

**COUNCIL ACTION FORM**

**SUBJECT:**                    **REQUEST FOR ADDITIONAL FUNDING FOR OUTSIDE  
COUNSEL TO ASSIST LEGAL DEPARTMENT**

**BACKGROUND:**

On July 25, 2017, the Council approved additional funding to continue the contract with the Coppola Law Firm for criminal prosecution assistance while the Legal Department was short staffed. The Council approved \$30,000 for outside counsel to handle criminal prosecutions and \$25,000 for outside counsel to handle periodic civil matters. Funding for outside counsel for criminal prosecutions has totaled \$158,000 from March 2016 to date.

The current City Attorney was hired by the Council on November 1, 2017, creating a vacancy in one of the two Assistant City Attorney positions. The opening has been advertised, and closes on December 18. There are many good applicants. The Legal Department anticipates that interviews will take place early in January 2018, and that a new Assistant City Attorney will be hired and begin working sometime in February or March 2018.

The use of the outside counsel for criminal prosecutions has provided significant assistance to the Legal Department while it has been short staffed. The Legal Department estimates that the funds for the outside criminal prosecutor will be exhausted at the end of December. The funding the Council approved in July was estimated to last through the end of the 2017 calendar year. **The Legal Department is now seeking an additional \$30,000 to pay for the outside counsel to continue through the end of March. This should allow for some overlap for the outside counsel to train the new Assistant City Attorney.**

**ALTERNATIVES:**

1. The City Council can approve the additional funding request of \$30,000 for the Legal Department to hire outside counsel to assist in its work.
2. The City Council can approve the funding request at different dollar amount.
3. The Council can decline to approve the funding request.

**CITY MANAGER'S RECOMMENDED ACTION:**

Since the Legal Department is short staffed for the next few months while the recruitment of a new Assistant City Attorney is in progress, it is the recommendation of the City Manager that the City Council approve Alternative #1. Failure to approve this additional funding will result in delays in providing legal assistance to our departments which will ultimately impact our customers.