

**City of Culver City, California
Agenda Item Report**

Meeting Date: 12/14/09		Item Number: <u>C-4</u>	
CITY COUNCIL AGENDA ITEM: FOUR-FIFTHS VOTE REQUIREMENT - Approval of a Budget Amendment to Allocate Funds to the City's Legal Services Account to Cover Non-budgeted and Unanticipated Costs of Legal Services for Fiscal Year 2009-2010.			
Contact Person/Dept.: Mark Scott		Phone Number: (310) 253-6000	
Fiscal Impact: Yes ☒ No ☐		General Fund: Yes ☒ No ☐	
Public Hearing: ☐		Action Item: ☐ Attachments: ☒	
Commission Action Required: Yes ☐ No ☒		Date: _____	
Public Notification: (E-Mail) Agenda and Meetings – City Council (12/10/09)			
Department Approval: Carol Schwab (12/10/09)		City Attorney Approval: Carol A. Schwab (12/10/09)	
Chief Financial Officer Approval: Mark Scott (by M. Noller) (12/10/09)		City Manager Approval: Mark Scott (12/10/09)	
<u>RECOMMENDATION:</u> Staff recommends that the City Council approve a budget amendment to allocate funds to the City's legal services account to cover non-budgeted and unanticipated costs of legal services for the 2009-2010 fiscal year. <u>BACKGROUND / DISCUSSION:</u> In the Fiscal Year 2009-2010 Budget, the City Attorney's Office was allocated approximately \$290,000 to its legal services account for the purpose of retaining and consulting with outside counsel on issues relating to personnel, land use and miscellaneous matters. Due to an unexpected temporary reduction in Department staff, outside counsel was utilized to cover numerous matters ordinarily handled in-house. In addition, the City Attorney's Office, in conjunction with outside counsel, has been handling a significant litigation matter in which the City joined other Petitioners in challenging the County of Los Angeles' adoption of the Baldwin Hills Community Standards District. As acknowledged by the City Council during the 2009-2010 budget hearing, the costs of pursuing this lawsuit were not included in the City Attorney's budget for Fiscal Year 2009-2010 and have been substantial. It should be noted that depending on the outcome of various ongoing legal cases, including the item related to the Baldwin Hills Community Standards District, it may be necessary to return to the City Council in the future for additional budget authorization.			

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FISCAL ANALYSIS:

A budget amendment in the amount of \$550,000 from General Fund unappropriated reserves is requested for unbudgeted legal services. If approved, these funds will be appropriated in the City Attorney's account 10113100.611300 – Legal Services-Land Use. A 4/5ths vote is required for a budget amendment.

ATTACHMENTS:

None.

MOTION:

That the City Council:

1. Approve a budget amendment to appropriate \$550,000 from General Fund unappropriated reserves to the City Attorney's Legal Services Account No. 10113100.611300 to cover the costs of non-budgeted and unanticipated costs of legal services (a budget amendment requires a 4/5ths vote).