



# AGENDA REPORT

SAN CLEMENTE CITY COUNCIL MEETING

Meeting Date: September 15, 2020

Agenda Item 9C

Approvals: \_\_\_\_\_

City Manager ES

Dept. Head \_\_\_\_\_

Attorney \_\_\_\_\_

Finance FCO

**Department:** City Manager  
**Prepared By:** Erik Sund, Interim City Manager

**Subject:** REQUEST FOR AUDIT OF ATTORNEY BILLS

**Fiscal Impact:** Unknown at this time.

**Background:** At the September 1, 2020 City Council meeting, City Council directed staff to prepare a report for the Council meeting of September 15, 2020 that includes a plan to initiate an audit and assessment of City Attorney Best Best & Krieger's legal bills for the past five years. The assessment is to identify monies spent, achievements, and suitability of the billing amounts.

**Discussion:** Staff did research to locate appropriate consultants who are familiar with municipal services and legal analysis. Staff identified three consultants:

1. Deloitte Legal Management Consulting
2. Management Partners
3. RSG

The City's intent is to solicit proposals from all three consultants. Staff requests that the City Council designate a subcommittee comprised of two councilmembers to evaluate the consultants' proposals and provide a recommendation of award to the City Council at a future City Council meeting.

For the past 5 fiscal years the City has incurred the following fees and costs for City Attorney services including general and specialized services. Special services are primarily compromised of litigation and other non-routine legal services. The table below provides the total fees and costs incurred each fiscal year.

	FY 2015-16	FY 2016-17	FY 2017-18	FY 2018-19	FY 2019-20
<b>Total Legal Services</b>	<b>1,791,171</b>	<b>1,952,328.35</b>	<b>1,659,199.91</b>	<b>1,601,128.68</b>	<b>1,404,630.98</b>

*\* In FY 2018-19 the City amended BBK's contract to a proposed fixed fee retainer per month based on a three year average of core general counsel fees with an annual CPI adjustment.*

**Recommended**

**Action:**

STAFF RECOMMENDS THAT THE CITY COUNCIL:

1. Authorize staff to proceed with soliciting proposals from the 3 consultants;
2. Designate two City Council members to serve on a subcommittee to evaluate and recommend a proposal to the City Council.

**Notification:** None.