



City Council Memorandum

City of Arts & Innovation

TO: HONORABLE MAYOR AND CITY COUNCIL DATE: AUGUST 11, 2015
FROM: CITY ATTORNEY WARDS: ALL
SUBJECT: OUTSIDE COUNSEL EXPENDITURE REPORT

ISSUE:

The issue for City Council consideration is the Outside Counsel Expenditure Report for the period of 1/1/15 through 6/30/15 as provided in the outside counsel policy approved by City Council on June 16, 2015.

RECOMMENDATIONS:

That the City Council receives and files the attached report.

BACKGROUND:

In the continuing effort of transparency and accountability, City Council approved the City Attorney's recommendation of quarterly reporting of the outside counsel expenditures. The first of these reports is attached hereto. Since this is the initial report, it includes the current spending for the prior two quarters and the cumulative spending from inception of the matter grouped by law firm name. All closed matters are highlighted and will not be included in the next report. It should be noted that bond counsel and contingency payments are not paid through the City's account payable division and therefore must be manually added to information derived from the City's accounting system. In the case of bond counsel payments, the payments are typically made directly by the bond trustee from bond proceeds. In the case of contingency payments, the payments are typically deducted from the funds received prior to deposit by the City.

FISCAL IMPACT:

There is no fiscal impact at this time.

Prepared by: Gary G. Geuss
City Attorney

Attachment: Outside Counsel Expenditure Report

**OUTSIDE COUNSEL EXPENDITURE REPORT
THROUGH JUNE 30, 2015**

LAW FIRM	MATTER/CASE NAME	BRIEF DESCRIPTION	BUDGET		EXPENDITURES		BALANCE
			FY 2015	AS OF 06/30/15	01/01/15 - 06/30/15	CUM AS OF 06/30/15	
BEST BEST KEIGER							
	<i>City HA v DOF</i>	*Note - HA allowance, costs split with several cities	B	37,388	-	-	37,388
	<i>City v Clayton</i>	Eminent domain litigation/Riverside grade separation	B	53,847	1,384	51,347	2,500
	<i>City v Jurupa Valley</i>	(Vernola Apts) CEQA litigation	B	155,842	19,742	19,742	136,100
	<i>City v Metro Riverside</i>	Successor Agency litigation, and bankruptcy re Hyatt Hotel	C	114,380	16,203	111,880	2,500
	<i>City v. Michael Arroyo</i>	Judicial foreclosure; parolee flop house. Appeal	B	75,674	5,184	73,174	2,500
	<i>City/SA v DOF</i>	SA re-entry litigation, appeal	C	168,819	7,112	168,819	-
	<i>Edwards v Riverside</i>	Property damage/ Eminent domain	B	14,477	10,056	11,977	2,500
	<i>Fair Housing Council v. City</i>	Room rental permit litigation	B	827,090	86,500	164,090	663,000
	<i>General Advice</i>	Miscellaneous		25,000	6,225	6,225	18,775
	<i>Jurupa Valley v City (RTRP)</i>	CEQA litigation	B	226,628	9,568	204,953	21,675
	<i>Overlook Parkway</i>	EIR Review	B	112,048	3,848	89,098	22,950
	<i>SCE v. Mitsubishi Nuclear Energy Systems/SONGS litigation</i>	San Onofre decommissioning (SONGS)	B	721,693	44,221	421,693	300,000
Subtotal					210,043	1,322,998	1,209,888
BURKE WILLIAMS SORENSEN							
	<i>City v Jurupa Rubidoux CSD, et al.</i>	Recovering contribution obligation for RWQCP project	B	2,076,487	144,149	759,337	1,317,150
	<i>Pepper v City</i>	Private person arrest of council meeting attendee	C	264,226	228,000	228,000	36,226
Subtotal					372,149	987,337	1,353,376
COLANTUONO HIGHSMITH & WHATLEY							
	<i>General matters</i>	Prop 218 and conflicts advice	B	40,400	14,966	15,400	25,000
Subtotal					14,966	15,400	25,000

