

Council Meeting of
April 11, 2006

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

Members of the Council:

SUBJECT: Approve Amendment to Fee Agreement with the law firm of Stephen, Oringer, Richman, Theodora & Miller for legal services with regard to the appeal proceedings in the case of Shotland v. City of Torrance in the additional amount of \$15,000 for a not to exceed total of \$39,000 to Contract No. C2004-074

Expenditure: \$15,000

RECOMMENDATION

The City Attorney recommends that the City Council approve the Amendment to the Fee Agreement with the law firm of Stephen, Oringer, Richman, Theodora & Miller to provide legal services with regard to the appeal proceedings in the case of Shotland v. City of Torrance in the additional amount of \$15,000 for a total contract amount not to exceed \$39,000.

Funding

Funding is available in the City Attorney's General Fund operating budget

BACKGROUND AND ANALYSIS

On April 23, 2004, the City Manager entered into a Fee Agreement for legal services with the law firm of Stephen, Oringer, Richman, Theodora & Miller to represent the City with regard to the appeal proceedings in the case of Shotland v. City of Torrance.

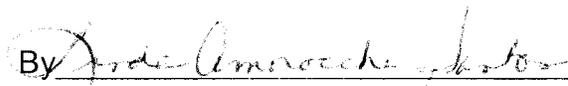
On March 1, 2006, Firm advised the City that an additional \$15,000 would be required to fund the Contract through completion of the appeal proceedings for a total contract amount not to exceed \$39,000.

The City Attorney recommends that the City Council approve the Amendment to the Fee Agreement with the law firm of Stephen, Oringer, Richman, Theodora & Miller to

provide legal services with regard to the appeal proceedings in the additional amount of \$15,000 for a total contract amount not to exceed \$39,000.

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) Amendment to Fee Agreement

AMENDMENT TO FEE AGREEMENT FOR LEGAL SERVICES

This Amendment to Fee Agreement for legal services ("Amendment") is made and entered into as of February 1, 2006, by and between the **CITY OF TORRANCE**, a municipal corporation ("CITY"), and **STEPHAN, ORINGHER, RICHMAN, THEODORA & MILLER**, a professional corporation ("FIRM").

RECITALS:

- A. CITY and FIRM entered into a Fee Agreement for Legal Services ("Fee Agreement") on April 23, 2004 in the amount of \$24,000.
- B. FIRM has advised CITY that an additional \$15,000 is required to fund the matter through completion of the appeal proceedings in the case of *Shotland v. City of Torrance*.

AGREEMENT:

- 1. Services to be Performed by FIRM.
FIRM will provide the services set forth in the Fee Agreement attached as Exhibit A and incorporated into this Amendment by this reference. FIRM warrants that all services set forth in the Fee Agreement and Amendment will be performed in a competent, professional and satisfactory manner.
- 2. FIRM's Fee.
For services rendered pursuant to this Amendment, FIRM will be paid in accordance with the Fee Agreement; provided, however, that in no event will the total amount of money paid the FIRM, for services contemplated by this Amendment, exceed the sum of **\$39,000.00** unless otherwise first approved in writing by CITY.
- 3. Conflict of Interest.
FIRM warrants that all necessary conflict clearances have been obtained.
- 4. Insurance.

FIRM must maintain at its sole expense professional liability coverage with combined single limits of at least \$1,000,000 per occurrence.

5. Business License.

FIRM will not be required to obtain a City business license.

CITY OF TORRANCE,
a municipal corporation

LIEBERT CASSIDY WHITMORE
a professional corporation

By: _____
Dan Walker, Mayor

By: _____
Melanie M. Poturica, Partner

APPROVED AS TO FORM:

JOHN L. FELLOWS III
City Attorney

By: _____

Exhibit A) Fee Agreement