

CITY ATTORNEY BUDGET

FISCAL YEARS 2027 and 2028

FARIMAH FAIZ BROWN – CITY ATTORNEY
KATRINA EILAND – INTERIM ASSISTANT CITY ATTORNEY
SARA STEPHENS – DEPUTY CITY ATTORNEY IV
NATHAN DAHL – ASSISTANT TO THE CITY ATTORNEY
DARYNA LOCH – ASSISTANT MANAGEMENT ANALYST

APRIL 23, 2026

MARTIN LUTHER KING JR
CIVIC CENTER

2180
Milvia Street





A small town with a big voice needs great lawyers.

The CAO mission is to provide the City with the highest caliber legal services and advice, and to protect and defend the interests of this dynamic City by all legal and ethical means.

When legal resources are stretched too thin, oversight weakens, and preventable problems can turn into expensive ones.

ATTORNEYS

PARALEGAL & SUPPORT TEAM



FARIMAH FAIZ BROWN



KATRINA EILAND



LAURA IRIS MATTES



SAMUEL HARVEY



SARA STEPHENS



NATHAN DAHL



DARYNA LOCH



LAUREN PACKARD



ASHLEY CARTER



STEPHEN HYLAS



HALEY DEGENOVA



NUBYAAN SCOTT



RUBI QUIHUIS



KASSANDRA PEREZ



CELESTINE SEALS



HERSCHEL WINHELD

The City Attorney's Office provides legal advice and support to all City Departments, the City Council, the City Manager, and City boards and ommissions, as well as the Library.



LEGISLATION



**SUPPORTING
BOARDS AND
COMMISSIONS**



LITIGATION & CLAIMS



**INFORMATION AND
OPEN GOVERNMENT**



ADVICE AND REVIEW



RISK MANAGEMENT

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CITY ATTORNEY'S OFFICE

Major Achievements

ACCOMPLISHMENTS

CAO Drafting, Legal Review, and Advising on Noteworthy Policies and Matters

- ✔ Surveillance Technology
- ✔ Transportation and Micromobility
- ✔ Use of Artificial Intelligence
- ✔ EMBER Ordinance and Fire Code Amendments

ACCOMPLISHMENTS

- ✓ Pier Ferry and development in the Waterfront
- ✓ Gilman Gateway Project
- ✓ CEQA Work on Major Projects
- ✓ People's Park Including Amicus Brief to the California Supreme Court
- ✓ Middle Housing zoning amendments
- ✓ ADU Legislation
- ✓ Density Bonus Legislation
- ✓ Ashby Bart Station Project

ACCOMPLISHMENTS

Responding to Shifts in Federal Policy

- ✔ Sanctuary City Ordinance
- ✔ Drafting Resolution Limiting Use of City Property
- ✔ Advice on updates to the Sanctuary Contracting Ordinance
- ✔ National Guard / Immigration Enforcement Deployment Advice

Proactively Challenging Trump Administration Attacks

- ✔ Proactively challenged threats to withhold federal funding, successfully safeguarding millions for supportive housing, emergency response, and transportation improvements.
- ✔ Monitored and advised on numerous federal grant questions and key federal policy changes that impact the City's federally funded programs.

PROTECTING FEDERAL FUNDING

All Federal Funding: *SF v. Trump*

Protects the City's approximately \$60 million in current federal funds from revocation based on the City's sanctuary policies.

Health, Housing, and Transportation Funding: *King County v. Turner*

Protects \$14 million in HUD, HHS, and DOT funds from revocation based on, e.g., the City's DEI and gender identity-related policies.

Emergency/Hazard Mitigation Funding: *Santa Clara v. Noem*

Protects \$12.5 million in current City funds for fire and seismic safety and \$27 million more in solicited funds.

