REPORT TO
Personnel and Public Employees Committee
City of Sacramento

915 I Street, Sacramento, CA 95814-2604
www.cityofsacramento.org

3

Discussion Calendar
October 18, 2011

Honorable Chair and Members of
The Personnel and Public Employees Committee

Title: Review of Applications for Sacramento Environmental Commission

Location/Council District: (Citywide)

Recommendation: Review applications and nominate candidates.

Contact: Katia Ligaiviu, Deputy City Clerk, (916) 808-7604, Office of the City Clerk; Val Siebal, Executive Director, (916) 875-8444, Environmental Management Department, County of Sacramento

Presenters: None
Department: City Clerk's Office / Department
Division: N/A
Organization No: 04001011

Description/Analysis

Issue: Review applications and/or conduct interviews to identify the most qualified candidates to nominate and forward to the Mayor for appointment.

Policy Considerations: None.

Environmental Considerations: None.

Commission/Committee Action: None.

Rational for Recommendation: To review applications to identify the most qualified individuals for nomination to the Mayor for appointment to the City's various advisory boards.

Financial Considerations: None.

Emerging Small Business Development (ESBD): None.

Respectfully Submitted by:_____
Katia Ligaiviu,
Deputy City Clerk

Recommendation Approved:

_____
Stephanie Mizuno,
Assistant City Clerk

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ATTACHMENT 1

Background:

The following applicants are under consideration for positions on city boards and commissions.

Board/Commission:	Sacramento Environmental Commission
Available Positions:	One (1
Category Description(s):	**Category A**: Public-at-large
Status of Incumbent:	**Saul A. Gomez:** Resigned

No.	Applicant Name	District	Category	Comments	
1	James Ching	4	A	Interviewed	
2	Leslie Walker	5	A	Not Interviewed	
3	Patrick Soluri	5	A	Interviewed	

P&PE Interviews

held on 9/20/2011

Applicant Name:	Leslie Z. Walker
Applying for:	
Sacramento Environmental Commission	
Incumbent?	☐ YES ☑ NO

- Not present - scheduling conflict
- Noted by Councilmember Ashby that she has a similar background in environmental law

Applicant Name:	James Ching
Applying for:	
Sacramento Environmental Commission	
Incumbent?	☐ YES ☑ NO

- Resident of D2 for 35 years and is currently retired from being a supervising deputy attorney general. Has 150 published cases in the federal and state databases on a range of topics.
- Principal competence is civil rights, labor law and constitutional law
- Has reviewed minutes from the past several months and is interested in specific matters that have come before the commission such as the birds over the airport, trees on the levees - these matters are important to him and he will give his full attention to this commission

Applicant Name:	Patrick M. Soluri
Applying for:	
Sacramento Environmental Commission	
Incumbent?	☐ YES ☑ NO

- Long time resident of Sacramento and has a law firm in Sacramento
- Has been doing environmental law for the past 10 years
- Believes he is well suited for this commission as the issues that come before the commission are all matters he is familiar with and he would like to be able to give back to his community

Back to Applicant List

City of Sacramento

RECEIVED
CITY CLERK'S OFFICE
CITY OF SACRAMENTO

2011 AUG 23 P 2:03

Application for
Appointment to Boards/Commissions and Committees

INSTRUCTIONS: Provide all information requested. Attachments must be single sided on 8.5 x 11 paper. If you will be representing an organization, you must include a letter from the organization recommending you as their representative. Note: All information provided on this form is a public record. **Return this completed application form to:** Office of the City Clerk, Historic City Hall, 915 I Street, Rm. 116, Sacramento, CA 95814. Tel: (916) 808-7200.

IMPORTANT: Letters of recommendation are **optional**. If you choose to include a letter it must be submitted as part of this application. Letters will not be accepted after your application is filed with the City Clerk's Office.

BOARD / COMMISSION OR COMMITTEE NAME: Sacramento Environmental Commission

CATEGORY FOR WHICH YOU ARE APPLYING: Public-at-Large (Description (if applicable)) 4 (Category Letter)

☐ Name of Company/Organization Being Represented (if applicable): _____

☐ Company/Organization Authorization Letter Attached (if applicable to qualifications of category)

Applicant Name: Ching, (Last) James (First) _____ (Middle) E-Mail: _____

Home Address: Marian (Street #) Way (Street Name) Sacramento, (City) CA (State) 95818 (Zip)

Mailing Address (if different than home address): _____ (Street # / Street Name / City / State / Zip)

Resident of City Council District No: Four (4) (Required) Business in Council District No: _____ (If Applicable)

Home Telephone: (916) _____ Business Telephone: _____

Please state the reason you would like to be a member of this board/commission (or attach):

Because environmental issues are among the most important of public issues, I wish to volunteer my services first because of my 30-year experience as a Supervising Deputy Attorney General. I have substantial experience in public and administrative law and procedures. In addition, because much of my work involved dealing with small groups working towards consensus on policy issues, I have some knowledge about small group dynamics in the public arena.

