

CITY OF COVINA **AGENDA ITEM COMMENTARY**

MEETING DATE: July 16, 2013

ITEM NO.: CB 3

STAFF SOURCE: Daryl Parrish, City Manager 

ITEM TITLE: City Council to discuss responses to request for proposals for City Attorney Services and interviews of three qualifying firms conducted by the City Council Ad-Hoc Committee on June 26, 2013

STAFF RECOMMENDATION:

For the Ad-Hoc Committee to discuss with the City Council their thoughts resulting from the interviews conducted with three law firms selected for interviews by the Ad-Hoc Committee and for the City Council to provide direction to staff regarding contracting for legal services in the future.

FISCAL IMPACT:

The cost for City Attorney services was budgeted at \$307,540 for fiscal year 2012-2013 and \$234,540 for fiscal year 2013/2014 based on earlier conversations between Administration, Finance and the City Attorney. Actual costs for fiscal year 2012-2013 are \$505,000 through 5/31/2013 and costs for legal services between 2009/10-2011-2012 were \$766,500.

BACKGROUND:

On October 2, 2012 the City Council directed staff to agendize the discussion of a Request for Proposal (RFP) for City Attorney Services at a subsequent meeting. At the November 20, 2012 City Council Meeting the City Council directed staff to issue an RFP for City Attorney Services based on the premise that it has been a number of years since Covina has solicited competitive bids for legal services. Additionally, at the November 20, 2012 meeting Mayor Pro-Tem Delach and Council Member (then Mayor) Stapleton were selected to serve as the Ad-Hoc Committee and participate in the process of developing the RFP and evaluating the responses.

The RFP for City Attorney Services was released in December 2012 and in late January 2013 responses were received from six prospective law firms. In April 2013 the Ad-Hoc Committee convened to review the responses to the RFP's at which time the number of firms selected for interviews were pared down to three with the following being selected:

Best, Best and Krieger
Burke, Williams and Sorensen
Richards, Watson and Gershon

On June 26, 2013 interviews were conducted by the Ad-Hoc Committee with participation by the City Manager of the proposed “Legal Teams” from each of the three law firms selected for interview. Each of the presentations were excellent and each made a compelling case as to why they would be the outstanding choice to serve as the Covina City Attorney.

Based on the quality of the responses to the RFP from the three firms selected for interviews and the dynamic performances by each of the firms throughout the interview process the Ad-Hoc Committee is recommending that this matter be discussed with the City Council as a whole and that direction to staff be provided regarding contracting for legal services in the future.

Provided with this report are the responses to the RFP and a “Legal Services RFP Matrix” that summarizes cost proposals from each of the three law firms.

RELEVANCE TO THE STRATEGIC PLAN:

The City Attorney and supporting legal staff is an integral part of the City of Covina team and the work they do supports all of the values, goals and objectives and the associated mission and vision statements critical to moving forward.

EXHIBITS:

- A. Legal RPF Matrix
- B. RFP for City Attorney Services Dated 12/20/212
- C. Response Best, Best & Krieger
- D. Response Burke, Williams & Sorensen
- E. Response Richards, Watson & Gershon
- F: November 20, 2012 Staff Report & Minutes, RFP for City Attorney Services

REVIEW TEAM ONLY			
City Attorney: _____	Finance Director: _____		
City Manager: _____	Other: _____		

Legal RFP Matrix

Firm	Proposed City Attorney/ Assistant City Attorney	Retainer	Litigation	Costs	Increases / Billing Increments
Best, Best & Krieger	Marco Martinez/ Elizabeth Hull & Jim Priest	Option 1 - \$19,500/month for all general services. Option 2- \$6,500/month for 35 hours. After 35 goes to \$200/hour for all attorneys & \$165 for Paralegals and Clerks.	\$237/hour all Attorneys. \$145/hour for all Paralegals and Clerks. 10% discount from rates for 3 rd party reimbursable.	Mileage @ IRS Rate, out of pocket costs and production costs.	Annual @ CPI 1/10 hour.
Burke, Williams & Sorensen	Ruben Duran/ Joseph Byrne	\$19,500/month up to 90 hours with 10% discount for hours beyond 90.	Senior Partner \$275/Partner \$250/Associate 7Yrs + Exp. \$225/Assoc. 6Yrs - Exp. \$210/Paralegals \$125.	Mileage @ IRS Rate, Copies \$1 color, \$.20 B&W, faxes \$1/ page others at cost.	CPI after Year 1 or 3% whichever is greater. 1/10 hour.
Richards, Watson & Gershon	David Snow/ Serita Young	\$12,500 month. Includes 4 meetings and office hours.	\$275/hour Partners \$225 Associates/\$195 Pitchess, etc. \$150 Paralegals.	Mileage @ IRS Rate, Copies \$.05 page, fax \$1 max \$25, other at cost.	CPI each year after 7/1/15. 1/10 hour.

Exhibit A





City of Covina

Request for Proposals City Attorney Services December 20, 2012

City of Covina
125 E. College St.
Covina, CA 91723
(626) 384-5410

I. GENERAL INFORMATION

A. *Introduction*

The City Council of the City of Covina, the Successor Agency to the Covina Redevelopment Agency, Covina Public Finance Authority, and Covina Housing Authority (collectively referred to as "City"), invites interested municipal law firms and municipal attorneys, to submit written proposals to provide City Attorney services for the City. As City Attorney, the selected firm or individual will be expected to provide a wide range of legal services to the City. The City Attorney is selected by, and serves at the pleasure of, the City Council and works closely with the City Council, City Manager and other City staff.

B. *Proposed Time Schedule*

RFP Availability	December 20, 2012
Submittal Deadline	January 24, 2013
Review Process	January 28, 2013 to January 31, 2013
City Council Interview	Week of February 4, 2013
Contract Approval	February 19, 2013

C. *Submittal Guidelines*

Law firms interested in submitting Proposals for City Attorney shall submit one (1) original unbound Proposal marked "ORIGINAL", one electronic version, in PDF format, on a CD, or "thumb-drive", and seven (7) bound copies, marked "COPY," on or before the Submittal Deadline for Proposals, with a proposed contractual agreement, in a sealed envelope marked, "City of Covina - City Attorney Proposal" and "Do Not Open With Regular Mail." The envelope shall be addressed to:

Daryl Parrish, City Manager
City of Covina
125 E. College St.
Covina, CA 91723

Proposals may be submitted by US Mail, or delivered in person to the City Manager's office, but must be received in the City Manager's office by 5:00 pm on Thursday, January 10, 2013. No oral, telegraphic, e-mailed, or faxed proposals will be considered. Please note that City Hall is closed from Friday, December 21, 2012 through January 1, 2013. During this time, should there be any inquiries, please email City Manager Daryl Parrish at dparrish@covinaca.gov.

The City reserves the right to modify the estimated Council contract approval date, or any of the dates in Section I.B. The City also reserves the right to waive non-substantial irregularities in any proposal, reject any or all proposals, to

request additional information for purposes of clarification, to accept or negotiate any modification to any proposal following the deadline for receipt of all proposals and to waive any irregularities if such would serve the best interests of the City as determined by the City Council. The City may modify, clarify, or interpret the RFP by sending an addendum to each firm that originally received or requested an RFP. Any such addendum shall become part of the RFP and of any contract awarded. The Proposer may make modifications to a proposal already submitted to the City, but must submit a written request to withdraw its proposal in order to make the modifications. It is the responsibility of the Proposer to ensure that modified proposals are resubmitted in accordance with the RFP submittal deadline.

The City requires all Proposers to comply with all applicable federal and state laws, and the firm selected to provide City Attorney services shall be an independent contractor. All persons employed by a firm in accordance with a contract resulting from the RFP will be employees of the firm and not employees of the City.

The City is not liable for any costs incurred by the Proposer before entering into a formal contract. Costs for developing the proposal or any other such expenses incurred by the Proposer in responding to the RFP are entirely the responsibility of the Proposer, and shall not be reimbursed in any manner by the City.

A Proposer may withdraw its proposal by submitting an email or written request to Daryl Parrish, City Manager, to withdraw prior to 4:00 pm on January 3, 2013, in which event the proposal will be returned to the proposer.

Any questions regarding the RFP should be directed to Daryl Parrish, City Manager, by email (dparrish@covinaca.gov) or by phone (626-384-5410)

D. City of Covina

The City of Covina is one of twenty-nine cities in the San Gabriel Valley region of Los Angeles County. It is located approximately 25 miles east of downtown Los Angeles. The City is bounded by the cities of West Covina to the west and south, Azusa to the north, San Dimas to the east.

Covina was incorporated as a General Law City in 1901. Covina is home to just under 50,000 people within its 6.8 square miles. It is a well-balanced community with a successful blend of residential, retail, service and light manufacturing uses. The assessed valuation is \$3 billion. In addition to Covina's very high quality kindergarten through twelfth grade public school system, one will find several nearby public and private four-year colleges including Cal Poly Pomona, the Claremont Colleges, and Azusa Pacific University.

City Hall is situated within a short walking distance to our downtown Metrolink station, which is located along the San Bernardino to Los Angeles line. Covina's downtown boasts a vibrant mix of uses including shopping, housing, entertainment, fine dining and coffee establishments, and medical facilities.

Covina provides most services in-house, including police protection, a vast array of recreation programs, senior services, local transportation, planning and permit processing, water utility, public works, sewer and storm drain maintenance, street maintenance, park maintenance, and other general and administrative governmental services. Fire protection is contracted with Los Angeles County Fire.

Additional information can be found on the City of Covina website:
www.covinaca.gov.

E. Submittal Deadline

January 24, 2013 at 5:00 p.m.

II. SCOPE OF SERVICES

The anticipated Scope of Services will include but are not limited to the following:

General Legal Services

1. Attending all City Council, Planning Commission and such meetings of other Boards, Committees and Commissions of the City as may from time to time be specified by the city, and as needed.
2. Providing general legal services, routine legal assistance, advice and consultation to the City Council and City staff relating to general public law issues, potential tort liability and risk management.
3. Except where conflict of interest rules require otherwise, supervision of and coordination of the activities of all other counsel retained by the City or working on behalf of the City.
4. Act as legal counsel to other agencies the City Council serves as governing body including the Successor Agency to the Covina Redevelopment Agency, Covina Public Finance Authority, and Covina Housing Authority.
5. Provide legal advice, telephone, email and personal consultations with members of the City Council and City staff.
6. Review and/or preparation of legal opinions, staff reports, ordinances, resolutions, agreements, contracts, forms, notices, certificates, deeds, leases, and other documents required by the City.

7. Legal work pertaining to property transactions, and public improvements (capital projects, public works).
8. The monitoring of pending and current state and federal legislation and court decisions as appropriate.
9. Consultation with the City Council and City staff as needed, and rendering of legal advice and opinions (both oral and written) and performing such other or additional general legal services as may be requested by the City, acting by and through the City Council or the City Manager.
10. Enforcement of City codes, zoning regulations and building standards through administrative and judicial actions.
11. Provide training and guidance with regard to the requirements of the Brown Act, Conflict of Interest (AB1234), CEQA, the Political Reform Act, the Public Records Act and other legal requirements imposed by statute and common law.
12. Advise the Council on municipal government legal matters including the Brown Act and parliamentary procedures for running meetings.
13. Provide attorneys on-site for office hours as requested by the City Council or the City Manager.
14. Perform all duties of the office of City attorney as provided in the Covina Municipal code.

Litigation Services

15. Represent the City in civil litigation brought on behalf of or against the City, as directed by the City Council.
16. Provide litigation services to the City in any and all matters assigned by the City.

Other Specialized Legal Services

17. As requested, provide legal services pertaining to labor, employment, pension law (the City is a member of CalPERS), public retirement systems, and personnel matters.
18. Advice regarding taxes, assessments, fees, Proposition 218, and other financial advice.
19. Environmental Legal Services other than routine review of negative declarations, environmental impact reports and other project-level environmental documentation.
20. Real Estate services other than routine review of escrow documents, title reports and contracts of sale.
21. Advice regarding insurance coverage matters, such as advice and representation regarding coverage disputes.
22. Advice regarding water law and regulations.
23. Other specialized services as requested by the City.

It is expected that the Proposer will have in-house capabilities to advise and if necessary, initiate and defend litigation pertaining to the Public Records Act,

Brown Act, election law, general liability, risk management, environmental law including CEQA and NPDES, contracts and franchises, real estate, land use, human resources/labor relations, post ABx1 26 redevelopment, construction defects and code compliance.

Presently, the City Attorney is required to attend two Council meetings per month; the Assistant City Attorney is required to attend two Planning Commission meetings per month; but the City Attorney is expected to be available to attend other regular and special meetings if needed. The City does not require the City Attorney to hold regular City Hall office hours, but expects the City Attorney to be available if needed, from 4:00 pm to 6:30 pm on regular City Council meeting dates.

III. PROPOSAL FORM AND CONTENT

A. Proposal Submittal

All pages of the proposal must be numbered consecutively. The proposal must be organized in accordance with the list of proposal contents. The proposal must provide specific and succinct responses to all questions and requests for information.

Proposers must address the Scope of Services in Section II. Proposals and the fee schedule must be valid and biding for 120 days following the proposal due date and may become part of the agreement with the City.

B. Letter of Transmittal

Include a cover letter signed by a duly authorized representative of the firm. The cover letter must include name, address, telephone number and e-mail address of the Proposer submitting the proposal. In addition, the name, title, address, telephone number, fax number and e-mail address of the person or persons who are authorized to represent the Proposer and to whom correspondence should be directed shall be included.

C. Table of Contents

Include a clear identification of the submitted material by section and by page number.

D. Summary

Summarize key provisions of the proposal. Provide a statement describing why the Proposer is qualified to perform this work, the names of individuals who would serve as the City Attorney and Assistant City Attorney.

E. Statement of Understanding

Include a detailed statement of understanding of the legal services to be provided for Covina, and acknowledge the City's priority of maintaining its "small town" atmosphere. If there are services listed in the RPF that the Proposer will not be able to provide, please address such in your response.

F. Background and Experience

1. Official name and address, and specify the type of entity (partnership, LLC, corporation, etc.)
2. Describe your firm's background and history; include number of years in business. Describe the expertise your firm is able to provide the City. If your firm has a recognized area of expertise, please describe that expertise (i.e., Land Use, Personnel, Public Pension law, Code Enforcement, Public Finance, Bonds, etc.)
3. Describe the firm's experience advising municipalities with voter approved slow growth initiatives.
4. Describe your firm's experience advising municipalities regarding bond covenants and complying with bond covenants.
5. Describe your firm's experience in litigating against, or advising agencies with, Police Departments.
6. List the location of the office that would serve the City of Covina.
7. Identify support staff services available (clerical support, paralegals, other non-attorney staff.)

G. Approach to Legal Services

1. Describe your view of the role of the City Attorney.
2. Describe how you track and manage legal costs.
3. Describe how, as City Attorney, you would work with the City Council and participate in City Council, Planning Commission and other meetings.
4. Describe your firm's practices regarding professional development, training, and keeping current in the law and legal matters affecting clients.
5. Describe the methodology used to determine the delegation of City assignments within the firm; for example, is the individual identified as the "City Attorney" going to personally handle, draft, prepare all City matters, or will work be delegated to less senior staff.
6. List specialty services you do not provide. For any specialty services you do not directly provide, describe how you propose the City receive such services. If you propose to use a subcontractor, please name the firm, if possible, and the principal attorney(s) from the firm who would provide service to the City.

H. Proposed Attorney(s)

Name the person who will be designated as the City Attorney and Assistant City Attorney. Provide the following for each designee:

1. Certificates or licenses, including the date of admission to the State Bar of California.
2. Description of education, including names of educational institutions, degrees conferred, and year of each degree.
3. Professional background and professional associations.
4. Experience with and knowledge of the law relating to general law cities, including, but not limited to, land use and planning, environmental law including the California Environmental Quality Act, Successor Agency, General Plans, code enforcement, labor relations/personnel law, and other areas of municipal law.
5. Specific areas of expertise and training.
6. Provide names and qualifications, including years of experience, of other attorneys in the firm who would be able to provide legal series in support of the primary attorney(s).
- 7.

I. References and Potential Conflicts of Interest

1. Provide contact information for five municipal clients for which services have been provided by the designated attorney in the last three years, so reference checks can be conducted. Please include the contact person's name, agency, phone and e-mail address.
2. List all public clients for whom your firm currently provides or has provided services for the past five (5) years. Indicate the services provided. For those past clients who are no longer represented by the firm, provide an explanation regarding the reason why they are no longer represented by the firm. Identify any foreseeable or potential conflicts of interest that could result from representation with any current clients and the manner in which you would propose to resolve such conflicts.
3. For the person designated as City Attorney and Assistant City Attorney, list all public clients that these individuals presently represent, along with the meeting dates and times for each governing body.
4. List all private clients of your firm and identify any foreseeable or potential conflicts of interest that could result from such representation and the manner in which you would propose to resolve such conflicts.
5. If the firm/individual, or any of the attorneys employed by the firm have been sued by cities or other clients for malpractice, been the subject of complaints filed with the State Bar, or had discipline imposed by the State Bar, please provide information on the nature of the incident, the date the matter was resolved, and the results.

J. Compensation and Reimbursement

Describe your firm's general billing approach; is work that is applicable to a number of clients billed 100% to each client, or is the cost shared between clients; if the costs are shared between clients, what is the method used to divide the costs? What time increment is work billed? If a work product was completed for another client and the City of Covina requests similar work product, how is Covina billed for the work product?

Describe how the firm intends to charge for legal services, for the three categories of legal services described in Section II (General Legal Services, Litigation Services and Other Specialized Legal Services).

The City's preference is for General Legal Services to be provided on an annual retainer basis. Include information regarding the number of hours of General Legal Services per month that would be included in the retainer. Describe what occurs when the City requires fewer or more hours of General Legal Service in a given month.

Identify whether the retainer includes all of the services in Section II, "General Legal Services"; and whether there are additional services your firm would include in the retainer. Also identify which services would not be included in your proposed retainer and which you consider to be Specialized Legal Services which would be billed in addition to Retainer Services. Identify the rate for these non-retainer services.

If an hourly rate basis is used for Litigation Services and Other Specialized Legal Services, please state the hourly rates for the City Attorney, Assistant City Attorney and any other attorneys or paralegals assisting such person in providing services. Provide this information in a table format.

Please define any "extra" services not specified in this proposal, and describe if such services will be billed at a different hourly rate or basis.

If a separate individual or firm is proposed as a subcontractor to Proposer, specify the hourly rates for each type of service to be provided as well as the rates for any items which would be billed separately. Also provide information regarding the principal attorney(s) and firms that would provide such service(s).

Specify which items, if any, are billed separately and at what rate. Such items might include postage, duplicating/printing, etc. Specify if any overhead or administrative charge is added to billings for these items.

The City anticipates that the City Attorney Agreement will not have a specific termination date. The Proposer is to include how they propose to be considered for rate increases and at what intervals.

K. Agreement

The successful Proposer is expected to enter into an agreement with the City. Please provide a proposed form of agreement for the services.

In addition to indemnification and hold harmless language, the agreement should also include a requirement for professional errors and omissions insurance in an amount of not less than \$1,000,000 per occurrence and \$2,000,000 aggregate, general liability insurance in an amount of not less than \$1,000,000 per occurrence and \$2,000,000 in aggregate, automobile liability insurance in an amount of not less than \$1,000,000 per accident, and workers' compensation insurance as required by State law. The firm chosen will name the City as a Certificate Holder for all of the above named insurance policies. The City shall be named as Additional Insured for the general liability as well as the automobile liability (including Non-owned Auto) insurance coverage. All coverage must be provided by an insurance company authorized to do business in the State of California, with a rating of at least AVII in the latest edition of Best's Insurance Guide.

L. Additional Information

In this section, provide any other information the Proposer believes is applicable to the evaluation of the proposal or your qualifications for providing the proposed legal services. You may use this section to address those aspects of your services that distinguish your firm from other firms.

IV. REVIEW AND SELECTION PROCESS

This section to be completed after City Council direction. The general options may include the following in whole or in part:

A. Process

- An initial review of proposals by a City Council ad-hoc committee (including or not including the City Manager); and a recommendation of top firms for the entire City Council's consideration at a City Council meeting. The top firms may be asked to give a presentation and be interviewed by the Council at a City Council meeting.
- All Proposers would be invited to a City Council meeting. The Proposers would make a presentation to the City Council, followed by a Council interview process.
- A committee composed of two City Council members (including or not including the City Manager) and City staff selected by the ad-hoc committee can evaluate the proposals and conduct interviews of the top Proposer(s). The Proposer determined best qualified to perform this service will be recommended to the City Council for contract award.

- Any other process desired by the City Council.

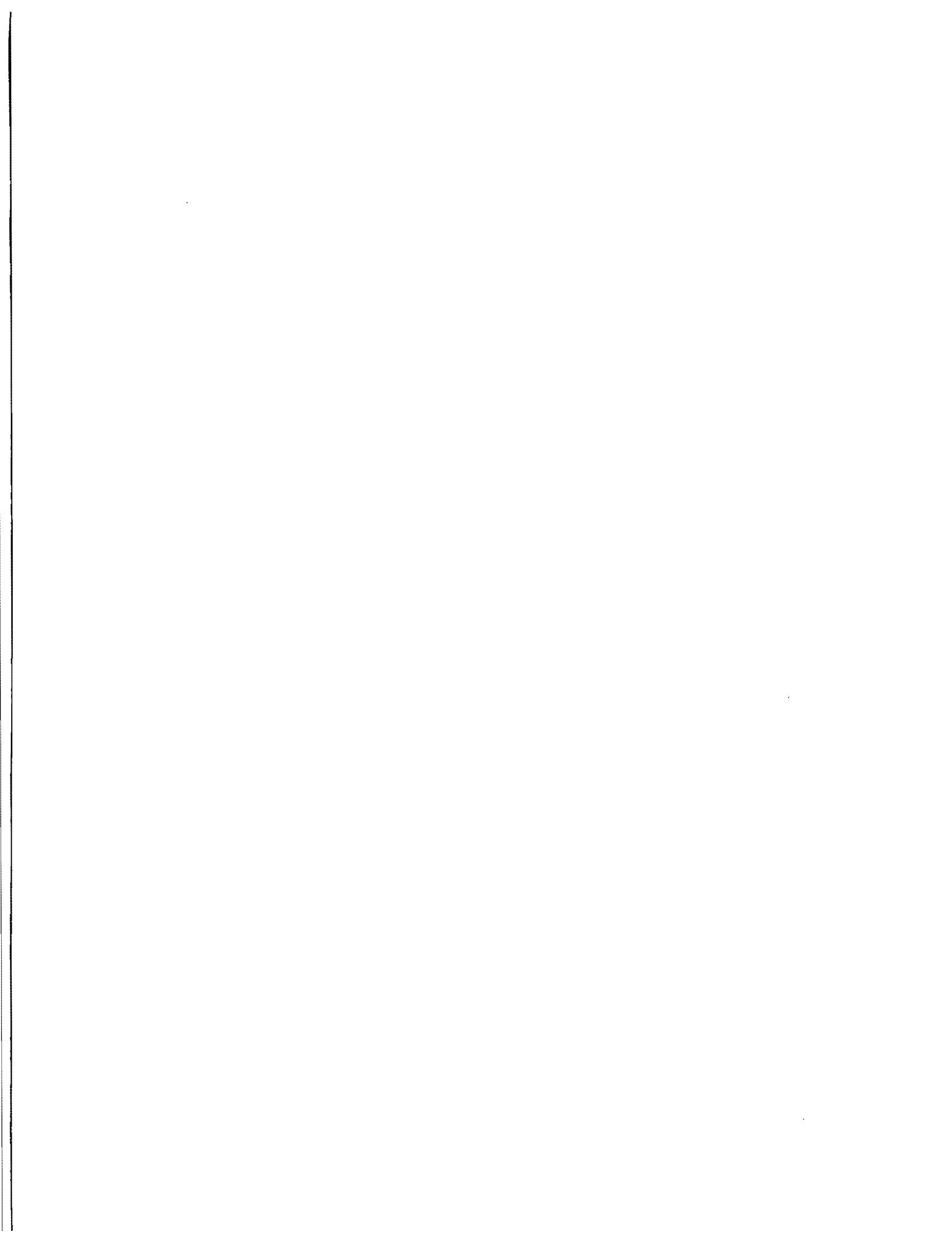
B. Evaluation Criteria

The following information will be considered during the evaluation process:

1. Experience and qualifications identified in the Proposal.
2. Complete and clear response to requested matters in the Proposal.
3. Adequate local availability, support to the Council and staff, and range of services offered.
4. Demonstration of workload capacity and level of experience of the designated City Attorney and Assistant City Attorney.
5. Professional reputation for providing high-quality services and ability to work cooperatively with the City Council and staff.
6. Service orientation and creativeness in finding solutions to legal issues.
7. Demonstrates an understanding of Covina.
8. Communication skills.
9. Depth and breadth of experience and expertise in the practice of law, most specifically in municipal law.
10. Demonstrated expertise in land use and zoning law as it relates to municipalities with voter approved slow growth initiatives.
11. Demonstrates sound judgment, integrity, and reliability as determined by the references provided.
12. Capability to perform legal services promptly and in a manner that permits the City Council and staff to meet established deadlines and to operate in an effective and efficient manner.
13. Degree of availability for quick response to inquiries that arise out of day-to-day operations, questions, or problems.
14. Cost of providing services. Note that while cost is important, it is not necessarily the most critical factor in evaluating a Proposal.
15. Other qualifications/criteria as deemed appropriate by the City Council.

V. CONCLUSION

While the City of Covina expects that the proposing entity shall have the breadth of experience to serve a full-service municipality and/or the ability to retain the necessary staff in each of the legal disciplines as outlined in the above proposal, it is not the intention of the City of Covina to limit prospective respondents to large size law firms. Smaller entities with the acumen to select outside special council to fulfill the needs of the City and also be cognizant of managing costs are encouraged to respond to this request for proposal.



**Proposal for
City Attorney Services**

Presented to



The City of Covina

January 24, 2013



Indian Wells | Irvine | Los Angeles | Ontario | Riverside | Sacramento | San Diego | Walnut Creek | Washington, D.C.

TABLE OF CONTENTS



TABLE OF CONTENTS

	Page
I. Executive Summary.....	1
II. Statement of Understanding.....	3
III. Background and Experience.....	4
A. Official Name, Address, Type Of Entity	4
B. Firm Background and History	4
1. Public Records Act, the Brown Act, and the Elections Code.....	5
2. General Liability, Risk Management.....	6
3. Environmental Law, Including CEQA and NPDES.....	6
4. Contracts and Franchises	8
5. Real Estate, Land Use.....	8
6. Human Resources/Labor Relations	9
7. Post ABx1 26 Redevelopment	10
8. Construction Defects and Code Compliance	12
C. Experience Related to Voter Approved Slow Growth Initiatives	12
D. Experience Related to Bond Covenants.....	13
E. Experience Advising on Police and Fire Departments	13
F. Local Office.....	14
G. Support Staff Services Available.....	14
IV. Approach to Legal Services.....	15
A. Role of the City Attorney.....	15
B. Track and Managing Legal Costs.....	15
C. Working with City Council; Participation at City Council, Planning Commission, Other Meetings	16
D. Professional Development	16
E. Delegation of City Assignments	16
F. Subcontractors/Specialty Services.....	16
V. Proposed Legal Team	17
A. Primary Legal Team.....	17
1. Marco Martinez, Partner -- Proposed City Attorney	17
2. William "Jim" Priest, Partner -- Proposed Assistant City Attorney.....	17
3. Elizabeth J. Hull, Partner-- Assistant City Attorney	18

TABLE OF CONTENTS
 (continued)

	Page
B. Additional Legal Specialists	19
1. Chris Pisano, Of Counsel – Litigation	19
2. G. Ross Trindle, III, Partner – Litigation	20
VI. References and Potential Conflicts of Interest.....	21
A. References	21
B. Conflicts of Interest and Current Public Clients.....	21
C. Availability of Proposed City Attorney and Assistant City Attorney	22
D. Private Clients.....	22
E. Malpractice Statement	22
VII. Compensation and Reimbursement.....	23
A. Approach to Billing	23
1. Billing and Invoices.....	23
2. Bundling/Cost Sharing with other Clients	24
B. General Legal Services	24
C. Litigation & Special Legal Services.....	24
D. Public Finance Services	24
E. Reimbursable Services.....	25
F. Costs/Expenses	25
G. Adjustments	25
VIII. Additional Information.....	26
A. Public Policy and Ethics Compliance	26
B. Telecommunications.....	26
C. Federal Advocacy Services.....	27
D. Ethics & Community Involvement.....	27
E. Client Training Programs and Costs	28
F. Insurance	28
IX. Conclusion.....	29
Appendix A	Attorney Resumes
Appendix B	City Attorney List
Appendix C	Public Client List
Appendix D.....	Sample Agreement

TABLE OF CONTENTS
(continued)

	Page
Appendix E	Community Involvement

EXECUTIVE SUMMARY



I. EXECUTIVE SUMMARY

Best Best & Krieger LLP ("BB&K") submits this proposal to continue providing city attorney legal services to the City of Covina, the Successor Agency to the former Covina Redevelopment Agency and other City entities (collectively "City"). As city attorney for the City of Covina since 2006, BB&K is proud of its contribution to the City's success. BB&K has provided the City with the highest quality legal representation at a fair and modest cost. We would be privileged to continue providing city attorney legal services.

We recognize that the City is expecting the selected firm to provide a wide range of legal services. As BB&K has demonstrated over the past seven years in working closely with the City Manager, City Council and other City staff, our specialties in municipal law, public works matters, labor and employment matters and police law are ideally suited for the City. BB&K is unique in that it has the ability to offer the City expertise in every area of law as described in the City's RFP. Moreover, we believe we provide our clients with efficient and responsive legal services that allow our clients to move their policy objectives forward and facilitate staff completion of important projects.

We propose that **Marco A. Martinez** continue to serve as City Attorney, assisted by **Elizabeth Hull** as Assistant City Attorney/Successor Agency Counsel and **William Priest** as Assistant City Attorney. In addition, we have designated legal specialists to be part of the City Attorney team, including, **Chris Pisano** and **G. Ross Trindle, III**. We are confident that our legal team will continue to provide the City with seamless, timely and efficient legal services.



City Attorney, **Marco Martinez**, is a partner of the firm, specializing in municipal law. He is managing partner of the firm's Orange County office. His practice areas include general municipal law, First Amendment law, public contracts, land use and zoning, subdivisions, housing, and CEQA issues. Mr. Martinez currently serves as city attorney for the cities of Covina and Azusa. He is also general counsel to the San Bernardino County Housing Authority and the California Chapter of the American Planning Association, and is special counsel to the Successor Agency of the former Montclair Redevelopment Agency.



Elizabeth W. Hull is a partner in the Municipal Law practice group. Prior to joining Best Best & Krieger in 2007, Ms. Hull served as the Assistant City Attorney for Development Services for the City of Chula Vista, California. During her more than eight years with the City of Chula Vista, she represented and advised City departments, the City Council, the Chula Vista Redevelopment Corporation and Redevelopment Agency on a wide range of redevelopment, planning, land use and construction issues. She also provided advice to the City Council, Board members and Commissioners on the Brown Act, Public Records Act, Political Reform Act and other conflict of interest laws. Ms. Hull advised the City, Clerk, Community Development, Housing, General Services, Planning and Building Departments and served as the staff attorney to the Planning Commission, Ethics Commission, and Charter Review Commission.



William J. "Jim" Priest is of counsel in the Municipal Law practice group of BB&K. Mr. Priest currently serves as assistant city attorney for the City of Covina where, among his responsibilities, he serves as counsel to the Covina Planning Commission and has served as legal advisor to the Covina Personnel Advisory Board. Mr. Priest is currently assisting the City of Covina through its first comprehensive Zoning Code update in fifty years. He also provides specialized legal services to many other client cities. As part of his general municipal practice, Mr. Priest frequently advises clients on issues regarding the Brown Act, the Public Records Act and similar laws. In addition, his areas of expertise include public finance, elections, public works contracting, land use and telecommunications law. Mr. Priest is experienced in local tax, assessment and fee/rate setting under Propositions 13, 218 and 26.

In addition to our primary legal team, we have designated **Chris Pisano and G. Ross Trindle, III** to assist the City on litigation matters.

BB&K has a longstanding commitment to the efficient and cost-effective delivery of legal services. We believe that the depth and quality of our experience in the public law field is second to none. We are able, therefore, to address complex legal issues with creativity, speed, efficiency and accuracy at a fair and reasonable cost. A full description of our cost proposal is located in Section VII.

We know that the City Council will have a very important decision to make in the coming weeks about the continued delivery of its legal services. We firmly believe that, given our seven years of experience in Covina, familiarity and investment in the community, proven track record of success, and breadth and depth of experience, BB&K is the best suited municipal law firm to provide excellent results for the City. We are pleased to offer the benefits of our tenure and track record in Covina, but also to work with the City Council on developing a new service delivery paradigm well-suited to the City's next decade and current goals.

In summary, BB&K values the relationship it has had with the City of Covina for the last seven years. The members of this team consider the projects and work we've accomplished in Covina as among some of our proudest accomplishments. As our proposal demonstrates, we believe BB&K is the most qualified law firm to assist the City on a variety of legal issues, not only because of our years of experience and in-depth knowledge of the City, but also because of our commitment to its success. We would be honored to continue serving as its City Attorney.

UNDERSTANDING

STATEMENT OF UNDERSTANDING



II. STATEMENT OF UNDERSTANDING

Through our representation of the City of Covina and other similar California cities as general and special counsel, our professionals are quite familiar with the dynamics of small-town communities. We understand that the City wishes to maintain its "small town" atmosphere. If selected, we will always keep the City's objectives in mind. Moreover, we recognize that Covina has one of the most talented professional staffs in the San Gabriel Valley and we believe it to be our responsibility to assist them in carrying out the City Council's policy directives as quickly and efficiently as possible.

BB&K has read the City's RFP thoroughly and we recognize that the City requires assistance in three main categories: (1) general legal services; (2) litigation services; and (3) other specialized services. As mentioned before, and as we have demonstrated over the last seven years, BB&K is a full-service law firm, capable of providing quality legal services in virtually every area of municipal law. Additionally, we understand the need to keep the City Council and its staff updated on City matters, and to quickly respond to legal issues as they arise. If selected as your City Attorney, we are confident that our firm will continue to provide the City with seamless, timely and efficient legal services.

BACKGROUND AND EXPERIENCE



III. BACKGROUND AND EXPERIENCE

A. Official Name, Address, Type Of Entity

Best Best & Krieger is a Limited Liability Partnership ("LLP"). Our main office is located at 3390 University Avenue, Riverside, CA 92501. Our local offices to the City of Covina include Ontario, located at 2855 East Guasti Road, Suite 400, Ontario, CA 91761, Irvine located at 18101 Von Karman Avenue, Suite 1000, Irvine, CA 92612, and Los Angeles, located downtown at 300 South Grand Avenue, 25th Floor.

B. Firm Background and History

Established in 1891, BB&K is the most experienced and largest full-service municipal law firm in California. As mentioned earlier, we currently serve as city attorney for 32 California cities. As general and/or special counsel to various cities, counties, community services districts, water districts, school districts, joint powers authorities and other public agencies our firm is recognized statewide as California's public agency firm of choice.

Dynamic municipal leadership requires dynamic legal service. BB&K offers unparalleled breadth and depth of legal experience with "local firm" availability, responsiveness and familiarity. In addition, we have significant experience in representing cities of similar size and complexity as the City of Covina. We realize that these agencies have unique characteristics and dynamics and we have the experience needed to address any legal matter that may arise with professional and comprehensive legal advice.

Our focus is on being proactive, not reactive. We track current trends in both state and federal law and incorporate them into our advice to our clients. Our lawyers have special expertise in assisting municipalities in their intergovernmental relations. When necessary, we zealously defend our clients in litigation matters. We keep our clients fully informed and involved as litigation matters progress.

The BB&K Municipal Law practice group focuses solely on helping public clients successfully maneuver through legal complexities and governmental mandates. Because BB&K has a history of extensive involvement in all aspects of municipal law, we have pioneered methods to deliver advisory and litigation services in a comprehensive and cost-effective manner. Our approach ensures the highest quality and most timely representation available in California.

BB&K provides representation in the following areas in which issues may arise for municipalities:

- Brown Act
- Business Licensing and Franchising
- CEQA and Environmental Law
- Charter and Internal Organization
- Comprehensive Code Enforcement
- Conflicts of Interest

- Economic Development, Real Estate and Affordable Housing
- Employee Benefits
- Fees, Taxes and Assessments
- Government Relations Services
- Initiatives and Referenda, Elections Law
- Local Agency Formation Commission (LAFCO)
- Litigation and Dispute Resolution
- Municipal Labor and Employment
- Police Services
- Public Contracts and Construction
- Public Finance
- Public Policy and Ethics Compliance
- Public-Private Partnerships
- Public Records Act
- Real Estate
- Streets and Highways
- Telecommunications Law
- Utilities and Infrastructure
- Water, Sanitation and Solid Waste
- Williamson Act
- Zoning, Planning and Land Use

BB&K is an active member of and supports numerous state and national public law organizations and associations, such as the League of California Cities, the Contract Cities Association, the Independent Cities Association, the Association of California Water Agencies, the California Special Districts Association and the California Association of Sanitation Agencies. We frequently host seminars on issues of concern to public agencies, and our lawyers regularly write and lecture on topics of interest to public agencies, including the Brown Act, the Public Records Act, public finance issues, labor issues, toxic cleanup and environmental remediation, Proposition 218/26, eminent domain, the Political Reform Act and other conflict of interest issues, CEQA, public contracting issues and developments in water law.

Below, we have summarized the areas of expertise which we believe to be of particular interest to the City.

1. Public Records Act, the Brown Act, and the Elections Code

Public Records Act. BB&K advises clients on all aspects of California's open government laws, including the Public Records Act. We routinely brief our clients on pending legislation and cases in the area. With the emergence of new technology, we regularly advise clients regarding the use of e-mail, records retention and the public's right to access electronic information. We regularly speak at seminars and workshops regarding updates concerning the Public Records Act and e-mail/technology issues.

Brown Act. BB&K provides advice regarding the interpretation and application of the Ralph M. Brown Act ("Open Meeting Law") to our public entity clients. Advice often pertains to:

- Requirements for agenda preparation, posting and distribution
- Closed session topics and reporting
- Notices and agendas for special and emergency meetings
- Adding agenda items after agenda is posted
- Conducting meetings by teleconferencing
- Application of Brown Act to committees of official bodies
- Avoiding violations and penalties

We also defend challenges to our clients' compliance with the Brown Act.

Elections Code. BB&K provides a wide range of advice to our clients on election law, including legal and tactical advice concerning initiative and referenda processes. We routinely assist clients during all stages of the initiative and referenda processes concerning initiative drafting, filing, publication and circulation, spending limits, ballot arguments, campaign regulations, election contests, election timing, ballot security, recall procedures, ballot recounts, election result contests and other post-election matters. We provide advice to clients conducting regular, special and consolidated elections. We also advise clients on voter registration issues, candidate qualification and nomination procedures, ballot pamphlet issues, and ethics laws. Our experience in these matters has given us a full understanding of California's Political Reform Act, Proposition 208 and local campaign finance regulations.

BB&K counsels clients in their redistricting efforts. We advise clients on the Voting Rights Act compliance and other state and federal laws pertaining to reapportionment.

2. General Liability, Risk Management

As City Attorney in 32 cities, we regularly handle liability issues for cities, including Tort Claims matters, dangerous condition cases and insurance questions. BB&K attorneys are skilled at all aspects of underlying liability associated with public agencies. Should complex insurance issues arise, we have several attorneys who focus on insurance law and a set of litigators with years of experience litigating bad faith and coverage issues.

Additionally, we make sure that litigation matters being handled by the City Attorney are resolved efficiently and cost-effectively. By working closely with the City Manager and the City's Risk Management team, we can identify ways to achieve optimum litigation management for all pending matters, including matters handled by outside counsel. Second, while reducing the City's overall litigation costs is our primary goal, we also see the benefit of working with staff on an ongoing basis to identify areas of potential liability and develop proactive measures to minimize the likelihood of future claims wherever possible.

3. Environmental Law, Including CEQA and NPDES

BB&K is a nationally recognized leader in natural resources and environmental law. Whether the project involves water rights, water quality, compliance with the California Environmental Quality Act (CEQA) or the National Environmental Policy Act (NEPA), endangered species, air

quality or hazardous waste, we are the leader in the evolving areas of natural resource and environmental law.

Some of our work is for public entities such as cities and water districts, as we offer them common-sense strategies to approve and defend public and private projects. In fact, environmental litigation for public and private clients is approximately half of our total practice, engaging nearly a quarter of the firm's lawyers. We have an equally substantial practice facilitating permits and other transactions for development projects, including not only housing, transportation and reuse projects, but also solar, geothermal and other energy proposals.

Our ability to handle the complete CEQA environmental approval process for large scale public-private development is recognized throughout California. Our lawyers assist hundreds of private and public agency clients through all aspects of the CEQA and land use entitlement process, from document preparation to any subsequent litigation. We also represent clients with pre-project planning and strategy -- before CEQA is triggered -- to minimize legal and project costs and to improve clients' environmental documents.

BB&K is counsel of choice for public agencies that collectively provide water to more than two-thirds of California's population. Our water law reputation is so substantial that we have brokered water rights disputes between states and have developed water policies internationally. We regularly advise public and private clients across California on water supply allocation and planning; acquisition, development, and maintenance of surface and ground water rights; and regional water management. In a typical recent example, we saved two Southern California water districts more than \$300 million in potential liability with a federal court victory in a breach of contract and water rights claim brought by the U.S. government and a neighboring water district.

California Environmental Quality Act (CEQA). BB&K's expertise in the California Environmental Quality Act (CEQA) is recognized throughout California. Our attorneys assist both private and public agency clients through all aspects of the CEQA and land use entitlement process, including both document preparation and any subsequent litigation. We also assist both public and private clients with pre-project planning and strategy before CEQA is triggered to minimize costs and maximize environmental protection. We prepare local CEQA guidelines on behalf of over 70 public agency clients, including cities, school districts, water districts and special districts.

Our attorneys are proficient at reviewing and preparing notices of exemption, initial studies, negative declarations, findings and statements of overriding considerations, addenda, and mitigation monitoring and reporting plans. We are also experts at writing and editing Environmental Impact Reports to fully comply with CEQA's requirements. If a legal challenge should arise, our CEQA lawyers are skilled in the procedural and substantive intricacies of litigating a CEQA case, including the short statutes of limitations, administrative record requirements, and unique briefing and oral argument issues.

We are also adept at understanding the interplay between CEQA and other environmental statutes, including the State and Federal Endangered Species Acts, the National Environmental Policy Act, and the State and Federal Clean Water Acts.

Water Quality and Wastewater. BB&K has represented clients in matters before the State Water Resources Control Board, numerous Regional Water Quality Control Boards, and other

concerned state and federal agencies. Our attorneys are well versed in compliance and regulatory issues under federal and state water quality statutes and regulations.

BB&K has assisted private industry and public agency clients in obtaining permits and meeting requirements for the treatment, storage and distribution of water resources, including compliance with the Safe Drinking Water Act, the Clean Water Act, and California's Porter-Cologne Water Quality Act. This regulatory expertise has also been applied to matters regarding the treatment, disposal and use of recycled water. We also routinely assist both private and public clients in meeting requirements for operation of wastewater systems, including compliance with rules under the National Pollutant Discharge Elimination System (NPDES) and the Clean Water Act.

4. Contracts and Franchises

Municipalities face an increasingly complicated fiscal landscape. We work extensively with many municipal finance departments on issues regarding the imposition, collection and maintenance of appropriate business license fees. We have experience relating to franchise fees from cable television, solid waste and recycling services, and oil pipelines. We have also resolved issues concerning the distribution and sale of gas, water and electricity.

In addition, BB&K represents numerous cities as counsel in telecommunications, cable television and other contract and franchise matters, including franchise agreements (both original and renewals), ordinance preparation and review, franchise negotiations and enforcement. The firm provides these legal services both to cities we represent as city attorney, as well as a stand-alone service.

5. Real Estate, Land Use

BB&K advises clients on a wide variety of zoning, planning and land use matters, including the development and implementation of general and specific plans, general and specific plan amendments, zone changes, subdivisions, conditional use permits, variances, design review applications, and other planning entitlements.

In addition to the regular review of zoning ordinances and service to our cities' planning commissions and housing boards, we also assist clients with the legal review of other specialized land use matters.

Development Agreements. BB&K advises clients in the area of development agreements. We draft agreements involving projects as small as the preservation of historic facades to larger projects such as master-planned communities. For many of our cities, we negotiate on their behalf. Our involvement can be as limited as negotiating the agreement on our client's behalf or as extensive as providing document review and practical advice to assist our clients in meeting their development objectives. We routinely advise clients on means to transfer development rights to avoid habitat or open space issues, and are working with many city clients on means to maximize their opportunities to pursue urban infill.

Subdivision Map Act. BB&K attorneys are well versed in the requirements of the California Subdivision Map Act. We routinely advise our public clients to ensure their map filings and decisions conform to Subdivision Map Act requirements. In addition, we have an extensive

collection of model documents accessible to our municipal subdivision practice, thereby eliminating the costly practice of producing entirely new documents for each subdivision.

Permit Streamlining Act. As part of our practice, we routinely provide advice concerning the Permit Streamlining Act and its interplay with the California Environmental Quality Act (CEQA).

Adult Use Regulations. BB&K is a recognized leader for its work in regulating adult businesses. In fact, we have participated in the League of California Cities' Adult Business Task Force and have helped to develop a comprehensive Model Adult Business Ordinance. As a result of our recognized expertise, we are often requested to draft and submit amicus curiae briefs to most courts, including the United States Supreme Court, concerning issues surrounding adult business regulation.

Sign Regulations. The First Amendment implications of sign regulations are nuanced and change continuously. For that reason, our attorneys stay current with changes in the law and are knowledgeable of the California Outdoor Advertising Act. This enables us to provide our clients with the most current information concerning the regulation of signs in their communities.

Impact Fees, Dedications, Conditions and Exactions. BB&K assists clients to ensure that their land use determinations comply with the California Mitigation Fee Act (AB 1600) as well as current case law. We make certain that all exactions and conditions placed on individuals are sound and defensible and regularly assist clients in nexus studies and fee-setting.

Growth Control. BB&K is conversant in growth control tools and smart growth practices. Our expertise enables us to help cities accommodating growth in an environmentally sensitive and fiscally responsible manner. Understanding the competing interests involved in growth control decisions, we provide clients with practical advice that encompasses more than just the legal aspects of growth control issues.

6. Human Resources/Labor Relations

BB&K provides private and public employers with a full range of legal counsel and litigation services for all types of workplace issues and needs. A wide range of public and private sector employers turn to BB&K for representation in all aspects of labor and employment law. From family businesses to major corporations, and from municipalities to special districts focused on law enforcement and fire protection, public works and utilities, healthcare, and education, our lawyers work closely and personally with employer clients to develop effective compliance and dispute resolution strategies. When necessary, our lawyers also provide a vigorous defense in discrimination, harassment, wrongful termination, wage and hour and other labor and employment litigation. Because labor and employment problems often involve high stakes and intense time pressure, we are committed to giving employers highly responsive service.

We counsel private and public sector clients on all aspects of employment laws and human resources management issues, including wage and hour standards, layoffs, employee termination, discipline matters and personnel policies. We provide advice on compliance with state and federal laws such as Title VII, the Fair Employment and Housing Act, the Fair Labor Standards Act, the Americans with Disabilities Act, family leave laws, and the WARN Act. When workplace concerns

arise out of the collective bargaining process, we handle contract negotiations, impasse procedures, grievance and arbitration proceedings, union representation proceedings and unfair labor practice charges before local, state and federal agencies. Our lawyers regularly represent employers before the National Labor Relations Board, the Public Employment Relations Board, the California Department of Fair Employment and Housing, the U.S. Equal Employment Opportunity Commission, the U.S. Department of Labor and State Labor Commissioner, and the Division of Occupational Safety and Health, as well as before public agency personnel boards and civil service commissions.

While our goal is to help employers avoid litigation, we have extensive experience in every aspect of employment litigation, from single or multiple employee discrimination cases to sexual harassment allegations to class action wage and hour claims in all state and federal courts throughout California. We are committed to providing an aggressive defense for our clients while at the same time remaining cognizant of economic realities.

For public sector employers considering employee discipline, our firm provides advice and representation in every step of the process. We can advise on the initial investigation and evaluation of evidence supporting discipline, review the consistency and appropriateness of discipline, prepare all required notices, conduct the due process hearing, and defend the employer in administrative as well as judicial appeals. Our lawyers have appeared on behalf of governmental clients in proceedings before the Public Employment Relations Board, in arbitration hearings, in matters before commissions on professional competence (involving the discharge of permanent certificated employees), and in classified personnel commission hearings.

We are committed to being a part of the solution to our employer clients' labor issues, whether through counseling, negotiations or litigation.

7. Post ABx1 26 Redevelopment

BB&K's Economic Development, Real Estate and Affordable Housing practice represents public and private clients in all aspects of economic development, real estate and affordable housing transactions. Our attorneys work closely with the firm's Public-Private Partnership group to assist our clients in finding creative solutions to their development needs.

Whether you are a public agency seeking to explore new ways to do economic development following the dissolution of redevelopment agencies, a private developer looking to move projects forward without the tools of former redevelopment agencies, or a housing authority wanting to create more housing opportunities in your community, BB&K has the expertise and experience to assist you.

Our attorneys specialize in assisting public and private clients in all phases of project development, including pre-development planning, negotiation, financing, contracting, construction, and litigation when necessary. Additionally, BB&K has an entire practice group devoted to eminent domain acquisitions, allowing you to save time and money as we address all your development concerns simultaneously.

BB&K has previously served as general or special counsel to more redevelopment agencies than any other firm in California. This experience makes us uniquely qualified to assist our public

and private clients with the wind-down process required by AB 1X 26 and the transition to new ways of doing economic development, real estate development, and affordable housing in California's post-redevelopment era.

Our attorneys provide specialized service in the following areas:

Economic Development. The use of redevelopment tax increment financing in California effectively ended in 2012, but various alternatives remain for financing urban development projects and BB&K attorneys have the experience to assist our public and private clients in getting these projects done. Local agencies have tools that can be used to leverage urban development and foster public and private investment to finance much needed economic development, infrastructure and public amenities. BB&K can assist clients with such economic development tools as New Market Tax Credits, California Infrastructure and Economic Development Bank and infrastructure financing.

With redevelopment agencies in the forefront of economic development for the past 40 years, there has been little need for public agencies and developers to use these other smaller-scale programs. With the end of redevelopment, BB&K is prepared to help our clients continue delivering jobs and economic development catalysts using these and other tools. Some examples of the tools BB&K attorneys are experienced in using include:

- **Special Financing Districts**, e.g. infrastructure and services Community Facility Districts, special tax vehicles, assessment districts, and school facility improvement districts;
- **Municipal Tools**, e.g. ground lease or sale of publicly-owned land, development agreements, design-build, lease-leaseback, and eminent domain;
- **Public Financing Tools**, e.g. lease revenue bonds, industrial development bonds, private activity bonds (for market-rate and affordable housing), and certificates of participation.

Real Estate. BB&K has a significant residential and commercial real estate law practice. We assist our clients with a wide variety of transactions including residential (multifamily and single family), mixed-use developments, hotels/convention centers, sports arenas/stadiums, commercial and entertainment complexes, offices, transit oriented developments, land trusts, and condominiums. Our attorneys are experienced in all aspects of acquisition and disposition of real estate assets, having structured all types of deals. We represent our clients in purchase and sale agreements, lease-leaseback arrangements, ground leases and all other types of conveyances. Our services extend well beyond the standard negotiation and documentation of the deal to include, as needed, structuring and assisting with the financing and entitlement of the project.

Affordable Housing. BB&K has a considerable affordable housing practice and represents public and private clients in connecting with a wide range of affordable housing matters. The firm has historically represented redevelopment agencies and private developers in redevelopment-funded affordable housing projects. We currently represent numerous housing authorities throughout California. Our affordable housing expertise includes the development of ownership and rental housing projects, compliance with Community Redevelopment Law and Housing Authority Law requirements, density bonus issues, inclusionary housing, compliance with federal housing

requirements, and funding programs including low income tax credit financing, state and federal grant and loan programs such as CDBG, HOME, BEGIN, CHFA, and CalHome.

Additionally, with all of the changes in state and federal law, the firm's California attorneys are supported by our attorneys in Washington, D.C. who are actively involved with the legislative and regulatory process affecting federal housing laws and funding.

Financing. BB&K is experienced in providing advice to agencies and developers in order to fund and finance their projects. We work closely with our bond attorneys to consider various factors before suggesting a variety of financing options such as tax allocation bonds, sales tax bonds, lease revenue bonds, certificates of participation, assessment district bonds, Mello-Roos bonds, and residential mortgage revenue bonds. BB&K is experienced in applying for, and complying with, federal funds for both commercial and housing developments through Community Development Block Grants, Urban Development Action Grants, the Section 108(a) Loan Guarantee Program, and Urban Mass Transit Program.

8. Construction Defects and Code Compliance

BB&K is routinely exposed to all aspects of public agency contracting ranging from construction to risk management. We prepare sophisticated model public works bid packages and contract documents, purchasing and other related contracts tailored to individual clients' objectives.

We frequently help our clients avoid construction and other contract disputes. We also provide advice regarding compliance with competitive bidding, prevailing wage laws, and state and federal procurement. We constantly assist public agencies with complex negotiations and litigation matters related to public works projects.

BB&K is experienced in both the prosecution and defense of construction defect litigation. For plaintiffs, BB&K has prosecuted claims for both private and public owners relating to commercial, industrial, public works, and multi-family housing projects. BB&K has also represented numerous developers, contractors, and design professionals against a variety of claims including many related to single-family housing projects. BB&K is often the lead plaintiff or defense counsel in defect litigation and is experienced in the organization and management of these cases including the implementation of case management orders and destructive testing protocols. BB&K has worked with many highly qualified experts and is familiar with the retention and management of expert teams.

