

REPORT

To the Honorable Mayor and City Council
From the City Manager

May 8, 2006

Subject

Retention of Burke Williams and Sorenson as special legal counsel to undertake various investigatory, grievance and litigation matters on behalf of Redwood City.

Recommendation

Authorize the City Attorney to execute a Legal Services Agreement with Burke Williams and Sorenson to serve as special legal counsel at the direction of the City Attorney with respect to various legal actions as they may arise from time to time.

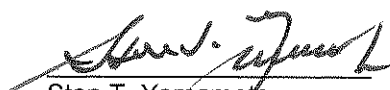
Background

From time to time, the City of Redwood City has required the retention of special legal counsel. While in some instances such as personal injury matters, the City has historically utilized the services of a single firm, with respect to other legal matters, a similarly efficient practice has not been established. In certain instances such as employment litigation, the timeliness of calling upon special legal counsel can be critical. As an example, when the City is served with a civil complaint, response to the complaint must occur within thirty days. In order for the City to undertake a vigorous defense, having special legal counsel immediately available to the City Attorney and pertinent City staff can be critical. Moreover, while the City Manager has certain budgetary authority to obtain outside personal services, when considering the costs of litigation, it cannot be known as to whether the total costs will remain within the City Manager's jurisdiction. Thus, having authority to retain certain special legal counsel when the need arises leads to more efficient and effective representation.

With respect to Burke Williams and Sorensen, the Human Resources Department has previously utilized its services. In particular, Luis Saenz, Esq. of Burke Williams and Sorenson has been engaged to undertake various assignments including personnel investigations, employee grievances and employment litigation. The current hourly rate of \$225.00 is competitive with the experience and skills required by the City.

Fiscal Impact

The costs of employment related litigation are excluded from the City's risk pool program and have historically been absorbed by the involved City department's budget


Stan T. Yamamoto
City Attorney


Bob Bell
Human Resources Director


Ed Everett
City Manager