Are you currently, or have you in the past, served on an advisory group? ◉ Yes ○ No If yes, state the name of the group and how that service supports your application (or attach).

State Bar Commission on Judicial Nominees' Evaluation (JNE)

Do you, or an immediate family member, have any relationship (professional, financial, other) that may present a potential conflict of interest for this advisory group? ○ Yes ◉ No If yes, please explain:

CITY OF SACRAMENTO -
APPLICATION FOR APPOINTMENT

APPLICANT NAME

BACKGROUND INFORMATION

You may also attach a resume reflecting experience, community activities or other qualifications not listed below that would be helpful to the Council in evaluating your application.

EDUCATION: Please refer to my attached resume for all issues in this section.

WORK EXPERIENCE: List names, addresses and dates of employment for the last five (5) years. Attach additional sheets of paper if needed.

CURRENT EMPLOYER:

FROM DATE: EMPLOYER NAME:

TO DATE: ADDRESS: _____
Street # Street Name City State

DUTIES:

PRIOR EMPLOYER(S):

FROM DATE: EMPLOYER NAME: _____

TO DATE: ADDRESS: _____
Street # Street Name City State

DUTIES: Retired Supervising Deputy Attorney General, California Department of Justice.

FROM DATE: EMPLOYER NAME:

TO DATE: ADDRESS: _____
Street # Street Name City State

DUTIES:

FROM DATE: EMPLOYER NAME:

TO DATE: ADDRESS: _____
Street # Street Name City State

DUTIES:

BUSINESS ENTERPRISES: List business name including fictitious name and address of any business enterprises currently or previously owned or operated.

FROM DATE: BUSINESS NAME: _____

TO DATE: ADDRESS: _____
Street # Street Name City State

TYPE OF BUSINESS OR SERVICE RENDERED:

CITY OF SACRAMENTO -
APPLICATION FOR APPOINTMENT

APPLICANT NAME

FROM DATE:

BUSINESS NAME: _____

TO DATE:

ADDRESS: _____
Street # Street Name City State

TYPE OF BUSINESS OR SERVICE RENDERED:

FELONY CONVICTIONS: A felony conviction is not necessarily a bar to appointment. Each case is considered separately based on requirements of the position. However, failure to list felony convictions may result in disqualification.

Have you ever been convicted of a felony? If yes, please indicate for each conviction, the date of the conviction, the location of the court of conviction, and the exact denomination of the offense resulting in conviction:

No.

CIVIL ACTIONS: List each civil action, if any, in which punitive or exemplary damages have been assessed against you, indicating in each instance the date of the trial, court judgment and the location of the court which rendered the judgment:

No.

I DECLARE, UNDER PENALTY OF PERJURY THAT ALL STATEMENTS IN THIS APPLICATION ARE TRUE AND COMPLETE TO THE BEST OF MY KNOWLEDGE:

Signature: /s/ _____ Date: 21 Aug. 2011
Type Name if Returning Via E-Mail or Print, Sign and Mail

DISCLOSURE AND REGULATORY REQUIREMENTS

City Code Section 2.40.060: Conflict of Interest Disclosure - If a Statement of Economic Interests Form 700 is required for this position (see announcement), the form must be filed with the Office of the City Clerk prior to beginning service. The City Clerk will provide appointees with the filing form and instructions. Official status to serve will be delayed until the form is filed with the Office of the City Clerk.

City Code Section 2.40.010: Attendance - Board/commission members are required to attend meetings on a regular basis, and may be removed if a member does not attend three consecutive regularly scheduled meetings. If appointed, will you be able to attend meetings regularly and devote the time necessary to fulfill your duties as a member? ◯ Yes ◯ No

City Resolution 2007-653: Mandatory Ethics Training - Board/commission members are required to satisfy the local ethics training requirement mandated by Government Code Sections 53234 et seq. and may be removed if proof of attendance is not filed with the Office of the City Clerk within 60 days of appointment. Appointees will be provided with an on-line training resource. If appointed, will you be able to complete the training within 60 days? ◯ Yes ◯ No

ACCOMMODATION INFORMATION

PLEASE IDENTIFY ANY SPECIALIZED ACCOMMODATIONS NEEDED FOR EQUAL PARTICIPATION:

JAMES CHING
ATTORNEY AT LAW
MARIAN WAY
SACRAMENTO, CA 95818

Employment:

2011-present	Member, State Bar Commission on Judicial Nominees Evaluation
	The JNE Commission is an agency of the State Bar created by California Government Code section 12011.5 for the purpose of evaluating all judicial candidates nominated by the Governor. (Pro bono.)
2010-2011	Editorial Board, *ALI-ABA Practical Litigator*
	(Pro bono.)
2000-2006	Supervising Deputy Attorney General, California Department of Justice
1976-1999	Civil and criminal appeals, concentration in labor, constitutional, family and administrative law. (Retired)
	(Please search "James Ching" in *Lexis* or *Westlaw* for 150 published cases in the U.S. Supreme Court, the California Supreme Court, and intermediate Federal and state appellate courts.)
1999-2000	Chief Counsel, California Board of Prison Terms
	As the state parole board, the Board set times and conditions of release for indeterminate sentence prisoners and managed other prisoners such as sexually violent predators.
1974-1976	Deputy Public Defender, San Joaquin County Public Defender

Education:

1985-1989	Graduate study, U.C. Davis History, Political Science (48 units).
1972-1973	J.D., Stanford Law School

1969-1970 Oehlmann Award for Legal Writing, 1969.

