



**TOWN OF LOS GATOS
COUNCIL AGENDA REPORT**

MEETING DATE: 09/20/2022

ITEM NO: 6

DATE: September 12, 2022
TO: Mayor and Town Council
FROM: Laurel Prevetti, Town Manager
SUBJECT: Authorize the Town Manager to Execute a Second Amendment to a Special Services Agreement with Liebert Cassidy Whitmore (LCW) to Increase Compensation in the Amount of \$50,000 for a Total Contract Amount Not to Exceed \$230,000

RECOMMENDATION:

Authorize the Town Manager to execute a second amendment (Attachment 1) to a special services agreement with Liebert Cassidy Whitmore (LCW) to increase compensation in the amount of \$50,000 for a total contract amount not to exceed \$230,000.

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. LCW provides valuable negotiations and employee relations legal guidance and has established a good rapport with the Town's bargaining units during recent labor negotiations.

On May 17, 2022, Council authorized the Town Manager to execute a First Amendment (Attachment 2) 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.

PREPARED BY: Salina Flores
Human Resources Director

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

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DISCUSSION:

With the need to prepare for labor negotiations in 2024, and address employment relations matters, the Town will continue to require outside legal support. The negotiations process begins in early 2024 with the Town's 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.

This amendment increases the Liebert Cassidy Whitmore contract by \$50,000 to provide these critical services.

CONCLUSION:

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

Staff recommends that that Council authorize the Town Manager to execute a second amendment to a special services agreement with Liebert Cassidy Whitmore in the increased amount of \$50,000 for a total contract amount not to exceed \$230,000 to continue providing employment relations support through June 30, 2024 (Attachment 1).

FISCAL IMPACT:

The previous contract was for \$180,000. With this agenda item, there would be a total net increase of \$50,000 which can be absorbed in the HR budget based on the adopted FY 2022/23 Budget and the anticipated resources needed for labor and employee relations services. The total contract is not to exceed \$230,000.

ENVIRONMENTAL ASSESSMENT:

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

Attachments:

1. Attachment 1 - Second Amendment with Exhibit A fee schedule
2. Attachment 2 - First Amendment with original agreement attached