C. Experience Related to Voter Approved Slow Growth Initiatives

BB&K is conversant in growth control tools and smart growth practices. Our expertise enables us to help cities accommodating growth in an environmentally sensitive and fiscally responsible manner. Understanding the competing interests involved in growth control decisions, we provide clients with practical advice that encompasses more than just the legal aspects of growth control issues. For example, one of our City clients has a voter approved ordinance that requires voter approval for all general plan amendments from agriculture or open space to an urban use. Another city required all redevelopment projects to be approved by voters.

D. Experience Related to Bond Covenants

BB&K has had an active public finance practice since 1975 and is a leading bond counsel firm in the state. Members of our Public Finance practice group have experience in the wide variety of financings available in California and have worked with a multitude of California issuers.

Whether the need is for new money, refunding or a combination of both, clients rely on our transactional experience to handle all details relating to the preparation of legal documents, authorization, sale and delivery of public securities on a tax-exempt and taxable basis. We are leaders in helping our clients finance government infrastructure, redevelopment projects, water and sewer enterprises, transportation infrastructure, schools and housing. We have helped agencies throughout the State raise capital through lease and enterprise revenue borrowing to expand their utility systems and improve the quality of life for their residents. Because we understand the City's financing goals, we can tailor the proposed financing to the City's specific purposes.

Our clients may utilize with our federal tax expertise prior to structuring a financing. During the course of our involvement, we actively include tax analysis. After the bonds have been delivered, we are available to provide on-going legal and tax advice as well as advice on investments, disclosure and administration of the debt.

Members of the firm's Public Finance practice group are knowledgeable of all applicable provisions of federal and state tax laws relating to tax-exempt financings, including in particular, provisions relating to arbitrage bond restrictions, rebate to the federal government and private activity bonds under the Tax Reform Act of 1986, as supplemented by the Technical and Miscellaneous Revenue Act of 1988. We are well versed with the application of IRS rules and regulations as they apply to short term and long-term tax-exempt borrowings.

We closely follow developments in the tax field and are fully aware of the implications that recent regulations and rulings have for various types of financings.

We are also familiar with California law requirements, including substantive issues presented by Proposition 218 and subsequent court rulings, as well as procedural requirements, such as the recent requirements imposed by S.B. 99 providing that Authority revenue bonds must be approved at a regular meeting of the authority.

E. Experience Advising on Police and Fire Departments

BB&K has provided highly responsive and accurate legal services to municipal police, fire, and public safety departments for many years. In addition to specialist, G. Ross Trindle, III, the firm's expertise in the area of municipal police representation includes former Riverside County District Attorney Grover Trask. Trask brings broad experience in legal investigations, ethics, law enforcement policy and administrative matters developed during his 32 years as a line-level prosecutor and district attorney. Additionally, BB&K has been representing municipal and special districts fire agencies for decades.

BB&K provides impartial third party investigations and opinions in sensitive or politically-charged situations, aggressive litigation defense, and insightful policy and training guidance.

The firm's public safety expertise includes:

- Regionalization and consolidation of public safety services assistance
- Public integrity and labor investigations
- Internal Affairs reviews
- School and public property site safety consultations
- Critical incident/administrative investigations
- Vigorous defense litigation for alleged negligence in the performance of official public safety duties, alleged constitutional violations, including excessive force and illegal search and seizure issues, and other public safety liability concerns
- Advice related to public safety communications systems and interoperability issues
- Ethics issues
- Code enforcement (quality of life for communities)
- Legal issues related to arson investigations, apparatus safety/liability, HAZMAT investigations, and other fire safety concerns
- Pitchess motion representation (law enforcement)
- Training & training bulletin assistance
- Department administrative review/policy development
- Intergovernmental relations & grant assistance (Washington, DC office)
- Employment, discipline & labor contract negotiations

F. Local Office

Legal services provided by our firm will primarily be performed from our Ontario and Irvine offices located at 2855 East Guasti Road, Suite 400, Ontario, CA 91761 and 18101 Von Karman Avenue, Suite 1000, Irvine, CA 92612, respectively.

G. Support Staff Services Available

The City would be able to draw from the vast resources of the entire firm, which currently includes 200 attorneys, 31 paralegals and clerks, and 134 secretaries and administration staff. The firm's regular business hours are from 8:00 a.m. to 5:30 p.m., though the City team will make themselves readily available at any hour via cell phone, home phone, direct dial number and wireless access devices. BB&K is confident that our staff will effectively and efficiently meet the City's legal needs and that no staffing changes would be required.

APPROACH TO LEGAL SERVICES



IV. APPROACH TO LEGAL SERVICES

A. Role of the City Attorney

As a law firm that represents a multitude of municipalities in California, including 32 cities as city attorney, we have extensive experience in providing general municipal services. As city attorney, we see our role as providing the City, its Council members, and staff with expert analysis of the legal options available to carry out policies, while providing an honest and professional assessment of the legal consequences of those options. We understand that our role is not to dictate policy, but rather to assist the City in formulating its own preferred policies. To that end, we acknowledge our role as advisors making sure that problems are addressed and resolved before the threat of litigation arises. This is done proactively by assisting staff to carefully undertake and document its actions in light of existing law and legal trends. Of course, when litigation arises, whether initiated by or against the City, we remain available to vigorously represent and defend the City's position.

We are proponents of "preventative lawyering," with the goal of addressing legal issues before they become expensive litigation. We also believe in fostering good working relationships with our public agency clients and welcome continuing dialogue with respect to the delivery of legal services. In addition, we are comfortable working with any outside specialty counsel that the City already employs. We have similar relationships with other cities and are amenable to structuring relationships with specialty legal counsel in any way that assists the City.

In sum, we acknowledge our role as the head of the City's "legal department" and are committed to working with the City Administrator and department heads to supplement their roles by providing prudent legal counsel when requested. As a city department, the City Attorney has a responsibility to monitor its budget and perform at or under the budgeted amount.

B. Track and Managing Legal Costs

BB&K tracks all work assignments for our city clients through the use of a work log coordinated by the designated City Attorney. This log lists the nature of the assignment, due date, assigned attorney and staff contact. This work log can be provided to the City Manager on a regular basis to help track legal work and contain legal costs.

Mr. Martinez, as City Attorney, will be in charge of tracking all legal services for the City. The progress of each assignment will be tracked through the use of the work log to ensure timely responses are provided.

Another workload management tool that we can offer to the City is an online portal that is exclusive to the City. The portal tracks all current work-in-progress and also provides access to our standard forms and prior opinions. Different levels of secured access can be provided to ensure confidentiality. We use this portal for many of our clients and would be happy to establish such a system for the City if we were to be selected as City Attorney.

C. Working with City Council; Participation at City Council, Planning Commission, Other Meetings

To give the City a single conduit to the firm and one individual responsible for all legal matters, Mr. Martinez will be the primary contact for the City. He will be available at all times to the City Council, the City Manager, and department heads in order to ensure that legal work for the City is completed effectively and on time. Mr. Martinez will attend most City Council meetings as well as key meetings of senior staff, as needed. He will provide e-mail or telephone updates immediately when there is a significant legal event that relates to the City. Planning Commission meetings will be attended by Assistant City Attorney(s) Jim Priest or Elizabeth Hull. Mr. Martinez will also attend, if requested.

D. Professional Development

BB&K is dedicated to keeping our attorneys and clients up to date on current issues in municipal law. We have developed a “core competency” program to train all of our municipal lawyers and to make sure that they stay current with municipal law. We regularly prepare and distribute e-bulletins on important cases and legislation. Our attorneys often attend and speak at conferences, such as the League of California Cities Annual Conference. The firm’s Municipal and Redevelopment Law Practice Group meets monthly to discuss new legislation, case law, and how to better serve clients. Our lawyers also belong to specialized subgroups that focus on specific issues affecting cities and redevelopment agencies, such as litigation and economic recovery. As an MCLE provider, the firm educates our municipal law attorneys regularly through focused training sessions. In addition, our head librarian prepares and sends daily email updates with articles about current issues affecting California cities. Municipal attorneys also hold informative Webinars to educate clients and attorneys on legislation, case law and current issues. More recently, we provide our attorneys and clients with information concerning federal, state and private grant opportunities.

E. Delegation of City Assignments

As City Attorney, Mr. Martinez will coordinate all initial contacts and new legal matters, and will assign the work to the attorney with the appropriate level and type of expertise. That attorney will then work directly with Mr. Martinez and City staff. The City staff member generating the request will be encouraged to communicate directly with the attorney assigned to the task.

Assisting Mr. Martinez will be Mr. Priest and Ms. Hull. They will work closely with the City Attorney, the City Council, the City Manager and the Risk Manager, as well as relevant City staff, as-needed, for the City.

F. Subcontractors/Specialty Services

BB&K is a full-service law firm. We can provide efficient, high-quality legal services in every specialty sought by the City. BB&K does not intend to subcontract any legal services should a contract be awarded.

PROPOSED LEGAL TEAM



V.
PROPOSED LEGAL TEAM

A. Primary Legal Team

1. Marco Martinez, Partner -- Proposed City Attorney

Marco A. Martinez is a partner in the Municipal practice group of BB&K. He is managing partner of the firm's Orange County office. His practice areas include general municipal law, First Amendment law, public contracts, land use and zoning, subdivisions, housing, and CEQA issues. Mr. Martinez currently serves as city attorney for the cities of Covina and Azusa. He is also general counsel to the San Bernardino County Housing Authority and the California Chapter of the American Planning Association, and is special counsel to the Successor Agency of the former Montclair Redevelopment Agency.

Mr. Martinez attended California State Polytechnic University Pomona and graduated with a Bachelor of Science in Urban Planning in 1987. He received his law degree from Loyola Law School. Prior to joining Best Best & Krieger, Mr. Martinez was a planner with more than ten years of experience serving the City of Downey and the County of Los Angeles, Department of Regional Planning. He was also selected a California Executive Fellow in 1987-1988 with the California Department of Housing and Community Development where his primary duties consisted of researching and writing housing issue papers, as well as reviewing housing elements.

Mr. Martinez is a member of the American Planning Association, the Riverside and Orange County Bar Associations and the Riverside Hispanic Chamber of Commerce. He is a frequent speaker and instructor on land use and planning issues as well as local government ethics.

2. William "Jim" Priest, Partner -- Proposed Assistant City Attorney

William J. "Jim" Priest is of counsel in the Municipal Law practice group of BB&K LLP in the firm's Ontario office. Mr. Priest currently serves as assistant city attorney for the City of Covina where, among his responsibilities, he serves as counsel to the Covina Planning Commission and has served as legal advisor to the Covina Personnel Advisory Board. He also provides specialized legal services to many other client cities.

Mr. Priest has assisted the City of Covina with a variety of high-profile development projects during his tenure, including Heritage Plaza, the Metrolink and Civic Center Parking Structures, and the Olson Company's "Vintage Walk" and "Citrus Walk". He recently negotiated the City's purchase of the MUNIS software system which has substantially enhanced the City's data processing and customer service capabilities. In recent years, he has also drafted major updates to the Covina Municipal Code, including Titles 10 (Vehicles/Traffic), 11 (Streets and Sidewalks), 14 (Buildings and Construction) and 16 (Subdivisions). Currently, he is assisting Planning staff with Covina's first comprehensive Zoning Code update in fifty years."

As part of his general municipal practice, Mr. Priest frequently advises clients on issues regarding the Brown Act, the Public Records Act and similar laws. In addition, his areas of expertise include public finance, elections, public works contracting, land use and telecommunications law. Mr. Priest is experienced in local tax, assessment and fee/rate setting under Propositions 13, 218 and

26. He recently worked with the City of Arcadia on a comprehensive update to its local hotel tax ordinance, which was approved by the voters last year. Mr. Priest frequently advises clients on land use issues. He also has extensive experience with regard to telecommunications site leasing, access and regulation. One of his current areas of focus is updating cities' wireless communications facility (a.k.a. "celltower") regulations (including Covina's) in order to comply with evolving federal and state law.

Mr. Priest returned to Best Best & Krieger in 2006, after spending several years with Oliver, Sandifer, Murphy and Lee in Los Angeles. He previously served as assistant city attorney for the Cities of Downey, Gardena, Fontana and Ontario, as well as assistant general counsel to the March Joint Powers Authority. In his earliest years of practice, Mr. Priest was a member of the Illinois Bar, serving as assistant city attorney for the Cities of Maroa and Forsyth, Illinois.

Mr. Priest currently serves on the board of directors of the Cal Poly Pomona Foundation, the auxiliary organization serving the California State Polytechnic University, Pomona. He also serves on the Advisory Committee concerning tax legislation of prepaid wireless telecommunications services (AB 1050). He is also a member of the City Attorney's Association of Los Angeles County (CAALAC) and the Greater Inland Empire Municipal Law Association (GIEMLA). Mr. Priest regularly writes and lectures on municipal legal issues including local taxation, telecommunications, elections and public noticing guidelines for local actions.

Mr. Priest received his Juris Doctorate from Southern Illinois University at Carbondale where he served as lead editor of the Journal of Legal Medicine and captain of the August A. Rendigs Products Liability Moot Court team. He graduated cum laude from UCLA with a Bachelor of Arts in Social Psychology. Mr. Priest is a native of the San Fernando Valley. He has been married to his wife, Mara, for eleven years and has two children, Lauren and Jimmy.

3. Elizabeth J. Hull, Partner-- Assistant City Attorney

Elizabeth W. Hull is a partner in the Municipal Law practice group. Ms. Hull is a resident of both the firm's Irvine and San Diego offices. Ms. Hull serves as special counsel to redevelopment agencies throughout Southern California advising on day to day operations, real estate transactions, and negotiating and drafting a variety of agreements including disposition and development agreements, owner participation agreements, affordable housing agreements, and other agreements necessary to facilitate development. Ms. Hull currently serves as special counsel to the redevelopment agencies of numerous cities including the cities of Azusa, Corona, Lake Forest and Yorba Linda.

Prior to joining BB&K in 2007, Ms. Hull served as the Assistant City Attorney for Development Services for the City of Chula Vista, California. During her more than eight years with the City of Chula Vista, she represented and advised City departments, the City Council, the Chula Vista Redevelopment Corporation and Redevelopment Agency on a wide range of redevelopment, planning, land use and construction issues. She also provided advice to the City Council, Board members and Commissioners on the Brown Act, Public Records Act, Political Reform Act and other conflict of interest laws. Ms. Hull advised the City, Clerk, Community Development, Housing, General Services, Planning and Building Departments and served as the staff attorney to the Planning Commission, Ethics Commission, and Charter Review Commission. As the legal advisor to the General Services Department, Ms. Hull advised on the acquisition of land for and the drafted

the agreements required to construct a variety of public works projects utilizing traditional low-bid, construction manager, and design-build project delivery systems. These projects were as varied as street repair, corporation yard remodel, and the design build of a new police facility and civic center. The design-build projects are valued at over \$100 million.

She has also been a presenter at conferences on the Ralph M. Brown Act, Political Reform Act and issues in redevelopment development. Ms. Hull is a member of the San Diego County Bar Association and has served on the board of directors for the City Attorney's Association of San Diego County since 2006. Earlier in her career Ms. Hull served as a prosecutor in the City of San Diego prosecuting more than 20 jury trials.

B. Additional Legal Specialists

1. Chris Pisano, Of Counsel – Litigation

Christopher Pisano is a member of Best Best & Krieger's Litigation and Municipal Law practice groups. Mr. Pisano represents public agencies and private corporations in a variety of litigation matters, including dangerous condition of public property, property valuation, eminent domain, inverse condemnation, construction, civil rights defense, land use, and general business disputes. Mr. Pisano has represented numerous cities and other public agencies in both California and Federal Courts, including the City of Covina, City of Colton, City of Yorba Linda, City of Azusa, City of Cerritos, Riverside County Transportation Commission, County of Los Angeles, Community Redevelopment Agency of the City of Los Angeles, Housing Authority of the City of Los Angeles, San Bernardino County Flood Control District and the Helix Water District. Mr. Pisano has also represented private corporations in real estate disputes, including Transamerican Auto Parts and Union Pacific Railroad Company. Mr. Pisano has also served as special eminent domain counsel for the Los Angeles CRA in property acquisition for the Staples Center Sports and Entertainment Complex.

Mr. Pisano has also defended the County of Los Angeles and Housing Authority for the City of Los Angeles in class action and representative action litigation for housing and employment benefits, and has defended Covina, Monterey Park and Long Beach Police Departments against claims of wrongful arrest, wrongful search and seizure and excessive force cases. Mr. Pisano recently served as lead trial and appellate counsel for the City of Covina in a 2011 published search and seizure case before the Ninth Circuit Court of Appeal, entitled Dougherty v. City of Covina, et. al., in which the Court of Appeal affirmed dismissal on the grounds that the investigating officers were entitled to qualified immunity, and that plaintiffs did not plead sufficient facts to attribute liability to the City and supervising officers.

Mr. Pisano was named to the Southern California Super Lawyers Rising Stars 2007 list for his general litigation work. Southern California Super Lawyers Rising Stars are among the top 2.5 percent of Southern California attorneys.

Mr. Pisano received his J.D. from the University of Southern California Law School in 1997, and graduated from Georgetown University in 1994 with a B.S. Degree in Economics. Mr. Pisano is a member of the State Bar of California, the Los Angeles County Bar Association, and the International Right of Way Association.

2. G. Ross Trindle, III, Partner – Litigation

G. Ross Trindle, III is a partner in the Municipal and Labor & Employment practice groups of BB&K. His practice focuses on consolidation, shared services and regionalization among local government entities, and public safety litigation.

Mr. Trindle serves as District Counsel for the South Montebello Irrigation District and as deputy city attorney for the cities of Arcadia, Azusa, Claremont, Covina, Colton, Shafter and Corona for public safety and public liability issues. Beyond general municipal matters, his practice focuses on public safety litigation – including Pitchess motion defense, sex offender registration issues, and state and federal civil rights litigation – other complex federal litigation, and land use litigation. Mr. Trindle devotes a significant part of his police practice to assisting cities in the development and implementation of consolidation, shared services and regionalization agreements for the delivery of public safety services.

Mr. Trindle acts as associate leader for the Police Services subgroup of the firm's Municipal practice. He is also actively involved as a volunteer with the Constitutional Rights Foundation, which oversees the California High School Mock Trial Program. He serves as a volunteer attorney coach for the Claremont High School mock trial program in Los Angeles County, the Upland High School mock trial program in San Bernardino County, and as a scoring attorney in Riverside County.

Mr. Trindle received his J.D. from Santa Clara University School of Law, where he also was awarded a Certificate in High Technology Law. At Santa Clara, he was an Honors Moot Court semi-finalist and served on the Honors Moot Court Board. Mr. Trindle received his B.A. in Law & Society (Criminal Justice Emphasis) from the University of California at Santa Barbara. He is admitted to practice in California, the United States District Courts for the Central and Southern Districts of California, and the United States Court of Appeals for the Ninth Circuit.

In addition to their qualifications listed above, professional resumes for each attorney proposed to work on City matters are attached to this proposal as Appendix A. For resumes on all of the firm's attorneys and additional information about our firm, please visit our website at www.bbklaw.com.

REFERENCES AND POTENTIAL CONFLICTS OF INTEREST



VI. REFERENCES AND POTENTIAL CONFLICTS OF INTEREST

A. References

Of course, since BB&K currently represents the City, perhaps our best references are at the City itself, including its City Manager, City Council and City Staff. However, third party references for comparable work performed by the proposed City Attorney, Marco Martinez, are set forth below.

James Makshanoff, *City Manager*, City of Azusa
213 E. Foothill Boulevard Azusa, CA 91702-1395
Phone: (626) 812-5200

Dan Nackerman, *CEO*, San Bernardino County Housing Authority
715 E. Brier Road, San Bernardino, CA 92408
Phone: (909) 890-0644

Lilian Myers, *City Manager*, City of Maywood
4319 E. Slauson Avenue Maywood, CA 90270
Phone: (323) 562-5712

Jerry Blum, *Planning Director*, City of Ontario
303 East "B" Street Ontario, CA 91764
Phone: (909) 395-2199

Bill Jahn, *Councilmember*, City of Big Bear Lake
39707 Big Bear Boulevard Big Bear Lake, CA 92315
Phone: (909) 709-4913

B. Conflicts of Interest and Current Public Clients

BB&K maintains a comprehensive database on client representation. Prior to accepting any representation, the database is accessed to determine whether there are any existing conflicts. Additionally, each attorney is separately e-mailed a description of the proposed representation and asked to comment on any potential conflicts. Based on the results of that check, BB&K does not have any actual or potential conflicts with the City that would preclude us from serving as city attorney.

Attached as Appendix B, is a listing of all of our clients for whom we represent as city attorney. Attached as Appendix C, is a listing of all of the firm's public agency clients. Former BB&K clients include the Cities of Bell, Maywood and Yorba Linda.¹

¹ Our relationships with the listed former BB&K clients terminated by mutual resignation.

C. Availability of Proposed City Attorney and Assistant City Attorney

Client meeting dates and times for our proposed City Attorney, **Marco Martinez**, include:

City of Covina – 1st and 3rd Tuesday of every month.

City of Azusa – 2nd and 4th Tuesdays of each month.

San Bernardino County Housing Authority – 2nd Wednesday of every month.

Assistant City Attorneys, **Jim Priest** and **Elizabeth Hull** are available as requested.

D. Private Clients

Although 85 percent of our revenues come from public entities, BB&K represents hundreds of private clients. Currently, we represent one entity doing business in Covina. We represent City Ventures in an unrelated matter in another county and have obtained appropriate conflict waivers.

E. Malpractice Statement

With over 200 attorneys in nine offices and with approximately 85 percent of our work for public agencies, the firm and individual attorneys are sometimes named in lawsuits, including those relating to provision of legal services. However, none of the attorneys listed in this proposal have been successfully sued for malpractice, been the subject of complaints filed with the State Bar, or had discipline imposed by the State Bar. Additionally, there have been no adverse verdicts against any partner or attorney of our firm or discipline from the State Bar nor has the firm been successfully sued for malpractice.

REIMBURSEMENT

COMPENSATION AND REIMBURSEMENT



VII. COMPENSATION AND REIMBURSEMENT

As one of the leading municipal law firms in California, BB&K has a longstanding commitment to the efficient and cost-effective delivery of legal services. We believe that the depth and quality of our expertise and personnel experience in the public law field is second to none. We are able, therefore, to address complex legal issues with creativity, speed, efficiency and accuracy at a fair and reasonable cost.

BB&K has represented small, medium and large sized cities, and a variety of other single and multi-purpose joint powers authorities, as general counsel for many years. We recognize the need not only to keep legal costs under control but to reduce them by cooperatively implementing more cost-effective and efficient systems for delivering legal services in a timely fashion and at an affordable cost. Based upon our experiences with similar municipalities, we believe we can provide a full range of legal services within the City's budget parameters, greatly reducing the need and excessive cost of contracting with additional legal specialists.

A. Approach to Billing

1. Billing and Invoices

Invoices for legal services are issued monthly, and we generally receive payment within thirty days. Our public agency clients usually pay by check; however, we are starting to see a trend toward electronic funds transferred directly into a bank account. While this is our preferred method of payment, we understand that it may be some time before our public agency clients acquire this capability, so we have yet to make it a requirement.

Billing for extra hours and expenses will be handled in the same manner as our basic and special services billing. Our computer software enables us to tailor a billing profile suited to meet your specific accounting needs. We find that our billing is handled expeditiously when we work closely with finance department staff to tailor our invoices to benefit the City's accounting needs, rather than forcing the City to conform to our methods. We can provide multiple copies of our invoices for distribution to department heads for their review and approval. We can also tailor monthly, fiscal-year account summaries to track current billings, total billings FY-to-date paid invoices and outstanding invoices. These account summaries can be further divided by basic services (especially useful when a retainer is used), special services and extra work, if required. Our Accounts Receivable Manager works closely with the appropriate accounting staff to discuss the first few monthly invoices once they are received so that any issues of concern may be addressed quickly.

Our fees for non-retainer legal services are based on the total amount of time expended on all work necessary to your representation, multiplied by the hourly rate then in effect for the person doing the work. Hourly rates are set to reflect the skill and experience of the attorney or other legal personnel rendering services on your behalf, based upon the rates proposed. Time is accrued on an incremental basis in minimum increments of 0.1 hours. Hourly rates are reviewed annually to accommodate rising firm costs and to reflect changes in attorney status as lawyers attain new levels of legal experience. Any increases (not-to-exceed 5%) resulting from such reviews will be instituted automatically and will apply, after advance notice to you.

2. Bundling/Cost Sharing with other Clients

Due to BB&K's size and extensive experience in the representation of public entities, our clients benefit from the reservoir of knowledge our attorneys possess, resulting in lower attorneys fees bills. Additionally, our clients can opt into 'project memo' programs that provide our clients with detailed information on new cases and legislation as such events occur.

BB&K can make a concerted effort internally to find ways in which to combine similar research and work products for various clients, and we ask that our cities join in this effort. That is, clients must benefit from the fact that BB&K is City Attorney for 32 cities throughout the state, and we can find ways to cost share on the research and work product to the extent the issues are similar. As an example, we recently provided sexual harassment training to the cities of Covina and Azusa on a shared-cost basis.

B. General Legal Services

Option 1.

We propose to provide all of the City's general legal services at a monthly retainer of \$19,500. The general legal services would include all of the General Legal Services identified on pages 3-4 of the RFP.

Option 2.

We propose to provide the first 35 hours a month under a retainer of \$6,500. This will include attending meetings and preparation for those meetings. For additional general legal services (as described above) performed after those first 35 hours, we propose the blended hourly rate of \$200 per hour for all attorneys, and \$145 per hour for paralegals and law clerks.

C. Litigation & Special Legal Services

For litigation and special legal services, BB&K proposes a blended hourly rate of \$237 per hour for all attorneys and \$165 per hour for paralegals and law clerks.

Special legal services are identified as: (a) complex labor relations and employment law, (b) complex real estate or land acquisitions; (c) telecommunications; (d) litigation; (e) Successor Agency and Housing Authority matters; (e) Federal Advocacy services; and (f) other matters as mutually agreed upon.

D. Public Finance Services

Fees for bond and/or disclosure counsel services to be provided for a particular financing shall be subject to negotiation and mutual agreement between the City and BB&K and may be affected by factors such as, but not limited to, the principal amount of the financing, the complexity of the financing structure and/or federal tax issues related to any tax exempt financing, the underlying security for the financing and the probability of completing the financing.

E. Reimbursable Services

Third party reimbursable legal services shall include legal services provided to the City for which the City receives reimbursement from a developer or other third party. The City shall pay for third party reimbursable legal services at BB&K's then current published standard private City rates, minus 10 percent (10%). BB&K will provide annual updates to the City when changes are made to the published rate schedule.

F. Costs/Expenses

There is no separate charge for secretarial or other administrative charges. Our fees include all routine word processing, secretarial and office costs associated with the provision of legal services. Reimbursement of costs advanced by us on behalf of the City, as well as other expenses, will be billed in addition to the amount billed for fees and our current actual cost. These currently include, but are not limited to, automobile mileage at the authorized IRS rate, actual expenses away from our office on City business, extra-ordinary photocopy charges, and any costs of producing or reproducing photographs, documents and other items necessary for legal representation. Travel costs will be billed from portal to portal.

G. Adjustments

We are happy to discuss mutually agreed upon adjustments whenever necessary. In addition, all hourly rates or flat fee amounts would be increased by the percentage change in the Consumer Price Index for the prior calendar year.

ADDITIONAL INFORMATION



VIII. ADDITIONAL INFORMATION

A. Public Policy and Ethics Compliance

The firm's Public Policy and Ethics Compliance group counsels public agencies, officials and private businesses who wish to promote public confidence in their decision-making processes by assuring that official conduct is above reproach.

The intensity of public scrutiny facing private companies and public agencies with regard to matters of ethics and compliance continues to resonate at a feverous pitch. Responding to the public, all levels of government are adopting, re-examining and strengthening standards of ethics and accountability. Regulatory bodies – including environmental, financial and political – have adopted aggressive policies to pursue and prosecute violations.

The Public Policy and Ethics Compliance group's goals are to better provide comprehensive and strategic compliance solutions to public agencies and corporations attempting to align with new public scrutiny, standards and regulations; to advise and represent clients on public integrity issues involving political practices; and to inform clients of pertinent federal, state and local legislation including the Political Reform Act, the Brown Act and the Public Records Act.

Group services include:

- Review of current policies and procedures
- Development of ethics codes and compliance strategies
- Federal, state and case law compliance reviews
- Federal, state and local elections laws compliance
- Proactive statutory and regulatory updates
- Management compliance controls
- Management anti-fraud program and controls
- Independent management audits
- Best practices documentation
- Liability protection strategies
- Investigating alleged misconduct
- Administrative and legal defense
- Provide training for management, staff and elected officials

BB&K attorneys in the Public Policy and Ethics Compliance group are committed to helping our clients develop even stronger ethical processes, manage relationships between government and business, and maintain or improve public confidence. We can help your organization achieve its goal of making ethics an organizational, as well as an individual responsibility.

B. Telecommunications

BB&K has expertise in matters relating to the regulation and control of telecommunications facilities. We counsel our clients on how they can take advantage of this deployment. Our areas of

expertise include telecommunications ordinances, cellular tower siting, cell site leases and co-location issues, cable franchise renewals, rights-of-way agreements, trenching and street preservation issues and various enforcement matters.

In fact, in July 2011, BB&K acquired Miller & Van Eaton, a nationally recognized telecommunications law firm, bringing six of its attorneys aboard. These attorneys are a tremendous asset to our firm as they specialize in a wide range of telecommunications law, including cable television, broadcasting and wireless communications for clients in the public and private sectors. Our governmental relations practice is active in legislative, regulatory and judicial matters and our recently added attorneys have held high-ranking positions in the White House, the U.S. Senate and the Federal Communications Commission. BB&K, through Miller & Van Eaton attorneys, has assisted more than 250 municipalities nationwide with telecommunications advice, including securing a U.S. Supreme Court win for the City of Los Angeles.

Our telecommunications group is led by partner, Nicholas P. Miller, who once served as the U. S. Senate communications counsel and as a special consultant to the White House on telephone deregulation issues, and Joseph Van Eaton, who is known for his appellate successes and work with cities in drafting wireless communications ordinances and negotiating franchises for cable and telecommunications service providers.

C. Federal Advocacy Services

BB&K recently opened an office in Washington, D.C., and can provide federal advocacy services on behalf of the City. These services include the following: preparing funding requests for the City's congressional delegation and the federal agencies; acting as a liaison with the congressional delegation, and facilitating meetings with other key members of Congress, federal agency officials and staff; preparing briefings and other materials to maximize the effectiveness of Washington meetings; seeking opportunities to articulate the City's agenda at congressional hearings, and preparing testimony beforehand; drafting support letters, letters of request for assistance and all other materials needed to support the City's objectives; reporting on pertinent, pending legislation and regulations; providing periodic written, verbal and electronic reports on the status of the City's agenda items including next steps or alternatives; establishing a Washington Office for the City and offer all City officials a place to work when in town; attending relevant coalition building meetings in Washington to seek support for the City's agenda from diverse groups with common interests; participating in the ongoing legislative process to ensure that goals and objectives are met and the desired level of federal funding is secured for the City.

D. Ethics & Community Involvement

We follow the League of California Cities policy that prohibits contributions to councilmembers in cities we represent or seek to represent as City Attorney. However, we recognize our commitment to support important causes in the communities we represent. To that end, we do contribute funds and volunteer our time to worthwhile causes in the community. For example, we have contributed to Covina City Employee lunches, the local Habitat for Humanity, Covina Relay 4 Life and the Covina Police Officer Memorial, among others. Please see Appendix E.

E. Client Training Programs and Costs

BB&K provides in-service training in all of our practice areas. We can tailor our trainings to the City's needs and budget.

BB&K was one of the first law firm's in California to provide Ethics Training courses that are tailored to meet the specific requirements of AB 1234, and we have obtained certification from the Fair Political Practices Commission ("FPPC") and the Attorney General to teach such courses. In fact, since the beginning of 2006, when AB 1234 went into effect, BB&K has provided ethics training for literally thousands of local public officials.

BB&K also regularly provides in-service training on issues related specifically to the Brown Act and the Public Records Act. We have found that this training significantly reduces risk to our clients.

A main area for our in-service training is labor and employment law. We regularly provide harassment avoidance training, performance evaluation training and training in all areas of employment law.

We also train members of City boards and commissions on governance issues, applicable law and roles and responsibilities. We can offer training to new members of those boards and commissions as they join the board or commission or we can offer regular training to each board and commission of the City.

F. Insurance

BB&K carries professional liability coverage with Lloyd's of London and certain London Companies (Policy No. LDUSA0600774) with a total limit of liability in excess of \$1,000,000 per claim. BB&K does not self-insure. The Firm also carries general liability, business automobile liability and employer's liability insurance in the amount of \$1,000,000, as well as workers' compensation coverage as required by law.

Upon request, we will provide a copy of a valid insurance certificate and proof of coverage to the City. As with all of our public agency clients, we can provide the City with a Certificate of Insurance or required endorsements naming the City as an additional insured, indicating that our policy is primary over any insurance covered by the City and will not be cancelled or materially changed without thirty (30) days' prior notice to the City.

CONCLUSION



IX. CONCLUSION

Best Best & Krieger LLP would be pleased to continue to provide City Attorney and specialized legal services to the City of Covina. We take pride in performing legal services efficiently and at reasonable rates. Because of the depth and breadth of our public law experience, combined with our institutional knowledge of the City, we believe we can provide a combination of quality and cost-effectiveness that is most competitive in today's legal market and unmatched by any other law firm.

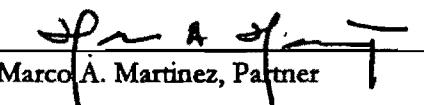
Thank you for considering this proposal. If you require any additional information, please contact me at my office (949) 263-6582 or at marco.martinez@bbklaw.com.

We look forward to working with you in the years ahead.

Respectfully Submitted,

BEST BEST & KRIEGER LLP

By:


Marco A. Martinez, Partner

APPENDIX A





Marco A. Martinez, AICP Partner



Marco A. Martinez is a partner in the Municipal practice group of Best Best & Krieger LLP. He is managing partner of the firm's Orange County office. His practice areas include general municipal law, First Amendment law, public contracts, land use and zoning, subdivisions, housing, and CEQA issues. Mr. Martinez currently serves as city attorney for the cities of Covina and Azusa. He is also general counsel to the San Bernardino County Housing Authority and the California Chapter of the American Planning Association, and is special counsel to the Successor Agency of the former Montclair Redevelopment Agency.

Mr. Martinez attended California State Polytechnic University Pomona and graduated with a Bachelor of Science in Urban Planning in 1987. He received his law degree from Loyola Law School. Prior to joining Best Best & Krieger, Mr. Martinez was a planner with more than ten years of experience serving the City of Downey and the County of Los Angeles, Department of Regional Planning. He was also selected a California Executive Fellow in 1987-1988 with the California Department of Housing and Community Development where his primary duties consisted of researching and writing housing issue papers, as well as reviewing housing elements.

Mr. Martinez is a member of the American Planning Association, the Riverside and Orange County Bar Associations and the Riverside Hispanic Chamber of Commerce. He is a frequent speaker and instructor on land use and planning issues as well as local government ethics.

Irvine

18101 Von Karman Avenue
Suite 1000
Irvine, CA 92612

P: (949) 263-6582
F: (949) 260-0972

Marco.Martinez@bbkaw.com

Education

Loyola Law School, J.D. (1997)
California State Polytechnic University, Pomona, B.A. (1987)

Admissions

California, 1997



Elizabeth W. Hull Partner



Elizabeth W. Hull is a partner in the Municipal Law practice group. Ms. Hull is a resident of both the firm's Irvine and San Diego offices. Ms. Hull serves as special counsel to redevelopment agencies throughout Southern California advising on day to day operations, real estate transactions, and negotiating and drafting a variety of agreements including disposition and development agreements, owner participation agreements, affordable housing agreements, and other agreements necessary to facilitate development. Ms. Hull currently serves as special counsel to the redevelopment agencies of numerous cities including the cities of Azusa, Corona, Lake Forest and Yorba Linda.

Prior to joining Best Best & Krieger in 2007, Ms. Hull served as the Assistant City Attorney for Development Services for the City of Chula Vista, California. During her more than eight years with the City of Chula Vista, she represented and advised City departments, the City Council, the Chula Vista Redevelopment Corporation and Redevelopment Agency on a wide range of redevelopment, planning, land use and construction issues. She also provided advice to the City Council, Board members and Commissioners on the Brown Act, Public Records Act, Political Reform Act and other conflict of interest laws. Ms. Hull advised the City Clerk, Community Development, Housing, General Services, Planning and Building Departments and served as the staff attorney to the Planning Commission, Ethics Commission, and Charter Review Commission. As the legal advisor to the General Services Department, Ms. Hull advised on the acquisition of land for and the drafted the agreements required to construct a variety of public works projects utilizing traditional low-bid, construction manager, and design-build project delivery systems. These projects were as varied as street repair, corporation yard remodel, and the design build of a new police facility and civic center. The design-build projects are valued at over \$100 million.

She has also been a presenter at conferences on the Ralph M. Brown Act, Political Reform Act and issues in redevelopment development. Ms. Hull is a member of the San Diego County Bar Association and has served on the board of directors for the City Attorney's Association of San Diego County since 2006. Earlier in her career

Irvine

18101 Von Karman Avenue
Suite 1000
Irvine, CA 92612

P: (949) 263-2608
F: (949) 260-0972

Elizabeth.Hull@bbklaw.com

Education

University of San Diego (USD),
J.D.

University of California, Los Angeles, B.A.

Admissions

California, 1995



Mr. Hull served as a prosecutor in the City of San Diego prosecuting more than 20 jury trials.

William J. Priest Of Counsel



William "Jim" Priest is of counsel in the Municipal Law practice group of Best Best & Krieger LLP in the firm's Ontario office. Mr. Priest currently serves as assistant city attorney for the City of Covina where, among his responsibilities, he serves as counsel to the Covina Planning Commission and legal advisor to the Covina Personnel Advisory Board. He also provides specialized legal services to many other client cities.

As part of his general municipal practice, Mr. Priest frequently advises clients on issues regarding the Brown Act, the Public Records Act and similar laws. In addition, his areas of expertise include public finance, elections, land use and telecommunications law. Mr. Priest is experienced in local tax, assessment and fee/rate setting under Propositions 13, 218 and 26. Currently, he is working with the City of Arcadia on a comprehensive update to its local hotel tax ordinance, which goes to the voters later this year. Mr. Priest frequently advises clients on land use issues, including recently assisting the City of Covina through its first comprehensive Zoning Code update in fifty years. He also has extensive experience with regard to telecommunications site leasing, access and regulation. One of his current areas of focus is updating cities' wireless communications facility (a.k.a. "celltower") regulations in order to comply with evolving federal and state law.

Mr. Priest returned to Best Best & Krieger in 2006, after spending several years with Oliver, Sandifer, Murphy and Lee in Los Angeles. He previously served as assistant city attorney for the Cities of Downey, Gardena, Fontana and Ontario, as well as assistant general counsel to the March Joint Powers Authority. In his earliest years of practice, Mr. Priest was a member of the Illinois Bar, serving as assistant city attorney for the Cities of Maroa and Forsyth, Illinois.

Mr. Priest currently serves on the board of directors of the Cal Poly Pomona Foundation, the auxiliary organization serving the California State Polytechnic University, Pomona. He is also a member of the City Attorney's Association of Los Angeles County (CAALAC) and the Greater Inland Empire Municipal Law

Ontario

2855 E. Guasti Road
Suite 400
Ontario, CA 91761

P: (909) 483-6648
F: (909) 944-1441

William.Priest@bbklaw.com

Education

Southern Illinois University at Carbondale (SIUC), J.D. (1996)
University of California, Los Angeles, B.A.

Admissions
California, 1999
Illinois, 1996



Association (GIEMLA). Mr. Priest regularly writes and lectures on municipal legal issues including local taxation, telecommunications and public noticing guidelines for local actions.

Mr. Priest received his Juris Doctorate from Southern Illinois University at Carbondale where he served as lead editor of the *Journal of Legal Medicine* and captain of the August A. Rendigs Products Liability Moot Court team. He graduated *cum laude* from UCLA with a Bachelor of Arts in Social Psychology. Mr. Priest is a native of the San Fernando Valley. He has been married to his wife, Mara, for eleven years and has two children, Lauren and Jimmy.



Christopher Pisano Of Counsel



Christopher Pisano is a member of Best Best & Krieger's Litigation and Municipal Law practice groups. Mr. Pisano represents public agencies and private corporations in a variety of litigation matters, including dangerous condition of public property, property valuation, eminent domain, inverse condemnation, construction, civil rights defense, land use, and general business disputes. Mr. Pisano has represented numerous cities and other public agencies in both California and Federal Courts, including the City of Covina, City of Colton, City of Yorba Linda, City of Azusa, City of Cerritos, Riverside County Transportation Commission, County of Los Angeles, Community Redevelopment Agency of the City of Los Angeles, Housing Authority of the City of Los Angeles, San Bernardino County Flood Control District and the Helix Water District. Mr. Pisano has also represented private corporations in real estate disputes, including Transamerican Auto Parts and Union Pacific Railroad Company. Mr. Pisano has also served as special eminent domain counsel for the Los Angeles CRA in property acquisition for the Staples Center Sports and Entertainment Complex.

Mr. Pisano has also defended the County of Los Angeles and Housing Authority for the City of Los Angeles in class action and representative action litigation for housing and employment benefits, and has defended Covina, Monterey Park and Long Beach Police Departments against claims of wrongful arrest, wrongful search and seizure and excessive force cases. Mr. Pisano recently served as lead trial and appellate counsel for the City of Covina in a 2011 published search and seizure case before the Ninth Circuit Court of Appeal, entitled *Dougherty v. City of Covina, et. al.*, in which the Court of Appeal affirmed dismissal on the grounds that the investigating officers were entitled to qualified immunity, and that plaintiffs did not plead sufficient facts to attribute liability to the City and supervising officers.

Mr. Pisano was named to the Southern California Super Lawyers Rising Stars 2007 list for his general litigation work. Southern California Super Lawyers Rising Stars are among the top 2.5 percent of Southern California attorneys.

Los Angeles

300 South Grand Avenue
25th Floor
Los Angeles, CA 90071

P: (213) 617-7492
F: (213) 617-7480

Christopher.Pisano@bbklaw.com

Education
University of Southern California
(USC), J.D. (1997)
Georgetown University, B.S.
(1994)

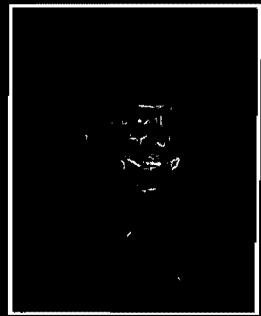
Admissions
California, 1997



Mr. Pisano received his J.D. from the University of Southern California Law School in 1997, and graduated from Georgetown University in 1994 with a B.S. Degree in Economics. Mr. Pisano is a member of the State Bar of California, the Los Angeles County Bar Association, and the International Right of Way Association.

G. Ross Trindle III

Partner



G. Ross Trindle, III is a partner in the Municipal and Labor & Employment practice groups of Best Best & Krieger LLP. His practice focuses on consolidation, shared services and regionalization among local government entities, and public safety litigation.

Mr. Trindle serves as District Counsel for the South Montebello Irrigation District and as deputy city attorney for the cities of Arcadia, Azusa, Claremont, Covina, Colton, Shafter and Corona for public safety and public liability issues. Beyond general municipal matters, his practice focuses on public safety litigation – including *Pichess* motion defense, sex offender registration issues, and state and federal civil rights litigation – other complex federal litigation, and land use litigation. Mr. Trindle devotes a significant part of his police practice to assisting cities in the development and implementation of consolidation, shared services and regionalization agreements for the delivery of public safety services.

Mr. Trindle acts as associate leader for the Police Services subgroup of the firm's Municipal practice. He is also actively involved as a volunteer with the Constitutional Rights Foundation, which oversees the California High School Mock Trial Program. He serves as a volunteer attorney coach for the Claremont High School mock trial program in Los Angeles County, the Upland High School mock trial program in San Bernardino County, and as a scoring attorney in Riverside County.

Mr. Trindle received his J.D. from Santa Clara University School of Law, where he also was awarded a Certificate in High Technology Law. At Santa Clara, he was an Honors Moot Court semi-finalist and served on the Honors Moot Court Board. Mr. Trindle received his B.A. in Law & Society (Criminal Justice Emphasis) from the University of California at Santa Barbara. He is admitted to practice in California, the United States District Courts for the Central and Southern Districts of California, and the United States Court of Appeals for the Ninth Circuit.

Matters

Ontario

2855 E. Guest Road
Suite 400
Ontario, CA 91761

P: (909) 483-4901
Ross.Trindle@bbklaw.com

Education

Santa Clara University, J.D.
(2003)
University of California at Santa
Barbara, B.A. (1999)

Admissions

California, 2003
U.S. District Court - Central
District, 2003
U.S. District Court - Southern
District, 2006
Ninth Circuit Court of Appeals,
2006



Dougherty v. City of Covina, et al. 654 F.3d 892 (9th Cir. 2011)

Publications

- Regionalization and Consolidation of Law Enforcement Services,
PublicCEO.com, May 22, 2012

Activities

Memberships

- California Peace Officers Association, Associate Member

APPENDIX B



CITY ATTORNEY LIST

BB&K attorneys firm-wide currently serve as City Attorney for 32 California cities, including the following:

- Alico Viejo, City of – from 04/02/2001 to present
- Anderson, City of – from 7/19/11 to present
- Apple Valley, Town of – from 07/25/2008 to present
- Arcadia, City of – from 11/11/1999 to present
- Avalon, City of – from 7/01/2009 to present
- Azusa, City of -- from 05/01/1995 to present
- Big Bear Lake, City of – from 05/14/1991 to present
- Claremont, City of – from 01/14/1987 to present
- Clayton, City of – from 8/30/11 to present
- Clearlake, City of – from 05/08/2006 to present
- Coachella, City of -- from 01/18/2007 to present
- Colma, Town of – from 02/03/2003 to present
- Colton, City of – from 10/28/1997 to present
- Covina, City of -- from 08/30/2006 to present
- Davis, City of – from 09/1/2010 to present
- Escalon, City of – from 03/28/2003 to present
- Fontana, City of -- from 04/26/1988 to present
- Indian Wells, City of -- from 03/29/2004 to present
- Jackson, City of -- from 06/01/2005 to present
- Lafayette, City of – from 04/01/2002 to present
- Lake Forest, City of – from 11/25/2003 to present
- Mammoth Lakes, Town of – 12/1/2010 to present
- Ontario, City of – from 03/14/1997 to present
- Palm Desert, City of – from 12/18/1986 to present
- Paso Robles, City of – from 09/01/10 to present
- San Jacinto, City of – from 01/24/2000 to present
- Santa Ana, City of – from 04/15/2012 to present
- Santee, City of – from 05/01/1996 to present
- Shafter, City of – from 01/18/1989 to present
- Truckee, City of – from 08/15/2012 to present
- Williams, City of – from 11/10/2006 to present
- Woodland, City of – from 01/22/2003 to present

APPENDIX C



BEST BEST & KROZIER LLP

Client #	Client Name		Billing Attorney
24043	ALVORD UNIFIED SCHOOL DISTRICT	20	CATHY HOLMES
15280	ANAHEIM UNION HIGH SCHOOL DISTRICT	20	MARY BETH COBURN
21266	BANNING UNIFIED SCHOOL DISTRICT	20	CATHY HOLMES
29404	BEAR VALLEY UNIFIED SCHOOL DISTRICT	20	JOHN WAHLIN
28240	BEAUMONT UNIFIED SCHOOL DISTRICT	20	KYLE SNOW
28995	BEVERLY HILLS UNIFIED SCHOOL DISTRICT	20	CATHY HOLMES
60513	CAJON VALLEY UNION SCHOOL DISTRICT	20	TYREE K. DORWARD
60230	CALIFORNIA SCHOOL BOARDS ASSOCIATION	20	DINA HARRIS
60210	CALIPATRIA UNIFIED SCHOOL DISTRICT	20	JOSEPH SANCHEZ
60151	CARPINTERIA UNIFIED SCHOOL DISTRICT	20	SCOTT SMITH
29423	CENTRAL SCHOOL DISTRICT	20	JACK CLARKE
45592	CHAFFEY COLLEGE	20	STEPHEN DEITSCH
25004	COACHELLA VALLEY UNIFIED SCHOOL DISTRICT	20	JACK CLARKE
25398	COLTON JOINT UNIFIED SCHOOL DISTRICT	20	KENDALL MACVEY
82406	COMMUNITY COLLEGE LEAGUE OF CALIFORNIA'S RETIREE HEALTH	20	SIGRID K. ASMUNDSON
55345	CYPRESS SCHOOL DISTRICT	20	KAREN L. VAN DIJK
60220	DEL MAR UNION SCHOOL DISTRICT	20	JOSEPH SANCHEZ
78464	DESERT COMMUNITY COLLEGE DISTRICT	20	DAVID ERWIN
25843	DESERT MOUNTAIN SELPA	20	JACK CLARKE
24300	DESERT SANDS UNIFIED SCHOOL DIST-SPECIAL EDUC	20	MARIA GLESS
25900	EAST VALLEY SELPA	20	JACK CLARKE
60213	EL CENTRO SCHOOL DISTRICT	20	JOSEPH SANCHEZ
82073	ELK GROVE UNIFIED SCHOOL DISTRICT	20	MARY BETH COBURN
60614	ENCINITAS UNION SCHOOL DISTRICT	20	TYREE K. DORWARD
25424	ESCONDIDO UNION HIGH SCHOOL DISTRICT	20	JACK CLARKE
60236	FALLBROOK UNION HIGH SCHOOL DISTRICT	20	SHAWN HAGERTY
55340	FOUNTAIN VALLEY SCHOOL DISTRICT	20	KAREN L. VAN DIJK
60315	GROSSMONT UNION HIGH SCHOOL DISTRICT	20	WARREN DIVEN
55355	HUNTINGTON BEACH CITY SCHOOL DISTRICT	20	KAREN L. VAN DIJK
55347	HUNTINGTON BEACH UNION HIGH SCHOOL DISTRICT	20	KAREN L. VAN DIJK
60331	JEFFERSON SCHOOL DISTRICT	20	WARREN DIVEN
12965	JURUPA UNIFIED SCHOOL DISTRICT - #C-1000453 (JUSD)	20	STEVEN DEBAUN
82179	LA CANADA UNIFIED SCHOOL DISTRICT	20	CATHY HOLMES
60752	LAWNDALE ELEMENTARY SCHOOL DISTRICT	20	MARY BETH COBURN
60561	LEMON GROVE SCHOOL DISTRICT	20	SOPHIE A. AKINS

BEST BEST & KRIEGER LLP

Client #	Client Name		Billing Attorney
22973	LEWIS CENTER FOR EDUCATIONAL RESEARCH ACADEMY	20	DINA HARRIS
55240	LOS ANGELES COMMUNITY COLLEGE DISTRICT	20	JOHN H. HOLLOWAY
82453	LOS RIOS COMMUNITY COLLEGE DISTRICT	20	HARRIET A. STEINER
25457	MADERA UNIFIED SCHOOL DISTRICT	20	CATHY HOLMES
60746	MORELAND SCHOOL DISTRICT	20	PAULA DE SOUSA
21325	MORENO VALLEY UNIFIED SCHOOL DISTRICT	20	JACK CLARKE
24381	MURRIETA VALLEY UNIFIED SCHOOL DISTRICT	20	JACK CLARKE
61030	NORRIS SCHOOL DISTRICT	20	TYREE K. DORWARD
55341	OCEAN VIEW SCHOOL DISTRICT	20	KAREN L. VAN DIJK
60214	OCEANSIDE UNIFIED SCHOOL DISTRICT	20	MARY BETH COBURN
55338	ORANGE COUNTY DEPARTMENT OF EDUCATION	20	KAREN L. VAN DIJK
61025	PALO VERDE COLLEGE	20	SOPHIE A. AKINS
26018	PERRIS ELEMENTARY SCHOOL DISTRICT	20	KIM BYRENS
03907	PERRIS UNION HIGH SCHOOL DISTRICT	20	DINA HARRIS
15420	PITZER COLLEGE	20	ARLENE PRATER
60350	POWAY UNIFIED SCHOOL DISTRICT	20	WARREN DIVEN
19387	RIVERSIDE COMMUNITY COLLEGE DISTRICT	20	MICHELLE OUELLETTE
15797	RIVERSIDE COUNTY OFFICE OF EDUCATION	20	JACK CLARKE
17006	RIVERSIDE UNIFIED SCHOOL DISTRICT	20	CATHY HOLMES
60394	ROSEMEAD SCHOOL DISTRICT	20	DINA HARRIS
60383	SAN BERNARDINO CITY UNIFIED SCHOOL DISTRICT	20	CATHY HOLMES
60598	SAN DIEGO COMMUNITY COLLEGE DISTRICT	20	JOSEPH SANCHEZ
60222	SAN DIEGO COUNTY SUPERINTENDENT OF SCHOOLS	20	TYREE K. DORWARD
60557	SAN DIEGO UNIFIED SCHOOL DISTRICT	20	MARY BETH COBURN
12938	SAN JACINTO UNIFIED SCHOOL DISTRICT	20	CATHY HOLMES
60352	SAN MARCOS UNIFIED SCHOOL DISTRICT	20	TYREE K. DORWARD
60647	SAN MARCOS UNIFIED SCHOOL DISTRICT	20	TYREE K. DORWARD
13503	SANTA BARBARA SCHOOL DISTRICT	20	CATHY HOLMES
60938	SONOMA VALLEY UNIFIED SCHOOL DISTRICT	20	SOPHIE A. AKINS
60788	SOUTH BAY UNION SCHOOL DISTRICT	20	TYREE K. DORWARD
60527	SOUTHWESTERN COMMUNITY COLLEGE DISTRICT	20	TYREE K. DORWARD
82274	STATE CENTER COMMUNITY COLLEGE DISTRICT	20	TYREE K. DORWARD
55350	TUSTIN UNIFIED SCHOOL DISTRICT	20	KAREN L. VAN DIJK
29420	UNIVERSITY OF CALIFORNIA AT RIVERSIDE (UCR)	20	MICHELLE OUELLETTE
28271	UPLAND UNIFIED SCHOOL DISTRICT	20	JACK CLARKE

BEST-BEST & KREIDER LLP

Client #	Client Name		Billing Attorney
60209	VISTA UNIFIED SCHOOL DISTRICT	20	DINA HARRIS
27636	WEST END SELPA	20	JACK CLARKE
60929	WESTED JPA	20	PAULA DE SOUSA
55367	WESTMINSTER SCHOOL DISTRICT	20	KAREN L. VAN DIJK
25752	WHITTIER UNION HIGH SCHOOL DISTRICT	20	MARY BETH COBURN
65082	YCOE PENSION PLAN	20	NOWLAND C. HONG
15326	RIVERSIDE UNIFIED SCHOOL DISTRICT	21	KIM BYRENS
61000	SAN YSIDRO SCHOOL DISTRICT	21	WARREN DIVEN
55275	ALHAMBRA CIVIL SERVICE COMMISSION	30	SCOTT H. CAMPBELL
82844	ALPHA FUND	30	LAWRA J. FOWLER
82141	ALPINE SPRINGS COUNTY WATER DISTRICT	30	ANDREW J. MORRIS
82456	AMADOR REGIONAL SANITATION AUTHORITY	30	HARRIET A. STEINER
29253	ANAHEIM TRANSPORTATION NETWORK	30	STEVEN DEBAUN
15402	ANTELOPE VALLEY-EAST KERN WATER AGENCY	30	MICHAEL RIDDELL
16185	APPLE VALLEY FIRE PROTECTION DISTRICT	30	ROGER CRAWFORD
27286	BANNING PUBLIC LIBRARY DISTRICT	30	JEFF FERRE
12069	BEAUMONT-CHERRY VALLEY RECREATION & PARK DIST.	30	CYNTHIA GERMANO
82370	BECKWOURTH FIRE DISTRICT	30	ANDREW J. MORRIS
01552	BIG BEAR AREA REGIONAL WASTEWATER AGENCY	30	STEVEN DEBAUN
25462	BIG BEAR CITY COMMUNITY SERVICES DISTRICT	30	STEVEN DEBAUN
29557	BIG BEAR FIRE AUTHORITY	30	JEFF FERRE
65005	BIG INDEPENDENT CITIES EXCESS POOL JOINT POWERS AUTHORITY	30	SCOTT H. CAMPBELL
22205	BORREGO SPRINGS FIRE PROTECTION DISTRICT	30	JOSEPH SANCHEZ
22527	CABAZON WATER DISTRICT	30	STEVE ANDERSON
26978	CALIFORNIA ASSOCIATION OF LOCAL AGENCY FORMATION COMMISSIONS	30	CLARK ALSOP
27395	CALIFORNIA DEPARTMENT OF WATER RESOURCES	30	GREGORY WILKINSON
82458	CALIFORNIA FIRE & RESCUE TRAINING AUTHORITY	30	HARRIET A. STEINER
65051	CALLEQUAS MUNICIPAL WATER DISTRICT	30	JILL N. WILLIS
82356	CASITAS MUNICIPAL WATER DISTRICT	30	ROBERT M. SAWYER
55396	CASTAIC LAKE WATER AGENCY	30	RUSSELL G. BEHRENS
25522	CHINO VALLEY INDEPENDENT FIRE DISTRICT	30	JEFF BALLINGER
60838	CIVIC SAN DIEGO	30	SHAWN HAGERTY
79139	COACHELLA VALLEY ASSOCIATION OF GOVERNMENTS	30	MICHELLE OUELLETTE
75075	COACHELLA VALLEY CEMETERY DISTRICT	30	DAVID ERWIN
28501	COACHELLA VALLEY CONSERVATION COMMISSION (CVCC)	30	MICHELLE OUELLETTE

Client #	Client Name		Billing Attorney
80689	COACHELLA VALLEY ENTERPRISE ZONE AUTHORITY	30	CARLOS L. CAMPOS
29276	COACHELLA VALLEY RESOURCE CONSERVATION DISTRICT	30	STEVE ANDERSON
19782	COACHELLA VALLEY WATER DISTRICT	30	MICHELLE OUELLETTE
38043	CONTRA COSTA TRANSPORTATION AUTHORITY	30	MALATHY SUBRAMANIAN
82187	COSUMNES COMMUNITY SERVICES DISTRICT	30	SIGRID K. ASMUNDSON
82321	CPS COOPERATIVE PERSONNEL SERVICES	30	ANN M. SIPRELLE
60082	CREST FOREST FIRE PROTECTION DISTRICT	30	JEFF FERRE
01357	CRESTLINE-LAKE ARROWHEAD WATER AGENCY	30	MICHAEL RIDDELL
04342	CUCAMONGA VALLEY WATER DISTRICT	30	JEFF FERRE
60692	DEER SPRINGS FIRE PROTECTION DISTRICT	30	SHAWN HAGERTY
60127	DESCANSO COMMUNITY WATER DISTRICT	30	SHAWN HAGERTY
81015	DESERT HEALTHCARE DISTRICT	30	CARLOS L. CAMPOS
81022	DESERT HEALTHCARE FOUNDATION	30	CARLOS L. CAMPOS
01358	DESERT WATER AGENCY	30	MICHAEL RIDDELL
04869	DESERT WATER AGENCY	30	MICHAEL RIDDELL
82455	DIXON REGIONAL WATERSHED JOINT POWERS	30	HARRIET A. STEINER
12950	EAST BAY MUNICIPAL UTILITY DISTRICT	30	MICHELLE OUELLETTE
25029	EAST KERN CEMETERY DISTRICT	30	VICTOR WOLF
82091	EAST PALO ALTO SANITARY DISTRICT	30	MALATHY SUBRAMANIAN
12809	EASTERN SIERRA COMMUNITY SERVICES DISTRICT	30	JEFF FERRE
82521	EL DORADO HILLS COUNTY WATER DISTRICT	30	STACEY N. SHESTON
25023	EL TORO WATER DISTRICT	30	MICHELLE OUELLETTE
02335	EL SINORE VALLEY MUNICIPAL WATER DISTRICT	30	JOHN BROWN
60065	FALLBROOK PUBLIC UTILITY DISTRICT	30	ARLENE PRATER
01557	FERN VALLEY WATER DISTRICT	30	JEFF FERRE
82106	FLORIN RESOURCE CONSERVATION DISTRICT	30	ANN M. SIPRELLE
29531	FRESNO COUNCIL OF GOVERNMENTS	30	MICHELLE OUELLETTE
19916	FRIANT WATER AUTHORITY	30	GREGORY WILKINSON
82189	GOLD MOUNTAIN COMMUNITY SERVICES DISTRICT	30	ANN M. SIPRELLE
82352	GRIZZLY LAKE COMMUNITY SERVICES DISTRICT	30	ANDREW J. MORRIS
60559	HEARTLAND COMMUNICATIONS FACILITY AUTHORITY	30	ARLENE PRATER
60076	HELIX WATER DISTRICT	30	SCOTT SMITH
82445	HI-DESERT MEMORIAL HEALTH CARE DISTRICT	30	CATHY DEUBEL SALENKO
24482	HI-DESERT WATER DISTRICT	30	JOHN BROWN
82379	HONEY LAKE VALLEY RESOURCE CONSERVATION DISTRICT	30	WILLIAM J. THOMAS, JR.

