



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: January 27, 2015

TO: Mayor and Councilmembers

FROM: City Attorney's Office

SUBJECT: Authorization for Agreement for Legal Services with Nielsen Merksamer Parrinello Gross & Leoni, LLP

RECOMMENDATION:

- A. That Council authorize the City Attorney to execute a legal services agreement with Nielsen Merksamer Parrinello Gross & Leoni, LLP, in an amount not to exceed \$400,000 for special counsel services to the City on matters related to the pending California Voting Rights Act litigation, *Banales, et al. v. City of Santa Barbara*.
- B. Increase appropriations in the General Fund, City Attorney's Office, by \$400,000 from unappropriated reserves to cover the cost of the contract for legal services.

DISCUSSION:

In July 2014, the City was sued in the above-referenced matter. In December 2014, the Superior Court set a trial date of April 6, 2015. The California Voting Rights Act presents novel and complex legal issues. This office requires specialized assistance in order to defend the City competently. Moreover, the City Attorney's Office litigation team is fully engaged on numerous significant lawsuits.

BUDGET/FINANCIAL INFORMATION:

The cost of these specialized legal services was not anticipated and therefore not budgeted. Funding for this one-time cost will come from General Fund reserves.

SUBMITTED BY: Ariel Pierre Calonne, City Attorney

APPROVED BY: Finance Department

APPROVED BY: City Administrator's Office