

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

By


Deputy

Agenda No.
ORDINANCE NO.

185292

Title

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

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| INTRODUCED BY Commissioner/Auditor: Mayor Sam Adams | CLERK USE: DATE FILED <u>APR 27 2012</u> |
| COMMISSIONER APPROVAL Mayor—Finance and Administration - Adams <i>Sam Adams</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 |
| BUREAU APPROVAL Bureau: City Attorney Bureau Head: James H. Van Dyke | ACTION TAKEN: |
| Prepared by: SHarris Date Prepared: April 26, 2012 | |
| 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 May 2, 2012 | |
| City Attorney Approval <i>[Signature]</i> | |

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| AGENDA |
| TIME CERTAIN <input type="checkbox"/> Start time: _____ Total amount of time needed: _____ (for presentation, testimony and discussion) |
| CONSENT <input checked="" type="checkbox"/> |
| REGULAR <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 | <input checked="" type="checkbox"/> | |
| 2. Fish | 2. Fish | <input checked="" type="checkbox"/> | |
| 3. Saltzman | 3. Saltzman | <input checked="" type="checkbox"/> | |
| 4. Leonard | 4. Leonard | <input checked="" type="checkbox"/> | |
| Adams | Adams | <input checked="" type="checkbox"/> | |