BEST BEST & KRIEGER LLP

Client #	Client Name		Billing Attorney
55388	I-5 CONSORTIUM CITIES JOINT POWERS AGENCY	30	SONIA CARVALHO
27761	INLAND EMPIRE RESOURCE CONSERVATION DISTRICT	30	STEVE ANDERSON
61033	IRONHOUSE SANITARY DISTRICT	30	SOPHIE A. AKINS
82251	JOHNSVILLE PUBLIC UTILITY DISTRICT	30	WILLIAM J. THOMAS, JR.
25508	JUDICIAL COUNCIL OF CALIFORNIA	30	JAMES GILPIN
05584	JUNE LAKE PUBLIC UTILITY DISTRICT	30	JEFF BALLINGER
03586	JURUPA COMMUNITY SERVICES DISTRICT	30	MICHAEL RIDDELL
15256	JURUPA COMMUNITY SERVICES DISTRICT	30	MICHAEL RIDDELL
65068	KERN COUNTY WATER AGENCY	30	JILL N. WILLIS
82173	LAFCO OF EL DORADO COUNTY	30	ANDREW J. MORRIS
60368	LAFCO OF MARIN COUNTY	30	SCOTT SMITH
38010	LAFCO OF MERCED COUNTY	30	MALATHY SUBRAMANIAN
22107	LAFCO OF ORANGE COUNTY	30	CLARK ALSOP
14141	LAFCO OF SAN BERNARDINO COUNTY	30	CLARK ALSOP
38030	LAFCO OF SANTA CLARA COUNTY	30	MALATHY SUBRAMANIAN
24148	LAKE ARROWHEAD COMMUNITY SERVICES DISTRICT	30	SCOTT H. CAMPBELL
01366	LAKE HEMET MUNICIPAL WATER DISTRICT	30	JEFF FERRE
22798	LANGELL VALLEY IRRIGATION DISTRICT	30	GREGORY WILKINSON
82798	LAST FRONTIER HEALTHCARE DISTRICT	30	KARA K. UEDA
29162	LONG BEACH PUBLIC TRANSPORTATION COMPANY	30	ISABEL C. SAFIE
38035	LOWER TULE RIVER AND PIXLEY IRRIGATION DISTRICT	30	GENE TANAKA
82509	MANAGED RISK MEDICAL INSURANCE BOARD	30	CATHY DEJUBEL SALENKO
21317	MARCH JOINT POWERS AUTHORITY	30	JOHN BROWN
60409	METRO WASTEWATER JPA	30	PAULA DE SOUSA
60007	METROPOLITAN TRANSIT SYSTEM	30	BRUCE BEACH
51004	METROPOLITAN WASHINGTON AIRPORTS AUTHORITY	30	NICHOLAS P. MILLER
20647	METROPOLITAN WATER DISTRICT	30	GREGORY WILKINSON
28226	MISSION RESOURCE CONSERVATION DISTRICT	30	STEVE ANDERSON
20825	MOJAVE DESERT AIR QUALITY MANAGEMENT DISTRICT	30	ROGER CRAWFORD
27671	MOJAVE DESERT AIR QUALITY MANAGEMENT DISTRICT	30	PIERO DALLARDA
51146	MONTEREY COUNTY, CALIFORNIA	30	JOSEPH VAN EATON
82871	MORGAN HILL ECONOMIC DEVELOPMENT CORPORATION	30	IRIS P. YANG
28258	MOULTON NIGUEL WATER DISTRICT	30	JOHN WAHLIN
72008	MOUNT SAN JACINTO WINTER PARK	30	ROBERT HARGREAVES
55401	MUNICIPAL WATER DISTRICT OF ORANGE COUNTY (MWDOC)	30	RUSSELL C. BEHRENS

Best Best & Krieger LLP

Client #	Client Name		Billing Attorney
82430	MURPHYS SANITARY DISTRICT	30	KARA K. UEDA
82581	NATOMAS BASIN CONSERVANCY	30	EDWARD J. QUINN
82875	NEVADA COUNTY CONSOLIDATED FIRE DISTRICT	30	SIGRID K. ASMUNDSON
60116	NORTH COUNTY CEMETERY DISTRICT	30	ARLENE PRATER
60172	NORTH COUNTY TRANSIT DISTRICT	30	PAULA DE SOUSA
60942	NORTH MARIN WATER DISTRICT	30	SOPHIE A. AKINS
82868	NORTH OF THE RIVER MUNICIPAL WATER DISTRICT	30	ANN M. SIPRELLE
16778	NORTHWEST MOSQUITO AND VECTOR CONTROL DISTRICT	30	JOHN WAHLIN
46260	OMNITRANS	30	JOHN BROWN
60025	PADRE DAM MUNICIPAL WATER DISTRICT	30	PAULA DE SOUSA
80595	PALO VERDE HEALTHCARE DISTRICT	30	ROBERT PATTERSON
16535	PARSAC	30	MALATHY SUBRAMANIAN
65109	PASADENA GLEN COMMUNITY SERVICES DISTRICT	30	SCOTT H. CAMPBELL
55318	PLACENTIA LIBRARY DISTRICT	30	SCOTT SMITH
82601	PLACER HILLS FIRE PROTECTION DISTRICT	30	SUSAN L. SCHOENIG
82806	PLUMAS BROPHY FIRE PROTECTION DISTRICT	30	HARRIET A. STEINER
82489	PLUMAS COUNTY COMMUNITY DEVELOPMENT COMMISSION	30	STACEY N. SHESTON
82428	PLUMAS-EUREKA COMMUNITY SERVICES DISTRICT	30	ANDREW J. MORRIS
60179	RAMONA MUNICIPAL WATER DISTRICT	30	T. BROOKE MILLER
60028	RANCHO CALIFORNIA WATER DISTRICT	30	JAMES GILPIN
27176	RANCHO PAUMA WATER COMPANY	30	PAULA DE SOUSA
61034	REGIONAL COOPERATIVE CARE PARTNERSHIP	30	JOSEPH SANCHEZ
60313	RESOURCE CONSERVATION DIST OF GREATER SAN DIEGO	30	TYREE K. DORWARD
29267	RESOURCE CONSERVATION DISTRICT OF SANTA CRUZ COUNTY	30	STEVE ANDERSON
28197	RESOURCE CONSERVATION DISTRICT OF THE SANTA MONICA MOUNTAINS	30	STEVE ANDERSON
29045	RIM OF THE WORLD RECREATION AND PARK DISTRICT	30	JASON M. ACKERMAN
82603	RIPON CONSOLIDATED FIRE DISTRICT	30	ETHAN WALSH
82756	RIVER PLAZA PROPERTIES, LLC	30	NANCY PARK
60580	RIVERSIDE COUNTY ECONOMIC DEVELOPMENT AGENCY	30	MARK EASTER
25137	RIVERSIDE COUNTY FLOOD CONTROL & WATER	30	KIM BYRENS
17336	RIVERSIDE COUNTY TRANSPORTATION COMMISSION (RCTC)	30	STEVEN DEBAUN
24632	RIVERSIDE-CORONA RESOURCE CONSERVATION DISTRICT	30	STEVE ANDERSON
26150	ROSSMOOR COMMUNITY SERVICES DISTRICT	30	JEFF FERRE
01372	RUNNING SPRINGS WATER DISTRICT	30	MICHAEL RIDDELL
82671	RURAL COUNTY REPRESENTATIVES OF CALIFORNIA	30	IRIS P. YANG

BEST BEST & KRIEGER LLP

Client #	Client Name		Billing Attorney
78538	SALTON COMMUNITY SERVICES DISTRICT	30	ROBERT PATTERSON
77933	SALTON SEA AUTHORITY	30	ROBERT HARGREAVES
61031	SAN BENITO COUNTY WATER DISTRICT	30	KELLY J. SALT
26682	SAN BERNARDINO ASSOCIATED GOVERNMENTS (SANBAG)	30	STEVEN DEBAUN
60834	SAN CAYETANO MUTUAL WATER COMPANY	30	ROBERT M. SAWYER
60932	SAN DIEGO ASSOCIATION OF GOVERNMENTS (SANDAG)	30	MARY BETH COBURN
61022	SAN DIEGO COUNTY REGIONAL AIRPORT AUTHORITY	30	MARY BETH COBURN
60029	SAN DIEGO UNIFIED PORT DISTRICT	30	BRUCE BEACH
61040	SAN DIEGO-IMPERIAL COUNTIES DEVELOPMENT SERVICES, INC.	30	JOSEPH SANCHEZ
46297	SAN GORGONIO MEMORIAL HEALTHCARE DISTRICT	30	JEFF BALLINGER
55397	SAN GORGONIO PASS WATER AGENCY	30	RUSSELL G. BEHRENS
27062	SAN JACINTO BASIN RESOURCE CONSERVATION DISTRICT	30	STEVE ANDERSON
60004	SAN MIGUEL CONSOLIDATED FIRE PROTECTION DISTRICT	30	ARLENE PRATER
60174	SAN MIGUEL FIRE PROTECTION DISTRICT	30	SCOTT SMITH
20538	SANTA ANA RIVER WATER COMPANY	30	JASON M. ACKERMAN
60027	SANTA FE IRRIGATION DISTRICT	30	PAULA DE SOUSA
21213	SANTA MARGARITA WATER DISTRICT	30	MICHELLE OUELLETTE
55411	SANTA MARGARITA WATER DISTRICT	30	ELIZABETH W. HULL
18613	SANTA YNEZ RIVER WATER CONSERVATION DISTRICT #1	30	GREGORY WILKINSON
60992	SDG&E PROJECT	30	SOPHIE A. AKINS
23304	SORMA - SPECIAL DISTRICT RISK MANAGEMENT AUTHORITY	30	ANN M. SIPRELLE
29145	SLOUGHHOUSE RESOURCE CONSERVATION DISTRICT	30	STEVE ANDERSON
60040	SOUTH BAY IRRIGATION DISTRICT	30	PAULA DE SOUSA
29264	SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT	30	PIERO DALLARDA
60967	SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT (SCAQMD)	30	ARLENE PRATER
10080	SOUTH MONTEBELLO IRRIGATION DISTRICT	30	MICHAEL RIDDELL
60926	SOUTH TAHOE PUBLIC UTILITY DISTRICT	30	MARY BETH COBURN
29290	SOUTHWEST RESOURCE MANAGEMENT ASSOCIATION	30	STEVE ANDERSON
29588	STARTING GATE EDUCATIONAL SERVICES ("SGES")	30	JACK CLARKE
60026	SWEETWATER AUTHORITY	30	PAULA DE SOUSA
29537	TAHOE-TRUCKEE SANITATION AGENCY	30	ISABEL C. SAFIE
82872	TRUCKEE FIRE PROTECTION DISTRICT	30	ANDREW J. MORRIS
27206	TRUCKEE MEADOWS WATER AUTHORITY WITH WOODBURN & WEDGE	30	ERIC GARNER
16644	TURLOCK IRRIGATION DISTRICT	30	MICHELLE OUELLETTE
23707	TWENTYNINE PALMS WATER DISTRICT	30	JEFF FERRE

BEST BEST & KRIEGER LLP

Client #	Client Name		Billing Attorney
60033	VALLEY CENTER MUNICIPAL WATER DISTRICT	30	PAULA DE SOUSA
75868	VALLEY SANITARY DISTRICT	30	ROBERT HARGREAVES
17126	VALLEY WIDE RECREATION AND PARK DISTRICT	30	JEFF BALLINGER
28096	VENTURA COUNTY RESOURCE CONSERVATION DISTRICT	30	STEVE ANDERSON
16773	VICTOR VALLEY WASTEWATER RECLAMATION AUTHORITY	30	PIERO DALLARDA
22931	VISTA IRRIGATION DISTRICT	30	JOHN WAHLIN
60621	WATER CONSERVATION GARDEN AUTHORITY JPA	30	PAULA DE SOUSA
16161	WATER FACILITIES AUTHORITY	30	JEFF FERRE
46355	WEST VALLEY MOSQUITO AND VECTOR CONTROL DISTRICT	30	ROGER CRAWFORD
01376	WESTERN MUNICIPAL WATER DISTRICT	30	JEFF FERRE
20323	WESTERN RIVERSIDE COUNCIL OF GOVERNMENTS (WRCOG)	30	STEVEN DEBAUN
26493	WESTERN RIVERSIDE COUNTY REGIONAL CONSERVATION AUTHORITY-RCA	30	MICHELLE OUELLETTE
82020	WESTLANDS WATER DISTRICT	30	RODERICK E. WALSTON
82627	WHEATLAND FIRE AUTHORITY	30	HARRIET A. STEINER
29060	WHITTIER UTILITIES AUTHORITY	30	ERIC GARNER
82378	YOLO COUNTY RESOURCE CONSERVATION DISTRICT	30	ANN M. SIPRELLE
28914	HAVASU WATER COMPANY	31	JILL N. WILLIS
82231	SOUTHERN SAN JOAQUIN VALLEY WATER QUALITY COALITION	31	WILLIAM J. THOMAS, JR.
82426	SQUAW VALLEY MUTUAL WATER COMPANY	31	ANDREW J. MORRIS
27881	STATE WATER CONTRACTORS	31	GREGORY WILKINSON
28828	STATE WATER PROJECT CONTRACTORS AUTHORITY	31	MICHAEL RUDDELL
29880	WEBER VALLEY HEIGHTS WATER ASSOCIATION	31	DANIELLE G. SAKAI
29483	CRESCENT CITY HARBOR DISTRICT	39	KIM BYRENS
61012	SAN MARCOS PUBLIC FINANCING AUTHORITY	39	WARREN DIVEN
27342	SOUTHWEST COMMUNITIES FINANCING AUTHORITY	39	KIM BYRENS
38011	ALAMEDA, CITY OF	40	LINDA R. BECK
60367	ALISO VIEJO, CITY OF	40	SCOTT SMITH
55402	ANAHEIM, CITY OF	40	JEFFREY DUNN
82755	ANDERSON, CITY OF	40	ANN M. SIPRELLE
51139	ANN ARBOR, MICHIGAN, CITY OF	40	JOSEPH VAN EATON
28314	APPLE VALLEY, TOWN OF	40	JOHN BROWN
24347	ARCADIA, CITY OF	40	STEPHEN DEITSCH
51089	ATLANTA GA, CITY OF	40	GERARD LAVERY LEDERER
82819	AUBURN, CITY OF	40	IRIS P. YANG
65059	AVALON, CITY OF	40	SCOTT H. CAMPBELL

Best Best & Krieger LLP

Client #	Client Name	Billing Attorney
45835	AZUSA, CITY OF	SONIA CARVALHO
19361	BIG BEAR LAKE, CITY OF	STEPHEN DEITSCH
46338	BLYTHE, CITY OF	RICHARD EGGER
82486	BRENTWOOD, CITY OF - SPECIAL COUNSEL	T. BRENT HAWKINS
82842	BRENTWOOD, CITY OF, SUCCESSOR AGENCY FOR THE REDEVELOPMENT A	T. BRENT HAWKINS
51113	CABLEVISION FEE COALITION	JOSEPH VAN EATON
29460	CALIFORNIA CITY, CITY OF	HOWARD GOLDS
82878	CALIFORNIA PLANNED PARENTHOOD EDUCATION FUND	STACEY N. SHESTON
60135	CARLSBAD, CITY OF	ARLENE PRATER
82571	CERES, CITY OF	IRIS P. YANG
60093	CHULA VISTA, CITY OF	SHAWN HAGERTY
15341	CLAREMONT, CITY OF	SONIA CARVALHO
38044	CLAYTON, CITY OF	MALATHY SUBRAMANIAN
82248	CLEARLAKE, CITY OF	MALATHY SUBRAMANIAN
82614	CLEARLAKE, CITY OF	IRIS P. YANG
80237	COACHELLA, CITY OF	CARLOS L. CAMPOS
25977	COLMA, TOWN OF	ROGER C. PETERS
23152	COLTON, CITY OF	DEAN DERLETH
82820	CONCORD, CITY OF	IRIS P. YANG
27157	CORONA, CITY OF	ERIC GARNER
65002	COVINA, CITY OF	MARCO MARTINEZ
82610	CRESCENT CITY, CITY OF	HARRIET A. STEINER
82812	DALY CITY, CITY OF	EDWARD J. QUINN
82496	DAVIS, CITY OF - ADMINISTRATIVE SERVICES	HARRIET A. STEINER
82497	DAVIS, CITY OF - CAPITAL IMPROVEMENT PROJECTS	HARRIET A. STEINER
82498	DAVIS, CITY OF - CITY COUNCIL	HARRIET A. STEINER
82499	DAVIS, CITY OF - CITY MANAGER'S OFFICE	HARRIET A. STEINER
82500	DAVIS, CITY OF - COMMUNITY SERVICES	HARRIET A. STEINER
82501	DAVIS, CITY OF - FIRE DEPARTMENT	HARRIET A. STEINER
82502	DAVIS, CITY OF - LITIGATION	HARRIET A. STEINER
82503	DAVIS, CITY OF - PARKS & GENERAL SERVICES	HARRIET A. STEINER
82504	DAVIS, CITY OF - PLANNING & BUILDING DEPARTMENT	HARRIET A. STEINER
82505	DAVIS, CITY OF - POLICE DEPARTMENT	HARRIET A. STEINER
82506	DAVIS, CITY OF - PUBLIC WORKS	HARRIET A. STEINER
51140	DISTRICT OF COLUMBIA'S OFFICE OF CABLE TELEVISION	NICHOLAS P. MILLER

Best Best & Krieger LLP

Client #	Client Name		Billing Attorney
29408	DUBLIN SAN RAMON COMMUNITY SERVICES DISTRICT	40	ERIC GARNER
51031	DUBUQUE IA, CITY OF	40	NICHOLAS P. MILLER
61035	EL CENTRO, CITY OF	40	MARY BETH COBURN
82471	EL PASO DE ROBLES, CITY OF - CITY MANAGERS OFFICE	40	IRIS P. YANG
82472	EL PASO DE ROBLES, CITY OF - ADMINISTRATIVE SERVICES	40	IRIS P. YANG
82474	EL PASO DE ROBLES, CITY OF - LIBRARY & RECREATION	40	IRIS P. YANG
82480	EL PASO DE ROBLES, CITY OF - UTILIGATION	40	IRIS P. YANG
82473	EL PASO DE ROBLES, CITY OF - PLANNING & BUILDING	40	IRIS P. YANG
82476	EL PASO DE ROBLES, CITY OF - POLICE	40	IRIS P. YANG
82477	EL PASO DE ROBLES, CITY OF - PUBLIC WORKS	40	IRIS P. YANG
82481	EL PASO DE ROBLES, CITY OF - WATER RIGHTS ISSUES	40	IRIS P. YANG
51085	ERC BROADBAND	40	JOSEPH VAN EATON
82108	ESCALON, CITY OF	40	ANN M. SIPRELLE
16498	FONTANA, CITY OF	40	JEFF BALLINGER
82467	FORTUNA, CITY OF	40	IRIS P. YANG
55393	FULLERTON, CITY OF	40	SONIA CARVALHO
82741	GALT, CITY OF	40	IRIS P. YANG
65004	GARDENA, CITY OF	40	CYNTHIA GERMANO
65086	GOLETA, CITY OF	40	SETH MEREWITZ
51095	GREENSBORO, NC, CITY OF	40	JOSEPH VAN EATON
28859	GUSTINE, CITY OF	40	HOWARD GOLDS
51015	HARRISON NY, TOWN OF	40	JOSEPH VAN EATON
82810	HAWTHORNE, CITY OF	40	T. BRENT HAWKINS
65081	HAWTHORNE, CITY OF, CALIFORNIA	40	MICHAEL M. MULLINS
82452	HAYWARD, CITY OF	40	HARRIET A. STEINER
51143	HOPKINSVILLE, KY, CITY OF	40	JOSEPH VAN EATON
51003	HOUSTON TX, CITY OF	40	NICHOLAS P. MILLER
26529	INDIAN WELLS, CITY OF	40	STEPHEN DEITSCH
46333	INGLEWOOD, CITY OF	40	KIRA L. KLATCHKO
51147	IRVING, CITY OF, TEXAS	40	GERARD LAVERY LEDERER
82201	JACKSON, CITY OF	40	ANDREW J. MORRIS
55241	LA CANADA FLINTRIDGE, CITY OF	40	SCOTT H. CAMPBELL
55406	LA HABRA, CITY OF	40	ELIZABETH W. HULL
25589	LAFAYETTE, CITY OF	40	MALATHY SUBRAMANIAN
55400	LAGUNA BEACH, CITY OF	40	SCOTT SMITH

Best Best & Krieger LLP

Client #	Client Name		Billing Attorney
55357	LAGUNA NIGUEL, CITY OF	40	JEFFREY DUNN
55136	LAKE FOREST, CITY OF	40	SCOTT SMITH
82590	LAKEPORT, CITY OF	40	SETH MEREWITZ
51083	LAREDO TX, CITY OF	40	GERARD LAVERY LEDERER
82854	LEAGUE OF CALIFORNIA CITIES	40	T. BRENT HAWKINS
82589	LINCOLN, CITY OF	40	STACEY N. SHESTON
26644	LOMA LINDA, CITY OF	40	MICHELLE OUELLETTE
51077	LOS ALTOS CA, CITY OF	40	JOSEPH VAN EATON
51119	LOS ANGELES CA, CITY OF	40	NICHOLAS P. MILLER
51120	LOS ANGELES CA, CITY OF - AT&T PEG UTIGATION	40	JOSEPH VAN EATON
65073	LOS ANGELES, CITY OF, CALIFORNIA	40	MICHAEL S. SIMON
82690	MAMMOTH LAKES, TOWN OF	40	ANDREW J. MORRIS
29135	MANTECA, CITY OF	40	JOHN WAHLIN
82815	MARIN, COUNTY OF	40	IRIS P. YANG
55317	MAYWOOD, CITY OF	40	MARCO MARTINEZ
29586	MENIFEE, CITY OF	40	HOWARD GOLDS
26393	MERCED, CITY OF	40	GENE TANAKA
82591	MODESTO, CITY OF	40	IRIS P. YANG
28256	MONTCLAIR, CITY OF	40	MARK EASTER
29263	MONTEBELLO, CITY OF	40	MICHELLE OUELLETTE
55409	MONTEREY, CITY OF	40	JEFFREY DUNN
26341	MORENO VALLEY, CITY OF	40	MARK EASTER
82523	NAPA, CITY OF	40	STACEY N. SHESTON
60161	NATIONAL CITY, CITY OF	40	ARLENE PRATER
74530	NEEDLES, CITY OF	40	ROBERT HARGREAVES
51118	NEWARK NJ, CITY OF	40	NICHOLAS P. MILLER
82468	NEWMAN, CITY OF	40	IRIS P. YANG
55364	NEWPORT BEACH, CITY OF	40	SCOTT SMITH
82537	NOVATO, CITY OF	40	SETH MEREWITZ
82463	OAKDALE, CITY OF	40	IRIS P. YANG
82646	OAKLAND, CITY OF	40	HARRIET A. STEINER
45774	ONTARIO, CITY OF	40	JOHN BROWN
28249	PACIFIC GROVE, CITY OF	40	HOWARD GOLDS
72500	PALM DESERT, CITY OF	40	DAVID ERWIN
24924	PASADENA, CITY OF	40	JOHN WAHLIN

BEST BEST & KRIEGER LLP

Client #	Client Name		Billing Attorney
82738	PATTERSON, CITY OF	40	IRIS P. YANG
29562	PERRIS, CITY OF	40	HOWARD GOLDS
51044	PHILADELPHIA PA, CITY OF	40	NICHOLAS P. MILLER
82862	PITTSBURG, CITY OF	40	HARRIET A. STEINER
82838	PLACERVILLE, CITY OF	40	STACEY N. SHESTON
82839	PLYMOUTH, CITY OF	40	STACEY N. SHESTON
51006	PORTLAND OR, CITY OF	40	JOSEPH VAN EATON
60798	POWAY, CITY OF	40	BRUCE BEACH
51132	PRINCE GEORGE'S COUNTY, MARYLAND	40	NICHOLAS P. MILLER
17942	REDLANDS SPECIAL SERVICES	40	HOWARD GOLDS
55391	REDONDO BEACH, CITY OF	40	ELIZABETH W. HULL
51062	REDWOOD CITY CA, CITY OF	40	GAIL A. KARISH
82483	REDWOOD CITY, CITY OF	40	IRIS P. YANG
25378	RIALTO, CITY OF	40	SONIA CARVALHO
27274	RIALTO, CITY OF	40	HOWARD GOLDS
82821	RICHMOND, CITY OF	40	IRIS P. YANG
29409	RIO DELL, CITY OF	40	GROVER TRASK
82663	RIVERBANK, CITY OF	40	IRIS P. YANG
21501	RIVERSIDE, CITY OF	40	MARK EASTER
25329	RIVERSIDE, CITY OF	40	MARK EASTER
26506	RIVERSIDE, CITY OF	40	MICHELLE OUELLETTE
28770	RIVERSIDE, CITY OF	40	JEFFREY DUNN
82156	ROCKLIN, CITY OF	40	WILLIAM E. ROBINSON
82510	ROSEVILLE, CITY OF	40	STACEY N. SHESTON
51010	SAIN T PAUL MN, CITY OF	40	JOSEPH VAN EATON
45430	SAN BERNARDINO, CITY OF	40	PETER BARMACK
51007	SAN BRUNO CA, CITY OF	40	GAIL A. KARISH
01851	SAN BUENAVVENTURA, CITY OF	40	GREGORY WILKINSON
24438	SAN JACINTO, CITY OF	40	JEFF BALLINGER
38032	SAN RAMON, CITY OF	40	ROGER C. PETERS
82833	SAND CITY, CITY OF	40	T. BRENT HAWKINS
55394	SANTA ANA, CITY OF	40	SONIA CARVALHO
51032	SANTA CLARA CA, CITY OF	40	JOSEPH VAN EATON
82811	SANTA CRUZ, CITY OF	40	T. BRENT HAWKINS
21466	SANTA MARIA, CITY OF	40	ERIC GARNER

Best Best & Krieger LLP

Client #	Client Name	Billing Attorney
82816	SANTA ROSA, CITY OF	IRIS P. YANG
60139	SANTEE, CITY OF	SHAWN HAGERTY
82544	SARATOGA, CITY OF	LINDA R. BECK
82695	SAUSALITO, CITY OF	LINDA R. BECK
51105	SCARSDALE NY, VILLAGE OF	JOSEPH VAN EATON
17236	SHAFTER, CITY OF	STEPHEN DEITSCH
51064	SHERIDAN WY, CITY OF	JOSEPH VAN EATON
82598	SONORA, CITY OF	EDWARD J. QUINN
51022	ST. LOUIS MO, CITY OF	NICHOLAS P. MILLER
60684	THOUSAND OAKS, CITY OF	CHRISTOPHER M. PISANO
51096	TORRANCE CA, CITY OF	MARK EASTER
82745	TRUCKEE, TOWN OF	IRIS P. YANG
82860	TRUCKEE, TOWN OF	ANDREW J. MORRIS
82593	TULARE, CITY OF	SETH MEREWITZ
82818	UKIAH, CITY OF	IRIS P. YANG
82654	VALLEJO, CITY OF	IRIS P. YANG
82470	VENTURA, CITY OF	IRIS P. YANG
13426	VICTORVILLE, CITY OF	HOWARD GOLDS
65102	VISALIA, CITY OF	SETH MEREWITZ
82817	WALNUT CREEK, CITY OF	IRIS P. YANG
51106	WHITE PLAINS NY, CITY OF	JOSEPH VAN EATON
51012	WILLARDS MD, TOWN OF	NICHOLAS P. MILLER
82276	WILLIAMS, CITY OF	ANN M. SIPRELLE
51005	WILMINGTON DE, CITY OF	NICHOLAS P. MILLER
51069	WINSTON-SALEM NC, CITY OF	NICHOLAS P. MILLER
82573	WINTERS, CITY OF	HARRIET A. STEINER
82093	WOODLAND, CITY OF	ANDREW J. MORRIS
82813	WOODLAND, CITY OF	EDWARD J. QUINN
82490	YUBA, CITY OF	STACEY N. SHESTON
51008	YUMA AZ, CITY OF	JOSEPH VAN EATON
82436	CALIFORNIA REDEVELOPMENT ASSOCIATION	T. BRENT HAWKINS
46326	COLTON HOUSING AUTHORITY	DEAN DERLETH
46336	CORONA HOUSING AUTHORITY	ERIC GARNER
82507	DAVIS, CITY OF - RDA SUCCESSOR AGENCY	HARRIET A. STEINER
82439	EAST BAY NEIGHBORHOOD HOUSING SERVICE	LINDA R. BECK

BEST BEST & KRIEGER LLP

Client #	Client Name	Billing Attorney
82479	EL PASO DE ROBLES, CITY OF - RDA SUCCESSOR AGENCY	IRIS P. YANG
65035	LOS ANGELES CITY HOUSING DEPARTMENT	BRANT H. DVEIRIN
65015	LOS ANGELES, HOUSING AUTHORITY OF THE CITY OF	BRANT H. DVEIRIN
77802	PALM DESERT HOUSING AUTHORITY	DAVID ERWIN
82433	SACRAMENTO HOUSING & REDEVELOPMENT AGENCY	T. BRENT HAWKINS
82028	SACRAMENTO HOUSING AND REDEVELOPMENT AGENCY	JAMES GILPIN
55306	SAN BERNARDINO COUNTY HOUSING AUTHORITY	MARCO MARTINEZ
82765	ALAMEDA, COUNTY OF	LINDA R. BECK
51102	ANNE ARUNDEL COUNTY MD	NICHOLAS P. MILLER
82224	BUTTE COUNTY DEPARTMENT OF BEHAVIORAL HEALTH	HOWARD GOLDS
82652	BUTTE, COUNTY OF	HARRIET A. STEINER
51110	CALHOUN COUNTY AL	JAMES R. HOBSON
51016	CALVERT COUNTY MD	JOSEPH VAN EATON
51070	CHARLES COUNTY MD	NICHOLAS P. MILLER
82444	COUNTY MEDICAL SERVICES PROGRAM GOVERNING BOARD	CATHY DEUBEL SALENKO
29480	COUNTY OF ORANGE HEALTH CARE AGENCY	PIERO DALLARDA
29583	COUNTY OF RIVERSIDE DOCUMENT SYSTEMS GROUP	GLEN PRICE
27939	COUNTY OF RIVERSIDE PROPERTY TAX SYSTEMS GROUP	GEORGE REYES
51097	DEKALB COUNTY GA	GERARD LAVERY LEDERER
55372	FRESNO, COUNTY OF	JEFFREY DUNN
51040	HOWARD COUNTY, MD	NICHOLAS P. MILLER
29456	INLAND VALLEY DEVELOPMENT AGENCY	JOHN WAHLIN
51038	KING COUNTY, WA	NICHOLAS P. MILLER
51033	LAKE COUNTY, IL	JAMES R. HOBSON
51072	LOS ANGELES CA, COUNTY OF	JOSEPH VAN EATON
26345	LOS ANGELES, COUNTY OF	ERIC GARNER
51100	MIAMI COUNTY OH	JAMES R. HOBSON
51059	MONTGOMERY COUNTY, MD	NICHOLAS P. MILLER
29454	NAPA COUNTY	JOHN WAHLIN
51049	ONSLOW COUNTY NC	JAMES R. HOBSON
82774	ORANGE, COUNTY OF	ANN TAYLOR SCHWING
51084	PINELLAS COUNTY, FL	JAMES R. HOBSON
51130	RAMSEY/WASHINGTON COUNTIES SUBURBAN CABLE COMMISSION	JOSEPH VAN EATON
09979	RIVERSIDE COUNTY MEDIATION PANEL	DOUGLAS PHILLIPS
25183	RIVERSIDE, COUNTY OF	MICHELLE OUELLETTE

BEST BEST & KRIEGER LLP

Client #	Client Name		Billing Attorney
82852	SACRAMENTO, COUNTY OF	42	HARRIET A. STEINER
55398	SHASTA, COUNTY OF	42	JEFFREY DUNN
38036	SISKIYOU, COUNTY OF	42	RODERICK E. WALSTON
51091	ST. MARY'S COUNTY, MD	42	JAMES R. HOBSON
29124	TEHAMA, COUNTY OF	42	KENDALL MACVEY
38059	TRINITY COUNTY	42	GENE TANAKA
82512	YUBA, COUNTY OF	42	STACEY N. SHESTON
51099	NATIONAL EMERGENCY NUMBER ASSOCIATION	43	JAMES R. HOBSON
26353	ENCINITAS, CITY OF	44	KIM BYRENS
25835	HUNTINGTON BEACH, CITY OF	44	KIM BYRENS
65054	INDEPENDENT CITIES FINANCE AUTHORITY	44	SCOTT H. CAMPBELL
25725	KERN HOUSING AUTHORITY OF THE COUNTY OF	44	FRANCIS BAUM
29277	MENIFEE, CITY OF	44	KIM BYRENS
60304	MORENO VALLEY, CITY OF	44	WARREN DIVEN
60856	MURRIETA, CITY OF	44	WARREN DIVEN
60310	OCEANSIDE, CITY OF	44	WARREN DIVEN
26228	RANCHO CUCAMONGA REDEVELOPMENT AGENCY	44	JOHN ROTTSCHEFER
60285	RANCHO CUCAMONGA, CITY OF	44	WARREN DIVEN
26170	REDLANDS, CITY OF	44	JOHN ROTTSCHEFER
17286	RIVERSIDE, CITY OF	44	KIM BYRENS
26131	RIVERSIDE, CITY OF	44	FRANCIS BAUM
60309	SAN MARCOS, CITY OF	44	WARREN DIVEN
26705	WESTMINSTER REDEVELOPMENT AGENCY	44	JOHN ROTTSCHEFER
51088	ATLANTA HARTSFIELD AIRPORT	45	GERARD LAVERY LEDERER
51109	BAY AREA REGIONAL INTEROPERABLE COMMUNICATIONS SYSTEM	45	NICHOLAS P. MILLER
51087	BOSTON CABLE COMMISSION	45	GERARD LAVERY LEDERER
51018	CTA REBANDING	45	JAMES R. HOBSON
51029	CTIA APPEAL (2010/2012)	45	NICHOLAS P. MILLER
51122	CTIA PETITION PHASE IV ORAL ARGUMENT (2011)	45	NICHOLAS P. MILLER
51134	EMF SAFETY NETWORK	45	JAMES R. HOBSON
51129	HILLSBOROUGH COUNTY AVIATION AUTHORITY	45	NICHOLAS P. MILLER
60841	HORTON PLAZA THEATRES FOUNDATION	45	SHAWN HAGERTY
51019	KITCH DRUTCHAS WAGNER VALITUTT	45	JOSEPH VAN EATON
51131	MEDIA BRIDGES CINCINNATI	45	GERARD LAVERY LEDERER
60907	OCEANSIDE, CITY OF - WATER UTILITIES DEPARTMENT	45	SOPHIE A. AKINS

Becht Becht & Krieger LLP

Client #	Client Name		Billing Attorney
93939	PROJECTS - PUBLIC LAW	45	FIRM BBK
82790	SACRAMENTO CHILD ADVOCATES	45	CATHY DEUBEL SALENKO
46340	TACOMA, CITY OF, WA, DEPARTMENT OF PUBLIC UTILITIES	45	GAIL A. KARISH
51108	TELECOMMUNITY	45	NICHOLAS P. MILLER
51066	VIDEO COMPETITION NOI 2011	45	GERARD LAVERY LEDERER

APPENDIX D



**AMENDED AND RESTATED AGREEMENT FOR
CITY ATTORNEY LEGAL SERVICES
BETWEEN
THE CITY OF COVINA &
BEST BEST & KRIEGER LLP**

1. PARTIES AND DATE.

This Amended and Restated Agreement for City Attorney Legal Services is made and entered into as of the _____ day of _____, by and between the City of Covina, a California municipal corporation ("Client"), and Best Best & Krieger LLP, a limited liability partnership engaged in the practice of law ("BB&K").

2. RECITALS.

2.1 Client wishes to continue to engage the services of BB&K as its City Attorney to perform all necessary legal services for the Client on the terms set forth below. For purposes of this Agreement, the term "Client" shall include the former Covina Redevelopment Agency, the Successor Agency to the Covina Redevelopment Agency, the Covina Public Finance Authority, the Covina Housing Authority, and any other affiliated entities.

3. TERMS.

3.1 Term. The term of this Agreement shall commence on _____ and shall continue in full force and effect until terminated in accordance with Section 3.12.

3.2 Scope of Services. BB&K shall serve as City Attorney and shall perform legal services ("Services") as may be required from time to time by the Client as set forth by this Agreement, unless otherwise agreed to by the Client and BB&K. As part of the Services to be performed hereunder, BB&K shall be responsible for the following:

3.2.1 Preparation for, and attendance at, regular meetings of the Client;

3.2.2 Provision of legal counsel at such other meetings as directed by the Client;

3.2.3 Preparation or review of all Client ordinances and resolutions, together with such staff reports, orders, agreements, forms, notices, declarations, certificates, deeds, leases and other documents as requested by the Client;

3.2.4 Rendering to the officers and employees of the Client legal advice and opinions on all legal matters affecting the Client, including new legislation and court decisions, as directed by the Client;

3.2.5 Researching and interpreting laws, court decisions and other legal authorities in order to prepare legal opinions and to advise the Client on legal matters pertaining to Client operations, as directed by the Client;

3.2.6 Performing legal work pertaining to property acquisition, property disposal, public improvements, public rights-of-way and easements, as directed by the Client;

3.2.7 Responding to inquiries and review for legal sufficiency ordinances, resolutions, contracts, and administrative and personnel matters, as directed by the Client;

3.2.8 Representing and assisting on litigation matters, as directed by the Client. Such services shall include, but shall not be limited to, the preparation for and making of appearances, including preparing pleadings and petitions, making oral presentations, and preparing answers, briefs or other documents on behalf of the Client, and any officer or employee of the Client, in all federal and state courts of this State, and before any governmental board or commission, including reviewing, defending or assisting any insurer of the Client or its agents or attorneys with respect to any lawsuit filed against the Client or any officer or employee thereof, for money or damages.

3.3 Designated City Attorney. Marco A. Martinez shall be designated as City Attorney, and shall be responsible for the performance of all Services under this Agreement, including the supervision of Services performed by other members of BB&K. Elizabeth Hull shall be designated as Assistant City Attorney, and shall attend such meetings as may be requested by the City Attorney. No change in these assignments shall be made without the consent of the Client.

3.4 Time of Performance. The Services of BB&K shall be performed expeditiously in the time frames and as directed by the Client.

3.5 Assistance. The Client agrees to provide all information and documents necessary for the attorneys at BB&K to perform their obligations under this Agreement.

3.6 Independent Contractor. BB&K shall perform all legal services required under this Agreement as an independent contractor of the Client and shall remain, at all times as to the Client, a wholly independent contractor with only such obligations as are required under this Agreement. Neither the Client, nor any of its employees, shall have any control over the manner, mode or means by which BB&K, its agents or employees, render the legal services required under this Agreement, except as otherwise set forth. The Client shall have no voice in the selection, discharge, supervision or control of BB&K's employees, representatives or agents, or in fixing their number, compensation, or hours of service.

3.7 Fees and Costs. BB&K shall render and bill for legal services in the following categories and at rates set forth in Exhibit "A" and in accordance with the BB&K Billing Policies set forth in Exhibit "B", both of which are attached hereto and incorporated herein by reference. In addition, the Client shall reimburse BB&K for reasonable and necessary expenses incurred by it in the performance of the Services under this Agreement. Authorized reimbursable expenses shall include, but are not limited to, printing and copying expenses, mileage expenses at the rate allowed by the Internal Revenue Service, toll road expenses, long distance telephone and facsimile tolls, computerized research time (e.g. Lexis or Westlaw), research services performed by BB&K's library staff, extraordinary mail or delivery costs (e.g. courier, overnight and express

delivery), court fees and similar costs relating to the Services that are generally chargeable to a client. However, no separate charge shall be made by BB&K for secretarial or word processing services.

3.8 Billing. BB&K shall submit monthly to the Client a detailed statement of account for Services. The Client shall review BB&K's monthly statements and pay BB&K for Services rendered and costs incurred, as provided for in this Agreement, on a monthly basis.

3.9 Annual Reviews. The Client and BB&K agree that a review of performance and the compensation amounts referenced in this Agreement should occur at least annually.

3.10 Insurance. BB&K carries errors and omissions insurance with Lloyd's of London. After a standard deductible, this insurance provides coverage beyond what is required by the State of California. A separate schedule containing BB&K's insurance policies will be available for inspection upon Client's request.

3.11 Attorney-Client Privilege. Confidential communication between the Client and BB&K shall be covered by the attorney-client privilege. As used in this article, "confidential communication" means information transmitted between the Client and BB&K in the course of the relationship covered by this Agreement and in confidence by a means that, so far as the Client is aware, discloses the information to no third persons other than those who are present to further the interests of the Client in the consultation or those to whom disclosure is reasonably necessary for the transmission of the information or the accomplishment of the purpose for which BB&K is consulted, and includes any legal opinion formed and advice given by BB&K in the course of this relationship.

3.12 Termination of Agreement and Legal Services. This Agreement and the Services rendered under it may be terminated at any time upon thirty (30) days' prior written notice from either party, with or without cause. In the event of such termination, BB&K shall be paid for all Services authorized by the Client and performed up through and including the effective date of termination. BB&K shall also be reimbursed for all costs associated with transitioning any files or other data or documents to a new law firm or returning them to the Client.

3.13 Entire Agreement. This Agreement contains the entire Agreement of the parties with respect to the subject matter hereof, and supersedes all prior negotiations, understandings or agreements.

3.14 Governing Law. This Agreement shall be governed by the laws of the State of California. Venue shall be in Los Angeles County.

3.15 Amendment; Modification. No supplement, modification or amendment of this Agreement shall be binding unless executed in writing and signed by both parties.

3.16 Waiver. No waiver of any default shall constitute a waiver of any other default or breach, whether of the same or other covenant or condition. No waiver, benefit, privilege, or

service voluntarily given or performed by a party shall give the other party any contractual rights by custom, estoppel, or otherwise.

3.17 Invalidity; Severability. If any portion of this Agreement is declared invalid, illegal, or otherwise unenforceable by a court of competent jurisdiction, the remaining provisions shall continue in full force and effect.

3.18 Delivery of Notices. All notices permitted or required under this Agreement notices shall be deemed made when personally delivered or when mailed, forty-eight (48) hours after deposit in the U.S. Mail, first class postage prepaid and addressed to the party at its applicable address. Actual notice shall be deemed adequate notice on the date actual notice occurred, regardless of the method of service. All notices permitted or required under this Agreement shall be given to the respective parties at the following address, or at such other address as the respective parties may provide in writing for this purpose:

Client: City of Covina
 [INSERT ADDRESS]
 Attention: City Manager

BB&K: Best Best & Krieger LLP
 2855 East Guasti Road, Suite 400
 Ontario, CA 91761
 Attention: Marco A. Martinez, Partner

3.19 Counterparts. This Agreement may be signed in counterparts, each of which shall constitute an original.

IN WITNESS WHEREOF, THE CLIENT AND BB&K HAVE EXECUTED THIS AMENDED AND RESTATED AGREEMENT FOR CITY ATTORNEY LEGAL SERVICES AS OF THE DATE FIRST WRITTEN ABOVE.

CITY OF COVINA

By: _____

Mayor

Attest:

City Clerk

BEST BEST & KRIEGER LLP

By: _____

**Marco A. Martinez
Partner**

Exhibit "A"

[TO BE NEGOTIATED]

Public Finance Legal Services – Description & Rates. The Client shall pay for Public Finance Legal Services at the rates set forth for Public Finance Legal Services, below. For bond counsel and special counsel services in connection with the financing of public facilities, BB&K shall be compensated, depending upon the type of bonds, certificates of participation or other obligations that are to be issued, based on the following schedules. Unless otherwise mutually agreed, our fees as bond counsel on these financings will be payable from proceeds of each series of the bonds upon their issuance.

A. Certificates of Participation and Revenue Bonds. For services in connection with the issuance and sale of certificates of participation and revenue bonds, BB&K shall be paid a fee, which will be the greater of (i) \$35,000 or (ii) an amount based on the total principal amount of the certificates of participation or bonds to be sold, computed as follows:

.50% of the first \$10 million of the amount of the certificates or bonds issued,
plus

.25% of the next \$10 million of the amount thereof, plus

.125% of the amount thereof, if any, over \$20 million.

Notwithstanding the foregoing, in those cases where the fees are reimbursable by a third party, at BB&K's option it may proceed on a hourly basis and utilize the Third Party Reimbursable Legal Services category provided for in this Agreement.

B. Community Facilities Districts. For services in connection with the issuance and sale of bonds of community facilities districts, BB&K shall be paid a fee, which will be the greater of (i) \$35,000 or (ii) an amount based on the total principal amount of the bonds to be sold, computed as follows:

.50% of the first \$10 million of the amount of the bonds issued, plus

.25% of the next \$10 million of the amount thereof, plus

.125% of the amount thereof, if any, over \$20 million.

Notwithstanding the foregoing, in those cases where the fees are reimbursable by a third party, at BB&K's option it may proceed on a hourly basis and utilize the Third Party

Reimbursable Legal Services category provided for in this Agreement with respect to services rendered for the formation of or annexation to a CFD, as well as the negotiation and preparation of funding agreements and joint financing agreements. Hourly compensation shall be payable solely from deposits of third parties and bond counsel fees shall be payable solely from the proceeds of the sale of bonds.

C. Assessment Districts. For services in connection with the issuance and sale of bonds of assessment districts, BB&K shall be paid a fee, which will be the greater of (i) \$35,000 or (ii) an amount based on the total principal amount of the bonds to be sold, computed as follows:

.50% of the first \$6 million of the amount of the bonds issued, plus
.25% of the next \$10 million of the amount thereof, plus
.125% of the amount thereof, if any, over \$16 million.

Notwithstanding the foregoing, in those cases where the fees are reimbursable by a third party, at BB&K's option it may proceed on a hourly basis and utilize the Third Party Reimbursable Legal Services category provided for in this Agreement with respect to services rendered for the formation of or annexation to an AD, as well as the negotiation and preparation of funding agreements and joint financing agreements. Hourly compensation shall be payable solely from deposits of third parties and bond counsel fees shall be payable solely from the proceeds of the sale of bonds.

D. Tax Allocation Bonds. For services in connection with the issuance and sale of tax allocation bonds. BB&K shall be paid a fee, which will be the greater of (i) \$35,000, or (ii) an amount based on the total principal amount of the bonds to be sold, computed as follows:

.50% of the first \$6 million of the amount of bonds issued, plus
.25% of the next \$4 million of the amount of bonds issued, plus
.20% of the next \$5 million of the amount of bonds issued, plus
.15% of the next \$5 million of the amount of bonds issued, plus
.125% of the amount thereof, if any, over \$20 million.

Notwithstanding the foregoing, in those cases where the fees are reimbursable by a third party, at BB&K's option it may proceed on a hourly basis and utilize the Third Party Reimbursable Legal Services category provided for in this Agreement.

