

Council Meeting of  
June 2, 2009

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

**Members of the Council:**

**SUBJECT: City Attorney - Approve Fee Amendment for legal fees  
Expenditure: \$30,000**

**RECOMMENDATION**

Recommendation of the City Attorney that the City Council approve the Second Amendment to Fee Agreement (C2008-185) with the law firm of Garrett DeFrenza Stiepel to provide legal services to the City in connection with the proposed purchase of the 465 Crenshaw Boulevard site for an additional \$30,000 for a total contract amount not to exceed \$69,000.

Funding

Funding is available from FEAP 651 (Acquisition of 465 Crenshaw Blvd. property)

**BACKGROUND AND ANALYSIS**

The City Manager entered into a Fee Agreement on September 11, 2008, with the law firm of Garrett DeFrenza Stiepel in the amount of \$24,000 to provide legal services in connection with the proposed purchase of the 465 Crenshaw Boulevard site.

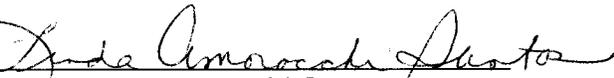
On November 1, 2008, the City Manager amended the Fee Agreement in an amount not to exceed \$39,000.

Additional funding in the amount of \$30,000 is necessary to finalize negotiations for this project.

The City Attorney recommends that the City Council approve the Second Amendment to the Fee Agreement with Garrett DeFrenza Stiepel in an additional amount of \$30,000 for a total contract amount not to exceed \$69,000.

Respectfully submitted,

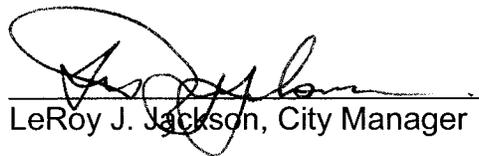
John L. Fellows III, City Attorney

By   
Linda Amorocchi Santos  
Law Office Administrator

CONCUR:

  
John L. Fellows III, City Attorney

NOTED;

  
LeRoy J. Jackson, City Manager

Attachment A: Second Amendment to Fee Agreement

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

This Second Amendment to Fee Agreement for legal services ("Amendment") is made and entered into as of May 1, 2009, by and between the **CITY OF TORRANCE**, a municipal corporation ("CITY"), and **GARRETT DeFRENZA STIEPEL, LLP**, a limited liability partnership ("FIRM").

**RECITALS:**

- A. CITY and FIRM entered into a Fee Agreement for Legal Services ("Fee Agreement") on September 11, 2008, in the amount of \$24,000. A copy of that Fee Agreement for Legal Services is attached as Exhibit A (Contract No. C2008-185)
- B. An Amendment to the Fee Agreement was approved by the City Manager on November 1, 2008, in an amount not to exceed \$39,000. A copy of that Amendment is attached as Exhibit B (Contract No. C2008-185).
- C. An additional \$30,000 is required to negotiate and complete the purchase and sale agreement.

**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 this 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 and its Amendments; 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 **\$69,000.00** unless otherwise first approved in writing by CITY.

3. Conflict of Interest.  
FIRM warrants that all necessary conflict clearances have been obtained.

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

CITY OF TORRANCE,  
a municipal corporation

GARRETT DeFRENZA STIEPEL LLP  
a limited liability partnership

By: \_\_\_\_\_  
Frank Scotto  
Mayor

By: \_\_\_\_\_  
Henry R. Stiepel  
Attorney at Law

ATTEST;

\_\_\_\_\_  
Sue Herbers, City Clerk

APPROVED AS TO FORM:

JOHN L. FELLOWS III  
City Attorney

By: \_\_\_\_\_

Exhibit A) First 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 November 1, 2008, by and between the **CITY OF TORRANCE**, a municipal corporation ("CITY"), and **GARRETT DeFRENZA STIEPEL, LLP**, a limited liability partnership ("FIRM").

#### RECITALS:

- A. CITY and FIRM entered into a Fee Agreement for Legal Services ("Fee Agreement") on September 11, 2008, in the amount of \$24,000. A copy of that Fee Agreement for Legal Services is attached as Exhibit A (Contract No. C2008-185)
- B. FIRM advised that an additional \$15,000 is required to fund this matter.

#### 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 this 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.

C 2008-185

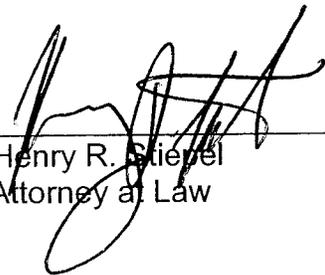
4. Business License.

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

CITY OF TORRANCE,  
a municipal corporation

GARRETT DeFRENZA STIEPEL LLP  
a limited liability partnership

By:   
LeRoy J. Jackson  
City manager

By:   
Henry R. Stiepel  
Attorney at Law

APPROVED AS TO FORM:

JOHN L. FELLOWS III  
City Attorney

By: 

Exhibit A) Fee Agreement