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C-3

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January 10, 2012

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

RECOMMENDATION:

Authorize the City Manager to execute an agreement with Davis Wright Tremaine LLP for legal services during the period of February 1, 2012 through January 31, 2014, up to a maximum amount of \$95,000 each year, and subject to appropriation of funds in the second year.

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 Long Beach Gas & Oil Department (LBGO), the term of which expires January 31, 2012. 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). Ongoing proceedings before the CPUC brought by SoCalGas, among others, with respect to access to intrastate natural gas transmission, storage services and rate terms, may affect the City and ultimately its customers. 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 ongoing proceedings.

Davis Wright reduced its rates by 5% in response to the City Manager's request in 2009, and such 5% reduction in fees will continue in force throughout the term of the new agreement. Both the City Attorney's Office and LBGO 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 LBGO in the Gas Revenue fund and will result in no cost to the General Fund.

SUGGESTED ACTION:

Approve recommendation.

Very truly yours,

ROBERT E. SHANNON, City Attorney

By

A handwritten signature in black ink, appearing to read "R. Anthony", written over a horizontal line.

Richard F. Anthony,
Deputy City Attorney