E. Investment and Other Agreements. For investment agreements, derivative transactions or interest rate swaps relating to of any bond issue, a separate fee will be charged depending on the type of derivative. Generally, our fee for a derivative transaction mirrors our bond counsel fee. Review of investment agreements will be charged at our hourly rates.

F. Issuer's Counsel Opinions. For all Issuer's Counsel opinions provided by BB&K in connection with any bond financing, fees shall be the following: (1) for opinions on financings for which BB&K does not provide bond counsel and disclosure counsel services, \$10,000; (2) for opinions on financings for which BB&K provides bond counsel services only, \$5,000; (3) for opinions on financings for which BB&K provides disclosure counsel services only, \$2,500; and (4) for opinions on financings for which BB&K provides both bond and disclosure counsel services, there will be no charge.

G. Other Public Finance Services. If other services are requested by the City that are not within the scope of those provided for above, they will be performed on an hourly basis at the Complex Legal Services category provided for in the Agreement.

EXHIBIT "B"

BB&K BILLING POLICIES

Our century of experience has shown that the attorney-client relationship works best when there is mutual understanding about fees, expenses, billing and payment terms. Therefore, this statement is intended to explain our billing policies and procedures. Clients are encouraged to discuss with us any questions they have about these policies and procedures. Clients may direct specific questions about a bill to the attorney with whom the client works or to Judy Ismael of our Accounting Department. Any specific billing arrangements different from those set forth below will be confirmed in a separate written agreement between the client and the firm.

Fees for Professional Services

Unless a flat fee is set forth in our engagement agreement with a client, our fees for the legal work we will undertake will be based in substantial part on time spent by personnel in our office on that client's behalf. In special circumstances which will be discussed with the client and agreed upon in writing, fees will be based upon the novelty or difficulty of the matter, or the time or other special limitations imposed by the client.

Hourly rates are set to reflect the skill and experience of the attorney or other legal personnel rendering services on the client's behalf. Time is accrued on an incremental basis for such matters as telephone calls (minimum .3 hour) and letters (minimum .5 hour), and on an actual basis for all other work. Our attorneys are currently billed at rates from \$200 to \$550 per hour, and our administrative assistants, research assistants, paralegals and law clerks are billed at rates from \$110 to \$225 per hour. These hourly rates are reviewed annually to accommodate rising firm costs and to reflect changes in attorney status as lawyers attain new levels of legal experience. Any increases resulting from such reviews will be instituted automatically and will apply to each affected client, after advance notice.

Fees For Other Services, Costs and Expenses

We attempt to serve all our clients with the most effective support systems available. Therefore, in addition to fees for professional legal services, we also charge separately for some other services and expenses to the extent of their use by individual clients. These charges include but are not limited to, mileage at the current IRS approved rate per mile, extraordinary telephone and document delivery charges, copying charges, computerized research, court filing fees and other court-related expenditures including court reporter and transcription fees. No separate charge is made for secretarial or word processing services; those costs are included within the above hourly rates.

We may need to advance costs and incur expenses on your behalf on an ongoing basis. These items are separate and apart from attorneys' fees and, as they are out-of-pocket charges, we need to have sufficient funds on hand from you to pay them when due. We will advise the client from time to time when we expect items of significant cost to be incurred, and it is required that the client send us advances to cover those costs before they are due.

Advance Deposit Toward Fees And Costs

Because new client matters involve both a substantial undertaking by our firm and the establishment of client credit with our accounting office, we require an advance payment from clients. The amount of this advance deposit is determined on a case-by-case basis discussed first with the client, and is specified in our engagement agreement.

Upon receipt, the advance deposit will be deposited into the firm's client trust account. Our monthly billings will reflect such applications of the advance deposit to costs and not to attorney's fees. At the end of engagement, we will apply any remaining balance first to costs and then to fees. We also reserve the right to require increases or renewals of these advanced deposits.

By signing the initial engagement agreement, each client is agreeing that trust account balances may be withdrawn and applied to costs as they are incurred and to our billings, after presentation to the client. If we succeed in resolving your matter before the amounts deposited are used, any balance will be promptly refunded.

Monthly Invoices and Payment

Best Best & Krieger LLP provides our clients with monthly invoices for legal services performed and expenses incurred. Invoices are due and payable upon receipt.

Each monthly invoice reflects both professional and other fees for services rendered through the end of the prior month, as well as expenses incurred on the client's behalf that have been processed by the end of the prior month. Processing of some expenses is delayed until the next month and billed thereafter.

Our fees are not contingent upon any aspect of the matter and are due upon receipt. All billings are due and payable within ten days of presentation unless the full amount is covered by the balance of an advance held in our trust account. If a bill is not paid within 30 days, a late charge of one percent per month on the unpaid invoice shall be added to the balance owed, commencing with the next statement and continuing until paid.

It is our policy to treat every question about a bill promptly and fairly. It is also our policy that if a client does not pay an invoice within 60 days of mailing, we assume the client is, for whatever reason, refusing to pay. We will then advise the client by letter that the client may pay the invoice within 14 days or the firm will take appropriate steps to withdraw as attorney of record. If the delay is caused by a problem in the invoice, we must rely upon the client to raise that with us during the 14-day period. This same policy applies to fee arrangements which require the client to replenish fee deposits or make deposits for anticipated costs.

From time to time clients have questions about the format of the bill or description of work performed. If you have any such questions, please ask them when you receive the bill so we may address them on a current basis.

Changes in Fee Arrangements and Budgets

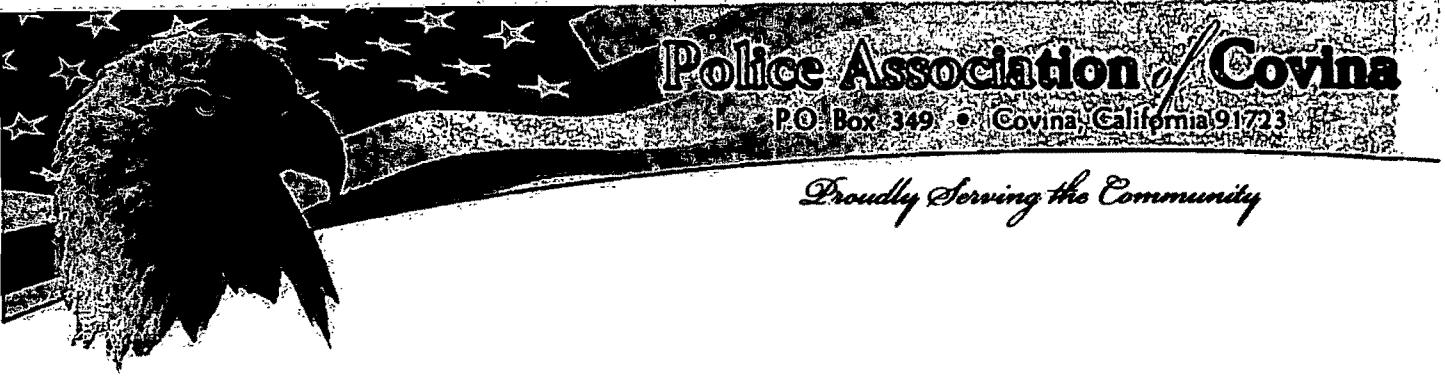
It may be necessary under certain circumstances for a client to increase the size of required advances for fees after the commencement of our engagement and depending upon the scope of the work. For example, prior to a protracted trial or hearing, the firm may require a further advance payment to the firm's trust account sufficient to cover expected fees. Any such changes in fee arrangements will be discussed with the client and mutually agreed in writing.

Because of the uncertainties involved, any estimates of anticipated fees that we provide at the request of a client for budgeting purposes, or otherwise, can only be an approximation of potential fees.

BEST BEST & KRIEGER LLP

APPENDIX E





September 17, 2012

Best Best & Krieger LLP
c/o Mr. Marco Martinez
18101 Von Karman Ave.
Irvine, CA 92612

Dear Marco & Staff,

On behalf of the men and women of the Covina Police Department and peace officers across the nation – we are deeply grateful for your donation of \$1,000.00 toward the construction of the Covina Police Department Memorial. This memorial project seeks to honor and recognize brave men and women who have given their lives in a quest to ensure the safety and peacefulness of the community they serve. In 2006, Covina Police Sergeant Scott Hanson died as a result of an on-duty injury and his name will be placed on this memorial when it is completed.

The architect has been selected. The plans are being drawn. The official site has been identified. We will provide updates via the Covina Police Department's website, including a rendering of the architect's drawings. The website address is www.covinaca.gov/cpd. We look forward to keeping you abreast of the progress of the project and we will be sending you a rendering of the architect's drawing soon.

We need all of the support we can get. If you know someone who might be interested in supporting the project as well – direct them to the official memorial website at www.covinaca.gov/cpd. Again, thank you for your generosity.

Regards,

Kim J. Raney,
Police Chief

Ivan Ostarcevic,
President of
The Police Association of Covina



LA PARK

March 2012

City Mayor

John Sisipeton, Mayor Pro-Tem
Chair Allen Hill Councilmember
Dolach Councilmember
Laguna Councilmember

Jack Fielding, City Treasurer

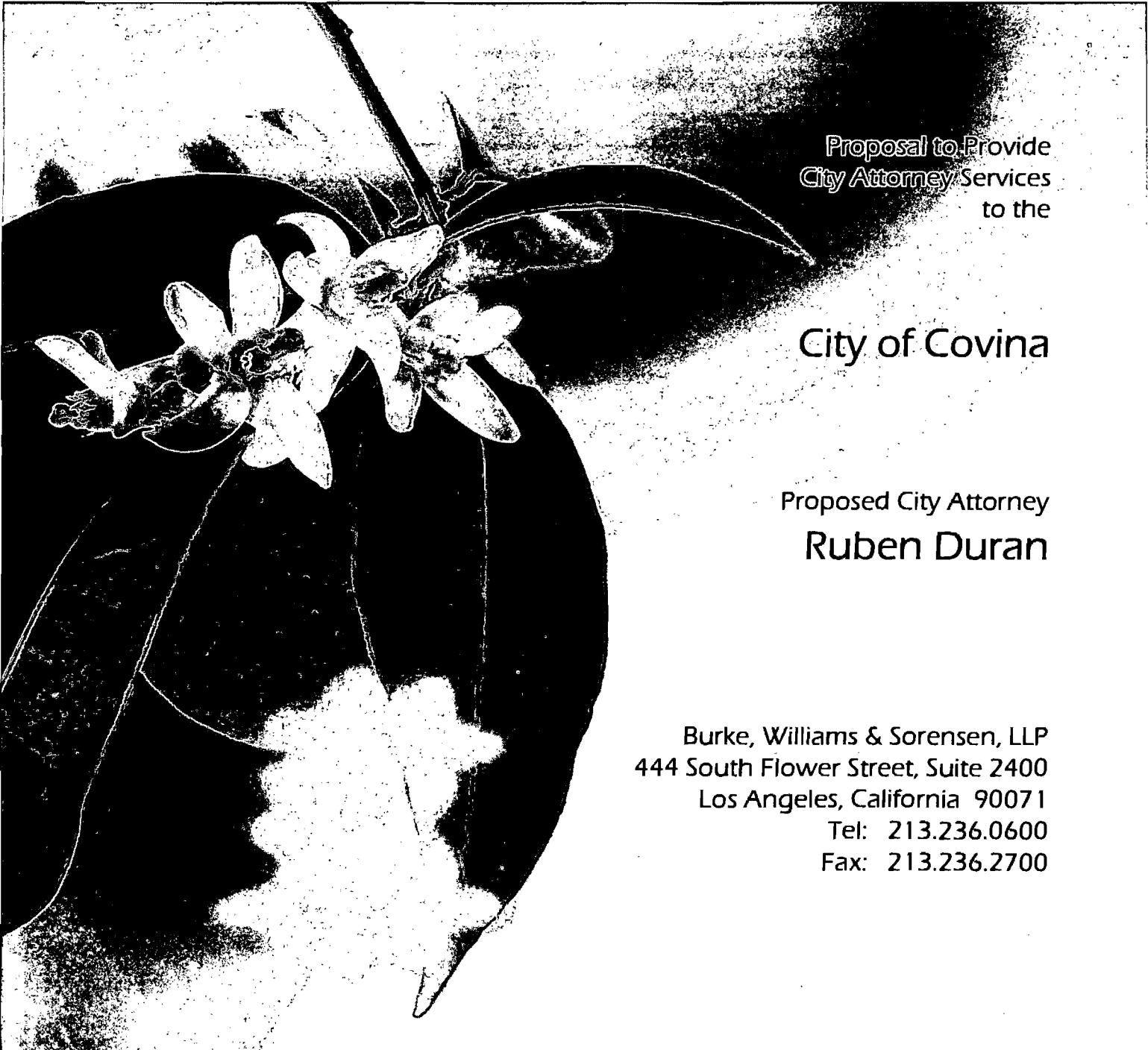
John Quincy Valentine

John Quincy Valentine
Public Works Director
Community Development
Planning, Building & Safety
Public Works Director, Allen Hill
John Quincy Valentine

John Quincy Valentine
Public Works Director, Allen Hill
Planning, Building & Safety
Implementation

John Quincy Valentine
Public Works Director, Allen Hill
Planning, Building & Safety
Implementation





Proposal to Provide
City Attorney Services
to the

City of Covina

Proposed City Attorney
Ruben Duran

Burke, Williams & Sorensen, LLP
444 South Flower Street, Suite 2400
Los Angeles, California 90071
Tel: 213.236.0600
Fax: 213.236.2700

January 24, 2013

burke
BURKE, WILLIAMS & SORENSEN, LLP

ORIGINAL



444 South Flower Street - Suite 2400
Los Angeles, California 90071-2953
voice 213.236.0600 - fax 213.236.2700
www.bwslaw.com

[jwelsh@bwslaw.com]

January 24, 2013

Daryl Parrish, City Manager
City of Covina
125 East College Street
Covina, California 91723

Re: Response to Request for Proposals to Provide
City Attorney Legal Services to the City of Covina

Dear Mr. Parrish:

As a duly authorized representative of Burke, Williams & Sorensen, LLP ("Burke"), I am pleased to submit this response to the Request for Proposals issued by the City of Covina ("City"). Burke is extremely interested in the possibility of providing city attorney services to the City of Covina.

Burke was founded in 1927, and is a diverse, dynamic, and preeminent public law firm. For nearly 80 years, the representation of public agencies has been the cornerstone of Burke's legal practice. The firm currently serves the legal needs of nearly 200 local governmental entities, including cities, joint powers authorities, counties, special districts, and water and school districts. We take pride in our long-standing tradition of providing excellent legal services at reasonable rates and believe our team at Burke offers the depth, expertise, and commitment that the City seeks from its counsel. Ours is a rich tradition of providing high quality advice and services to public agencies. We are prepared to work closely with you in budgeting, performing, reporting on, and updating the legal services you need.

As described in the attached materials, we propose that Ruben Duran serve as City Attorney. Mr. Duran will be assisted by a team selected to provide able legal representation tailored to the City's needs, comprised of an Assistant City Attorney and various other legal professionals with the background and experience needed to meet all of Covina's legal needs.

Thank you for considering us. If you have any questions regarding this proposal, or if you would like additional information, please feel free to contact me at the number listed above. I look forward to hearing from you.

Very truly yours,

BURKE, WILLIAMS & SORENSEN, LLP

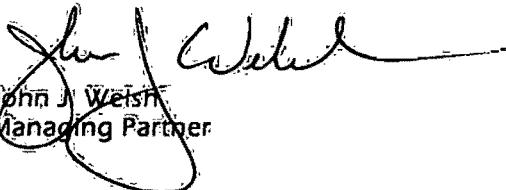

John J. Welsh
Managing Partner

TABLE OF CONTENTS

	Page
SUMMARY	1
STATEMENT OF UNDERSTANDING	1
BACKGROUND AND EXPERIENCE	2
About Burke.....	2
Slow Growth Initiatives.....	3
Bond Covenants.....	3
Police Experience.....	3
Office Locations	4
Support Services.....	5
APPROACH TO LEGAL SERVICES	5
Role of the City Attorney	5
Tracking and Managing Legal Costs.....	6
Working with the City Council.....	6
Professional Development, Training, and Legal Updates.....	7
Coordination of Work	7
Services Not Provided	8
PROPOSED ATTORNEYS	8
Proposed City Attorney.....	8
Proposed Assistant City Attorney.....	8
Other Attorneys	9
REFERENCES AND POTENTIAL CONFLICTS OF INTEREST	9
Public Agency Clients.....	10
Conflicts of Interest.....	12
Public Clients Represented by Proposed Team	13
Private Clients.....	13
Actions Against Burke.....	13
COMPENSATION AND REIMBURSEMENT	14
Billing.....	15
General Legal Services	15
Litigation Services.....	15
Specialized Legal Services.....	16
Subcontractor.....	16
Reimbursements.....	16

TABLE OF CONTENTS
(continued)

	Page
Adjustments.....	16
PROPOSED AGREEMENT.....	16
CONCLUSION.....	17
ATTACHMENT A – PROFESSIONAL SUMMARIES.....	18
ATTACHMENT B – GENERAL AND SPECIAL LEGAL SERVICES	64
General Legal Services	64
Special Legal Services.....	65
ATTACHMENT C – PROPOSED AGREEMENT.....	66

SUMMARY

Covina is a unique community, rich in history and tradition, and the City organization is uniquely situated to provide the City's residents not only with necessary public services and safety, but with the stability and certainty of a strong municipal organization. Even in the difficult economic environment in which most California cities find themselves, Burke, Williams & Sorensen recognizes that the City Council and staff of the City of Covina are committed to keeping the City a strong and vibrant community, and we are committed to doing all we can to help the Council and City Manager do their jobs with the benefit of sound, practical, and economical legal advice at all times.

As a leading, full-service public law firm, Burke is likewise specially placed; ready, willing, and able to provide the necessary counsel and representation to help the City Council achieve its goals. Our proposed City Attorney, Ruben Duran, is a lifelong resident of the San Gabriel Valley, and he understands the special place Covina holds within that larger community. Joe Byrne, our proposed Assistant City Attorney, has the necessary experience, knowledge and drive to assist Ruben and the firm in serving the City.

Very simply, Burke commits to provide the City of Covina with high quality legal services at competitive, fair, and honest prices in a timely and cost-effective way. As a seasoned City Attorney, Ruben is prepared to meet with the City Council, the City Manager, and his key staff to discern how he and our Burke team might quickly and efficiently identify, evaluate and begin to meet the City's legal needs and challenges. We are confident that Burke's attorneys are well-qualified and well-suited to partner with the City and become trusted, valued, and reliable sources of help and counsel.

STATEMENT OF UNDERSTANDING

Ruben Duran, Joe Byrne, and the rest of their team at Burke, Williams & Sorensen understand that a full-service city like Covina can draw on its history as a proud small town to chart a course for the future, ensuring that its small town atmosphere and the values that contributed to the creation of that atmosphere inform and guide the development and evolution of the City. Burke is prepared to provide the full scope of services described in the City's RFP. We daily assist our clients with every manner of issue faced by California municipalities, and we do so always with the realization that we are using public resources. Accordingly, we are particularly mindful of offering efficiencies and added value to our clients in their missions to serve the public.

For Covina, Ruben Duran and the lawyers assisting him will bring to bear a combination of superior legal knowledge and ability in important areas such as land use and planning, along with a practical, common-sense approach to lawyering that recognizes it is a City Attorney's job to help the firm's clients achieve their goals in a sound, practical and, above-all, legally defensible way. To do that well and effectively, Ruben is committed to taking the time and effort (without expense to the City) to acquaint himself with the City and its leaders, and the goals and plans of the City Council, to ensure he and his team are ready to add value to the City.

BACKGROUND AND EXPERIENCE

About Burke

Burke, Williams & Sorensen, LLP is a limited liability partnership, and was founded in 1927. For nearly 80 years, the representation of public agencies has been the cornerstone of Burke's legal practice. Burke provides public entities with a full range of legal, advisory, transactional, and litigation services organized into five practice groups: Public Law, Real Estate and Business Law, Labor and Employment Law, Litigation, and Education Law. The firm's 98 attorneys serve clients from eight offices throughout California. With regional offices in Los Angeles, the Inland Empire, Orange County, Palm Desert, Ventura County, Oakland, Marin County, and Silicon Valley, as well as modern modes of communication and travel, we can easily be where our clients need us to be, when they need us to be there.

The legal environment in which public entities are required to function is both diverse and complex. Recognizing this, our Public Law Practice Group contains many sub-groups and teams allowing our attorneys to specialize in particular areas of public law while still maintaining general public law expertise. These sub-groups include, but are not limited to, the following:

Public Entity Administration and Municipal Law	Land Use and Environmental Law	Public Sector Labor and Employment
<ul style="list-style-type: none">▪ Open Meetings Laws (Brown Act)▪ Public Records Act▪ Conflicts of Interest▪ Election Law Issues – Initiative, Referendum and Recall▪ Public Finance and Taxation▪ Public Works and Contracts▪ Solid Waste Franchising▪ Trial and Appellate Litigation▪ Asset Foreclosure▪ Section 1983 Civil Rights Claims	<ul style="list-style-type: none">▪ Land Use Planning and Zoning▪ California Environmental Quality Act (CEQA)▪ Development Agreements▪ Growth Management▪ Historic Preservation▪ Annexation and Incorporation – LAFCO Proceedings▪ Redevelopment and Economic Development▪ Endangered Species▪ Sustainability and Green Building▪ Water Law and Public Trust	<ul style="list-style-type: none">▪ Grievances▪ Labor Negotiations▪ Disciplinary Hearings▪ Personnel Advice▪ Trial and Appellate Litigation▪ Meyers-Millias-Brown Act▪ Public Safety Officers Procedural Bill of Rights▪ Title VII▪ California FEHA▪ ADA

More than one-half of our work is for public entities and we currently serve the legal needs of nearly 200 governmental entities. We are frequent lecturers, speakers, and teachers to numerous associations and clients. Our public lawyers collectively have hundreds of years of experience as general and special counsel for cities, towns, counties, special districts, and other public agencies. The biographies of all of our lawyers, with descriptions of their expertise and experience, can be found on our website at www.bwslaw.com.

Slow Growth Initiatives

Burke's lawyers have experience working on slow growth initiatives for many cities, including Alameda, Atascadero, Camarillo, Carpenteria, Napa, Pleasanton, and Rohnert Park. We have assisted at every stage of the initiative process for slow-growth and "smart growth" regulations, including advice and counsel at the initial stages of developing the regulations, during the election process, in implementation on a day-to-day planning basis, and in litigation defending cities' adoption, implementation, and use of slow-growth measures. Our clients' slow- or managed-growth efforts have dealt with housing allocations, rural urban limits, "big box" retailers and open space preservation, among other issues.

Bond Covenants

With regard to public finance matters, we have provided general bond disclosure counsel representation for many of our city clients. In that capacity, we are familiar with the issues surrounding bonding covenants and assuring compliance with those covenants to the City's benefit.

In addition to what would be considered traditional or common challenges with bonding issues and covenants in the public financing context, Burke also recognizes that the economic downturn has spawned the problem of developers failing to complete, or sometimes even start, construction of necessary public improvements in relation to entitled development projects. If Covina is experiencing this problem, Ruben and his team of real estate and business attorneys have creative ways to trigger bonds and provide the City the legally-required bonding coverage to complete the public improvements.

Police Experience

Burke has a long history of representing police departments throughout the state such as those in Alhambra, Anaheim, Baldwin Park, Bell, Burbank, Costa Mesa, Downey, El Segundo, Gardena, Hemet, Huntington Beach, Huntington Park, Los Alamitos, the City of Los Angeles, Los Angeles County, Long Beach, Montebello, Newport Beach, Oakland, Pasadena, Port Hueneme, Santa Maria, and West Covina. In many cases, we have done so as the City Attorney, working directly with the Chiefs of Police and City Managers of each city, providing legal advice to the police and fire departments related to the manner in which each city provides public safety services within to its citizens.

Sometimes, cities call upon us as City Attorney or as special counsel to advise and assist across the table or adverse to public safety unions in labor negotiations. In that role, we recognize that while our public entity clients and their negotiating partners are often members of the same team, there are occasions when the City organization must balance the overall needs of the city and its budget with competing interests of labor organizations. As discussed more fully with respect to our labor practice below, Burke's lawyers are fully equipped and qualified in this area, representing many cities in the state on such matters.

Over the years, numerous public agencies have engaged our firm to represent their police departments on specific cases or matters. We know police departments, their chiefs, and police personnel very well, and have been called upon to defend our public safety clients in hundreds of cases -- many of which were litigated and others of which never rose to the level of actual tort or civil rights litigation.

Burke has significant experience in nearly every aspect of police litigation and counseling. We have done so in our role of providing full service to these police departments, advising them on, among many issues including: police procedures, conduct, legal limitations to the police powers inherent in cities and counties and their police departments, and risk management. We have advised cities when the police departments have been challenged by the federal government, and/or the FBI, with violation of the civil rights of citizens. We have provided training for police officers to supplement the training they receive from their departments and knowledgeable professionals. We have provided legal advice on police discipline matters regularly for more than 50 years. We have prosecuted city code violations which have involved the police departments as the investigating agency, and have assisted in development of evidence in misdemeanor and felony matters.

Our tort and civil rights defense efforts on behalf of police departments and officers have dealt with most conceivable factual situations. We are knowledgeable about the Public Safety Officers Procedural Bill of Rights Act. We routinely represent police departments in responding to *Pichess Motions*. We have assisted in writing codes of conduct for police departments, and are familiar with "chain of command" issues. Additionally, we are familiar with and have provided advice on the confidentiality of police personnel records. We counsel departments on compliance with their *Brady* obligations.

As experienced police litigators representing public sector clients, we are intimately familiar with the many unique federal and California immunities and defenses available to public sector clients, particularly in this area, such as the California Government Tort Claims Act, *Monell* liability issues, and qualified immunity. We scrutinize all suits for applicable immunities and defense and strategically invoke them during the litigation.

For the past 17 years, Susan Coleman has represented law enforcement officials and individuals. Susan worked for the Department of Justice, Office of the Attorney General, for over 13 years. For the last 4 years, Ms. Coleman has represented various law enforcement officials at entities such as the State of California; the cities of Alhambra, Inglewood, Los Angeles, Colton, and Beaumont; the counties of San Bernardino and Los Angeles; and the Regents of the University of California. Because of this long history defending law enforcement officials, she has a strong background in civil rights and tort litigation.

Ms. Coleman also has extensive experience with class action litigation, including several class actions on behalf of the Department of Corrections, and she represented the Board of Parole Hearings in a lengthy bench trial involving the Americans with Disabilities Act (*Armstrong v. Davis*). Within the last year, Ms. Coleman has defeated class certification in 2 potential class action cases involving multiple law enforcement agencies. Ms. Coleman has defended law enforcement officers and officials in over 20 civil jury trials in federal and state courts throughout California, with very successful results. Susan is an associate of the American Board of Trial Advocates (ABOTA).

Office Locations

The proposed team members maintain offices in our downtown Los Angeles Office. Burke has other regional offices located in the Inland Empire, Orange County, Palm Desert, Ventura County, Silicon Valley, Oakland, and San Rafael that we may make use of for support and other attorney services. Specialty legal services may be provided from any of Burke's other offices. When services are required by other Burke personnel, we can arrange for teleconferencing or in-person meetings to accommodate your needs.

Support Services

Burke is fortunate to have long-tenured, well-trained, and very capable secretarial and paralegal staff available to serve our attorneys and our clients efficiently. Whenever possible, we rely on our in-house resources in an effort to contain and reduce legal costs for our clients.

As of the date of this proposal, Burke employs 72 support staff in our 8 offices. Burke maintains a Word Processing Department, a Librarian, litigation support professionals, information technology, accounting, and managerial staff in its Los Angeles office that are available by e-mail or phone to assist other offices or attorneys in the field. We have attorneys and experienced support staff to handle very large, complex, and document intensive cases.

APPROACH TO LEGAL SERVICES

Role of the City Attorney

The City Attorney will be responsible for conducting and managing all legal services for the City.

We will represent the City of Covina through its elected City Council. Since trust is such an essential part of our relationship with you, we work with and cultivate a relationship with each Council person. However, it is the full Council to which we are responsible. We do not ever forget that, and we work closely with the City Manager and his staff to ensure the Council's goals are achieved.

We are your zealous legal advocates. But this often requires that we speak frankly with you about facts, consequences, the law, and ethics, even if we know the discussion will be unpopular. A key component of trust is adherence to unambiguous standards of ethics.

We are problem solvers, not hurdles to progress. Our charter is not to simply tell you "the law says X," but to help you find solutions that achieve your desired results within the ambit of the law and an acceptable level of risk. Throughout, we stress strong public ethics.

We value critical feedback. By meeting with the Council both as individuals and collectively, as allowed by the Brown Act, we will provide financial and work reports to elicit critical feedback and to keep the Council informed. Our team emphasizes personal availability so your issues are handled on your schedule, not ours.

We build strong, professional relationships. We will work diligently to develop a strong professional relationship with the City Manager. It is critical that we have an open line of communication and strong working relationship with the City Manager. We never forget we represent and have obligations to the Council.

We are responsible. As City Attorney, Ruben Duran will be our primary point of contact between the City Council and City Manager and is responsible for implementing the directives noted above. He will work directly with the Council and the City Manager to maintain the timeliness, quality, and cost effectiveness of the legal services provided by the firm.

We respect the taxpayers. We are very aware that the City's mission is to provide service to the community. This means being able to use taxpayers' dollars on programs and projects, not litigation and attorneys, when it can be avoided. This is best achieved when the City Attorney

provides early and meaningful participation with a can-do attitude and foresight forged from years of experience in the litigation trenches.

Tracking and Managing Legal Costs

We routinely prepare mid-year and annual budget reports that delineate the cost of various legal services by department and by litigation matters. If requested, we are happy to work with the City Manager on a plan of legal services management that identifies feasible and practical procedures that can be implemented by City staff and the City Attorney's Office to improve the efficiency of legal services for the City.

Working with the City Council

Each municipality has its own preferences as to how its attorney should work with the City Council, City Manager, and other staff. As a first step, Ruben will work with you to understand what the Council has adopted as its rules and preferences; then he will follow them. We believe that our job is to make rules and legal options as clear as possible so that the elected and appointed officials are empowered to represent the people who chose them. The City's Council and residents establish policy and decide what they wish their government to do; it is our job to work with the Council and staff to find ways of accomplishing these goals. On occasion, it is our job to advise that a goal is not attainable, or that it conflicts with state or federal, constitutional or statutory limits on governmental powers.

We appreciate the opportunity to respond to questions from Council members outside of meetings as well as at meetings. We try to avoid surprising the Council or City staff with legal advice and prefer when possible to have advance notice of issues that may arise so that legal advice is based on a complete understanding of relevant facts. In addition, we try to avoid surprising the Council with the status of our work. To this end, Ruben can provide written monthly or quarterly reports updating the City Manager on the status of pending assignments and litigation, as well as monthly or quarterly status reports to the City Council.

Our style at meetings varies with the preferences of the presiding officer and the Council or Commission itself. We can sit quietly until called upon, or until a possible problem emerges, such as a Brown Act issue that requires intervention to protect the City, or signal the chair that we have something to say that may be useful, depending upon local preference. Ruben is generally pro-active after he has spent some time getting to know the elected and appointed officials with whom he works. When working with the various commissions, boards, and councils, he finds it best to:

- Work collaboratively with the City Manager and his staff to be sure that we have a chance to discuss both recurring and novel issues early, when the chances for minimizing expense are greatest, and to understand the preferred lines of communication.
- Learn the City's customary way of working, so that we complement the work done by staff and elected and appointed officials.
- Build upon the City's existing forms and practices, avoiding reinvention unless it will lead to increased efficiency.

- Take advantage of the fact that we represent, as general or special counsel, many public agencies and can spread the cost of preparing memoranda on new issues, cases, and legislation over many clients.
- Take advantage of Burke's brain trust of experienced lawyers who are efficient in their areas of practice, such as redevelopment wind-down, public contracting, employment law, and housing element law.
- Use standard forms adapted for the City's particular style and preferences to expedite document review, and electronic document drafts.
- Limit lengthy written memoranda to cases where they are useful or necessary to fully convey an understanding of a legal issue, and rely on electronic mail advisories to staff or the City Manager when possible.
- Avoid litigation when possible and when it is not, develop a strategy for the entire case at the outset, in consultation with the City.
- Respond promptly and work together to avoid unnecessarily rushed jobs, knowing that some are inevitable.

Professional Development, Training, and Legal Updates

To keep clients advised of new developments in the law, Burke issues newsletters on new cases and legislation of general interest and provides training on new cases and new litigation. We also find the materials provided by associations such as the League of California Cities are useful supplements to our own analyses and will incorporate them in our newsletters or share them with you separately.

We are a certified provider of continuing legal education in California and provide in-house training sessions for all of our lawyers. We also participate extensively in the educational programs of the League of California Cities and various city attorneys associations, and take advantage of the specialized training available from the University of California Extension programs and private providers of continuing legal education. We budget both time and money for training of our lawyers and support staff each year.

Coordination of Work

Ruben's approach to serving cities is simple: give the client what they ask for. If the City Council and City Manager of Covina desire that, as the City Attorney, Ruben should be directly involved in every legal matter arising in the City, he will be.

At the same time, having worked with and for cities for nearly fifteen years, Ruben has learned that sometimes it is more cost-effective to delegate certain work to specialists in the firm who handle a type of matter day-in and day-out, thus giving the City more value at less expense. Indeed, one of the chief advantages of hiring a firm as well-staffed as Burke is that many of our lawyers are experts in their fields, called upon by clients for their specialized knowledge and expertise. With the consent of the City Council, Ruben will call upon these specialists when necessary to provide the City the highest quality service at all times.

Even while doing so, Ruben recognizes it is his job as the City Attorney to be intimately familiar with the City's legal needs and services at all times. The City Council and City Manager will

always be able to turn to him for a straight answer on the status of any pending legal matter for the City.

Services Not Provided

Our attorneys have expertise in virtually all areas of general municipal law, including municipal law advice, labor and employment, special assessments and fees, special taxes, housing authorities, elections, open government, ethics and conflicts, real estate, land use and planning, solid waste/recycling, code enforcement, ADA, FEHA, and public works contracts. From elections to employment law, public works to the Political Reform Act, Burke works to resolve all types of municipal concerns.

This notwithstanding, we do not defend workers compensation claims and we do not provide general advice on taxation issues, nor do we serve as bond counsel in public financing.

PROPOSED ATTORNEYS

Proposed City Attorney

Burke proposes that Ruben Duran serve as City Attorney for the City of Covina. Ruben was admitted to the California Bar in 1998 (SBN 197780); the United States Court of Appeals for the Ninth Circuit in 1999; the United States District Court, Northern District of California in 1999; and the United States District Court, Central District of California in 2008. He received his J.D. from Hastings College of the Law in 1998 and his B.A. in Political Science from the University of California, San Diego in 1993.

Ruben specializes in public law, having worked for cities, special districts, and school districts his entire career. He has established a reputation as a can-do city attorney, fiercely dedicated to his clients and the communities they serve, and always looking to complement the highest standards of legal practice with creative, practical, common-sense solutions.

Ruben currently serves on the Executive Board of the City Attorneys Association of Los Angeles County and is a member of the Los Angeles County Bar Association. He has served on the League of California Cities Municipal Law Handbook Editorial Committee and as a trainer at the League's Mayors' and Councilmembers' Academy.

Proposed Assistant City Attorney

Burke also proposes that Joseph P. Byrne serve as Assistant City Attorney. Joe graduated from the University of Notre Dame Law School in 1997 and received his B.A. from the University of California, Berkeley in 1992. He was admitted to the State Bar of California in 1997 (SBN 190365) and to the United States District Court for the Central District of California in 2008.

Joe has served public entities for most of his career. He specializes in water law and water rights, while also serving our municipal clients in general public law transactions and land use and planning. He is also Vice-Chair of the California Water Commission, serves as a Board Member for Tierra del Sol, and is an Adjunct Professor at the UCLA School of Public Policy.

Other Attorneys

Ruben and Joe will be assisted by a team selected to provide able legal representation tailored to the City's needs, comprised of Manuela Albuquerque, Daphne M. Anneet, Alexandra M. Barnhill, Susan E. Bloch, Susan E. Coleman, Donald M. Davis, Timothy L. Davis, Ronald F. Frank, Brian I. Hamblet, Amy E. Hoyt, Thomas D. Jex, Mark J. Mulkerin, Gregory M. Murphy, Brian A. Pierik, Gerald J. Ramiza, Richard R. Terzian, and Allison G. Vasquez.

Professional summaries for Ruben, Joe, and the proposed team are included in Attachment A. As mentioned before, professional summaries for all of Burke's attorneys can be viewed at www.bwslaw.com.

REFERENCES AND POTENTIAL CONFLICTS OF INTEREST

We are proud of our service record with our public agency clients. We encourage you to contact the client references listed below about the merits of Burke, its personnel, and its services.

Client Name and Address	Contact Tel Email
City of Desert Hot Springs 65950 Pierson Boulevard Desert Hot Springs, California 92240	Scott Matas, Councilmember 760.200.7428 swwmatas@roadrunner.com
City of Desert Hot Springs 65950 Pierson Boulevard Desert Hot Springs, California 92240	Rick Daniels, City Manager 760.329.6411 ext. 101 rdaniels@cityofdhs.org
City of Santa Clarita 23920 Valencia Boulevard, Suite 330 Santa Clarita, California 91355	Ken Striplin, City Manager 661.255.4905 kstriplin@santa-clarita.com
City of Alhambra 111 South First Street Alhambra, California 91801	Mary Chavez, Director of Public Works 626.570.5067 mchavez@cityofalhambra.org
City of Rolling Hills Estates 4045 Palos Verdes Drive North Rolling Hills Estates, California 90274	Greg Grammer, Assistant City Manager 310.377.1577 ext. 107 gregg@ci.rolling-hills-estates.ca.us
City of Petaluma 969 Petaluma Boulevard North Petaluma, California 94952	Patrick Williams, Chief of Police 707.778.4370 pwilliams@ci.petaluma.ca.us
City of Downey 11111 Brookshire Avenue Downey, California 90241	Gilbert Livas, City Manager 562.904.7282 glivas@downeyca.org

Public Agency Clients

Burke currently serves as City Attorney for the following cities:

- City of Alhambra
- City of Arvin
- City of Atascadero
- City of Buellton
- City of Calistoga
- City of Camarillo
- City of Hemet
- City of Industry
- Town of Moraga
- City of Pacifica
- City of Piedmont
- City of Rohnert Park
- City of Rolling Hills Estates
- City of Rosemead
- City of Santa Clarita
- City of St. Helena
- City of Temple City
- City of Wildomar

Burke's other current public agency clients include:

Alameda Corridor East Construction Authority
 Alameda County Transportation Commission
 Alameda Unified School District
 Alhambra Redevelopment Successor Agency
 Alisal Union School District
 Alum Rock Union Elementary School District
 American Burlington University
 Angeles Institute
 Arvin Redevelopment Successor Agency
 Atascadero Redevelopment Successor Agency
 Avenal Community Health Center
 Bear Valley Community Healthcare District
 Belmont Redevelopment Successor Agency
 Berkeley Unified School District
 Berryessa Union School District
 Brentwood Downtown Redevelopment Successor Agency
 Calaveras County Water District
 California Joint Powers Insurance Authority
 California School Boards Association
 Camarillo Community Development Commission Successor Agency
 Camarillo Sanitary District
 Chatsworth Hills Academy
 Chico Unified School District
 China International Medicine University
 City and County of San Francisco
 City of Alameda

City of Albany
 City of Alhambra
 City of Anaheim
 City of Antioch
 City of Arcadia
 City of Arroyo Grande Police Department
 City of Arvin
 City of Atascadero
 City of Belmont
 City of Belvedere
 City of Benicia
 City of Berkeley
 City of Bishop
 City of Brawley
 City of Brentwood
 City of Buellton
 City of Burbank
 City of Burlingame
 City of Calimesa
 City of Calistoga
 City of Camarillo
 City of Camarillo Successor Agency
 City of Carmel-by-the-Sea
 City of Ceres
 City of Chico/Chico Successor Agency
 City of Chino
 City of Chula Vista
 City of Clearlake
 City of Concord
 City of Cudahy
 City of Cupertino
 City of Del Mar
 City of Duarte
 City of East Palo Alto
 City of El Segundo
 City of Emeryville
 City of Foster City
 City of Fremont
 City of Fullerton
 City of Glendale

City of Goleta
 City of Hemet
 City of Hercules
 City of Huntington Beach
 City of Indio
 City of Industry
 City of Irvine
 City of Laguna Beach
 City of Lake Elsinore
 City of Lathrop
 City of Livermore
 City of Long Beach
 City of Los Altos
 City of Los Angeles
 City of Manhattan Beach
 City of Milpitas
 City of Modesto
 City of Monterey
 City of Moorpark
 City of Moreno Valley
 City of Moreno Valley Planning
 City of Mountain View
 City of Napa
 City of Napa Redevelopment Successor Agency
 City of National City
 City of Oakland
 City of Ontario
 City of Oxnard
 City of Pacific Grove
 City of Pacifica
 City of Palmdale
 City of Palo Alto
 City of Pasadena
 City of Patterson
 City of Piedmont
 City of Placentia
 City of Pleasant Hill
 City of Pleasanton
 City of Port Hueneme
 City of Porterville
 City of Redwood City
 City of Richmond

City of Rio Vista
 City of Riverside
 City of Rohnert Park
 City of Rolling Hills Estates
 City of Rosemead
 City of Roseville
 City of Sacramento
 City of San Bruno
 City of San Buenaventura
 City of San Carlos
 City of San Diego
 City of San Jacinto
 City of San Jose
 City of San Leandro/San Leandro Successor Agency
 City of San Luis Obispo
 City of San Mateo
 City of San Rafael
 City of San Ramon
 City of Santa Ana
 City of Santa Clarita
 City of Santa Cruz
 City of Santa Maria
 City of Santa Paula
 City of Santa Rosa
 City of Sausalito
 City of Seaside
 City of Solana Beach
 City of Sonoma
 City of South Gate
 City of South Lake Tahoe
 City of South Pasadena
 City of St. Helena
 City of Stockton
 City of Sunnyvale
 City of Tehachapi
 City of Temple City
 City of Temple City
 Redevelopment Successor Agency
 City of Tulare
 City of Union City/Union City Successor Agency
 City of Vallejo
 City of Wildomar
 City of Winters
 City of Yuba City
 Coast Community Community College District
 Codemed School of Nursing and Technology
 Community College League of California
 Community Development Commission of Rohnert Park Successor Agency
 Compton Community College
 Concord Redevelopment Successor Agency

Conejo Valley Unified School District
 Consumnes Community Services District
 Contra Costa County
 County of Alameda
 County of Lake - Lake County Board of Supervisors
 County of Monterey
 County of Orange
 County of Riverside
 County of San Bernardino
 County of San Diego
 County of San Luis Obispo
 County of Santa Clara
 County of Sonoma
 County of Tulare
 County of Ventura
 Crescentia Valley Water District
 East Bay Regional Park District
 Eastside Union High School District
 Emeryville Redevelopment Successor Agency
 Evergreen Elementary School District
 Fairfield-Suisun Unified School District
 Foster City Community Development Agency
 Franklin-Mckinley School District
 Fremont Union High School District
 Hemet Housing Authority
 Hemet Redevelopment Successor Agency
 Housing Authority of the City of Los Angeles
 Housing Authority of the City of Napa
 Housing Authority of the County of San Bernardino
 Housing Authority of the County of Santa Clara
 Hueneme School District
 Industry Property & Housing Management Authority
 Judicial Council of California
 Jurupa Community Services District
 Jurupa Unified School District
 Lake Berryessa Resort Improvement District
 Las Lomitas Elementary School District
 Liberty Union High School District

Livermore Valley Joint Unified School District
 Livermore-Amador Valley Water Management
 Lompoc Unified School District
 Los Altos School District
 Los Angeles County Sheriff's Department
 Los Angeles Unified School District Bond Oversight Committee
 Los Gatos/Saratoga Dept. of Community/Recreation
 Los Gatos-Saratoga Joint Union High School District
 Manton Joint Unified School District
 Marina View Preschool
 Marymount College
 Menlo Park City School District
 Metropolitan Water District of Southern California
 Milpitas Unified School District
 Montebello Land and Water District
 Monterey Peninsula Water Management District
 Moorpark Redevelopment Successor Agency
 Moreland School District
 Morgan Hill Economic Development Corporation
 Morgan Hill Unified School District
 Mountain View Whisman School District
 Mountain View/Los Altos Union High School District
 Mt. Pleasant Elementary School District
 North Coast County Water District
 Oak Grove School District
 Oakland Police Department
 Oakland Redevelopment Successor Agency
 Oakland Unified School District
 Orange County Healthcare Agency
 Otis School of Arts and Design
 Paradise Unified School District
 Pauma Valley Community Services District
 Placer County/Placer County Successor Agency
 Pleasant Hill Redevelopment Successor Agency
 Portola Valley School District
 Prison Industry Authority

Rancho Santiago Community College District	San Bernardino Housing Authority	Silver Valley Unified School District
Rancho Simi Recreation and Park District	San Francisco Bay Area Rapid Transit	Solano County
Ravenswood City School District	San Francisco Unified School District	Sunnyvale School District
Rio Hondo Community College District	San Jacinto Unified School District	Superior Court of California, County of Los Angeles
Riverside Community College District	San Jose Unified School District	Sylvan Union School District
Rolling Hills Preparatory School	Santa Clara Unified School District	Torrance Unified School District
Rosamond Community Services District	Santa Clara Valley Transportation Authority	Town of Danville
Rosemead Community Development Commission	Santa Clara Valley Water District	Town of Moraga
Rosemead Housing Authority	Santa Clarita Redevelopment Successor Agency	Town of Tiburon
Ross Valley Sanitary District	Santa Cruz Port District	Travis Unified School District
Rubio Cannon Land and Water Association	Santa Ynez River Water Conservation District	Truckee Donner Public Utility District
Ryokan College	Saratoga Union School District	U.S. Bureau of Prisons
Sacramento Regional Transit District	School of Healing Arts	University of California, Santa Cruz
		Willows Unified School District
		Woodside School District

Former public agency clients of Burke include:

Banning Redevelopment Agency	City of Stanton Desert Community College District	Riverside Redevelopment Agency
Buelton Redevelopment Agency	Goleta Redevelopment Agency	San Bernardino City Unified School District
City of Banning	Hollister Elementary School District	San Diego Redevelopment Agency
City of Barstow	Industry Redevelopment Agency	Santa Monica Community College District
City of Beverly Hills	Industry Urban-Development Agency	Santa Rita Union School District
City of Clovis	Los Angeles Community College District	Sequoia Union High School District
City of Culver City	Los Osos Community Services District	Southwestern Community College District
City of Elk Grove	Loyola Marymount University	Southwestern Law School
City of Fontana	Menlo Park Fire District	Stanton Redevelopment Agency
City of Fortuna	Mill Valley School District	State Center Community College District
City of Fresno	Morgan Hill Redevelopment Agency	Town of Atherton
City of Gilroy	Orange County Sanitation District	Tri-City Healthcare District
City of Hawaiian Gardens	Petaluma Community Development Commission	Victor Valley Community College District
City of La Mirada	Redwood City School District	
City of Laguna Woods		
City of Livingston		
City of Los Angeles Community Redevelopment		
City of McFarland		
City of Norwalk		
City of Ojai		
City of Sierra Madre		

Conflicts of Interest

Before representation is undertaken by the firm for each new client and each additional matter for an existing client, the responsible partner must perform a conflict check and obtain the approval of the Managing Partner. The conflict check consists of a search through Burke's computerized database of billing records, client matter lists, and related names/parties to

identify potential conflicts. This database is regularly and routinely updated. The responsible partner is provided with the results of this search and must then review and follow up on each potential conflict listed to determine whether a conflict has arisen under the Rules of Professional Conduct and under any special conflict rules imposed by the client. The matter is then discussed with and approved by the Managing Partner.

If a potential conflict of interest arises in Burke's representation of two clients and if such conflict is only speculative or minor, the firm will seek waivers from each client with regard to such representation. However, if real conflicts exist, Burke will withdraw from representing either client in the matter and assist each in obtaining outside special counsel.

We are pleased to note that our search of our database for the City of Covina, Kevin Stapleton, Walter Allen III, Peggy Delach, John C. King, Robert Low, and Daryl Parrish, resulted in no known conflicts of interest.

Public Clients Represented by Proposed Team

Ruben is currently assisting several of the firm's clients as special counsel in matters such as land use and development and general municipal advice, including specialized conflicts of interest and Brown Act advice. He has no regular client meeting commitments that would interfere with serving the City of Covina.

As Deputy City Attorney for the cities of Santa Clarita and Alhambra and Assistant City Attorney for the cities of Rolling Hills Estates and Arvin, Joe periodically attends city council and planning commission meetings. In addition, he attends planning commission meetings for the cities of Rosemead and Camarillo. However, he does not have regular client meeting commitments that would interfere with serving the City of Covina.

Private Clients

The firm represents a variety of private clients on personnel and general business matters, but we have not found any private client that could pose a conflict of interest with regard to the City of Covina that cannot be resolved by disclosure or consent. For example, we represent Walmart, Inc. in personnel matters, but we have not found that representation to conflict with our city clients and have routinely disclosed the representation and obtained consent to continue the representation. We would expect to do the same with the City of Covina if the issue ever arose, communicating early, openly, and directly with the City out of respect for the professional relationship we would have established with the City.

Actions Against Burke

Neither the firm, nor any of its attorneys, have been successfully sued for malpractice. No known Burke attorney has been disciplined by the California State Bar or other State Bar associations, e.g., disbarred, suspended, or filed as inactive.

During the past five years, Burke has been a defendant in four legal actions. None of these actions have resulted in any judgment being entered against Burke or any judicial determination of malpractice or other malfeasance. Should the City require information related to these matters, Burke will confidentially provide a description of such actions under separate cover.

COMPENSATION AND REIMBURSEMENT

Burke understands the appeal of a monthly retainer, which would give the City some predictability in planning for payment of legal services. Accordingly, we present the following retainer proposal at the City's request and in response to the specific questions set forth in the RFP concerning how many hours would be included in the retainer for General Legal Services and what would occur if the City required fewer or more General Legal Services hours in a given month.

For a monthly retainer amount of Nineteen Thousand, Five Hundred Dollars (\$19,500) Burke will perform up to 90 hours of General Legal Services per month. This would include all of the work listed as General Legal Services below, including regular office hours at City Hall as requested by the City, and all work on Pitchess motions (including court appearances) and up to 10 hours per month on basic labor and employment advice (such as routine policy and contract/MOU review, staff reports for labor and employment-related agenda items, and basic labor and employment advice presented by the City Attorney and/or Assistant City Attorney). If the General Legal Service hours exceed 90 in a given month, additional hours will be billed at the Special Services rates shown below, minus 10 percent.

Monthly Retainer	Rate
General Legal Services (up to 90 hours)	\$19,500
90 hours or more	Specialized Legal Services Rates minus 10%

Burke proposes a review of the retainer agreement after the initial six months of service, and then again quarterly, to determine whether the retainer hours have been properly set. For example, if the City consistently underutilizes the retainer hours (routinely using far less than 90 hours per month), then Burke and the City will renegotiate the retainer amount.

For Specialty and Litigation Services, as defined below, Burke proposes a rate structure that takes into account the experience and specialized skill of each attorney called upon to perform work for Covina, though at a discounted rate to account for the City Attorney/Client relationship the firm and the City will have developed through time working together.

Specialized Legal Services and Litigation Rates (for all work not considered "General Legal Services") are as follows:

Staffing	Hourly Rate
Senior Partners (20+ years experience)	\$275
Partners and Of Counsel	\$250
Associates (7+ years experience)	\$225
Associates (6 years or less experience)	\$210
Paralegals	\$125

In conclusion, Burke is keenly aware that the City seeks innovative ways to predict, plan for and control legal costs while still ensuring high quality representation. We understand the City's concerns over legal costs and will work with you to reduce overall legal expenses and keep fees within budget by taking the following actions: monthly tracking of legal fees and costs versus budgets, regular or as-needed meetings with a Mayor- or City Manager-designated subcommittee, finding and implementing strategies to streamline routine legal tasks, including training of City staff on the proper use of basic forms to minimize or reduce unnecessary legal expenses. Burke is confident in its ability to save the City money while providing the highest quality legal services delivered in a responsive, responsible and cost-effective way.

Billing

Part of what makes Burke such a special law firm is the synergy that our lawyers bring to bear for our clients' benefit. The collective wisdom and experience among our professionals is a true example of the maxim: "greater than the sum of its parts." Our attorneys not only help solve our clients' legal problems, they talk to one another, sharing the legal and practical lessons and knowledge used to solve clients' problems.

Our clients benefit from this collegiality in several ways. First, when there are common issues facing multiple clients simultaneously, we try to get a one- or two-person team to be the "point" on the issue, and we will then split the billings for the work of the point-person among all the clients who have asked for representation on that issue. The clients get the benefit of the work for literally a fraction of the cost. Second, if it turns out that the work was completed for a different client in the past, Burke will not charge for "re-doing" the work. Covina would be charged only for the work necessary, if any, to tailor the work product to Covina's specific needs and to ensure the legal analysis is current and still controlling.

Bills are sent out each month invoicing charges for the prior month. Fees for our services are charged in increments of 1/10th of an hour. The bills provide a specific description of the work performed by all attorneys, the time actually spent on the work item, and the billing rate of the attorney. These bills also contain itemized descriptions of any out-of-pocket expenses incurred during the prior month.

General Legal Services

Burke defines "general" services to include those legal services typically understood to be performed by the office of the City Attorney in advising the City Council, City Manager, and Department Heads in the normal course of business for the City, including drafting and review of staff reports, ordinances, resolutions, standard services contracts and similar contracts and agreements, preparation for and attendance at Council, commission, and staff meetings; legal research, providing standard legal advice and counsel, preparation of legal opinions, review of conflicts of interest, and basic personnel advisory work. We have included a list of general services in Attachment B.

Litigation Services

Litigation work for the City would include civil litigation from initial stages through jury and court trials, administrative hearings, arbitrations, mediations, and appeals. Burke's team approach to litigation management allows our clients to benefit from our partners' collective experience totaling hundreds of jury trials and hundreds of bench trials. Litigation rates are set forth in the table above.

