the General Counsel is in close communication with the District. If desired, Ms. Bernadett could also hold regular meetings with MCCSD or deliver periodic status update memoranda on all pending matters.

Track and Manage Legal Costs

Ms. Bernadett will track legal costs monthly and provide detailed billing statements to MCCSD with an itemization of time and costs. She will monitor attorney time spent on various projects and make suggestions for cost-saving measures when appropriate. For example, at times, it is appropriate for staff to perform work with later legal review rather than the General Counsel producing the original product. Similarly, where attorney time on projects appears excessive,



Ms. Bernadett consults with management or the Board of Directors before continuing. She relies on Kronick's excellent support staff to perform non-legal work for the District's benefit at no cost to the client. Kronick also manages costs by creating templates for staff to use and re-use, such as form contracts, pleadings, or other documents to avoid the necessity of recreating such documents each time. When possible, Ms. Bernadett will seek cost recovery of legal fees and expenses from third parties, as in the case of insurance coverage, indemnity agreements, or developer reimbursement agreements thus minimizing legal expenses to the District.

References

Santa Rosa Plain Groundwater Sustainability Agency

Andy Rodgers, Administrator, (707) 243-8555, arodgers@westyost.com
2235 Mercury Way, Suite 105, Santa Rosa, CA 95407

Kronick began representing the Santa Rosa Plain GSA in 2017 and its representation is ongoing. Ms. Bernadett provides general counsel advice and services to the GSA, including the Brown Act, the Public Records Act, contracting, resolutions, and policies.

Ukiah Valley Basin Groundwater Sustainability Agency

Erik Cadaret, General Manager: (530) 322-5553, ecadaret@westyost.com
8950 Cal Center Drive, Building 1, Suite 363, Sacramento, CA 95826

Kronick began representing the Ukiah Valley Basin GSA in 2022 and its representation is ongoing. Ms. Bernadett provides general counsel advice and services to the GSA, including a recent effort to update the GSA's governance compliance policies.

Del Paso Manor Water District

Adam Cohan, General Manager, (916) 487-0419, generalmanager@delpasomanorwd.org
1817 Maryal Drive #300, Sacramento, CA 95864

Kronick began representing the Del Paso Manor Water District in 2021 and its representation is ongoing. Ms. Bernadett attends every regular and special Board meeting and provides general counsel services to the District, including advice on the Brown Act, Water Code compliance, Proposition 218, water rate setting, resolutions, policies, and contracting.

Foresthill Public Utility District

Hank White, General Manager, (530) 367-2511, gm@foresthillpud.com
24540 Main Street, Foresthill, CA 95631

Kronick began representing the Foresthill Public Utility District in 2010 and its representation is ongoing. Ms. Bernadett provides general counsel advice to the District, including the Brown Act, the Public Records Act, and tribal engagement.

Petaluma Valley Groundwater Sustainability Agency

Sandi Potter, Administrator, (707) 543-1860, spotter@westyost.com
2235 Mercury Way, Suite 105, Santa Rosa, CA 95407

Kronick began representing the Petaluma Valley GSA in 2017 and its representation is ongoing. Ms. Bernadett provides general counsel advice and services to the GSA, including advice on



conflicts of interest and ethics, contracting, the Brown Act, the Public Records Act, policies, and resolutions.

Current Public Clients and Conflicts of Interest

Kronick currently provides legal services to the Ukiah Valley Basin Groundwater Sustainability Agency (“UVBGSA”) and Mendocino County. UVBGSA is located entirely within Mendocino County, but its jurisdiction does not overlap with and is not adjacent to MCCSD’s boundaries. For Mendocino County, Mr. Hsieh currently provides employment and bodily injury defense litigation services. His litigation work on the County’s behalf does not involve water issues.

Conflicts of Interest

Kronick does not foresee any actual or potential conflicts of interest that would prevent the firm from representing the District.

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

This resolution may require disclosing certain representations and/or seeking informed written consent from clients to continue representation on particular matters. In some cases, Kronick may have to decline a client's representation or refer a matter to other legal counsel to avoid a conflict of interest or the appearance of a conflict of interest.

Subconsultants

Kronick does not plan to use any subconsultants.

Fee Schedule

As a full-service law firm, Kronick places a strong emphasis on managing legal costs efficiently. By adopting a team approach to serving our public agency clients, our attorneys can leverage each other's knowledge and experience for the benefit of the client. With extensive experience in working with various public agencies, we offer fast and cost-effective representation.

