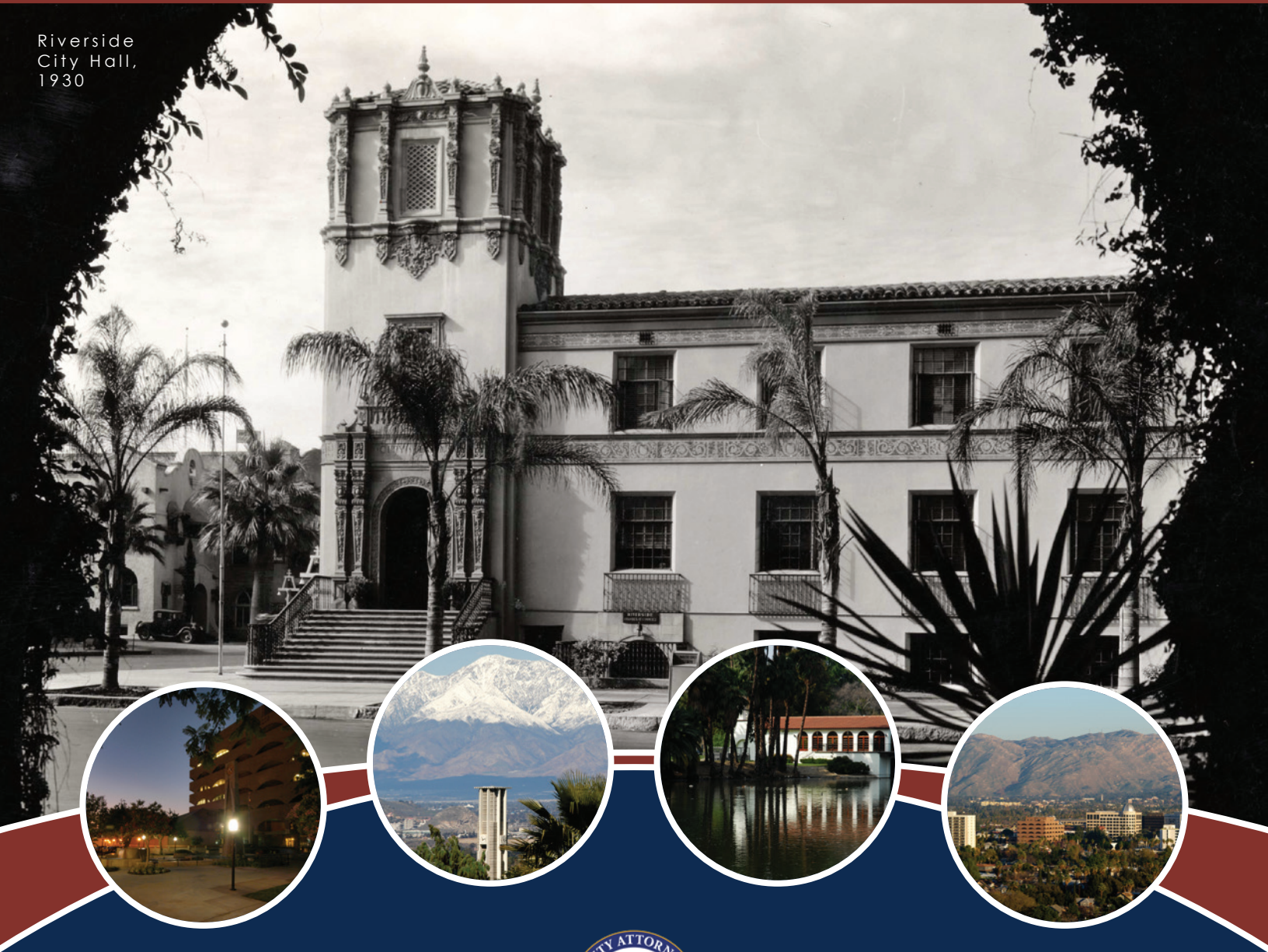


CITY ATTORNEY'S OFFICE

ANNUAL REPORT

FY 2017-2018

Riverside
City Hall,
1930



Riverside City Attorney's Office

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YEAR IN REVIEW

PURPOSE AND MISSION

The City Attorney's Office plays an integral and often behind-the-scenes role in City government by drafting legislation and laws, and providing top-notch legal advice and counsel to the Mayor, City Council, City Manager and City departments, boards and commissions in their official capacities. The Office drafts, reviews and negotiates agreements and legislation and helps to shape Riverside's policies. The Office also aggressively defends Riverside interests and resources in court and initiates legal action to protect the rights and enhance the quality of life of all Riversiders.

The City Attorney is publishing an Annual Report to enhance transparency by highlighting for residents, businesses and taxpayers the services we provide on their behalf.

The Annual Report for FY 2017-2018 details financial results, public safety enforcement measures, litigation trends, advisory work and special initiatives that the office undertook during the fiscal year beginning on July 1, 2017 and ending on June 30, 2018.

TOP PRIORITIES

- Continue to explore and identify ways to provide expert, professional legal services in the most efficient and cost-effective manner possible.
- Continue shifting the use of outside counsel to in-house expertise.
- Coordinate with City and County Law Enforcement to address Neighborhood Livability issues. Work with the Riverside County District Attorney to creatively solve ongoing neighborhood problems.
- Restore and maintain a staff of highly-qualified and dedicated attorneys and paralegals to provide the highest quality of legal services to City officials, departments, boards and commissions by negotiating, drafting and reviewing agreements, legislation, regulations, policies and procedures and helping to shape viable, legally sound policies, programs and services for the City.
- Aggressively defend Riverside's interests and resources in court and in administrative proceedings and initiate legal action and other initiatives to protect the rights and interests and enhance the quality of life of our community.
- Ensure compliance with meeting laws, public records, election laws, conflicts of interest and constitutional guarantees.
- Promote open and honest transparent government by making sure that everyone knows and plays by the same rules and that the public has access to and knows what the government is doing through our public legal opinions and advice on legal matters including the City Charter, open meeting laws, public records, elections, conflicts of interest and constitutional guarantees.

YEAR IN REVIEW

FINANCIAL HIGHLIGHTS

The 2017-18 budget for staff and operating costs was \$5.52 million, an increase from the previous year due to salary and benefit increases, as well as incorporating new functions and staffing such as workers' compensation and claims.