Duniway Scholarship Award, 1968-1969.
Bar Certified Law Student, San Mateo County District Attorney, Santa Clara Public Defender, 1972-1973.

1964-1968 A.B., Stanford University
Political Science (completed requirements for English Literature).
Summer Grant in Aid, Department of Asian Languages, 1968.

TeachingExperience:

2009 Instructor, California Continuing Education of the Bar, "Developing Your Basic Evidence Skills: Relevance, Hearsay and Direct Examination"

Publications:

2011 "Criminal Discovery in the Roger Clemens Case," 26 *Criminal Justice* No. 3 (ABA, Fall, 2011)

"Retrying Barry Bonds," *The Recorder* (July 19, 2011)

"Case Against Bonds Dissected," *The Recorder* (March 15, 2011)

"Viewpoint: Assange May Avoid Espionage Act Charges," *The Recorder* (January 14, 2011)

"Journalism, Wikileaks-Style," *The National Law Journal* (January 10, 2011)

"Prosecutorial Misconduct-A Primer on Remedies," *ALI-ABA Practical Litigator* (January 2011)

2010 "The Innocence Project Report Is Out, Now What?," *The Recorder* (November 19, 2010)

"A Prologue to the Freedom of Information Act," *ALI-ABA Practical Litigator* (September 2010)

2009 "Three Terrible Ways to Conduct Civil Discovery," *ALI-ABA Practical Litigator* (July 2009)

"On Burris: Look to Bond and Powell Cases," *The Recorder* (January 9, 2009)

"The Rise & Fall of Bilingualism as an Educational Policy," Hawaii International Conference on the Arts & Humanities (January 2009)

2001 "Appellate Advocacy: Managing the Dialogue," *ALI-ABA Practice Manual for Trial Advocacy* (ISBN 0-8318-105-5)

1999 "Parole," *California Criminal Law & Procedure,* (Continuing Education of the Bar) (ISBN 0-7626-0247-3)

1998 "Appellate Advocacy: Managing the Dialogue," *ALI-ABA Practical Litigator* (March 1998)

1990 "Book Review: The Murder Case of Ernest Triplett," *American Journal of Legal History* (January 1990)

Bar Admissions:

Admitted to practice in California

Affiliations:

American Bar Association, Criminal Law and Government Sections

The following are case summaries for several cases in which I was the principal counsel of record:

Cal. Dep't of Corr. v. Morales, 514 U.S. 499, 115 S. Ct. 1597, 131 L. Ed. 2d 588 (1995)

Respondent was sentenced to 15 years to life for the 1980 murder of his wife and became eligible for parole in 1990. As required by California law, the Board of Prison Terms (Board) held a hearing in 1989, at which time it found respondent unsuitable for parole for numerous reasons, including the fact that he had committed his crime while on parole for an earlier murder. Respondent would have been entitled to subsequent suitability hearings annually under the law in place when he murdered his wife. The law was amended in 1981, however, to allow the Board to defer subsequent hearings for up to three years for a prisoner convicted of more than one offense involving the taking of a life, if the Board finds that it is not reasonable to expect that parole would be granted at a hearing during the intervening years and states the

bases for the finding. Pursuant to this amendment, the Board scheduled respondent's next hearing for 1992. He then filed a federal habeas corpus petition, asserting that as applied to him, the 1981 amendment constituted an ex post facto law barred by the United States Constitution. The District Court denied the petition, but the Court of Appeals reversed, holding that the retrospective law made a parole hearing less accessible to respondent and thus effectively increased his sentence in violation of the Ex Post Facto Clause.

Held: The amendment's application to prisoners who committed their crimes before it was enacted does not violate the Ex Post Facto Clause.

Rowland v. California Men's Colony, 506 U.S. 194, 113 S. Ct. 716, 121 L. Ed. 2d 656 (1993)

In a suit filed in the District Court against petitioner state correctional officers, respondent, a representative association of inmates in a California prison, sought leave to proceed in forma pauperis under 28 U.S.C. § 1915(a), which permits litigation without prepayment of fees, costs, or security "by a person who makes affidavit that he is unable to pay." The court denied the motion for an inadequate showing of indigency. In reversing that decision, the Court of Appeals noted that a "person" who may be authorized to proceed in forma pauperis under § 1915(a) may be an "association" under the Dictionary Act, 1 U.S.C. § 1, which in relevant part provides that "in determining the meaning of any Act of Congress, unless the context indicates otherwise" "'person'" includes "associations" and other artificial entities such as corporations and societies.

Held: Only a natural person may qualify for treatment in forma pauperis under § 1915.

