



City of Arts & Innovation

City Council Memorandum

TO: HONORABLE MAYOR AND CITY COUNCIL DATE: July 6, 2021

FROM: CITY ATTORNEY'S OFFICE WARDS: ALL

SUBJECT: ADDITION OF WOOD SMITH HENNING & BERMAN LLP; LOZANO SMITH ATTORNEYS AT LAW; AND SLOVAK BARON EMPEY MURPHEY & PINKNEY LLP TO APPROVED OUTSIDE ATTORNEY PANEL

ISSUE:

The addition of the following law firms to the City's approved outside attorney panel: Wood Smith Henning & Berman LLP; Lozano Smith Attorneys at Law; and Slovak Baron Empey Murphey & Pinkney LLP.

RECOMMENDATION:

That the City Council add the following law firms to the City's approved outside attorney panel:

- a. Wood Smith Henning & Berman LLP;
- b. Lozano Smith Attorneys at Law; and
- c. Slovak Baron Empey Murphey & Pinkney LLP.

DISCUSSION:

The City Attorney's Office has developed an in-house legal services team. However, there are times in which it is necessary to employ a panel firm to provide legal services, if for example, there is a conflict of interest or there are inadequate office resources due to unforeseen medical issues with staffing that require long leave periods. Because the City has been handling most of its litigation in-house for the last seven years, the City currently does not have many law firms on its approved panel who specialize in tort litigation. The City Attorney proposes to add the law firms of 1) Wood Smith Henning & Berman LLP ("WSHB"); 2) Lozano Smith Attorneys at Law; and 3) Slovak Baron Empey Murphey & Pinkney LLP ("SBEMP"). Having these firms added to our approved panel will enable the City Attorney's Office to have more options in the rare and unusual event the need arises to retain outside counsel.

WSHB is based in Southern California, with offices in Riverside, Rancho Cucamonga, Orange County, Glendale, and San Diego. They have extensive experience representing municipalities and public agencies in both litigation and administrative hearings. For example, they represent

law enforcement agencies, peace officers, school districts, school boards, individual schools, and municipalities. They have ABOTA trial lawyers who pursue innovative legal strategies, while respecting the bottom line for public entities. Their reputation is reflected in their clientele and their attorneys' frequent appearances as law school professors, lecturers, and panelists for programs sponsored by national, state and local bar associations and other professional groups. They have developed expertise in ADA compliance issues, tort litigation, personal injury including catastrophic injuries and deaths, employment, appellate work, construction, mold and water damage claims, and subrogation.

Lozano Smith Attorneys at Law is based in Northern California with offices in Los Angeles, Bakersfield and San Diego. Since 1988, Lozano Smith has represented numerous public agencies. Lozano Smith has focused exclusively on representing local public agencies for more than 30 years and currently serves over 550 public agencies. The firm's Local Government Practice Group is comprised of attorneys who have served in county counsel, city attorney and general counsel capacities for many years, gathering a wealth of knowledge and understanding of client needs. They have developed specialties in public safety, labor & employment, construction, Brown Act, elections, voting rights, code enforcement, land use, CEQA, water law, and Government Tort claims.

SBEMP was founded and is based in Southern California with offices in Palm Springs, Indian Wells, Orange County, San Diego. Many of the attorneys at SBEMP were born and raised in the Inland Empire and are actively involved in their local communities. They handle a variety of civil litigation matters including personal injury, government tort liability, employment, construction disputes, land use, zoning, eminent domain, and condemnation. They have extensive experience representing public agencies. They have advised public officials on the complex and frequently changing laws pertaining to local government such as the Brown Act and represented public agency clients in transactions and litigation. They have experienced litigators who have successful track records at both the trial and appellate level.

FISCAL IMPACT:

The addition of these 3 outside law firms to the approved attorney panel will have no fiscal impact.

Prepared by: Kristi J. Smith, Interim City Attorney