

CITY OF ADELANTO
Draft Proposal for Legal Services

Legal Services Problems

- Municipal Law / General
 - Inefficient use of attorney time
 - Duplication of attorney and staff efforts

- Real Estate Development
 - Undue restrictions placed on developers by counsel, which should foster development, consistent with law and the City's interests

- Litigation
 - Lack of City Attorney collaboration with City leadership, leading to unnecessary legal and litigation costs to City
 - Lack of City Attorney communication with City officials about A-Z strategies and objectives for litigation
 - Lack of legal firepower backing City, resulting in parties with better counsel having advantages against the City
 - For example, Mavs lease
 - Lack of regular communication with City officials about important litigation events and corresponding strategies
 - For example, upcoming April 4, 2016 injunction hearings in Mavs case, and related developments
 - Lack of experience in leveraging opponents into favorable settlements
 - For example, City signed a term sheet at mediation in Mavs case, without ensuring Mavs signed it too

- Employment Law
 - Multiple claims against City indicates potential poor training of employees and staff
 - No regime of compliance in place

- Government Contracts / Daily Issues / HR Issues / Misc.
 - Use of low hourly rate to mask high volume of hours spent
 - Unpredictability of legal fees as a result of hourly rate structure, even at low hourly rate

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The Solution

Subject Matter	Prior Legal Spend & Structure	Proposed Legal Spend & Structure	Fiscal Impact
<u>Municipal Law / General</u> (Technical & Procedural Issues, City Council Meeting Presence)	Julia Sylva as City Attorney - \$180/hr for 1 st 50hrs - \$225/hr thereafter - \$2,150 Avg. per Council Mtg Rutan & Tucker as City Attorney - \$225/hr Avg.	Curtis Wright as City Attorney - \$197/hr flat, no second tier rate - Less cost & more efficiency from experience Winston & Strawn as Counsel - \$468 per Council Mtg Closed Session, flat, including all prep and follow-up (telephonic)	Cost Savings; Reduced Legal Time; Reduced Rate
<u>Real Estate Development</u> (Land Transactions, Related Issues)	Julia Sylva as City Attorney - \$180/hr for 1 st 50hrs - \$225/hr thereafter - \$10,000 Avg. anticipated fee per transaction (44hrs work)	Curtis Wright as City Attorney - \$197/hr flat, no second tier rate Winston & Strawn as Counsel - \$10,000 per transaction, flat (plus any developer subsidy negotiated)	None, or Potential Benefit with more efficient & skilled service
<u>Litigation</u>	Acker & Whipple as Counsel - \$240/hr Julia Sylva as City Attorney (Litigation Supervision) - \$180-\$225/hr	Ecoff Campaign & Tilles as Counsel - \$240/hr Winston & Strawn as Counsel (Litigation Supervision) - No Charge	None, or Potential Benefit with more efficient & skilled service
<u>Employment Law</u>	Jackson Lewis Firm - \$265/hr	Winston & Strawn as Counsel - \$265/hr	None, or Potential Benefit
<u>Government Contracts /</u> <u>Daily Issues /</u> <u>HR Issues /</u> <u>Misc.</u>	Julia Sylva as City Attorney - \$180/hr for 1 st 50hrs - \$225/hr thereafter - \$400 Avg. per daily issue - \$800 Avg. contract review	Curtis Wright as City Attorney - \$197/hr flat, no second tier Winston & Strawn as Counsel - \$78 flat per one-off issue - \$390 flat per day-long issue - \$780 flat per contract review/advice	Cost Savings; Reduced Rates; Improved Services
<u>Code Enforcement /</u> <u>Nuisance Abatement</u>	Julia Sylva as City Attorney - \$180-\$225/hr Rutan & Tucker as City Attorney - \$218-303/hr	Curtis Wright as City Prosecutor - \$197/hr flat, no second tier rate - Up to 100% Cost Recovery - Fine Revenue Collection	Cost Savings; Additional Revenue