The cost of outside counsel in FY 2017-18 was approximately \$100,000 more than the previous fiscal year, an increase of 10%. The total cost of outside counsel was \$1.4 million compared to the previous five year average of \$3.0 million.

The amount the City pays to resolve claims and lawsuits, including settlements and judgments, varies from year to year depending on the types of cases filed against the City. In FY 2017-18, the City paid \$4,510,295 to claimants and plaintiffs, an increase from the previous fiscal year mainly due to settlement of three high exposure cases noted on page 9 in the amount of \$3.0 million.

LITIGATION HIGHLIGHTS

Four hundred twenty-five (425) claims were filed against the City in FY 2017-18. This is below the previous four year average of four hundred eighty two (482). In FY 2017-18, 39 lawsuits were filed against the City.

In January 2018, the City Attorney's Office started litigating all workers' compensation cases that heretofore were sent to outside counsel. Additionally, 29% of cases handled by outside counsel were brought back in-house. We expect the number of cases handled by outside counsel will continue to decrease.

In July 2018, the City Attorney's Office took over the claims function from Carl Warren, an outside administrator, which will result in a savings of over \$200,000 per year to the City.

MUNICIPAL SERVICES DIVISION HIGHLIGHTS

This division provides necessary and critical legal advice to the City Council, City officials, departments, boards and commissions to promote the goals and objectives of initiatives such as the Riverside Strategic Plan 2.1, Riverside Public Utilities' Utility 2.0 and adopted electric and water rate plan, the recreational marijuana workshops, the Purchasing Task Force and the newly formed agricultural Water Rate Task Force.

PUBLIC SAFETY DIVISION HIGHLIGHTS

The Public Safety Division was formed in June of 2017. This Division partners with Police, Fire, Code Enforcement and the citizens of Riverside to promote and maintain a safe and desirable living and working environment. The Team does proactive work on quality of life issues such as marijuana dispensary enforcement, nuisance abatement actions, receiverships, inspection warrants, and drafting quality of life ordinances.

In FY 2017-18, the City Attorney's Office played an integral role in Ward Action Team initiatives. Deputy City Attorneys work with Council Members, the District Attorney's Office and City Staff to solve community issues that reduce quality of life and property values. Furthermore, the City Attorney's Office attends community meetings across the City to hear the concerns of Riversiders.

Finally, the Public Safety Division defends Riverside Police Department and Riverside Police Department Officers in civil lawsuits alleging civil rights violations. They handle all stages of the litigation from "cradle to grave." These cases are very time-intensive: in one case alone, attorneys covered 38 depositions; in another, 25 depositions.

FINANCIAL SUMMARY

The budget for the City Attorney's Office pays for staff, operations and maintenance expenses. For the Fiscal Year 2017-18, the Office's operational budget was \$5.52 million, just slightly higher than prior years due to increased salary and benefit costs, and broadening our services to include workers compensation and claims.

The City paid \$4.510 million to resolve claims, settle lawsuits and satisfy judgments. The City Council authorizes settlements of all claims and lawsuits that exceed \$25,000.

REVENUE RECOVERED

The Riverside City Attorney's Office seeks to recover the highest possible amount of revenues to fund City services. Our Office recovered revenues, including attorney's fees and costs, civil penalties, payments for damages, and other payments made to the City.

In FY 2017-18, the City Attorney's Office recovered \$479,158 in revenue for the City, an increase of \$150,137, or 31 percent. The City collected almost half of that amount (\$228,231) in attorney fees from receiverships and medical marijuana dispensary actions.

FINANCE

Bond Insurance Litigation – Case against banking and insurance defendants nationwide was commenced in 2009 as City of Riverside v. AMBAC Financial Group, et al., and was consolidated with other bond insurance fraud cases across the state and U.S. We assisted in the recovery of \$888,398.58 in FY 2017-18. The case has now ended and the total recovery on this case was \$1,537,214.25.

OFFICE PROFILE

The City Attorney's Office has four major functional teams:

Public Safety Division, Municipal Services Division, Litigation Division and Executive Team

PUBLIC SAFETY DIVISION

The Public Safety Division contributes to an outstanding quality of life in Riverside by managing neighborhood livability issues that are critical to the City of Riverside. The Public Safety Division lawyers work with staff to file public nuisance actions, prosecute violations of the Riverside Municipal Code and move distressed properties into receiverships to improve the quality of life for Riverside residents.

This Division closely advises and works with the men and women of the Riverside Police Department, the Riverside Fire Department, and the Code Enforcement Division.

Furthermore, this Division defends civil lawsuits against the Riverside Police Department and its officers individually.

MUNICIPAL SERVICES DIVISION

The Municipal Services Division provides legal services to the City and its departments on a wide range of municipal issues. Such services include negotiating contracts, drafting resolutions and ordinances; providing advice on issues ranging from public works construction, land use and planning, real estate transactions, housing and homeless issues, finance issues, elections, ethics and conflicts of interest; defending the City's land use and CEQA lawsuits, and providing advice on water and electric utility issues. This division focuses on providing thorough and comprehensive legal advice, issue spotting to minimize the risk of lawsuits against the City and assisting City staff in performing their functions in compliance with California and federal laws.

LITIGATION DIVISION

The Litigation Division advocates for the City's interests in claims and lawsuits filed against or on behalf of the City, its officers, employees and agencies. Lawsuits are litigated in the state and federal trial and appellate courts. Examples include high value personal injury cases, complex civil rights actions, personnel disputes, eminent domain actions, breach of contract, challenges to constitutionality of Riverside's laws, policies and procedures and inverse condemnation cases. Litigators take an aggressive and strategic approach to manage liability and limit the City's financial exposure. At the same time, when liability is clear, as public servants, we advocate for a fair and just resolution.

This division also advises and works with the Human Resources Department on a variety of employee issues and advises the Board of Ethics.

EXECUTIVE TEAM

The Executive Team includes the City Attorney, Gary G. Geuss, Chief Assistant City Attorney, Kristi Smith (Operations), Assistant City Attorney, Susan Wilson (Municipal Services), Assistant City Attorney, Robert Hansen (Litigation), Assistant City Attorney, Neil Okazaki (Public Safety) and the Legal Services Manager, Susan Allen.

