

087081

ORDINANCE No. 186593

*Amend contract with Ogletree, Deakins, Nash, Smoak & Stewart P.C., for legal counsel (Ordinance; amend Contract No. 30003759

The City of Portland ordains:

Section 1. The Council finds:

1. The City requires the continued services of Ogletree, Deakins, Nash, Smoak & Stewart P.C., in defending the duty of fair representation complaints of John Berkinbine, Ryan Lewton and Liana Reyna against the PPA and the City
2. The Law firm of Ogletree, Deakins, Nash, Smoak & Stewart P.C., agreed to provide these services by Legal Services Agreement No 30003759 dated November 1, 2013.
3. Due to the nature of the matter it is necessary to increase the amount of this agreement.

NOW, THEREFORE, the Council directs:

- a. The City Attorney is authorized to extend Legal Services Agreement No. 30003759, dated November 1, 2013, to provide for representation by outside counsel in an additional amount of \$75,000, for a total not to exceed \$174,000. (Amendment 1, attached as Exhibit 1.)
- b. If applicable, the provisions of City Code Chapter 5.68 are waived.
- c. The Mayor and Auditor are authorized to draw and deliver checks 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 regarding the grievance filed against the PPB and the City; therefore, this ordinance shall be in full force and effect from and after its passage by the Council.

Passed by the Council: **MAY 28 2014**

Commissioner: Mayor Charlie Hales
Prepared by: Stephanie Harris
/Date Prepared: 04/17/2014

LaVonne Griffin-Valade
Auditor of the City of Portland
By *Gayla Jennings*
Deputy

✓140

499
Agenda No.
ORDINANCE NO. 186593

*Amend contract with Ogletree, Deakins, Nash, Smoak & Stewart P.C., for legal counsel (Ordinance; amend Contract No. 30003759

<p>INTRODUCED BY Commissioner/Auditor: <u>HALES</u></p> <p>COMMISSIONER APPROVAL <u>[Signature]</u> Mayor—Finance and Administration - Hales</p> <p>Position 1/Utilities - Fritz</p> <p>Position 2/Works - Fish</p> <p>Position 3/Affairs - Saltzman</p> <p>Position 4/Safety - Novick</p> <p>BUREAU APPROVAL Bureau: City Attorney Bureau Head: Tracy Reeve</p> <p>Prepared by: Stephanie Harris Date Prepared: 04/17/2014</p> <p>Financial Impact Statement & Public Involvement Statement Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/></p> <p>Portland Policy Document If "Yes" requires City Policy paragraph stated in document. Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> <p>City Attorney Approval: <u>[Signature]</u> required for contract, code, easement, franchise, comp plan, charter</p> <p>Council Meeting Date</p>	<p>CLERK USE: DATE FILED <u>MAY 23 2014</u></p> <p style="text-align: right;">LaVonne Griffin-Valade Auditor of the City of Portland</p> <p>By: <u>[Signature]</u> Deputy</p> <p>ACTION TAKEN:</p>
--	---

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

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