



## Legislation Details (With Text)

|                      |   |                      |   |              |  |
|----------------------|---|----------------------|---|--------------|--|
| <b>File #:</b>       | 23-097  | <b>Version:</b>      | 1   | <b>Name:</b> |  |
| <b>Type:</b>         | Consent Item  | <b>Status:</b>       |   | Passed       |  |
| <b>File created:</b> | 1/12/2023   | <b>In control:</b>   | City Council/Public Finance and Economic Development Authority/Parking Authority/Successor Agency to the Redevelopment Agency |              |  |
| <b>On agenda:</b>    | 2/21/2023   | <b>Final action:</b> | 2/21/2023   |              |  |
| <b>Title:</b>        | SUBJECT: Approval of a Second Amendment to Agreement for Legal Services with Lozano Smith, LLP, in an Amount not to Exceed \$300,000                    |                      |   |              |  |
|                      | REPORT IN BRIEF<br>Considers approving a second amendment to agreement for legal services with Lozano Smith, LLP, in an amount not to exceed \$300,000. |                      |   |              |  |
|                      | RECOMMENDATION<br>City Council - Adopt a motion:  |                      |   |              |  |
|                      | A. Approving a second amendment to agreement for legal services with Lozano Smith, LLP in an amount not to exceed \$300,000 and,                        |                      |   |              |  |
|                      | B. Authorizing the City Manager or the Deputy City Manager to execute the necessary documents.  |                      |   |              |  |

### Sponsors:

### Indexes:

### Code sections:

**Attachments:** 1. Second Amendment to Agreement.pdf, 2. First Amendment to Agreement \_November 2021.pdf, 3. Agreement for Legal Services \_April 2021.pdf

| Date      | Ver. | Action By   | Action   | Result |
|-----------|------|---|----------|--------|
| 2/21/2023 | 1    | City Council/Public Finance and Economic Development Authority/Parking Authority/Successor Agency to the Redevelopment Agency | approved | Pass   |

*Report Prepared by: Marti Garcia, Paralegal Office Administrator, City Attorney's Office*

**SUBJECT:** Approval of a Second Amendment to Agreement for Legal Services with Lozano Smith, LLP, in an Amount not to Exceed \$300,000

### REPORT IN BRIEF

Considers approving a second amendment to agreement for legal services with Lozano Smith, LLP, in an amount not to exceed \$300,000.

### RECOMMENDATION

**City Council - Adopt a motion:**

A. Approving a second amendment to agreement for legal services with Lozano Smith, LLP in an

amount not to exceed \$300,000 and,

B. Authorizing the City Manager or the Deputy City Manager to execute the necessary documents.

## **ALTERNATIVES**

1. Approve, as recommended by staff; or,
2. Approve, subject to conditions other than as recommended by staff; or,
3. Deny; or,
4. Continue to a future meeting.

## **AUTHORITY**

Charter of the City of Merced, Section 200.

## **CITY COUNCIL PRIORITIES**

As provided for in the 2022-23 Adopted Budget.

## **DISCUSSION**

In April 2021, the City entered into an agreement for Legal Services with the Law Firm of Lozano Smith, LLP for specialized work on employer-employee relations matters, including labor negotiations with all five employee bargaining units. The initial budget allocation was \$100,000 in FY 20-21.

On November 1, 2021, Council approved the first amendment to the agreement for additional funding in the amount of \$100,000 for added legal work on personnel related matters in FY 21-22.

These allocations have been sufficient to cover legal services thus far. However, additional funding in the amount of \$100,000 is necessary for continuing legal work on labor related matters through FY 22-23. This amendment will increase the not-to-exceed contracted amount from \$200,000 to \$300,000.

## **IMPACT ON CITY RESOURCES**

Funding is available within the City Attorney's current FY 22-23 operating budget.

## **ATTACHMENTS**

1. Second Amendment for Legal Services
2. First Amendment for Legal Services
3. Agreement for Legal Services