AGREEMENT BIBLIOGRAPHY

Name of Firm:	Woodruff, Spradlin and Smart
Service Provided:	Attorney Services
Date Approved by City Council:	06 12 2001
Start Date:	07 01 2001
End Date:	N/A
Amount of Contract:	See agreement
Insurance Expiration:	N/A
Comments:	Amendment to 09/24/96
Date Archived:	



CLY OF GARDEN GRUVE

Bruce A. Broadwater Mayer

Mark Rosen Mayor Pro Tem

William J. Dalton Councilman

> Mark Leyes Councilman

Van T. Tran Councilman

(714) 741-5040

June 20, 2001

Mr. Kennard R. Smart, Jr. Woodruff, Spradlin & Smart 701 S. Parker Street, Suite 8000 Orange, CA 92868-4760

Enclosed for your file is a copy of the Amendment to the Agreement by and between the City of Garden Grove and Woodruff, Spradlin, & Smart for attorney services.

The Amendment was approved by the City Council on June 12, 2001.

Sincerely,

Ruth E. Smith City Clerk

By: Priscilla Stierstorfer

Deputy City Clerk

Enclosure

Controller C:

City Manager's Office

AMENDMENT TO AGREEMENT FOR CITY ATTORNEY SERVICES

This Amendment to Agreement for City Attorney services is made this 12th day of June, 2001, by and between the City of Garden Grove, hereinafter "City" and Woodruff, Spradlin, & Smart, hereinafter "Attorneys."

Whereas, City and Attorneys entered into an agreement for City Attorney services in May 1992, which was subsequently amended on June 7 1994 and again on September 24, 1996; and

Now, therefore, Be It Resolved between City and Attorneys that the existing September 24, 1996 agreement for services be amended as follows:

- 1. The hourly fee for all City work, advisory, and any litigation shall be adjusted from \$145 per hour to \$160 per hour for attorneys, and from \$75 to \$85 per hour for paralegal personnel.
- 2. Said changes shall be effective July 1, 2001. This amendatory agreement shall supercede any provision to the contrary set forth in the September 24, 1996 agreement for legal services.

In Witness Whereof, the parties hereto have executed this Agreement as of the date indicated in the preamble to this Agreement.

Attorneys:

Woodruff, Spradlin & Smart

John R. Shaw, Director

City:

City of Garden Grove

Attest:

City Clerk

AMENDMENT TO AGREEMENT WITH WOODRUFF, SPRADLIN AND SMART TO ADJUST THE RATE STRUCTURE FOR CITY ATTORNEY SERVICES (F: 55) (XR: 44.1)

Staff report dated June 12, 2001, was introduced.

It was moved by Councilman Dalton, seconded by Councilman Rosen, and carried by unanimous vote, that the Amendment to the Agreement by and between the City of Garden Grove and Woodruff, Spradlin and Smart, to adjust the rate structure for City Attorney services, be and hereby is approved; and the Mayor and City Clerk are authorized to execute the agreement.

City of Garden Grove

INTER-DEPARTMENT MEMORANDUM

To:

City Council

From:

George L. Tindall

Dept:

Dept:

City Manager

Subject:

AMENDMENT TO CITY ATTORNEY

Date:

June 12, 2001

CONTRACT

OBJECTIVE

To recommend approval of an amendment to the contract with Woodruff, Spradlin and Smart (WSS) to adjust the rate structure for City Attorney services.

BACKGROUND

WSS, under the direction of John Shaw, has provided City Attorney services to the City of Garden Grove since May, 1992. These services include counsel on general city matters, counsel for the Planning Commission and other City hearing bodies, claims review, code enforcement prosecution, and litigation related to a wide variety of matters, including personnel issues. In the nine years that WSS has provided these services to the City, rates have been adjusted only one time, in September of 1996.

DISCUSSION

We have received the attached letter from Woodruff, Spradlin and Smart requesting an adjustment in their rates from \$145 to \$160 per hour for attorneys, and from \$75 to \$85 for paralegal services. In light of the quality of service being received by the City, and the amount of time which has passed since their last increase, this adjustment seems appropriate and reasonable.

FINANCIAL IMPACT

Based upon the number of hours WSS attorneys and paralegal staff worked for the City during FY 1999-00, the requested increase will cost about \$55,000 more per year. Most of this cost will be applied to the General Fund, although services related to Water, the Sanitary District, Risk Management or other special funds would be charged directly to those funds. If approved, funds will be included in the FY 2001-02 budget to cover the amount of this increase.

AMENDMENT TO AGRE, LENT FOR CITY ATTORNEY SERVICES
June 12, 2001
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RECOMMENDATION

It is recommended that the City Council:

- Approve the attached Amendment to the Agreement with WSS for City Attorney Services; and
- Authorize the Mayor and City Clerk to execute the agreement as appropriate.

GEORGE L. TINDALL

City Manager

Attachment: Letter from Woodruff, Spradlin & Smart

Amendment to Agreement

RECOMMENDED FOR APPROVAL:

George L Tindall City Monager

LAW OFFICES OF

WOODRUFF, SPRADLIN & SMART

A PROFESSIONAL CORPORATION

701 SOUTH PARKER STREET, SUITE 8000 ■ ORANGE, CA 92868-4760 ■ (714) 558-7000 ■ FAX (714) 835-7787

DIRECT DIAL: (714) 564-2608 DIRECT FAX: (714) 565-2508 E-MAIL: KRS@WSS-LAW.COM

May 15, 2001

Mr. George L. Tindall City Manager City of Garden Grove City Hall, Third Floor 11222 Acacia Parkway Garden Grove, CA 92840

George

Dear Mr_Tindall:

As you know, this firm has a policy of annually reviewing our incurred cost for providing legal services to our clients, so as to establish a fair and equitable compensation rate. In addition to evaluating our costs, we are always keeping in mind the need for our public agency clients, in particular, to control expenditures.

It has now been nearly five years (September, 1996) since we have had an adjustment in the rate structure and, at this time, we propose to move the present rates by the amount of \$15.00 to \$160.00 per hour for attorneys and by \$10.00 per hour to \$85.00 per hour for paralegals, effective July 1, 2001. This is a 10.3% increase and is less than the cost-of-living increase, as measured by the Consumer Price Index, which has been 12% since the last adjustment. While our actual expenditures for rent, salary, supplies and communications have exceeded that, we believe we will be able to control our own operational expenses so as to avoid the need for a higher rate than requested.

Thank you very much for your continued assistance and support.

Sincerely,

WOODRUFF, SPRADLIN & SMART A Professional Corporation

KENNARD R. SMART, JR.

President