



City of Santa Ana
20 Civic Center Plaza, Santa Ana, CA 92701
Staff Report
June 21, 2022

TOPIC: Agreements with Selected Law Firms to Provide Ongoing Legal Services

AGENDA TITLE:

Approve Agreements and Amendment for Ongoing Legal Services for City Attorney's Office (Non-General Fund)

RECOMMENDED ACTION

Authorize the City Manager to execute agreements with (1) Atkinson, Andelson, Loya, Ruud, & Romo, for the period of August 21, 2022 through June 30, 2025 in the amount of \$2,000,000; (2) Carpenter Rothans & Dumont LLP for the period of July 1, 2022 through June 30, 2025 in the amount of \$2,500,000; (3) Talley & Talley, APC for the period of July 1, 2022 through June 30, 2025 in the amount of \$750,000; and one (1) amendment with Graves & King, LLP, for the remaining period through June 30, 2024 to increase the not-to-exceed compensation amount from \$50,000 to \$500,000 for legal services, as detailed below, subject to non-substantive changes approved by the City Manager and the City Attorney.

DISCUSSION

In an effort to increase efficiency and streamline approvals for contract services related to ongoing legal services, the City Attorney's Office is submitting this omnibus staff report for four (4) legal services agreements. The City Attorney's Office asks the City Council to approve the legal services agreements, as each supports ongoing operations related to issues, which vary from labor and employment law, police defense, and general liability. The various agreements, and the amendment, are for services with the following law firms and in the amounts noted below:

(1) Atkinson, Andelson, Loya, Ruud, & Romo ("AALRR"). The legal services agreement with AALRR is set at a not-to-exceed amount of \$2,000,000 for the term of August 21, 2022 to June 30, 2025 for legal services in the area of employment law. In 2018, the City Attorney's Office selected AALRR to represent the City due to its decades of experience in representing public entity clients in all aspects of labor and employment matters. The new agreement will allow AALRR to continue to provide ongoing services to the City Attorney's Office, as necessary, to respond to varied legal services or defend the City.

(2) Carpenter Rothans & Dumont LLP (“CRD”). The legal services agreement with CRD is set at a not-to-exceed amount of \$2,500,000 for the term of July 1, 2022 to June 30, 2025 for legal services in the area of police defense and general liability. Since 2006, CRD has provided legal services to the City, specializing primarily in police litigation defense services in both federal and state court with an emphasis on civil rights matters involving public safety employees. CRD has also represented the City in complex dangerous condition of public property cases. The new agreement will allow CRD to continue to provide ongoing services to the City Attorney’s Office, as necessary.

(3) Graves & King (“G&K”). The first amendment for legal services with G&K will amend the not-to-exceed amount from \$50,000 to \$500,000 for the remaining period of the Agreement through June 30, 2024, with an option to extend the agreement. Following a request for proposal process in March 2022, G&K was chosen to represent the City in a dangerous condition of public property case that involves a wrongful death claim. G&K has a reputation for representing public entities regarding a variety of issues. The amendment will allow G&K to continue to provide ongoing services to the City Attorney’s Office.

(4) Talley & Talley, APC. The legal services agreement with Talley & Talley, APC is set at a not-to-exceed amount of \$750,000 for the term of July 1, 2022 to June 30, 2025 for legal services in the area of police defense and general liability. In 2018, the City Attorney’s Office selected Talley & Talley to assist with various legal services and litigation. The new agreement will allow Talley & Talley to continue to provide ongoing services to the City Attorney’s Office, as necessary.

ENVIRONMENTAL IMPACT

There is no environmental impact associated with this action.

FISCAL IMPACT

Funds, as detailed below, are available in the budgeted amounts for FY 2022-23, and will be budgeted in future fiscal years as follows:

Atkinson, Andelson, Loya, Ruud & Romo

Fiscal Year	Accounting Unit-Account #	Fund Description	Accounting Unit, Account Description	Amount
FY 22-23	08009051-64050	Liability and Property Ins Fund	Liability & Property Ins Fund, Losses Paid	\$ 1,000,000.00
FY 23-24	08009051-64050	Liability and Property Ins Fund	Liability & Property Ins	\$ 500,000.00

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			Fund, Losses Paid	
FY 24-25	08009051-64050	Liability and Property Ins Fund	Liability & Property Ins Fund, Losses Paid	\$ 500,000.00
Total				\$ 2,000,000.00

Carpenter Rothans & Dumont

Fiscal Year	Accounting Unit-Account #	Fund Description	Accounting Unit, Account Description	Amount
FY 22-23	08009051-64050	Liability and Property Ins Fund	Liability & Property Ins Fund, Losses Paid	\$ 850,000.00
FY 23-24	08009051-64050	Liability and Property Ins Fund	Liability & Property Ins Fund, Losses Paid	\$ 850,000.00
FY 24-25	08009051-64050	Liability and Property Ins Fund	Liability & Property Ins Fund, Losses Paid	\$ 800,000.00
Total				\$ 2,500,000.00

Graves & King

Fiscal Year	Accounting Unit-Account #	Fund Description	Accounting Unit, Account Description	Amount
FY 22-23	08009051-64050	Liability and Property Ins Fund	Liability & Property Ins Fund, Losses Paid	\$ 300,000.00
FY 23-24	08009051-64050	Liability and Property Ins Fund	Liability & Property Ins Fund, Losses Paid	\$ 200,000.00
Total				\$ 500,000.00

Talley & Talley

Fiscal Year	Accounting Unit-Account #	Fund Description	Accounting Unit, Account Description	Amount
FY 22-23	08009051-64050	Liability and Property Ins Fund	Liability & Property Ins Fund, Losses Paid	\$ 350,000.00
FY 23-24	08009051-64050	Liability and Property Ins Fund	Liability & Property Ins Fund, Losses Paid	\$ 350,000.00
FY 24-25	08009051-64050	Liability and Property Ins Fund	Liability & Property Ins Fund, Losses Paid	\$ 50,000.00
Total				\$ 750,000.00

EXHIBIT(S)

1. Agreement with Atkinson Andelson Loya Ruud & Romo
2. Agreement with Carpenter Rothans & Dumont
3. Amendment to Agreement with Graves & King
4. Agreement with Talley & Talley, APC

Submitted By: Sonia Carvalho, City Attorney

Approved By: Kristine Ridge, City Manager