



## CITY OF PALO ALTO OFFICE OF THE CITY ATTORNEY

April 8, 2019

The Honorable City Council  
Palo Alto, California

### **Request for Authorization to Increase the Legal Services Agreement With the Law Firm of Conrad Metlitzky, LLP by an Additional \$12,000 for a Total Not to Exceed Amount of \$277,000**

Staff recommends that the City Council authorize an increase to the legal services agreement (Contract S18171550) with the law firm of CONRAD & METLITZKY, LLP for litigation defense in the matter of *Luckey v. City of Palo Alto*, Santa Clara County Superior Court, Case No. 16-CV-303728, by an additional \$12,000 for a total not to exceed amount of \$277,000.

#### **Discussion**

In October, 2018 the City Council authorized an increase the legal services agreement with the law firm of CONRAD & METLITZKY, LLP, for a total not to exceed amount of \$265,000 for litigation defense services in the matter of *Luckey v. City of Palo Alto*, Santa Clara Co. Sup. Ct., Case No. 16-CV-303728. The estimate was intended to take the matter to the completion of pre-trial discovery, trial preparation and the filing of a dispositive motion. The matter has been settled and the City Attorney's Office requests authorization to amend the agreement to add an additional \$12,000, for a total not to exceed amount of \$277,000, to pay outstanding fees incurred and close out this matter.

#### **Resource Impact**

The recommended amendment will be funded within the Office of the City Attorney's FY2019 budget which included a \$100,000 one-time addition of funding for legal services support.

#### **Environmental Review**

Amendment of legal services contracts is not a project requiring environmental review under the California Environmental Quality Act (CEQA).

Department Head: Molly Stump, City Attorney