Ms. Bernadett, as General Counsel, will take proactive measures to track legal costs and provide detailed billing statements to the District, including itemized time and costs. She will monitor attorney time on projects and suggest cost-saving measures where appropriate. This may involve staff performing work with a later legal review, avoiding unnecessary recreation of documents by using templates, or seeking cost recovery of legal fees from third parties. By utilizing Kronick's support staff and implementing efficient practices, we ensure minimized legal expenses while maintaining high-quality representation for our clients.

Kronick’s rates would be increased by 5% effective July 1 of each year, rounded to the nearest \$5 per hour.



Hourly Rates for General Counsel Services

- Attendance at regular and special meetings of the Board of Directors, General Manager, and District Staff.
- Consult with the District and provide general legal advice on routine matters concerning operations (e.g., Brown Act, Public Records Act, Political Reform Act and conflicts of interest laws, land use, and planning, public contracting, and bidding, claims for money or damages, general labor and employment advice, real estate transactions, municipal code compliance, elections, and legislative updates).
- Review staff reports, resolutions, contracts, agreements, forms, notices, deeds, leases, and other legal documents required by the District.

Lauren Bernadett, General Counsel.....	\$350
Olivia Clark, Assistant General Counsel.....	\$330
Shareholders / Senior Counsel / of Counsel.....	\$335-\$500
Associates	\$255-\$335
Paralegals.....	\$150
Law Clerks	\$250

Hourly Rates for Litigation and Other Services

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

Lauren Bernadett, General Counsel.....	\$395
Olivia Clark, Assistant General Counsel.....	\$375
Shareholders / Senior Counsel / of Counsel.....	\$385-\$550
Associates	\$285-\$385
Paralegals.....	\$200
Law Clerks	\$300

Special counsel services include: (1) all legal services not included within basic legal services described above; (2) complex or non-routine ordinances, resolutions, contracts, or agreements; (3) complex or non-routine land use, planning, land acquisition, public works, labor, and employment, or other matters; (4) any litigation or administrative hearings; (5) public finance or bond matters; (6) power company or energy matters; (7) payroll and income tax issues; (8) employee disciplinary hearings; (9) labor, employment and personnel matters that would normally be assigned to outside counsel; (10) eminent domain matters; (11) LAFCO-related work, including, annexations and sphere of influence amendments; (12) low and moderate-income housing matters; and (13) wetlands regulatory, environmental and CEQA issues for developer/non-city initiated projects (such projects would be charged at reimbursable rates, below, if MCCSD is being reimbursed by the developer).

Other Charges

Kronick bills for computer-assisted research (Westlaw/Lexis and other online services) at its actual discounted cost to Kronick. Travel expenses are reimbursable at the actual cost incurred for lodging, meals, parking, and bridge tolls, plus mileage at IRS-approved rates. Photocopying will be billed at \$.15/page for black and white and \$.75/page for color. Delivery charges, such as U.S. Mail, Federal Express, courier services, etc., are charged at Kronick’s actual cost. Also billed at cost would be fees assessed by courts and administrative agencies, and prior approved costs for experts and consultants, if any. Any other expenses incurred by Kronick would be



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

Business Information

Length of time the firm has been in business

Kronick has been in business for 65 years.

Length of time at the local business address

Kronick moved to its current address in 2021. Before that, we had been in our office space for more than 20 years.

List the type and number of any business licenses

1. City of Humboldt
2. City of Los Angeles
3. City of Manteca
4. City of Modesto
5. City of Pleasanton
6. City of Roseville
7. City of Sacramento
8. City of Santa Rosa
9. City of West Sacramento
10. Colorado River Indian Tribes

Names and titles of all officers or the firm

1. Eric N. Robinson, President
2. Christopher Onstott, Secretary and Treasurer
3. Mona G. Ebrahimi, Vice President
4. Gabriel P. Herrera, Vice President
5. Jeffrey A. Mitchell, Vice President
6. Daniel J. O'Hanlon, Vice President
7. Holly A. Roberson, Vice President
8. Bruce A. Scheidt, Vice President
9. Jennifer A. Scott, Vice President
10. David W. Tyra, Vice President

Any other names under which the firm has conducted business

None.

If a sole proprietorship, the name of the sole proprietor

Not applicable.

Type of corporation and the jurisdiction where incorporated

Kronick is a professional corporation, incorporated in California.