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GIBBS GIDEN LOCHER TURNER SENET & WITTBRODT							
	<i>City v ProTech Engineering</i>	Breach of Public Works contract	B	40,000	28,518	34,000	6,000
Subtotal					28,518	34,000	6,000
GREINES MARTIN STEIN & RICHLAND							
	<i>Colony v City</i>	Dangerous condition/writs & appeals	C	132,225	45	132,180	-
	<i>Dunbar, Ulrike v City</i>	Wrongful death	B	58,775	3,330	8,775	50,000
	<i>Easley, Michael v. City</i>	Federal civil rights action	B	37,695	7,695	7,695	30,000
	<i>Heltebrake, Richard v City</i>	Breach of contract re Dorner reward	B	19,610	495	2,610	17,000
	<i>Inland Empire Patients Health</i>	Appeal	B	35,000	-	-	35,000
	<i>Jean-Louis, Jean v City</i>	Federal civil rights action	B	46,180	1,180	1,180	45,000
	<i>Masgula, John v City</i>	Appellate counsel	B	113,724	11,148	103,724	10,000
	<i>Mitchell, Raymond v City</i>	Appeal (dismissed)	C		405	405	-
	<i>Nichols, Raymond v City</i>	Federal civil rights action	B	66,962	21,962	21,962	45,000
	<i>Salib, Nagy v City</i>		C		78,108	78,108	-
Subtotal					124,368	356,639	232,000
LIEBOLD McCLENDON &							
	<i>Camp Anza</i>	Home Front at Camp Anza	C	41,887	13,691	40,887	1,000
	<i>Grandvillas Senior Apartments</i>	Senior Apt. Development	C		5,125	5,125	-
	<i>Habitat for Humanity</i>	3753 Myers Street	B	16,000	9,900	9,900	6,100
	<i>Zion</i>	Affordable Housing Development	C	14,467	14,467	14,467	-
		3236 Washington Street	C	4,697	4,697	4,697	-
Subtotal					47,880	75,076	7,100

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LEWIS BRISBOIS BISGAARD & SMITH							
	<i>Buckley, John v City</i>	Dangerous condition	B	209,515	19,961	30,630	178,885
	<i>Dunbar, Ulrike v City</i>	Civil rights litigation	B	207,750	7,481	96,558	111,192
	<i>Easley, Michael v City</i>	Civil rights litigation	B	281,500	24,675	56,889	224,611
	<i>Hagedon v City (Nunez)</i>	Employment litigation	B	142,785	542	8,850	133,935
	<i>Salib, Nagy v City</i>	Civil rights litigation	C	129,532	96,452	129,532	-
	<i>Sims, Shawnee v. City</i>	Dangerous condition	B	35,969	16,539	26,294	9,675
	<i>Wilson, Lumard v. City</i>	Civil rights litigation	B	113,417	116	109,667	3,750
Subtotal					165,766	458,420	662,048
LIEBERT CASSIDY WHITMORE							
	<i>Bonome, Jr., Camilo</i>	Petition re CCW denial	B	48,775	21,114	21,296	27,479
	<i>Leach, Gary</i>	Employment/Appeal	B	71,600	221	3,415	68,185
Subtotal					21,335	24,711	95,664
MANNING & KASS							
	<i>Wells Fargo v. City - 1 and 2</i>	Civil penalties on Tax Rolls Validity	B	26,577	4,302	4,302	22,275
Subtotal					4,302	4,302	22,275
MILLER AXLINE & SAWYER							
	<i>City of Colton v American Promotional Events, et al.</i>	Perchlorate litigation/contingency*					
ORROCK POPKA FORTINO TUCKER & DOLEN							
	<i>Masgula, John v City (C/W Robinson and Knight matters)</i>	Dangerous condition litigation filed in 2009	B	436,584	50,358	293,859	142,725
Subtotal					50,358	293,859	142,725

