

IN THE CITY COUNCIL OF THE CITY OF SAN LEANDRO

**RESOLUTION NO. 2024-366**

**RESOLUTION OF THE CITY OF SAN LEANDRO CITY COUNCIL TO APPROVE AND AUTHORIZE THE CITY MANAGER TO EXECUTE AN AMENDMENT NO. 3 TO THE LEGAL SERVICES AGREEMENT WITH CASTILLO, MORIARTY, TRAN & ROBINSON OF \$930,000 FOR PAST DUE AND UPCOMING TORT LITIGATION SERVICES IN FY 2024-2024**

**WHEREAS**, the City, in accordance with its purchasing provisions, has identified Castillo, Moriarty, Tran & Robinson to provide legal representation associated with tort liability claims and litigation; and

**WHEREAS**, the City wishes to increase the Legal Services Agreement amount by \$930,000 with *Castillo, Moriarty, Tran & Robinson (CMTR)* to continue supporting existing cases and future litigation; and

**WHEREAS**, Risk Management has sufficient funds in Fiscal Year 2024-2025 account 689- 19-004-5110 for tort litigation services; and

**WHEREAS**, Castillo, Moriarty, Tran & Robinson has agreed to the terms of the agreement amendment pending Council approval; and

**WHEREAS** the City Council is familiar with the contents of the agreement amendment; and

**WHEREAS**, the City Manager recommends approval of said agreement amendment.

**NOW, THEREFORE**, the City of San Leandro City Council does **RESOLVE** as follows:

That said amendments to the agreement are hereby approved and execution by the City Manager is hereby authorized; and

That the City Manager is authorized to execute contract amendments of up to 10% of the contract amount or \$100,000 to address the inherent uncertainty of tort litigation defense costs in FY 2024-2024.

Introduced by Councilmember \_\_\_\_\_ and passed and adopted this 3<sup>th</sup> day of September 2024, by the following vote:

AYES:

NOES:

ABSENT:

ATTEST:

\_\_\_\_\_  
Kelly Clancy, CMC  
City Clerk