Denton v. Hernandez, 504 U.S. 25, 112 S. Ct. 1728, 118 L. Ed. 2d 340 (1992)

Respondent Hernandez, a prisoner proceeding pro se, filed five civil rights suits in forma pauperis against petitioner California prison officials, alleging, inter alia, that he was drugged and homosexually raped 28 times by various inmates and prison officials at different institutions. Finding that the facts alleged appeared to be wholly fanciful, the District Court dismissed the cases under 28 U. S. C. § 1915(d), which allows courts to dismiss an in forma pauperis complaint "if satisfied that the action is frivolous." Reviewing the dismissals de novo, the Court of Appeals reversed and remanded three of the cases. The court's lead opinion concluded that a court can dismiss a complaint as factually frivolous only if the allegations conflict with judicially noticeable facts and that it was impossible to take judicial notice that none of the alleged rapes occurred; the concurring opinion concluded that Circuit precedent required that Hernandez be given notice that his claims were to be dismissed as frivolous and a chance to amend his complaints. The Court of Appeals adhered to these positions on remand from this Court for consideration of the Court's intervening decision in Neitzke v. Williams, 490 U.S. 319, 104 L. Ed. 2d 338, 109 S. Ct. 1827, which held that an in forma pauperis complaint "is frivolous [under § 1915(d)] where it lacks an arguable basis either in law or in fact," id., at 325.

Held:

1. The Court of Appeals incorrectly limited the power granted the courts to dismiss a frivolous case under § 1915(d). Section 1915(d) gives the courts "the unusual power to pierce the veil of the complaint's factual allegations and dismiss those claims whose factual contentions are clearly baseless." Id., at 327. Thus, the court is not bound, as it usually is when making a determination based solely on the pleadings, to accept without question the truth of the plaintiff's allegations. However, in order to respect the congressional goal of assuring equality of consideration for all litigants, the initial assessment of the in forma pauperis plaintiff's factual allegations must be weighted in the plaintiff's favor. A factual frivolousness finding is appropriate when the facts alleged rise to the level of the irrational or the wholly incredible, whether or not there are judicially noticeable facts available to contradict them, but a complaint cannot be dismissed simply because the court finds the allegations to be improbable or unlikely. The "clearly baseless" guidepost need not be defined with more precision, since the district courts are in the best position to

determine which cases fall into this category, and since the statute's instruction allowing dismissal if a court is "satisfied" that the complaint is frivolous indicates that the frivolousness decision is entrusted to the discretion of the court entertaining the complaint.

2. Because the frivolousness determination is a discretionary one, a § 1915(d) dismissal is properly reviewed for an abuse of that discretion. It would be appropriate for a court of appeals to consider, among other things, whether the plaintiff was proceeding pro se, whether the district court inappropriately resolved genuine issues of disputed fact, whether the court applied erroneous legal conclusions, whether the court has provided a statement explaining the dismissal that facilitates intelligent appellate review, and whether the dismissal was with or without prejudice. With respect to the last factor, the reviewing court should determine whether the district court abused its discretion by dismissing the complaint with prejudice or without leave to amend if it appears that the allegations could be remedied through more specific pleading, since dismissal under § 1915(d) could have a res judicata effect on frivolousness determinations for future in forma pauperis petitions. This Court expresses no opinion on the Court of Appeals' rule that a pro se litigant bringing suit in forma pauperis is entitled to notice and an opportunity to amend the complaint to overcome any deficiency unless it is clear that no amendment can cure the defect.

Johnson v. Gomez, 92 F.3d 964 (1996)

Petitioner was serving a sentence for first degree murder when the Board of Prison Terms found him suitable for parole. His release was conditioned on the expiration of a 30 day gubernatorial review period under the newly enacted Cal. Penal Code § 3041.2 (1994), and the last day, the governor reversed the board's decision. Petitioner's request for writ of habeas corpus on the ground that the retroactive application of the change violated the ex post facto clauses in the United States and California constitutions was denied, and on appeal, the court affirmed. The court held that because it could not say with any certainty that the retroactive application of the statute in petitioner's case resulted in an actual increase in punishment called for under the prior law, the application did not violate post facto principles and the district court correctly denied relief. It was unknown if the board would have granted petitioner parole had it possessed the final review authority; thus, the court agreed with the district court's reasoning that this was a procedural change that could be applied retroactively because it did not mandate a general increase in petitioner's punishment.

The court affirmed the district court's denial of petitioner's request for writ of habeas corpus because the application of a law was a procedural change that could be applied retroactively because it did not mandate a general increase in petitioner's punishment.

People v. Equarte, 42 Cal. 3d 456, 722 P.2d 890, 229 Cal. Rptr. 116 (1986)

Defendant was convicted of assault with a deadly weapon (Pen. Code, § 245, subd. (a)(1)) and received a five-year "serious felony" enhancement under Pen. Code, §§ 667, 1192.7, subd. (c). The Court of Appeal, Fifth Dist., No. F002833, affirmed defendant's conviction for assault with a deadly weapon but reversed the § 667 enhancement.

