185292

ORDINANCE No. 185292

*Amend contract with Hoffman, Hart & Wagner LLP for outside legal counsel (Ordinance; amend Contract No. 30000176)

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. G2007-8011-01.
- 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. Because of the new partnership agreements within the firm, the name of the firm has been changed to Hart Wagner LLC.
- 4. 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 and extend the contract term.

NOW, THEREFORE, the Council directs:

- a. Hoffman Hart LLP is changed to Hart Wagner LLP to reflect their partnership agreements.
- b. 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 \$50,000, for a total not to exceed \$230,000 and is extended until December 31, 2012.
- c. If applicable, the provisions of City Code Chapter 5.68 are waived.
- d. The Mayor and Auditor are authorized to draw and deliver checks in payment of legal services provided under this Legal Services Agreement.

Section 1. 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: MAY 02 2012

Commissioner: Mayor Adams Prepared by: SHarris for HAuerbach Date Prepared: April 26, 2012

LaVonne Griffin-Valade Auditor of the City of Portland Suran Jaurans By Deputy

Agenda No. ORDINANCE NO. 185292

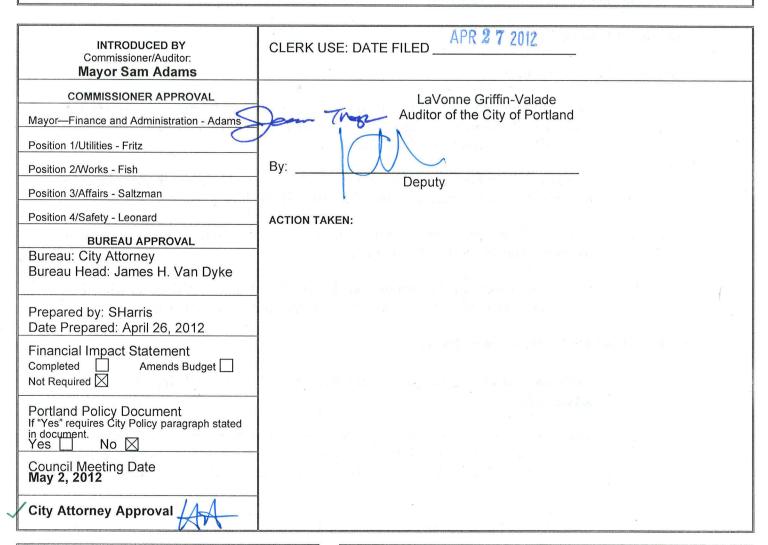
454 ---

1140

Title

V

*Amend contract with Hoffman, Hart & Wagner LLP for outside legal counsel. (Ordinance; amend Contract No. ¢30000176)



		FOUR-FIFTHS AGENDA	COMMISSIONERS VOTED AS FOLLOWS:		
TIME CERTAIN Start time:				YEAS	NAYS
Total amount of time needed: (for presentation, testimony and discussion)	-	1. Fritz	1. Fritz		
		2. Fish	<mark>2.</mark> Fish	V	
CONSENT		3. Saltzman	3. Saltzman		
<u>REGULAR</u> Total amount of time needed: (for presentation, testimony and discussion)		4. Leonard	4. Leonard	~	
		Adams	Adams	~	