

City of Culver City, California
City Council Agenda Item Report

Meeting Date: 02/12/2007		Item Number: <u>C-5</u>	
AGENDA ITEM: Authorization to Enter into a Legal Services Agreement with Aleshire & Wynder, LLP.			
Contact Person/Dept.: Carol Schwab/City Attorney		Phone Number: (310) 253-5660	
Fiscal Impact: Yes ☒ No ☐		General Fund: Yes ☒ No ☐	
Public Hearing: ☐		Action Item: ☐ Attachments: ☒	
Public Notification: Master Notification List; Aleshire & Wynder, LLP (02/07/07).			
Department Approval: Carol Schwab, City Attorney (02/07/07)		City Attorney Approval: Carol Schwab (02/07/07)	
City Controller Approval: Marlee Chang (02/07/07)		City Manager Approval: Jerry B. Fulwood (02/08/2007)	
<u>RECOMMENDATION:</u> Staff recommends the City Council authorize the City Attorney's Office to enter into a Legal Services Agreement with Aleshire & Wynder, LLP ("Aleshire & Wynder"). <u>BACKGROUND AND ANALYSIS:</u> On June 6, 2006, the City Council approved a continuing agreement with the firm of Kane Ballmer & Berkman ("KBB") to provide legal services on an as-needed basis. This firm has provided these legal services to the City since 1989 on matters relating to public contracting, insurance, elections, liability claims and litigation, and land use issues, including the Sony development agreement, valuable cross-training for in-house deputy city attorneys and, most recently, the Cranks/Tellefson hillside litigation. Specifically, attorney Joseph Pannone's experience and institutional knowledge in these areas has positive outcomes for the City. In addition, attorney Stephanie Scher has provided valuable assistance regarding various municipal finance and election issues. As new issues present themselves, attorneys Pannone and Scher have always been available and provided a quick response. Last December, the City Attorney's Office (the "Office") was notified that attorneys Pannone, Scher and June Ailin would be leaving KBB and joining the firm of Aleshire & Wynder effective January 1, 2007. By approving the new agreement with Aleshire & Wynder, Council will ensure continuity in the handling of certain pending matters			

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and continued quality representation from these experienced attorneys in other issues that may arise.

This firm would be added to our list of available law firms to provide various legal services on an as-needed basis, with the exception of redevelopment matters, which will continued to be handled by KBB and other special counsel.

FISCAL ANALYSIS:

The hourly rates for legal services provided by the firm of Aleshire & Wynder will be the same hourly rates charged by KBB. The funding for this agreement is budgeted in two different budget accounts — the City Attorney's budget and the Self-Insurance Fund. The Self-Insurance Fund is used for defense of cases filed against the City, including land use issues (i.e. Cranks/Tellefson hillside litigation). This fund is supported by allocations from each department. The City Attorney budget (Legal Services line item) covers expenses for assistance in transactional work and advisory opinions.

ATTACHMENT:

1. Aleshire & Wynder Firm Resume (extract)

MOTIONS:

That the City Council:

1. Authorize a Legal Services agreement with the firm of Aleshire & Wynder, LLP to provide services on an as-needed basis; and
2. Direct the City Attorney to prepare the necessary agreement and authorize the City Manager to execute the agreement on behalf of the City.