The Supreme Court reversed the Court of Appeals' judgment insofar as it reversed the § 667 enhancement, and affirmed it in all other respects. The court held that under Pen. Code, § 1192.7, subd. (c)(23), any felony, including assault with a deadly weapon, may be found to constitute a serious felony if the prosecution properly pleads and proves that the defendant personally used a deadly or dangerous weapon in the commission of the offense. The court also held that, while defendant was entitled to more specific notice of the facts the prosecution intended to prove for the enhancement than simply that defendant's prior attempted robbery conviction was a serious felony under §§ 667, 1192.7, subd. (c), defendant's remedy for obtaining more information was to specially demur pursuant to Pen. Code, § 1012, and thus he could not now urge the point on appeal. Further, the court held, the record left no doubt that defendant had personally used a weapon in the commission of the current offense.

In re Marriage of Pearlstein, 137 Cal. App. 4th 1361, 40 Cal. Rptr. 3d 910 (2006)

The father sold his shares of stock in a company where he was the majority shareholder. He received stock in the acquiring company and cash to be paid over time. Under federal rules, the stock that the father received in the transaction was subject to stringent restrictions on transfer. In computing the father's monthly gross income, the trial court treated all of the father's proceeds from the transaction as income, including both the cash installments and the market value of the stock received as it became available for sale under the federal rules, whether or not it was actually sold. The court stated that the stock that the father received was not analogous to stock options because it was not paid as compensation for services but, instead, was part of the consideration for the sale of an existing capital asset. Accordingly, the market value of the unsold shares of stock could not be treated as income under Fam. Code, § 4058, although a reasonable rate of investment return could be imputed to it. To the extent that the father sold shares and spent the proceeds, as opposed to reinvesting them, the trial court had discretion to treat the realized gain as income.

People v. Butte, 117 Cal. App. 4th 956, 12 Cal. Rptr. 3d 221 (2004)

The prosecution was given leave to file a consolidated information in which offenses were charged over a period of years. On appeal, defendant argued that the information provided defendant with inadequate due process notice of the charges. The court concluded that defendant forfeited his claim of inadequate due process notice because he waived a preliminary hearing. Although an information gave notice of the offenses charged, a preliminary hearing transcript was the means by which a defendant could obtain due process notice regarding the time, place, and circumstances of charged offenses. Thus, a defendant who waived preliminary hearing forfeited his right to complain on appeal that he was provided with insufficient notice of the charges against him.

City of Sacramento

Application for
Appointment to Boards/Commissions and Committees

INSTRUCTIONS: Provide **all** information requested. Attachments must be single sided on 8.5 x 11 paper. If you will be representing an organization, you must include a letter from the organization recommending you as their representative. Note: All information provided on this form is a public record. **Return this completed application form to:** Office of the City Clerk, Historic City Hall, 915 I Street, Rm. 116, Sacramento, CA 95814. Tel: (916) 808-7200.

IMPORTANT: Letters of recommendation are **optional**. If you choose to include a letter it must be submitted as part of this application. Letters will not be accepted after your application is filed with the City Clerk's Office.

BOARD / COMMISSION OR COMMITTEE NAME: Sacramento Environmental Commission

CATEGORY FOR WHICH YOU ARE APPLYING: Public at Large
(Description (if applicable)) (Category Letter)

☐ Name of Company/Organization Being Represented (if applicable): _____
☐ Company/Organization Authorization Letter Attached (if applicable to qualifications of category)

Applicant Name: Walker (Last) Leslie (First) Z (Middle) E-Mail: _____

Home Address: 4th Av (Street #, Street Name) Sacramento (City) CA (State) 95818 (Zip)

Mailing Address (if different than home address): _____ (Street #, Street Name, City, State, Zip)

Resident of City Council District No: Five (5) (Required) Business in Council District No: _____ (If Applicable)

Home Telephone: (916) Business Telephone: (916)

Please state the reason you would like to be a member of this board/commission (or attach):

I would like to serve on the Sacramento Environmental Commission to maintain and improve the Sacramento environment and assist the City Council in making informed decisions, based on balanced information and analysis. An array of environmental issues including air quality, water supply and quality, hazardous materials control and clean-up face Sacramento and I would like to help the Council make informed policies and choices around these and other important issues. My concern for the natural and build environment, as well as my experience as a land use and environmental attorney representing public agencies outside of the Sacramento Region will help me to effectively serve on Sacramento Environmental Commission.

Are you currently, or have you in the past, served on an advisory group? ○ Yes ◉ No If yes, state the name of the group and how that service supports your application (or attach).

Do you, or an immediate family member, have any relationship (professional, financial, other) that may present a potential conflict of interest for this advisory group? ○ Yes ◉ No If yes, please explain:

CITY OF SACRAMENTO -
APPLICATION FOR APPOINTMENT

Leslie Walker
APPLICANT NAME

BACKGROUND INFORMATION

You may also attach a resume reflecting experience, community activities or other qualifications not listed below that would be helpful to the Council in evaluating your application.