Specialized Legal Services

Burke defines "special" services to include those legal services that require more than a general municipal practitioner to adequately perform or that require an intensive or prolonged effort of more than three attorney hours. We have included a list of special services in Attachment B.

Subcontractor

We do not anticipate needing to subcontract any services.

Reimbursements

We routinely charge our clients for our direct out-of-pocket expenses and costs incurred in performing the services. These costs and expenses commonly include such items as reproduction of documents, facsimile, mileage reimbursement for travel at the IRS approved rate (though we would not charge mileage for travel to or from City Hall for meetings), and other costs reasonably and necessarily incurred in performing services for the City. We do not charge a service fee or overhead for cost reimbursement items. We also do not charge for computer or word processing time. Reimbursement amounts may be adjusted annually.

Expense	Rate
In-house reproduction charges	
black and white	20¢ per page
color	\$1 per page
Mileage (except to/from City Hall)	56.5¢ per mile (or current IRS rate)
Facsimile	\$1 per page
All other costs reasonably and necessarily incurred in performing services for the City	at cost

Adjustments

The rates for legal services quoted in this proposal will remain in effect for the first year of the contract. Thereafter, unless otherwise negotiated, rates may be adjusted based on a standard annual adjustment upon consultation with the City Manager and approved by the City Council as part of their standard budget adoption process, equal to the greater of the average Consumer Price Index for the previous four quarters, or 3 percent.

PROPOSED AGREEMENT

Burke's proposed retainer agreement is included as Attachment C.

CONCLUSION

Burke has the experience, dedication, and resources to serve the City's needs ethically, efficiently, and cost-effectively. We will be happy to provide you with any additional information you require about our firm and welcome the opportunity to meet face-to-face to discuss Burke's capabilities and readiness to represent the City of Covina. We appreciate your consideration of our proposal.

ATTACHMENT A – PROFESSIONAL SUMMARIES



Partner

State Bar No. 197780
Los Angeles Office
444 South Flower Street
Suite 2400
Los Angeles, California 90071
direct: 213.236.2723
main: 213.236.0600
fax: 213.236.2700
rduran@bwslaw.com

PRACTICE GROUPS

Education Law
Public Law

EDUCATION

J.D., University of California,
Hastings College of Law, 1998
B.A., Political Science,
University of California, San
Diego, 1993

ADMISSIONS

California State Bar, 1998
United States Court of Appeals
for the Ninth Circuit, 1998
United States District Court for
the Northern District of
California, 1998

Ruben Duran

Ruben Duran brings to the firm significant experience counseling public entities on a range of municipal law and education law issues. He has advised city councils, and their staffs on matters pertaining to redevelopment wind-down, land use, California Environmental Quality Act (CEQA) compliance, affordable housing, New Markets Tax Credits transactions, environmental law, the Brown Act, the Public Records Act, elections, tort liability, gaming and conflicts of interest.

Ruben was the City Attorney for the City of Desert Hot Springs and General Counsel to its Redevelopment Agency for almost six years. He also served as General Counsel of the Fontana Unified School District. He previously served as the Assistant City Attorney for the cities of La Puente, Pico Rivera, Bell Gardens, Monrovia, Barstow, La Habra Heights and Beverly Hills. In addition, Ruben has provided special counsel to the City of Pasadena and the Los Angeles Unified School District.

Ruben's economic development experience includes serving as the lead counsel on project teams that negotiated with property owners, developers, tenants and businesses on projects that have included large commercial and retail developments and affordable housing. He has also advised clients on issues related to prevailing wage compliance, owner participation requirements and relocation requirements.

With extensive land use, planning and CEQA experience, Ruben has ably advised the city councils, planning commissions, and staff of several municipalities on the legal issues involved in general plan amendments and zoning ordinances. In this capacity, he provides input on CEQA documents ranging in scope from initial studies to complete Environmental Impact Reports (EIRs). In addition, he has drafted statutory development agreements with developers and conducted land use law and CEQA implementation trainings for agency staff.

Representative Matters

As City Attorney of Desert Hot Springs and General Counsel to the Desert Hot Springs Redevelopment Agency, Ruben was responsible for providing all the City's legal services. He provided advice and counsel on general governmental issues, public contracting, telecommunications, personnel, labor and employment, litigation, police, municipal finance, and land use and planning.

Advised staff and was a key member of the Desert Hot Springs negotiation and implementation team for the New Markets Tax Credits transaction responsible for the development of the new Desert Hot Springs Health and Wellness Center.

Assisted the City of Desert Hot Springs and several of its sister cities in the formation of a joint powers authority named ERICA (the East Riverside County Interoperability Communications Authority) for regional coordination and cooperation in public safety communications.

Advised the City of Desert Hot Springs in their work with the staff of the Coachella Valley Association of Governments (CVAG) in the processing and implementation of the CVMSHCP (Coachella Valley Multiple Species Habitat Conservation Plan).

Oversaw and coordinated the defense against a complex CEQA writ challenging the City of Desert Hot Springs' certification of an EIR and associated approvals for a large mixed-use development including residential, commercial, resort and open space.

Oversaw several employment cases for the City of Desert Hot Springs, involving issues such as wrongful termination, whistle-blowing, discrimination and harassment.

Served as lead counsel to the Bell Gardens Community Development Commission, providing day-to-day advice and representation to the City Council and their redevelopment team. In that capacity, Ruben drafted and negotiated all of the Commission's agreements and legal documents, such as Exclusive Negotiating Agreements, Disposition and Development Agreements, leases, loan agreements and deeds of trust on affordable housing agreements. He worked closely with Commission staff and developers to make the following projects a reality:

A high-quality shopping center with over 80,000 square feet of retail space with national-chain tenants (a "first" for the City) and a full service, sit-down restaurant and bar;

A senior citizen affordable housing apartment complex with a community center;

A clubhouse for the City's nine-hole executive golf course;

A state-of-the-art sports complex with two professional-size soccer fields, three soccer fields, three softball/baseball fields and concession facilities;

A programming and sponsorship partnership agreement with Chivas USA, a Major League Soccer team, to maximize the revenue generated by the sports complex discussed above;

Several for-sale, affordable, single-family, detached housing projects consisting of at least 10 units each, along with the accompanying covenants to preserve affordability levels for the longest time allowed under the law; and

The transfer of the lease interest in a recently built shopping center from the developer that constructed it to the Prudential Group, under the ownership transfer provisions of the ground lease, resulting in a negotiated \$1 million payment to the Commission.

As assistant general counsel for the Big Bear City Community Services District, advised staff on general transactional matters and endangered species issues involving the U.S. Forest Service, California Fish and Game regulations, and neighboring jurisdictions.

Affiliations

Los Angeles County Bar Association

Secretary, City Attorneys Association of Los Angeles County

Chapter Chair, *California Municipal Law Handbook Committee*

Former panelist, League of California Cities Mayor and Councilmembers Academy

Former Coro Fellow in Public Affairs

Publications & Presentations

"Social Media and School Employees," California Council of School Attorneys and the County Counsel's Association, Annual Conference, 2012

AB 1234 training, City of Bell, 2011

"Advanced Ethics and Conflicts of Interest," City Clerk's Association Conference, 2011

"Ethics," California Special Districts Association, 2010

"Cold as I.C.E.: How Not to Get Burned by the National Immigration Debate on Your Campus," The Association of Latino Administrators and Superintendents, 2010

AB 1234 training, City of Desert Hot Springs, 2008, 2010 & 2012; City of Downey, 2010



Joseph P. Byrne

Joseph Byrne advises private sector companies on a variety of legal issues, including corporate matters, contracts, licensing agreements, general litigation, real estate, and employment. He also serves as general counsel to a number of small companies, including clean technology, wholesale, and apparel companies.

In addition to his private sector practice, Mr. Byrne advises a number of public entities, primarily cities and special districts, on a broad range of public law issues such as CEQA, code enforcement, conflicts of interest, personnel, public works bidding and contracts, land use, and general compliance with state and federal laws. Mr. Byrne drafts opinions and ordinances, performs general litigation, and negotiates and drafts many types of agreements.

Mr. Byrne also has considerable experience working with public and private clients on a variety of issues related to water, including the drafting of many types of water related agreements, water rights, and advising on regulatory and policy issues. In addition, Mr. Byrne is very familiar with the California legislative process and provides clients with strategic advice on how to organize and implement effective legislative and regulatory strategies.

In 2010, Mr. Byrne was appointed by the Governor to serve on the California Water Commission and is currently the Vice-Chair. The Commission has many statewide responsibilities related to water. Mr. Byrne has been an adjunct professor at the UCLA School of Public Policy, where he taught on water policy, and he frequently speaks to groups on water issues. He is also a member of the LACBA Environmental Law Section Executive Committee and the Chancery Club, a group of accomplished southern California attorneys with a focus on public service.

Prior to joining Burke, Mr. Byrne worked in the Government Practice Group of an international law firm, advising clients on legal issues that mostly related to their interactions with government. From 1998-2002, Mr. Byrne worked in the California State Assembly, where he served two years as Counsel to the Speaker of the Assembly and as the Speaker's Chief Policy Consultant on water/environment and public safety. He also served as the Speaker's appointee to the California Court Reporters Board and the California Earthquake Authority.

Affiliations

California Water Commission, Vice-Chair

Chancery Club

Tierra del Sol, Board Member

UCLA, School of Public Policy, Adjunct Professor



Manuela Albuquerque

Manuela Albuquerque is the firm's Director of Complex Public Litigation. She combines wide-ranging expertise across the full spectrum of public law issues with significant litigation experience before state and federal trial and appellate courts. Ms. Albuquerque served as the Berkeley City Attorney for twenty-two years – from 1985 to 2007, the longest tenure of any city attorney in Berkeley's history, garnering numerous awards for her outstanding work. She advised the Berkeley City Council, Housing Authority, City Manager and staff, and over forty, nine-member City boards and commissions, while also litigating cases at every level of state and federal courts in conjunction with a team of in-house litigators and subject matter specialists that she developed and managed. She has personally litigated some of Berkeley's most significant cases and filed amicus briefs on behalf of cities and counties in many important cases.

Ms. Albuquerque was the President of the City Attorney's Department of the League of California Cities from 1994-1995, serving on the Department's Executive Committee for three years. She represented city attorneys on the League of California Cities Board of Directors from 2003-2005 and in that capacity served on the City Attorney's Department Executive Committee for two years. Through her litigation advocacy, she has helped shape the law in favor of municipalities in many different areas including the First Amendment, equal protection, impairment of contract, takings, due process, CEQA, charter city powers, tax issues, rent control, subsidized housing and housing element law. She has served on many important City Attorney Department Committees including ethics, due process and Proposition 218. Ms. Albuquerque was the recipient of a California Lawyer of the Year award and a Top Women Litigators' award in 2007 for her advocacy in *Evans v. City of Berkeley* before the California Supreme Court. She was selected as the Public Lawyer of the Year by the State Bar of California's Public Law Section in 2005.

PRACTICE GROUPS

Litigation
Public Law

EDUCATION

J.D., University of California,
Hastings, College of Law, 1975

B.A., Economics, California
State University, Bakersfield,
1972

B.A., Economics, Miranda
House Delhi University, Delhi,
India, 1970

ADMISSIONS

California State Bar

United States District Court,
Northern District of California,
1975

United States Court of Appeals
for the Ninth Circuit, 1982

United States Supreme Court,
1985

Representative Matters

Morongo Band of Mission Indians v. State Water Resources Control Board, 45 Cal.4th 731 (2009) (procedural due process in administrative hearings)

Evans v. City of Berkeley, 38 Cal.4th 1 (2006) (First amendment and subsidies)

Marina v. Board of Trustees of the California State University, 39 Cal.4th 341 (2006) (CEQA and impact of university development on cities.)

Chapman v. Superior Court, 130 Cal.App.4th 261 (2005)
(conflicts of interest under 1090 and liability of public agency)

RUI One Corporation v. City of Berkeley, 371 F3d 1137 (9th Circuit 2003) (Living Wage ordinance and equal protection and impairment of contract)

Kajima/Ray Wilson v. Metropolitan Transportation Authority, 23 Cal.4th 305 (2000) (public contracting and promissory estoppel)

Saad v. City of Berkeley, 24 Cal.App.4th 1206 (1994) (land use and takings)

Black Property Owners Ass'n v. City of Berkeley, 22 Cal.App.4th 974 (1994) (housing element)

Fisher v. County of Alameda, 20 Cal.App.4th 120 (1993) (charter city powers of taxation)

City of Berkeley v. Cukierman, 14 Cal.App.4th 1331 (1993) (business license taxes and equal protection)

Davis v. City of Berkeley, 51 Cal.3d 227 (1990) (subsidized housing)

Fisher v. City of Berkeley, 475 U.S. 1150 (1986) (rent control and federal anti-trust law preemption)

Affiliations

City Attorneys' Department Representative on League of California Cities Board of Directors 2003-2005

City Attorneys' Department Executive Committee 2003-2005

Member, City Attorneys' Department Due Process Committees 2005 and 2008

Chair, League of California Cities Nominating Committee, Spring 1999

President, City Attorneys' Department 1994-1995

First Vice-President, City Attorneys' Department 1992-1993

Second Vice-President, City Attorneys' Department 1991-1992

Chair, Municipal Law Practitioners' Directory Committee 1992-1993

Member, City Attorney's Department Municipal Law Institute Committee from 1998 and continuing

Member, Asian American Bar Association

Publications & Presentations

Albuquerque (co-presenter with Tom Brown), "How to Litigate a Writ of Mandate Case," League of California Cities, City Attorneys' Department Spring Conference, May 2011

Albuquerque, "Due Process In Local Administrative Hearings After The California Supreme Court's Opinion in Morongo Band of Mission Indians v. California State Water Resources Control Board, 45 Cal.4th 731 (2009)"

League of California Cities, City Attorneys' Department Spring Conference, May 2009

County Counsels' Association of California Fall Conference, October 2009

Albuquerque (co-author) "Ethical Principles for City Attorneys" adopted by the City Attorneys' Department at its Spring Conference in May 2005

Albuquerque (co-author) "Practicing Ethics: A Handbook for Municipal Lawyers." League of California Cities (2004)

Albuquerque, "Procedural Due Process Limitations on the Municipal Lawyer Combining Quasi-Judicial and Prosecutorial or Investigatory Functions" (2004) League of California Cities City Attorneys' Spring Conference

Albuquerque, "Public Lawyers as Whistle-Blowers: Proposed Revisions To State Bar Rule of Professional Conduct 3-600

Albuquerque, "Joint Defense of Suits brought Against Public Entities and Their Employees: Are Conflicts Manufactured or Real" Vol. 23, No. 4, Public Law Journal 5 (2000)

Albuquerque, "Preemption Unveiled - The Full Monty" Western City Magazine, June 1998

Albuquerque, "The City Attorney - Monitor, Mentor or Meddler?" City Attorneys' Annual Conference (1999)

Albuquerque, "California and Dillon: The Times They Are a-Changing" 2 Hastings Constitutional Law Quarterly 187 (Winter 1998) (concerns the constitutional power of California cities)

Albuquerque, "City Attorney Ethical Issues" Cities Attorneys' Spring Conference (1993)

Albuquerque, "General Municipal Litigation Update," City Attorneys' Annual Conference (1992)

Albuquerque, "General Municipal Litigation Update," City Attorneys' Spring Conference (1992)

Albuquerque, "General Municipal Litigation Update," City Attorneys' Annual Conference (1991)

Albuquerque, "The Local Response to the Issues Regarding the Homeless," City Attorneys' Department Spring Conference (1987)

Albuquerque, San Diego Navy Federal Credit Union v. Cumis Insurance Society: Its Implications for Public Entities, City Attorneys' Spring Conference (1985)

Note, "The Invisible Hand and the Clenched Fist: Is There a Safe Way to Picket Under the First Amendment?" 26 Hastings Law Journal 167 (1975)

Recognitions

2010 Lifetime Achievement Award - South Asian Bar Association

2007 California Lawyer of the Year award - California Lawyer magazine

2007 Top Women Litigator award - Daily Journal legal newspaper

2007 Inducted into first annual "California State University, Bakersfield Alumni Hall of Fame"

2005 Public Lawyer of the Year award - Public Law Section, California State Bar

2005 Overall Community Service award – California State Bar Minority Bar Coalition

2002 Role Model award - Clara Folz Feminist Association, Hastings College of the Law

2000 Trailblazer award - National Asian Pacific American Bar Association

1999 Selected as one of 12 Asian Pacific American Leadership Institute fellows

1999 Honored by Indians for Collective Action for outstanding contributions to the community

1997 Featured as one of 12 Asian American Women of Hope in the United States by the Bread and Roses Cultural Project in its poster set and study guide aimed at middle school children to provide them with role models

1997 Honored by the South Asian Bar Association for outstanding service to the South Asian community



Daphne M. Anneet

Daphne Anneet is a partner in Burke, Williams & Sorensen's Los Angeles office. She is Vice-Chair of the firm's Labor and Employment Practice Group.

A skilled litigator, Ms. Anneet has achieved excellent results for clients in state and federal court, as well as in administrative proceedings. She represents public and private employers in a wide range of matters including class actions, wrongful termination, discrimination and harassment litigation, pension litigation, unfair labor practice disputes, arbitrations, disciplinary appeals, and appellate matters. Ms. Anneet has served as lead defense counsel in a number of class action lawsuits over the past decade and has a proven track record of achieving successful results in a variety of creative and cost-effective ways. A graduate of the prestigious LA County Bar Association's Trial Advocacy Project, Ms. Anneet has served as a pro city attorney prosecutor.

In addition to her labor and employment litigation practice, Ms. Anneet serves as lead negotiator in collective bargaining for the City of Hemet. She also currently provides labor relations services on an as-needed basis for a number of cities, counties and special districts.

Ms. Anneet conducts independent internal investigations of complaints involving discrimination, harassment, retaliation, workplace misconduct, and alleged conflicts of interest. She has also written and lectured on a wide array of employment issues for many organizations at their annual training conferences and conventions, including the Los Angeles County Bar Association (LACBA); Professionals in Human Resources Association (PIHRA); California Public Employers Labor Relations Association (CALPELRA); League of California Cities; Association of California Water Agencies; Southwestern Law School; and, Southern California Public Labor Relations.

Ms. Anneet received her Juris Doctor, *magna cum laude*, from Southwestern Law School, where she was awarded the Outstanding Woman Legal Graduate award. Since her graduation, Ms. Anneet has remained active alum. She has served as an Adjunct Faculty member and currently serves on Southwestern's Board of Trustees.

Ms. Anneet is an active member of several professional organizations. She is an Executive Board member of the Labor and Employment Law Section of the LA County Bar Association and an affiliate member of CALPELRA. Ms. Anneet is the Immediate Past President of the National Association of Women Business Owners-LA (NAWBO) and current Chair of the NAWBO LA Foundation.

PRACTICE GROUPS

Education Law
Labor & Employment Law
Litigation
Public Law

EDUCATION

J.D., *magna cum laude*,
Southwestern Law School

ADMISSIONS

California State Bar, 1994
United States District Court,
Central District, 1994

Representative Matters

Case Name	Area of Emphasis	Verdict/Outcome
<i>Representative employment litigation – complex litigation</i>		
Los Angeles Memorial Coliseum Commission v. Lynch, DeStefano, et. al. [2011] LASC BC 472814	False Claims Act/Breach of Fiduciary Duty/Fraud/Conflict of Interest	Pending
SEIU et al v. City of Hemet (2011) RIC 116129	Challenge to City's Franchise of Refuse Services/ Prop 218	Defeated TRO/civil case dismissed/unfair labor practice charge withdrawn
Haro v. City of Rosemead (2010) 174 Cal.App.4 th 1067	Wage and hour class action	Defeated class certification (upheld on appeal); settlement of individual claims as a result of mediation
Bass v. City of Alhambra, et al. (2010) USDC CV 08-07660	Disability discrimination class action, civil rights	Dismissal of all claims against individual defendants and damages claims. Settlement of class action claims without any monetary payment to plaintiff
In the Matter of Statutory Penalties for the Belated Enrollment of 100 Class Members (public agency client confidential) (2008)	Pension rights class action / application of penalty provisions under Gov't Code Section 20305	Settlement prior to issuance of statement of decision (3 week administrative hearing before an ALJ at the Office of Administrative Hearing)
Lisa Hagene, et al v. County of Riverside (2008) RIC 376254	Class action writ of mandate; employee benefits; pension benefits; independent contractor misclassification claim	Motion to strike damages granted; writ denied
Metropolitan Water District v. Superior Court (2004) 32 Cal.4 th 491	Class action writ of mandate; employee benefits and pension benefits; independent contractor misclassification claim	Global resolution following Supreme Court ruling on legal standard governing PERS eligibility
<i>Representative labor and employment litigation - bench trials, arbitrations, disciplinary appeals, and administrative hearings</i>		
Anaheim Police Officers Association v. City of Anaheim (2012)	Disciplinary appeal arbitration (termination/retaliation)	Prevailed at arbitration (4 day arbitration)
Gilliam v. City of Alhambra (2012)	Disciplinary appeal arbitration (termination)	Appeal dismissed
City of San Diego v. San Diego Peace Officers Association (2011) D056209	Writ of mandate/unfair labor practice (pension rights)	Writ granted; SDPOA's preliminary injunction denied; SDPOA's cross-petition denied (upheld on appeal)
Salas v. City of Alhambra (2011) PERB Decision No. 2161-M	Unfair labor practice (retaliation)	Complaint and underlying unfair practice charge dismissed (3 day administrative hearing; upheld on appeal)
Mialocq v. County of Santa Clara (2011) OAH No. 2010060794	Pension benefits claim	Prevailed at administrative hearing (3 day PERS administrative hearing)
Albert Beattie v. City of Arroyo Grande (2011)	Disciplinary appeal arbitration (termination/fitness for duty issues)	Prevailed at arbitration (8 day arbitration)
Peppers-Franklin v. Riverside Superior Court (2011)	Disciplinary appeal arbitration (demotion)	Prevailed at arbitration (1 day arbitration)
Ronald Munson v. City of Alhambra (2011)	Disciplinary appeal arbitration (demotion)	Prevailed at arbitration (1 day arbitration)
Teamsters Local 952 v. City of Anaheim (2010) No. LA-CA-607-M	Unfair labor practice; (retaliation)	Charge dismissed

Eddie Gutierrez v. City of Alhambra LASC Case No. BS 123155 (2010)	Public Safety Officers Procedural Bill of Rights	Prevailed on underlying disciplinary action at arbitration; pre-litigation settlement of writ proceeding
Shawn Jenkins v. City of Santa Clarita (2010)	Disciplinary appeal arbitration (termination)	Prevailed at arbitration (1 day arbitration)
Mark Rodriguez v. City of Alhambra (2010)	Disciplinary appeal arbitration (termination)	Prevailed at arbitration (2 day arbitration)
Kimberly Rocha v. City of Alhambra (2010)	Disciplinary appeal arbitration	Prevailed at arbitration (2 day arbitration)
Sigfredo Villegas v. City of Alhambra (2009)	Disciplinary appeal arbitration (demotion)	Prevailed at arbitration (4 day arbitration)
Menlo Park Fire District Protection District v. San Mateo County Firefighters Local 2400 (2009) SF-CE-390M	Unfair labor practice (retaliation)	Complaint and Charge dismissed
City of Hemet v. Hemet Police Officers Association (2009) RIC 481240	Unfair labor practice/writ of mandate (post-retirement benefits)	Settlement prior to hearing on the merits
LeDuc v. Board of Trustees of Capistrano Unified School District	Writ of mandate/wrongful termination	Writ denied
Alameda Corridor Training and Employment adv. Stewart UIAB Case No. 569833	Independent contractor misclassification claim	Reversal of administrative determination that contractor was misclassified (1 day administrative hearing)

Representative employment/civil rights litigation - resolved through law and motion

McCollum v. City of Anaheim (2011) OCSC 30-2010-00431381	Wrongful termination/race discrimination	Summary judgment
Panelli v. Berryessa Union School District (2011) 108 CV121974	Disability discrimination	Summary adjudication/settlement
Reams v. City of Moreno Valley (2010) RIC 10017492	Wrongful termination/gender discrimination	Settlement pre-litigation (through early mediation)
Martinez v. City of Oakland, et al. (2009) RGI8407717	Race discrimination; failure to hire	Settlement (through early mediation)
Emirkhanian v. Metropolitan Water District, et. al (2007) BC 210658	Pregnancy, gender and race discrimination; retaliation;	Settlement pending ruling on defendant's MSJ
Gail Naylor vs. Metropolitan Water District LASC BC 288114	Race and gender discrimination; failure to promote	Summary judgment
Carmen Norona Yanez vs. Metropolitan Water District LASC BC 288114	National origin and gender discrimination; failure to promote	Summary judgment
Maria Biel vs. Metropolitan Water District LASC BC 288114	National origin and gender discrimination; failure to promote	Summary judgment
Brenda Fisher vs. Metropolitan Water District LASC BC 288114	Race and gender discrimination; failure to promote	Summary judgment
Fuller v. Los Angeles Unified School District LASC BC 298214	SLAPP	Dismissal following successful SLAPP motion and award of attorneys fees
Brauner v. Los Angeles Unified School District, Sallye Gauthier, et al. (2002) WL 31678404	Defamation	Summary judgment; upheld on appeal
Janian v. Metropolitan Water District (2010)	Retiree medical benefit claim	Settlement pre-litigation
Brekke –Esparza v. California Public Employee Retirement System	Pension benefits	Obtained reversal of initial negative determination regarding retired City Manager's pension benefit

Nickerson v. Capistrano Unified School District	Peer-to-peer sexual harassment; Title IX	Case settled for \$1,000 prior to hearing on defendant's MSJ
Padilla v. City of Alhambra, et al. (2007) UCSD CV-05-7609	Civil rights; wrongful death	Settlement at mediation (through pre-trial mediation)
Molina v. City of Alhambra, et al. (2007) UCSD CV-02295	Civil rights	Settlement (through early mediation)
Other representative litigation		
Gonzalez v. Kinro, Skyline Corp. (2009) UCSD CV-08233	Putative nationwide class action; unfair competition/product liability	Dismissal after defeat of class certification motion
Consolidated Electrical Distributors, et al. v. Hebdon, Henkel Corp., et al. SDSC N61420	Environmental groundwater contamination; product liability; complex litigation involving three groups of plaintiffs and sixty defendants; represented the target defendant	Case settled for a <i>de minimis</i> amount after two weeks, of what had been scheduled as a 4 month trial (Final demand before trial: \$240 million)
Certified to serve as pro bono prosecutor through the LACBA Trial Advocacy	4 Civil misdemeanor trials	Defense plea in each case at various stages in the prosecution

Affiliations

CALPELRA, Affiliate Member

Labor and Employment Law Section of the LACBA, Executive Board

National Association of Women Business Owners-LA (NAWBO LA) Immediate Past President
NAWBO LA Foundation

Professional in Human Resources Association (PIHRA), member

Southwestern Law School, Board of Trustees

Publications & Presentations

CALPELRA Learn Training Program: Interactive Process and Reasonable Accommodation.
March 2012

Worker Misclassification 101: Avoiding Liability and Penalties California Public Employers Labor Relations Association (CALPELRA), Annual Training Conference, November 2011

Hearing Secrets That You Keep: Is There Any Such Thing As Employee Privacy? Los Angeles County Bar, Labor and Employment Section, Annual Legal Symposium, March 2010

Managing Employment Practices Liability in Challenging Times: Strategies to Reduce Risk, National Association of Women Business Owners-LA/ Chubb Insurance Co., February 2010

Elimination of Bias in the Workplace, Southwestern Law School, Annual MCLE Compliance Program, January (annually since 2005)

Responding to EEOC/DFEH Charges: So you have received a charge from the EEOC/DFEH, what now? CalPELRA Annual Training Conference, November 2009

Employment Law Update: Staying Ahead of the Curve, ACWA-JPIA Training Conference, Sacramento, California, February 2009

The New FMLA Regulations. ACWA-JPIA Training Conference, Sacramento, California, February 2009

Privacy in the Electronic Workplace, PIHRA Annual Legal Update, multiple locations, January 2009

Effectively Managing Family Leave in California: Curbing FMLA/CFRA Abuses While Treating Your Employees Fairly, Association of California Water Agencies Conference (ACWA), December 2008

The Runaway Jury: Avoiding Litigation Over Your Implementation of the Family Medical Leave and California Family Rights Acts, California Public Employers Labor Relations Association (CALPELRA), Annual Training Conference, November 2008

Life in the Big Easy and Million-Dollar Payout, Preventing Retaliation Cases, CALPELRA Annual Training Conference, November 2008

Recordkeeping – What to Keep, What to Toss, and How to Make Sure Your Electronic Records and Complete and Compliant, ERI 2008 Advanced California Employer Seminar, September 2008, Irvine, California

HR Best Practices Seminar – Employee Hiring, Employee Benefits & Effective Workforce Management, September 2008, Playa Vista, California

Tools and Techniques to Effectively Use the Discovery Process in Employment Litigation, Los Angeles County Bar Association, Labor and Employment Section, September 2008

Workplace Monitoring in the 21st Century Workplace – How Far Can You Go? Professionals In Human Resources, District 4 (PIHRA), September 2008

Strategic HR – Leadership Development: Key Legal Strategies to Ensure Success, Association of California Water Agencies, Spring Conference, 2008

Privacy and Security in the Workplace, Southern California Public Labor Relations Council, June 2008

The Contingent Workforce – Minimizing the Risks, Professionals In Human Resources (PIHRA) 2008 Annual Legal Update, January 2008

Pre-hire Screening: Legal and Successful Ways to Screen Applicants, Annual Conference of the California State Personnel Commissioners Association, October 2007

Responding to DFEH Complaints and EEOC Charges: PIHRA District 12, October 2007

Responding to DFEH Complaints and EEOC Charges: A step-by-step process, CIPMA monthly meeting, September 2007

Responding to DFEH Complaints and EEOC Charges: PIHRA District 7, July 2007

Public Sector Legal Update, PIHRA 2007 Annual Legal Update, January 2007

The Contingent Workforce – Common Mistakes and How to Avoid Them, PIHRA's 49th Annual Conference and Exhibition, September 2006

Managing Capital Programs in Challenging Times, presented to the Association of California Water Agencies Annual Spring Conference, May 2006

The Contingent Workforce – How to Conduct an Effective Contingent Worker Audit CIPA Annual Conference, Spring 2006

Nuts and Bolts of Employment Law, presented to the Los Angeles County Bar Association, Labor and Employment Section's Annual Nuts and Bolts of Employment Litigation, February, 2006

The Contingent Workforce – Beware and Be Prepared, presented to PIHRA's 2006 Annual Legal Update, January, 2006

The Use of Contingent Labor in the Public Sector– Update on the pending contingent worker class actions, presented to the Southern California Public Labor Relations Association, January 17, 2006

PERS and Contingent Worker Liability, presented to the California Public Employers Labor Relations Association Annual Training Conference, November 2005

The Contingent Workforce – Is Your Organization at Risk?, presented to PIHRA's 48th Annual Conference and Exhibition, October 7, 2005

The 2004 Cargill Decision – Steps Your Agency Should Immediately Take to Ensure Compliance, presented to the Southern California Public Labor Relations Council, April 2004

A Case of the Tail Wagging the Dog –With A Vengeance: Are Leased Workers Public Agency Employees and Does the Common Law Apply, presented to the Association of California Water Agencies Annual Spring Conference, May 2004

Recent Developments in Contingent Worker Claims, presented to the League of California Cities, Employee Relations Institute, January 2003

Contingent Worker Litigation – The Potential Impact of the Cargill Action, presented to the Association of California Water Agencies Annual Spring Conference, May 2002

Contingent Worker Litigation – An Update, presented to PIHRA's Annual Legal Update Conference, January 2002. (Co-author)

Coping with Contingent Worker Issues – presented to the CALPELRA Annual Training Conference, November 2002 (Co-presenter)

The Use of Contingent Labor in the Public Sector, presented to the Southern California Public Labor Relations Council, May 2001

Contingent Worker Litigation: Is Your Organization at Risk?, Public Law Journal , Vol 22, No. 4, Fall 1999. (Co-author)



Alexandra M. Barnhill

As an advisor to cities, special districts and joint powers agencies across California, Ms. Barnhill is familiar with a broad range of municipal, environmental and water law matters.

Ms. Barnhill currently acts as Assistant City Attorney and Assistant General Counsel for a number of municipalities. She routinely counsels her clients on achieving compliance with traditional public law issues such as the Public Records Act and the Ralph M. Brown Act. Ms. Barnhill has extensive experience evaluating conflicts of interest as they relate to the Political Reform Act, Government Code section 1090, and the common law. She also regularly lectures on achieving compliance with governmental ethics laws.

Ms. Barnhill regularly provides legal advice regarding California's complex framework of laws governing the permissible scope of revenue generation by public agencies, including Propositions 13, 218, and 26, as well as the Mitigation Fee Act. She also has gained significant experience representing clients both seeking and opposing governmental reorganization through Local Agency Formation Commission (LAFCO) proceedings. Other areas of expertise include the initiative power and solid waste franchise agreements.

Using her Certificate of Specialty in Environmental Law as a foundation, Ms. Barnhill skillfully guides her clients through the land use permitting, development entitlement and environmental review (CEQA) process.

Ms. Barnhill is an active member of the professional community and serves as Attorney Editor of the California Municipal Law Handbook, CEB Publication. She has also been appointed by her peers to act as a representative on the League of California City's Fair Political Practices Committee. Ms. Barnhill serves on the Board as the Legislative Director for the Northern California Chapter of the American Planning Association.

Representative Matters

Act as the Assistant City Attorney for the cities of Rohnert Park and Pacifica and as General Counsel to the Livermore-Amador Valley Water Management Agency.

Advised a city in its award of a solid waste franchise with respect to Proposition 218 and CEQA issues.

Litigated a case to interpret the scope of development permissible under a stipulated judgment in light of local zoning laws and Coastal Act restrictions.

Represented a special district in LAFCO proceedings to oppose a city's detachment proposal which could harm the environment and increase customers' rates.

Affiliations

League of California Cities, Member, Fair Political Practices Committee (City Attorneys Dept.)
Legislative Director, American Planning Association, Northern California Section
California Special Districts Association
California Association of Sanitation Agencies
President, Tri-Counties Local Government Attorneys' Association, 2009-2010

Presentations

"A.B. 1234 Training: Keeping your Hands Clean and Your Decisions Transparent" Presentation to ACWA JPIA members on April 19 and February 2, 2012
"Open Meetings Law: Brown Act Training" Presentation to ACWA JPIA members on April 19 and February 2, 2012 and to City of Pacifica Planning Commissioners on November 30, 2011
"Legal Framework for Making Informed Land Use Decisions" Presentation at the Planning Commissioners Workshop Series, El Cerrito, CA on April 7, 2012
"Inclusionary Housing Ordinances, What's Next?" Presentation to American Planning Association, Northern California Section members, Oakland, CA on December 15, 2011
"Advanced Training in the California Public Records Act," Presentation to City Clerks and staff from Sonoma County in Rohnert Park, CA on November 4, 2011
"LAFCO's and Levies: What Staff Should Know about Props 218 and 26," Presentation at the CALAFCO Annual Staff Workshop in Ventura, CA on April 7, 2011
"Special District Fees, Assessments and Taxes in a Prop. 218 World," Presentation to Goleta West Sanitary District, May 18, 2010
"Ethics Essentials for Public Agencies: A.B. 1234 Training," Presentation to Santa Barbara County officials, March 20, September 26, and November 29, 2006; March 8, 2007; November 13, 2008; February 1 and July 28, 2009, June 21, July 22, and December 2, 2010; and March 2, 2011
"Drafting an Effective Social Host Ordinance," Presentation to Tri-Counties Local Government Attorneys Association, November 14, 2007
"Best Practices for Making Informed Land Use Decisions," Presentation to City of Carpinteria Planning Commission, July 18, 2007

Publications

"R.I.P. RDAs" *The Northern News*, March 2012
"California's Prop 26: Levies, Taxes and Fees, Oh My!" *The Open Space*, January 11, 2011 and *The Northern News*, February 2011
"Entrenching the Status Quo: Ninth Circuit Interprets Preemption Doctrines to Allow Local Regulation of Environmental Problems If It Meets the Lowest Common Denominator," *Ecology L. Q.*, Vol. 31, Issue 3, 2004

Susan E. Bloch

Partner
State Bar No. 178778
Oakland Office
1901 Harrison Street
Suite 900
Oakland, California 94612
direct: 510.903.8809
voice: 510.273.8780
fax: 510.839.9104
sbloch@bwslaw.com

PRACTICE GROUPS

Public Law

Real Estate & Business Law

EDUCATION

J.D., University of California,
Davis, 1995

Master of City Planning,
University of California
Berkeley, 1987

B.A. (with distinction),
University of Michigan, 1979

ADMISSIONS

California State Bar, 1995

Susan Bloch specializes in economic development and transactional real estate matters. Ms. Bloch represents public agencies and private and non-profit developers in transactions involving the acquisition, development, financing, leasing and sale of residential, commercial and industrial properties; and the development and implementation of affordable housing policies and programs.

Ms. Bloch is a member of the California Redevelopment Association's (CRA) Technical Advisory Committee, and in that capacity has conducted training for successor agencies addressing the windup of redevelopment agency affairs. She is also a member of the Post-Redevelopment Task Force organized by the City Attorneys' division of the California League of Cities (LOCC) and is the Chair of the Task Force's subgroup addressing property transactions, litigation, and City-Agency agreements. Ms. Bloch is also an active participant in the housing committee of the LOCC Post-Redevelopment Task Force.

Ms. Bloch has negotiated and drafted real estate acquisition, development, disposition, financing and leasing documents for redevelopment agencies, municipalities and other public entities, including the Community Redevelopment Agency of the City of Los Angeles, the Redevelopment Agency of the City of San Leandro, Placer County Redevelopment Agency, Sacramento Regional Transit District, East Bay Regional Parks District, the City of Union City, the City of Rancho Cordova, the City of Dublin, the Redevelopment Agency of the City of Milpitas, the Redevelopment Agency of the City of South San Francisco, the City of Millbrae Redevelopment Agency, the Petaluma Community Development Commission, the City of Elk Grove, the Transportation Agency of Monterey County, and the Moraga-Orinda Fire District.

Prior to joining Burke, Ms. Bloch represented institutional lenders, private developers and non-profit organizations in connection with leasing, development and financing transactions.

Before beginning her practice as an attorney, Ms. Bloch served as Program Manager with the Sacramento Housing and Redevelopment Agency and as a consultant to the Neighborhood Reinvestment Corporation and the National Economic Development and Law Center. She has been a speaker at conferences and seminars sponsored by the League of California Cities, the California Continuing Education of the Bar (CEB), the Real Property Section of the California State Bar, the California Redevelopment Association, Housing California, the Northern California Association for Non-Profit Housing,

California Association for Local Economic Development (CALED), the California Association of Local Housing Finance Agencies (Cal-ALHFA), the Bay Area City Attorneys Association (BACA) and the City Attorneys Association of Los Angeles County (CAALAC).

Representative Matters

City of Oakland Successor Agency – representing the Successor Agency to the Oakland Redevelopment Agency in connection with redevelopment agency dissolution matters, including development of asset disposition and retention strategies, implementation of enforceable obligations, and representation before the State Department of Finance.

County of Placer/Placer County Successor Agency - representing the County of Placer in redevelopment and affordable housing matters, including matters related to dissolution of the Redevelopment Agency and implementation of enforceable obligations. Recent projects include updating first-time homebuyer and residential rehabilitation loan documents; and negotiation and drafting of financing and development documents for a scattered-site affordable housing project and a mixed-use/mixed-income housing development.

City of Chico/Chico Successor Agency – representing the City of Chico and the Successor Agency to its Redevelopment Agency in connection with redevelopment agency dissolution matters, including representation before the State Department of Finance.

City of Union City/Union City Successor Agency - representing the City of Union City and the Successor Agency to its Redevelopment Agency in connection with redevelopment agency dissolution matters, including representation before the State Department of Finance, implementation of enforceable obligations, and the development and implementation of asset retention and disposition strategies.

City of San Leandro/San Leandro Successor Agency – Affordable Housing and Transit-Oriented Development. Representing the Agency in connection with the proposed financing of a 100-unit affordable rental development as part of a transit-oriented development, including the negotiation of owner participation agreements and loan documents. Representing the City and the Successor Agency in connection with redevelopment agency dissolution matters, including representation before the State Department of Finance, implementation of enforceable obligations, and the development and implementation of asset retention and disposition strategies.

RC Peninsula Park, LLC. Represented private developer in the negotiation and drafting of a long-term development agreement governing a phased residential condominium, retail and hotel project; an infrastructure financing agreement; and agreements governing developer contributions for affordable housing and childcare.

Sacramento Regional Transit District – Transit-Oriented Mixed-Use Developments. Represented the District in the negotiation and preparation of disposition and development agreements for two proposed transit-oriented developments that will provide a mix of residential, retail and commercial uses. The documentation included option agreements and loan and security instruments for the District's construction-to-permanent financing for the projects.

City of Reno. Represented the City of Reno and its Redevelopment Agency in connection with the private development of a minor league baseball stadium and related retail projects, including the negotiation and drafting of complex disposition

and development agreements, ground leases, property exchange and option agreements, retail leases, and financing documents.

Community Redevelopment Agency of the City of Los Angeles – Alexandria Hotel. Represented the Agency in connection with financing the rehabilitation of a historic hotel into 463 studio apartments. Negotiated permanent loan documents with the private developer while concurrently negotiating a proposed settlement agreement in complex federal litigation related to the project.

City of South San Francisco/Successor Agency. Represented the City of South San Francisco and its Redevelopment Agency in affordable housing and commercial transactions involving the purchase, sale and rehabilitation of residential and commercial properties and the negotiation and preparation of financing, acquisition and disposition agreements. Represented the Successor Agency in connection with redevelopment agency dissolution matters.

San Leandro Redevelopment Agency – Senior Housing. Represented the Agency in connection with the financing of an affordable senior housing project. The project was financed with a combination of city, agency, and county loans; HUD 202 financing; tax-exempt bonds; and low-income housing tax credits.

City of Dublin – Inclusionary Housing and First-Time Homebuyer Programs. Represented the City in connection with the implementation of its inclusionary zoning ordinance and its first-time homebuyer loan program. This included negotiation with the developers of single family and condominium developments that are subject to the inclusionary ordinance; drafting program guidelines and regulations; drafting amendments to the ordinance and regulations as changing circumstances have warranted; and assisting staff in a myriad of implementation issues such as requests for refinancing, violation of resale restriction agreements and foreclosures.

City of Dublin – Mixed-Income Housing. Represented the City in connection with development of a 660-unit, mixed-income housing development that includes senior and multi-family phases financed with 4 percent tax credits, tax-exempt bonds and a low-interest City loan. Negotiated and drafted development agreements detailing the developer's obligations to construct public improvements, loan documents, and affordable housing regulatory agreements to ensure compliance with the City's inclusionary zoning requirements. Represented the City in negotiations for the disposition and redevelopment of Dublin Housing Authority property for redevelopment as a mixed-income senior, multi-family, and homeownership development.

City of Dublin – Low-Income Senior Housing. Negotiated and drafted ground lease, predevelopment and construction loan documents, regulatory agreements, and easement agreements for a low-income senior housing project financed with a City loan, tax credits and a conventional construction loan. This project required coordination with the City's concurrent construction of a senior center on an adjacent parcel. The project included shared access, parking and reciprocal easements.

Milpitas Redevelopment Agency – Affordable Housing, County Health Center and Parking Facility. Negotiated and documented numerous owner participation agreements, disposition and development agreements and financing documents for these projects. Transactions included the Agency's conveyance of adjacent parcels to a non-profit developer and to Santa Clara County for construction of an affordable senior housing development and a County health clinic facility, and the ground lease of an additional Agency-owned parcel for County construction of a parking garage. Documentation included a ground lease with option to purchase, loan documents for the housing project, and a reciprocal access easement agreement governing construction and maintenance of a common driveway.

San Leandro Redevelopment Agency – Affordable Housing, Motel Conversion, Commercial Development and Rehabilitation. Represented the City of San Leandro and San Leandro

Redevelopment Agency on housing and economic development matters including residential and commercial rehabilitation programs, multi-family housing development, and the disposition and development of land for commercial and residential projects. Assisted the Agency in the acquisition of a dilapidated motel, and the negotiation and preparation of ground lease and financing documents pursuant to which the Agency leased the property to a non-profit developer for conversion into affordable studio apartments, provided construction financing, and will provide an operating subsidy to ensure continued affordability.

Affiliations

State Bar of California, Real Property Law Section

Los Angeles County Bar Association, Real Estate Section

American Bar Association, State and Local Government Law Section

American Bar Association, Affordable Housing and Community Development Forum

Publications & Presentations

Speaker, "Housing Successor Agency Implementation Issues" California Association of Local Housing Finance Agencies (Cal-ALHFA), conference workshop, October 2012

Speaker, "What Does AB 1484 Really Mean in the Post-Redevelopment Era?" California Association for Local Economic Development (CALED) Webinar, July 2012

Speaker, "Post-RDA Latest Developments," City Attorney's Association of Los Angeles County," July 2012

Trainer, "Implementing ABx1 26 - Successor Agency Training," California Redevelopment Association, 2012, Pasadena

Trainer, "Housing - Successor Agency Training," California Redevelopment Association, 2012, Fresno

Speaker, "Nuts and Bolts for Successor Agencies," Webinar, 2012

Speaker, "Toolkit for Economic Development: Land Use and Housing," Webinar, 2012

Trainer, "Critical Elements of the OPA/DDA" Redevelopment Institutes of the California Redevelopment Association, 2009 and 2010, San Ramon

Speaker, "Leveraging Public Funds for Affordable Housing," Sonoma County Bar Association, 2008

Speaker, "Before Saying "Yes": How Local Governments Can Evaluate Proposed Affordable Housing Projects," Non-Profit Housing Association of Northern California Annual Conference, 2008

Trainer, "Basic Affordable Housing" and "Advanced Affordable Housing," Redevelopment Institutes of the California Redevelopment Association, 2006, 2007, and 2008

Moderator and Speaker, "Motel Conversion: Creating Permanent Affordable Housing," Housing California Annual Conference, Sacramento, 2008

Speaker, "Plan Adoption, Amendment and Merger," California Redevelopment Association, Introduction to Redevelopment program, 2008

Moderator and Speaker, "From Slum to Shangrila: Converting Dilapidated Transient Motels into Affordable Housing," CRA/Cal-ALHFA Affordable Housing Conference, 2007

Moderator and Speaker, "Tackling Neighborhood Blight: From Problem Motels to Permanent Affordable Housing," California Chapter of American Planning Association Annual Conference, 2007

Moderator and Speaker, "Motel Conversion: Creating Permanent Affordable Housing," League of California Cities Annual Conference, 2007

Speaker, "Redevelopment Agreements," CEB Land Use Seminar, 2006

Speaker, "Investigating Real Estate: What Public Agencies Need to Know Before They Buy," Client Seminar, 2006

Speaker, "The Powers of Redevelopment," California Redevelopment Association, Introduction to Redevelopment Program, 2006

Speaker, "Getting Blight Right: A Review of Recent Case Law and Tips for Bulletproofing Redevelopment Plan Documents," California Redevelopment Association Legal Issues Symposium, 2005

Speaker, "Redevelopment and Cost-Sharing Agreements," Municipal Management Association of Northern California, 2004

Speaker, "Anatomy of a Mixed-Income Multi-Family Housing Project: Land Use and Financial Tools that Increase Affordability," Bay Area City Attorneys Association (BACA), 2004

Speaker, "Introduction to Redevelopment," California Redevelopment Association, 2002

Speaker, "Tax Increment Financing for Community Development," Neighborhood Reinvestment Corporation/Neighborhood Housing Services Conferences, 1987-1988

Author, Tax Increment Financing: A Tool for Community Development, Neighborhood Reinvestment Corporation, 1988

Co-author, "Developments in Non-profit Production of Low-Income Housing," with David Kirkpatrick and Mary Ann Dillon, *Clearinghouse Review*, 1987

Speaker, "Housing Trust Funds," National Legal Aid Defenders Association Conference, 1987

Author, "Unique Partnership Launched in Chicago," *Economic Development and Law Center Report*, July/August 1985



Susan E. Coleman

Susan E. Coleman is a partner at Burke, Williams & Sorensen LLP with over 17 years litigation experience. Ms. Coleman worked for the Department of Justice, Office of the Attorney General, for over 13 years. For the last three years, Ms. Coleman has represented various public entities such as the cities of Alhambra, Inglewood, Los Angeles, Colton, Beaumont; the counties of San Bernardino and Los Angeles; agencies of the State of California; and the Regents of the University of California, and those entities' individual employees. Because of this history defending governmental entities and their employees, she has a strong background in tort litigation, constitutional law/civil rights litigation, and premises liability.

Ms. Coleman has defended officials and individuals in over 20 civil jury trials in federal and state courts throughout California, with very successful results. These trials include claims of wrongful death, negligence, excessive force, retaliation, failure to summon medical care, and various other tort and constitutional issues. Ms. Coleman is an associate of the American Board of Trial Advocates (ABOTA).

Ms. Coleman also has extensive experience with class action litigation, including several class actions on behalf of the California Department of Corrections. Ms. Coleman has defeated class certification motions in three separate matters in the last two years. She also represented the Board of Parole Hearings in a lengthy bench trial involving the Americans with Disabilities Act (*Armstrong v. Davis*).

During law school, Ms. Coleman served as Articles Editor for the *Santa Clara Law Review*. In addition, she held a clerkship for the California Court of Appeal, Fourth District in San Francisco for Justice Jerome Smith. After obtaining her Juris Doctorate and while working as an attorney, Ms. Coleman attended San Francisco State University's Master's in Tax program from 1994 through 1996.

Affiliations

American Board of Trial Advocates, Associate

California State Bar, Federal Courts Executive Committee
Member

Member, Federal Bench Executive Committee, California State
Bar

PRACTICE GROUPS

Labor and Employment Law
Litigation
Public Law

EDUCATION

J.D., Santa Clara University,
1994

B.A., Whitman College, 1991

ADMISSIONS

California State Bar, 1994

United States Court of Appeals
for the Ninth Circuit

United States District Court
for the Central, Eastern,
Northern, and Southern
Districts of California

U.S. Supreme Court

Publications & Presentations

State Court Practitioners' Playbook for Mastering Federal Court, The State Bar of California
85th Annual Meeting, October 2012

Guide to Understanding Use of Force Lawsuits, League of California Cities Annual Conference, September 2012

"Protecting Landlord Control of Transfers: The Status of 'Sole Discretion Clauses in California Commercial Leases," (Vol. 35, No. 3, *Santa Clara University Law Review* (Spring 1995)

"Stormy Seas?: New Oil Pollution Laws of the West Coast States," co-author, Vol. 34, No. 3, *Santa Clara University Law Review* (Spring 1994)

"Negotiating Prison Hunger Strikes? Just Say No," *Public Law Journal*, Vol. 35, No. 1 (Winter 2012)

Recognitions

"Outstanding Achievement in Client Representation" award from Attorney General Jerry Brown in 2006 (received by 1 person annually in the Civil section of the CA Dept of Justice)



Donald M. Davis

Don Davis has provided contract city attorney and general counsel services to public agencies throughout California for nearly 20 years. He currently serves as the City Attorney for Rolling Hills Estates, Assistant City Attorney for the cities of Camarillo and Industry, and General Counsel for the Pauma Valley Community Services District. Mr. Davis also provides special counsel services for numerous other Burke public entity clients.

Mr. Davis' has considerable expertise in land use and planning. He has advised numerous planning commissions and city councils throughout his legal career, and regularly consults with city planning staffs on matters ranging from General Plan amendments to use permits. Mr. Davis has drafted dozens of major zoning and land use ordinances. Mr. Davis' land use practice emphasizes the regulation of matters that implicate federal and state rights of freedom of speech and expression such as signage, adult businesses, protests, and solicitation.

Mr. Davis is an authority on the Brown Act, Public Records Act, and other government transparency and ethics laws and is the firm's principal instructor for AB 1234 ethics trainings. He has provided seminars around the state on these subjects, which have been attended by hundreds of public officials and staff members.

Mr. Davis regularly handles a broad range of real estate transactional matters for public agencies such as property acquisitions, financing, leasing, and dispositions. As part of such transactions, he provides advice on appraisals, title reports, legal descriptions, engineering, and survey issues. In the course of his practice, Mr. Davis has assisted public and private clients in the purchase or sale of thousands of acres of property valued in the hundreds of millions of dollars. Mr. Davis has drafted a variety of easement, license, and encroachment agreements with respect to both public and private uses and projects.

Mr. Davis has significant experience with a wide variety of environmental issues including CEQA. In working with the firm's public and private clients, Mr. Davis has handled all aspects of the CEQA compliance process, including the hiring and management of project specialists in various environmental disciplines. He routinely provides advice and opinions on CEQA compliance strategies, and has reviewed and commented on numerous CEQA documents ranging from notices of preparation to mitigated negative declarations and environmental impact reports.

Mr. Davis has significant experience in negotiating, drafting, and reviewing contracts for public agencies including contracts for

PRACTICE GROUPS

Litigation
Public Law

EDUCATION

J.D., University of California,
Davis, 1993

B.A., English, *cum laude*, Wake
Forest University, 1984

ADMISSIONS

California State Bar, 1993

United States District Court,
Central District, 2002

public works projects, maintenance contracts, contracts for goods and services, and consultant and professional service contracts. Mr. Davis is a strong proponent of plain English in public contracts, which should be readable and understandable to public agency staff and the general public – not just lawyers.

Mr. Davis regularly provides advice on a range of public finance matters such as Proposition 218 and 26, the adoption and adjustment of public fees, rates and charges (including sewer, water and solid waste rates), and has advised clients on the formation and oversight of assessment districts, community facilities districts, and other special financing mechanisms.

As a litigator, Mr. Davis has successfully defended public agencies in matters involving due process, equal protection, freedom of speech, government torts, inverse condemnation, public bidding and contract disputes, and writs of mandamus including CEQA suits. Mr. Davis also has represented private clients in real estate, contract, and business-related litigation.

Prior to becoming an attorney, Mr. Davis served as a United States Peace Corps Volunteer in Yemen and also worked as an international educational consultant.

