

Council Meeting of  
June 24, 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 Third Amendment to Fee Agreement (C2007-155) with Jenkins & Hugin to provide independent counsel to the Civil Service Commission for an additional \$50,000 for a total contract amount not to exceed \$148,000 and to extend the term of the agreement to September 30, 2008.

Funding

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

**BACKGROUND AND ANALYSIS**

The City Manager entered into a Fee Agreement on September 11, 2007 with the law firm of Jenkins & Hugin 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.

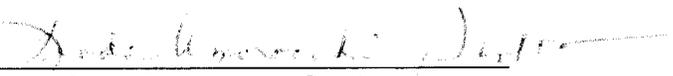
On February 1, 2008, the City Council approved a Second Amendment to the Fee Agreement in the additional amount of \$50,000 for a total not to exceed contract amount of \$98,000.

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 \$148,000 and by extending the term from June 30, 2008 to September 30, 2008..

The City Attorney recommends that the City Council approve the Third 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 \$148,000 and to extend the term of Contract No. C2007-155 from June 30, 2008 to September 30, 2008.

Respectfully submitted,

John L. Fellows III, City Attorney

By   
Linda Amorocchi Santos  
Law Office Administrator

CONCUR:

  
John L. Fellows III, City Attorney

NOTED;

  
LeRoy J. Jackson, City Manager

Attachment A: Third Amendment to Fee Agreement

**THIRD AMENDMENT TO FEE AGREEMENT FOR LEGAL SERVICES**

This Third Amendment to Fee Agreement to provide legal services to the Civil Service Commission ("Amendment") is made and entered into as of June 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") on September 11, 2007 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. On February 1, 2008, the City Council approved the Second Amendment to the Fee Agreement in the amount of \$50,000 for a total not to exceed amount of \$98,000, a copy is attached as Exhibit C.
- D. CITY is satisfied with the services of FIRM and desires to continue to use this firm by increasing the amount by \$50,000 for a total not to exceed amount of \$148,000 and by extending the term of the agreement from June 30, 2008 to September 30, 2008.

**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 \$148,000 unless otherwise first approved in writing by the CITY.
2. The Fee Agreement entered into for the period of June 1, 2007 through June 30, 2008, is extended to September 30, 2008.

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  
Exhibit C Second 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

MANHATTAN TOWERS  
1230 ROSECRANS AVENUE, SUITE 110  
MANHATTAN BEACH, CALIFORNIA 90266  
(310)643-8448 • FAX (310) 643-8441  
WWW.LOCALGOVLAW.COM

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

C2007-155

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

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JENKINS & HOGIN, LLP

September 11, 2007

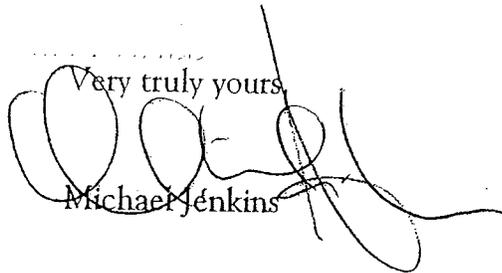
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any basis prohibited by law.

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.

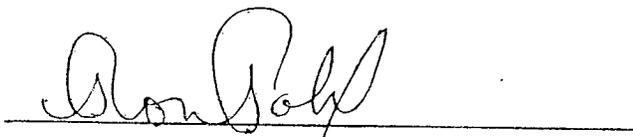
If the foregoing accurately sets forth the terms of our engagement, please sign at the bottom of this letter and return a copy for my files. Your signature below warrants that you are authorized to bind the City to the terms of this agreement.

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

COPY

1st

Attachment: Exhibit A 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.

C2007-155

### AGREEMENT:

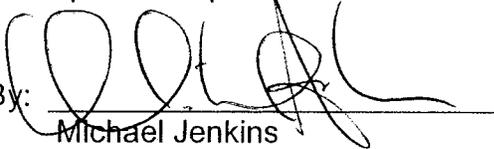
1. The Fee Agreement for Legal Services (Contract No. C2007-155) and its amendments are ratified and extended in an amount not to exceed the sum of \$98,000 unless otherwise first approved in writing by the CITY.

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

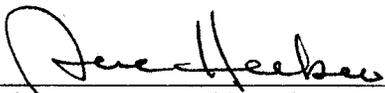
JENKINS & HOGIN, LLP  
a law partnership

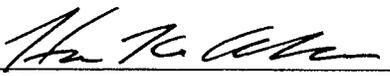
By:   
Frank Scotto, Mayor

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