



**TOWN OF LOS GATOS  
COUNCIL AGENDA REPORT**

MEETING DATE: 01/21/2020

ITEM NO: 6

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DATE: January 14, 2020  
TO: Mayor and Town Council  
FROM: Laurel Prevetti, Town Manager  
SUBJECT: Authorize the Town Manager to Execute an Agreement with Liebert Cassidy Whitmore to Perform Labor and Employment Relations Assistance in an Amount Not to Exceed \$165,000

**RECOMMENDATION:**

Authorize the Town Manager to execute an agreement with Liebert Cassidy Whitmore to perform labor and employment relations assistance in an amount not to exceed \$165,000.

**BACKGROUND:**

Liebert Cassidy Whitmore was selected as a sole source provider for labor and employment relations services beginning in February 2018 and continuing for two years as the result of a competitive interview process. Donna Williamson, a Partner at Liebert Cassidy Whitmore and lead negotiator for the Town, provided valuable guidance and established a good repertoire with the Town's bargaining units during labor negotiations in 2018. Negotiations related to the narrow topic of salaries are scheduled to occur during the final year of the three bargaining unit agreements in 2020. All bargaining agreements will expire in 2021 and will reopen for the full scope of negotiations at that time.

The Town of Los Gatos also has an ongoing agreement with Liebert Cassidy Whitmore, a public sector employment law firm, to participate in a consortium that offers Human Resource professionals, management, and supervisory employment related training in areas such as: the hiring process, wage and hour issues, discipline and performance, legislative updates, the disability interactive process, and retirement. The consortium also offers free telephone legal consultation for less complicated employment relations inquiries.

**PREPARED BY:** Lisa Velasco  
Human Resources Director

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

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SUBJECT: Liebert Cassidy Whitmore Agreement

DATE: January 14, 2020

DISCUSSION:

The Town has three bargaining units: the Town Employees' Association (TEA), the American Federation of State, County and Municipal Employees (AFSCME), and the Police Officers' Association (POA). The Memoranda of Understanding (MOU) that outline the individual agreements between the Town and each unit related to compensation, health benefits, leave time, and grievance procedures will expire with TEA and AFSCME on June 30, 2021. POA's MOU will expire on September 30, 2021. However, all three agreements contain language that re-opens each agreement in 2020 to negotiate the specific topic of salary for the final year of the agreements. Staff proposes that the Town be represented in the 2020 re-opener and the 2021 full negotiations by Liebert Cassidy Whitmore and specifically by Donna Williamson, Partner. The term of the agreement with Liebert Cassidy Whitmore will be from February 1, 2020 through February 1, 2022.

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 Town Manager be authorized to enter into a new three-year agreement with Liebert Cassidy Whitmore to continue providing labor negotiations and employment relations support.

COORDINATION:

This report was coordinated with the offices of the Town Manager and Town Attorney.

FISCAL IMPACT:

The total amount proposed not to exceed \$165,000 will be incurred over a three-year fiscal period. The need for labor negotiations support in FY 19/20 was anticipated and sufficient funding is available in the Human Resources Labor Relations Services program. Additional funding will be budgeted each subsequent fiscal year.

ENVIRONMENTAL ASSESSMENT:

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

Attachment:

1. Agreement for Special Services – Liebert Cassidy Whitmore