



# CITY OF POMONA COUNCIL REPORT

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February 5, 2018

To: Honorable Mayor and Members of the City Council

From: Linda Lowry, City Manager

Submitted By: Mark J. Gluba, Deputy City Manager

**Subject: City Council Direction Regarding Issuance of a Request for Proposals (RFP) for Legal Services**

## ***OVERVIEW***

**Recommendation** – That the City Council provide staff direction if there is a desire to issue a Request for Proposals (RFP) for City Attorney Services.

**Fiscal Impact** – None associated with issuance of an RFP. Actual fiscal impact will vary based upon rates proposed by the successful respondent law firm, should the City Council direct that an RFP be issued and a new firm is selected.

**Previous Council Action** – At the Meeting on Monday, January 22, 2018, Mayor Sandoval requested that consideration of issuing an RFP for City Attorney services be placed on this evening's Agenda for Council consideration and direction.

## ***EXECUTIVE SUMMARY***

In 1989, Arnold Alvarez- Glasman was appointed Interim City Attorney. In 1990, the City Council made the interim appointment as City Attorney permanent and contracted with the law firm of Alvarez-Glasman & Colvin (AGC) to serve as legal counsel to the City. The City's agreement for legal services, is known as an "evergreen" contract that shall continue until further amended by mutual agreement of the parties or terminated pursuant to certain contract provisions. The City may terminate the agreement for convenience upon providing the firm with a minimum 90 day notice. No notice is necessary for issuance of an RFP as this process is for the purpose of soliciting bids for the potential of providing a service and does not necessitate cancelation of the agreement nor signal the Council's determination that a different firm will be selected to provide legal services.

## ***BACKGROUND/DISCUSSION***

The City of Pomona frequently issues Requests for Proposals for various City purchases and services. Due to the evergreen nature of the City's Legal Services Agreement and the fact that the City Attorney is appointed by the Council, staff does not solicit proposals for legal services unless directed to do so by the Council. In accordance with Mayor Sandoval's request at the January 22<sup>nd</sup> Council Meeting, staff has placed this item on tonight's Agenda for City Council discussion and direction.

## **Consideration and Council Direction Regarding Issuance of an RFP for Legal Services**

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Several municipalities in Southern California have recently issued RFP's for legal services. Should the Council direct staff to seek proposals, staff will compile recently issued RFPs as templates to prepare and issue a Request for Proposals in accordance with City purchasing procedures. If the Council wishes, staff can bring the draft RFP back to Council for final approval prior to issuance and further direction on the manner in which the responses shall be processed.