CITY ATTORNEY

GENERATING REVENUE FOR THE CITY

Monsanto Litigation and Settlement

CAO secured \$2.1 million for the City

\$400,000 allocated to the Public Liability Fund

\$1.7 million allocated to other General Fund priorities

Opioid-Related Settlements

CAO has secured \$1.56 million to date, which goes to fund programs and services through HHCS

CITY ATTORNEY

Active Defensive Litigation Past Year

- ✔ Homeless Encampment-Related Lawsuits (7)
- ✔ RealPage First Amendment Lawsuit (1)
- ✔ Police & Tort Litigation (52)
- ✔ Employment Litigation (7)
- ✔ Labor Arbitrations and Charges (6)
- ✔ Other Lawsuits (14)

Increasing Number of Complex Litigation Matters

- An evolving legal landscape, new federal priorities, and the need to support City Council and staff initiatives has resulted in increasingly complex litigation matters handled by CAO.
- When the City Council enacts groundbreaking legislation and advances other policies, the City Attorney's Office helps craft and defend those policies against legal challenge.
- Complex and novel litigation requires the City Attorney's Office to expend significantly more resources.

FY26 Spending on Outside Counsel for Non-Public Liability Matters

Encampment Cases

• Berkeley Homeless Union	\$111,037
• Prado	\$118,528
• Fuchs	\$ 26,132
• Dennison	<u>\$ 28,212</u>

TOTAL TO DATE: \$283,909

RealPage

TOTAL: \$405,435

PAB Negotiations

TOTAL TO DATE: \$298,798

Employment Litigation

• Public Works (1)	\$ 83,447
• Police Dispatch (6)	<u>\$ 313,680</u>

TOTAL TO DATE: \$397,127

Employment Investigations

• IT (1)	\$ 69,923
• Planning (1)	<u>\$ 52,014</u>

TOTAL TO DATE: \$114,937

Labor Arbitrations

TOTAL TO DATE: \$16,433

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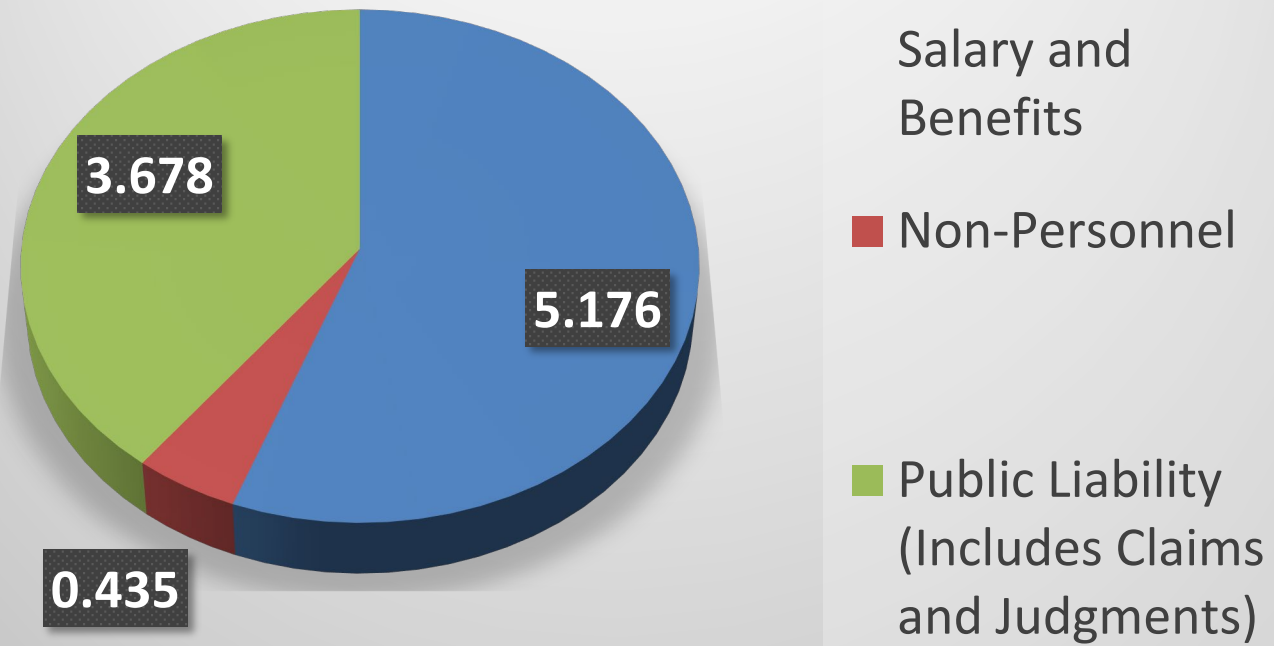
CITY ATTORNEY'S OFFICE

