



AGENDA REPORT

City Attorney's Office

DATE:	March 11, 2025
TO:	Mayor Martinez and Members of the City Council
FROM:	Dave Aleshire, City Attorney Shannon Moore, Chief Assistant City Attorney Kimberly Chin, Senior Assistant City Attorney
Subject:	Fifth Amendment to the Legal Services Agreement ("LSA") with Orbach Huff & Henderson, LLP ("Orbach")
FINANCIAL IMPACT:	This fifth amendment will add \$200,000 for a total LSA amount not to exceed \$770,000. This agreement is charged to the Risk Management General Liability Fund 50182316-400554
PREVIOUS COUNCIL ACTION:	December 22, 2020 October 5, 2021 May 17, 2022 June 20, 2023 March 19, 2024
STATEMENT OF THE ISSUE:	Additional funds are needed to ensure that the City has the appropriate legal representation for pending and future police and tort cases.
RECOMMENDED ACTION:	APPROVE a fifth amendment to the Orbach Huff & Henderson, LLP Legal Services Agreement in the amount of \$200,000 for a total contract amount not to exceed \$770,000, with a term ending on June 30, 2027, to continue representing the City in police and tort cases – City Attorney's Office (Kimberly Chin 510-620-6709/Shannon Moore 510-620-6509)

DISCUSSION:

Orbach Huff & Henderson, LLP (“Orbach”) currently provides special counsel services defending the City in civil rights and law enforcement liability litigation. Orbach has been representing the City in these types of lawsuits since 2020 and were approved from the 2018 Request for Qualifications (RFQ). They currently handle multiple active lawsuits and claims.

Rates for Orbach Huff are: partners \$295 per hour, associates \$255 per hour, and paralegals \$135 per hour.

The City Attorney’s office requests approval of a fifth amendment to the legal services agreement with Orbach Henderson & Huff, LLP, to increase the amount by \$200,000 for a total amount not to exceed \$770,000 with term ending June 30, 2027.

DOCUMENTS ATTACHED:

- Attachment 1 – Orbach Huff LSA, Fifth Amendment (proposed)
- Attachment 2 – Orbach Huff LSA, Fourth Amendment
- Attachment 3 – Orbach Huff LSA, Third Amendment
- Attachment 4 – Orbach Huff LSA, Second Amendment
- Attachment 5 – Orbach Huff LSA, First Amendment
- Attachment 6 – Orbach Huff & Henderson, LLP LSA