



City Attorney's Office

# AGENDA REPORT

<b>DATE:</b>	July 1, 2025
<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>	Legal Services Agreement Amendment No. 2 with Stoel Rives, LLP
<b>FINANCIAL IMPACT:</b>	This second amendment will add \$65,000 for an amount not to exceed \$75,000, and will be paid from the City Attorney budget legal cost (Account String: 01151014-400206).
<b>PREVIOUS COUNCIL ACTION:</b>	None.
<b>STATEMENT OF THE ISSUE:</b>	An amendment to the Stoel Rives—Guidiville/Land Use LSA is needed to add funds to ensure that the City has the appropriate legal representation relating to CEQA and land use matters, including the existing <i>Point Molate</i> litigations and claims in <i>Guidiville v. United States</i> , and in the <i>Wee v. City of Richmond</i> litigation matter.
<b>RECOMMENDED ACTION:</b>	APPROVE a second amendment to the legal services agreement with Stoel Rives, LLP appropriate and adequate representation in future and pending land use and CEQA related litigation (Guidiville/Land Use), in the amount of \$65,000 for a total amount not to exceed \$75,000, with term ending December 31, 2026 – City Attorney's Office (Kimberly Chin 510-620-6709/Shannon Moore 510-620-6509).

## DISCUSSION:

To ensure the City continues to have the appropriate and adequate representation in future and pending land use and CEQA related litigation against the City, the City Attorney's Office requests approval of an amendment to the land use/CEQA legal services agreement (LSA) with Stoel Rives, LLP ("Stoel Rives").

**Guidiville v. United States (Guidiville Litigation):**

For the Point Molate related matter, *Guidiville Rancheria v. United States*, the proposed amount will allow the City to monitor and maintain representation in the above-referenced litigation, as well as to respond in a timely manner to the claims and matters that may arise.

Attorney Christian Marsh, who has worked on the *Guidiville* matter since 2022, left Downey Brand in March 2025 to work at Stoel Rives. The City was notified of this change by letter which offered the options of either continuing to work with Downey Brand or having the City's files transferred to Mr. Marsh's new firm, Stoel Rives. The City Attorney recommends that the City continues using Mr. Marsh for the *Guidiville* matters. He has the knowledge and background necessary to represent the City in discussions with *Guidiville* and to use his insight and historical knowledge in legal review of all relevant documents. It would take a great deal of extra time and additional resources to get another attorney up to speed on these matters, given that Mr. Marsh has been involved since 2022.

**Wee v. City of Richmond, and Other CEQA and Land Use Related Litigation**

In May 2025, the City of Richmond was served in *Wee v. City of Richmond*, a CEQA-related litigation matter challenging the City's street sweeping program. To properly defend the City in current and future land use and CEQA related matters, additional funds are required as the current LSA with Stoel Rives is only for \$10,000.

The current rates are:

- Partner(s) \$490/hour
- Associate(s) \$425/hour

The City Attorney's Office is requesting City Council approve a second amendment with Stoel Rives, LLP, to increase the amount by \$65,000 for a total amount not to exceed \$75,000, and a term ending December 31, 2026.

**DOCUMENTS ATTACHED:**

- Attachment 1 – Amendment 2 to the Original Stoel Rives, LLP, Legal Services Agreement (LSA) (Proposed)
- Attachment 2 – Amendment 1 to LSA
- Attachment 3 – Original LSA