FY 2025 & FY 2026 Budget

BUDGET BY EXPENDITURE TYPE

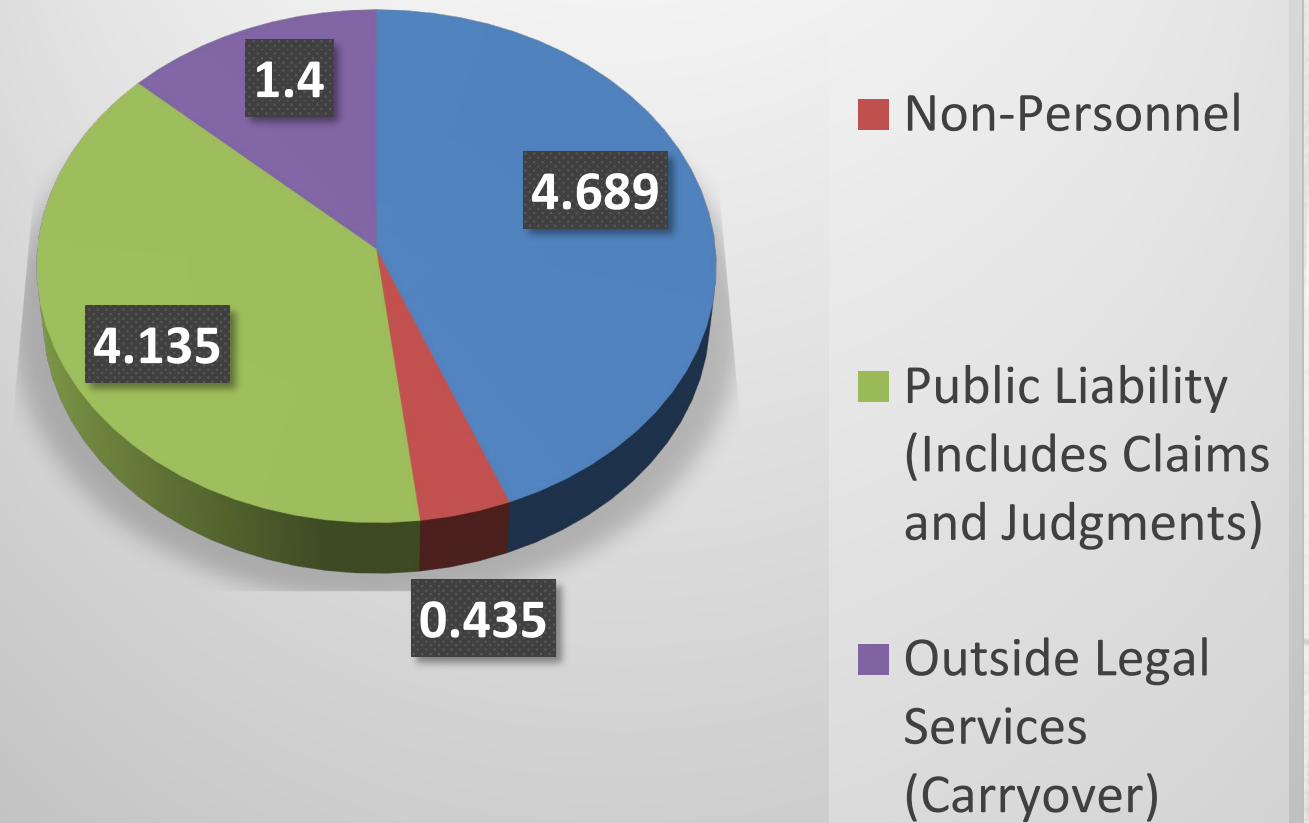
FY 25 Original Appropriation

In Millions



FY 25 Revised Budget

In Millions



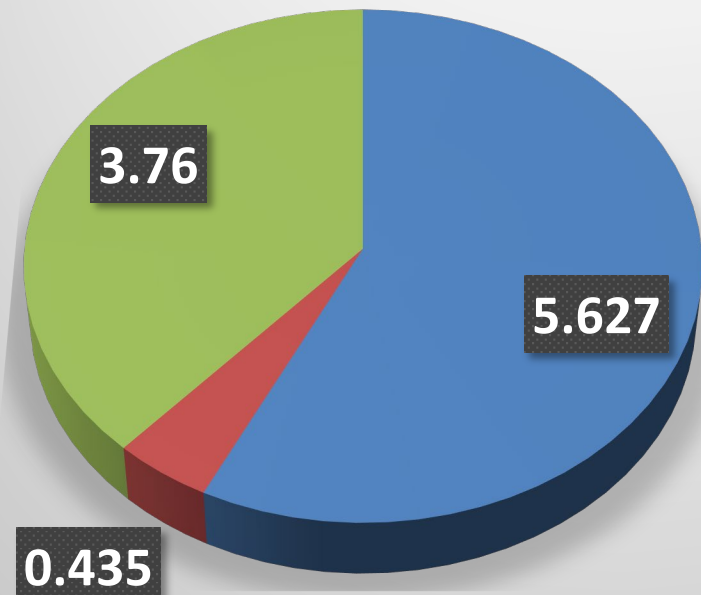
BUDGET BY EXPENDITURE TYPE