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SABINE & MORRISON							
	<i>General matters</i>	Sign code issues/advice	B	31,500	8,580	25,000	6,500
Subtotal					8,850	25,000	6,500
SILVER AND WRIGHT							
	<i>THC House</i>	9325 Magnolia Collective	C	8,503	8,503	8,503	-
	<i>University Collective</i>	2489 University Collective	C	7,931	7,931	7,931	-
Subtotal					16,434	16,434	-
SMITH LAW OFFICES							
	<i>Coe, Justin Scott</i>	Code of Ethics complaint	C	3,993	-	3,993	-
	<i>Hagedon, Marilyn v City</i>	Employment litigation	B	148,208	2,723	27,108	121,100
	<i>Hayes, Taffy v City</i>	Civil rights litigation	C	19,848	10,342	19,848	-
	<i>Hunter, Jason v City</i>	Employment litigation	C	30,105	330	30,105	-
	<i>Jean Louis, Jean v. City</i>	Civil rights litigation	B	91,466	26,051	51,371	40,095
	<i>Lamping, Maria</i>	Employment litigation	C	155,890	38,102	155,890	-
	<i>Leandro, Jr., Paul v City</i>	Civil rights litigation	B	73,937	4,010	4,802	69,135
	<i>Lopez, Daniel v. City</i>	Employment litigation	C	31,707	10,286	31,707	-
	<i>Luong, Jason v City</i>	Civil rights litigation	B	84,376	4,082	12,931	71,445
	<i>Moreno, Vivian, et al.</i>	Code of Ethics complaint	C	4,538	-	4,538	-
	<i>Nelson, Jon v. City</i>	Civil rights litigation	C	98,531	27,246	98,531	-
	<i>Nichols, Raymond v City</i>	Civil rights litigation	B	81,956	24,889	37,406	44,550
	<i>Noujaim, Rouben v City</i>	Civil rights litigation	C	7,871	677	7,871	-
	<i>Pepper, Leticia v City</i>	Civil rights litigation	C	9,915	2,690	9,915	-
	<i>Sanchez, Adrian</i>	Civil rights litigation	C	10,972	5,825	10,972	-
	<i>Shelton, Mary v City</i>	Trip & Fall/personal injury	B	98,846	17,590	35,486	63,360
Subtotal					174,843	542,474	409,685
SOHAGI LAW GROUP							
	<i>Climate Action Plan</i>	Review Climate Action Plan	B	56,700	4,107	4,107	52,593
	<i>World Logistics Center</i>	Review EIR	B	69,761	18,058	56,319	13,442
Subtotal					22,165	60,426	66,035

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THOMPSON COBURN							
	<i>FERC</i>	Regulatory	B	500,000	5,714	211,560	288,440
Subtotal					5,714	211,560	288,440
CHAPMAN AND CUTLER							
	<i>Bond Counsel*</i>	2015 Sewer Bond		7,734	7,734	7,734	-
Subtotal				7,734	7,734	7,734	-
COTCHETT PITRE & McCARTHY							
	<i>Bond Derivative Litigation</i>	Contingency*					
HAWKINS DELAFIELD & WOOD							
	<i>Bond Counsel*</i>	2015 Sewer Bonds		60,000	60,000	60,000	-
	<i>Bond Counsel*</i>	2015 Water Bonds		20,000	20,000	20,000	-
Subtotal				80,000	80,000	80,000	-
JONES HALL							
	<i>Bond Counsel*</i>	2010 Sewer Bonds		50,000	50,000	50,000	-
	<i>Bond Counsel*</i>	2015 Water Bonds		25,000	25,000	25,000	-
Subtotal				75,000	75,000	75,000	-
STRADLING YOCCA CARLSON & RAUTH							
	<i>Bond Counsel*</i>	2015 POB BAN		45,000	45,000	45,000	-
	<i>Bond Counsel*</i>	2015 Sewer Bonds		66,500	66,500	66,500	-
	<i>Bond Counsel*</i>	Bond Disclosure Consulting		27,452	27,452	27,452	-
Subtotal				138,952	138,952	138,952	
GRAND TOTAL					1,578,227	4,730,322	\$4,526,736

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Please note:

- (1) Some totals may include costs
- (2) Items shaded in blue are closed
- (3) *Contingency bond counsel payments are per individual bond transactions or recovery received.