INTERNSHIP PROGRAM

The City Attorney's Office has an internship program where qualified law students in good standing and enrolled at ABA-accredited law schools can obtain invaluable practical legal experience for school credit. Law clerk interns assist with a variety of issues including legal research, surveys of local ordinances of surrounding cities, drafting discovery and motions, etc. In FY 2017-18, the City Attorney's Office utilized 503 volunteer hours through its internship program, which is coordinated by Deputy City Attorney Rebecca McKee.

OUTSIDE COUNSEL

PROTOCOL

Riverside hires outside counsel to handle legal work (1) when outside expertise is needed, (2) when the City, a City board or commission, an employee, the City Attorney or other City official has a conflict of interest, or (3) when the office lacks in-house capacity to handle the volume of legal work.

In FY 2015-16, the City Attorney, for the first time, established new outside counsel retention policies that included (1) formalizing the outside counsel panel of firms, (2) placing all outside firms under active contracts, (3) standardizing billable hour criteria, (4) quarterly reporting to City Council of spending for all open matters, and (5) implementing a "lowest billable rate" for Riverside cases to ensure the City is billed at the lowest rate of any of the other clients of that law firm.

The main purposes of these new policies is to save taxpayer dollars by encouraging competition, increasing transparency and constant review.

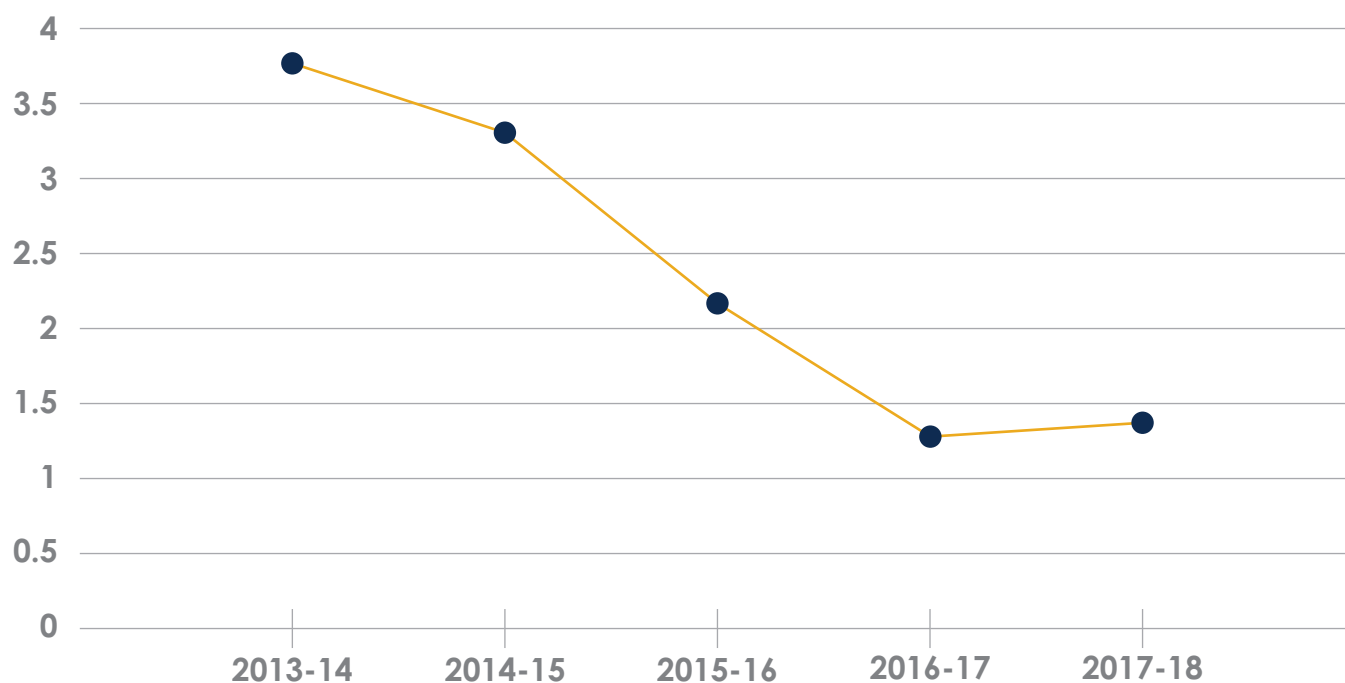
COST ANALYSIS

In FY 2017-18, the cost of outside counsel was \$1.4 million, an increase of approximately 10% from the previous fiscal year. This amount is a decrease of \$1 million from the previous 5-year average of \$3.0 million.

In order to reduce the amount spent for outside legal services, vacant attorney positions were filled with experienced litigators. Additionally, less-experienced litigation lawyers currently employed by the City Attorney's office were paired with experienced trial lawyers in an effort to "mentor" and groom trial skills. This change of philosophy not only reduces dependency on outside counsel, but ultimately reduces settlement amounts.

The need for outside counsel varies from year to year, sometimes dramatically, depending upon the number of in-house staff in the City Attorney's Office and the volume, complexity and types of legal issues the City is addressing. That being said, the trend line is very positive.

FIGURE 1: OUTSIDE COUNSEL TIMELINE



There is no question that handling matters in-house rather than sending to outside counsel is not only less expensive but developing expertise in-house creates a valuable institutional knowledge. In-house attorneys must spend valuable time educating, assisting and supervising outside attorneys, taking time from other work.

As stated earlier, some major cases require specialized expertise or resources such as *City of Riverside v. Jurupa/Rubidoux CSD*, which is a plaintiff's case brought by the City of Riverside to recover funds withheld by Rubidoux, Jurupa and Eastvale. But as the chart above illustrates, long range reduction of outside counsel costs are achievable.

LITIGATION DIVISION

The Litigation Division advocates for the City's interests in claims and lawsuits filed against or on behalf of the City, its officers, employees and agencies. Lawsuits are litigated in state and federal court systems. Examples include high value personal injury cases, complex civil rights actions, personnel disputes, public nuisance actions, eminent domain actions and inverse condemnation cases. Litigators take an aggressive and strategic approach to limit the City's financial exposure.

For a list of litigation highlights and major cases, please see **Attachment A**.

CLAIMS FILED

Historically, claims were handled, for the most part, by a third party administrator, Carl Warren. Starting In July 2018, the City Attorney's Office took over the handling of tort claims. Since claims, many times, lead to lawsuits, numbers have been compiled and are reported here.