Affiliations

City Attorneys Association of Los Angeles County

Tri-Counties Local Government Attorneys Association

The Waverly School, Board Member

Recent Presentations

City Council Leadership Training, Training on behalf of the California Joint Powers Insurance Authority, 2012

Brown Act and Public Records Act Training, Presentation to Association of California Water Agency JPIA members, Rancho Cucamonga, 2012

The Rubdown on California Massage Regulations, Presentation to the City Attorneys Association of Los Angeles County, Spring Retreat 2012

Everyday Ethics, Municipal Management Association of Southern California, Long Beach, February 2011

AB 1234 Ethics Training for Public Officials, multiple agencies

Advance Training in California's Open Meeting and Public Records Laws, multiple agencies

Publications

Municipal Law Handbook, Chapter Editor, California League of Cities and California Continuing Education of the Bar, 2011-2012

Local Agency Website Transparency Opportunities, Contributing Editor, *Western City Magazine*, June 2012

Avoiding the Sign Code Shakedown: A Checklist of Basic Provisions, *Public Law Journal*, Winter 2004



Timothy L. Davis

Timothy Davis is a partner in Burke, Williams & Sorensen's Silicon Valley office and is Chair of the firm's Labor and Employment Law practice group.

Mr. Davis has tried to verdict employment cases in both federal and state court, and has conducted over 60 employment arbitrations. Mr. Davis routinely defends employers in litigation matters in actions involving state and federal law, such as Title VII, the California Fair Employment and Housing Act, Americans with Disability Act, Age Discrimination and Employment Act, Family and Medical Leave Act, California Family Rights Act, California Pregnancy Disability Act, Public Safety Officers Procedural Bill of Rights, and wage and hour issues, including wage and hour class actions. He has represented both public and private clients in claims of wrongful termination, breach of fiduciary duty, breach of loyalty, unlawful interference with prospective economic advantage, unfair competition, and constitutional rights violations. His practice also includes the representation of public employers before state, federal, and local administrative proceedings, including the Department of Labor, local civil service commissions, PERB, EEOC, and OSHA. His litigation practice, with substantial emphasis and experience in labor and employment, encompasses all aspects of litigation, including trial, all phases of trial preparation, arguing law and motion matters, taking depositions, preparing and responding to pleadings, drafting and responding to written discovery, and research. Mr. Davis' reported decisions include *Alhambra Police Officers Association v. City of Alhambra*, (2003) 113 Cal.App.4th, 413.

PRACTICE GROUPS

Labor & Employment Law

Litigation

Public Law

EDUCATION

J.D., University of the Pacific,
McGeorge School of Law,
1995

B.A., *cum laude*, Integral
Studies, Saint Mary's College of
California, 1992

ADMISSIONS

State Bar of California, 1996

United States District Court,
Central District, 1996

Mr. Davis also has negotiated numerous labor agreements between cities and their employee groups, including police, fire, general employees, and management groups. Additionally, his practice includes internal investigations of employment complaints involving discrimination and harassment, as well as the presentation of seminars on how to prevent discrimination and harassment and investigate allegations of discrimination and harassment. He also trains human resources professionals and managers regarding proper investigation techniques. His practice includes development of personnel rules and policies including discipline and grievance procedures, and the investigation of grievances. He advises management clients on labor and employment law compliance matters. He has also served as legal advisor during grievance proceedings.

Mr. Davis' commitment and experience in public law began in law school, where he co-authored the article, "Does a Public Law Attorney Owe a Duty to Third Parties?", which appeared in the Summer 1994 issue of the *Public Law Journal*.

Representative Matters

Case Name	Area of Emphasis	Verdict/Outcome
Torrance et al. v. City of Alhambra	Public Safety Officers Procedural Bill of Rights litigation	Prevailed at trial; employee writ and request for injunction denied; affirmed on appeal
Flannagan v. City of Alhambra	Police First Amendment litigation	Federal jury trial verdict for plaintiff limited to \$8,000 damages
Alhambra Police Officers Association v. City of Alhambra	Public Safety Officers Procedural Bill of Rights litigation	Prevailed at trial; affirmed on appeal
<i>Representative employment-related litigation</i>		
Tony Reeves v. City of Alhambra	Race discrimination litigation	Prevailed on summary judgment
Anthony Jones v. City of Alhambra	Race discrimination litigation	Prevailed on summary judgment
Earl Botke v. City of Alhambra	Race discrimination litigation	Prevailed on summary judgment
Alhambra Firefighters Association v. City of Alhambra	Employment litigation	Prevailed on summary judgment
Edith Lopez v. City of Alhambra	Police discrimination litigation - race, gender, religion	Settled at mediation
Isaac Amey v. City of South Gate, et al.	Race discrimination/ harassment litigation	Settled at mediation
Sonia Clayton v. City of South Gate, et al	Pregnancy and gender discrimination litigation	Settled after mediation
Armando Castillo v. Ventura County Community College Dist.	Race and age discrimination litigation	Settled at mediation
Ray Centeno v. Ventura County Community College District	Race discrimination and harassment litigation	Settled at mediation
<i>Representative arbitrations involving public employee claims</i>		
Peter Nava v. City of Alhambra	Wrongful termination arbitration	Prevailed at arbitration; employee writ denied; affirmed on appeal
Daniel Humphreys v. City of Alhambra	Wrongful termination arbitration	Prevailed at arbitration; employee writ denied
Philip Sheridan v. City of Alhambra	Wrongful termination	Prevailed at arbitration; employee writ denied
Pfau v. City of Alhambra	Employment arbitration	Prevailed at arbitration
Jose Feliciano v. City of Glendale	Wrongful demotion arbitration	Prevailed at arbitration
Mike Briedert v. City of Santa Clarita	Wrongful termination	Prevailed at arbitration
R.P. Brar v. City of Banning	Wrongful termination	Prevailed at arbitration; writ of mandate denied
Cecelia Costiano v. City of Moorpark	Wrongful suspension and wrongful termination	Prevailed at arbitration on both matters
Celia Hernandez v. City of Moorpark	Wrongful termination arbitration	Prevailed at arbitration
Anthony Smith v. City of Chino Hills	Wrongful termination arbitration	Prevailed at arbitration
Michael Johnson v. Port Hueneme	Wrongful termination arbitration	Prevailed at arbitration
John Harbor v. City of Santa Paula	Wrongful termination	Prevailed at arbitration
Larry Blinn v. Port Hueneme	Wrongful termination	Prevailed at arbitration
Israel Reyes v. Port Hueneme	Wrongful termination	Prevailed at arbitration
Myrna Kassack v. City of Hemet	Termination	Prevailed at arbitration; upheld on writ before in Superior Ct.

Publications & Presentations

Bargaining on the Edge: Realities of the Next Round of Bargaining, CALPELRA Annual Conference, November 2010

The Dieter's Guide to Employment Claim Investigations, CAJPA Annual Conference, September 2009

Which Way NOLA – At the Intersection of Labor Relations and POBR/FBOR, CALPELRA, November 2008

Risk Management Conference, November 2008
Avoiding the Big Hit, CAJPA Fall Conference, September 2008
Public Safety Officers Procedural Bill of Rights, CALPELRA, November 2007
Diversity and Prevention of Harassment, Discrimination, and Retaliation, CJPIA, October 2007
Supervisory Training: Diversity and Prevention of Harassment, Discrimination, and Retaliation, CJPIA, October 2007
Understanding Employee Leaves, Vernon Chamber of Commerce, October 2007
Mandatory Supervisory Harassment Training: Status of the Regulations, *Labor and Employment Law Update*, July 2007



Ronald F. Frank

Ron Frank is a partner in Burke, Williams & Sorensen's Los Angeles office and is the Chair of the firm's Litigation Practice Group. He is admitted to practice in California, and formerly admitted in Texas. He has tried over 40 cases, including employment discrimination, commercial and contract litigation, products liability, and consumer warranty cases. Mr. Frank has litigated a diverse range of matters for public agencies ranging from public works contract disputes to police tort defense to employment claims to public utilities matters. His range of matters for private clients includes employment advice and litigation, bodily injury and wrongful death claims, contract and partnership disputes, and litigation involving motor vehicle warranty and unfair business practices, class actions, professional liability, prescription drugs and medical devices. His practice also includes counseling clients pre-litigation, handling administrative proceedings and product recall campaigns, training employees, conducting internal and personnel investigations, and providing expert witness testimony.

While attending the University of Virginia School of Law, Mr. Frank was an Articles Editor for the *Virginia Journal of International Law*, was selected for inclusion in the inaugural Virginia Trial Advocacy Institute, captained the law school soccer team, and competed in moot court.

Representative Matters

Mitchell A. Grobeson, etc. vs. City of Los Angeles, et al., Los Angeles Superior Court No. BC 150151 (c/w BC 159142, BS 043521 and BS049282). Mr. Frank represented the defendants in a multiple-count employment discrimination case alleging First Amendment violations, breach of contract, retaliation, constructive discharge, and a hostile work environment arising out of claimed sexual orientation discrimination at the Los Angeles Police Department in the mid-1990's. The jury returned a defense verdict in December 2007, but due to alleged juror misconduct, a new trial was ordered for mid-2012.

Stump's Market vs. Plaza de Santa Fe, San Diego Superior Court No. 37-2009-00052809-CU-CO-NC. Mr. Frank represented the plaintiff in this commercial lease dispute concerning a grocery market whose landlord attempted to force an eviction and who allegedly violated the written and oral agreements of the parties. The jury returned a verdict in May of 2010 in favor of the plaintiff, and the trial judge granted judgment in plaintiff's favor on equitable issues as well. The defense has appealed.

Elizabeth T. Hernandez vs. Mercedes-Benz of South Bay, et al., Los Angeles Superior Court Case No. BC 374359. Mr. Frank represented one of two defendants in a multiple-count case alleging fraud and breaches of statutory duties arising from the

Partner
State No. 109076
Los Angeles Office
444 South Flower Street
Suite 2400
Los Angeles, California 90071
direct: 213.236.2840
main: 213.236.0600
fax: 213.236.2700
rfrank@bwslaw.com

PRACTICE GROUPS

Labor & Employment Law

Litigation

Public Law

Real Estate & Business Law

EDUCATION

J.D., University of Virginia
School of Law, 1982

B.A., *summa cum laude*,
Bucknell University, 1979

ADMISSIONS

State Bar of California, 1983

Texas State Bar, 1982

United States District Court for
the Central District of California,
1983

United States District Court for
the Southern District of
California, 1984

sale of a pre-owned vehicle with alleged hidden structural damage. The jury returned a defense verdict in January of 2009 and the plaintiff's appeal has been dismissed.

Doris Russell v. Massachusetts Mutual Life Insurance Co. (1985) 473 U.S. 134. Mr. Frank represented the defendant in this insurance disability benefits case under the Employee Retirement and Income Security Act (ERISA). The U.S. Supreme Court reversed the 9th Circuit, based on Mr. Frank's briefing concerning implied private rights of action, establishing an important precedent limiting litigation and remedies arising out of benefits decisions by plan fiduciaries in self-funded benefits plans covered by ERISA.

Henry Unger v. Mercedes-Benz USA, LLC, Los Angeles Superior Court Case No. BC 396926. Mr. Frank represented the defendants in this consumer class action case alleging improper business practices and violation of disclosure rules concerning as vehicles alleged to be Lemon Law buybacks. The case was resolved by settlement which was approved by the Court, without any determination on whether a class would be certified or not.

Chad Peters v. City of Hemet, et al., United States District Court Case No. EDCV09-2235 CJC (OPx). Mr. Frank represented the defendants in a case of alleged excessive force that occurred incident to an arrest. The case was resolved by settlement before expert discovery.

City of Glendale vs. Catalytica Combustion Systems, Inc., et al., Orange County Superior Court Case No. 00-CC-13002. Mr. Frank represented the plaintiff in this public contract dispute concerning emissions control technology for the plaintiff's power-generating facilities. The case was resolved by settlement on confidential terms favorable to the City.

Affiliations

American Bar Association Section on Litigation

Defense Research Institute; member, Products Liability Committee

Los Angeles County Bar Association

Publications & Presentations

California Law Chapter in *Products Liability Defenses, a State-by-State Compendium*, 1992, 2001, and 2007 eds.

Power of Congress Under the Property Clause to Give Extraterritorial Effect to Federal Lands Law, 15 *Natural Resources Lawyer* 665, 1983

Indemnity, Contribution and Third Party Practice in Occupational Disease Litigation, *PL/Occupational Disease Litigation*, 1983 (co-author)

Presentations to clients on compliance with California sexual harassment laws

Guest lecturer in various law school classes on trial advocacy, Lemon Law, and torts issues

Recognitions

Southern California "Superlawyer" 2004, 2006, 2007, 2008, 2009, 2010, 2011, and 2012.



Brian I. Hamblet

Mr. Hamblet has successfully represented corporate clients and public entities in both state and federal courts in numerous trials, mediations, and depositions and practiced in the areas of civil rights, constitutional law, employment law employer, litigation & appeals, state, local & municipal law, business & commercial law, contracts, products liability law, bankruptcy, preference & fraudulent transfer litigation, and collection law.

Mr. Hamblet received his B.S. in philosophy with a minor in business administration from UCLA in 1987. He graduated *magna cum laude* from Loyola Law School, in 2000 where he was ranked number one in his division and received numerous honors including the Order of the Coif, the Sayre MacNeil Scholars Award, the Dean's Scholarship for Academic Excellence, the American Jurisprudence Award for Excellence in Ethical Lawyering, and First Honors Awards in 1st Amendment Law, as well as Initiative and Referendum Law. Mr. Hamblet was also appointed a member of the Order of the Coif, the St. Thomas More Law Honor Society, and Alpha Sigma Nu Honor Society and was an Editor on the Loyola Law Review. Mr. Hamblet has also lectured extensively at the University of Southern California, Loyola Law School, and Mount Saint Mary's College.

PRACTICE GROUPS

Labor & Employment Law

Litigation

Public Law

Real Estate & Business Law

EDUCATION

J.D., *magna cum laude*, Loyola Law School, 2000

B.S., University of California, Los Angeles, Dean's List, 1987

ADMISSIONS

California State Bar, 2000

United States District Court for the Central District of California, 2000

Representative Matters

Palassanian v. Mercedes-Benz USA, LLC (2011) WL 227992

Nunan v. Mercedes-Benz USA, LLC (2010) WL 4122706

Bell v. Pierce (2009) WL 475783

Chase v. County of Los Angeles (2007) WL 646241

Melek v. City of Ontario (2006) WL 2925376

Acker v. City of Ontario (2006) WL 540888

Affiliations

Member, California State Bar

Member, City Attorneys Association of Los Angeles County

Member, Los Angeles County Bar Association

Vice-President of the PTO, St. Mel School, Woodland Hills

Publications & Presentations

Contributing Editor, *Municipal Law Handbook*

Make the Drug Dealers Pay for Law Enforcement, *Public Law Update*, July 2012



Amy E. Hoyt

Amy E. Hoyt is a partner in the firm's Inland Empire office. Ms. Hoyt has extensive experience in public and environmental law, representing clients in a wide variety of matters ranging from complex litigation to advisory work.

Ms. Hoyt's practice focuses primarily on litigating environmental, land use, election and mobile home regulation matters, including cases involving the California Environmental Quality Act, National Environmental Policy Act, Endangered Species Act, Clean Water Act, Federal Voting Rights Act, California Elections Code, and California Mobile Home Residency law.

Partner

State Bar No. 149789
inland Empire Office
2280 Market Street
Suite 300
Riverside, California 92501
direct: 951.801.6627
main: 951.788.0100
fax: 951.788.5785
ahoyt@bwslaw.com

PRACTICE GROUPS

Litigation
Public Law

EDUCATION

J.D., *cum laude*, Loyola of Los Angeles Law School, 1990

B.A., *cum laude*, Loyola Marymount University, 1986

ADMISSIONS

State Bar of California, 1990

United States Court of Appeals
for the Ninth Circuit, 2004

United States District Court for
the Central, Eastern, and
Southern Districts of California

United States Supreme Court,
2006

Versed in dealing with federal and state regulatory agencies, she has handled matters involving the U.S. Fish and Wildlife Service, Bureau of Land Management, California Regional Water Quality Control Board, and California Integrated Waste Management Board. Further, she regularly assists public agencies with the preparation and defense of environmental documents prepared pursuant to the California Environmental Quality Act and the National Environmental Policy Act.

Ms. Hoyt also has extensive appellate experience in both the 9th Circuit Court of Appeals and State Courts of Appeal. Ms. Hoyt achieved a victory in the California Supreme Court in a case vindicating the rights of new cities, *City of Goleta v. Superior Court*, 122 Cal.App.4th 1182 (2007). She also successfully defended a district attorney's office in a Public Records Act case resulting in the published opinion *Rackauckaus v. Superior Court*, 104 Cal.App.4th 169 (2002).

Representative Matters

SCOPE v. City of Santa Clarita, 197 Cal.App.4th 1042 (2011)

City of Goleta v. Superior Court, 122 Cal.App.4th 1182 (2007)

Rackauckaus v. Superior Court, 104 Cal.App.4th 169 (2002)

Publications & Presentations

Sue Now, Pay Later – A New Standard for Challenging Taxes?,
Public Law Update, November 2009



Thomas D. Jex

Thomas Jex is a partner with the firm and serves as the City Attorney for the City of Wildomar and the Assistant City Attorney for the City of Hemet. He also provides special counsel services to the Jurupa Unified School District.

Mr. Jex focuses his practice in the areas of municipal law, local zoning and land use issues, the California Environmental Quality Act (CEQA), and the Subdivision Map Act. He frequently represents city councils, planning commissions, and redevelopment agencies at their meetings and regularly advises public agencies and staff on a wide variety of municipal law areas, including the Brown Act, conflicts of interest under the Political Reform Act, the Public Records Act, contracts, land use, the Mitigation Fee Act, constitutional issues, and general plan updates. Mr. Jex drafts opinions, ordinances, and resolutions as well as other development and redevelopment related agreements.

Mr. Jex also has experience providing advice to both public and private clients regarding compliance with CEQA and other environmental regulations. Working with many public agencies, Mr. Jex deals with CEQA compliance issues almost on a daily basis. He reviews Environmental Impact Reports, Statements of Overriding Considerations, Mitigated Negative Declarations, and Negative Declarations for legal adequacy, and counsels clients to ensure CEQA documents and notices are properly prepared. He routinely advises clients on CEQA compliance strategies including CEQA exemptions, the appropriate level of CEQA review along with related risk assessments, responses to comments on CEQA documents, and the California Global Warming Solutions Act of 2006 (AB32). Mr. Jex has drafted local CEQA Guidelines for several public agencies and provides counsel regarding compliance with the Multi-Species Habitat Conservation Plan (MSHCP) for public entities within Riverside County.

ADMISSIONS

California State Bar, 1999
United States District Court, Central District, 2000
United States District Court, Southern District, 2010

Mr. Jex augments his practice by serving as a member of the Brown Act Committee of the League of California Cities - City Attorney's Department. He is an adjunct professor for the University of California Riverside Extension where he teaches courses on the Public Records Act and Redevelopment Law. He also frequently lectures for Lorman Educational Services on CEQA and land use issues. Additionally, Mr. Jex creates time to provide pro bono legal services and was named the volunteer lawyer of the year for the Inland Empire Latino Lawyers Association for his volunteer work.

Mr. Jex was an executive editor of the Journal of Public Law and a student member of the A. Sherman Christensen American Inn

of Court I while attending J. Reuben Clark Law School at Brigham Young University. Mr. Jex lived for two years in Quito, Ecuador and is proficient in Spanish.

Affiliations

League of California Cities, City Attorney's Department Brown Act Committee

League of California Cities, Environmental Quality Policy Committee, League Partner Liaison

Boy Scouts of America, Volunteer Leader

Publications

Co-Author, Off-Site Public Improvements as a Map Condition: Negotiating an Off-Site Acquisition Agreement and Litigating the Developer-Funded Eminent Domain Case, *Public Law Journal*, Spring 2012

Evaluating Climate Change as Part of California's Environmental Review Process: A Local Official's Guide, *Peer Review for Institute for Local Government*, September 2011

Understanding California's Sustainable Communities and Climate Protection Act of 2008 (SB 375): A Local Official's Guide, *Peer Review for Institute for Local Government*, November 2010

Understanding AB 32's Impacts on Local Government: A Local Official's Guide, *Peer Review for Institute for Local Government*, November 2010

Open & Public IV, 2nd Edition, Editorial Board Member, July 2010

City Term Sheet Regarding Football Stadium Does Not Need CEQA Review Under Save Tara, *Public Law Update*, May 2011

New CEQA Guidelines for Analyzing Greenhouse Gas Emissions, *Public Law Update*, February 2010

Brown Act Chapter, Legal Trends 2010 and 2011, Contributing Author

In *Save Tara* California Supreme Court Explains When CEQA Review Required for Conditional Agreements, *Public Law Update*, May 2009

Presentations

Understanding Economic Development to Prioritize Economic Goals, City Manager Department Conference, February 1, 2012

Off-Site Acquisition Agreements Between Cities and Developers, Orange County City Attorney's Association, June 16, 2011

The CEQA Review Process, City of Hemet, April 2011; City of Wildomar, April 2010, November 2008

The Brown Act and Conflicts of Interest; City of Wildomar, April 2011, November 2008; City of Hemet, July 2010, April 2010, April 2009

Ethical Dilemmas for City Attorneys, the State Bar of California, January 25, 2011

AB 1234 Training Presentation, City of Wildomar, January 2011; City of Hemet, December 2010

Community Redevelopment Law in California: Practice & New Trends, University of California Riverside - extension, February 25-26, 2011, June 11-12, 2010, February 5-6, 2010, June 6-7, 2008, February 22-23, 2008, August 18-19, 2006

Proper Findings in Land Use Decisions, City of Hemet, August 2010; City of Wildomar, January 2009; City of Banning, October 2008

Green Building, CEQA & The CEQA Guidelines, the State Bar of California, March 9, 2010

Public Records Act, University of California Riverside - extension, June 19, 2009, July 18, 2008, November 17, 2006

Proper Findings in Land Use Decisions, American Planning Association, March 11, 2009

Public Records Act & Brown Act, Lorman Education Services, March 6, 2009

Planning and Zoning Law/Subdivision Map Act in California, Lorman Education Services, September 15, 2006, November 3, 2005

Zoning and Land Use in California, Lorman Education Services, April 4, 2006, September 9, 2005

Critical Issues and Emerging Trends in Land Use Planning and Development, Lorman Education Services, November 8, 2005

California Environmental Quality Act, Lorman Education Services, February 26, 2005

Recognitions

Volunteer Lawyer of the Year – Inland Empire Latino Lawyers Association, 2005



Mark J. Mulkerin

Mr. Mulkerin's practice includes litigation and commercial matters for public and private entities in a wide variety of subject matters.

Mr. Mulkerin has successfully represented clients in eminent domain, inverse condemnation, land use, ground and riparian water matters, public works, construction law and construction defect actions, business and finance matters, products liability, complex business and personal tort, and computer and Internet-related litigation.

Mr. Mulkerin has successfully defended public entities, developers, and general contractors, subcontractors, architects, engineers, and other design professionals in multi-party construction defect actions, as well as in general legal matters. He also has successfully represented public entities, businesses, and individuals both in the defense and prosecution of civil litigation claims. Mr. Mulkerin has also represented EarthLink Network, Inc. and other commercial enterprises in computer law, general business, and Internet-related matters.

Affiliations

Orange County Bar Association

PRACTICE GROUPS

Education Law

Litigation

Public Law

Real Estate & Business Law

EDUCATION

J.D., Loyola Law School, 1993

Studied at London School of Economics

B.A., International Relations, Stanford University, 1988

ADMISSIONS

State Bar of California, 1993

United States District Court for the Central, Eastern, Northern, and Southern Districts of California, 1994



Gregory M. Murphy

Greg Murphy is a partner based in the firm's Los Angeles office. He splits time between Los Angeles and clients located throughout the state. Mr. Murphy has general knowledge of all municipal and public law issues and is readily familiar with all aspects of the Brown Act, California conflict of interest laws, and California election laws.

Mr. Murphy focuses his practice on the areas of land use and development, redevelopment and economic issues, and public contract and prevailing wage law. He serves as the Southern California lead for the firm's redevelopment team and regularly advises clients on transactional and regulatory matters related to both traditional development and redevelopment. He also deals with water issues and other utility issues as they relate to development and to the rights and duties of public entities.

Mr. Murphy serves as assistant or deputy city attorney to a number of cities and as assistant general counsel to both public entities and a private non-profit affordable housing provider. He has significant experience working with elected and appointed officials, including the navigation of delicate issues with politically-divergent boards.

While Mr. Murphy's practice focuses on transactional and advisory work, he does engage in litigation related to redevelopment issues and election contests.

Mr. Murphy annually teaches two redevelopment courses for U.C. Riverside Extension's land use certificate program, and he has lectured and presented on issues ranging from land use legislation and litigation to compliance with prevailing wage laws.

Representative Matters

Land Use and Real Estate

Mr. Murphy worked with the Orange County Development Agency to set up a community services program whereby enhanced levels of code enforcement, law enforcement, and public works services are provided to the redevelopment project area and funded in part with redevelopment moneys.

He aided the City of Riverside's Redevelopment Agency in the negotiation and drafting of a complex disposition and development agreement designed to transform a block of underutilized housing into a medical office building.

Mr. Murphy advised a redevelopment agency on the purchase of a commercial/residential building in a redevelopment project area and the subsequent negotiation of a long-term building lease for the creation of community art space and live/work lofts for artists. His work included analyses of agency options, drafting the purchase agreement and long-term lease, as well as negotiating deferred rental payments.

He negotiated and drafted an Owner Participation Agreement under which an historic commercial/residential building would be substantially renovated to provide restaurant, retail, and commercial uses on ground floor and live/work space on second floor. The work included negotiation of relocation assistance and negotiation of long-term operating covenants.

Mr. Murphy negotiated the \$3 million+ redevelopment agency assembly of vacant parcels and sale of the parcels to the California Administrative Office of the Courts (AOC) for use as new courthouse. The transaction involved complex negotiations with the previous owner including clearing title of a number of liens, tax liens and judgment debts; drafting of purchase and sale agreements; interaction and negotiations with AOC and State Department of General Services on title issues, property condition, and redevelopment issues; processing lot line adjustments and other land use approvals in order to allow for the sale to AOC; and oversight of environmental remediation prior to the final sale.

Mr. Murphy aided the City of Banning with a project related to the transformation of vacant land near the city's municipal airport into a commercial and recreational center. The project consisted of the assembly of parcels and sale to a developer for a combined auto racing site and business park and involved drafting purchase and sale agreements; negotiations with Federal Aviation Administration regarding airport-adjacent property and release of airport-owned property from FAA restrictions; negotiation regarding short-term and long-term covenants on site; and documentation of city and redevelopment agency financial assistance for project.

General Municipal and Public Advisory

Mr. Murphy aided the cities of Temple City and Rosemead with issues related to medical marijuana and regularly consults with the firm's chief medical marijuana litigators to understand the ever-changing nature of marijuana regulation in the State.

Mr. Murphy has significant legal experience in public contract law including bid protests, claims, terminations, and advisory work. He has recently worked with clients to enforce bond obligations against contractors for failure to properly perform public works projects. He also enforces bond obligations on private contractors who fail to meet public works obligations imposed on their projects.

Mr. Murphy consults with clients regularly on conflicts of interest issues, focusing on preventing potential conflicts and warding off the appearance of conflicts while still allowing officials to engage in the political process whenever legally feasible.

Mr. Murphy drafts form and single-project contracts for client use, including form public works agreements and form consultant and design consultant agreements, and regularly advises clients on the intricacies of indemnity and waiver issues in public contracting.

Mr. Murphy regularly advises clients on regulatory takings and inverse condemnation issues with an eye to avoiding litigation by understanding the limits of regulatory takings law and communicating early with potentially-affected private interests.

Litigation and Advocacy

Mr. Murphy represented the City of Rosemead in a particularly contentious election contest dealing with the validity of signatures on vote by mail and provisional ballot envelopes. The court ultimately upheld the results of the election.

Mr. Murphy has also litigated the validity of ballot measures, including seeking an emergency writ from the California appellate court to stay an interlocutory order of a trial court that would have barred an initiative from the ballot.

Mr. Murphy represented the Los Osos Community Services District in proceedings before the Central Coast Regional Water Quality Board relating to the Board's requirement that the community implement a sewer system in a prohibition zone. Mr. Murphy's advocacy resulted in the scheduling of enforcement of cease and desist orders against individual violators to accommodate the County of San Luis Obispo's takeover of the sewer project such that the individuals have not been fined under the orders to date.

Mr. Murphy advocated on behalf of the Jurupa Community Services District against a private corporation that had purchased a small-scale water distribution company and was seeking to expand operations. After nearly 18 months of litigation, the Public Utilities Commission's administrative judge crafted an order limiting the corporation to its current provision of service and opening the door to PUC regulation of the corporation if it exceeded that current service.

Mr. Murphy represented the City of Santa Clarita before a State appellate court regarding the validity of land use approvals in light of certain water delivery findings made in the environmental impact report drafted to satisfy the California Environmental Quality Act, working with attorneys for the developer to attain overwhelming findings in favor of the validity of the City's approvals.

Affiliations

California State Bar Association

Los Angeles County Bar Association

Publications & Presentations

City of Arlington v. Federal Communications Commission: The Fifth Circuit Upholds the FCC Shot Clock Rule, *Public Law Update*, February 2012

The Aftermath of CRA v. Matosantos and the Post-ABx1 World, *Public Law Update*, January 2012

Automatic Extension for Subdivision Maps, *Public Law Update*, August 2008



Brian A. Pierik

Brian Pierik joined the law firm of Burke, Williams & Sorensen, LLP in 1974 and has concentrated his practice in public law for the last 38 years. Mr. Pierik is a member of the firm's Public Law and Litigation Practice Groups.

Mr. Pierik is the City Attorney for the City of Camarillo, the City Attorney for the City of Atascadero, and the Assistant City Attorney for the City of Santa Clarita. Mr. Pierik has served as Special Counsel to over 30 cities, as well as several other public entities including counties, school districts, water districts, and special agencies. Mr. Pierik has advised public entities in a wide range of matters including issues relating to conflicts of interest, Brown Act, planning, contracts, eminent domain, inverse condemnation, redevelopment, environmental, public works, land use, growth control, election issues, employment law, civil rights, land movement, and other municipal matters.

Mr. Pierik has written and presented papers before the League of California Cities, the City Attorneys' Association of Los Angeles County, the California Specialized Training Institute, the Southern California Water Utilities Association, and the Public Works Officers Institute on several subjects including public contracts, public works projects, public entity liability, water law, and emergency management.

PRACTICE GROUPS

Litigation

Public Law

EDUCATION

J.D., Loyola School of Law,
1974

B.A., Political Science, Loyola
University, 1971

ADMISSIONS

California State Bar, 1974

United States Court of Appeals
for the Ninth Circuit,
1988

United States District Court,
Central District, 1974



Gerald J. Ramiza

Jerry Ramiza's practice emphasizes real estate transactional, land use, and public/private partnership development matters.

Real Estate/Land Use/Public Private Partnerships

Mr. Ramiza represents private clients and public agencies throughout California in connection with complex real estate and land use matters and transactions. Mr. Ramiza's work includes forward planning, assisting with development, land use, entitlement, design review, and permitting processes, environmental review, and CEQA/NEPA compliance. Mr. Ramiza routinely handles negotiation and documentation of purchase, sale, easement, lease and financing transactions; asset management (including loan administration, property management and landlord/tenant matters); negotiation and drafting of complex development agreements; foreclosures; public trust and tidelands transactions; surplus lands dispositions; workouts and secured transactions; and ancillary matters such as title insurance review, due diligence, environmental risk allocation and hazardous materials/Brownfields matters. With over 15 years of experience in the redevelopment arena, Mr. Ramiza is assisting successor agencies throughout the state in the implementation of the redevelopment dissolution act, ABx1 26. Mr. Ramiza also advises public agency clients in connection with the ferry-system transactions, affordable housing, federal contracting/BRAC process, utilization of federal grants, lease and parking revenue financing and assessment districts.

PRACTICE GROUPS

Public Law

Real Estate & Business Law

EDUCATION

J.D., University of California,
Davis, School of Law, 1994

B.S., Economics, University of
Pennsylvania, Wharton School
of Finance, 1988

ADMISSIONS

California State Bar, 1994

Representative Matters

Representative projects include:

Alameda Theater – Negotiated and drafted agreements for development of a new multiplex cinema and integration of the new cinema with a restored historic theater. Project involved site assembly, complex easements, ground leasing, and construction and financing of a separate multi-level public parking structure.

Alameda Bridgeside Shopping Center – Negotiated and drafted disposition and development agreement, including related property acquisition and lease termination agreements, for a new 110,000 square foot neighborhood shopping center, anchored by Nob Hill Foods grocery store.

Concord Legacy Project – Represented the Concord Redevelopment Agency in connection with the assemblage and disposition of 17 parcels comprising 4.6 acres and development of a 250-unit apartment project located adjacent to the Concord BART station.

Concord MetroPlex Office Project – Negotiated and drafted owner participation and public improvement agreements for a 475,000 square foot office project.

Emeryville RCD Ambassador Project – Represented the Emeryville Redevelopment Agency in acquisition and assemblage of 5 parcels and subsequent negotiation and drafting of agreements for disposition and development of a 69-unit very low income infill multi-family project financed with a mix of HOME funds and tax credits.

Emeryville Glashaus – Represented the City of Emeryville in connection with development of a high-density residential project, including a 50-space public parking condominium floor within an otherwise private garage.

Pilgrim Triton Project, Foster City – Represented the City of Foster City in negotiation and drafting of a master development agreement and ancillary documents with three institutional owners/investors. The agreement provides for expansion/intensification of a previously developed approximately 20-acre site with up to 296,000 square feet of commercial/industrial office use and up to 730 residential units, including affordable housing.

Gilead Campus – Represented City of Foster City in negotiation of development agreement and related entitlements for construction of 1,000,000 square feet of additional office/lab space within an existing 500,000 square foot headquarters campus.

Mare Island Vallejo - Represented City of Vallejo on early transfer acquisition, clean-up and subsequent disposition of over 700 acres of Mare Island property, including negotiation of development and disposition agreements with Lennar Mare Island and transfer and remediation agreements with the U.S. Department of the Navy, State of California State Lands Commission, and Department of Toxic Substances Control.

The Crossing Project/San Bruno - Represented City of San Bruno in negotiation and drafting of development and owner participation agreements for phased mixed-use development of 20-acre Crossing Project site at I-380 and El Camino with approximately 1,063 residential rental and for-sale units, including 530 affordable housing units, senior housing, hotel uses, restaurant space, and neighborhood serving retail.

Represented City of Alameda in the transfer of the Oakland/Alameda and Alameda/San Francisco Ferry Systems to the San Francisco Bay Area Water Emergency Transportation Authority. Project included negotiation and drafting of agreements to effect the transfer of ferry systems assets, allocation of responsibility for ongoing capital projects, establishment of ferry service levels, and allocation and assignment of BCDC permit rights and obligations.

Represented developer in the land use entitlement process for a 20-unit San Francisco condominium project.

Represented owner/seller in connection with sale of 66,000 sq ft medical office building project.

Represented developer with the acquisition, financing, and redevelopment of an approximately 12,000-square foot office building in San Francisco.

Represented owner/investor in connection with \$19 million refinancing of a medical office building project in San Francisco.

Affiliations

Alameda County Bar Association, Real Estate Section

Urban Land Institute

Publications & Presentations

Redevelopment in California, Solano Press (4th ed. 2009) (co-author)

Presenter, 'Successor Agency Training: ABx1 26 Implementation,' California Redevelopment Association Redevelopment Seminar, March 2012

Presenter, "Powers of Redevelopment," California Redevelopment Association Redevelopment Seminar, April 2008

Presenter, "Critical Elements of the DDA/OPA," California Redevelopment Association Redevelopment Institute, July 2006 and 2007

Presenter, "Redevelopment Law," California Redevelopment Association Redevelopment Institute, March 2003 and 2004



Richard R. Terzian

Richard Terzian is a partner of Burke, Williams & Sorensen, LLP.

Since admission to the State Bar of California in 1960, he has continuously been engaged in the practice of law, specializing in the representation of public agencies.

For over forty years, Mr. Terzian has almost exclusively represented local government agencies, in virtually all legal capacities. He has handled complex litigation for public agencies in state and federal court at the trial and appellate level and before local and state administrative agencies in the areas of government operations, constitutional law, civil rights, torts, personnel, contract, and land use matters. During that time, he has also served as the City Attorney of Rolling Hills Estates, Malibu, South Pasadena, and Azusa, participating in hundreds of city council and planning commission meetings. He has regularly rendered advice to public agencies on zoning, planning and other real estate matters. He has also advised clients on public-private partnerships.

Over the years, Mr. Terzian has lectured at seminars and panels conducted by the League of California Cities, City Attorneys' Association of Los Angeles County, and other organizations on a variety of legal subjects including federal and state constitutional law, federal procedure, municipal antitrust liability, handicap discrimination in employment, First Amendment rights of public employees, rights of discovery in litigation from public officials, and religious freedom.

Mr. Terzian has also published articles in *Los Angeles Lawyer*, *Public Law Journal*, *Fiscal Report*, and *Western City* on municipal antitrust liability, the binding effect of administrative agency decisions in subsequent court proceedings, the validity of Buy American ordinances, and charter schools.

He has served as a member of the State Bar Disciplinary Board (1976-1979), the Executive Committee of the Public Law Section of the State Bar (1993-1995), and as president of the City Attorneys' Association of Los Angeles County (1995). He has also served on the State Bar Commission on Judicial Nominees Evaluation (1985-1988).

As an appointee of two successive Governors, Mr. Terzian served on the Commission on California State Government, Organization and Economy, commonly known as the "Little Hoover Commission" from 1986 to 2003 (Chair 1994-2001).

Partner
State Bar No. 30300
Los Angeles Office
444 South Flower Street
Suite 2400
Los Angeles, California 90071
direct: 213.236.2845
main: 213.236.0600
fax: 213.236.2700
terzian@bwslaw.com

PRACTICE GROUPS

Labor & Employment Law
Litigation
Public Law
Real Estate & Business Law

EDUCATION

J.D., University of Southern California Law Center, 1959
B.A., Dartmouth College, 1956

ADMISSIONS

State Bar of California, 1960
United States District Court for the Central, Eastern, Southern and Northern Districts of California
United States Court of Appeals for the Ninth Circuit
United States Supreme Court, 1984

Affiliations

Commission on California State Government, Organization and Economy (Little Hoover Commission), 1986 - 2003

Phi Alpha Delta

State Bar of California, Commission on Judicial Nominees Evaluation, Member, 1985 - 1988

State Bar of California, Disciplinary Board, Member, 1976 - 1978



Allison G. Vasquez

A significant part of Ms. Vasquez's practice focuses on defending employers in employment matters involving allegations of discrimination and harassment. Ms. Vasquez also advises clients about conducting workplace investigations and responding to charges of discrimination filed with the Department of Fair Employment and Housing (DFEH) and the Equal Employment Opportunity Commission (EEOC).

Ms. Vasquez has also defended municipal entities, insurance carriers, health and fitness clubs, and other corporate clients in a wide range of litigation matters, including employment discrimination and civil rights claims against the County of Los Angeles.

Affiliations

City of Hope, Volunteer

CRF, Moot Court, Volunteer Judge, 2005-2007

Dialogues on Freedom, 2008 and 2009

Habitat for Humanity, Volunteer

Domestic Violence Project, Los Angeles County Bar Association

PRACTICE GROUPS

Labor & Employment Law
Litigation

EDUCATION

J.D., Chicago-Kent College of Law
B.A., University of California, Los Angeles

ADMISSIONS

State Bar of California, 2002
Illinois State Bar, 2000
United States District Court for the Central District of California, 2005
United States District Court for the Eastern District of California
United States District Court for the Southern District of California, 2007
Ninth Circuit Court of Appeals

ATTACHMENT B – GENERAL AND SPECIAL LEGAL SERVICES

General Legal Services

- Attend regular and special Council and Planning Commission meetings, as well as any other meetings of City boards and commissions.
- Attend Council ad hoc or committee meetings as required.
- Attend project related meetings, as requested.
- Phone calls and simple e-mails on all subjects from Council and City Management.
- Standard ordinance/resolution review, comment, and revision.
- Research and advise on conflicts of interest and public ethics issues.
- Research and opinions on issues of General Municipal Law of a routine or non-extraordinary nature (i.e. those that do not require a specialist or more than three hours of attorney time).
- Research and advice on Public Record Act issues and assist in preparation of appropriate responses.
- Risk management services - preparation of litigation status report.
- Risk management services - review of claims.
- Transactions – preparation or review of routine purchase and sale agreements.
- Public safety practices and procedures.
- Public works – research and advice on prevailing wage issues.
- Public works – routine right-of-way acquisition.
- Development services – basic CEQA issues and document review (not including EIRs or MNDs with extensive studies and mitigation measures).
- Attend Council strategic planning and goal setting meetings.
- Office hours as requested.
- Council and Planning Commission Agenda review and follow-up.
- Standard contract review, comment and revision.
- Preparation of required staff reports.
- Research and advice on Brown Act issues.
- General legal advice and counsel on matters pertaining to the City of a routine or non-extraordinary nature (i.e. those that do not require a specialist or more than three hours of attorney time).
- Interpretation of provisions of the City's Municipal Code, ordinances, policies and similar documents.
- Risk management services - consultation with the City's third-party claims adjustor and department heads.
- Risk management services - response to City and insurer audits.
- Transactions – preparation or review of routine leases.
- Public works – routine relocation issues.
- Public works – preparation of limited special conditions of approval.
- Public works – review and advice regarding bid disputes.
- Development services – routine Subdivision Map Act issues.

- Development services – routine zoning and land use issues.
- Development services - review of special conditions of approval.
- Review of pending legislation.
- Advice regarding CDBG, Home Loan, and other state and federal program requirements.
- Pitchess motions
- Development services – review of existing general and specific plan amendments and documents.
- Appearances before other public entities or governmental agencies on behalf of the City, except in the case of administrative hearings.
- Review of JPA agreements and amendments.
- Code Enforcement issues - consultation with staff.

Special Legal Services

- Complex code enforcement remedies¹
- Eminent domain
- Personnel work
- Labor negotiations
- Complex public transactions, real estate, and affordable housing matters⁴
- Complex planning and zoning matters⁶
- Wage and hour determinations by the DIR
- Telecommunications⁸
- Assessment district and community facilities district issues
- Proposition 26, 218 and similar tax, assessment and fee issues
- Complex environmental matters²
- Regulatory hearings and procedures³
- All water related issues
- First amendment land use issues⁵
- Elections, recalls, and initiatives⁷
- Franchising and utility issues
- Contested conflict of interest matters⁹

¹ This category includes trial preparation, trial, appointment of receivers, levy and attachment of assets, and other complex remedies.

² Complex Environmental Matters include Endangered Species issues, environmental permitting and regulatory issues, Clean Water Act compliance issues, NPDES compliance, and representation in front of federal regulatory agencies; review and preparation of Environmental Impact Reports and Mitigation Monitoring Plans, Mitigation Measures.

³ Representation of the City in front of other public bodies and agencies for standard or routine appearances is included under "general" services. If the City becomes involved in regulatory, permitting, or dispute proceedings, these would be "specialty" services.

⁴ We include the drafting and negotiation of standard purchase and sale agreements, options, leases, and licenses within "general" services.

⁵ These "specialty" services would include representation of the City regarding group homes, mobile homes, parolee and sex offender housing, adult businesses, massage establishments, signs and billboard, and other land uses or businesses involving the First Amendment, ADA, FHA, and RIULPA.

⁶ "Specialty" services would include complex zoning or general plan changes, issues related to the housing element, preparation of complex findings or records of approval.

⁷ Preparation and review of routine election resolutions, and consultations with the City Clerk on election timing issues is included in as a "general service".

⁸ Routine review of cell tower permit applications is included within "general" services. "Special" services would include negotiation with telecommunication and cable providers, and compliance with state and federal telecommunications laws and regulations.

⁹ Preparation of FPPC or Attorney General advisory letters and defense of public officials in response to FPPC investigations and charges.



444 South Flower Street - Suite 2400
Los Angeles, California 90071-2953
voice 213.236.0600 - fax 213.236.2700
www.bwslaw.com

jwelsh@bwslaw.com

ATTACHMENT C – PROPOSED AGREEMENT

DATE

Daryl Parrish, City Manager
City of Covina
125 East College Street
Covina, California 91723

Re: Legal Services Agreement: City Attorney and General Counsel

Dear Mayor Stapleton and Mr. Parrish:

This letter is a written legal services agreement ("Agreement") containing the terms under which Burke, Williams & Sorensen, LLP ("Burke") has been retained by the City of Covina ("City") as its City Attorney (as described herein), and by the Successor Agency to the Covina Redevelopment Agency ("Agency"), the Successor to the City's Housing Authority ("Authority"), the Covina Public Finance Authority ("Finance Authority") and all other corporations, districts, agencies and authorities formed or controlled by City, Agency, or Authority ("Related Entities") to serve as its General Counsel. The City, Agency, Authority, Finance Authority and Related Entities are collectively referred to herein as "Client."

California Business and Professions Code Section 6148 requires a written fee agreement between attorneys and their clients setting forth the scope of services and fees to be charged. When executed by City's Mayor and the Chair of the Agency and Authority below and delivered to Burke, this Agreement shall satisfy the requirements of Section 6148. This Agreement is intended to supersede any and all prior agreements between Client and Burke.

1. Scope of Representation for the City. By this agreement, Burke, Williams & Sorensen LLP, has undertaken responsibility to represent the City as its City Attorney. Ruben Duran shall be the City's designated City Attorney and Joseph Byrne shall be the City's designated Assistant City Attorney. Any change to the designation of the City Attorney or Assistant City Attorney shall require the written approval of the Mayor or City Manager. Burke retains authority to assign from time to time such of its attorneys, paralegals and law clerks as may be necessary to perform any of the other services provided for in this Agreement. In the absence of the City Attorney, the Assistant City Attorney may act on behalf of the City Attorney.



Legal Services Agreement

City of Covina

DATE

Page 67

The scope of Burke's representation of the City as City Attorney shall include without limitation the following "General," "Special" and "Litigation" legal services:

- a. General Legal Services. These services are set forth in the attachment to this Agreement.
- b. Special and Litigation Services. These services are legal services not defined as "General" legal services above. They are set forth in the attachment to this Agreement.
- c. Bond Services. Should the City require services as bond counsel or disclosure counsel, such services shall be provided pursuant to separate agreement, at rates set forth in such other agreement.

2. Scope of Representation for the Agency, Authority and Related Entities. By this Agreement, Burke has undertaken responsibility to represent the Agency, Authority, Finance Authority and Related Entities as our client (collectively "Bodies"), as its General Counsel. Ruben Duran shall be designated as the General Counsel and Joseph Byrne shall be designated as the Assistant General Counsel. Any change to the designation of the General Counsel or Assistant General Counsel shall require the written approval of the Chairman or Executive Director. Burke retains authority to assign from time to time such of its attorneys, paralegals and law clerks as may be necessary to perform any of the other services provided for in this Agreement. In the absence of the General Counsel, the Assistant General Counsel may act on behalf of the General Counsel.

Burke's representation includes, but is not limited to, providing advice on legal issues arising under the California Community Redevelopment Law, the California Housing Authority Law, and such laws as may form the enabling legislation for the Related Entities, together with providing legal representation to Bodies in the course of their operations and transactions, including without limitation drafting required legal documents, attendances at regular and special meetings of the Bodies, and representing the bodies before the courts, administrative bodies, and agencies of the State of California and its subdivisions, including without limitation, prosecution and defense of legal and administrative actions on behalf of the bodies, and such other legal services as may, from time to time be requested to implement the purpose and authority of the bodies.



Legal Services Agreement

City of Covina

DATE

Page 68

3. Training. Burke will make available at client's request both "building block" (or previously prepared and provided) training sessions as well as individualized training sessions. Each session is conducted by an experienced attorney familiar with the subject matter.

a. *Building Block Training.* Each year Burke will provide Client with a credit toward \$5,000 of building block training. Each building block training program selected has a value of \$1,000. This allows the City to choose up to 5 two hour building block training sessions each year at no additional cost. We provide the materials for the City to print in-house. If the City desires additional building block training, BURKE will provide each additional building block training session for a charge of \$800 per session. Each session is 2 hours and the size of the training class is unlimited. We provide the materials for the City to print in-house.

b. *Individualized Training.* Upon request Burke will prepare an individualized training program to suit your specific needs or to address a particular area of the law in which you require training. There is no obligation to the City to request such training. Burke will charge \$1,500 per each 2 hour individualized training session per attorney. The cost includes all work related to preparation and presentation of the training. We provide the materials for the City to print in-house.

4. Client's Obligations. Client agrees to be truthful, to cooperate, and to keep Burke advised of information and developments pertaining to this engagement. Client also agrees to keep Burke informed of Client's current address and telephone number and to pay the fees, costs and other sums incurred when due.

5. Fees. Fees for this engagement are computed on an hourly basis in accordance with the rates assigned to the particular attorneys performing the work. The rates of the attorneys for this engagement will be as set forth on the attached Exhibit A. The firm's billing rates are subject to revision annually at the beginning of Client's fiscal year, starting July 1, 2014. Burke will annually notify Client in February whether a rate increase will be implemented or requested. If the increase is equal to or less than the Consumer Price Index for the prior 12 months, client will be notified in writing of such increase. Any increase greater than the CPI shall require written agreement by the Client. Burke reserves the right to forego any rate increase in any given year, provided that in subsequent years, Burke may increase rates by such deferred increase amount with Client's consent. Additionally, City and Agency agree that Burke may charge its



Legal Services Agreement

City of Covina

DATE

Page 69

standard private client (as opposed to public entity client) rates for work that is reimbursed by private parties pursuant to litigation, conditions of approval, etc.

6. Costs. Burke will bill Client for authorized costs and expenses incurred in connection with this engagement. Client preauthorizes routine costs including but not limited to postage, courier services, copying charges, facsimile, computer or on-line research, cost of producing and reproducing photographs, and court, county, recording and other filing fees. Burke will seek prior approval from the City Manager other non-routine costs and expenses to be incurred for or on-behalf Client that will be reimbursed to Burke, including but not limited to, expenses away from the office on Client's behalf, the actual cost of other travel, expert witness expenses, and similar expenses.

7. Billing. Burke's attorneys bill in 1/10th of one hour increments. The firm's billing cycle typically runs from the first day of the month to the last day of the month. The City and the Agency will each receive separate statements each month for services rendered and costs incurred during the immediately prior month. Bills are due and payable within thirty (30) days of presentation. Payment is not contingent upon any aspect of this engagement.

8. Experts. Should Burke deem it necessary to engage an expert in any matter, Client will be directly responsible for the hiring and payment of all fees for such expert services. Burke will not undertake to engage any such expert without prior consultation with Client and then only with Client's consent.

9. Attorney's Lien. Client agrees that Burke may deduct all fees and costs not previously paid from any sums coming into Burke's possession by way of settlement, judgment, execution or otherwise.

10. Conflicts. The California Rules of Professional Conduct, as promulgated by the California State Bar, require that an attorney receive informed written consent from a client prior to undertaking work where there is a potential for conflicts between existing or future clients (Rule 3-310). Burke represents numerous cities, school districts and public agencies which from time to time may be adverse to Client. By signing below, Client represents that it is fully informed regarding the potential conflict of interests between it and existing and future clients of the firm, and it waives all rights regarding such conflicts and consents to the firm's representation in this regard.



Legal Services Agreement

City of Covina

DATE

Page 70

11. Document Retention. Client is entitled upon written request to any files in our possession relating to the legal services performed by us for Client, excluding our internal accounting records and other documents not reasonably necessary to your representation, subject to our right to make copies of any files withdrawn by you. Once your matter is concluded, we will close your file, and you will receive notice thereof. Your physical files may be sent to storage offsite, and thereafter there may be an administrative cost for retrieving them from storage. Thus, we recommend that you request the return of your file at the conclusion of your matter. Please be advised, that firm may, with prior notice to Client, to afford Client an opportunity to request any documents it may wish to preserve, destroy Client's files at three years after this matter is closed, unless other arrangements are made with Client, and Client hereby authorizes the firm to do so. Burke will work with Client to provide or preserve any documents that may be subject to the Public Records Act.

The firm and the Client agree that all Client-supplied materials and all attorney end product (referred to generally as "client material") are the property of the Client. The firm and the Client agree that attorney work product is the property of the firm. Attorney work product includes, for example, drafts, notes, internal memoranda and electronic files, and attorney representation and administration materials, including attorney-client correspondence and conflicts materials. Final products of materials Client has requested may be retained and used by Client for its business related purposes.

12. Fee Disputes. If a dispute between Client and Burke arises over fees or other amounts charged to Client for services, the controversy will be submitted to binding arbitration in accordance with the rules of the California State Bar Fee Arbitration Program, set forth in California Business and Professions Code, Sections 6200 through 6206. The arbitrator or arbitration panel shall have the authority to award to the prevailing party in such arbitration attorney's fees, costs and interest incurred. Any arbitration award may be served by mail upon either side and personal service shall not be required.

13. Termination of Representation. Client has the right to terminate Burke's services upon written notice at anytime. Burke also has the right to terminate this engagement to Client upon written notice in the event Client fails to make any payment when due, or to cooperate on a reasonable request, or in the event that Burke determines, that to continue services to Client would be unethical, impractical, or improper.



Legal Services Agreement

City of Covina

DATE

Page 71

14. Notices. Any notices required under this agreement shall be in writing and shall be deemed to have been duly served if delivered in person to the party for whom it is intended or if delivered at or sent by registered or certified mail, or overnight courier service with signature required from the receiving party, to the residential or business address of the party for whom intended, provided that notices to Client may be sent to Client's last known address as shown on Burke's records.

15. Miscellaneous. The effective date of this agreement shall be the date that this agreement is approved by the City Council and CRA Board. This agreement shall be governed by the laws of the State of California, without regard to the doctrine of conflicts of law. The terms of this engagement agreement are not set by law but are the result of negotiation between the parties. Client has the right to consult with another attorney regarding this agreement before signing it. This agreement constitutes the entire agreement between the parties.

