



## AGENDA REPORT

**Meeting Date:** July 3, 2012  
**Item Number:** G-16  
**To:** Honorable Mayor & City Council  
**From:** City Attorney  
**Subject:** APPROPRIATION OF FUNDS FOR FY 2012-2013 FOR A GILCHRIST & RUTTER PURCHASE ORDER IN THE AMOUNT OF \$200,000 FOR SPECIAL COUNSEL SERVICES RELATED TO THE METROPOLITAN TRANSPORTATION AUTHORITY'S WESTSIDE SUBWAY EXTENSION  
**Attachments:** None

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### RECOMMENDATION

The City Attorney recommends that the City Council move to appropriate funds as set forth below, and move to approve a purchase order to the law firm of Gilchrist & Rutter in the amount of \$200,000.

	FROM		TO
\$200,000	Fund 45 Unappropriated Fund Balance Designation For Subway Legal Fees	\$200,000	4800503-73250 City Attorney Litigation & Special Services

### INTRODUCTION

This appropriation and purchase order relate to a contract for legal services previously awarded to Gilchrist & Rutter for legal services related to the Metropolitan Transportation Authority's Westside subway extension.

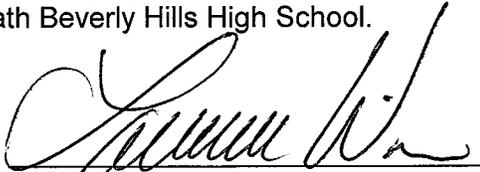
### DISCUSSION

The City Council approved an agreement with Gilchrist & Rutter for special counsel services at its May 15, 2012 meeting, and an amendment expanding the scope of services to include litigation at its June 7, 2012 meeting. This law firm has been engaged by the City to assist it in opposing MTA's plan to tunnel under Beverly Hills High School.

**FISCAL IMPACT**

The City Council has allocated one million dollars for the purpose of opposing Metro's proposal to place a subway tunnel beneath Beverly Hills High School. These funds will be used, in part, for litigation expenses incurred in challenging the decisions of the Metro Board to approve a subway tunnel alignment beneath Beverly Hills High School.

  
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Noel Marquis, Finance

  
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Laurence S. Wiener, City Attorney