



Agenda Report

Fullerton City Council

MEETING DATE: SEPTEMBER 19, 2023

TO: CITY COUNCIL / SUCCESSOR AGENCY

SUBMITTED BY: EDDIE MANFRO, DIRECTOR OF HUMAN RESOURCES

PREPARED BY: EDDIE MANFRO, DIRECTOR OF HUMAN RESOURCES
PAM MACKIE, SENIOR HUMAN RESOURCES / RISK
MANAGEMENT ANALYST

SUBJECT: LEGAL SERVICES AGREEMENTS WITH LIEBERT
CASSIDY WHITMORE, LAW OFFICES OF RICHARD T.
FORT AND WALL, MCCORMICK, BAROLDI & DUGAN

SUMMARY

Consideration of legal services agreements with Liebert Cassidy Whitmore to provide services specializing in labor and employment law and with Law Offices of Richard T. Fort and Wall, McCormick, Baroldi & Dugan to provide services specializing in workers' compensation litigation.

RECOMMENDATION

Authorize City Manager to execute agreements with Liebert Cassidy Whitmore, Law Offices of Richard T. Fort and Wall, McCormick, Baroldi & Dugan, in a final form approved by the City Attorney.

CITY MANAGER REMARKS

None.

PRIORITY POLICY STATEMENT

This item matches the following Priority Policy Statement:

- Fiscal and Organizational Stability.

FISCAL IMPACT

This item requires no additional funding as staff projects fees to remain within approved budgets for legal services.

DISCUSSION

Liebert Cassidy Whitmore (LCW)

The LCW law firm has significant expertise in labor and employment law with a focus on the public sector and education. Scott Tiedemann, the firm's managing partner and lead attorney on City of Fullerton matters, has significant experience working with public agency employers on labor and employment issues related to public safety. This firm has provided labor and employment law services to the City since 2012.

The current agreement expired on June 30, 2023. The firm has requested an increase in hourly rates for partners from \$370 / hour to \$405 / hour and hourly rates for paraprofessionals and litigation support staff to increase from \$130 / hour to \$140 / hour. These rates fall within industry standard for such specialized services and would remain in effect through June 30, 2025.

Law Offices of Richard T. Fort

City Council approved a legal services agreement with Law Offices of Richard T. Fort at a \$155 hourly rate in September 2012. The firm requests a \$170 hourly rate effective October 1, 2023. The new hourly rate falls within industry standards for such specialized services.

Wall, McCormick, Baroldi & Dugan

City Council approved a legal services agreement with Wall, McCormick, Baroldi & Dugan at a \$160 hourly rate in June 2017. The firm requests a \$185 hourly rate effective October 1, 2023. The new hourly rate falls within industry standards for such specialized services.

The City has agreements with other law firms that specialize in both areas of employment and labor law and workers' compensation litigation and assigns matters to firms based on the relevant experience of the attorneys and complexity of the cases.

Attachments:

- Attachment 1 – Liebert Cassidy Whitmore Agreement
- Attachment 2 – Law Offices of Richard T. Fort Agreement
- Attachment 3 – Wall, McCormick, Baroldi & Dugan Agreement

cc: City Manager Eric J. Levitt