



AGENDA REPORT

Meeting Date: June 6, 2016
Item Number: E-9
To: Honorable Mayor & City Council
From: Laurence Wiener, City Attorney
Shelley Ovrom, Assistant Director of Administrative Services/HR

Subject: AMENDMENT NO. 1 TO AN AGREEMENT BETWEEN CITY OF BEVERLY HILLS AND LIEBERT CASSIDY WHITMORE, A PROFESSIONAL CORPORATION, FOR EMPLOYEE RELATIONS LABOR ISSUES

Attachments: 1. Amendment No. 1

RECOMMENDATION

Staff recommends that the City Council approve an amendment to an agreement with Liebert Cassidy Whitmore for employee and labor relations and employment law services for the period of January 1, 2016 through the remainder of the fiscal year.

INTRODUCTION

Liebert Cassidy Whitmore has provided employee and labor relations and employment law services to the City since 2007. The former agreement under which these services were performed has expired and a new agreement is necessary for services provided through the remainder of the current fiscal year.

DISCUSSION

The City utilizes the services of Liebert Cassidy Whitmore to provide legal advice and guidance on employee association related matters with the City's nine employee associations, interpretation and guidance on the many facets of employment law as well as complex PERS issues.

In addition to the general employee, labor and employment law services provided under this contract, Liebert Cassidy Whitmore also provides service to the City for labor negotiations. Services related to labor negotiations are provided under a separate contract within the City Manager's authority of \$50,000 which will also expire at the end of the current fiscal year.

FISCAL IMPACT

The expenses related to these services are included in the current Administrative Services budget and will not exceed \$40,000 for the remainder of the 2015/2016 fiscal year.



Laurence S. Wiener, City Attorney

Attachment 1

AMENDMENT NO. 1 TO AN AGREEMENT BETWEEN CITY
OF BEVERLY HILLS AND LIEBERT CASSIDY WHITMORE,
A PROFESSIONAL CORPORATION, FOR EMPLOYEE
RELATIONS LABOR ISSUES

This Amendment No. 1 is to that certain Agreement between the City of Beverly Hills (hereinafter called "CITY"), and Liebert Cassidy Whitmore, A Professional Corporation (hereinafter called "CONSULTANT") dated December 18, 2012 and identified as Contract No. 531-12 ("Agreement").

RECITALS

1. City entered into an agreement with Attorney to assist City in its labor relations and negotiations with its employee organizations; and
2. City desires to amend the Agreement by revising the scope to exclude negotiation services and extending the term through the current fiscal year;

NOW, THEREFORE, City and Attorney, in consideration of the covenants contained herein, mutually agree as follows:

Section 1. Section 1 of the Agreement shall be amended to read as follows:

"1. Attorney shall perform for the City all necessary and reasonable legal advice services relating to labor issues, as requested by City in writing."

Section 2. Section 2 of the Agreement shall be amended to read as follows:

"2. For Attorney's aforesaid services performed under this Agreement City shall pay Attorney a professional fee at the rates set forth in Exhibit A, attached hereto and incorporated herein. For the period of January 1, 2016 through June 30, 2016, the amount paid to Attorney shall not exceed Forty Thousand Dollars (\$40,000.00). Attorney shall bill City in one-tenth (1/10) of an hour increments for all services billed at the hourly rates set forth in Exhibit A."

Section 3. Section 8 of the Agreement related to the term shall be amended as follows:

“8. The term of this Agreement shall commence January 1, 2013 and terminate June 30, 2016.”

Section 4. Except as specifically amended by this Amendment No. 1, the remaining provisions of the Agreement shall remain in full force and effect.

Executed this _____ the day of _____, 2016, at Beverly Hills, California.

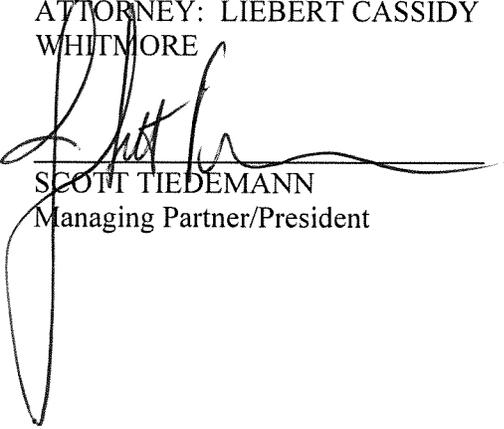
CITY OF BEVERLY HILLS,
A Municipal Corporation

JOHN A. MIRISCH
Mayor of the City of Beverly Hills,
California

ATTEST:

(SEAL)
BYRON POPE
City Clerk

ATTORNEY: LIEBERT CASSIDY
WHITMORE


SCOTT TIEDEMANN
Managing Partner/President

[Signatures continue]

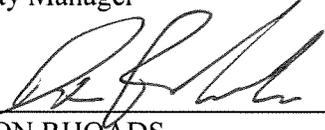
APPROVED AS TO FORM:



LAURENCE S. WIENER
City Attorney

APPROVED AS TO CONTENT:

MAHDI ALUZRI
City Manager



DON RHOADS
Director of Administrative Services/CFO



SHELLEY OVRØM
Assistant Director of Administrative
Services/Human Resources



KARL KIRKMAN
Risk Manager