

## ORDINANCE No. 183863

\*Amend contract with Hoffman, Hart & Wagner LLP for outside legal counsel  
(Ordinance; amend Contract No. C30000176)

The City of Portland ordains:

Section 1. The Council finds:

1. The City required the services of outside legal counsel because of a conflict of interest in the matter of Shephard v City of Portland et al, USDC No. CV07-1600-BR, Risk Mgmt No. G2007-801-01
2. The law firm of Hoffman, Hart & Wagner LLP, agreed to provide these services by Legal Services Agreement No. C30000176 dated June 8, 2009.
3. Due to the nature of the matter and the likelihood that it will go to trial, it is necessary to increase the amount of this contract.

NOW, THEREFORE, the Council directs:

- a. The City Attorney is authorized to extend Legal Service Agreement No. C30000176, dated June 8, 2009, to provide for representation by outside counsel in an additional amount of \$90,000, for a total not to exceed \$180,000.
- b. If applicable, the provisions of City Code Chapter 5.68 are waived.
- c. The Mayor and Auditor are authorized to draw and deliver warrants in payment of legal services provided under this Legal Services Agreement.

Section 2. The Council declares that an emergency exists in order to continue to pay for legal services in a timely manner in the matter of Shephard v City; therefore, this ordinance shall be in full force and effect from and after its passage by the Council.

Passed by the Council: JUN 09 2010

Commissioner: Mayor Adams  
Prepared by: SDorn for HAuerbach  
Date Prepared: May 26, 2010

**LaVonne Griffin-Valade**  
Auditor of the City of Portland

By   
Deputy

\*Amend contract with Hoffman, Hart & Wagner LLP for outside legal counsel. (Ordinance; amend Contract No. 030000176)

<b>INTRODUCED BY</b> Commissioner/Auditor: <b>Mayor Sam Adams</b>	CLERK USE: DATE FILED <u>JUN 04 2010</u>
<b>COMMISSIONER APPROVAL</b> Mayor—Finance and Administration - Adams <i>[Signature]</i> Position 1/Utilities - Fritz Position 2/Works - Fish Position 3/Affairs - Saltzman Position 4/Safety - Leonard	LaVonne Griffin-Valade Auditor of the City of Portland By: <i>[Signature]</i> Deputy <b>ACTION TAKEN:</b>
<b>BUREAU APPROVAL</b> Bureau: City Attorney Bureau Head: Linda Meng	
Prepared by: SDorn Date Prepared: May 26, 2010	
Financial Impact Statement Completed <input type="checkbox"/> Amends Budget <input type="checkbox"/> Not Required <input checked="" type="checkbox"/>	
Portland Policy Document If "Yes" requires City Policy paragraph stated in document. Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Council Meeting Date <b>June 9, 2010</b>	
City Attorney Approval <i>[Signature]</i>	

<b>AGENDA</b> <b>TIME CERTAIN</b> <input type="checkbox"/> Start time: _____ Total amount of time needed: _____ (for presentation, testimony and discussion)
<b>CONSENT</b> <input checked="" type="checkbox"/>
<b>REGULAR</b> <input type="checkbox"/> Total amount of time needed: _____ (for presentation, testimony and discussion)

FOUR-FIFTHS AGENDA	COMMISSIONERS VOTED AS FOLLOWS:		
		YEAS	NAYS
1. Fritz	1. Fritz	✓	
2. Fish	2. Fish	✓	
3. Saltzman	3. Saltzman	✓	
4. Leonard	4. Leonard	✓	
Adams	Adams	✓	