



OFFICE OF THE CITY ATTORNEY
Long Beach, California

C-4

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HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

RECOMMENDATION:

Recommendation to authorize the City Manager to execute agreements with legal counsel Kaye Scholer, Troutman Sanders, Fox Spillane Shaeffer through a Memorandum of Agreement with the City of Los Angeles (\$375,000); as well as Keesel, Young and Logan (\$100,000) and Fulwider Patton (\$100,000) to assist the City Attorney in connection with Harbor Department matters.

DISCUSSION

The City Council is requested to authorize the City Manager to execute three agreements with legal counsel to assist the City Attorney in connection with Harbor Department matters.

1. **Clean Air Action Plan Memorandum of Agreement with the City of Los Angeles**

In 2005 the Ports of Los Angeles and Long Beach adopted a joint Clean Air Action Plan (CAAP). In connection with the CAAP, the offices of the City Attorneys for Los Angeles and Long Beach jointly conducted a competitive process and interviewed eight firms. Kaye Scholer, Troutman Sanders, and Fox Spillane Shaeffer were unanimously selected to provide special counsel in connection with the CAAP. Los Angeles has contracted with the firms and this office would like to enter into a Memorandum of Agreement for joint counsel and to share the cost of joint representation, not to exceed \$375,000.

2. **Contract with Keesal, Young & Logan to defend City in Mosler vs. Long Beach**

This case was brought by a "private attorney general" alleging inadequate environmental remediation of property in the Harbor District. The Long Beach firm of Keesal, Young and Logan successfully defended Los Angeles in a similar suit by the same plaintiff, not to exceed \$100,000.

3. Intellectual Property Counsel to Register Marks Developed by Port Branding Study

Fulwider Patton, a Long Beach firm, has represented the City in a variety of patent, trademark and related issues. We would like to retain the firm to provide special counsel and to register any marks, logos, etc. that may be developed during the Harbor Department's current branding study, not to exceed \$100,000.

All expenditures will be paid from the Harbor Revenue Fund. These amounts may be increased, if necessary, by the Board of Harbor Commissioners.

SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,

ROBERT E. SHANNON, City Attorney

By: 
DOMINIC HOLZHAUS
Principal Deputy City Attorney