FY 26 Original Appropriation

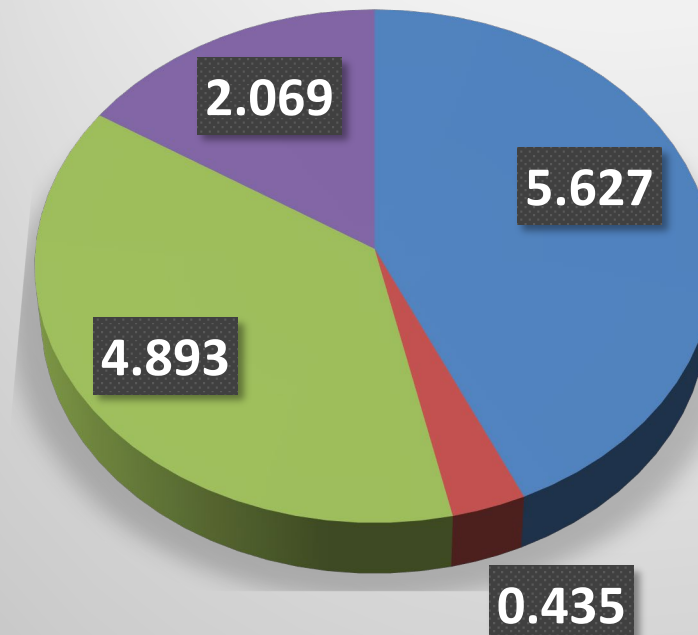
FY 26 Revised Budget

In Millions

In Millions



- Personnel - Salary and Benefits
- Non-Personnel
- Public Liability (Includes Claims and Judgments)