Federal tax ID number

942174974

Name and remittance address for any invoices

Kronick Moskovitz Tiedemann & Girard
1331 Garden Highway, 2nd Floor
Sacramento, CA 95833
(916) 321-4500, accounting@kmtg.com

Provide the location of the offices from which key staff are assigned

Same as above.

Exceptions

We take no exceptions to the contractual terms in Attachment A.

Additional Information

Professional Liability Insurance

Kronick is insured for professional liability by Lloyd's of London. The firm's policy is designed to cover the professional liability exposures of a law firm. Coverage is provided for claims made against the firm during the policy period arising out of its professional services. In general, the firm's professional liability policy is intended to cover claims alleging economic damages. The limits of liability are \$10 million for each claim and in the aggregate, including defense costs. The policy is subject to all coverage terms and conditions, including policy exclusions.

Kronick also carries comprehensive general liability insurance, Workers' Compensation and employers' liability insurance, cyber liability, and automobile liability. Should Kronick be awarded a contract with the District, the firm would name MCCSD as an Additional Insured and provide proof of such coverage before the commencement of any legal work.

In-Service Training

We believe that providing up-to-date training in the many areas of law affecting public agencies is a necessary and valuable service for our clients. We provide these training opportunities to clients through client workshops and seminars, which allow participants to ask legal questions on specific topics in a real-time interactive setting. We provide comprehensive written materials, including in-depth white papers. We would work closely with MCCSD to develop specific workshops to meet any identified needs that MCCSD may have, and our team can host training courses onsite, via webinar, and/or teleconference. The following is a sampling of the training we have prepared for and presented to our public agency clients and which we have also presented to civic groups at conferences and forums.

- AB 1234: Ethics Training for Local Officials
- AB 52: Tribal Cultural Resources
- Brown Act Compliance
- California Public Records Act
- CEQA 101
- Conflicts of Interest/FPPC Policies



- Certificates of Insurance Review/Endorsements
- Electronic Discovery and Document Retention
- Employee Leave Laws
- Furloughs, Layoffs, and Other Downsizings Mechanisms
- Mandatory Sexual Harassment Prevention Training for Supervisors/Non-Supervisor
- Municipal Water Supply
- Social Media in the Workplace: How Prepared Are You?
- Wage and Hour Compliance
- Workplace Investigations

Our attorneys keep clients apprised of new legislation and important court decisions at no cost with our written Legal Alerts. Kronick Legal Alerts are distributed directly to clients electronically and can also be found on our website at www.kmtg.com.

On a somewhat less formal basis, Kronick consistently trains its municipal clients in the drafting and preparation of contracts, ordinances, resolutions, and other documents regularly utilized by public agencies. We develop forms or templates for our clients' future use, which has the benefit of reducing the cost to the client by not having to recreate routine documents. Kronick is also available on an "as-requested" basis to conduct training seminars and sessions on the preparation of fundamental public agency documents or any other aspect of municipal operations. These training courses would be billed per hour or at a pre-negotiated flat rate.

Core Values

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

Community Involvement

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

Diversity & Inclusion

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

The firm supports organizations for minorities, women, and other underrepresented groups, including bar associations and professional and community organizations by making financial donations and providing pro bono legal services. The firm also continuously seeks opportunities to deepen our work with these organizations and further strengthen our overall diversity efforts. These include our participation in the Sacramento County Bar Diversity Career Forum, annual Unity Bar Dinner, annual King Hall Outreach Program luncheon, and Women Lawyers of Sacramento, as well as our pro bono work for the Asian, Black, and Hispanic Chambers of



Commerce. The firm has two prior board chairs and three Senior Fellows of American Leadership Forum's Mountain Valley Chapter, which exists to connect diverse leaders in relationships of Trust throughout the greater Sacramento region.

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

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

Sustainability

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

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

Conclusion

Thank you for the opportunity to present this proposal for legal services. Our firm is exceptionally qualified to provide the services listed in the District's RFP. We hope that you will strongly consider our proposal and allow us the opportunity to serve as your counsel.

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



KRONICK
MOSKOVITZ
TIEDEMANN
& GIRARD

ATTORNEY RESUMES



LAUREN D. BERNADETT, SENIOR COUNSEL

(916) 321-4374 | lbernadett@kmtg.com

Lauren is a natural resources lawyer who counsels private and public clients through regulatory compliance, administrative processes, and litigation in state and federal courts. Lauren's substantive experience covers many aspects of water, natural resources, administrative, public agency, mining, land use, and contract law.