The number of claims for FY 2017-18 totaled 475.

Since FY 2013-14 when the City received 517 claims, the number of claims filed against the City has dropped steadily every year.

TABLE 1: TYPES OF CLAIMS RECEIVED

Fiscal Year	Traffic Collision	Police Liability	Infrastructure	Employment	Other	Total
2013/14	74	40	272	4	127	517
2014/15	78	28	268	2	111	487
2015/16	49	36	238	4	115	445
2016/17	56	27	243	1	155	482
2017/18	62	35	251	4	123	475

CLAIMS SETTLEMENTS

TABLE 2: CLAIMS RESOLVED IN FISCAL YEAR 2013-18 (IN DOLLARS)

Fiscal Year	Traffic Collision	Police Liability	Tree	Infrastructure (Non-tree)	Employment	Other	Total
2013/14	104,646	8,697	600,186	159,395	0	46,549	\$919,473
2014/15	83,468	6,724	445,165	8,675	0	101,149	\$645,181
2015/16	46,361	3,905	525,196	74,381	0	133,469	\$783,312
2016/17	97,585	8,081	338,860	105,432	0	162,801	\$712,759
2017/18	108,934	934	192,908	163,522	0	29,987	\$496,285

LAWSUITS FILED

Lawsuits primarily arise in the following categories: traffic collision, police/civil liability, municipal infrastructure, employment/labor and a catch-all, "other."

In FY 2017-18, 39 lawsuits were filed against the City of Riverside. All categories for lawsuits are very consistent year to year with a five year average of just over 38 lawsuits per year.

In this table, Police/Civil Liability does not include police-related vehicle accidents or personnel/labor matters; rather, these cases are included in the "Traffic Collision" or "Employment" categories respectively.

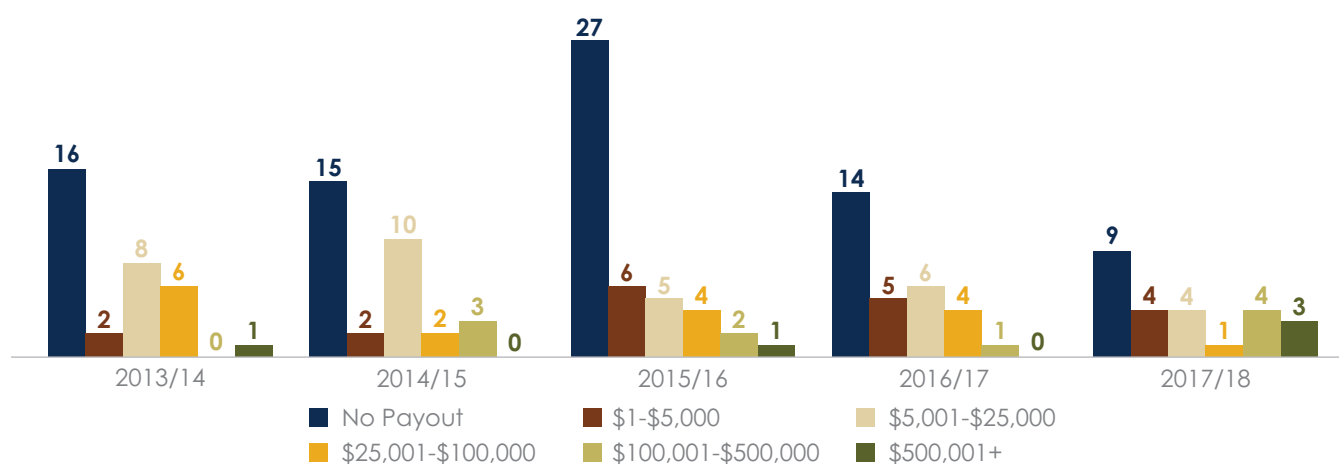
TABLE 3: TYPES OF LAWSUITS RECEIVED

Fiscal Year	Traffic Collision	Police Liability	Infrastructure	Employment	Other	Total
2013/14	7	9	14	2	15	47
2014/15	7	3	13	2	8	33
2015/16	7	8	16	2	12	45
2016/17	3	2	6	1	15	27
2017/18	6	4	9	2	18	39

LAWSUITS RESULTS

When lawsuits are filed, our litigators work aggressively and strategically to protect taxpayer resources, reduce litigation costs and limit potential exposure by filing motions to dismiss defendants and causes of action, thereby narrowing the scope of defense. When liability is clear, we seek to resolve the matter early to limit the cost to taxpayers.

In FY 2017-18, over one-third of the lawsuits (36%) were resolved for \$0. After several years of very low payouts, the City resolved several large payout cases. See **Table 4**.

FIGURE 2: LAWSUITS RESOLVED OVER FIVE YEARS

PAYOUTS

The City Attorney's Office works aggressively to limit financial exposure. When liability is clear, the City seeks to protect taxpayer resources by settling for the lowest possible amount, thereby avoiding the risk of an adverse jury verdict that would cost taxpayers much more. The City Council approves all settlements in excess of \$25,000.

The total amount of payouts relating to settlements, verdicts and judgments for FY 2017-18 was \$4,014,010.

In Figure 2, the green shaded area represents the payout for each of the three cases.

