



City of Arts & Innovation

City Council Memorandum

TO: HONORABLE MAYOR AND CITY COUNCIL DATE: MARCH 20, 2018
FROM: COUNCILMEMBER MELENDREZ WARDS: ALL
SUBJECT: HIRE SPECIAL COUNSEL TO INVESTIGATE POSSIBLE BREACH OF ATTORNEY/CLIENT PRIVILEGE AND POSSIBLE VIOLATIONS RELATING TO MAYOR'S ATTEMPTED VETO OF CITY MANAGER CONTRACT

ISSUE:

Secure independent counsel for the purpose of investigating a possible breach of attorney/client privilege out of the Mayor's Office and possible violations relating to the Mayor's attempted veto of the City Manager's Employment Agreement on February 6, 2018.

RECOMMENDATIONS:

That the City Council:

1. Authorize the City Attorney to secure Steven Miller of Hanson Bridgett as independent counsel to investigate a possible breach of attorney/client privilege out of the Mayor's Office and possible violations relating to the Mayor's attempted veto of the City Manager's Employment Agreement on February 6, 2018;
2. Determine the scope of the investigation; and
3. Request the Mayor Pro Tem to facilitate the process on behalf of the City Council.

BACKGROUND:

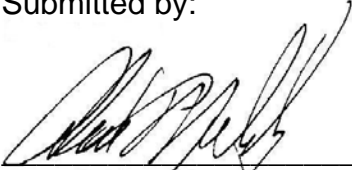
At the City Council meeting of March 6, 2018, Councilmember Melendrez requested that the City Council consider securing independent counsel for the purpose of investigating a possible breach of attorney/client privilege out of the Mayor's Office and possible violations relating to the Mayor's attempted veto of the City Manager's Employment Agreement on February 6, 2018. Councilmember Melendrez further requested the Mayor Pro Tem be designated to facilitate the process on behalf of the City Council.

Steven Miller of Hanson Bridgett will be present at the meeting for direction and discussion of the scope of the investigation.

FISCAL IMPACT:

Depending upon the scope of the investigation as determined by the City Council, the estimated cost ranges from \$10,000 to \$25,000. There are sufficient funds budgeted in the City Attorney outside counsel budget to cover costs.

Submitted by:

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

ANDY MELENDREZ, Ward 2
Councilmember