EDUCATION:

University of California, San Diego, BA Urban Planning; McGeorge Law School, JD

WORK EXPERIENCE: List names, addresses and dates of employment for the last five (5) years. Attach additional sheets of paper if needed.

CURRENT EMPLOYER:

FROM DATE: 10/2006 EMPLOYER NAME: Abbott & Kindermann, LLP

TO DATE: Present ADDRESS: ____ 21st Street, ____ Sacramento ____ CA
Street # Street Name City State

DUTIES: Associate Attorney representing public agencies in land use and environmental matters.

PRIOR EMPLOYER(S):

FROM DATE: EMPLOYER NAME: _____

TO DATE: ADDRESS: _____
Street # Street Name City State

DUTIES:

FROM DATE: EMPLOYER NAME:

TO DATE: ADDRESS: _____
Street # Street Name City State

DUTIES:

FROM DATE: EMPLOYER NAME:

TO DATE: ADDRESS: _____
Street # Street Name City State

DUTIES:

BUSINESS ENTERPRISES: List business name including fictitious name and address of any business enterprises currently or previously owned or operated.

FROM DATE: BUSINESS NAME: _____

TO DATE: ADDRESS: _____
Street # Street Name City State

TYPE OF BUSINESS OR SERVICE RENDERED:

CITY OF SACRAMENTO -
APPLICATION FOR APPOINTMENT

Leslie Walker
APPLICANT NAME

FROM DATE:

TO DATE:

BUSINESS NAME: _____

ADDRESS: _____
Street # Street Name City State

TYPE OF BUSINESS OR SERVICE RENDERED:

FELONY CONVICTIONS: A felony conviction is not necessarily a bar to appointment. Each case is considered separately based on requirements of the position. However, failure to list felony convictions may result in disqualification.

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No.

I DECLARE, UNDER PENALTY OF PERJURY THAT ALL STATEMENTS IN THIS APPLICATION ARE TRUE AND COMPLETE TO THE BEST OF MY KNOWLEDGE:

Signature: */s/* Leslie Walker
Type Name if Returning Via E-Mail or Print, Sign and Mail

Date: August 18, 2011

DISCLOSURE AND REGULATORY REQUIREMENTS

City Code Section 2.40.060: Conflict of Interest Disclosure - If a Statement of Economic Interests Form 700 is required for this position (see announcement), the form must be filed with the Office of the City Clerk prior to beginning service. The City Clerk will provide appointees with the filing form and instructions. Official status to serve will be delayed until the form is filed with the Office of the City Clerk.

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ACCOMMODATION INFORMATION

PLEASE IDENTIFY ANY SPECIALIZED ACCOMMODATIONS NEEDED FOR EQUAL PARTICIPATION:

LESLIE Z. WALKER

4th Avenue, Sacramento, California 95818

State Bar No. Tel.: (916) Email:

EXPERIENCE

Abbott & Kindermann, LLP, Sacramento, California
Associate Attorney, September 2007-Present
Law Clerk, October 2006-September 2007

- Manage litigation and advise clients on matters related to California Environmental Quality Act (CEQA); National Environmental Policy Act (NEPA); Subdivision Map Act; Clean Water Act; Williamson Act; planning and zoning; special district formation; air district permitting; validation actions; and unlawful detainers.
- Review general plans including evaluating adequacy of climate change discussions; draft easements; prepare draft findings and ordinances.
- Take and defend depositions; prepare summary judgment motions, motions for judgment on the pleadings, and trial briefs.

California Commission on State Mandates, Sacramento, California
Law Clerk, 2005

- Drafted legislation to reform county bankruptcy process.
- Evaluated test-claims.

U.S. Department of Justice, Sacramento, California
Law Clerk, Environment and Natural Resources Division, 2005

- Drafted memoranda and motions relating to water rights, National Historic Preservation Act, and NEPA.
- Responded to Environmental Impact Statement comments.

Office of Assemblymember Patricia Wiggins
Intern, 2004

- Drafted local government and land-use related legislation.
- Assisted with Smart Growth Caucus events.
- Briefed Assemblymember on pending bills.

San Diego Association of Governments (SANDAG)
Researcher, August 2000-July 2003
Public Information Officer, March 1999-August 2000

- Designed surveys, wrote and delivered presentations on summaries of findings.
- Prepared demographic and economic data for general plan updates and housing elements.
- Selected and maintained quality of life indicators to monitor smart growth efforts.

San Diego Natural History Museum, Environmental Education Center
Administrative Coordinator/Research Assistant, 1997-1999

PROFESSIONAL ASSOCIATIONS, SPEAKING ENGAGEMENTS, PUBLICATIONS, AND SKILLS

- Past-President, Sacramento Bar Association, Real Property Section; member, Environmental Section.
- Secretary, Sacramento Valley Section of American Planning Association.
- Speaker Abbott & Kindermann, LLP Annual Land Use Conferences presenting updates on Clean Water Act, Endangered Species Act, and the Clean Air Act; 2010 Winery and Vineyards Seminar presenting climate change considerations for grape-growers; 2009 American Planning Association California Chapter Conference presenting impact fees for greenhouse gas emissions.
- Monitor and write articles pertaining to CEQA and climate change; authored *Warming Up to Global Climate Change* (California Public Law Journal, Summer 2008), and *In CEQA Litigation, When is an Agency Required to Include Internal Agency Emails in the Record of Proceedings* (California Public Law Journal Fall 2010).
- Competent in spoken and written Spanish.