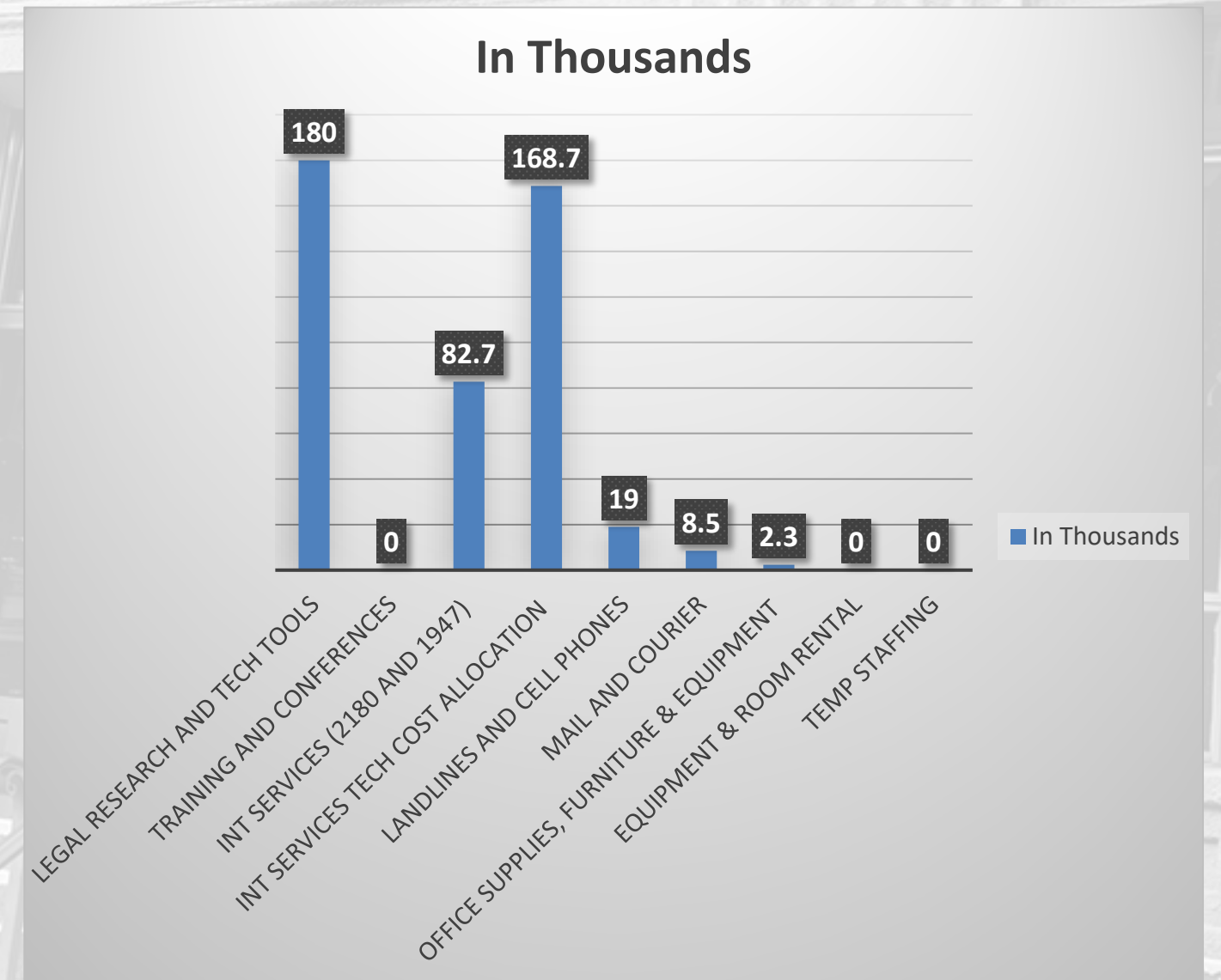