FIGURE 3: TOTAL SETTLEMENTS, VERDICTS AND JUDGMENTS

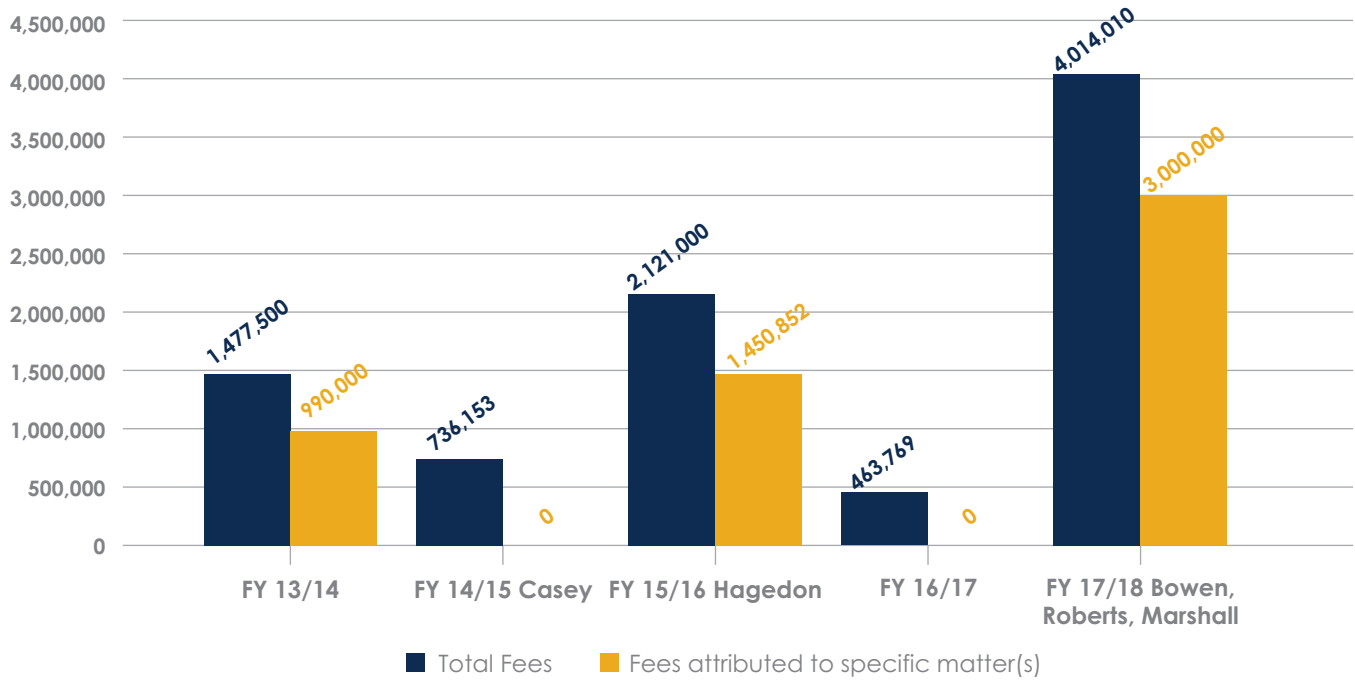


FIGURE 4: PAYOUTS BY CATEGORY

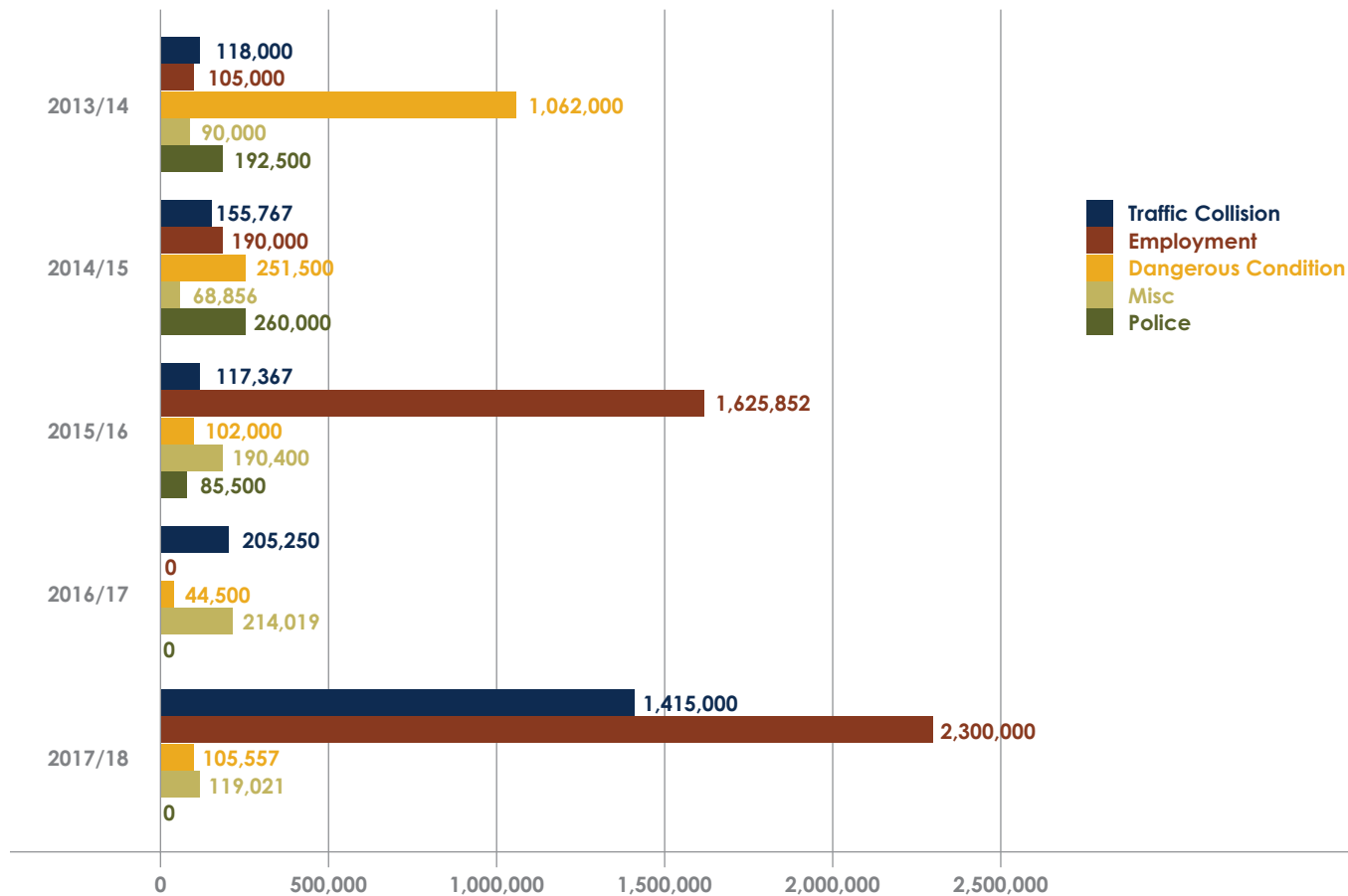


TABLE 4: PAYOUT FROM SETTLEMENTS AND JUDGMENTS OVER \$50,000

Case	Type	Total Settlement
Bowen, Gregory	Traffic Collision	\$1,350,000
Brokaw, Dennis	Dangerous Condition	\$105,557.55
Franklin, James	Traffic Collision	\$65,000
Marshall, Paul	Employment	\$675,000
Roberts, Patricia	Employment	\$975,000
Lacson, Maria	Employment	\$150,000
Wells Fargo	Other	\$119,021
Bacon and Hurt	Employment	\$500,000
TOTAL		\$3,939,578.55

