



REPORT TO CITY COUNCIL

Approved by:

Arnoldo Rodriguez
Arnoldo Rodriguez, City Manager

Council Meeting of: May 20, 2020

Agenda Number: B-3

SUBJECT:

Informational Report on Contract City Attorney Service Expenditures

RECOMMENDATION:

This report is submitted for informational purposes only and there is no action requested from the City Council (Council).

SUMMARY:

The purpose of this report is to provide the Council an informational monthly update on expenditures for contract City Attorney services.

DISCUSSION:

The following information summarizes billings paid for services formerly performed by the City’s in-house City Attorney. If there is additional information Council desires to see in future iterations of this report, please advise and staff will make the requested changes.

Firm: Liebert Cassidy Whitmore

Billing Period: February 2020

Matter	Charges	
	February 2020	Fiscal Year-to-Date
Tort Liability Claim/Grievance (Personnel related)	\$0.00	\$1,236.00
SB 1421 Requests	\$0.00	\$287.00
Total	\$0.00	\$1,523.00

Firm: Madera County District Attorney’s Office

Billing Period: No bills received to date for FY 2019-20

Firm: Colantuono, Highsmith & Whatley, PC

Billing Period: March 2020

The City received billings dating back to December 2019 in late February 2020. This late receipt of billings caused late reporting of incurred expenses. This issue has been rectified going forward by having the bills sent directly to the City.

Matter	Charges	
	March 2020	Fiscal Year-to-Date
Pending Litigation	\$2,093.26	\$16,662.71
	\$2,093.26	\$16,662.71

Firm: Montoy Law

Billing Period: February through March 2020

Matter	Charges		
	February 2020	March 2020	Fiscal Year-to-Date
General Legal Review/Advice	\$846.00	\$4,888.00	\$15,474.00
City Clerk	\$658.00	\$1,574.50	\$3,854.00
Attendance at Council Meetings & Advice on Same	\$2,209.00	\$2,702.50	\$18,916.50
City Council Requests for Information/Research			\$728.50
City Manager		\$305.50	\$8,228.00
Review and Advice on Agreements	\$6,768.00	\$4,982.00	\$37,852.00
Public Records Act Matters			\$27,330.50
Real Estate Transactions			\$456.00
Planning	\$2,115.00	\$658.00	\$13,474.00
Finance	\$23.50	\$70.50	\$7,467.00
Successor Agency	\$117.50	\$70.50	\$2,314.50
Public Works/Engineering	\$1,809.50	\$2,232.50	\$10,669.50
Grand Jury			\$1,021.00
Litigation	\$23,120.50	\$11,531.04	\$95,381.04
Personnel/Payroll		\$47.00	\$495.00
Municipal Code Enforcement			\$855.00
Police Department - General			\$211.50
Pitchess Motion (Peace Officer Personnel Records)			\$0.00
Ordinances	\$141.00	\$1,504.00	\$5,757.50
Discounted Hours	\$0.00	\$1,834.50	-\$5,462.50
Total	\$37,808.00	\$28,731.54	\$245,023.04

Firm: Law Office of Gregory L. Myers

Billing Period: March 2020

Matter	Charges	
	March 2020	Fiscal Year-to-Date
Pending Litigation	\$477.00	\$477.00
	\$477.00	\$477.00

FINANCIAL IMPACT:

For FY 2019/20, Council entered into an agreement for a contract service delivery model going forward effective August 8, 2019. When the FY 2019/20 operating budget was originally adopted, the City Attorney Department Budget was proposed similar to FY 2018/19 as the long-term service delivery model was not yet known. The Finance Department calculated charges-to-date as of the change in service deliver model to contracting out and collapsed the remaining funds into the contracted legal services line item. Examples of charges incurred to individual line items prior to the change would be costs associated with the recruitment and Request for Proposals process, janitorial services for the space formerly occupied by City Attorney staff, and other similar charges typically split amongst City Hall departments by their square footage portion of the building.

Based on this adjustment, the Contracted Legal Services line item budget for City Attorney services in FY 2019/20 is \$373,291.50. Expenditures YTD actual is \$257,932.75 with \$62,813.00 remaining funds available in this line item.

CONSISTENCY WITH THE VISION MADERA 2025 PLAN:

The information contained herein is not addressed by the Vision Madera 2025 plan, nor is the information in conflict with that plan.

ALTERNATIVES:

This report is for informational purposes only.

ATTACHMENTS:

None