



CITY OF GLENDALE, CALIFORNIA REPORT TO THE CITY COUNCIL

AGENDA ITEM

Report: Approval of a Legal Services Agreement with Pierce Law Firm for legal services associated with property acquisition, eminent domain advice and litigation, and related legal services

1. Motion Approving Legal Services Agreement in an Amount Not-to-Exceed \$75,000
2. Resolution of Appropriation

COUNCIL ACTION

Item Type: Consent Calendar

Approved for August 20, 2024 **calendar**

EXECUTIVE SUMMARY

Staff seeks Council approval of outside legal counsel to assist the City Attorney's Office with property acquisitions, including eminent domain procedures and litigation if necessary.

RECOMMENDATION

That the Council approve the retention of the Pierce Law Firm for legal services associated with property acquisition, eminent domain advice and litigation, and related legal services.

ANALYSIS

The City is considering property acquisition for various public purposes, including park purposes, within the City. In addition to property acquisition legal assistance, the City anticipates that the consideration of compliance with eminent domain procedures may be necessary to acquire property.

The Pierce Law Firm (“Pierce”) and its lead partner, Bradley Pierce, have significant experience representing property owners, business owners and governmental entities in a variety of litigation matters, including in the role as trial attorney with extensive experience in complex litigation as lead counsel on jury and bench trials, mediations, arbitrations, appeals and writ proceedings. Pierce’s government agency related litigation practice includes successful eminent domain and inverse condemnation work on major public infrastructure improvement projects on behalf of counties, cities, transportation authorities and special districts, including pre-project work with elected officials and staff, presentation at public hearings and successful negotiations avoiding litigation.

Pierce has previously performed work for the City in assisting with the acquisition of what is now Maryland Avenue Park. The contract will be in an amount not to exceed \$75,000.

STAKEHOLDERS/OUTREACH

N/A.

FISCAL IMPACT

The legal services contract is in the amount of \$75,000, which was not included as a part of the FY 2024-25 budget. Therefore, staff is requesting for an appropriation of \$75,000 from fund balance. The appropriation request is outlined below:

Requesting Appropriation			
Amount	From (Account String)	To (Account String)	Funding Source
\$75,000	GL: 25300-1010-000	GL: 43110-1010-CAD-1000	General Fund Undesignated Fund Balance

ENVIRONMENTAL REVIEW (CEQA/NEPA)

This matter involves hiring of a professional services firm and is not a project under the California Environmental Quality Act.

CAMPAIGN DISCLOSURE

The names and business addresses of the members of the board of directors, the chairperson, CEO, COO, CFO, Subcontractors and any person or entity with more than 10% interest in the company proposed for contract in this Agenda Item Report are attached in Exhibit 1, in accordance with the City Campaign Finance Ordinance No. 5744.

ALTERNATIVES TO STAFF RECOMMENDATION

1. The Council can choose not to retain the Pierce Law Firm for property acquisition assistance.

ADMINISTRATIVE ACTION

Submitted by:

Michael J. Garcia, City Attorney

Prepared by:

Michael J. Garcia, City Attorney

Approved by:

Roubik R. Golanian, P.E., City Manager

EXHIBITS/ATTACHMENTS

1. Campaign Disclosure