CLAIMS

The City, in the past, has contracted with third-party administrator Carl Warren for its handling of claims. The City has paid the following amount for this service the last five years:

TABLE 5: THIRD-PARTY CLAIMS ADMINISTRATOR COSTS

Fiscal Year	Amount
2013/14	\$192,000
2014/15	\$195,480
2015/16	\$199,596
2016/17	\$199,596
2017/18	\$205,584
TOTAL	\$992,616

In July 2018, the City Attorney's Office has taken this function in-house. The first benefit of this is obviously cost savings, but secondarily, it will enable the City to respond and document alleged dangerous conditions at the very earliest occasion. This will help in reducing payouts on these claims. We look forward to complete numbers in next year's Annual Report.

WORKERS' COMPENSATION

Prior to January 2018, the City of Riverside contracted with outside counsel for all of its workers' compensation work.

In January 2018, the Riverside City Attorney's Office hired an experienced workers' compensation lawyer to handle the City's workers' compensation cases internally. Below is the historical data on the City's expenditures for the last five years:

TABLE 6: WORKERS' COMPENSATION OUTSIDE COUNSEL COSTS

Fiscal Year	Defense Costs
2013/14	\$378,935.03
2014/15	\$279,603.85
2015/16	\$296,446.66
2016/17	\$366,747.12
2017/18	\$350,588.09

Since January, ALL new litigated claims were kept in-house. Furthermore, of the existing 100 claims handled by outside counsel, 29 (29%) have been brought back in-house from outside counsel. The process of bringing these claims back in-house will continue this fiscal year saving even more taxpayer money.

PUBLIC SAFETY DIVISION

Recognizing that neighborhood livability is a critical issue in the City, the Public Safety Division pursues problem-solving approaches to quality of life violations found at homes, apartment complexes, motels, vacant properties, dump sites, and businesses throughout the City. Team members collaborate with residents, law enforcement, City departments and agency partners to address issues affecting the livability of Riverside neighborhoods. Where violators do not remedy ongoing problems, this Division pursues both traditional and "outside the box" solutions. This includes aggressively pursuing lawsuits against nuisance businesses and property owners seeking injunctive relief and civil penalties; prosecuting violations of the Riverside Municipal Code; moving distressed properties into receiverships; and entering into enforceable agreements with the property owners to rehabilitate substandard properties. This is done to protect the public health, safety, and quality of life of Riverside's neighborhoods and business parks.

People living in Riverside want and deserve the highest quality of life in their neighborhoods. Division team members regularly attend community meetings and forums to engage with residents about the issues of importance in Riverside neighborhoods. When team members engage the community, this positively impacts livability and assists residents in playing a role in making their communities safe and secure.

This Division also supports the valuable missions of the Riverside Fire and Police Departments. This includes providing comprehensive legal advice to the Departments on administrative functions, operational issues, internal investigations, and critical incidents. This includes responding to major incidents involving serious injury, death, and/or extensive property damage involving police action.

Team members also manage specialized litigation that defends the Police Department and its officers in complex federal civil rights cases arising out of the contact between citizens and law enforcement officers. Attorneys handle, from inception through trial, cases in which plaintiffs allege that their constitutional rights have been violated.

The Public Safety Division plays an active role in attending community meetings and staffing the Ward Action Teams. The following are examples of some matters in which the Division actively participated in achieving a successful outcome:

WARD 1 - Drug house in the Grand Neighborhood

The Division filed a court action against a homeowner with numerous code violations and police calls for noise, litter, and drug activity. This forced a change in ownership, and the house was refurbished.

WARD 2 - Sober living home near UCR

A sober living provider in a quiet, residential neighborhood contracted with Probation to house convicted felons who were reportedly committing new crimes. After meeting with a deputy city attorney, the property owner decided to evict the sober living provider, and the home was returned to a traditional residential use.

WARD 3 - Fence Installation at Lucky Greek

Persons experiencing homelessness congregated at the Lucky Greek restaurant, crossing the railroad tracks to the Ralphs shopping center. One was hit by a train. A deputy city attorney met with the Lucky Greek owner several times and persuaded him to grant the City an easement on his property for the installation and maintenance of a fence to prevent passage.

WARD 4 – March JPA Truck Traffic

Due to construction traffic going in and out of the March Joint Powers Authority development disturbing residents along Barton Road, the Division worked with the director of the March JPA and reached an agreement where construction traffic was re-routed to use General Archie Old Road instead of Barton Road.

WARD 5 - Dog Hoarding in Ramona

Residents of a home routinely had dozens of dogs at their house, irritating neighbors with noise and noxious smells. The Division obtained an injunction forbidding them from having more than 4 dogs. The Division presented the case to the county-wide team meeting of social workers in April, and gave a follow up in June. The Division persuaded the County to re-open their Adult Protective Services case due to renewed dog hoarding in violation of the injunction.

WARD 6 - Abandoned House in La Sierra

An abandoned home had overgrown vegetation, a dangerous leaning tree, and transient break-ins. Since the property owner had passed away, the Division tracked down the next of kin, obtained copies of the trust, and explained receivership principles. The beneficiaries agreed not to oppose a receivership. The court ordered the appointment of a receiver. The house is now being fixed up.

