

Council Meeting of
February 26, 2008

Honorable Mayor and Members
of the Torrance City Council
City Hall
Torrance, California

Members of the Council:

**SUBJECT: City Attorney - Approve Fee Amendment for independent counsel
Expenditure: \$50,000**

RECOMMENDATION

Recommendation of the City Attorney that the City Council approve the Second Amendment to Fee Agreement (C2007-155) with Jenkins & Hogin to provide independent counsel to the Civil Service Commission for an additional \$50,000 for a total contract amount not to exceed \$98,000.

Funding

Funding is available from the City Attorney's Operating Budget.

BACKGROUND AND ANALYSIS

The City Manager entered into a Fee Agreement with the law firm of Jenkins & Hogin in the amount of \$24,000 to provide independent counsel to the Civil Service Commission.

On October 16, 2007, the City Council approved a First Amendment to the Fee Agreement in the additional amount of \$24,000 for a total not to exceed contract amount of \$48,000.

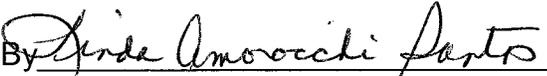
The City is satisfied with the services provided by the law firm to the Civil Services Commission and desires to continue to use this firm by increasing the available funding by an additional \$50,000 for a total not to exceed amount of \$98,000.

The City Attorney recommends that the City Council approve the Second Amendment to the Fee Agreement with Jenkins & Hogin to provide independent counsel to the Civil

Service Commission in an additional amount of \$50,000 for a total contract amount not to exceed \$98,000 to Contract No. C2007-155.

Respectfully submitted,

John L. Fellows III, City Attorney

By 
Linda Amorocchi Santos
Law Office Administrator

CONCUR:


John L. Fellows III, City Attorney


Eric E. Tsao, Finance Director

NOTED;


LeRoy J. Jackson, City Manager

Attachment A: Second Amendment to Fee Agreement

SECOND AMENDMENT TO FEE AGREEMENT FOR LEGAL SERVICES

This Second Amendment to Fee Agreement to provide legal services to the Civil Service Commission ("Amendment") is made and entered into as of February 1, 2008, by and between the **CITY OF TORRANCE**, a municipal corporation ("CITY"), and **JENKINS & HOGIN, LLP**, a law partnership ("FIRM").

RECITALS:

- A. CITY and FIRM entered into a Fee Agreement for Legal Services ("Fee Agreement") for the period from June 1, 2007 through June 30, 2008 in the amount of \$24,000, a copy is attached as Exhibit A.
- B. On October 16, 2007, the City Council approved the First Amendment to the Fee Agreement in the amount of \$24,000 for a total not to exceed amount of \$48,000, a copy is attached as Exhibit B.
- C. CITY is satisfied with the services of FIRM and desires to continue to use this firm by increasing the available funding by an additional \$50,000 for a not to exceed contract amount of \$98,000.

AGREEMENT:

- 1. The Fee Agreement for Legal Services (Contract No. C2007-155) and its amendments are ratified and extended in an amount not to exceed the sum of \$98,000 unless otherwise first approved in writing by the CITY.

2. In all other respects the Fee Agreement entered into for the period of June 1, 2007 through June 30, 2008, between CITY and FIRM is hereby ratified and reaffirmed and is in full force and effect.

CITY OF TORRANCE,
a municipal corporation

JENKINS & HOGIN, LLP
a law partnership

By: _____
Frank Scotto, Mayor

By: _____
Michael Jenkins

ATTEST:

APPROVED AS TO FORM:

By: _____
Sue Herbers, City Clerk

By: _____
City Attorney

Attachment: Exhibit A Fee Agreement
Exhibit B Amendment to Fee Agreement

JENKINS & HOGIN, LLP
A LAW PARTNERSHIP

MICHAEL JENKINS
CHRISTI HOGIN
MARK D. HENSLEY
BRADLEY E. WOHLBERG
KARL H. BERGER
GREGG KOVACEVICH
JOHN C. COTTI
ELIZABETH M. CALCIANO
LINDA A. BURROWS
LAUREN B. FELDMAN

