



## Legislation Text

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**File #:** 18-295, **Version:** 1

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*Report Prepared by: Deneen Proctor, Director of Support Services*

**SUBJECT:** Agreement for Labor Relations Consulting, Labor Contract Negotiations and Employee Related Legal Services with Law Firm Liebert Cassidy Whitmore

### REPORT IN BRIEF

Considers approving an agreement for labor relations consulting, labor contract negotiations and employee related legal services with the law firm Liebert Cassidy Whitmore in the amount not to exceed \$100,000.

### RECOMMENDATION

**City Council** - Adopt a motion approving an agreement for professional services with Leibert Cassidy Whitmore for labor relations consulting, labor contract negotiations, and employee related matters in an amount not to exceed \$100,000 and authorizing the City Manager or Assistant City Manager to execute the necessary documents.

### ALTERNATIVES

1. Approve as recommended by staff; or,
2. Approve, subject to modification as conditioned by City Council; or,
3. Refer to staff for reconsideration or specific items; or,
4. Deny.

### AUTHORITY

Charter of the City of Merced, Section 200 et. Seq.  
Merced Municipal Code Section 3.04

### CITY COUNCIL PRIORITIES

As provided for in the 2018-2019 adopted budget.

### DISCUSSION

The City has five bargaining units and four unrepresented groups. The City recently reached agreement with three of the City's bargaining groups, AFSCME, MACE and the Merced City Firefighters (IAFF Local 1479). The Memorandums for Understanding (MOUs) for two other City bargaining groups Merced Police Officers Association (MPOA) and Merced Associations of Police Sergeants are set to expire on December 31, 2018. The City will continue to use the services of an outside law firm to assist with the labor negotiations and labor related legal matters. This is a common practice used by other public agencies. While City staff will provide substantial support in preparation for and during the negotiation processes, internal City resources are not sufficient to

meet the demands associated with the bargaining processes. In addition, the City and the bargaining processes will benefit from having the specialized legal expertise offered by a law firm that focusses in relations and labor negotiations to address complex legal issues such as employee benefits, compensation, pensions and other issues that are likely to arise during the bargaining processes.

The City has used Liebert Cassidy Whitmore for labor negotiations, and other employment related matters since 2010. During that time, the City has generally completed negotiations in a timely matter without being subject to fact-finding or unfair labor practice charges. With the current landscape of labor relations issues, it is important to have an expert legal resource at the table with the City who can communicate with City Council on labor negotiations issues. Accordingly, for the reasons stated above and for the continuity of knowledge for the bargaining processes, Staff recommends contracting with Liebert Cassidy Whitmore for labor relations legal services.

### **IMPACT ON CITY RESOURCES**

No additional appropriation is needed.

### **ATTACHMENTS**

1. LCW Agreement