



**TOWN OF LOS GATOS  
COUNCIL AGENDA REPORT**

MEETING DATE: 06/18/2024

ITEM NO: 13

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DATE: June 10, 2024  
TO: Mayor and Town Council  
FROM: Laurel Prevetti, Town Manager  
SUBJECT: Authorize the Town Manager to Execute a Fifth Amendment to a Special Services Agreement with Liebert Cassidy Whitmore (LCW) to Increase Compensation in the Amount of \$120,000 for a Total Contract Amount Not to Exceed \$550,000

**RECOMMENDATION:**

Authorize the Town Manager to execute a Fifth Amendment (Attachment 1) to a special services agreement with Liebert Cassidy Whitmore (LCW) to increase compensation in the amount of \$120,000 for a total contract amount not to exceed \$550,000.

**BACKGROUND:**

In 2018, Liebert Cassidy Whitmore (LCW) was selected as a sole source provider for labor and employment relations services, and services were continued in 2020 as the result of a competitive interview process. LCW provides valuable negotiations and employee relations legal guidance and has established a good rapport with the Town's bargaining units.

On May 17, 2022, the Town Council authorized the Town Manager to execute a First Amendment (Attachment 2) to the Special Services Agreement with LCW to extend the term through June 30, 2024 and to increase compensation in the amount of \$15,000 for a total contract amount not to exceed \$180,000.

On September 20, 2022, the Town Council authorized the Town Manager to execute a Second Amendment (Attachment 3) to the Special Services Agreement with LCW to increase compensation in the amount of \$50,000 for a total contract amount not to exceed \$230,000.

**PREPARED BY:** Katy Nomura  
Assistant Town Manager

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

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BACKGROUND (continued):

On September 19, 2023, the Town Council authorized the Town Manager to execute a Third Amendment (Attachment 4) to the Special Services Agreement with LCW to increase compensation in the amount of \$50,000 for a total contract amount not to exceed \$280,000.

On October 17, 2023, the Town Council authorized the Town Manager to execute a Fourth Amendment (Attachment 5) to the Special Services Agreement with LCW to increase compensation in the amount of \$150,000 for a total contract amount not to exceed \$430,000.

DISCUSSION:

The current agreement expires on June 30, 2024. The proposed Fifth Amendment would extend the term to June 30, 2025 and incorporate the funds budgeted in the Adopted Fiscal Year (FY) 2024/25 Operating Budget for the services in the upcoming year. Negotiations are still underway with two of the Town's three bargaining units and it is critical to have continuity of labor representation during negotiations. In addition, LCW provides ongoing legal services related to employee relations.

CONCLUSION:

LCW has been highly effective in assisting the Town with labor negotiations and employment relations support.

Staff recommends that the Town Council authorize the Town Manager to execute a Fifth Amendment to the special services agreement with LCW to increase compensation in the amount of \$120,000 for a total contract amount not to exceed \$550,000 to continue providing employment relations support through June 30, 2025 (Attachment 1).

FISCAL IMPACT:

The existing agreement is for \$430,000. With this agenda item, there would be a total net increase of \$120,000 for a total contract amount not to exceed \$550,000. This increase has already been included in the existing Human Resources Department budget for FY 2024/25.

ENVIRONMENTAL ASSESSMENT:

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

Attachments:

1. Fifth Amendment
2. First Amendment with Original Agreement
3. Second Amendment

PAGE 3 OF 3

SUBJECT: Fifth Amendment to Agreement with Liebert Cassidy Whitmore (LCW)

DATE: June 10, 2024

Attachments (continued):

4. Third Amendment
5. Fourth Amendment