

Item No. 7



Date: April 25, 2012

TO: Board of Directors

FROM: Steve L. Rosenberg 
Director of Administrative Services

RE: Consider Authorizing Staff to Approve One-Year Agreements to Extend GCT's Existing Legal Services Contracts

I. EXECUTIVE SUMMARY

In June 2008 the Board of Directors approved award of a contract to Nordman Cormany Hair and Compton LLP (NCHC) for legal services to include a General Counsel who would report directly to the Board and a Legal Counsel who would report directly to the General Manager. The original contract was for three (3) years, with two (2) three-year options. In May 2011, the board approved staff's recommendation to extend the contract for one year under existing terms and rates rather than exercise the contract options. The approved recommendation also included contracting separately for employment law counsel to retain the services of our primary labor counsel, who was at that time in the process of leaving Nordman Cormany.

Exercising the contract option was not recommended because GCT was using more legal services than originally anticipated and because the hourly rate increases proposed for the option years were not justified given economic conditions in 2011. GCT did not have a purchasing manager at that time, and it was discussed that when the extension expired GCT would conduct a new legal services solicitation.

At this point in time, with GCT preparing for the possibility of becoming a district and at the same time approaching its first major land acquisition, staff believes that maintaining continuity is particularly important. GCT's General Counsel, Nancy Kierstyn Schreiner, continues to serve GCT well, is very well-versed in GCT's issues and is well-positioned to provide the Board and staff counsel and support for the important issues we will tackle going forward. Similarly, GCT's long-time employment law counsel Jonathan Fraser Light, now of LightGabler LLP, remains one of Ventura County's preeminent employment law attorneys and recently won an important arbitration case for GCT.

Both NCHC and LightGabler LLP have agreed to accept one year agreements, from July 1, 2012 to June 30, 2013, using the existing terms and rates of the contract

Consider Authorizing Staff to Approve One-Year Agreements to Extend GCT's Existing Legal Services Contracts

originally negotiated with NCHC in 2008 and extended to LightGabler in 2011. Staff proposes an agreement with NCHC not to exceed \$65,000 and with LightGabler LLP not to exceed \$25,000. These amounts are within the parameters of the proposed FY12-13 budget, and barring unanticipated circumstances GCT's actual costs for these services should be within the proposed not-to-exceed amounts.

II. SUMMARY AND RECOMMENDATIONS

It is recommended the Board of Directors authorize staff to approve one year legal services agreements, for general counsel services with NCHC not-to-exceed \$65,000 and for employment law services with LightGabler LLP not-to-exceed \$25,000, using the terms and rates in their respective existing contracts.

Concurrence:



Steven P. Brown
General Manager