WARD 7 - Issues at a Juvenile Group Home

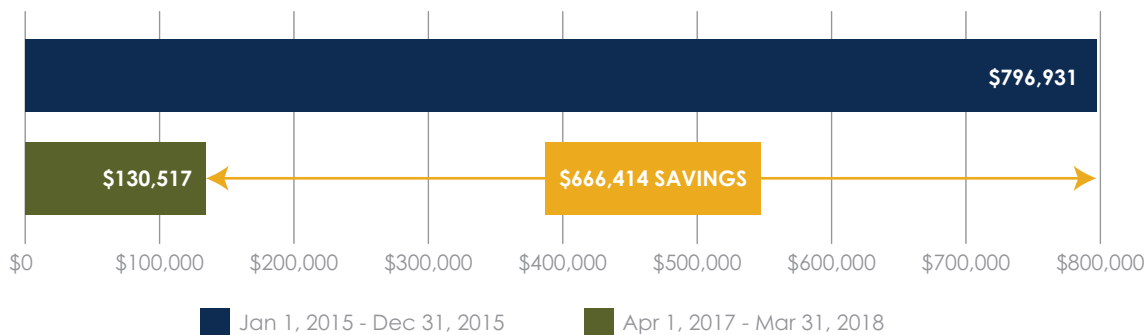
Neighbors voiced concerns about quality of life issues associated with juveniles residing at a state-licensed group home. The Division met with affected neighbors and the director of the group home. The Division then delivered letters from complaining neighbors to the state licensing authority (DSS). DSS inspected the facility, cited violations, and directed changes to be made. Neighbors were provided access to the DSS website so they could view the complaints made and findings of the investigations at the group home. Improved communication with all parties now allows problems to be remedied quickly.

LITIGATION

The Division takes great pride in defending lawsuits filed against the City and individual RPD officers alleging civil rights violations. In addition, our attorneys are consulted and train on the state of the law to reduce the risk of litigation, while ensuring that the men and women of the RPD are well-equipped to protect themselves and the City's neighborhoods.

By handling matters in-house, the Division saved the City \$666,414 this year in outside counsel costs from just two years ago. No new cases of this Division were sent to outside counsel in the past two fiscal years.

FIGURE 5: OUTSIDE COUNSEL COSTS



REVENUE RECOVERY

The law affords the City the right to recover its enforcement costs and attorney's fees resulting from certain enforcement actions. During the last fiscal year, the Division collected \$464,426 from actions involving rehabilitation agreements, receiverships, and marijuana dispensary enforcement. The money is transferred to the City's general fund to provide financial support for such basic city services such as the police and fire departments, parks and recreation, and general government operations.

ADVISORY

The Public Safety Division provides comprehensive legal advice and training to the Riverside Police Department on policies, procedures, and risk management issues. Attorneys in this section also deliver around the clock "real time" advice to police personnel. In the past fiscal year, all four attorneys in this Division participated in trainings of police supervisors and field training officers. The Division also provides principal advisory services to the Fire Department on issues relating to fire services operations, the Fire Prevention Bureau, the Urban Areas Security Initiative (UASI) Program, the Urban Search & Rescue program, and the Office of Emergency Management.

MUNICIPAL SERVICES DIVISION

The Municipal Services Division provides legal services to all Departments in the City. In FY 2018/17, the six attorneys in this division prepared over 1400 contracts, ordinances, resolutions and legal opinions. Our attorneys are required both to have a significant amount of legal experience (such as contracts, constitutional law, real property, environmental, etc.) as well as specialized knowledge of municipal law (planning, zoning, bonds, taxes, assessments, water and electric, conflicts of interest, open government) in order to advise all sixteen departments of the City. Here is a summary of some of the notable achievements of the Municipal Services Division, which were chosen either because of the significance to the City or because of the uniqueness of the advice:

Community and Economic Development Department

Drafted numerous Community Development Block Grant (CDBG), Emergency Solutions Grant (ESG), Housing Opportunities for Persons with AIDS (HOPWA) and HOME Investment Partnerships Program (HOME) MOUs for the sub-recipient programs benefiting from the entitlement funding from the \$1,163,464 in grants received from United States Department of Housing and Urban Development.

Successfully defended the City in a lawsuit challenging a warehouse project in the Sycamore Canyon Business Park.

Successfully defended an appeal of a six-unit planned residential development.

Prepared Disposition and Development Agreements and Home Loan Agreements to further the construction and development of affordable housing within the City.

Finance

The City Attorney's Office assisted and continues to assist on the following financial transactions:

Bank of America Equipment Lease/Purchase Agreement: approximate value \$14.5 million; Tyler Galleria Lease Revenue Bonds COPs Refunding: approximate value \$20 million; Main Library Lease Revenue Bonds: approximate value \$43 million; 2018 Tax Allocation Bonds Refunding; approximate value \$127 million for a potential savings to the City of up to approximately \$2 million.

General Services

Prepared a construction agreement for the rehabilitation of the Airport's aircraft apron and runway, which was almost entirely funded by state and federal grants.

Assisted the Airport with the issuance of a Request for Proposals seeking proposals for the development of an 18 acre parcel.

Prepared an agreement for the structural assessment of the Harada House as part of the Museum's restoration and maintenance of this National Historic Landmark.

Innovation and Technology

Provided legal guidance and assistance on issues involving cybersecurity, breach management, breach prevention to make the City's network and technical resources more secure in an increasingly hostile cybercrime environment. Provided legal assistance and expertise in the systematic review, update, and implementation of the Technology Use and Security Policy, Mobile Device Policy and currently is assisting on other policy updates.

Museum and Library

Assisted in a collaboration between the Riverside Municipal Museum, the Riverside Art Museum, the Los Angeles County Museum of Art and the Smithsonian Institute for the exhibition of a collection of objects from the people of Tlatilco entitled, "Uncovering Ancient Mexico: The Mystery of Tlatilco", installed at the Riverside Art Museum.

Advised on the legal restrictions for filtering web access to both adult and children users of Library computers, particularly in light of the Library's status as a recipient of federal Children's Internet Protection Act funds.

Parks, Recreation and Community Services

Prepared an agreement for the construction of the Arlington Youth Innovation Center, which when finished will provide innovative services, programming, clubs, and activities for the City's youth.

Prepared agreements for the 2018 Summer Food Program with the local school district to deliver lunch meals to economically disadvantaged children at eleven City park sites.

Police and Fire

Prepared a Memorandum of Understanding with the Riverside County Probation Department, County Sheriff, the District Attorney, and community organizations to mentor and supervise middle and high school at-risk youth under the Juvenile Justice Crime Prevention Act Youth Accountability Team.

Prepared a Memorandum of Understanding with two school districts for the Police Department to provide School Resource Officers at district high schools to encourage students to be responsible for their own actions, foster respect for other people, develop cultural sensitivity, make informed lifestyle decisions, and develop mutual understanding between the youth and police viewpoints.

