

REPORT FROM

OFFICE OF THE CITY ADMINISTRATIVE OFFICER

Date: April 8, 2015

CAO File No. 0130-01756-1589

Council File No. 12-1966-Sx

Council District: --

To: Budget and Finance Committee

From: Miguel A. Santana, City Administrative Officer 

Reference: Attorney Conflicts Panel

Subject: **REQUEST TO AMEND NINE LEGAL SERVICES CONTRACTS WITH NINE LAW FIRMS UNDER THE ATTORNEY CONFLICTS PANEL TO INCREASE FUNDING**

SUMMARY

The Office of the City Administrative Officer (CAO) requests authority to amend nine legal services contracts under the Attorney Conflicts Panel (ACP) program to increase funding for each contract by a cumulative amount of \$1,933,500.

The ACP program is responsible for retaining outside counsel to handle conflict-of-interest matters which the City Attorney's Office is precluded from handling and the retention of conflict counsel is made from an established list of pre-qualified law firms readily available based upon assignment needs and criteria. The ACP has ceiling authority to fund its legal service contracts up to \$100,000. Beyond this amount, City Council authority is required for further funding needs.

The nine contracts are with the following law firms: Atkinson, Andelson, Loya, Ruud & Romo; Burke Williams & Sorensen, LLP; Byrne & Nixon; Collinson Law; Haight, Brown & Bonesteel, LLP; Klein Hornig, LLP; Liebert, Cassidy Whitmore; Lozano Smith; and Meyers Nave Riback Silver & Wilson. The Report attachment provides a brief case description, case status and funding summary of each contract assignment. The proposed total funding of \$1,933,500 will cover both incurred and projected costs through October 2015.

The proposed contract amendments are in compliance with City Financial Policies and the CAO has complied with all applicable City procedures in awarding the contracts. The ACP Fund (Fund No. 46T) was provided an adopted budget of \$2.1 million for FY 2014-15 for contract related expenditures. Due to escalated litigation activity caseload demands and associates expenses, an additional \$1.8 million was provided to ACP Fund 46T through the Mid-Year process. These funds along with 2015-16 Budgeted Funds will be used for the proposed contract funding increases.

RECOMMENDATIONS

That the Council, subject to the approval of the Mayor:

1. Authorize the City Administrative Officer to execute amendments and encumber funds totaling \$1,933,500 within the Attorney Conflicts Panel Fund No. 46T, Department 10, for the following Attorney Conflicts Panel law firms, subject to the review by the City Attorney:
 - a. \$200,000 for Amendment No. 3 to Contract No. C-123123 for the law firm of Atkinson, Andelson, Loya, Ruud & Romo for the matter of Zna Houston, et al. v. City of Los Angeles, et al. and Vivienne A. Swanigan v. City of Los Angeles;
 - b. \$350,000 for Amendment No. 3 to Contract No. 123298 for the law firm of Burke, Williams & Sorensen, LLP for the matter of Obie Steven Anthony v. City of Los Angeles, et al. and Reggie D. Cole v. City of Los Angeles, et al.;
 - c. \$400,000 for Amendment No. 5 to Contract No. 121063 for the law firm of Byrne & Nixon, LLP for the matter of the Independent Living Center of Southern California v. City of Los Angeles;
 - d. \$3,500 for Amendment No. 5 to Contract No. 122235 for the law firm of Collinson Law for the matter of Alphinia Boone, et al. v. City of Los Angeles, et al.;
 - e. \$90,000 for Amendment No. 3 to Contract No. 123671 for the law firm of Haight Brown & Bonesteel, LLP for the matter of Michael Brown v. City of Los Angeles, et al.;
 - f. 275,000 for Amendment No. 2 to Contract No. 122802 for the law firm of Klein Hornig, LLP for legal services and support relating to Housing and Urban Development (HUD) Section 504 and Americans with Disabilities Act (ADA) compliance and enforcement matters;
 - g. \$400,000 for Amendment No. 3 to Contract No. 123166 for the law firm of Liebert Cassidy Whitmore for the matter of Stephen Miller v. City of Los Angeles, et al.;
 - h. \$75,000 for Amendment No. 2 to Contract No. 123932 for the law firm of Lozano Smith for the matter of Loren Farrell, et al. v. City of Los Angeles; and,
 - i. \$150,000 for Amendment No. 3 to Contract No. 122797 for the law firm of Meyers Nave Riback Silver & Wilson for the matter of Jack Fry, et al. v. City of Los Angeles.
2. Authorize the City Administrative Officer to make any technical adjustments needed to

implement the intent of the Mayor and Council action, and authorize the Controller to implement these instructions.

FISCAL IMPACT STATEMENT

The proposed contract amendments are in compliance with City Financial Policies. The recommendations in this report will not have an impact upon the General Fund.

MAS:DMR:14150102c

Attachment