We are pleased that the City and the CRA have decided to retain our firm and we look forward to serving you. Please contact Ruben Duran or the undersigned if, at anytime, you have questions.

Very truly yours,

BURKE, WILLIAMS & SORENSEN, LLP

JOHN J. WELSH
MANAGING PARTNER

I/we have read and understand the foregoing terms and provisions and agree to same as of _____, 2013.

CITY OF COVINA

By: _____

Its: _____



Legal Services Agreement

City of Covina

DATE

Page 72

Date: _____

SUCCESSOR TO COVINA REDEVELOPMENT AGENCY / HOUSING AUTHORITY

By: _____

Its: _____

Date: _____



Exhibit A

Retainer for Basic Services:

Burke will provide City with the following General Legal Services for a retainer of \$19,500 per month:

Burke defines "general" services to include those legal services typically understood to be performed by the office of the City Attorney in advising the City Council, City Manager, and Department Heads in the normal course of business for the City, including drafting and review of staff reports, ordinances, resolutions, standard services contracts and similar contracts and agreements, preparation for and attendance at Council, commission, and staff meetings; legal research, providing of standard legal advice and counsel, preparation of legal opinions, review of conflicts of interest, and basic personnel advisory work. We have included a list of general services in Exhibit B.

Fees for Special and Litigation Services:

For Special and Litigation Services to City, Agency, Authority and Related Entities (as defined below), Burke will charge the rates identified below, in increments defined in Section 6 of the Agreement and subject to periodic adjustment as provided for in Section 4 of the Agreement.

Staffing	Hourly Rate
Senior Partners (20+ years experience)	\$275
Partners and Of Counsel	\$250
Associates (7+ years experience)	\$225
Associates (6 years or less experience)	\$210
Paralegals	\$125

Burke defines "special" services to include those legal services that require more than a general municipal practitioner to adequately perform or that require an intensive or prolonged effort of more than three attorney hours. We have included a list of special services in Exhibit B.



Exhibit B

General Legal Services

- Attend regular and special Council and Planning Commission meetings, as well as any other meetings of City boards and commissions.
- Attend Council ad hoc or committee meetings as required.
- Attend project related meetings, as requested.
- Phone calls and simple e-mails on all subjects from Council and City Management.
- Standard ordinance/resolution review, comment, and revision.
- Research and advise on conflicts of interest and public ethics issues.
- Research and advice on Public Record Act issues and assist in preparation of appropriate responses.
- Research and opinions on issues of General Municipal Law of a routine or non-extraordinary nature (i.e. those that do not require a specialist or more than three hours of attorney time).
- Risk management services - preparation of litigation status report.
- Risk management services - review of claims.
- Transactions – preparation or review of routine purchase and sale agreements.
- Public safety practices and procedures.
- Public works – research and advice on prevailing wage issues.
- Attend Council strategic planning and goal setting meetings.
- Office hours as requested.
- Council and Planning Commission Agenda review and follow-up.
- Standard contract review, comment and revision.
- Preparation of required staff reports.
- Research and advice on Brown Act issues.
- General legal advice and counsel on matters pertaining to the City of a routine or non-extraordinary nature (i.e. those that do not require a specialist or more than three hours of attorney time).
- Interpretation of provisions of the City's Municipal Code, ordinances, policies and similar documents.
- Risk management services - consultation with the City's third-party claims adjustor and department heads.
- Risk management services - response to City and insurer audits.
- Transactions – preparation or review of routine leases.
- Public works – review and advice regarding bid disputes.
- Public works – preparation of limited special conditions of approval.



- Public works – routine right-of-way acquisition.
- Development services – basic CEQA issues and document review (not including EIRs or MNDs with extensive studies and mitigation measures).
- Development services – routine zoning and land use issues.
- Development services - review of special conditions of approval.
- Review of pending legislation.
- Advice regarding CDBG, Home Loan, and other state and federal program requirements.
- Public works – routine relocation issues.
- Development services – routine Subdivision Map Act issues.
- Development services – review of existing general and specific plan amendments and documents.
- Appearances before other public entities or governmental agencies on behalf of the City, except in the case of administrative hearings.
- Review of JPA agreements and amendments.
- Code Enforcement issues - consultation with staff.

Special Legal Services

- Complex Code Enforcement Remedies¹
- Eminent Domain
- Personnel Work
- Labor Negotiations
- Complex Public Transactions, Real Estate, and Affordable Housing Matters⁴
- Complex Planning and Zoning Matters⁶
- Proposition 26, 218 and similar Tax, Assessment & Fee issues
- Complex Environmental Matters²
- Regulatory Hearings and Procedures³
- All Water related Issues
- First Amendment Land Use Issues⁵
- Elections, Recalls, and Initiatives⁷

¹ This category includes trial preparation, trial, appointment of receivers, levy and attachment of assets, and other complex remedies.

² Complex Environmental Matters include Endangered Species issues, environmental permitting and regulatory issues, Clean Water Act compliance issues, NPDES compliance, and representation in front of federal regulatory agencies; review and preparation of Environmental Impact Reports and Mitigation Monitoring Plans, Mitigation Measures.

³ Representation of the City in front of other public bodies and agencies for standard or routine appearances is included under "general" services. If the City becomes involved in regulatory, permitting, or dispute proceedings, these would be "specialty" services.

⁴ We include the drafting and negotiation of standard purchase and sale agreements, options, leases, and licenses within "general" services.

⁵ These "specialty" services would include representation of the City regarding group homes, mobile homes, parolee and sex offender housing, adult businesses, massage establishments, signs and billboard, and other land uses or businesses involving the First Amendment, ADA, FHA, and RIULPA.

⁶ "Specialty" services would include complex zoning or general plan changes, issues related to the housing element, preparation of complex findings or records of approval.



- Wage and Hour Determinations by the DIR
- Telecommunications⁸
- Assessment District and Community Facilities District Issues
- Franchising and Utility Issues
- Contested Conflict of Interest Matters⁹

⁷ Preparation and review of routine election resolutions, and consultations with the City Clerk on election timing issues is included in as a "general service".

⁸ Routine review of cell tower permit applications is included within "general" services. "Special" services would include negotiation with telecommunication and cable providers, and compliance with state and federal telecommunications laws and regulations.

⁹ Preparation of FPPC or Attorney General advisory letters and defense of public officials in response to FPPC investigations and charges.

Practice Groups

Public Law
Labor & Employment Law
Real Estate & Business
Education Law
Litigation

Locations

Los Angeles
Inland Empire
Marin County
Oakland
Orange County
Palm Desert
Silicon Valley
Ventura County

800.333.4297
www.bwslaw.com





RICHARDS | WATSON | GERSHON
ATTORNEYS AT LAW – A PROFESSIONAL CORPORATION

**CITY OF COVINA
REQUEST FOR PROPOSALS
CITY ATTORNEY SERVICES**

Prepared by

David M. Snow
Craig A. Steele
Serita R. Young

January 24, 2013

For more information contact:

dsnow@rwglaw.com

Telephone 213.626.8484 Facsimile 213.626.0078

355 South Grand Avenue, 40th Floor
Los Angeles, California 90071-3101

www.rwglaw.com

City of Covina
Request for Proposals
City Attorney Services

Exhibit E



January 24, 2013

Mr. Daryl Parrish
City Manager
City of Covina
125 East College Street
Covina, California 91723

Reference: City of Covina
Proposal for City Attorney Services

Dear Mr. Parrish:

Richards, Watson & Gershon (RWG) is pleased to respond to Covina's City Attorney Services Request for Proposals. We propose David M. Snow to serve as City Attorney and primary contact person, Craig A. Steele to serve as Senior Counsel, and Serita R. Young to serve as Assistant City Attorney. Our team is experienced in the legal issues that are important to the City, and quite familiar with Covina and the San Gabriel Valley.

Identification of Proposer. The person submitting this Proposal is David M. Snow, a shareholder of RWG. His address is 355 South Grand Avenue, 40th Floor, Los Angeles, California 90071. His telephone number is (213) 626-8484, and his facsimile number is (213) 626-0078. David's e-mail address is dsnow@rwglaw.com.

Identification of Person Authorized to Represent Proposer. I, Kayser Sume, am the Chairman of the Board of Directors of RWG and am authorized to represent the Firm in connection with this proposal. My contact information is the same as David's except that my e-mail address is ksume@rwglaw.com.

RWG is a professional corporation that specializes in representing public entities of all types. The Firm was founded in 1954 when the law offices of Richard Richards joined with the law firm of Watson & Beverly to create a new law partnership. The Firm incorporated in 1978 and has offices in Los Angeles, Orange County, Temecula, and San Francisco. We currently serve as City/Town Attorney, Special Counsel, or General Counsel to over 50 cities, towns, counties, joint powers authorities, airports, school districts, community services districts, water districts, and other special districts throughout California.

Our proposal to Covina reflects the same pledge we have upheld for our clients for nearly 60 years: we will provide the highest quality professional legal services in a prompt and cost-effective manner. Following this transmittal letter is the information requested in the Request for Proposals.



RICHARDS | WATSON | GERSHON
ATTORNEYS AT LAW - A PROFESSIONAL CORPORATION

We appreciate the City's consideration of this proposal. We believe that the experienced team we propose, backed by the extensive resources of RWG; would provide excellent representation of Covina. We look forward to discussing our proposal with you. In the meantime, if you have any questions or comments, please do not hesitate to contact David or me.

Very truly yours,

A handwritten signature in black ink, appearing to read "Kayser O. Sume".

Kayser O. Sume
Chairman, Board of Directors

1522930



Table of Contents

Letter of Transmittal	
Table of Contents	i
A. Summary.....	1
B. Statement of Understanding	2
C. Background and Experience	2
D. Approach to Legal Services.....	7
E. Proposed Attorneys	9
F. References and Potential Conflicts of Interest.....	16
G. Compensation and Reimbursement.....	21
H. Agreement.....	23
I. Additional Information.....	23

RWG Exhibits

- | | |
|-----------|-----------------------------------|
| Exhibit A | Attorney Biographies |
| Exhibit B | Principal Public Law Client List |
| Exhibit C | Special Counsel List |
| Exhibit D | Proposed Legal Services Agreement |



A. Summary

RWG has a long history of successfully helping cities like Covina to achieve their goals and protecting their history and unique identity. We understand how cities face constant pressure to conform to changes in state and federal law mandates and how those mandates can conflict with a community's identity and goals. We are proposing a team with substantial experience in representing prestigious cities that desire to have a City Attorney work as a member of the City's management team.

David M. Snow is proposed to be City Attorney. David is a shareholder and has over 22 years of municipal government experience, including 11 years of experience as an attorney representing cities and other public entities. David has served in the position of City Attorney of the City of Yucaipa for approximately two years. He has particular expertise in planning and land use law, the California Environmental Quality Act (CEQA), the Brown Act, meeting management, complex land use projects and the Subdivision Map Act.

Craig A. Steele is proposed as Senior Counsel. Craig is a native of Covina, having grown up in the community and attended Covina public schools. He is a shareholder, City Attorney of the Cities of Monrovia and Highland, a member of the Firm's Management Committee, and has more than 20 years of experience in local government and election law.

Serita R. Young is proposed as Assistant City Attorney. Serita Young is an associate at RWG having served as assistant city attorney for several cities and having developed a particular expertise in matters relating to the Brown Act, the Public Records Act, public works law, planning and subdivision laws and contract drafting.

Roy A. Clarke and Saskia T. Asamura will provide employment law services. Roy is a shareholder who provides employment law advisory services. Saskia Asamura is a shareholder and employment law litigator.

Jennifer Petrusis is a senior attorney of the Firm and provides litigation services in a variety of areas including police liability, civil rights, personal injury, tort defense, dangerous conditions of public property, inverse condemnation, contract disputes, indemnity, actions to recover delinquent taxes, and other public entity litigation. Jennifer also advises police departments on policies and procedures, represents them in *Pichess Motions*, and assists them in responding to Public Records Act, and other discovery requests. Jennifer also specializes in municipal code enforcement.



B. Statement of Understanding

RWG will provide the City of Covina all legal services described in the RFP's scope of services, including labor and employment. We have experienced attorneys who are qualified to handle virtually all routine public entity needs for legal services.

RWG acknowledges the City's articulated mission of providing responsible municipal services and managing public resources to enhance the quality of life in the community. We are uniquely qualified to help the City Council and staff meet that mission through our pledge to provide high quality legal services at an efficient price.

In addition, we offer the unique qualification of having a native of Covina as part of our team. This will help RWG to understand what the quality of life in Covina really is, and to shape our services accordingly.

C. Background and Experience

1. Official Firm Name, Address, and Type of Entity:

Richards, Watson & Gershon
A Professional Corporation
355 South Grand Avenue, 40th Floor
Los Angeles, California 90071

RWG is a California professional corporation.

2. Describe your firm's background and history; include number of years in business. Describe the expertise your firm is able to provide the City.

RWG was founded in 1954 and has been providing public entity legal services for nearly 60 years. Glenn R. Watson incorporated many cities in southern California, including the City of Dairy Valley (now Cerritos) and became its first city attorney in 1956.

We represent foothill communities that have much in common with Covina, such as Agoura Hills and Monrovia. Like Covina, those cities place a high priority on quality of life issues and must continuously find the balance between the basic needs of suburban Southern California life and the need to preserve environmentally sensitive hillside areas. Our lawyers also have represented a variety of other clients with interests in the San Gabriel Valley, including the Cities of Pasadena, Azusa and La Puente, the Foothill Transit Authority, and the Pasadena Metro Blue Line Construction Authority, now known as the Metro Gold Line Foothill Extension Construction Authority.



The representation of public entities is a major Firm practice area. We serve as City Attorney/Town Attorney for 28 California cities and towns: Agoura Hills, Artesia, Beverly Hills, Brea, Buena Park, Calimesa, Fairfax, Fairfield, Hidden Hills, Highland, Indio, Jurupa Valley, La Mirada, Manhattan Beach, Mill Valley, Mission Viejo, Monrovia, Moorpark, Norwalk, Rancho Cucamonga, Rancho Palos Verdes, Ross, San Marino, Seal Beach, South El Monte, Temecula, Westlake Village and Yucaipa. Our representation of these cities and towns encompasses all areas of the law, including litigation and administrative procedure. Many of our client cities and towns, like Covina, have their own police departments.

RWG is a full service law firm with expertise in the wide variety of legal issues faced by public entities. Our areas of specialization include assessments; taxes and public financing; Bonds, Brown Act; CEQA; conflicts of interest; Coastal Act; elections; eminent domain and inverse condemnation; labor and employment; land use, planning, subdivisions, and zoning; code enforcement; redevelopment successor agency issues; police practices; Public Records Act; public works; real estate; solid waste; telecommunications; trial and appellate litigation; water rights and water law.

3. Describe the firm's experience advising municipalities with voter approved slow growth initiatives.

RWG has significant experience drafting, analyzing and implementing voter-approved slow-growth initiatives. On behalf of the City of Monrovia, Craig Steele drafted the open space protection and acquisition ballot measures that were passed by the voters and have become statewide models for open space protection. Those ballot measures required the careful balancing of private property rights with public access requirements and environmental protection. Craig continues to actively work on these matters today as City Attorney, as the City works to implement its Hillside Wilderness Preserve Management Plan.

Craig also drafted the City of Agoura Hills' open space protection measure. In an example of a voter-initiated slow-growth measure, Craig represented the City of Agoura Hills as City Attorney when a group of local businesses qualified and passed an initiative to prevent "big box" retailers in the City. This issue required the analysis, enforcement and implementation of a law that the City did not draft, and that members of the City Council opposed, which created many legal and political problems that the City Attorney was required to address.

Similarly, David Snow has direct experience working on voter-initiated measures relating to slow growth, or designed to stop particular projects. For the City of Beverly Hills, for example, David was involved on a City project team that moved a significant hotel rehabilitation and expansion project through the City entitlement process, which was thereafter challenged by a referendum. In the City of Rancho Palos Verdes, David worked on issues related to an initiative commenced by a local college seeking certain land use approvals from the electorate.



From 1997 to 2003, RWG represented the City of Fairfield on a series of slow-growth and development-initiative petitions. At issue was a substantial area of land outside the City's boundaries that was planned for large scale residential and commercial development that would have increased Fairfield's population from 100,000 to 150,000 residents. The first initiative measure was petitioned by a slow-growth citizens group that wanted to significantly scale back the growth contemplated by the General Plan. This measure was rejected by the voters. A group of developers who owned property outside City limits in the area planned for development and annexation attempted by another initiative to guarantee their development rights. Their first petition was rejected by the Fairfield City Clerk based on our legal advice that the petition did not meet the requirements of the Elections Code. Although the developers threatened suit, they ultimately proceeded with a second petition. This one was rejected by the voters by a substantial margin, and we later assisted the City Council in amending the General Plan.

4. Describe your firm's experience advising municipalities regarding bond covenants and complying with bond covenants.

As bond and disclosure counsel, our public finance attorneys have significant experience in crafting bond covenants that are responsive to market concerns while accommodating issuer needs and limitations in the context of various types of bond issues. Because our Firm serves as town and city attorney and general counsel to a significant number of public entities, our public finance attorneys also routinely advise our clients regarding bond covenant compliance issues after the bond issuance has closed, including rate covenants, covenants limiting the incurrence of additional financing obligations, continuing disclosure, and other covenants. Additionally, as most of our public finance attorneys also have expertise in redevelopment law and in the dissolution of California redevelopment agencies, our clients have sought our advice regarding compliance with covenants undertaken in connection with tax increment bond financings, in a post-dissolution arena where many redevelopment concepts have been significantly altered or eliminated.

We are currently working with our successor agency clients that have unspent proceeds derived from bonds issued prior to January 1, 2011 to take the actions necessary to use the proceeds for the purposes for which the bonds were issued, which, in the case of non-housing bonds, requires the successor agency to first obtain a finding of completion from the Department of Finance. With respect to bonds issued on or after January 1, 2011, we are working on behalf of our clients to monitor proposed legislation that would allow the proceeds to be used for intended projects rather than to defease the bonds. As the City is well-aware, the use of bond proceeds by successor agencies involves the enforcement and interpretation of bond covenants in many cases.

Furthermore, RWG's Public Finance Department provides legal services on a wide range of municipal financings for public projects, including general obligation bonds, certificates of participation, enterprise revenue bonds, lease revenue bonds, tax increment bonds, pension



obligation bonds, refunding bonds, Mello-Roos special tax bonds, and assessment district bonds. Our Firm serves as bond counsel and disclosure counsel to public entities in a variety of state law, tax and securities matters related to financing public projects. Such financings include not only traditional fixed rate debt instruments, but also varied structures involving variable rate bonds, capital appreciation bonds, certificates of participation, credit enhancement devices and investment agreements. We have also acted as bond counsel in private placement financings. The projects financed include water and sewer facilities, housing, schools, police and fire protection facilities, streets and parks.

In the performance of our services as bond counsel, we do all that is necessary to assist in developing the structure most efficient to finance the needs of the public entity. We analyze the financing alternatives, tax implications, and marketing and syndication factors necessary to finalize the financed projects. As disclosure counsel, we help issuers with their due diligence and with the presentation of material information in the offering documents for the bonds in a way that helps them meet their disclosure obligations under the federal securities laws while presenting information in a manner that addresses market concerns. This approach facilitates the purchase of bonds on more favorable terms for the client. Because our issuers range from coastal cities such as Solana Beach, to cities in the Los Angeles metropolitan area such as Monrovia, to cities in the mountains such as Big Bear Lake, and cities in the high desert such as Lancaster, we recognize that each client is uniquely situated and requires different disclosure considerations. We are prepared to provide all services necessary to enable the public entity to authorize, issue, sell, and deliver its obligations under existing laws.

5. Describe your firm's experience in litigating against, or advising agencies with, Police Departments.

RWG has extensive experience representing and counseling public entities in a variety of police department contexts. The Firm has successfully defended public entities and law enforcement officers in lawsuits alleging police misconduct, civil rights violations, personal injury, and various tort claims. RWG provides advice to several police departments regarding policies and procedures, employment matters, and internal affairs matters. The Firm represents several police departments and their members in response to *Pitchess* Motions and other discovery-related matters. In the San Gabriel Valley specifically, we have advised multiple law enforcement task forces and Joint Powers Authority, such as the Foothills Special Tactics Team and the FAST JPA. RWG successfully obtained a gang injunction against two rival criminal street gangs for the City of Monrovia. The gang injunction prohibits members of the two gangs from publicly congregating together, and from engaging in specified activities, within a three and one-half square mile “Safety Zone.”



RWG also represents several cities in code enforcement matters and works closely with members of police departments to obtain compliance with state law and city municipal codes. We provide legal advice to the following police departments.

Beverly Hills	Manhattan Beach
Brea	Mill Valley
Buena Park	Monrovia
Fairfax	Ross
Fairfield	San Marino
Indio	Seal Beach

6. List the location of office(s) that would serve the City of Covina.

Los Angeles

355 South Grand Avenue, 40th Floor
Los Angeles, California 90071
Telephone: (213) 626-8484
Facsimile: (213) 626-0078

Brea

1 Civic Center Circle
Brea, California 92822
Telephone: (714) 990-0901
Facsimile: (714) 990-6230

7. Identify support staff services available (clerical support, paralegals, other non-attorney staff).

In addition to David, Craig, Serita, Roy, Saskia, and Jennifer, the Firm has over 65 attorneys and numerous management and support staff including a records center, word processing department, office services center (including a courier service), and information technology professionals. We have extensive word processing, teleconference and video conference, and electronic research resources. This broad range of staff and professionals, paired with the latest in technology and management practices, allows us to serve each of our client's unique needs in a timely, cost-effective, and productive manner.



D. Approach to Legal Services

1. Describe your view of the role of the City Attorney.

The City Attorney is a member of the city's management team. We seek to work cooperatively with city staff to achieve the goals of the City Council while protecting the city from legal risk. The City Attorney helps find solutions to city problems within the requirements of the law and helps develop programs and policies with city staff that achieve city goals in a legally compliant manner. RWG has a strict philosophy that the role of the City Attorney is to be a legal advisor and facilitator, not a policy maker or a sixth council member. The Firm's attorneys are professional, responsible, and non-partisan at all times when providing legal services.

For a City like Covina, with significant and complex needs for legal services, the individual City Attorney cannot effectively provide all of those services alone. The City is best-represented, and most efficiently-served, when the City Attorney serves as a manager of legal services and makes sure that the best attorneys for a particular task are assigned to work on that task. Thus, in the RWG City Attorney model, the City Attorney manages all the resources available to the City to ensure that projects are completed, quality is maintained, and legal costs are managed. We encourage our attorneys to work directly with staff, rather than through a single individual at the Firm, to get legal service requests met in a timely and efficient manner.

2. Describe how you track and manage legal costs.

RWG aids public entity clients in the management of legal expenses in many ways. First, the City Attorney will regularly provide the City Manager with a chart of the monthly and year-to-date costs incurred for each matter handled by the City Attorney compared against the annual budget for City Attorney expenses. This chart also provides a column that shows if the expenditures are on a pace consistent with the annual budget or are above or below the budget targets. This chart allows city staff and the City Attorney to monitor expenses throughout the year and to coordinate the use of legal resources so that the city can know at any point during the year if there are remaining resources to incur additional legal services.

Second, RWG's large public entity client base means that any one entity client will pay only a small fraction of the cost for legal work on matters that are common to other public entity clients. Examples of such matters include annual reports on new legislation and the drafting of ordinances or policies in response to new court decisions.

Third, our extensive library of forms minimizes the time spent by attorneys on routine documents such as standard contracts and standard easements. We provide training to staff to properly utilize these forms and handle routine matters, such as public records requests and small contracts. This assists in reducing, over time, the use of attorney time for certain routine matters.



3. Describe how, as City Attorney, you would work with the City Council and participate in City Council, Planning Commission, and other meetings.

RWG has a philosophy that the role of the City Attorney is to be a legal advisor and facilitator, not a policy maker or the sixth council member, or planning commissioner. We would participate to the level expected and desired by the City Council. Unless requested otherwise, we generally feel that it is not necessary or appropriate for the City Attorney to interject in a meeting's discussion unless specifically requested by the Mayor, Commission Chair, any other Councilmember or Commissioner, or staff, or unless a significant legal question arises.

4. Describe your firm's practices regarding professional development, training, and keeping current in the law and legal matters affecting clients.

The Firm's Public Law Department holds regular and frequent meetings where attorneys come together to discuss topics of interest in the municipal law field. In addition, as necessary, the Department assigns a particular attorney or group of attorneys to research and analyze an issue in more depth, and report back to the entire group. The Public Law Department also reviews new cases and new legislation and informs our clients of issues that may interest them or may affect their daily operations.

Each of our departments has extensive and ongoing training programs for our attorneys. The Firm hosts a brown bag lunch series where different attorneys provide presentations on matters such as the Brown Act, the role of counsel at public meetings, election law, conflicts of interest, the Subdivision Map Act, eminent domain, AB X1 26 redevelopment dissolution, CEQA, and various other legal topics. In addition, the Firm is actively involved in several public law organizations, and our attorneys spend considerable time attending conferences, as well as lecturing and writing about events of current legal importance.

The Firm prepares "e-alerts," advising our public entity clients on new legislation, new cases, and other current issues of interest to public entities as they occur.

5. Describe the methodology used to determine the delegation of City assignments within the firm; for example, is the individual identified as the "City Attorney" going to personally handle, draft, prepare all City matters, or will work be delegated to less senior staff.

The City Attorney would work closely with the City Council and staff to ensure that all assignments are handled in the manner requested by the City Council or city staff. For example, if the City Council or the City Manager specifically requests that the City Attorney personally handle a politically sensitive matter or a particular project, the City Attorney will handle the



matter as requested. While straightforward research assignments may be delegated to associates for efficiency, the City Attorney personally manages, supervises, and analyzes all assignments.

We have proposed a team of attorneys so that the City Council and staff will have a well-defined, consistent group of attorneys with whom to consult for legal advice.

6. List specialty services you do not provide.

The Firm does not provide bankruptcy litigation services, although we do advise on routine bankruptcy filings and matters. As City Prosecutors, we do not provide criminal defense services. We do not practice workers' compensation law, as those cases are more efficiently handled by specialists.

E. Proposed Attorney(s)

We propose a team comprised of David Snow as City Attorney, Craig A. Steele as Senior Counsel, Serita Young as Assistant City Attorney, Roy Clarke and Saskia Asamura as Employee Relations/Human Resources Counsel, and Jennifer Petrusis as Municipal Tort and Police Counsel.

Proposed City Attorney—David M. Snow

David M. Snow. David is a shareholder of the Firm and a member of the Firm's Public Law Department. David specializes in advising public entities and in litigation involving CEQA and matters involving land use regulation. David's relevant experience and qualifications are summarized below.

- David is City Attorney for the City of Yucaipa and Assistant City Attorney for the Cities of Beverly Hills and Rancho Palos Verdes.
- David serves as General Counsel for the Successor Agency to the Yucaipa Redevelopment Agency and General Counsel to the Yucaipa Housing Authority, providing legal advice on an array of issues related to dissolution of the former redevelopment agency pursuant to the requirements of AB X1 26 and AB 1484.
- David regularly advises clients on the complexities of land use matters including complying with constitutional limitations, planning and zoning statutes, and CEQA.
- David is a member of the American Institute of Certified Planners. He is currently serving his second term as the Vice President, Policy and Legislation, of the American Planning Association, California Chapter (APA California), the premier professional organization representing the field of city and regional planning in



California. David also serves on the APA California Amicus Committee in reviewing and developing sound planning positions on key California litigation.

- David is a regular presenter on CEQA and land use matters.
- David is a 2001 graduate of the Loyola University School of Law, Los Angeles. He graduated from Clarkson University in 1989. David was admitted to State Bar of California in 2001 and joined RWG in 2001.
- Prior to and during law school, David worked in local government planning agencies for over ten years, last serving as the Deputy Director of Planning for the City of Rancho Palos Verdes.

Proposed Senior Counsel - Craig A. Steele

Craig A. Steele. Craig is a shareholder in the Public Law Department and serves on the Firm's Management Committee. Craig has more than 20 years of experience in local government law and over 27 years in government generally. Craig works with City Councils, Redevelopment Successor Agencies, and Planning Commissions. He serves as City Attorney for the Cities of Highland and Monrovia, and General Counsel to the Los Angeles County Children and Families First Proposition 10 Commission (First 5 LA). He also recently spent a year as Interim CEO of First 5 LA.

Of particular relevance to Covina, Craig is a native of the City; having grown up and attended public schools in Covina. In fact, as a senior at Northview High School, Craig shadowed the Covina City Manager for "Youth in Government Day." Craig's relevant experience and qualifications are summarized below.

- Craig serves as counsel to the Successor Agencies of Highland, Indio, and Monrovia. In those roles, he has experience with projects ranging from simple residential rehabilitation programs to complex commercial, office and residential projects involving land assembly and various levels of Agency support. He has negotiated owner participation and disposition and development agreements for a variety of projects, and supervised Redevelopment Plan amendments. He is currently working with the Agoura Hills Redevelopment Agency to develop two Agency-sponsored affordable housing projects.
- Craig is an expert on California public ethics laws, including laws relating to conflicts of interest, political activities and lobbying. Craig authored an article published in the January 2010 issue of *Western City Magazine* regarding the lobbying laws that apply to public entities, "The Rules on Lobbying: What Every Local Official Should Know."



- Craig is a past member of the FPPC Committee on the League of California Cities' City Attorneys Department and also served on a task force of the Institute for Local Government drafting a resources book on open space acquisition by cities.
- Craig graduated from the University of Southern California Law School in 1992. He graduated from the University of Southern California in 1984. Craig was admitted to the State Bar of California in 1992 and joined RWG in 1992.

Proposed Assistant City Attorney - Serita R. Young

Serita R. Young. Serita is an associate in the Public Law Department. Serita specializes in public entity and municipal law. Serita serves as Deputy City Attorney for the City of Artesia, Assistant City Attorney for the City of Westlake Village, and Assistant Counsel for the Metro Gold Line Foothill Extension Construction Authority. Serita's relevant experience and qualifications are summarized below.

- Serita assists the public entities she represents on various legal issues that may range from drafting ordinances, resolutions and contracts to advising on municipal law including the Brown Act, the Public Records Act, conflicts of interest, land use law, planning and zoning laws, public works, and public contracting. Serita fields questions from city staff, including planning and public works departments, on the wide variety of topics faced by cities.
- Serita is experienced in preparing and reviewing contracts between public entities and various providers of municipal services. Serita has aided public entities in the development of standardized contract forms to reduce costs and to improve the protections provided by contract documents.
- Serita is experienced in providing AB 1234 training to employees and officials regarding local government fundamentals such as the Brown Act, conflicts of interest, and the Public Records Act.
- Serita is a member of the Firm's Public Works Practice Group and has experience with bidding procedures and contract drafting for public works projects. Serita is also a member of the Firm's Public Records Practice Group and has experience with coordinating and reviewing Public Records Act requests. Additionally, Serita is a member of the Firm's E-Documents Practice Group.
- Serita received her J.D. from the Loyola Law School of Los Angeles in 2007 and her B.S. from Georgetown University in 1999. Serita was admitted to the State Bar of California in 2007 and joined RWG in 2007.



- Serita served as a staff member and Senior Articles Editor on the *Loyola of Los Angeles Law Review* and was Vice President of the Loyola Black Law Students Association in 2005-2006. Serita participated in externships with the Attorney General's Office of the United States Department of Justice and the Attorney General's Office of the California Department of Justice in 2006. Serita is a former committee member of the Association of African-American Attorneys in Downtown Firms (AAADF).

Other Attorneys in Support of Primary Attorneys

Proposed Employee Relations/Human Resources Counsel - Roy A. Clarke and Saskia T. Asamura.

Roy A. Clarke. Roy is a shareholder of the Firm and he specializes in advisory matters and administrative hearings. Roy is the Chair of the Labor and Employment Department. Roy has 15 years of legal experience advising public entities and an additional 20 years working on staff for public entities. His experience spans all aspects of the employment relationship, including hiring employees, managing the workforce with policies and personnel practices, paying employees under wage and hour laws, providing employee benefits, preventing discrimination and harassment, managing leave programs, and administering discipline and termination. Roy has additional experience with unions and labor relations, including the administration of labor relations rules, certification, unit determination, contract administration, negotiations, and grievance handling. The sampling below illustrates Roy's areas of expertise.

- Roy has conducted administrative investigations of sexual harassment and other employee misconduct complaints and has conducted discipline hearings before arbitrators and civil service commissions. He has represented employers in disputed unemployment and wage claims before state hearing personnel and has represented local government in hearings and disputes involving the California Public Employees' Retirement System. He serves as special counsel to commissions and hearing boards on discipline appeals, unfair labor practice charges, and civil service system administration.
- Roy provides advice and assistance with personnel administration, including work involving the application, interpretation, and updating of personnel systems, personnel rules, classification plans, compensation plans, and City policies. Roy has worked with clients to draft or review employment agreements, personnel rules, employee handbooks, labor relations resolutions, discipline notices, and severance agreements. He assists with benefits administration, including issues involving the Public Employees' Retirement System. He also provides advice and representation in discipline matters at administrative hearings.



- Roy also assists public clients with compliance with employment laws such as those covering wages and hours (FLSA, California Labor Code), equal employment (Title VII, FEHA, ADA, ADEA), protected leaves of absence (FMLA, CFRA, PDL, Kin Care, Labor Code), and other employee rights (privacy, whistleblower). He also has experience with the Procedural Bill of Rights Acts for police and fire.
- Roy provides training in areas such as the prevention of sexual harassment, performance evaluations, workplace investigations, and compliance with the Firefighters Bill of Rights Act.
- Roy graduated *Order of the Coif* from Loyola Law School in 1994. He received his undergraduate degree, *magna cum laude*, from Pepperdine University in 1989. Roy was admitted to the State Bar of California in 1994 and joined RWG in 1996.

Saskia T. Asamura. Saskia is a shareholder and public entity litigator with 20 years experience at RWG. She has a proven track record of effectively defending employment lawsuits brought against public employers and their management or supervisory staff. She served several years as the Chair of the Firm's Labor & Employment Department and currently serves as its Assistant Chair. The sampling below illustrates Saskia's areas of expertise:

- Saskia has handled numerous wrongful terminations, FEHA, EEOC, harassment, discrimination, retaliation, and other employment-related claims on behalf of public sector clients. Saskia also assists public clients in connection with disciplinary proceedings, severance agreements, and dispute resolution before a matter reaches the litigation stage. Below is a representative sampling of employment cases that Saskia has handled as lead counsel:
 - *Albanese v. City of Beverly Hills* (Case No. BC317236): FEHA fact-intensive complaint for harassment, discrimination, and retaliation (gender). After summary judgment motion was filed, the court's detailed order paved the way for a zero dollar settlement.
 - *Cook v. City of West Hollywood* (Case No. BC173899): Complaint for harassment and discrimination (race, gender, and sexual orientation). Summary judgment granted.
 - *Drlik v. City of Brea* (Case No. CV04-2237NM (RJWx)): Complaint for wrongful termination alleging First Amendment violations. After motions to dismiss, case was resolved for nominal settlement.



- *Dutro v. City of Carson* (Case No. TC010985): Wrongful termination, harassment, and discrimination complaint (race, gender) against city and supervisor. Summary judgment was granted for supervisor; summary adjudication was granted for the city, as to all but one claim, remaining cause of action went to trial and was resolved in the city's favor.
- *French v. City of Calimesa* (Case No. RIC520083): FEHA complaint for harassment, discrimination, and retaliation (sexual orientation). After demurrer reducing the scope of the claims, case was resolved for a small settlement.
- *Harper v. City of Fairfield* (Case No. CVO5-01008 MMM (SSx)): Title VII and FEHA complaint against the city and Police Chief for alleged retaliatory failure to timely respond to a request for background information. After motions to dismiss and to strike granted in part by detailed court order, case was resolved by nominal settlement.
- *Harrison v. City of Brea* (Case No. 30-2008-00110478/Appeal Case No. G042462): FEHA complaint for harassment, discrimination, and retaliation based upon failure to promote and alleged placement on involuntary leave. Judgment for defense was granted after a series of demurrer and upheld on appeal.
- *Hoetker v. City of Brea* (Case No. 30-2009-00292573/Appeal Case No. G043630): Complaint for failure to promote based upon retaliation and the POBR. Judgment for defense was granted after grant of Anti-SLAPP motion including award of attorney fees. Appeal was filed but abandoned.
- Saskia graduated from the University of California Law School, Los Angeles in 1991. She received her undergraduate degree in 1979 at the London School of Economics, with Honours. Saskia was admitted to the State Bar of California in 1991 and joined the RWG in 1991.



Proposed Municipal Tort and Police Counsel - Jennifer Petrusis

Jennifer Petrusis. Jennifer is a senior attorney in the Litigation Department at RWG. Jennifer concentrates on the representation and counseling of public entities in a variety of litigation contexts including police liability, dangerous conditions of public property, civil rights, personal injury, inverse condemnation, contract disputes, indemnity, actions to recover delinquent taxes, and other public entity litigation. The sampling below illustrates Jennifer's expertise and activities.

- Jennifer's practice is primarily devoted to defending cities and peace officers in lawsuits alleging constitutional rights violations, police liability, personal injury, and other torts. Jennifer also advises police departments on policies and procedures, represents police departments in *Pitchess* Motions, and assists police departments in responding to Public Records Act requests and to subpoenas and other discovery requests. Jennifer is also experienced in the petition process used to obtain the court's authorization to retain and destroy confiscated deadly weapons.
- Jennifer has represented several cities in code enforcement matters including the Cities of Rancho Palos Verdes, Temecula, Mission Viejo, Moorpark, Calimesa, La Mirada, and Seal Beach.
- Jennifer is a 2004 graduate of the UCLA School of Law and obtained her undergraduate degree in 2001 *summa cum laude* from the University of California, Los Angeles. Jennifer was admitted to the State Bar of California in 2004 and joined RWG in 2006.

The biographies of the attorneys listed above are attached hereto as Exhibit A.



F. References and Potential Conflicts of Interest

- 1. Provide contact information for five municipal or public agency clients for which services have been provided by the designated attorney in the last three years.**

Professional References - David M. Snow	
City of Yucaipa 34272 Yucaipa Boulevard Yucaipa, California 92399	Ray Casey City Manager (909) 797-2489, Ext 226 rcasey@yucaipa.org
City of Rancho Palos Verdes 30940 Hawthorne Boulevard Rancho Palos Verdes, California 90275	Carolyn Lehr City Manager (310) 377-0360 carolynl@rpv.com
City of Beverly Hills 455 North Rexford Drive Beverly Hills, California 90210	Susan Healy Keene Director of Community Development (310) 285-1120 skeene@beverlyhills.org
City of San Marino 2200 Huntington Drive San Marino, California 91108	John Schaefer, City Manager (626) 300-0700 jschaefer@cityofsanmarino.org
City of Brea 1 Civic Center Circle Brea, California 92821	David Crabtree Deputy Director of Community Development / City Planner (714) 990-7674 davidc@cityofbrea.net



Professional References - Craig A. Steele

City of Monrovia 415 South Ivy Avenue Monrovia, California 91016	Mary Ann Lutz Mayor (626) 932-5552 maryann@lutz-co.com
Monrovia Police Department 140 East Lime Avenue Monrovia, California 91016	Chief Jim Hunt (626) 256-8000 jhunt@monrovia.laclen.org
City of Highland 27215 Baseline Street Highland, California 92346	Joe Hughes City Manager (909) 864-6861, Ext. 221 jhughes@cityofhighland.org
City of Agoura Hills 30001 Ladyface Court Agoura Hills, California 91301	Greg Ramirez City Manager (818) 597-7300 gramirez@ci.agoura-hills.ca.us
Los Angeles County 500 West Temple Street, Room 869 Los Angeles, California 90012	Supervisor Michael D. Antonovich (213) 974-5555 MAntonovich@lacbos.org



Professional References - Serita R. Young

City of Artesia 18747 Clarkdale Avenue Artesia, California 90701	Okin Dor Planning and Redevelopment Director (562) 865-6262 odor@cityofartesia.us
City of Buena Park 6650 Beach Boulevard Buena Park, California 90622	Neda Ghazvini Assistant Engineer (714) 562-3670 nghazvini@buenapark.co
First 5 LA 750 North Alameda Street, Suite 300 Los Angeles, California 90012	Yolanda Bosch Director of the Grants Management and Legal Compliance Department (213) 482-5902 ybosch@first5la.org
City of Norwalk 12700 Norwalk Boulevard Norwalk, California 90650	Grissel Chavez Public Services Superintendent (562) 929-5511 gchavez@ci.norwalk.ca.us
City of Westlake Village 31200 Oak Crest Drive Westlake Village, California 91361	Audrey Schmitz Assistant City Manager (818) 706-1613 audrey@wlv.org



2. **List all public clients for whom your firm currently provides or has provided services for the past five (5) years. Indicate the services provided. For those clients who are no longer represented by the firm, provide an explanation regarding the reason why they are no longer represented by the firm. Identify any foreseeable or potential conflicts of interest that could result from representation with any current clients and the manner in which you would propose to resolve such conflicts.**

RWG is very proud of the long-term relationships that the Firm maintains with its public entity clients. Many of these relationships have lasted 20 years or more, since the formation of the entity. Over the course of nearly 60 years that the Firm has been in existence, the Firm has never been disqualified from representing a public entity, but on some occasions public entities have decided to change counsel, or in some cases hire in-house counsel, and, as a result, discontinued the Firm's services as town or city attorney or agency counsel. On a number of occasions, those same public entities have continued to engage the Firm on a special counsel basis or have subsequently rehired the Firm as city attorney.

We have completed a preliminary conflicts check of our public clients, and we have not found any actual or potential conflicts of interest that we believe would result from representation of any of these public clients and the City of Covina.

Because the Firm has represented hundreds of clients over the years, we have prepared two attachments in response to this request. Exhibit B, the Principal Public Law Client List, provides all of our current ongoing public client relationships, including all of our city attorney clients. Exhibit C, the Special Counsel List, provides other public clients that we currently advise or previously advised in the past. Many special counsel roles are limited in role or duration, such as for the purpose of litigation or for bond issuances.

3. **For the person designated as City Attorney, and Assistant City Attorney, list all public clients that these individuals presently represent; along with the meeting dates and times for each governing body.**

Public Entity Clients Represented: David M. Snow

- City of Yucaipa - City Attorney - City Council meetings every second and fourth Monday of the month at 6:00 p.m.



- City of Beverly Hills - Assistant City Attorney - Planning Commission meets generally the second and fourth Thursdays of the month at 1:30 p.m.; Cultural Heritage Commission meets quarterly during the day.
- City of Rancho Palos Verdes - attend meetings only as needed.

Public Entity Clients Represented: Craig A. Steele

- City of Monrovia - City Attorney - City Council meetings every first and third Tuesday of the month at 7:00 p.m.
- City of Highland - City Attorney - City Council meetings every second and fourth Tuesday of the month at 6:00 p.m.
- City of Indio - Senior Counsel - schedule and attend meetings as needed
- Los Angeles County Children and Families First Proposition 10 Commission (First 5 LA), General Counsel meetings every second Thursday of the month from 1:30 - 4:30 p.m.

Public Entity Clients Represented: Serita R. Young

- City of Artesia - Deputy City Attorney - Planning Commission meetings every third Tuesday of the month at 6:30 p.m.
- City of Westlake Village - Assistant City Attorney - schedule and attend meetings as needed.

4. List all private clients of your firm and identify any foreseeable or potential conflicts of interest that could result from such representation and the manner in which you would propose to resolve such conflicts.

We cannot provide a list of our private clients to the City without first obtaining the consent of each client, as we believe doing so could constitute a violation of the attorney-client privilege and our ethical obligations to those clients. We have, however, completed a preliminary conflicts check of our private clients, and we have not found any actual or potential conflicts of interest that we believe would result from representation any of these private clients and the City of Covina.

With regard to public entity clients, we note that RWG does not represent any cities that border Covina.

Should a potential or actual conflict arise, we would inform the City immediately. The ethical rules for attorneys who practice law in California govern how conflicts must be addressed.



Depending upon the particular issue, the State Bar Rules of Professional Conduct allow some conflicts to be resolved by advising the clients and obtaining their informed written consent to waive the conflict. We would immediately advise Covina of any conflict and the procedure that must be followed in those cases. Other conflicts cannot be waived by the clients. In those cases, we would advise Covina immediately of the conflict and of our duty to refrain from representing the City with respect to that particular matter.

5. **If the firm/individual, or any of the attorneys employed by the firm have been sued by cities or other clients for malpractice, been the subject of complaints filed with the State Bar, or had discipline imposed by the State Bar, please provide information on the nature of the incident, the date the matter was resolved, and the results.**

Neither RWG, nor any attorney while employed at RWG, has ever been disciplined by the California State Bar. Additionally, neither the Firm nor any attorney while employed at RWG has ever been successfully sued for malpractice. We are unaware of any complaints to the State Bar ever being made against any of our attorneys.

G. Compensation and Reimbursement

1. **Describe your firm's general billing approach; is work that is applicable to a number of clients billed 100% to each client, or is the cost shared between clients; if the costs are shared between clients, what is the method used to divide the costs? What time increment is work billed? If a work product was completed for another client and the City of Covina requests similar work product, how is Covina billed for the work product?**

As explained above, RWG's large public entity client base means that any one entity client will pay only a small fraction of the cost for legal work on matters that are common to a group of clients. When costs are shared among clients, RWG opens a joint billing number to which all billed time is recorded. The time billed in the joint billing number is then split among the group of cities participating in a joint matter and billed pursuant to each individual client's agreed rate structure. Because there are many common issues shared among our clients, our attorneys build on knowledge and experience, which we find reduces legal costs for our clients.

When work product has been completed for one client, and another client requests similar work, we strive to assign the work to the person or team with the expertise on that issue so as to provide the work product in the most efficient and cost effective way.



Time incurred in providing legal services will be billed in increments of one-tenth of an hour to billing accounts set up as specified by staff. Our invoices provide detailed explanations of tasks performed, dates of work, and the name of the attorney that performed the work.

2. Describe how the firm intends to charge for legal services, for the three categories of legal services described in Section II (General Legal Services, Litigation Services, and Other Specialized Legal Services).

RWG proposes to be compensated and reimbursed under a structure that varies from the City's current approach to produce what we believe will be long-term efficiencies and cost reduction. More specifically, we propose to expand the scope of services within the retainer and moderately increase the monthly cost thereof. We believe this approach will lead to more cost-certainty and reduce monthly budget fluctuations. In addition, we propose to eliminate any minimum charges for litigation appearances and instead would only charge for actual time incurred. Of course, if the City would prefer, we would be willing to modify our proposal to be more in line with the current structure.

RWG's specific proposal is as follows:

Retainer Services. Retainer Services shall be defined to include: (i) in-person attendance at two City Council meetings per month, (ii) in-person attendance at two Planning Commission meetings per month, and (iii) all office hours or other communications with staff and legal services provided to the City *except* those services that are defined below as "Litigation and Special Legal Services" or "Third-party Reimbursed Services." Travel time incurred on Retainer Services matters would be billed to and paid from the retainer. All Retainer Services, would be billed at a flat monthly retainer of \$12,500 per month.

Litigation and Special Legal Services. Litigation and Special Legal Services shall be defined to include: (i) complex real estate matters; (ii) labor and employment law services; (iii) environmental law services, including but not limited to, Hazardous Waste, Clean Air Act, and Clean Water Act issues; (iv) litigation services (including, without limitation, *Pitchess* motions and representing the City in administrative proceedings before other bodies); (v) enforcement and prosecution of the City's Municipal Code; (vi) in-person attendance at additional meetings at City Hall beyond the four meetings per month listed in the Retainer Services section above; and (vii) any legal services project that the City Manager and the City Attorney agree is anticipated to require more than 15 hours of services. Travel time incurred for Litigation and Special Services would be compensated at the Litigation and Special Services rate. All Litigation and Special Services, except enforcement and prosecution of the City's Municipal Code and *Pitchess* motions, would be compensated at composite hourly rates of \$225 per hour for associate attorneys and \$275 per hour for all other attorneys. Litigation and Special Services for enforcement and prosecution of the City's Municipal Code and representing the City



in *Pitchess* motions would be compensated at a flat rate of \$1.95 per hour for all attorneys. Paralegal services for any Litigation Special Services would be compensated at a rate of \$1.50 per hour. Time incurred in providing these services will be billed in increments of one-tenth of an hour to billing accounts set up as specified by City staff.

Third-Party Reimbursed Services. Legal services that the City elects to have reimbursed by third parties shall be compensated at a 20% discount from the Firm's standard hourly rates.

Reimbursable and/or Other Costs. Mileage, other than routine travel to the City Hall, shall be billed at the standard rate established by the IRS for deducting the operating expenses of an automobile used for business purposes. This rate established by the IRS currently is 56.5 cents per mile. Copying costs will be charged at 5 cents per page. Facsimile charges will be \$1 per page with a maximum charge of \$25 for any one facsimile. All other costs, such as long distance telephone charges, messenger and delivery services, and legal research services will be charged only at the Firm's actual out-of-pocket expenses. The Firm will not charge for word processing and similar clerical tasks.

Rate Increases. RWG proposes an that commencing on July 1, 2015, and on each July 1 thereafter, the rates charged above automatically shall be increased by a percentage amount equal to the percentage increase in the United States Department of Labor, Bureau of Labor Statistics' Consumer Price Index for All Urban Consumers for the Los Angeles Anaheim Riverside statistical area ("CPI") for the twelve month period ending on the immediately prior April 30. Any other adjustments in the rates shall require prior written approval of the City Council.

H. Agreement

The Firm's proposed legal services agreement is attached as Exhibit D.

I. Additional Information

Our Firm is recognized as a statewide leader in the interpretation and implementation of Propositions 13, 218, and 26. We have assisted staff and consultants in conducting assessment balloting proceedings, protest hearings, and tax and fee elections. Proposition 218 created major changes in the way that public entities levy or increase taxes, assessments, and property-related fees. Proposition 26 has added an additional overlay to the legal landscape implemented by Proposition 218. We believe that our experience helping numerous public entities comply with Propositions 218 and 26 greatly contributes to our ability to foresee potential compliance issues and to give our clients the quality advice they need to successfully levy and increase assessments, fees and taxes, while reducing legal risk and procedural missteps. We have extensive experience in forming Mello-Roos districts and a wide variety of assessment districts. We also have assisted the County of Sonoma, the City of Palm Desert, and the City of Yucaipa



to establish, finance, and administer California's earliest contractual assessment programs to finance renewable and energy efficiency improvements to private property. In addition, we regularly provide advice on how to comply with AB 1600 (developer fees).

Since the enactment of AB X1 26, RWG has been representing numerous successor agencies throughout the state on redevelopment dissolution matters. We currently serve as redevelopment dissolution counsel to more than 20 successor agencies. The Firm also is serving as redevelopment dissolution counsel to the City of Los Angeles, which elected not to become a successor agency and, as a result, has a designated local agency handling dissolution of its former agency. We previously initiated litigation against the Department of Finance on behalf of the Cities of Brea and Mission Viejo concerning the July 2012 "true up" payment. We were immediately successful in obtaining the Department of Finance's agreement not to impose a penalty upon our clients in connection with the "true up" payment, and expect those actions to settle shortly on terms favorable to our clients. As discussed above, the Firm has divided the cost for various aspects of this work among the clients that have a common interest in each of these issues.

To summarize, we believe that RWG's broad public entity client base, our personal connection to Covina, and breadth of experience would uniquely position our Firm to provide the best possible legal services to Covina if we are selected.



RICHARDS | WATSON | GERSHON
ATTORNEYS AT LAW - A PROFESSIONAL CORPORATION

EXHIBIT A

City of Covina
Request for Proposals
City Attorney Services

Exhibit A

**David M. Snow | Shareholder****Practice Areas:**

CEQA
Climate Change
Land Use
Planning, Zoning and Subdivision Map Act
Public Agency and Municipal Law
Public Agency and Municipal Law Litigation
Redevelopment

Education:

B.S., Clarkson University, 1989
J.D., Loyola University School of Law, Los Angeles, 2001
Certificates, Land Use Planning, Transportation Planning for Air Quality, and Economic Development, University of California, Riverside
Member of American Institute of Certified Planners (AICP)

T 213.626.8484
F 213.626.0078
E dsnow@rwglaw.com
W www.rwglaw.com

David M. Snow is a shareholder in the Public Law Department at Richards, Watson & Gershon. Mr. Snow specializes in advising public agencies and in litigation involving the California Environmental Quality Act ("CEQA") and matters involving land use regulation. Mr. Snow joined RW&G in 2001 with over ten years of experience in municipal government, focusing on zoning, land use, redevelopment, and environmental matters. Before joining the Firm, Mr. Snow served as the Deputy Director of Planning for the City of Rancho Palos Verdes, where he managed the City's Planning and Code Enforcement Departments while attending law school. During Mr. Snow's eleven year planning career, he gained broad experience in processing complex master planned communities and large-scale commercial projects, construction management, CEQA management, coastal issues and other environmentally constrained projects. Mr. Snow is an active member of the State Bar of California and the Los Angeles County Bar Association. Mr. Snow serves as the City Attorney for the City of Yucaipa, Assistant City Attorney in the cities of Beverly Hills and Rancho Palos Verdes, and general counsel to the Successor Agency of the Yucaipa Redevelopment Agency.

Mr. Snow is a member of the American Institute of Certified Planners (AICP), the American Planning Association (APA), APA California Chapter Amicus Committee, and serves as APA California's Vice President of Policy and Legislation.



Craig A. Steele | Shareholder

Practice Areas:

CEQA
Elections and Political Law
Public Agency and Municipal Law

Education:

B.A., University of Southern California, 1984
J.D., University of Southern California Law School, 1992

T 213.626.8484
F 213.626.0078
E csteele@rwglaw.com
W www.rwglaw.com

Craig A. Steele is a shareholder in the Public Law Department at Richards, Watson & Gershon and serves on the Firm's Management Committee. Mr. Steele has 20 years of experience practicing local government law. Mr. Steele is the City Attorney for the Cities of Highland and Monrovia, Counsel to the Successor Agency to the Indio Redevelopment Agency, and General Counsel to the Los Angeles County Children and Families First Proposition 10 Commission ("First 5 LA"). He served as Agoura Hills City Attorney from 1999-2012 and Interim CEO of First 5 LA throughout 2012. In addition to his public agency practice, he represents candidates for local, state, and federal offices and other private interests on a variety of election and political law matters. He is the author of several local ballot measures, including open space preservation, local taxes, fireworks regulation and transportation.