Prepared a Memorandum of Understanding with a neighboring police department to establish joint operations for the purpose of vigorously and properly investigating Internet Crimes Against Children.

Prepared a Memorandum of Understanding with the Riverside County Sheriff's Department, District Attorney's Office, and Probation Department to form the Riverside County Sexual Assault Felony Enforcement Task Force ("SAFE Task Force") to effectively enforce laws relating to sexual offenders, registration crimes, and online/ computer related sex offenses throughout Riverside County.

Public Utilities

Advised on the ongoing environmental permitting for the decommissioning of a closed nuclear power plant. A draft environmental impact report was issued in June of 2018, and we will continue to monitor pending certification of that environmental impact report, which will permit the demolition of the plant to commence.

Provided legal advice and support for the adoption of the 2018-2022 Water and Electric Rate Plan, including preparing the tariff sheets, advising on the adoption process and providing Proposition 218 and Proposition 26 advice.

Assisted in a power purchase agreement for the installation of a solar photovoltaic installation on City-owned wells in the City of San Bernardino, which will significantly decrease energy procurements from Southern California Edison.

Provided legal advice to the City's Agricultural Water Task Force, which is a City-appointed citizen's group tasked with making recommendations to the City Council for agricultural water rates.

Negotiated a favorable settlement to protect the City's wells from a neighboring city's plan to expand its wastewater treatment facility, thereby protecting Riverside's interests while cooperating with neighboring agencies in their efforts to conserve water resources.

Represented the City at the California Public Utilities Commission for the City's proposed new high voltage transmission line.

Public Works

Assisted Public Works with the procurement of services to set up and maintain a downtown bike share program to be launched in Fall 2018.

Continued to provide legal assistance in the development of additional Quiet Zones at multiple railroad crossings throughout the City

Assisted Public Works with an agreement for the construction of SB-1 funded maintenance and traffic improvements throughout the City, which includes over 4 miles of paving, traffic and signal upgrades, and pedestrian improvements.

ATTACHMENT A

SIGNIFICANT MATTERS

City of Riverside v. Greyhound

City filed an action in Superior Court to dispossess Greyhound Lines of the City property being used as a bus terminal. Greyhound had the matter removed to federal court because they are an interstate carrier and sued the City for breach of the settlement agreement between Greyhound and the former Redevelopment Agency. That settlement agreement provided for Greyhound Lines to be paid \$605,000 of redevelopment money upon their vacation of the premises. However, the City maintained that Greyhound lines breached the settlement agreement and was no longer entitled to the monetary payment. The City was able to settle the matter, after significant litigation, for mutual dismissals with prejudice and distribution of the \$605,000 as follows: (a) \$175,000 to Greyhound Lines; and (b) \$430,000 to the City and immediate vacation of the premises by Greyhound Lines.

Taylor v. City of Riverside [Trial Verdict]

Plaintiff filed a dangerous condition lawsuit against the City for a storm drain grate that had a gap allowing his bicycle tire to slip into the grate, causing Plaintiff to fall head first over the handlebars of his bicycle. Plaintiff demanded \$250,000 at trial. On 4/25/18, the jury returned a verdict for Plaintiff in the amount of \$9,820. Because the City had timely served a CCP 998 offer in the amount of \$15,000, and the City's costs exceeded the verdict, the City waived costs in exchange for the Plaintiff dismissing the entire case with prejudice.

Olquin/Alysia Webb v. City of Riverside [Court Dismissal]

Ratepayer action filed against City seeking an order compelling the City to return to the electric utility approximately \$115,046,399.50, which represented all Electric Revenue Transfer paid to the General Fund since May 1, 2013. On appeal, the appellate court upheld the trial court's dismissal of the case and judgment in favor of the City.

Bengoa v. City of Riverside

Plaintiff tripped and fell over a raised sidewalk adjacent to the Historic Courthouse. Plaintiff suffered a fractured elbow and femur. Medical evidence showed a future elbow replacement likely. Plaintiff demanded \$150,000. Summary judgment motion brought on the basis that defect in sidewalk was trivial as a matter of law. Motion was denied. A writ was filed with the Appellate Court. Court set the matter for a trial before the Appellate Court. Plaintiff agreed to settle for \$5,000 and dismissed the case with prejudice.

Marshall/Jones v. City of Riverside

This case involved claims of racial discrimination by African American employees alleging certain racial slurs were used in the workplace. City settled with Paul Marshall for \$475,000 coupled with a resignation. The City settled with Kevin Jones, who had previously resigned, for \$200,000. Each Plaintiff was demanding \$1 million.

Corona v. City of Riverside

This case involved a bicycle verses car accident that occurred near the intersection of Phoenix and Central with significant potential multi-million dollar exposure given the nature and extent of Plaintiff's claimed injuries, including a traumatic brain injury after being struck by a vehicle going approximately 40 miles per hour. Plaintiff contended that the City was responsible on a theory that the intersection should have had sensors in the pavement capable of detecting bicyclists and should have had longer traffic signal timing. It was the City's position that neither were required at the time of the accident. After arguing pre-trial motions for a week and a pre-trial evidentiary hearing with Plaintiff's accident reconstruction expert, the Court granted nonsuit in favor of the City after Plaintiff's opening statement. Deputy City Attorney Rebecca McKee was the handling attorney.

Bonome v City of Riverside

This case involved a police officer who accepted a disability retirement in lieu of termination and thereafter was denied an endorsement to carry a concealed weapon. The trial court denied the retiree's motion for attorney's fees. After he appealed the denial of attorney's fees, the Public Safety Division took this matter in-house to handle. The City Attorney's Office successfully argued in the Court of Appeal that the retiree was not entitled to attorneys' fees as his case did not benefit the public or a large class of persons. The Court of Appeal unanimously affirmed the trial court's order denying the retiree his attorney's fees. Deputy City Attorney Rebecca McKee was the handling attorney.

Annexations 95 and 99

Prosecuted eminent domain proceedings to condemn Southern California Edison facilities in areas that were annexed by the City in the 1990s. The areas were commonly referred to as Annexations 95 and 99. This matter was of great importance to the City Council because the City had been attempting to acquire these facilities for about 20 years. The case has been resolved and the City is now providing electrical services to the residents in areas of Annexations 95 and 99.





Riverside City Attorney's Office

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