



Administrative Report

H.6., File # 22-4143

Meeting Date: 5/10/2022

To: MAYOR AND CITY COUNCIL
From: MICHAEL W. WEBB, CITY ATTORNEY

TITLE

APPROVE THE SECOND AMENDMENT TO THE LEGAL SERVICES AGREEMENT WITH MCCUNE & HARBER LLP

EXECUTIVE SUMMARY

The City maintains a list of approved law firms and attorneys from which to select outside counsel when special expertise is required in legal matters. This Second Amendment would increase the hourly rates compensated to attorneys and paralegals.

BACKGROUND

McCune & Harber LLP employs a team of public entity experts who primarily handles the City's litigation matters. McCune & Harber LLP have worked for the City for over 20 years and provide outstanding value for the City. Since the approval of the First Amendment in May of 2014, the rates have not been increased. The 2014 rates (\$225 for Partners, \$180 for Associates and \$110 for Paralegals and Law Clerks) consequently have fallen far behind the "market" rate for comparable law firms, as well as rates that the firm charges other public agencies.

In this regard, McCune & Harber LLP charge their other municipality clients as much as \$270.00 per hour for Partners. McCune & Harber LLP therefore request authority to increase their rates so that they are consistent with the lowest rates for their municipal clients.

This Second Amendment would adjust the hourly rate to \$245 an hour for Partners, a rate of \$225 an hour for Associates and a rate of \$110 an hour for Paralegals and Law Clerks.

COORDINATION

This Second Amendment has been approved by McCune & Harber LLP and has been approved as to form by the City Attorney's Office.

FISCAL IMPACT

Funds are set aside in the City Attorney's Budget for the use of outside counsel. The approval of this Second Amendment will not increase the use of outside counsel.

ATTACHMENTS

- Agreement for Legal Services, December 15, 2009

- First Amendment to Agreement for Legal Services, May 20, 2014
- Second Amendment to Legal Services Agreement