



CITY COUNCIL AGENDA REPORT

MEETING DATE: SEPTMBER 6, 2011

ITEM NUMBER:

SUBJECT: RETENTION OF HANSONBRIDGETT FOR LEGAL SERVICES

DATE: AUGUST 31, 2011

FROM: CITY ATTORNEY'S OFFICE

PRESENTATION BY: THOMAS P. DUARTE, CITY ATTORNEY

FOR FURTHER INFORMATION CONTACT: Thomas P. Duarte, 714-446-1400

RECOMMENDATION:

Authorize City Attorney to execute an Engagement Letter with HansonBridgett for legal services related to guidance and assistance to the City in implementing a plan to outsourcing certain municipal services.

BACKGROUND:

The City Council currently seeks to outsource certain municipal services. Initially, Council sought guidance from the City Attorney to determine what municipal services may be outsourced. The City Attorney determined that the City may outsource special services and advice in financial, economic, accounting, engineering, legal, or administrative matters if such persons are specially trained and experienced and competent to perform the special services required. Cal. Gov. Code section 53060. But, the City Attorney's office also determined that there is no exact bright line rule to determine what municipal services may or may not be contracted out. To that end, Council instructed the City Attorney to seek the specialized services of the HansonBridgett to help assist in this matter.

ANALYSIS:

The Engagement Letter outlines the limited scope of HansonBridgett's representation of the City. Essentially, HansonBridgett is only representing the City by providing guidance and assistance to the City to implement a plan of outsourcing certain municipal services. Any representation beyond that requires HansonBridgett's and the City's mutual agreement. HansonBridgett will charge \$325.00 per hour for engaging the services of Joan L. Cassman and \$295.00 for engaging the services of Steve Miller. Moreover, there may be additional fees related to work done by attorneys, paralegals, and legal research assistants, all at different hourly rates, to handle work equal to their experience and expertise. Additional attorneys with specific areas of expertise may become involved, but such involvement will be contingent upon the City's approval.

Further, all invoices will be directed towards the City Attorney, Thomas P. Duarte, unless specified otherwise.

ALTERNATIVES CONSIDERED:

The Council could choose not to approve the Engagement Letter, in which case, HansonBridgett's work for the City would simply not commence.

FISCAL REVIEW:

The potential fees to be paid to HansonBridgett are charged at \$325 an hour for Joan L. Cassman, \$295 for Steve Miller, and other additional fees for work completed by additional attorneys, paralegals, and legal research assistants. Because their representation of the City has not yet fully commenced, the costs associated with this retention agreement are still unknown.

LEGAL REVIEW:

The City Attorney's office has reviewed and approved the retention agreement as to form.

CONCLUSION:

Council is requested to approve the Engagement Letter and authorize the City Attorney to sign it on behalf of the City, and authorize the City CEO to pay any fees billed by HansonBridgett in connection with the services they will provide to us.

THOMAS R. HATCH
Chief Executive Officer

THOMAS P. DUARTE
City Attorney

ATTACHMENTS: 1 [Engagement Letter](#)