



Legislation Text

File #: 21-0186, **Version:** 1

TO:

Honorable Mayor and Members of the City Council

THROUGH:

Bruce Moe, City Manager

FROM:

Lisa Jenkins, Human Resources Director

Stephanie Swofford, Human Resources Manager

SUBJECT:

Consideration of a Resolution Approving a Two-Year Agreement with Atkinson, Andelson, Loya, Ruud & Romo to Conduct Independent Investigations of Confidential Matters for an Amount Not-To-Exceed \$150,000 (Human Resources Director Jenkins).

ADOPT RESOLUTION NO. 21-0048

RECOMMENDATION:

Staff recommends that the City Council approve an agreement with Atkinson, Andelson, Loya, Ruud & Romo for an amount not-to-exceed \$150,000 over two years for employee and labor relations and employment law services, specifically to conduct independent investigation of confidential personnel matters.

FISCAL IMPLICATIONS:

While the contract amount requested is \$150,000, these funds will be utilized for services rendered on an as-needed basis in response to personnel investigation needs that arise. These costs will be absorbed within the Human Resources contract services budget or the contract services budget from the department in which the investigation is taking place. Human Resources budgeted \$50,000 towards these services for fiscal year 2021-2022.

BACKGROUND:

The City has previously retained the services of Atkinson, Andelson, Loya, Ruud & Romo in order to conduct specialized confidential personnel investigations. The City's current agreement with the firm has expired and staff is proposing a new agreement for similar professional services to be used on an as needed basis.

DISCUSSION:

The City previously retained the services of attorneys at Atkinson, Andelson, Loya, Ruud and Romo to conduct personnel investigations and entered into a contract under the City Manager's authority. Due to the need to complete a pending investigation and have the option to refer future related or unrelated matters to this firm, staff recommends that a new agreement be established.

When complaints are made requiring investigation, the City is obligated to conduct prompt, thorough, and unbiased investigations. As such, it is helpful to have several firms available on retainer so the investigations can promptly be referred out for handling. Pursuant to Manhattan Beach Municipal Code (MBMC) Section 2.36.130, contracts for services of specially-trained and professional persons are exempt from bidding. However, if the amount equals or exceeds \$50,000, such contracts can only be approved by the City Council. Accordingly, staff recommends that the City Council adopt the resolution approving the draft agreement with Atkinson, Andelson, Loya, Ruud & Romo for a not-to-exceed amount of \$150,000.

LEGAL REVIEW:

The City Attorney has approved the agreement as to form.

ATTACHMENTS:

1. Resolution No. 21-0048
2. Agreement - Atkinson, Andelson, Loya, Ruud & Romo