

AGREEMENT FOR SPECIAL SERVICES

This Agreement is entered into between the CITY OF REDLANDS, A Municipal Corporation hereinafter referred to as "City," and the law firm of LIEBERT CASSIDY WHITMORE, A Professional Corporation, hereinafter referred to as "Attorney."

WHEREAS City has the need to secure expert training and consulting services to assist City in its relations and negotiations with its employee organizations; and

WHEREAS City has determined that no less than thirteen (13) public agencies in the East Inland Empire area have the same need and have agreed to enter into identical agreements with Attorney; and

WHEREAS Attorney is specially experienced and qualified to perform the special services desired by the City and is willing to perform such services;

NOW, THEREFORE, City and Attorney agree as follows:

Attorney's Services:

During the year beginning July 1, 2011, Attorney will provide the following services to City (and the other aforesaid public agencies):

1. Five (5) days of group training workshops covering such employment relations subjects as management rights and obligations, negotiation strategies, employment discrimination and affirmative action, employment relations from the perspective of elected officials, performance evaluation (administering evaluations), grievance and discipline administration for supervisors and managers, planning for and responding to concerted job actions, current court, administrative and legislative developments in personnel administration and employment relations, etc., with the specific subjects covered and lengths of individual workshop presentations to be determined by City and the other said local agencies.

It is expressly understood that the material used during these presentations, including written handouts and projected power points are provided solely for the contracted workshops. This agreement warrants there will be no future use of Liebert Cassidy Whitmore material in other trainings or formats without the expressed written permission of Liebert Cassidy Whitmore. Any such use will constitute a violation of this agreement and copyright provisions.

2. Availability of Attorney for City to consult by telephone.
3. Providing of a monthly newsletter covering employment relations developments.

Fee:

Attorney will provide these special services to City for a fee of Two Thousand Eight Hundred Ninety Two Dollars (\$2,892.00) payable in one payment prior to August 1, 2011. The fee, if paid after August 1, 2011 will be \$2,992.00.

Said fee will cover Attorney's time in providing said training and consultative services and the development and printing of written materials provided to attendees at the training programs.

Additional Services:

Attorney shall, as and when requested by City, make itself available to City to provide representational, litigation, and other employment relations services. The City will be billed for the actual time such representation services are rendered, including reasonable travel time, plus any necessary costs and expenses authorized by the City.

The range of hourly rates for Attorney time is from One Hundred Eighty to Three Hundred Dollars (\$180.00 - \$300.00) per hour for attorney staff and from One Hundred Five to One Hundred Forty Dollars (\$105.00 - \$140.00) per hour for services provided by paraprofessional staff. Attorneys and paraprofessional staff bill their time in minimum units of one-tenth of an hour. Communications advice (telephone, voice-mail, e-mail) is billed in a minimum increment of three-tenths (.30) of an hour. Attorney reviews its hourly rates in an annual basis and if appropriate, adjusts them effective July 1.

Independent Contractor:

It is understood and agreed that Attorney is and shall remain an independent contractor under this Agreement.

Term:

The term of this Agreement is twelve (12) months commencing July 1, 2011. The term may be extended for additional periods of time by the written consent of the parties.

Condition Precedent:

It is understood and agreed that the parties' aforesaid rights and obligations are contingent on no less than thirteen (13) local agency employers entering into a substantially identical Agreement with Attorney on or about July 1, 2011.

Dated: 6/7/11

LIEBERT CASSIDY WHITMORE

A Professional Corporation

By [Signature]

Dated: 8/10/2011

CITY OF REDLANDS

A Municipal Corporation

By [Signature]

Attest: Jessie Ballinger, Deputy City Clerk.

*East Inland Empire ERC
2010/2011 Planning Meeting Notes
May 12, 2011*

I. Comments

- Consortium agreed the workshops and presenters have been good.
- Consortium continues to enjoy the location.
- Sandy got off to a rocky start but now things are going well.
- Terri Truitt will continue to staff the workshop registration area.
- LCW will include a pdf of the workbook with the announcement.
- Registration/Sign-in Sheet: Members asked if they could use their own sheets. They may as long as they include the date, title of workshop, location of workshop and include a place for typed registrants and signatures of actual attendees.
- Reminder: Please be sure to get your registrations in on time.

II. Services Explained

- Consortium calls can be placed to any of the LCW offices: Los Angeles, San Francisco, Fresno or San Diego. Members may ask for a specific attorney, such as Peter Brown for FLSA questions, or any available attorney. Questions may also be submitted by email directly to the attorney or to info@lcwlegal.com.
- LCW has multiple monthly newsletters: Client Update, The Briefing Room (geared towards law enforcement) and Fire Watch (geared towards Fire Safety Personnel). Consortium members may request to receive any or all of these publications. The newsletters are sent either via surface mail or via email. The email comes from Newsletter@lcwlegal.com so please ensure that this email address is accepted by your system.
- LCW provides a guide as to who should attend the workshops and requests that agencies use their best discretion when registering employees for the session as the composition of the audience can impact the message and tone of the workshop.
- Consortium Workshops across the State: ERC members are able to attend other Consortia's workshops. If you are interested in attending, you must contact Sandy Conway (sconway@lcwlegal.com) two weeks prior to the scheduled workshop. Once all the registration sheets are received from the members of that Consortium, members from other Consortia may attend, space permitting. There is no cost to attend another Consortium's workshop, unless they require a per person/refreshment fee.