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1230 ROSECRANS AVENUE, SUITE 110
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WRITER'S EMAIL ADDRESS:
MJENKINS@LOCALGOVLAW.COM

September 11, 2007

LeRoy Jackson, City Manager
CITY OF TORRANCE
CITY HALL
3031 Torrance Boulevard
Torrance, CA 90503

Reference: Legal Services Agreement

Dear Mr. Jackson:

At the request of Lupe Corona, via email on September 11, 2007, the period of the agreement with this Firm to provide legal representation to the City's Civil Service Commission has been changed from July 1, 2007 through June 30, 2008 to June 1, 2007 through June 30, 2008.

We will bill you for services at the rate of \$195 per hour. Bradley Wohlenberg of the firm will serve as legal adviser to the Commission. We will not bill you for any expense other than extensive copying, delivery charges and electronic legal research (all at our cost). We charge in tenth of an hour increments and will provide you with a detailed billing monthly. We expect payment within 30 days of our invoice date.

We maintain professional liability insurance in the amounts of \$2,000,000 per occurrence and \$4,000,000 aggregate. The Firm does not and shall not discriminate on

COPY
1st

C2007-155

JENKINS & HOGIN, LLP

September 11, 2007

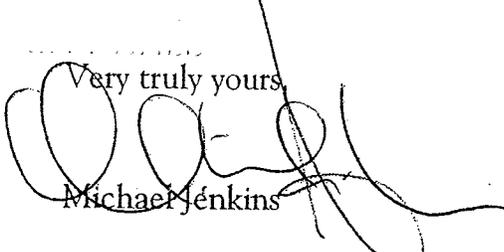
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any basis prohibited by law.

Any dispute under this agreement shall be resolved through binding arbitration. You may, of course, terminate this agreement at any time by providing the Firm written notice of termination.

If the foregoing accurately sets forth the terms of our engagement, please sign at the bottom of this letter and return a copy for my files. Your signature below warrants that you are authorized to bind the City to the terms of this agreement.

We appreciate the opportunity to be of service to the City.

Very truly yours,

Michael Jenkins

ACCEPTED:



LeRoy Jackson, City Manager
CITY OF TORRANCE, on behalf of the
CITY OF TORRANCE



John Fellows, City Attorney
CITY OF TORRANCE

FIRST AMENDMENT TO FEE AGREEMENT FOR LEGAL SERVICES

This First Amendment to Fee Agreement to provide legal services to the Civil Service Commission ("Amendment") is made and entered into as of September 1, 2007, by and between the CITY OF TORRANCE, a municipal corporation ("CITY"), and JENKINS & HOGIN, LLP, a law partnership ("FIRM").

RECITALS:

- A. CITY and FIRM entered into a Fee Agreement for Legal Services ("Fee Agreement") for the period from June 1, 2007 through June 30, 2008 in the amount of \$24,000, a copy is attached as Exhibit A.
B. CITY is satisfied with the services of FIRM and desires to continue to use this firm by increasing the available funding by an additional \$24,000 for a not to exceed contract amount of \$48,000.

AGREEMENT:

- 1. The Fee Agreement for Legal Services Contract No. C2007-155 is ratified and extended in an amount not to exceed the sum of \$48,000 unless otherwise first approved in writing by the CITY.
2. In all other respects the Agreement entered into for the period of June 1, 2007 through June 30, 2008 between CITY & and FIRM is hereby ratified and reaffirmed and is in full force and effect.

C2007-155

CITY OF TORRANCE, a municipal corporation

JENKINS & HOGIN, LLP a law partnership

By: [Signature] Frank Scotto, Mayor

By: [Signature] Michael Jenkins

ATTEST:

APPROVED AS TO FORM:

By: [Signature] Sue Herbers, City Clerk

By: [Signature] City Attorney

Attachment: Exhibit A Fee Agreement