



## Staff Report

**TO:** City Council  
**FROM:** Kari Mendoza, Administrative Services Director  
**DATE:** April 2, 2024  
**SUBJECT:** Contracts for Special Counsel Services

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**Description** Review contract extensions and new contracts for special counsel services.

### **Background and Analysis:**

On February 6, 2018, City Council accepted proposals and authorized the City Manager to execute contracts with these firms to be utilized on an as needed basis. Each contract had an original term of one year, and on March 5, 2019, Council authorized another extension that expired in 2023.

Staff is proposing to renew the following contracts for a period of two years and add the option to continue on a month-to-month basis subject to renewal or extension by the City.

Staff recommends an extension of the term for the following firms:

1. Burke, William & Sorenson, LLP – Based on their experience with eminent domain, tort defense and Public Works cases.
2. Liebert Cassidy Whitmore – Based on their experience and reputation as it relates to labor relations.
3. Manning & Kass – Based on their experience working with police defense and high-profile exposure cases.

Staff requests authorization for one additional contract for outside special counsel. Somach Simmons and Dunn Law were located with the help of the City Attorney's office for their recycled water specialty, specifically for assistance with the change of use petition and environmental process.

### **Fiscal Impact:**

1. Burke, William & Sorenson, LLP – Based on their experience with Eminent Domain, Tort defense and Public Works cases. Specialty legal rates range from \$175 - \$400 per hour.

2. Liebert Cassidy Whitmore – Based on their experience and reputation as it relates to Training, Labor and Human Relations as well as the renowned training programs available. Specialty legal rates range from \$240 - \$425 per hour.
3. Manning & Kass – Based on their experience working with Police Defense, high-profile, high expose cases as well as past experience working with this firm. Specialty legal rates vary by case.
4. Somach Simmons & Dunn Law – Based on a specialized with change petitions and environmental processes related to recycled water. Specialty legal rates range from \$160 - \$570 per hour.

Any and all contract costs would be allocated from either the General Fund Risk Department, Related Mitigation Fund, Transit or Wastewater Contractual Services depending on the nature of the litigation.

**Recommended Action:**

Authorize the City Manager to execute contracts with the following four (4) firms:

- 1) Burke, William & Sorensen, LLP
- 2) Liebert Cassidy Whitmore
- 3) Manning & Kass
- 4) Somach Simmons & Dunn

**Attachments:**

- A. Burke, William & Sorensen, LLP Contract
- B. Liebert Cassidy Whitmore Contract
- C. Manning & Kass Contract
- D. Somach Simmons & Dunn Contract