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East Inland Empire ERC 2010/2011 Planning Meeting Notes May 12, 2011

- Social Media – ERC Members can now follow us on Twitter and our Labor and Employment blog. Twitter followers receive instant tweets to our alerts of firm publications, blog posts, attorney authored articles and upcoming speaking engagements, events and seminars. <http://twitter.com/lcwlegal>. Blog subscribers receive weekly updates on fresh and new labor and employment issues from <http://www.calpublicagencylaboremploymentblog.com>
- WWW.LCWLEGAL.COM: LCW's website is fully searchable for specific articles and content appearing in our monthly newsletters and our annual *Legislative Round-Up*. Once on our site, click on "search" under "News and Publications" and enter key words relating to the specific subject or bill you're seeking information on. For example, if you'd like information regarding bill AB 1825, simply type in 'AB 1825' in the search box and the information you need appears.
- Individual/customized training:
 - Includes the incorporation of your policies and procedures, as well as an original set of materials for your reproduction.
 - Any of the workshops listed on the Master Workshop Topics list can be presented outside of the consortium to one specific agency or a group of agencies to share the cost. Our rate for a three-hour, half day session ranges from \$1,600 - \$2,000 while a six-hour, full day session ranges from \$2,500 - \$3,000. If you schedule two half day sessions on the same day, we will honor the full day rate.
 - LCW can send an e-mail to other agencies if a request for an individual workshop has been made and the agency requesting the workshop wishes to combine with other agencies. For more information, contact Anna Sanzone-Ortiz at (310) 981-2051.

III. Workshops for 2011/2012

- **Managing Leave Laws & the Discipline Process** (full day)
- **Public Sector Employment Law Update** (half day)
- **Legal Aspects of Violence in the Workplace** (half day)
- **Labor Code 101 for Public Agencies** (half day)
- **Issues & Challenges Regarding Drugs & Alcohol in the Workplace** (half day)
- **Employees & Driving** (half day)

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- **Advanced Retirement Issues for California's Public Employers** (half day) – late on schedule
- **Difficult Conversations** (half day)
- **Front Line Defense** (half day)

❖ Please note that LCW will be updating workshop titles. The title of the workshop may change but the content discussed at the planning meeting will remain as discussed.

➤ Workshop location/host:

- Consortium would like to continue holding the workshops at the Sierra Lakes Golf Club in Fontana.
- Terri Truitt from the City of Fontana will continue as the hostess for all workshops.

➤ Workshop scheduling:

- The group would like to continue holding workshops on the first Thursday of the month.

IV. Rate

- Membership fees are \$2,528, \$2,892, and \$3,190 (depending on date joined).
- The Per Person Fee for the Sierra Lakes Golf Club remains at \$35.
- A \$100 late fee applies after August 1, 2011.
- Invoices and contracts will be sent immediately so that any agency that wants to pay all or part of the membership fee from this year's budget may do so.

LIEBERT CASSIDY WHITMORE

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June 2, 2011

Angela Lopez
Human Resources Manager
City of Redlands
PO Box 3005
Redlands, CA 92373

06-16-11A07:33 RCVD

Re: *East Inland Empire Employment Relations Consortium*

Dear Ms. Lopez:

We are looking forward to another successful year with the East Inland Empire Employment Relations Consortium. The consortium committee has selected a wide variety of topics for your managers and supervisors. We are pleased to provide the consortium with five days of training, our monthly Client Update, and telephone consultation.

The workshops chosen for the upcoming training are listed on the enclosed planning meeting notes. We will send a detailed schedule of the workshops in the next few weeks.

Enclosed is an Agreement for Special Services. Please execute and return a copy to our office. Contracts are being sent now so that those agencies that wish to pay all, or part, of the enclosed invoice during the current fiscal year may do so.

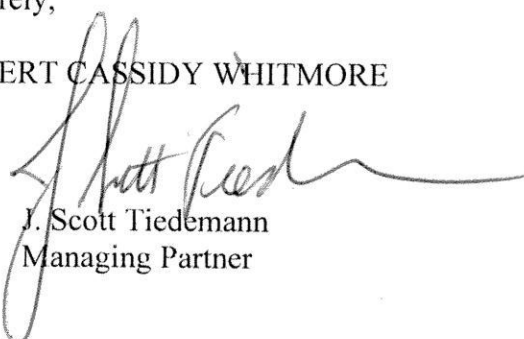
We appreciate your participation in the consortium and hope that you will take advantage of the member benefits including consortium calls, local training and the ability to send employees to other consortium workshops. If you have any questions about the consortium or our other training programs, please contact Cynthia Weldon, Director of Training & Marketing at (310) 981-2055 or cweldon@lcwlegal.com.

We thank you for your membership and we look forward to another successful training year.

Sincerely,

LIEBERT CASSIDY WHITMORE

BY:


J. Scott Tiedemann
Managing Partner

Enclosures