



City of Sacramento City Council

915 I Street, Sacramento, CA, 95814

www.CityofSacramento.org

Meeting Date: 3/29/2011

Report Type: Consent

Title: Supplemental Agreement: Legal Services for the Treasurer's Office

Report ID: 2011-00363

Location: Citywide

Recommendation: Adopt a Resolution (1) authorizing the City Attorney to execute a supplemental agreement with Meyers Nave Riback Silver & Wilson for legal services on behalf of the Treasurer's Office, consisting of bond review and advice in the additional amount of \$80,000; (2) authorize the transfer of \$150,000 from the administrative contingency included in the FY2010/11 Approved Budget to the operating budget of the Treasurer's Office.

Contact: Eileen Teichert, City Attorney, (916) 808-5346, Office of the City Attorney; Russell Fehr, City Treasurer, (916) 808-5832, Office of the City Treasurer

Presenter: None

Department: City Attorney / City Treasurer

Division:

Dept ID:

Attachments:

1-Description/Analysis

2-Resolution

City Attorney Review

Approved as to Form

Sandra Talbott

3/24/2011 2:02:52 PM

Approvals/Acknowledgements

Department Director or Designee: Sandra Talbott - 3/24/2011 1:35:50 PM

Assistant City Manager: Patti Bisharat - 3/24/2011 1:53:22 PM

Description/Analysis

Issue: The City Attorney's Office provides advice to the Treasurer's office. In some circumstances the Treasurer has complex issues that require the City to seek advice from outside counsel. The law firm Meyers Nave Riback Silver & Wilson was retained to begin conducting bond review and advice with the initial amount of \$70,000, within the authority of the City Attorney. Further review of the scope and complexity of project revealed the necessity of an increase in the amount of the agreement of \$80,000, for a total not to exceed amount of \$150,000.

Policy Considerations: Only the City Attorney may retain legal services on behalf of the City. Meyers Nave Riback Silver & Wilson is on the City Attorney's list of approved outside counsel.

Environmental Considerations:

California Environmental Quality Act (CEQA): The report is not a "project" subject to CEQA because it can have no conceivable effect upon the environment. (Cal. Code Regs., 4, § 15061(b)(3).)

Sustainability: There are no sustainability considerations applicable to this action.

Commission/Committee Action: None

Rationale for Recommendation: The City Attorney maintains a list of outside counsel through an RFP process. Meyers Nave Riback Silver & Wilson was retained to conduct bond review and advice. The level of services requires an increase of \$80,000 for a total not to exceed amount of \$150,000.

Financial Considerations: Although Meyers Nave Riback Silver & Wilson will be retained by the City Attorney's Office, the contract for services will be funded in the City Treasurer's Office operating budget. This budget does not currently include funding for this purpose; therefore, staff is recommending a one-time transfer of \$150,000 from the administrative contingency included in the FY2010/11 Approved Budget to the operating budget of the Treasurer's Office.

Emerging Small Business Development (ESBD): Meyers Nave Riback Silver & Wilson is not a certified ESB.

RESOLUTION NO.

Adopted by the Sacramento City Council

Authorization to Approve Supplemental Agreement No. 1:
Meyers Nave Riback Silver & Wilson and Transfer
Funds to Treasurer's Office Budget

BACKGROUND:

A. The law firm Meyers Nave Riback Silver & Wilson was retained to begin conducting bond review and advice with the initial amount of \$70,000. Further review of the scope and complexity of project revealed the necessity of an increase of \$80,000 in the amount of the agreement, for a total not to exceed amount of \$150,000.

B. The Treasurer's Office does not have the funds in their budget currently.

**BASED ON THE FACTS FORTH IN THE BACKGROUND, THE CITY COUNCIL
RESOLVES AS FOLLOWS:**

Section 1. The City Attorney is authorized to sign a Supplemental Agreement with Meyers Nave Riback Silver & Wilson in the amount of \$80,000 to provide additional services necessary for bond review and advice.

Section 2. The Director of Finance is authorized to transfer \$150,000 from the administrative contingency included in the FY2010/11 Approved Budget to the operating budget of the Treasurer's Office.