



**TOWN OF LOS GATOS
COUNCIL AGENDA REPORT**

MEETING DATE: 09/19/2023

ITEM NO: 6

DATE: September 8, 2023
TO: Mayor and Town Council
FROM: Laurel Prevetti, Town Manager
SUBJECT: Authorize the Town Manager to Execute a Third 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 \$280,000

RECOMMENDATION:

Authorize the Town Manager to execute a third 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 \$280,000.

BACKGROUND:

In 2018, Liebert Cassidy Whitmore 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 Liebert Cassidy Whitmore 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 Liebert Cassidy Whitmore 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

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

DISCUSSION:

With the need to prepare for labor negotiations, and address employment relations matters, the Town continues to require outside employment legal support. The Town will be negotiating with each of the 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 would increase the Liebert Cassidy Whitmore contract by \$50,000 to continue these critical services while cost estimates are finalized for the upcoming negotiations. Once finalized costs are determined, staff will return to the Town Council requesting an amendment for any additional funding required.

CONCLUSION:

Liebert Cassidy Whitmore 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 third amendment to the special services agreement with Liebert Cassidy Whitmore in the increased amount of \$50,000 for a total contract amount not to exceed \$280,000 to continue providing employment relations support through June 30, 2024 (Attachment 1).

FISCAL IMPACT:

The existing agreement is for \$230,000. With this agenda item, there would be a total net increase of \$50,000 for a total contract amount not to exceed \$280,000, which can be absorbed in the Human Resources Department budget based on the adopted Fiscal Year 2023/24 Budget. Once cost estimates for the remainder of the fiscal year are finalized, staff will return with a fourth amendment and request any necessary budget adjustments, if any.

ENVIRONMENTAL ASSESSMENT:

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

Attachments:

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