



TO: Mayor and Councilmembers

FROM: Michelle Greene, City Manager

SUBJECT: Acknowledge Michael Jenkins for His Years of Service to the City as City Attorney and Appoint Megan Garibaldi of Best Best & Krieger, LLP (BB&K) to Serve as City Attorney Under the City's Existing Contract with BB&K

RECOMMENDATION:

- A. Acknowledge with gratitude Michael Jenkins for his several years of distinguished service to the City as City Attorney.
- B. Adopt Resolution No. 21- _____ entitled, "A Resolution of the City Council of the City of Goleta, California, Appointing Megan Garibaldi as City Attorney."
- C. Authorize the City Manager to execute any documents necessary implement the appointment.

BACKGROUND:

The City Attorney is appointed by the City Council and provides legal advice to the Council and City staff. The City Attorney is the chief legal officer of the City, and whose duties include provision of legal advice; supervision of all matters of legal significance; preparation of legal opinions; review and drafting of ordinances, resolutions, contracts and program guidelines; and defense of challenges to City actions, laws, policies and procedures. The City Attorney is independent of the City Manager, who otherwise manages the City and supervises City staff. The City of Goleta uses a hybrid model in providing its City Attorney services, contracting with BB&K to provide the City Attorney and City Attorney's Office's legal services, while also employing an in-house Assistant City Attorney to provide on the ground legal support and counsel.

DISCUSSION:

Michael Jenkins has served as City Attorney since 2017, originally through his law firm Jenkins & Hogin, LLP. Mike has served the City well with professionalism, skill, and loyalty. The continuity and cost savings he and his firm provided the City have proven valuable over these almost five years. In 2018, Jenkins & Hogin, LLP merged with BB&K, and with the City's consent, BB&K assumed Jenkins & Hogin's obligations under the legal services agreement.

BB&K is a full-service municipal law firm which provides considerable resources for Goleta on an as-needed basis. Along with a team of specialists that include Cynthia Germano and Jennifer Misetich (Labor and Employment), Nancy Park and Todd Gee (Real Estate), Scott Ditfurth (Eminent Domain), Elizabeth Hull (Affordable Housing), and Alisha Winterswyk (CEQA), Megan Garibaldi has provided advisory and litigation counsel to the City for nearly the last three years and back-up to Mr. Jenkins with regard to the routine legal affairs of the City. Ms. Garibaldi has worked closely with Mike Jenkins for three years, is a partner at BB&K, and a UCSB graduate who lived in the Goleta area for a number of years. She is eager to serve as City Attorney.

With a solid team in place and Mr. Jenkins looking to reduce his workload, this is a good opportunity for the formal transition. Ms. Garibaldi will serve as City Attorney, under the City's existing contract with BB&K, with Mike Jenkins remaining available to assist as special counsel on ongoing key projects within the City, and with the continued valued assistance of Winnie Cai as Assistant City Attorney.

FISCAL IMPACTS:

There is no fiscal impact associated with this item. Current general legal services for FY 21/22 are paid at a monthly flat rate of \$13,393 or \$160,716 annually and budget is programmed accordingly. Future rates are subject to annual increase on July 1st of each of 1.5% in accordance with the current legal services agreement. Appointment of Ms. Garibaldi as City Attorney will have no impact on the cost of general legal services to the City.


Reviewed By:


Kristine Schmidt
Assistant City Manager

Legal Review By:


Michael Jenkins
City Attorney

Approved By:


Michelle Greene
City Manager

ATTACHMENTS:

1. Resolution No. 21-__ entitled, "A Resolution of the City Council of the City of Goleta, California, Appointing Megan Garibaldi as City Attorney."

ATTACHMENT 1

Resolution No. 21-__ entitled, "A Resolution of the City Council of the City of Goleta, California, Appointing Megan Garibaldi as City Attorney"

RESOLUTION NO. 21-__

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GOLETA,
CALIFORNIA, APPOINTING MEGAN GARIBALDI AS CITY ATTORNEY**

WHEREAS, in 2017, the City Council appointed Michael Jenkins as City Attorney and approved a contract with his law firm of Jenkins & Hogin, LLP, to provide legal services to the City; and

WHEREAS, in 2018, Jenkins & Hogin, LLP merged with Best Best & Krieger, LLP ("BB&K"), and with the City's consent, BB&K began providing the City Attorney's Office's legal services to the City; and

WHEREAS, in his role as City Attorney, Michael Jenkins has continuously served the City well with professionalism, skill, and loyalty, and as Mr. Jenkins looks to reduce his workload and step back from his City Attorney role, the City Council desires to continue utilizing the legal services of BB&K and appoint Megan Garibaldi of BB&K as City Attorney in his stead.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF GOLETA DOES
HEREBY RESOLVE, DETERMINE, AND ORDER AS FOLLOWS:**

SECTION 1. The foregoing recitals are true and correct and incorporated herein by this reference.

SECTION 2: Megan Garibaldi is hereby appointed City Attorney for the City of Goleta.

SECTION 3: That all previous Resolutions appointing the City Attorney are hereby repealed.

PASSED, APPROVED AND ADOPTED this 5th day of October, 2021.

PAULA PEROTTE, MAYOR

ATTEST:

APPROVED AS TO FORM:

DEBORAH S. LOPEZ
CITY CLERK

MICHAEL JENKINS
CITY ATTORNEY

STATE OF CALIFORNIA)
COUNTY OF SANTA BARBARA) ss.
CITY OF GOLETA)

I, DEBORAH S. LOPEZ, City Clerk of the City of Goleta, California, DO HEREBY CERTIFY that the foregoing Resolution No. 21-__ was duly adopted by the City Council of the City of Goleta at a regular meeting held on the 5th day of October, 2021, by the following roll call vote of the Council:

AYES:

NOES:

ABSENT:

(SEAL)

DEBORAH S. LOPEZ
CITY CLERK