



**TOWN OF LOS GATOS
COUNCIL AGENDA REPORT**

MEETING DATE: 05/17/2022

ITEM NO: 5

DATE: May 11, 2022
TO: Mayor and Town Council
FROM: Laurel Prevetti, Town Manager
SUBJECT: Authorize the Town Manager to Execute a First Amendment to a Special Services Agreement with Liebert Cassidy Whitmore to Extend the Term through June 30, 2024, to Perform Labor and Employment Relations Assistance in an Amount Not to Exceed \$180,000

RECOMMENDATION:

Authorize the Town Manager to execute a First Amendment (Attachment 1) to a Special Services Agreement with Liebert Cassidy Whitmore to extend the term through June 30, 2024 to perform labor and employment relations assistance in an amount not to exceed \$180,000.

BACKGROUND:

Liebert Cassidy Whitmore was selected as a sole source provider for labor and employment relations services as the result of a competitive interview process. Lisa Charbonneau, a Partner at Liebert Cassidy Whitmore and lead negotiator for the Town, provides valuable negotiation legal guidance and has established a good rapport with the Town's bargaining units during current labor negotiations.

DISCUSSION:

The Town is currently in negotiations with its three bargaining units: the Town Employees' Association (TEA), the American Federation of State, County and Municipal Employees (AFSCME), and the Police Officers' Association (POA). It is critical to have continuity of labor representation during negotiations.

The original agreement with Liebert Cassidy Whitmore was for a two-year term from February 1, 2020 through February 1, 2022 (Attachment 3). A two-year extension of the term of the

PREPARED BY: Salina Flores
Human Resources Director

Reviewed by: Town Manager, Assistant Town Manager, Town Attorney, and Finance Director

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DISCUSSION (continued):

Liebert Cassidy Whitmore agreement is being requested from February 2, 2022, through June 30th, 2024, in an amount not to exceed \$180,000.

CONCLUSION:

Liebert Cassidy Whitmore has been highly effective in assisting the Town with labor negotiations and employment relations support. The firm also has an abundance of legal resources to provide support during and after the negotiations process. Staff recommends that the Council authorize the Town Manager to execute a First Amendment (Attachment 1) to the agreement for Special Services with Liebert Cassidy Whitmore to continue providing labor negotiations and employment relations support.

FISCAL IMPACT:

The previous contract was for \$165,000 and not all of the encumbered amount was used during the original two-year period. With this agenda item, there would be a total net increase of \$15,000 which can be absorbed in the HR budget based on the adopted FY 2021/22 Budget and the anticipated resources needed for labor relations services. The total contract is not to exceed \$180,000.

ENVIRONMENTAL ASSESSMENT:

This is not a project defined under CEQA, and no further action is required.

Attachments:

1. First Amendment to the Agreement for Special Services with Liebert Cassidy Whitmore
2. Updated Rate Schedule
3. Original Agreement with Liebert Cassidy Whitmore