

MEMORANDUM

**TO: MAYOR AND CITY COUNCIL MEMBERS
CITY MANAGER WILDE
CITY CLERK/ASSISTANT CITY MANAGER CARLSON**

FROM: HOLLY C. WELLS

RE: FIRST QUARTER CITY ATTORNEY REPORT

CLIENT: CITY OF WHITTIER

FILE NO.: 507456.60

MEETING DATE: MAY 19, 2026

The purpose of this First Quarter City Attorney Report is to provide the City of Whittier with a summary of all legal work performed from January 1, 2026, through March 31, 2026. It will highlight updates to the Council on pending projects and our team's priority projects as we move into the second quarter of 2026.

This report will provide a breakdown of the number of hours worked in general legal services and those worked on specific projects and matters. To assist the Firm in doing this in a cost-effective manner, additional files have been created to allow Council and Administration to carefully review the legal work required for each given project or specific matter. Furthermore, this report is broken into four primary sections: I) Summary of Hours Worked by Topic; II) Summary of Legal Work by Month; and III) Brief summary of recommendations regarding 2026 legal projects based on current and outstanding legal work. The Firm's approach to the report can be revised to fit the Council's needs and preferences.

I. SUMMARY OF HOURS WORKED BY TOPIC

This section of the report provides a summary of the hours worked by topic during this quarter.

- Ground Passenger Fee Implementation – 54.90 Hours Worked
- General Business 2026-2027 – 47.10 Hours Worked
- Eric Fleming Injunction – 39.00 Hours Worked
- General 2026-2027 – 25.20 Hours Worked
- Land Development Plan – 13.20 Hours Worked
- Bradley Adams-US DOL – 9.80 Hours Worked
- General Counsel Advice – 8.40 Hours Worked
- General Administration – 4.30 Hours Worked
- Alaska Railroad Real Estate Issues – 4.20 Hours Worked

- Council Policy Manual – 4.20 Hours Worked
- Personnel 2024-2026 – 1.70 Hours Worked
- Legislative Land Transfer 2025-2026 – 1.60 Hours Worked
- General Tax Matters – 1.40 Hours Worked
- Lease Transfer Harbor View Lots 1 and 1A – 0.40 Hours Worked

II. SUMMARY OF LEGAL WORK BY MONTH

The following provides a summary of legal services provided by month. Please be aware that attorney-client matters involving personnel or other confidential or privileged matters are noted only generally. To the extent Council would like an assessment of those matters, a separate attorney-client privileged report can be provided.

January 2026

Attorney Holly Wells prepared for and attended the City Council good governance training, worked with the Assistant City Manager regarding leases and land allocation plan, and reviewed the Whittier Forecast Financial Support contract. Additionally, she and Attorney Jessica Spuhler conducted thorough research on ground transportation and passenger fees.

Attorney Aaron Sperbeck worked with the City Manager regarding employee grievance policies and logistics.

Attorney Brian Gerd continued to handle extensive motion practice in the Eric Fleming Injunction litigation.

Paralegal Mackenzie Milliken conducted research regarding the Hawaii cruise tax case and Attorney Richard Moses attended the Council meeting and executive session and reviewed the Hawaii cruise tax case and appeal.

Attorney Jason Brandeis handled a request for extension of conditional protest of marijuana retail store application.

Attorney Jennifer Alexander addressed an employee disciplinary matter.

February 2026

Attorney Wells continued to conduct research and advise the City with ground passenger fee implementation and prepared responses to ARRC regarding fee objections.

Attorneys Spuhler and Adam Cook reviewed City documents relating to new dock work.

Attorney Gerd continued to closely monitor and keep the City apprised of the Eric Fleming Injunction litigation.

Attorney Arina Filippenko conducted extensive research on tax assessments.

Attorney Brandeis continued to handle a conditional protest of a retail marijuana store licensure.

Attorney Michael Schwarz continued to revise the Master Lease template for Whittier owned lands.

Attorney Alexander assisted the City with a response to a Department of Labor complaint and investigation.

Paralegal Cherise Chong assisted the legal team with drafting the 2025 fourth quarter city attorney report.

March 2026

Attorney Wells conducted research and drafted fee determination letters and reviewed and revised the City Council operating manual.

Attorney Schwarz continued to review several lease assignments, prepared lease amendments, and finalized ground lease templates. He also assisted the Finance Director with survey drawings.

Attorney Earnhart analyzed the City Code and advised the City regarding call-out pay.

Attorneys Gerd and George Pitts handled motion practice in the Eric Fleming Injunction litigation.

Attorney Alexander conducted research and addressed the City's questions regarding overtime provisions and continued handling a Department of Labor investigation.

Attorney Cook reviewed and revised a Request for Proposal and contract documents for the Buckner Building remediation project.

Attorney Brandeis researched and addressed the City's questions regarding compliance with the conditional protest conditions for the ongoing marijuana establishment license matter.

III. PRIORITIES FOR THE SECOND QUARTER OF 2026 (April 1, 2026 – July 31, 2026)

Currently, our team is working closely with the City Manager and Administrative team to work through pending priorities and objectives of Council. Our priorities include addressing the implementation of the ground transportation fee that became effective January 1, 2026, revising and reviewing Title 4 of Whittier Municipal Code alongside the City Clerk, and working with the City Manager on ARRC land matters.

IV. CONCLUSION

While we made every attempt to be comprehensive in this report, the legal work performed on Whittier's behalf is extensive, and this report provides only an overview of that work. To the extent Council members have specific questions that may require additional research, we encourage members to provide City Clerk/Assistant City Manager Carlson with those questions before the Council meeting, so we are prepared to provide knowledgeable and thorough responses.