



# **CITY OF CORONADO**

## **CITY COUNCIL STAFF REPORT**

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### **Authorize the City Manager to Execute an Amendment to the Legal Services Agreement with the Law Office of Ellen F. Gross, APC**

#### **RECOMMENDATION**

Authorize the City Manager to execute an amendment to the legal services agreement with the Law Office of Ellen F. Gross, APC for independent counsel to the City's Civil Service Commission for a not to exceed amount of \$300,000.

#### **BACKGROUND**

On September 10, 2024, the City executed an agreement with the Law Office of Ellen F. Gross, APC for independent counsel services to the City's Civil Service Commission. The initial terms of the agreement were for 12 months with the option to extend the agreement up to four (4) additional one (1) year periods by mutual agreement of the parties. In the fall of 2025, the City anticipates reaching the not to exceed amount of the original contract.

#### **ANALYSIS**

There is ongoing need for independent counsel services specifically during Civil Service Commission disciplinary appeal hearings. To date, there are two pending appeals before the Commission. The cost of services is expected to exceed the City Manager's signing authority and therefore requires City Council approval. City staff requests approval to amend the legal services agreement with the Law Office of Ellen F. Gross, APC to increase the not to exceed amount to \$300,000.

#### **FISCAL IMPACT**

The hourly fee for Ellen F. Gross is \$400.00 per hour and will be charged based on actual services performed. The anticipated cost is \$300,000 over a period of three (3) years. All charges will be made to the Legal Services fund (10012204-80042).

#### **ALTERNATIVE**

The City Council could choose not to award the contract or provide alternative direction. Foregoing independent counsel during Civil Service Commission disciplinary appeal hearings could result in procedural or substantive errors that increases potential exposure of the City to costly litigation.

#### **CALIFORNIA ENVIRONMENTAL QUALITY ACT**

This action is not subject to CEQA.

#### **PUBLIC NOTICE**

No public notice is required for this item.

#### **ATTACHMENTS**

1. Professional Services Agreement with Law Office of Ellen F. Gross, APC
2. Amendment to Professional Services Agreement with Law Office Ellen F. Gross, APC

Submitted By: City Attorney / Johanna Canlas