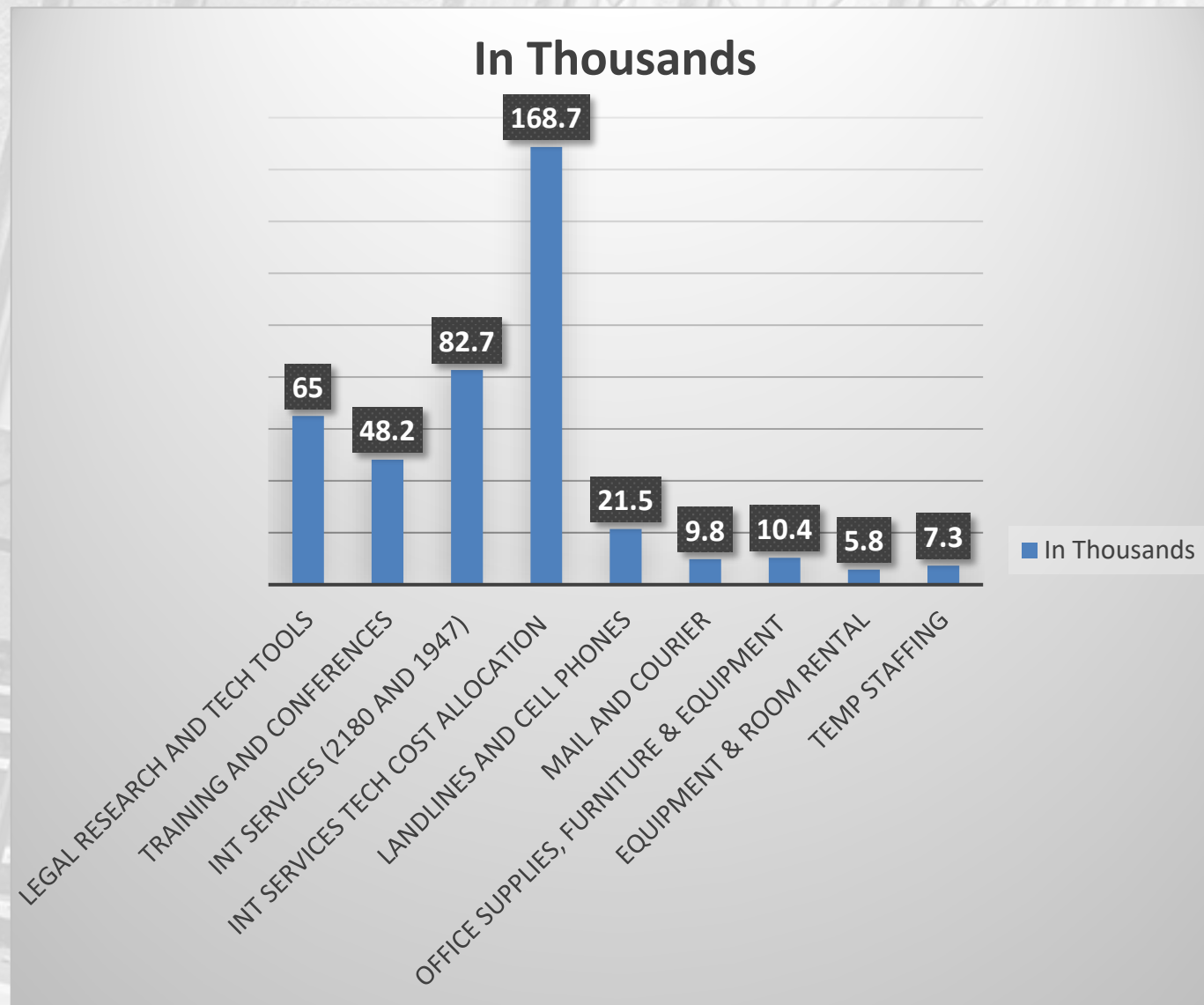


