



## Legislation Text

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**File #:** 17-325, **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 the 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 of \$60,000.

### RECOMMENDATION

**City Council** - Adopt a motion:

- A. Approving an agreement for professional services with Liebert Cassidy Whitmore for labor relations services related to negotiations with American Federation of State, County, and Municipal Employees (AFSCME), Merced Association of City Employees (MACE), International Fire Fighter's Association Local 1479 (Fire) and Management Compensation Plan, in an amount not to exceed \$60,000, and;
- B. 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 of 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 2017-2018 adopted budget.

### DISCUSSION

The City has five represented bargaining units and four unrepresented employee groups. The Memorandums of Understanding (MOUs) for some the City's bargaining which include, AFSCME, MACE and the Merced City Firefighters (IAFF Local 1479) as well as the Management Compensation Plan are set to expire on December 31, 2017. As this expiration date is approaching,

the City will need to commence contract negotiations with these bargaining units. In the past, the City has contracted with an outside law firm to assist with labor negotiations and labor related legal services. 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 specializes in labor 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 negotiation services since 2010. During that time, the City has generally completed negotiations in a timely manner 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 well 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