



# AGENDA REPORT

City Attorney's Office

<b>DATE:</b>	November 26, 2024
<b>TO:</b>	Mayor Martinez and Members of the City Council
<b>FROM:</b>	Dave Aleshire, City Attorney Shannon Moore, Chief Assistant City Attorney Kimberly Chin, Senior Assistant City Attorney
<b>Subject:</b>	New Legal Services Agreement with Goldfarb & Lipman LLP for pending land use litigation and related matters regarding Campus Bay
<b>FINANCIAL IMPACT:</b>	There is no fiscal impact to the General Fund. This legal services agreement will be paid from funds deposited by the developer.
<b>PREVIOUS COUNCIL ACTION:</b>	N/A
<b>STATEMENT OF THE ISSUE:</b>	A legal services agreement with Goldfarb & Lipman LLP is needed to ensure that the City has appropriate legal representation and counsel in pending land use litigation and related matters regarding Campus Bay.
<b>RECOMMENDED ACTION:</b>	APPROVE a legal services agreement with Goldfarb & Lipman for an amount not to exceed \$25,000 for a term from August 16, 2024, to June 30, 2026, for representation and counsel in pending land use litigation and related matters regarding Campus Bay – City Attorney's Office (Kimberly Chin 510-620-6709/Shannon Moore 510-620-6505).

## DISCUSSION:

The City Attorney's Office is requesting approval of a legal services agreement (LSA) with Goldfarb & Lipman LLP (Goldfarb) to provide legal advice and representation for

pending land use litigation and related matters. Litigation was filed against the City by Richmond Shoreline Alliance and other entities under CEQA and land use and planning laws, challenging the City's approval of the Campus Bay Mixed Use Project ("Project"). Goldfarb has been defending the City in this litigation. Continuing the working relationship with Goldfarb will provide stability in the litigation, and it would be detrimental to the City's interests to change law firms at this juncture. A recent Court ruling upheld the case on Appeal after the original 2021 LSA with Goldfarb expired on June 30, 2023 as no invoices had been produced since March 2023.

Attorney Celia Lee is the lead partner working on the Campus Bay matter at a rate of \$365/hour. The developer for the Project is reimbursing the City for all attorney's fees and costs.

The City Attorney's Office is requesting that the City enter into a legal service agreement with Goldfarb & Lipman LLP for a total contract amount of \$25,000, for a contract term of August 16, 2024, to June 30, 2026.

**DOCUMENTS ATTACHED:**

Attachment 1 – Legal Services Agreement with Goldfarb & Lipman LLP (proposed)  
Attachment 2 – After the Fact form