Lauren is an adjunct professor of law and teaches Agricultural Water Law for the University of Arkansas School of Law. She frequently guest lectures, speaks at conferences, and gives MCLE presentations on water law, focusing on California water rights and drought.

LEGAL EXPERIENCE

Litigation/Administrative Hearings

- Briefed the California Supreme Court and the United States Supreme Court on Proposition 26 and water rights fees issues.
- Represented clients in administrative hearings before the California State Resources Control Board.
- Represented public agency client in litigation on California's 2015 water curtailments.
- Represented private client in appealing a BLM decision to the Interior Board of Land Appeals.

General Counsel

- Served as general counsel for water, irrigation, and levee districts and utility cooperatives.
- Served as negotiator for two CVP contractors in the WIIN Act negotiations with the federal government for permanent repayment contracts.
- Advised land use developers on CEQA compliance and potential litigation against municipality.
- Advised mining clients on vested rights, SMARA, and local land use compliance.

Legislation

- Drafted and advised the California legislature on the bill that created the California State Resources Control Board's Administrative Hearings Office.
- Served as attorney-advisor on bills regarding water rights adjudication and fees for committee meetings in the 2018 and 2019 legislative sessions.

Before joining Kronick, Lauren worked at law firms focusing on water, natural resources, and mining law. She was also a lobbyist and advocate for the Association of California Water Agencies on water rights, groundwater, and agriculture.

PROFESSIONAL ACTIVITIES & AFFILIATIONS

- *Best Lawyers: Ones to Watch*, Natural Resources Law (2024)
- Top Lawyers, *Sacramento Magazine* (2019-21)
- *Super Lawyer Rising Star* (2017-20, 2022-2023)
- Best of the Bar, *Sacramento Business Journal* (2019)
- Member, California Lawyers Association

ADMITTED TO PRACTICE

- United State Supreme Court
- United States Court of Appeal for the Ninth Circuit
- United States District Court, Eastern District of California

ACADEMIC BACKGROUND

LL.M. in Agricultural and Food Law, University of Arkansas School of Law, 2014

J.D., University of California, Los Angeles School of Law, 2013

- Managing Editor of the UCLA Law Review
- Joyce A. Will Scholarship in Environmental Law

B.A., University of California, San Diego, 2010



OLIVIA R. CLARK, ASSOCIATE

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

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

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

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

LEGAL EXPERIENCE

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

PROFESSIONAL ACTIVITIES & AFFILIATIONS

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

ADMITTED TO PRACTICE

- California State Courts
- California State Bar #316689

ACADEMIC BACKGROUND

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

- Environmental Law Certificate, 2017

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



JONATHAN HSIEH, SHAREHOLDER

(916) 321-4331 | jhsieh@kmtg.com

Jonathan represents employers in all employment matters, including wage and hour actions, workplace investigations, workplace discrimination and harassment litigation, and any and all related claims. He counsels clients on wage and hour compliance, discipline and termination, arbitration agreements, sick leave, employee handbooks, and laws affecting payroll and personnel decisions.

Jonathan also has experience representing owners, contractors, and subcontractors in construction defect claims and in catastrophic construction site accidents. He has represented individual whistleblowers bringing claims under the False Claims Act for fraud and violations of the Anti-Kickback Statute and the Stark Act.

LEGAL EXPERIENCE

Jonathan represents employers and other clients at every stage of litigation, from counseling clients in pre-litigation investigations to providing guidance on avoiding future claims.

From the inception of a claim, Jonathan is experienced in tailoring litigation strategy towards extricating his clients from the case, from discovery planning through dispositive motion practice and into trial.

He currently serves as general counsel for the Sacramento Black Chamber of Commerce.

PROFESSIONAL ACTIVITIES & AFFILIATIONS

- Representative, Sacramento Legal Employers Diversity Collective
- Representative, Sacramento County Bar Association Diversity Fellowship Program
- Member, Sacramento County Bar Association
- Member, Asian Bar Association of Sacramento
- California State Bar#281700

ADMITTED TO PRACTICE

- All California State Courts
- United States District Court, Northern, Central, and Eastern Districts of California

ACADEMIC BACKGROUND

- J.D. University of California, Berkeley, School of Law, 2011
- B.A. University of North Carolina, 2008