



City Council Staff Report

From: City Attorney
Report Type: CONSENT CALENDAR
Lead Department: City Attorney

Meeting Date: August 5, 2024

Report #:2407-3268

TITLE

Authorization to Execute an Amendment to Legal Services Contract S22183520 with Liebert Cassidy Whitmore to Increase Amount by \$150,000 for Total Not-to-Exceed Amount of \$320,000 and to Extend the Term; CEQA Status – Not a Project.

RECOMMENDATION

Authorize the City Attorney or designee to amend the agreement for litigation defense services with the law firm of Liebert Cassidy Whitmore (Contract S22183520) to increase the contract amount by \$150,000 for a total not-to-exceed amount of \$320,000 and to extend the contract term to December 31, 2024.

BACKGROUND

Liebert Cassidy Whitmore is a law firm representing cities in a variety of areas, including labor and employment law.

In August 2021, the City entered into a three-year agreement (S22183520) in the amount of \$85,000 with Liebert Cassidy Whitmore for litigation defense services in the civil suit Figueroa, et al. v. City of Palo Alto, et al., Santa Clara Co. Sup. Ct. Case No. 21-CV-383740. In January and April 2024 staff amended the contract to increase the not-to-exceed amount to \$170,000. Staff now seeks authority to increase the contract amount by \$150,000 which will bring the new not-to-exceed amount to \$320,000. Staff also seeks authority to extend the contract term to December 31, 2024. Litigation defense is continuing in this matter.

FISCAL/RESOURCE IMPACT

Funding for this amendment does not require additional budgetary authority as it can be accommodated within existing funding allocated to the City Attorney's Office as part of the FY 2025 Adopted Operating Budget.

STAKEHOLDER ENGAGEMENT

The City Attorneys Office works closely with the City Manager and department personnel on litigation matters.

ENVIRONMENTAL REVIEW

Amendment of a legal services contract is not a project requiring environmental review under the California Environmental Quality Act (CEQA) (See CEQA Guidelines 15378(b)(5), administrative activities that will not result in direct or indirect physical changes in the environment).

APPROVED BY:

Molly Stump, City Attorney