EDUCATION

University of the Pacific, McGeorge School of Law, Sacramento, California
J.D., May 2006

- Witkin Award for legal research and writing; Research Assistant to Professor Gregory Weber.

University of California, San Diego
B.A. in Urban Studies and Planning, June 1997

REPRESENTATIVE MATTERS

Citizens for the Protection and Preservation of Wawona v. Mariposa County Board of Supervisors. Represented the Mariposa County Board of Supervisors in defending against citizen group claims that approval of Seventh Day Adventist camp violated CEQA and Planning and Zoning Law. Prevailed at appellate court; certiorari denied by Supreme Court.

Sierra Club et al. v. County of Tehama et al. Represented County of Tehama in defending against citizen group claim that the general plan update violated CEQA and Planning and Zoning Law. Prevailed at trial court.

Central Delta Water Agency and South Delta Water Agency v. California Natural Resources Agency et al. Represented water agencies in state and federal court actions challenging the Bay Delta Conservation Plan's environmental review under the CEQA and NEPA.

Lopez v. County of Merced. Successfully defended County of Merced against alleged violations of the Voting Rights Act.

REPRESENTATIVE MATTERS (CONTINUED)

Tulelake Irrigation District v. All Persons. Represent Siskiyou County and Siskiyou County Flood and Water Conservation District in opposition to an action seeking to validate the Klamath Basin Restoration Agreement and Klamath Hydroelectric Settlement Agreement.

Mount Shasta Bioregional Ecology Center v. County Air Pollution Control District et al. Represented Air Pollution Control District throughout administrative hearing which resulted in granting the District Authority to Construct co-generation facility. Successfully defended Air Pollution Control District against citizen challenge to issuance of permit.

Provide advice to City of Patterson and County of Merced on adequacy of general plan and general plan EIR.

Back to Applicant List

City of Sacramento

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CITY OF SACRAMENTO
2017 NOV 29 PM 3:25

Application for Appointment to Boards/Commissions and Committees

INSTRUCTIONS: Provide all information requested. Attachments must be single sided on 8.5 x 11 paper. If you will be representing an organization, you must include a letter from the organization recommending you as their representative. Note: All information provided on this form is a public record. **Return this completed application form to:** Office of the City Clerk, Historic City Hall, 915 I Street, Rm. 116, Sacramento, CA 95814. Tel: (916) 808-7200.

IMPORTANT: Letters of recommendation are optional. If you choose to include a letter it must be submitted as part of this application. Letters will not be accepted after your application is filed with the City Clerk's Office.

BOARD / COMMISSION OR COMMITTEE NAME: Sacramento Environmental Commission

CATEGORY FOR WHICH YOU ARE APPLYING: Public at large (Description (if applicable)) A (Category Letter)

☐ Name of Company/Organization Being Represented (if applicable): _____
☐ Company/Organization Authorization Letter Attached (if applicable to qualifications of category)

Applicant Name: Soluri (Last) Patrick (First) M. (Middle) E-Mail: _____

Home Address: Marshall Way (Street Name) Sacramento (City) CA (State) 95818 (Zip)

Mailing Address (if different than home address): _____ (Street # / Street Name / City / State / Zip)

Resident of City Council District No: Five (5) (Required) Business in Council District No: One (1) (If Applicable)

Home Telephone: (916) Business Telephone: (916)

Please state the reason you would like to be a member of this board/commission (or attach):

As both resident and business owner in the City of Sacramento, I am interested in supporting my community in ways where I can use my knowledge and experience to make a meaningful contribution. For nearly two years I have served on the board of the Sierra Curtis Neighborhood Association, and been its President for the past nine months. A position with the SEC would provide an opportunity to support a greater community. As an experienced environmental lawyer with a degree in environmental sciences, I believe that I can assist with the SEC's mission to advise the City and County on effective environmental programs.

Are you currently, or have you in the past, served on an advisory group? ○ Yes ◉ No If yes, state the name of the group and how that service supports your application (or attach).

Do you, or an immediate family member, have any relationship (professional, financial, other) that may present a potential conflict of interest for this advisory group? ○ Yes ◉ No If yes, please explain:

CITY OF SACRAMENTO -
APPLICATION FOR APPOINTMENT

Patrick Soluri
APPLICANT NAME

BACKGROUND INFORMATION

You may also attach a resume reflecting experience, community activities or other qualifications not listed below that would be helpful to the Council in evaluating your application.

EDUCATION:
UOP / McGeorge School of Law, JD (2000)
UC Berkeley, BA Environmental Sciences (1994)

WORK EXPERIENCE: List names, addresses and dates of employment for the last five (5) years. Attach additional sheets of paper if needed.

