

COUNCIL MEETING
November 4, 2008

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

Members of the Council:

SUBJECT: City Attorney – Ratify existing contracts, approve two contract amendments, and approve two new contracts for independent counsel

Expenditure: Not to exceed \$250,000

RECOMMENDATION

Recommendation of the City Attorney that the City Council ratify eleven existing contracts, approve two amendments, and approve two new contracts with the law firm of Liebert Cassidy Whitmore, in a cumulative amount not to exceed \$250,000.

Funding

Funding is available from the Police Department General Fund operating budget for all matters except Attachment K. Funding for Attachment K is available from the City Attorney's operating budget.

BACKGROUND

The City Attorney has hired the law firm of Liebert Cassidy Whitmore, an independent counsel with special expertise, to deal with police personnel issues. Recently the City has been confronted with a variety of legal challenges from police employees and the Torrance Police Officers Association.

City Manager's policy requires that all contracts with a single vendor exceeding a cumulative total of \$40,000 in a single fiscal year be approved by Your Honorable Body. Therefore, ratification of all existing contracts is necessary.

Approximately \$50,000 has been spent through the first quarter of this fiscal year and it is anticipated that an additional amount of approximately \$200,000 will be spent prior to the close of the fiscal year. Therefore, the City Attorney recommends approval in an amount not to exceed \$250,000 for fiscal year 08/09, for the following Liebert Cassidy Whitmore contracts.

Any additional contracts will be brought back to Your Honorable Body for approval as they arise.

ANALYSIS

The following contracts and contract amendments were previously opened and approved by the City Attorney, City Manager or City Council depending on authority level. They are before Your Honorable Body for ratification in an amount not to exceed \$159,000:

RATIFY:

Contract Number	Attachment	Description
C2005-145	A	Termination appeal
C2007-064	B	A civil service matter
C2007-117	C	Brumbaugh v. City of Torrance, USDC case number CV07-668
C2007-169	D	Brumbaugh v. City of Torrance, LASC case number BS097255
C2007-186	E	A civil service hearing
C2008-004	F	A civil service matter
C2008-123	G	A civil service matter
C2008-145	H	Nazir v. City of Torrance, LASC case number BS114709
C2008-168	I	Tillitt v. City of Torrance, LASC case number BC391870
C2008-170	J	A civil service matter
C2008-187	K	Litvin v. CalPERS, LASC case number BC391737

APPROVE:

The following contracts, which have been submitted to Your Honorable Body for ratification, also require approval of the following contract amendments:

Contract C2008-123 in an additional amount of \$21,000 for a not to exceed amount of \$30,000 (Attachment L).

Contract C2008-168 in an additional amount of \$20,000 for a not to exceed amount of \$44,000 (Attachment M).

APPROVE:

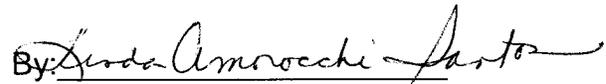
Additionally, the City Attorney recommends approval of the following two new contracts:

A contract with the law firm of Liebert Cassidy Whitmore in an amount not to exceed \$25,000 to represent the City in Los Angeles County Superior Court case number BS116560 titled Rehan Nazir v. City of Torrance and Does 1 through 10 inclusive (Attachment N).

A contract with the law firm of Liebert Cassidy Whitmore in an amount not to exceed \$25,000 to represent the City in Los Angeles County Superior Court case number BS116891 titled John Brumbaugh v. City of Torrance, a municipal corporation; John Neu, individually and as chief of police; Ross Bartlett, individually and as lieutenant and Does 1 through 10 inclusive (Attachment O).

Respectfully submitted,

JOHN L. FELLOWS III
City Attorney

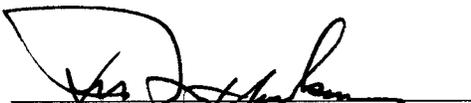
By: 
Linda Amorocchi Santos
Law Office Administrator

CONCUR:


John L. Fellows III, City Attorney


Eric E. Tsao, Finance Director

NOTED:


LeRoy J. Jackson, City Manager

FULL COPIES OF CONTRACTS
(EXHIBITS A-O) ARE AVAILABLE AT
THE CLERKS OFFICE.