- Personnel - Salary and Benefits
- Non-Personnel
- Public Liability (Includes Claims and Judgments)
- Outside Legal Services (Carryover)

Reductions in Non-Personnel Budget

**FY 26 Non-Personnel Budget
(Not Including Outside Counsel)**

**FY 27 Non-Personnel Budget
(Not Including Outside Counsel)**



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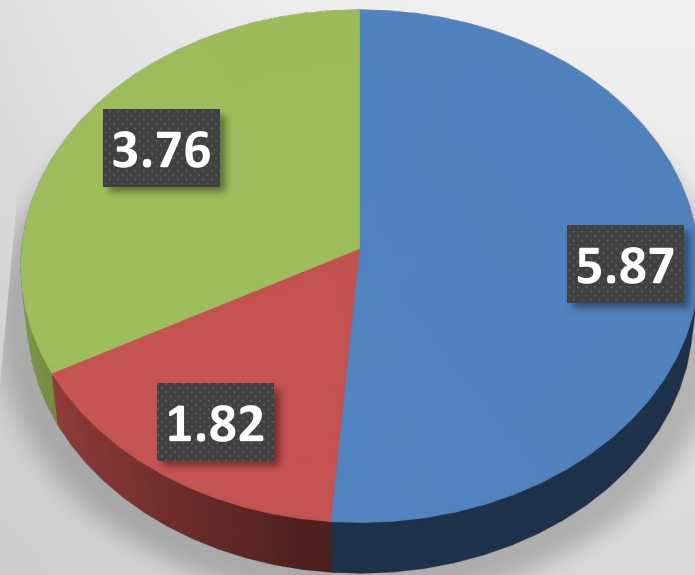
CITY ATTORNEY'S OFFICE

FY 2027 & FY 2028 Proposed Budget

FY27 and FY28 Biennial Budget

FY 27 Appropriation

In Millions



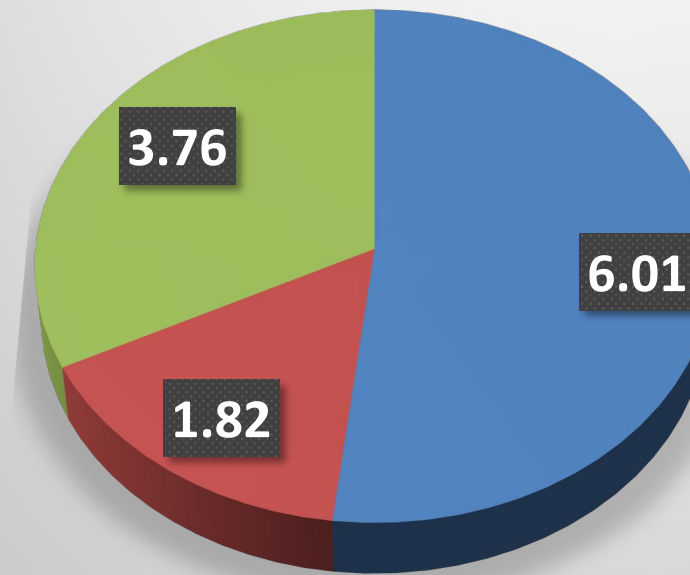
■ Personnel - Salary and Benefits

■ Non-Personnel (Includes Funding for Outside Legal Services)

■ Public Liability (Includes Claims and Judgments)

FY 28 Appropriation

In Millions



■ Personnel - Salary and Benefits

■ Non-Personnel (Includes Funding for Outside Legal Services)

■ Public Liability (Includes Claims and Judgments)

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CITY ATTORNEY'S OFFICE

Changes, Challenges & Opportunities

LOOKING AHEAD: CHANGES, CHALLENGES & OPPORTUNITIES

Support for New Policy Initiatives

- The City Attorney staffs all City Council policy committee meetings and provides legal advice throughout the legislative process.
- The number and complexity of new, often groundbreaking ordinances and policies requires significant attorney time.
- CAO conducts legal research, analyzes alternatives and the most defensible path forward, assists with drafting legislation, and defends the legislation against any legal challenges.

LOOKING AHEAD: CHANGES, CHALLENGES & OPPORTUNITIES

**Support for New Affirmative Litigation and
Generating Revenue for the City**

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CIVIC CENTER

**THANK YOU
FOR YOUR SUPPORT**

