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February 18, 2020

HONORABLE MAYOR AND CITY COUNCIL  
City of Long Beach  
California

RECOMMENDATION:

Authorize the City Manager to execute a Sixth Amendment to Agreement No. 31680 with Davis Wright Tremaine LLP for legal services during the period of February 1, 2020 through January 31, 2023, up to a maximum amount of \$225,000 per year, subject to appropriation of funds in future years.

DISCUSSION:

On March 2, 2010, the City Council authorized the execution of a contract with Davis Wright Tremaine LLP (Davis Wright) for the provision of specialized legal services to the Energy Resources Department. On January 10, 2012 the City Council authorized the extension of the Davis Wright contract, extending the term to January 31, 2014. On January 21, 2014, the City Council authorized the extension of the Davis Wright contract to January 31, 2016. On February 23, 2016, the City Council authorized the extension of the Davis Wright contract to January 31, 2018. On March 13, 2018, the City Council authorized the extension of the Davis Wright contract to January 31, 2020. Davis Wright successfully represented the City in proceedings before the California Public Utilities Commission (CPUC) brought by the Southern California Gas Company (SoCalGas) which were of vital interest to the City in that they affected the manner in which gas and electricity are purchased and transported by large end-users such as the City (and its customers). Davis Wright will continue to represent the City in connection with, among other things, CPUC triennial cost allocation proceedings, pipeline lease agreements, representing and advocating before the CPUC in connection with changes to storage, transmission and other charges resulting from gas leak in Aliso Viejo and ongoing changes to regulations as a result thereof. It is important that the interests of the City and its customers are continued to be represented and protected before the CPUC in connection with these proceedings.

Both the City Attorney's Office and the Energy Resources Department have been pleased with Davis Wright's work product to date and believe that the firm's energy regulatory group will continue to provide top-quality advice and representation on behalf of the City.

FISCAL IMPACT

Payment for these services has been budgeted by the Energy Resources Department in the Gas Revenue fund and will result in no cost to the General Fund.

SUGGESTED ACTION:

Approve recommendation.

Very truly yours,

CHARLES PARKIN, City Attorney

By



RICHARD F. ANTHONY  
Deputy City Attorney