



City of Arts & Innovation

City Council Memorandum

TO: HONORABLE MAYOR AND CITY COUNCIL DATE: OCTOBER 22, 2024

FROM: CITY ATTORNEY'S OFFICE WARDS: ALL

SUBJECT: APPROVE LEGAL BUDGETS FOR THE LAW FIRM OF DEVANEY PATE MORRIS & CAMERON IN AN AMOUNT NOT TO EXCEED \$70,100 FOR THE MATTER OF TONY PLATT V. CITY OF RIVERSIDE AND A LEGAL BUDGET IN AN AMOUNT NOT TO EXCEED \$93,300 FOR THE MATTER OF CITY OF RIVERSIDE, ET AL V. COUNCILMEMBER CHARLES CONDER, ET AL.

ISSUE:

To (1) consider approval of a legal budget for the law firm of Devaney Pate Morris & Cameron in an amount not to exceed \$70,100 to represent the City in the case entitled *Tony Platt v. City of Riverside*; and (2) consider approval of a legal budget for the law firm of Devaney Pate Morris & Cameron in an amount not to exceed \$93,300 to represent the City in the case entitled *City of Riverside, et al v. Councilmember Charles Conder*

RECOMMENDATIONS:

That the City Council

1. Approve a legal budget for the law firm of Devaney Pate Morris & Cameron in an amount not to exceed \$70,100 to represent the City in the case entitled *Tony Platt v. City of Riverside, Riverside Superior Court Case No. RIC1822011*; and
2. Approve a legal budget for the law firm of Devaney Pate Morris & Cameron in an amount not to exceed \$93,300 to represent the City in the case entitled *City of Riverside, et al v. Councilmember Charles Conder, Riverside Superior Court Case No. CVRI2300725*

DISCUSSION:

City Charter section 702, "Eligibility, powers and duties of City Attorney," provides, in part, that "the City Council shall have control of all legal business and proceedings and may employ other attorneys to take charge of any litigation or matter or to assist the City Attorney therein."

On October 8, 2024, the City Council approved the retention of this law firm and this law firm has executed an Attorney Services Agreement with the City of Riverside for the provision of legal services.

STRATEGIC PLAN ALIGNMENT: The retention of experienced outside counsel to provide legal advice and supports all priorities of the City of Riverside’s Envision Riverside 2025 Strategic Plan, as such advice is provided to all departments of the City, the City Council, Boards and Commissions.

This item aligns with each of the five Cross-Cutting Threads as follows:

1. **Community Trust** – Riverside is transparent and makes decisions based on sound policy, inclusive community engagement, involvement of City Boards & Commissions, and timely and reliable information. Use of outside counsel that specialize in specific areas of the law supports and aids the making of such decisions.
2. **Equity** – Use of outside counsel that specialize in specific areas of the law benefits the entire community by ensuring that such efforts comply with all aspects of the law.
3. **Fiscal Responsibility** – The City Attorney’s Office is expending funds in a careful and judicious manner balanced against the need for specialized legal counsel when the circumstances warrant.
4. **Innovation** – The retention of specialized legal counsel to provide specialized legal advice supports City innovation efforts by ensuring that such efforts comply with all aspects of the law.
5. **Sustainability & Resiliency** – The retention of specialized legal counsel to provide specialized legal advice supports City goals of sustainability and resiliency by ensuring that such efforts comply with all aspects of the law.

FISCAL IMPACT:

The litigation budget for the case entitled *Tony Platt v. City of Riverside* is anticipated to be up to \$70,100. The funds to cover all expenses are currently budgeted in the Liability Trust Fund account 1310000-421100 for attorney’s fees in the amount of \$67,600 and Liability Trust Fund account 1310000-428200 for legal costs in the amount of \$2,500 (which includes the cost of travel, copies, transcripts, reporters, etc.).

The litigation budget for the case entitled *City of Riverside, et al v. Councilmember Charles Conder* is anticipated to be up to \$93,300. The funds to cover all expenses are currently budgeted in the Liability Trust Fund account 1310000-421100 for attorney’s fees in the amount of \$85,800 and Liability Trust Fund account 1310000-428200 for legal costs in the amount of \$7,500 (which includes the cost of travel, copies, transcripts, reporters, etc.).

Prepared by:	Jack Liu, Interim City Attorney
Certified as to availability of funds:	Kristie Thomas, Finance Director / Assistant Chief Financial Officer
Approved as to form:	Jack Liu, Interim City Attorney