Mr. Steele concentrates on the representation of public agency clients in a wide range of government law areas and has spoken and written extensively on open government issues including Campaign Finance Regulation, Lobbying, Public Records, Open Meeting Laws and Conflicts of Interest Law. His article "The Rules on Lobbying: What Every Local Official Should Know" was published in the January, 2010 issue of Western City Magazine. He is a past member of the FPPC Committee of the League of California Cities' City Attorneys Department and also served on a task force of the Institute for Local Government drafting a resources book on open space acquisition by cities.

Mr. Steele is a Past President of the Board of Directors of the Community Center of La Cañada Flintridge, a member of the Board of Directors of the Spartan Boosters, and served for seven years as Chair of the La Cañada Unified School District's Bond Oversight Committee.



Serita Young | Associate

Practice Areas:

Public Agency and Municipal Law

Education:

B.S., Georgetown University, 1999
J.D., Loyola Law School of Los Angeles, 2007

T 213.626.8484
F 213.626.0078
E syoung@rwglaw.com
W www.rwglaw.com

Serita Young is an associate in the Public Law Department at Richards, Watson & Gershon. She serves as Deputy Assistant City Attorney for the City of Artesia and as Assistant City Attorney for the City of Westlake Village. Ms. Young concentrates on the representation of public agencies in a wide range of governmental law issues. Her practice includes advising local agencies on the Brown Act, the Public Records Act, public works law, planning and subdivision laws, contract drafting and airport regulations. In addition, Ms. Young is a member of the Firm's Public Works Practice Group and the E-Documents and Public Records Practice Group. Ms. Young was a summer associate at RW&G in 2006.

Ms. Young obtained her law degree from the Loyola Law School of Los Angeles. During law school, Ms. Young served as a staff member and Senior Articles Editor of the Loyola of Los Angeles Law Review. In addition, Ms. Young served as Vice President of the Loyola Black Law Students Association in 2005 - 2006. In 2006, Ms. Young participated in externships with the Attorney General's Office of the United States Department of Justice and the Attorney General's Office of the California Department of Justice.

Ms. Young's publications include:

"New Legislation Amending the Ralph M. Brown Act – Senate Bill No. 334," *RW&G Advisor* (Spring 2008).

"The California Legislature Enacts Senate Bill 1137 to Address Maintenance Problems Posed by Foreclosed Properties," *RW&G Advisor* (Winter 2008).



Roy A. Clarke | Shareholder

Practice Areas:

Employment
Labor and Employment
Personnel Advice
Public Agency and Municipal Law

Education:

B.S., *magna cum laude*, Pepperdine University, 1989
J.D., Order of the Coif, Loyola Law School, Los Angeles, 1994

T 213.626.8484
F 213.626.0078
E rclarke@rwglaw.com
W www.rwglaw.com

Roy A. Clarke is a shareholder in the Labor and Employment Department at Richards, Watson & Gershon and Chair of the Firm's Labor and Employment Department. Mr. Clarke's practice covers labor and employment law with an emphasis on advisory matters and administrative hearings. His experience spans all aspects of the employment relationship, including hiring employees, managing the workforce with policies and personnel practices, paying employees under wage and hour laws, providing employee benefits, preventing discrimination and harassment, managing leave programs, administering discipline and termination. He has additional experience with unions and labor relations, including the administration of labor relations rules, certification, unit determination, contract administration, negotiations and grievance handling. Mr. Clarke has worked with clients to draft or review employment agreements, personnel rules, employee handbooks, labor relations resolutions, discipline notices and severance agreements.

Mr. Clarke has conducted administrative investigations of sexual harassment and other employee misconduct complaints. Mr. Clarke has conducted discipline hearings before arbitrators and civil service commissions. He has represented employers in disputed unemployment and wage claims before state hearing personnel and has represented local government in hearings and disputes involving the California Public Employees' Retirement System. He serves as special counsel to commissions and hearing boards on discipline appeals, unfair labor practice charges and civil service system administration.

Mr. Clarke is Assistant City Attorney for the City of Fairfield. He has served as Acting City Attorney for El Cerrito and Interim General Counsel for the Mid-San Gabriel Valley



Consortium (a joint powers agency). In addition, Roy has provided back-up for City Council and Agency Board meetings on an ad hoc basis at various clients. He serves as regular labor and employment counsel for the Cities of Fairfield, Beverly Hills, Rancho Palos Verdes, Agoura Hills and Mill Valley.

Prior to RW&G, Mr. Clarke served as Staff Attorney and Risk Manager for the City of Beverly Hills, working primarily in the Human Services Office. Mr. Clarke was also Corporate Counsel for a Fortune 100 Corporation, responsible for personnel and general business matters.

**Saskia T. Asamura | Shareholder****Practice Areas:**

Appellate Law
Civil Rights and Constitutional Law
Construction Defects
Employment Litigation
Inverse Condemnation
Land Use
Litigation
Public Agency and Municipal Law Litigation
Public Works

Education:

B.S., Honors, London School of Economics, 1979
J.D., University of California School of Law,
Los Angeles, 1991

T 213.626.8484
F 213.626.0078
E sasamura@rwglaw.com
W www.rwglaw.com

Saskia T. Asamura is a shareholder in the Litigation and Labor and Employment Departments at Richards, Watson & Gershon. As a litigator, Ms. Asamura specializes in the area of inverse condemnation, takings, due process, equal protection, civil rights, and other constitutional, tort and nuisance cases involving property damage and personal injury. These include claims arising out of flooding, landslides, sinkholes, dangerous conditions of public property, impairment of access, precondemnation activities, and challenges to local ordinances and regulations, among many others. She has successfully represented numerous cities and public agencies in these and other types of civil litigation, including challenges to administrative, regulatory, legislative, and quasi-adjudicatory actions of local government bodies, construction defects and public works cases, contamination and remediation issues, and general public sector litigation matters of all types, at both the trial and appellate level in state and federal court.

Ms. Asamura also specializes in employment litigation. She is Assistant Chair of the Firm's Labor and Employment Department and previously served as its Chair. She represents clients in all types of employment litigation such as wrongful termination, discrimination, retaliation, harassment, and other claims under the FEHA, Title VII, First Amendment, ADA, and the Tort Claims Act. She also handles these and other issues arising in the public housing context. She litigates public sector retirement issues, and advises on disciplinary matters for public clients.

Ms. Asamura joined RW&G in 1991 after clerking in 1990, and became a shareholder in 1999. While in law school, Ms. Asamura represented the UCLA School of Law in the National Moot Court Competition, with her team taking First Place and Best Brief awards at the Regional Championships, and then represented UCLA at the Final Competition at the Association of the Bar of the City of New York. Ms. Asamura has co-taught the Pretrial Advocacy clinical course at the University of Southern California Law School.



Jennifer Petrusis | Senior Attorney

Practice Areas:

Code Enforcement

Litigation

Public Agency and Municipal Law Litigation

Education:

B.A., *summa cum laude*, University of California,
Los Angeles, 2001

J.D., University of California, Los Angeles
School of Law, 2004

T 213.626.8484

F 213.626.0078

E jpetrusis@rwglaw.com

W www.rwglaw.com

Jennifer Petrusis is a senior attorney in the Litigation Department at Richards, Watson & Gershon. Ms. Petrusis concentrates on the representation and counseling of public agencies in a variety of litigation contexts including police liability, dangerous conditions of public property, civil rights, personal injury, inverse condemnation, contract disputes, indemnity, actions to recover delinquent taxes and other public agency litigation. Ms. Petrusis' practice is primarily devoted to defending cities and peace officers in lawsuits alleging constitutional rights violations, police liability, personal injury and other torts. Ms. Petrusis also advises police departments on policies and procedures, opposes *Pitchess Motions*, and assists police departments in responding to Public Records Act requests and to subpoenas and other discovery requests. Ms. Petrusis is also experienced in the petition process used to obtain the court's authorization to retain and destroy confiscated deadly weapons.

Ms. Petrusis has represented several cities in code enforcement matters including Rancho Palos Verdes, Temecula, Mission Viejo, Moorpark, Calimesa, and Seal Beach.

Ms. Petrusis was actively involved in obtaining an injunction on behalf of the City of Monrovia against the activities of two rival criminal street gangs. The injunction prohibits members of the two gangs from publicly congregating together, and from engaging in specified activities, within a three and one-half square mile "Safety Zone" the court designated in parts of Monrovia and adjacent unincorporated areas of Los Angeles County.

Ms. Petrusis obtained her law degree from UCLA Law School where she was Chief Essays Editor for the *Women's Law Journal*.



RICHARDS | WATSON | GERSHON
ATTORNEYS AT LAW - A PROFESSIONAL CORPORATION

EXHIBIT B

City of Covina
Request for Proposals
City Attorney Services

Exhibit B



RICHARDS | WATSON | GERSHON
ATTORNEYS AT LAW - A PROFESSIONAL CORPORATION

PRINCIPAL PUBLIC LAW CLIENTS

AGOURA HILLS

CITY ATTORNEY
PRIMARY ASSISTANCE

CANDICE K. LEE
DIANA H. VARAT

SUCCESSOR AGENCY TO THE AGOURA HILLS REDEVELOPMENT AGENCY

AGENCY ATTORNEY

WILLIAM L. STRAUSZ

ANTELOPE VALLEY TRANSIT AUTHORITY

GENERAL COUNSEL

D. CRAIG FOX

ARTESIA

CITY ATTORNEY
PRIMARY ASSISTANCE

KEVIN G. ENNIS
SERITA YOUNG

SUCCESSOR AGENCY TO THE ARTESIA REDEVELOPMENT AGENCY

AGENCY ATTORNEY
PRIMARY ASSISTANCE

KEVIN G. ENNIS
ROBIN D. HARRIS

BEVERLY HILLS

CITY ATTORNEY
PRIMARY ASSISTANCE

LAURENCE S. WIENER
ROXANNE M. DIAZ
DAVID M. SNOW
LOLLY ENRIQUEZ
DEBORAH R. HAKMAN



RICHARDS | WATSON | GERSHON
ATTORNEYS AT LAW – A PROFESSIONAL CORPORATION

SUCCESSOR AGENCY TO THE BLYTHE
REDEVELOPMENT AGENCY

SPECIAL COUNSEL
PRIMARY ASSISTANCE

WILLIAM L. STRAUSZ
ROBIN D. HARRIS

BREA

CITY ATTORNEY
PRIMARY ASSISTANCE

JAMES L. MARKMAN
WILLIAM P. CURLEY III

SUCCESSOR AGENCY TO THE BREA
REDEVELOPMENT AGENCY

AGENCY ATTORNEY

JAMES L. MARKMAN

BUENA PARK

CITY ATTORNEY
PRIMARY ASSISTANCE

STEVEN L. DORSEY
D. CRAIG FOX

SUCCESSOR AGENCY TO THE BUENA PARK
REDEVELOPMENT AGENCY

AGENCY ATTORNEY
PRIMARY ASSISTANCE

JAMES L. MARKMAN
STEVEN R. ORR

BURBANK-GLENDALE-PASADENA
AIRPORT AUTHORITY

GENERAL COUNSEL
ASSISTANT GENERAL COUNSEL

LAURENCE S. WIENER
TERENCE R. BOGA



RICHARDS | WATSON | GERSHON
ATTORNEYS AT LAW – A PROFESSIONAL CORPORATION

CALIFORNIA STATEWIDE COMMUNITIES
DEVELOPMENT AUTHORITY

GENERAL COUNSEL

GREGORY W. STEPANICICH

CALIMESA

CITY ATTORNEY
PRIMARY ASSISTANCE
ASSISTANT CITY ATTORNEY

KEVIN G. ENNIS
AMY GREYSON
PETER M. THORSON

SUCCESSOR AGENCY TO THE CALIMESA
REDEVELOPMENT AGENCY

GENERAL COUNSEL
ASSISTANT GENERAL COUNSEL

KEVIN G. ENNIS
PETER M. THORSON

SUCCESSOR AGENCY TO THE COMPTON
REDEVELOPMENT AGENCY

SPECIAL COUNSEL

WILLIAM L. STRAUSZ

FAIRFAX

TOWN ATTORNEY
PRIMARY ASSISTANCE

JIM R. KARPIAK
JANET E. COLESON

FAIRFIELD

CITY ATTORNEY
PRIMARY ASSISTANCE
ASSISTANT ATTORNEY

GREGORY W. STEPANICICH
JANET E. COLESON
ROY A. CLARKE
JIM R. KARPIAK



RICHARDS | WATSON | GERSHON
ATTORNEYS AT LAW - A PROFESSIONAL CORPORATION

HIDDEN HILLS

CITY ATTORNEY
PRIMARY ASSISTANCE

ROXANNE M. DIAZ
LAURENCE S. WIENER

HIGHLAND

CITY ATTORNEY
PRIMARY ASSISTANCE

CRAIG A. STEELE
SHIRI KLIMA

**SUCCESSOR AGENCY TO THE HIGHLAND
REDEVELOPMENT AGENCY**

GENERAL COUNSEL

CRAIG A. STEELE

HUB CITIES CONSORTIUM

GENERAL COUNSEL
PRIMARY ASSISTANCE

ROXANNE M. DIAZ
SHIRI KLIMA

**SUCCESSOR AGENCY TO THE COMMUNITY
DEVELOPMENT COMMISSION OF HUNTINGTON PARK**

GENERAL COUNSEL
PRIMARY ASSISTANCE

ROXANNE M. DIAZ
MICHAEL ESTRADA

INDIO

CITY ATTORNEY
PRIMARY ASSISTANCE

ROXANNE M. DIAZ
CRAIG A. STEELE

**SUCCESSOR AGENCY TO THE INDIO
REDEVELOPMENT AGENCY**

AGENCY ATTORNEY

CRAIG A. STEELE
ROXANNE M. DIAZ



RICHARDS | WATSON | GERSHON
ATTORNEYS AT LAW - A PROFESSIONAL CORPORATION

SUCCESSOR AGENCY TO THE INDUSTRY
URBAN-DEVELOPMENT AGENCY

AGENCY ATTORNEY

WILLIAM L. STRAUSZ

JURUPA VALLEY

CITY ATTORNEY
PRIMARY ASSISTANCE

PETER M. THORSON
CHRISTOPHER J. DIAZ

LA MIRADA

CITY ATTORNEY
PRIMARY ASSISTANCE

JAMES L. MARKMAN
D. CRAIG FOX

SUCCESSOR AGENCY TO THE LA MIRADA
REDEVELOPMENT AGENCY

AGENCY ATTORNEY

JAMES L. MARKMAN

LOS ANGELES-PASADENA METRO BLUE
LINE CONSTRUCTION AUTHORITY

GENERAL COUNSEL
PRIMARY ASSISTANCE

MICHAEL ESTRADA
SERITA R. YOUNG

MANHATTAN BEACH

CITY ATTORNEY
PRIMARY ASSISTANCE

QUINN M. BARROW
LAURENCE S. WIENER



RICHARDS | WATSON | GERSHON
ATTORNEYS AT LAW – A PROFESSIONAL CORPORATION

**SUCCESSOR AGENCY TO THE MANTECA
REDEVELOPMENT AGENCY**

AGENCY ATTORNEY
PRIMARY ASSISTANCE

WILLIAM L. STRAUSZ
LAURENCE S. WIENER

MARIN EMERGENCY RADIO AUTHORITY

GENERAL COUNSEL

JIM R. KARPIAK

MARIN ENERGY AUTHORITY

GENERAL COUNSEL

GREGORY W. STEPANICICH

MARIN SONOMA MOSQUITO AND VECTOR CONTROL DISTRICT

GENERAL COUNSEL

JANET E. COLESON

MARIN TELECOMMUNICATIONS AGENCY

GENERAL COUNSEL
ASSISTANT ATTORNEY

GREGORY W. STEPANICICH
JIM R. KARPIAK

MARINWOOD COMMUNITY SERVICES DISTRICT

GENERAL COUNSEL

GREGORY W. STEPANICICH

MILL VALLEY

CITY ATTORNEY
PRIMARY ASSISTANCE
ASSISTANT ATTORNEY

GREGORY W. STEPANICICH
JANET E. COLESON
JIM R. KARPIAK



RICHARDS | WATSON | GERSHON
ATTORNEYS AT LAW – A PROFESSIONAL CORPORATION

MISSION SPRINGS WATER DISTRICT

GENERAL COUNSEL
PRIMARY ASSISTANCE

JAMES L. MARKMAN
B. TILDEN KIM
STEVEN R. ORR

MISSION VIEJO

CITY ATTORNEY
PRIMARY ASSISTANCE

WILLIAM P. CURLEY III
D. CRAIG FOX

MONROVIA

CITY ATTORNEY
PRIMARY ASSISTANCE

CRAIG A. STEELE
GENA M. STINNETT

MOORPARK

CITY ATTORNEY
PRIMARY ASSISTANCE

KEVIN G. ENNIS
GENA M. STINNETT
STEVEN L. DORSEY

SUCCESSOR AGENCY TO THE MORGAN HILL REDEVELOPMENT AGENCY

SPECIAL COUNSEL

WILLIAM L. STRAUZ

MARIN SONOMA MOSQUITO DISTRICT

GENERAL COUNSEL

JANET E. COLESON

NORWALK

CITY ATTORNEY
PRIMARY ASSISTANCE

STEVEN L. DORSEY
CHRISTOPHER J. DIAZ



RICHARDS | WATSON | GERSHON
ATTORNEYS AT LAW – A PROFESSIONAL CORPORATION

**SUCCESSOR AGENCY TO THE NORWALK
REDEVELOPMENT AGENCY**

AGENCY ATTORNEY

STEVEN L. DORSEY

**SUCCESSOR AGENCY TO THE PALM DESERT
REDEVELOPMENT AGENCY**

AGENCY ATTORNEY

PRIMARY ASSISTANCE

WILLIAM L. STRAUSZ

DIANA CHUANG

PALOS VERDES LIBRARY DISTRICT

GENERAL COUNSEL

KEVIN G. ENNIS

**SUCCESSOR AGENCY TO THE PASADENA COMMUNITY
DEVELOPMENT COMMISSION**

SPECIAL COUNSEL

MICHAEL ESTRADA

PLACENTIA LIBRARY DISTRICT

SPECIAL COUNSEL

KEVIN G. ENNIS

RANCHO CUCAMONGA

CITY ATTORNEY

PRIMARY ASSISTANCE

JAMES L. MARKMAN

STEVEN L. FLOWER

**SUCCESSOR AGENCY TO THE RANCHO CUCAMONGA
REDEVELOPMENT AGENCY**

AGENCY ATTORNEY

JAMES L. MARKMAN



RICHARDS | WATSON | GERSHON
ATTORNEYS AT LAW – A PROFESSIONAL CORPORATION

RANCHO PALOS VERDES

CITY ATTORNEY
PRIMARY ASSISTANCE

CAROL W. LYNCH
DAVID M. SNOW
SHIRI KLIMA

**SUCCESSOR AGENCY TO THE RANCHO PALOS VERDES
REDEVELOPMENT AGENCY**

AGENCY ATTORNEY
PRIMARY ASSISTANCE

WILLIAM L. STRAUSZ
CAROL W. LYNCH

ROSS

TOWN ATTORNEY

GREGORY W. STEPANICICH

**SAN FRANCISQUITO CREEK JOINT
POWERS AUTHORITY**

GENERAL COUNSEL

GREGORY W. STEPANICICH

SAN MARINO

CITY ATTORNEY
PRIMARY ASSISTANCE

STEVEN L. DORSEY
CANDICE K. LEE

SEAL BEACH

CITY ATTORNEY
PRIMARY ASSISTANCE

QUINN M. BARROW
STEVEN L. FLOWER

**SUCCESSOR AGENCY TO THE REDEVELOPMENT
AGENCY OF THE CITY OF SEAL BEACH**

AGENCY ATTORNEY

QUINN M. BARROW



RICHARDS | WATSON | GERSHON
ATTORNEYS AT LAW - A PROFESSIONAL CORPORATION

SONOMA COUNTY WASTE MANAGEMENT AGENCY

AGENCY COUNSEL

JANET E. COLESON

SOUTH EL MONTE

CITY ATTORNEY
PRIMARY ASSISTANCE

QUINN M. BARROW
CHRISTOPHER J. DIAZ

TEMECULA

CITY ATTORNEY
PRIMARY ASSISTANCE

PETER M. THORSON
WILLIAM P. CURLEY III
CANDICE K. LEE

**SUCCESSOR AGENCY TO THE TEMECULA
REDEVELOPMENT AGENCY**

AGENCY ATTORNEY

PETER M. THORSON

**SUCCESSOR AGENCY TO THE WEST HOLLYWOOD
COMMUNITY DEVELOPMENT COMMISSION**

SPECIAL COUNSEL

MICHAEL ESTRADA

WESTLAKE VILLAGE

CITY ATTORNEY
PRIMARY ASSISTANCE

TERENCE R. BOGA
LAURENCE S. WIENER

SUCCESSOR AGENCY TO THE WHITTIER REDEVELOPMENT AGENCY

AGENCY ATTORNEY

JAMES L. MARKMAN



RICHARDS | WATSON | GERSHON
ATTORNEYS AT LAW - A PROFESSIONAL CORPORATION

YUCAIPA

CITY ATTORNEY
PRIMARY ASSISTANCE

DAVID M. SNOW
STEVEN R. ORR

**SUCCESSOR AGENCY TO THE YUCAIPA
REDEVELOPMENT AGENCY**

AGENCY ATTORNEY

DAVID M. SNOW



RICHARDS | WATSON | GERSHON
ATTORNEYS AT LAW – A PROFESSIONAL CORPORATION

EXHIBIT C

City of Covina
Request for Proposals
City Attorney Services

Exhibit C



SPECIAL COUNSEL LIST

ADELANTO REDEVELOPMENT AGENCY	CLOVERDALE COMMUNITY DEVELOPMENT AGENCY
ADELANTO, CITY OF	CLOVERDALE, CITY OF
ALAMEDA, CITY OF	COACHELLA REDEVELOPMENT AGENCY
ALBANY, CITY OF	COACHELLA, CITY OF
ALHAMBRA, CITY OF	COALINGA, REDEVELOPMENT AGENCY OF THE CITY OF
ANAHEIM, CITY OF	COLMA, TOWN OF
ANTIOCH, CITY OF	COLTON, CITY OF
APPLE VALLEY REDEVELOPMENT AGENCY OF TOWN OF	COMMERCE, CITY OF
APPLE VALLEY, TOWN OF	COMPTON COMMUNITY REDEVELOPMENT AGENCY
ARCADIA, CITY OF	COMPTON, CITY OF
AVALON COMMUNITY IMPROVEMENT AGENCY	CONCORD REDEVELOPMENT AGENCY
AVALON, CITY OF	CONCORD, CITY OF
AZUSA, CITY OF	CORNING, CITY OF
BAKERSFIELD, CITY OF	CORONA, CITY OF
BALDWIN PARK REDEVELOPMENT AGENCY	CORONA, REDEVELOPMENT AGENCY OF THE CITY OF
BALDWIN PARK, CITY OF	CORONADO, CITY OF
BANNING, CITY OF	COSTA MESA, CITY OF
BARSTOW REDEVELOPMENT AGENCY	COVINA, CITY OF
BARSTOW, CITY OF	CRESCENT CITY, CITY OF
BELL GARDENS REDEVELOPMENT AGENCY	CUDAHY REDEVELOPMENT AGENCY
BELL GARDENS, CITY OF	CUDAHY, CITY OF
BELMONT, CITY OF	CULVER CITY RDA, SUCCESSOR AGENCY TO THE
BENICIA, CITY OF	CULVER CITY REDEVELOPMENT AGENCY
BIG BEAR LAKE IMPROVEMENT AGENCY	CULVER CITY, CITY OF
BIG BEAR LAKE, CITY OF	DANVILLE, TOWN OF
BLYTHE, CITY OF	DELANO REDEVELOPMENT AGENCY
BOULDER CITY, CITY OF	DELANO, CITY OF
BRADBURY, CITY OF	DESERT HOT SPRINGS REDEVELOPMENT AGENCY
BRAWLEY, CITY OF	DIAMOND BAR REDEVELOPMENT AGENCY
CALABASAS, CITY OF	DIAMOND BAR, CITY OF
CALEXICO COMMUNITY REDEVELOPMENT AGENCY	DINUBA REDEVELOPMENT AGENCY
CALEXICO, CITY OF	DINUBA RDA, SUCCESSOR AGENCY TO DINUBA, CITY OF
CALIFORNIA CITY, CITY OF	DOWNEY, CITY OF
CARMEL BY-THE-SEA, CITY OF	DUARTE, CITY OF
CARPINTERIA, CITY OF	EAST PALO ALTO, CITY OF
CARSON REDEVELOPMENT AGENCY	EL CAJON REDEVELOPMENT AGENCY
CARSON, CITY OF	EL CAJÓN, CITY OF
CATHEDRAL CITY, CITY OF	EL CERRITO, CITY OF
CATHEDRAL CITY, REDEVELOPMENT AGENCY OF CITY OF	EL PASO DE ROBLES REDEVELOPMENT AGENCY
CERES REDEVELOPMENT AGENCY	
CERRITOS, CITY OF	
CHINO, CITY OF	
CLAREMONT, CITY OF	



EL SEGUNDO, CITY OF
ELKO, CITY OF
EMERYVILLE, CITY OF
EUREKA, CITY OF
FOLSOM, CITY OF
FONTANA, CITY OF
FORTUNA, CITY OF
FOSTER CITY, CITY OF
FOUNTAIN VALLEY, CITY OF
FOWLER REDEVELOPMENT AGENCY
FREMONT, CITY OF
FRESNO REDEVELOPMENT AGENCY
FRESNO, CITY OF
GARDEN GROVE, CITY OF
GARDENA, CITY OF
GLENDALE, CITY OF
HANFORD REDEVELOPMENT AGENCY
HANFORD, CITY OF
HAWAIIAN GARDENS, CITY OF
HAWTHORNE COMMUNITY
REDEVELOPMENT AGENCY
HAWTHORNE RDA, SUCCESSOR AGENCY TO
THE
HAWTHORNE, CITY OF
HEMET, CITY OF
HEMET, REDEVELOPMENT AGENCY OF CITY
OF
HENDERSON, CITY OF
HERMOSA BEACH, CITY OF
HESPERIA COMMUNITY REDEVELOPMENT
AGENCY
HESPERIA, CITY OF
HIGHLAND KNOILLS, CITY OF
HOLTVILLE RDA, SUCCESSOR AGENCY TO
THE
HOLTVILLE REDEVELOPMENT AGENCY
HOLTVILLE, CITY OF
HUGHSON REDEVELOPMENT AGENCY
HUNTINGTON BEACH REDEVELOPMENT
AGENCY, CITY OF
HUNTINGTON BEACH, CITY OF
HUNTINGTON PARK, CITY OF
HURON REDEVELOPMENT AGENCY
IMPERIAL, CITY OF
INDIAN WELLS, CITY OF
INDUSTRY, CITY OF
INGLEWOOD, CITY OF

IRWINDALE COMMUNITY REDEVELOPMENT
AGENCY
IRWINDALE, CITY OF
KERMAN, CITY OF
KETCHIKAN, CITY OF
LA HABRA HEIGHTS, CITY OF
LA HABRA, CITY OF
LA PALMA, CITY OF
LA PUENTE REDEVELOPMENT AGENCY
LA PUENTE, CITY OF
LAGUNA BEACH, CITY OF
LAKE HAVASU, CITY OF
LANCASTER REDEVELOPMENT AGENCY
LANCASTER, CITY OF
LAWNDALE, CITY OF
LEMON GROVE, CITY OF
LEMOORE REDEVELOPMENT AGENCY
LIVERMORE, CITY OF
LOMITA, CITY OF
LOMPOC, CITY OF
LONG BEACH REDEVELOPMENT AGENCY
LONG BEACH, CITY OF
LOS ALAMITOS, CITY OF
LOS ALTOS, CITY OF
LOS ANGELES, CITY OF
LYNWOOD REDEVELOPMENT AGENCY
LYNWOOD, CITY OF
MALIBU, CITY OF
MAMMOTH LAKES, TOWN OF
MANHATTAN BEACH, CITY OF
MANTECA, CITY OF
MARINA, CITY OF
MAYWOOD, CITY OF
MCFARLAND, CITY OF
MENDOTA REDEVELOPMENT AGENCY
MODESTO, CITY OF
MONTCLAIR, CITY OF
MONTEREY CITY AND REDEVELOPMENT
AGENCY
MONTEREY PARK REDEVELOPMENT
AGENCY
MONTEREY REDEVELOPMENT AGENCY
MONTEREY REDEVELOPMENT AGENCY,
SUCCESSOR AGENCY TO THE
MONTEREY, CITY OF
MONTEREY PARK, CITY OF
MORENO VALLEY, CITY OF



MORGAN HILL RDA, SUCCESSOR AGENCY TO
THE
MORGAN HILL REDEVELOPMENT AGENCY
MORGAN HILL, CITY OF
MURRIETA, CITY OF
NATIONAL CITY, CITY OF
NEEDLES, CITY OF
NEWARK, CITY OF
NEWPORT BEACH, CITY OF
NORCO REDEVELOPMENT AGENCY
OAKLAND, CITY OF
OCEANSIDE, CITY OF
ONTARIO REDEVELOPMENT AGENCY
ORANGE COVE, CITY OF
ORANGE RDA, SUCCESSOR AGENCY TO THE
ORANGE REDEVELOPMENT AGENCY
ORANGE, CITY OF
OXNARD, CITY OF
PACIFIC GROVE, CITY OF
PALM DESERT, CITY OF
PALMDALE CRA, SUCCESSOR AGENCY TO
THE
PALMDALE REDEVELOPMENT AGENCY
PALMDALE, CITY OF
PALO ALTO, CITY OF
PALOS VERDES ESTATES, CITY OF
PANORAMA CITY, CITY OF
PARAMOUNT REDEVELOPMENT AGENCY
PARAMOUNT, CITY OF
PASADENA, CITY OF
PICO RIVERA, CITY OF
PINOLE REDEVELOPMENT AGENCY
PLEASANT HILL REDEVELOPMENT AGENCY
PLEASANT HILL, CITY OF
PLEASANTON, CITY OF
PORT HUENEME, CITY OF
PORTOLA, CITY OF
POWAY REDEVELOPMENT AGENCY
POWAY, CITY OF
PRESCOTT, CITY OF
RANCHO MIRAGE, CITY OF
RANCHO SANTA MARGARITA, CITY OF
REDDING, CITY OF
REDLANDS REDEVELOPMENT AGENCY, CITY
OF
REDLANDS, CITY OF
REDONDO BEACH, CITY OF
REDWOOD CITY, CITY OF

RIALTO REDEVELOPMENT AGENCY
RIALTO, CITY OF
RICHMOND, CITY OF
RIO VISTA REDEVELOPMENT AGENCY
RIO VISTA, CITY OF
RIPON REDEVELOPMENT AGENCY
RIPON, CITY OF
RIVERSIDE REDEVELOPMENT AGENCY
RIVERSIDE, CITY OF
ROLLING HILLS ESTATES, CITY OF
ROLLING HILLS, CITY OF
ROSEMEAD REDEVELOPMENT AGENCY
ROSEMEAD, CITY OF
ROSEVILLE, CITY OF
RURAL CITY, CITY OF
SALINAS, CITY OF
SAN BERNARDINO ECONOMIC
DEVELOPMENT AGENCY, CITY OF
SAN BERNARDINO, CITY OF
SAN BUENAVENTURA, CITY OF
SAN CARLOS, CITY OF
SAN FERNANDO RDA, SUCCESSOR AGENCY
TO THE
SAN FERNANDO REDEVELOPMENT AGENCY
SAN FERNANDO, CITY OF
SAN FRANCISCO, CITY AND COUNTY OF
SAN GABRIEL, CITY OF
SAN JOSE, CITY OF
SAN JUAN CAPISTRANO, CITY OF
SAN LUIS OBISPO, CITY OF
SAN MARCOS, CITY OF
SAN MATEO, CITY OF
SAN OAKS, CITY OF
SAN PABLO, CITY OF
SAN RAFAEL, CITY OF
SANGER REDEVELOPMENT AGENCY
SANGER, CITY OF
SANTA ANA, CITY OF
SANTA ANA, COMMUNITY REDEVELOPMENT
AGENCY OF CITY
SANTA BARBARA, CITY OF
SANTA CLARA, CITY OF
SANTA FE SPRINGS, CITY OF
SANTA MONICA, CITY OF
SANTA PAULA REDEVELOPMENT AGENCY
SANTA PAULA, CITY OF
SANTA ROSA, CITY OF
SANTÉE, CITY OF



SAUSALITO, CITY OF
SCOTTS VALLEY REDEVELOPMENT AGENCY
SCOTTS VALLEY REDEVELOPMENT AGENCY,
 SUCCESSOR AGENCY
SEASIDE REDEVELOPMENT AGENCY
SEASIDE, CITY OF
SEASIDE, CITY OF RDA, SUCCESSOR AGENCY
 TO THE
SIGNAL HILL, CITY OF
SIMI VALLEY, CITY OF
SOLANA BEACH REDEVELOPMENT AGENCY
SOLANA BEACH, CITY OF
SOLVANG, CITY OF
SONOMA, CITY OF
SOUTH GATE, CITY OF
SOUTH GATE, COMMUNITY
 REDEVELOPMENT AGENCY OF
SOUTH LAKE TAHOE, CITY OF
SOUTH PASADENA, CITY OF
SOUTH PASADENA, CRA OF
SOUTH TAHOE RDA, SUCCESSOR AGENCY TO
 THE
SOUTH TAHOE REDEVELOPMENT AGENCY
SPARKS, CITY OF
STANTON REDEVELOPMENT AGENCY
STANTON, CITY OF
STOCKTON, CITY OF
SUNNYVALE, CITY OF
SUSANVILLE, CITY OF
TAFT COMMUNITY DEVELOPMENT AGENCY
TAFT, CITY OF
TEHACHAPI, CITY OF

THOUSAND OAKS REDEVELOPMENT
 AGENCY
THOUSAND OAKS, CITY OF
TORRANCE, CITY OF
TRACY, CITY OF
TURLOCK RDA, SUCCESSOR AGENCY TO THE
TURLOCK REDEVELOPMENT AGENCY
UKIAH REDEVELOPMENT AGENCY
UPLAND COMMUNITY REDEVELOPMENT
 AGENCY
UPLAND CRA, SUCCESSOR AGENCY TO THE
UPLAND, CITY OF
VACAVILLE, CITY OF
VALLEJO, CITY OF
VERNON, CITY OF
VERNON, REDEVELOPMENT AGENCY OF THE
 CITY OF
VICTORVILLE, CITY OF
VISTA, CITY OF
WALNUT, CITY OF
WASCO, CITY OF
WATSONVILLE, CITY OF
WEST COVINA, CITY OF
WEST HOLLYWOOD, CITY OF
WEST VALLEY COMMUNITY DEVELOPMENT
 AGENCY
WESTMINSTER, CITY OF
WHITTIER, CITY OF
WINTERS COMMUNITY DEVELOPMENT
 AGENCY
WINTERS, CITY OF
YORBA LINDA, CITY OF



RICHARDS | WATSON | GERSHON
ATTORNEYS AT LAW – A PROFESSIONAL CORPORATION

EXHIBIT D

City of Covina
Request for Proposals
City Attorney Services

Exhibit D

[PROPOSED]

LEGAL SERVICES AGREEMENT

THIS LEGAL SERVICES AGREEMENT ("Agreement") is made and entered into as of _____, 2013, by and between the City of Covina ("City") and the law firm of Richards, Watson & Gershon ("RWG"), a California professional corporation. In consideration of the mutual promises set forth herein, the parties agree as follows:

1. **Recitals.** This Agreement is made with respect to the following purposes and facts that each party agrees are true and correct:

A. The City desires to retain RWG to provide legal services for the City, and RWG has agreed to provide such services, pursuant to the terms of this Agreement.

2. **Scope of Work.** RWG shall perform all legal services for the City as directed by the City Council except as provided in Section 6 with respect to conflicts. Legal services shall include the following:

- A. Attendance at City Council meetings;
- B. Legal research and legal advice to the City Council, City Manager and designated City Staff;
- C. Preparation and review of ordinances, resolutions, and agreements as requested;
- D. Representation of the City and City officials and employees in claims and litigation filed by or against the City as requested;
- E. Oversight of legal matters handled by outside counsel;

F. Performance of the duties and exercise the authority of a city attorney as provided in the California Government Code, other statutes and the Covina Municipal Code;

G. Legal services for entities created by the City Council and for the Successor Agency to the Covina Redevelopment Agency; and

H. Such other legal services as may be directed by the City Council or City Manager from time to time.

3. **Term.** This Agreement shall commence as of _____, 2013 and shall continue in effect until terminated by the City or RWG. City or RWG may terminate this Agreement at any time, with or without cause, on written notice to the other party. City shall endeavor to provide ten (10) days written notice to RWG but shall not be obligated to do so. RWG shall provide thirty (30) days written notice to City prior to termination of this Agreement. In the

event of termination RWG shall comply with all provisions of the Rules of Professional Conduct for the termination of a client relationship, shall assist the City in transition to a new firm, and shall be compensated for such assistance at the rates provided for in this Agreement.

4. **Designation of City Attorney.** David Snow shall be designated as City Attorney for the City. David Snow will be the RWG attorney with responsibility for providing legal services for the City and will be the contact for the City Council and the staff. Other RWG attorneys will be assigned by David Snow to work on legal matters for the City on an "as-needed" basis under David Snow's direct supervision.

5. **Compensation.** RWG shall be compensated for the performance of the legal services pursuant to this Agreement as follows:

A. ***Compensation Rates.*** RWG shall be compensated for the performance of legal services in accordance with the Compensation Rate Schedule for City of Covina ("Compensation Rate Schedule"), attached to this Agreement as Exhibit A and incorporated herein as though set forth in full. The terms of this Agreement and the Compensation Rate Schedule shall apply to legal services performed for entities affiliated with the City that may be established.

B. ***Compensation Review.***

1) RWG and City acknowledge that they have agreed on the amount of the Monthly Retainer set forth in Exhibit A based on estimates of future needs. Prior to June 30, 2014, or as soon as reasonably possible thereafter, RWG and City shall meet to evaluate RWG's performance and to analyze the economic results of the Monthly Retainer and shall negotiate in good faith if either RWG or City requests a change in the Monthly Retainer amount. Thereafter, the City Council shall evaluate RWG's performance at its discretion.

2) Commencing on July 1, 2015, and on each July 1 thereafter, the rates set forth in Exhibit A shall automatically be increased by a percentage amount equal to the percentage increase in the United States Department of Labor, Bureau of Labor Statistics' Consumer Price Index for All Urban Consumers for the Los Angeles Anaheim Riverside statistical area ("CPI") for the twelve month period ending on the immediately prior April 30. Any other adjustments in the rates shall require prior written approval of the City Council.

6. **Conflicts of Interest.** RWG shall comply with all applicable laws and professional rules and standards relating to any known conflict of interest involving the City and matters upon which RWG is providing legal services under this Agreement. RWG shall not reveal confidential information of the City except with the consent of the City Council or as otherwise required by law. RWG shall notify the City Manager of any conflict of interest related to matters upon which it is providing legal services under this Agreement upon discovery of any such conflicts. In the event that such conflict is not or cannot be waived or resolved City shall retain legal counsel and RWG shall assist and cooperate with legal counsel retained by the City Council on the matter for which the conflict arose.

7. **Client Files.**

A. At the conclusion of this Agreement, the original client files for the work performed under this Agreement for the City shall be made available to City. RWG will be entitled to make copies of the client files. At the conclusion of this Agreement, (whether or not City takes possession of the client files) City shall take possession of any and all original contracts, and other such important documents that may be in the client files and RWG shall have no further responsibility with regard to such documents.

B. If City does not take possession of the client files at the conclusion of the Agreement, RWG shall store such client files for a period of at least one (1) year. At the conclusion of such one (1) year period, RWG may send to City a notice, advising of RWG's intention to dispose of the client files. The City shall have sixty (60) days from the date of such notice to take possession of the client files. If City does not take possession of the client files during that time, City agrees that RWG may dispose of the client files without further notice.

C. This section shall survive the expiration of this Agreement.

8. **Indemnification.** RWG agrees to indemnify and hold harmless City, its elected officials, officers, agents and employees from any and all losses to the extent caused by the wrongful or negligent action or inaction of RWG or any person employed by RWG in the performance of this Agreement. This section shall survive the expiration of this Agreement.

9. **Insurance.**

A. *Coverage Levels.* RWG shall maintain at all times during the term of this Agreement policies of insurance with at least the minimum coverage specified below:

1) General liability insurance coverage with a minimum limit of liability of One Million Dollars (\$1,000,000) per occurrence and Two Million Dollars (\$2,000,000) in the general aggregate.

2) Professional liability coverage with a minimum limit of liability of Two Million Dollars (\$2,000,000.00) per occurrence or claim and Two Million Dollars (\$2,000,000.00) in the aggregate, providing coverage for damages or losses suffered by City as a result of wrongful errors or omissions or neglect by RWG that arises out of the professional services required by this Agreement. Such insurance may be subject to reasonable terms, limitations and conditions and a self-insured retention or deductible to be borne entirely by RWG which shall not exceed Two Hundred Fifty Thousand Dollars (\$250,000.00) per claim.

3) Automobile liability insurance for non-owned automobiles in an amount of not less than One Million Dollars (\$1,000,000).

4) Workers' compensation coverage in compliance with California law.

B. *Prerequisites.* The general liability and the automobile liability policies of insurance specified above shall:

1) Name the City Council of the City of Covina, its officers, agents and employees as additional insureds.

2) Provide minimum thirty (30) days notice of cancellation, said notice to be provided by insurer, except for non-payment of premium for which ten (10) days notice shall be provided by insurer.

3) Be maintained in full force and effect throughout the term of this Agreement.

4) Be placed with insurance carriers authorized to transact business in California with an A.M. Best rating of no less than A:VII or otherwise acceptable to City.

10. **Independent Contractor.** No employment relationship is created by this Agreement. RWG shall be an independent contractor of City, except that at all times providing services under the Agreement, RWG's shareholders and employees shall be acting as public officials.

11. **Arbitration.** In the event of any dispute between the parties, such dispute shall be submitted to binding arbitration to the maximum extent permitted by law. In the event the parties are unable to agree upon an arbitrator, an arbitrator shall be selected through the rules of the American Arbitration Association. The Arbitrator shall have the authority to set procedures and discovery in the arbitration. This section shall survive the expiration of this Agreement.

12. **General Provisions.**

A. *Assignment/Delegation.* This Agreement contemplates the personal professional services of RWG and neither this Agreement, nor any portion thereof, shall be assigned or delegated without the prior written consent of City's City Council.

B. *Interpretation.* The following rules of legal construction shall apply:

1) This Agreement is made and entered into in the State of California and shall in all respects be interpreted, enforced and governed under the laws of the State of California.

2) The article and section captions and headings in this Agreement have been inserted for convenience only, and shall not be considered or referred to in resolving questions of interpretation or construction.

3) Whenever in this Agreement the context may so require, the masculine gender shall be deemed to refer to and include the feminine and neuter, and the singular shall refer to and include the plural.

C. *Attorney's Fees.* The parties acknowledge and agree that each will bear its own costs, expenses and attorney's fees arising out of and/or connected with the negotiation, drafting and execution of this Agreement; and all matters arising out of or connected therewith.

D. *Notices.* Any notice required to be given shall be deemed to have been given by depositing such notice in the United States mail, postage prepaid, and addressed as follows:

TO CITY COUNCIL:

City of Covina
125 East College Street
Covina, California 91723

TO RWG:

David Snow
355 S. Grand Avenue, 40th Floor
Los Angeles, CA 90071-3101

E. *Signatories.* Each signatory warrants and represents that he is competent and authorized to execute this Agreement on behalf of the party for whom he purports to sign.

F. *Entire Agreement.* This Agreement contains the entire understanding between the parties relating to the obligations of the parties described in this Agreement. All prior or contemporaneous agreements, understandings, representations and statements, oral or written, are merged into this Agreement and shall be of no further force or effect. Each party is entering into this Agreement based solely upon the representations set forth herein and upon each party's own independent investigation of any and all facts such party deems material.

H. *Modification of Agreement.* This Agreement and the provisions set forth herein may be modified only by way of a written amendment to this Agreement that has been approved and executed by and on behalf of both RWG and the City.

IN WITNESS WHEREOF, the parties have caused their duly authorized representatives to sign below.

CITY OF COVINA

Attest:

RICHARDS, WATSON & GERSHON,
a professional corporation

Kayser Sume
Chairman, Board of Directors

EXHIBIT A

RICHARDS, WATSON & GERSHON

COMPENSATION RATE SCHEDULE FOR CITY OF COVINA

EFFECTIVE [REDACTED], 2013

Retainer Services. Retainer Services shall be defined to include: (i) in-person attendance at two City Council meetings per month, (ii) in-person attendance at two Planning Commission meetings per month, and (iii) all office hours or other communications with staff and legal services provided to the City except those services that are defined below as "Litigation and Special Legal Services" or "Third-party Reimbursed Services." Travel time incurred on Retainer Services matters would be billed to and paid from the retainer. All Retainer Services, would be billed at a flat monthly retainer of \$12,500 per month.

Litigation and Special Legal Services. Litigation and Special Legal Services shall be defined to include: (i) complex real estate matters; (ii) labor and employment law services; (iii) environmental law services, including but not limited to, Hazardous Waste, Clean Air Act, and Clean Water Act issues; (iv) litigation services (including, without limitation, Pitchess motions and representing the City in administrative proceedings before other bodies); (v) enforcement and prosecution of the City's Municipal Code; (vi) in-person attendance at additional meetings at City Hall beyond the four meetings per month listed in the Retainer Services section above; and (vii) any legal services project that the City Manager and the City Attorney agree is anticipated to require more than 15 hours of services. Travel time incurred for Litigation and Special Services would be compensated at the Litigation and Special Services rate. All Litigation and Special Services, except enforcement and prosecution of the City's Municipal Code and Pitchess motions, would be compensated at composite hourly rates of \$225 per hour for associate attorneys and \$275 per hour for all other attorneys. Litigation and Special Services for enforcement and prosecution of the City's Municipal Code and representing the City in Pitchess motions would be compensated at a flat rate of \$195 per hour for all attorneys. Paralegal services for any Litigation Special Services would be compensated at a rate of \$150 per hour. Time incurred in providing these services will be billed in increments of one-tenth of an hour to billing accounts set up as specified by City staff.

Third-Party Reimbursed Services. Legal services that the City elects to have reimbursed by third parties shall be compensated at a 20% discount from the Firm's standard hourly rates.

Reimbursable and/or Other Costs: Mileage, other than routine travel to the City Hall, shall be billed at the standard rate established by the IRS for deducting the operating expenses of an automobile used for business purposes. This rate established by the IRS currently is 56.5 cents per mile. Copying costs will be charged at 5 cents per page. Facsimile charges will be \$1 per page with a maximum charge of \$25 for any one facsimile. All other costs, such as long distance telephone charges, messenger and delivery services, and legal research services will be charged

only at the Firm's actual out-of-pocket expenses. The Firm will not charge for word processing and similar clerical tasks.

Rate Increases. RWG proposes an that commencing on July 1, 2015, and on each July 1 thereafter, the rates charged above automatically shall be increased by a percentage amount equal to the percentage increase in the United States Department of Labor, Bureau of Labor Statistics' Consumer Price Index for All Urban Consumers for the Los Angeles Anaheim Riverside statistical area ("CPI") for the twelve month period ending on the immediately prior April 30. Any other adjustments in the rates shall require prior written approval of the City Council.



RICHARDS | WATSON | GERSHON
ATTORNEYS AT LAW - A PROFESSIONAL CORPORATION

LOS ANGELES OFFICE

355 South Grand Avenue, 40th Floor
Los Angeles, California 90071-3101
Telephone: 213.626.8484
Facsimile: 213.626.0078
e-mail: la@rwqlaw.com

SAN FRANCISCO OFFICE

44 Montgomery Street, Suite 3800
San Francisco, California 94104-4811
Telephone: 415.421.8484
Facsimile: 415.421.8486
e-mail: sf@rwqlaw.com

ORANGE COUNTY OFFICE

1 Civic Center Circle, PO Box 1059
Brea, California 92822-1059
Telephone: 714.990.0901
Facsimile: 714.990.6230
e-mail: oc@rwqlaw.com

TEMECULA OFFICE

41000 Main Street, Suite 309
Temecula, California 92590-2784
Telephone: 951.695.2373
Facsimile: 951.695.2372
e-mail: tem@rwqlaw.com

City of Covina
Request for Proposals
City Attorney Services

COPY

**CITY OF COVINA
AGENDA ITEM COMMENTARY**

COPY

MEETING DATE: November 20, 2012

STAFF SOURCE: Daryl Parrish, City Manager 

ITEM TITLE: Consideration of Issuance of Request for Proposals for City Attorney Services and Appointment of Council Ad-Hoc Committee

STAFF RECOMMENDATION

Consideration of Issuance of Request for Proposals for City Attorney Services and appointment of Council ad-hoc committee.

FISCAL IMPACT

The annual cost for city attorney services is budgeted at \$207,540 per year. This amount consists of \$107,540 for retainer services and \$100,000 for other legal services. The amount currently being paid will change from year-to-year based on various legal issues that require the city attorneys' assistance. In addition, this amount does not include other legal fees paid for by other departments that utilize attorneys for their respective work. For example, the Police, Public Works and the Human Resources Departments use attorneys that are familiar with legal issues that arise out of those respective work environments. Overall, the average cost for all attorney services is \$766,532 from fiscal year 2009-10 to 2011-12.

BACKGROUND

At the October 2, 2012 City Council meeting, staff was directed to bring an agenda item for Council consideration regarding a request for proposal (RFP) for city attorney services. Currently, the City of Covina is contracted with Best Best & Krieger, who have been the city attorney since January 2006.

If the Council desires, a City Council ad-hoc committee will be composed to provide items to be included in the RFP and to review the final draft RFP. Specific areas where the Council may desire to provide direction could include: timing, scope of services, proposal form and content, review selection criteria and evaluation criteria. Members of the ad-hoc committee will need to be selected as part of this agenda item.

RELEVANCE TO THE STRATEGIC PLAN

None.

ALTERNATIVES

1. Request Best Best & Krieger to provide a revised contract for the City Council or Council Ad-Hoc Committee to consider.
2. Instruct staff to provide information regarding in-house counsel (salary and benefits, PERS impact, etc.).

COPY

At 8:07 p.m., Mayor Stapleton opened the public hearing and took public testimony. There were no speakers. At 8:07 p.m., Mayor Stapleton closed the public hearing.

Council Member Low stated that he has a problem with imposing fees on single-family residential units that belong to seniors on a fixed income or may have a family member renting the property.

Council Member Delach stated the purpose of the proposed resolution is to ensure all rental properties remain in compliance with code regulations.

Mayor Pro Tem Allen stated he believes that staff has considered such challenges and has remedies for those that may need assistance.

Council Member King stated that we could debate and try to find a perfect solution; however, the reality is that we have an issue in our community and have to take action.

Mayor Stapleton inquired, and Interim Public Works Director Kalieh Honish, confirmed that the proposed resolution applies to non-owner occupied properties.

Following a brief discussion and on a motion made by Mayor Pro Tem Allen, seconded by Council Member King the City Council adopted **Resolution No. 12-7119**, establishing a rental housing, inspection and regulatory fees pursuant to Ordinance No. 10-1980. **Motion carried 4-1, with Council Member Low in opposition.**

CONTINUED BUSINESS

CB 1. City Council to hold second reading of an Ordinance to amend Title 5 of the Municipal Code, Business Licenses and Regulations by adding Chapter 5.06 pertaining to rental housing permitting and inspection and schedule second reading of said Ordinance.

On a motion made by Council Member Delach, seconded by Council Member Low, the City Council waived further reading and adopted **Ordinance No. 10-1980**, amending Title 5, Business Licenses and Regulations, by adding Chapter 5.06 pertaining to rental housing permitting and inspection.

NEW BUSINESS

NB 1. City Council to consider issuance of request for proposal for City Attorney services and appointment of Council sub-committee.

At 8:19 p.m., City Attorney Marco Martinez stepped away from the dais.

Mayor Stapleton stated he requested to have this placed on the agenda because it has been a number of years since seeking a competitive bid for legal services.

Following a brief discussion and on a motion made by Council Member Delach, seconded by Mayor Stapleton, the City Council approved the issuance of a request for

proposal for City Attorney services with Council Member King suggesting those that motioned serve on the sub-committee and return before council with the results. **Motion carried 5-0.**

At 8:25 p.m., City Attorney Marco Martinez returned to the dais.

~~NB 2. City Council to introduce and hold first reading of an Ordinance to amend Chapter 8.20 of Title 8 of the Covina Municipal Code pertaining to alarm registration, a regulatory scheme for administering and managing the city's response to alarms, fees, fines and appeal process, and providing other matters properly relating thereto.~~

~~Police Chief Kim Raney and Captain Derek Webster provided a brief report of the item before City Council for consideration.~~

~~Following a brief discussion and on a motion made by Council Member Delach, seconded by Council Member King, the City Council introduced and waived further reading of **Ordinance No. 12-2014**, amending Chapter 8.20 of Title 8 of the Covina Municipal Code regarding alarms to reflect changes to the administration of the City's Alarm Program. **Motion carried 5-0.**~~

ADJOURNMENT

~~At 8:36 p.m., Mayor Stapleton adjourned the meeting to its next regular meeting of the Covina City Council/Successor Agency to the Covina Redevelopment Agency/Covina Public Finance Authority/Covina Housing Authority to be held on **Tuesday, December 4, 2012** at 6:30 p.m. for closed session and 7:30 p.m. for open session in the Council Chamber located inside of City Hall, 125 East College Street, Covina, California, 91723.~~

Respectfully Submitted:

COPY

Catherine M. LaCroix, CMC
Senior Deputy City Clerk

Approved this 4th day of December, 2012.

COPY

Mayor/Chairperson Stapleton