CURRENT EMPLOYER:

FROM DATE: March 2005
TO DATE: present
EMPLOYER NAME: Soluri Meserve, a law corporation
ADDRESS: F Street (Street # / Street Name) Sacramento, CA (City / State)

DUTIES: Principal attorney and shareholder practicing law in the areas of environmental, natural resources and land use law

PRIOR EMPLOYER(S):

FROM DATE: Sept. 2000
TO DATE: June 2004
EMPLOYER NAME: The Diepenbrock Law Firm
ADDRESS: Capitol Mall, Suite 1800 (Street # / Street Name) Sacramento, CA (City / State)

DUTIES: Associate attorney practicing law in the areas of environmental, natural resources and land use law

FROM DATE:
TO DATE:
EMPLOYER NAME:
ADDRESS: (Street # / Street Name / City / State)

DUTIES:

FROM DATE:
TO DATE:
EMPLOYER NAME:
ADDRESS: (Street # / Street Name / City / State)

DUTIES:

BUSINESS ENTERPRISES: List business name including fictitious name and address of any business enterprises currently or previously owned or operated.

FROM DATE: March 2005
TO DATE: present
BUSINESS NAME: Soluri Meserve, a law corporation
ADDRESS: 1010 F Street (Street # / Street Name) Sacramento, CA (City / State)

TYPE OF BUSINESS OR SERVICE RENDERED:

Law firm providing legal services in the areas of environmental, natural resources and land use law.

CITY OF SACRAMENTO -
APPLICATION FOR APPOINTMENT

Patrick Soluri
APPLICANT NAME

FROM DATE:

TO DATE:

BUSINESS NAME: _____

ADDRESS: _____
Street # Street Name City State

TYPE OF BUSINESS OR SERVICE RENDERED:

FELONY CONVICTIONS: A felony conviction is not necessarily a bar to appointment. Each case is considered separately based on requirements of the position. However, failure to list felony convictions may result in disqualification.

Have you ever been convicted of a felony? If yes, please indicate for each conviction, the date of the conviction, the location of the court of conviction, and the exact denomination of the offense resulting in conviction:

None

CIVIL ACTIONS: List each civil action, if any, in which punitive or exemplary damages have been assessed against you, indicating in each instance the date of the trial, court judgment and the location of the court which rendered the judgment:

None

I DECLARE, UNDER PENALTY OF PERJURY THAT ALL STATEMENTS IN THIS APPLICATION ARE TRUE AND COMPLETE TO THE BEST OF MY KNOWLEDGE.

Signature: /s/. _____ Date: 8/25/2011
Type Name if Returning Via E-Mail or Print, Sign and Mail

DISCLOSURE AND REGULATORY REQUIREMENTS

City Code Section 2.40.060: Conflict of Interest Disclosure - If a Statement of Economic Interests Form 700 is required for this position (see announcement), the form must be filed with the Office of the City Clerk prior to beginning service. The City Clerk will provide appointees with the filing form and instructions. Official status to serve will be delayed until the form is filed with the Office of the City Clerk.

City Code Section 2.40.010: Attendance - Board/commission members are required to attend meetings on a regular basis, and may be removed if a member does not attend three consecutive regularly scheduled meetings. If appointed, will you be able to attend meetings regularly and devote the time necessary to fulfill your duties as a member? ◉ Yes ○ No

City Resolution 2007-653: Mandatory Ethics Training - Board/commission members are required to satisfy the local ethics training requirement mandated by Government Code Sections 53234 et seq. and may be removed if proof of attendance is not filed with the Office of the City Clerk within 60 days of appointment. Appointees will be provided with an on-line training resource. If appointed, will you be able to complete the training within 60 days? ◉ Yes ○ No

ACCOMMODATION INFORMATION

PLEASE IDENTIFY ANY SPECIALIZED ACCOMMODATIONS NEEDED FOR EQUAL PARTICIPATION:

None

Remy Thomas
Moose & Manley LLP

455 Capitol Mall, Suite 210
Sacramento, CA 95814

Andrea K. Leisy
aleisy@rtmmlaw.com

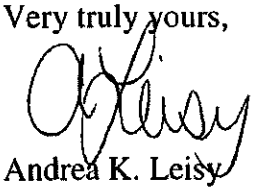
August 25, 2011

To Whom It May Concern:

I am writing to recommend Patrick Soluri for appointment to the Sacramento Environmental Commission. I have known Pat for over ten years as a friend and colleague. Pat is an environmental/ land-use attorney who is active within the Sacramento region and the Curtis Park community. Pat currently serves as president of the Sierra Curtis Neighborhood Association where he has worked to pursue the best interests of the community while listening to, and engaging with, a multitude of people with varying viewpoints on some controversial issues.

Pat keeps up on current law and policy impacting Sacramento, including those involving the Delta and flood safety to name a few. I think he would be a great fit for the SEC. Please feel free to call if you have any questions. Thank you for your consideration.

Very truly yours,



Andrea K. Leisy

cc: Val Siebal
Vicki Kloock