



Takoma Park City Council Meeting – November 18, 2019 Agenda Item 5

Voting Session

Single Reading Ordinance Authorizing the Mayor to Execute a Contract for Municipal Legal Services (City Attorney)

Recommended Council Action

Adopt Ordinance

Context with Key Issues

The City issued a [Request for Proposals for General Municipal Legal Services](#) (City Attorney) in July 2019. After evaluation of the proposals submitted and in-person interviews with three firms, the City Council selected the law firm of Karpinski, Colaresi & Karp, P.A., represented by E.I. “Skip” Cornbrooks, Kevin Karpinski, and Victoria Shearer to provide legal services to the City.

A contract will be prepared that sets forth the scope of work, contract term, arrangement for fees and expenses, and other agreed upon terms consistent with the City’s Request for Proposals and Karpinski, Colaresi & Karp’s submitted proposal. The City intends to enter into a five-year contract with the option for renewal for up to five additional one-year extension terms.

Fee information for the firm is as follows:

- Attorney cost/hour: The firm proposes a partner’s fee of \$175.00 per hour.
- Associate attorney cost/hour: The firm proposes an hourly rate of \$150.00 for associates.
- Paralegal/Law Clerks cost/hour: The firm proposes an hourly rate of \$95.00 for paralegals and law clerks.
- Clerical cost/hour: None. Clerical expenses are absorbed within the firm’s administrative overhead.
- Other staff cost/hour: Other staff costs and expenses are absorbed within the firm’s administrative overhead.
- Billable rates for travel include both ways, one way or no charge: Travel is charged portal-to-portal, both ways.
- Mileage expense rate, if any is proposed to be charged: None.
- Research services cost/hour (e.g., Westlaw): None.
- Other costs (photocopying, fax, telephone expense): The firm charges .10¢ per copy. There is no charge for facsimiles or telephone expenses. Costs of transcription, deliveries and the like will be billed to the City.
- Minimum time increment for billing: The firm bills in six (6) minute increments.

The Council will need to work with the current City Attorney, Karpinski, Colaresi & Karp, and staff to outline expectations regarding the logistics and any financial implications involved in the transition to a new City Attorney.

Council Priority

Engaged, Responsive & Service-oriented Government; Fiscally Sustainable Government

Environmental Considerations

Authorizing the execution of a new contract for legal services will not have any environmental impacts. However, specific work done by the City Attorney at the direction of City Council throughout the contract term may protect, defend, or further the stated interests of the Council regarding the environment.

Fiscal Considerations

For the past several years, the City has spent approximately \$155,000-\$175,000 per year on contracted legal services for the City Attorney. We also utilize the services of labor counsel, a development attorney, and occasionally other types of specialized counsel on an as needed basis.

The Fiscal Year 2020 budget includes \$182,500 which covers the existing City Attorney's monthly flat fee of \$13,127, hourly charges for service by the existing City Attorney, and incidentals. It is difficult at this point to estimate what our total legal expenses will be for the remainder of the fiscal year due to uncertainty about costs associated with the transition to a new legal services provider and additional costs, if any, for continued work done by the existing City Attorney on an hourly basis.

Racial Equity Considerations

We are unable to determine whether this Council action will disproportionately impact and particular group in a negative or positive way.

Attachments and Links

- Ordinance Authorizing Execution of Contract for Municipal Legal Services (City Attorney)

CITY OF TAKOMA PARK, MARYLAND

ORDINANCE 2019-

**AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT
FOR MUNICIPAL LEGAL SERVICES (CITY ATTORNEY)**

WHEREAS, the City of Takoma Park issued a request for proposals for municipal legal services (City Attorney) in July 2019; and

WHEREAS, after evaluation of the proposals received and interviews with three firms, the City Council determined that the City will be best served by Karpinski, Colaresi & Karp, P.A.; and

WHEREAS, a contract will be prepared that sets forth the scope of work, the contract term, the arrangement for fees and expenses, and other agreed upon terms; and

WHEREAS, the term of the contract is expected to be five years, with the option for renewal for up to five additional one-year extension terms.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF TAKOMA PARK, MARYLAND THAT:

SECTION 1. The law firm of Karpinski, Colaresi & Karp, P.A. will be appointed by the Council to serve as City Attorney for the City of Takoma Park.

SECTION 2. The Mayor is authorized to execute a Contract for Legal Services (City Attorney) with the law firm of Karpinski, Colaresi & Karp, P.A. The Contract for Legal Services (City Attorney) is expected to have a five-year term, with the option for renewal for up to five additional one-year extension terms.

SECTION 3. This Ordinance shall become effective upon adoption.

THIS ORDINANCE IS ADOPTED BY THE COUNCIL OF THE CITY OF TAKOMA PARK, MARYLAND, THIS ____ DAY OF NOVEMBER, 2019 BY ROLL-CALL VOTE AS FOLLOWS:

AYE:

NAY:

ABSTAIN:

ABSENT: