



Agenda Item No: 4.f
Meeting Date: November 6, 2023

SAN RAFAEL CITY COUNCIL AGENDA REPORT

Department: Human Resources

Prepared by: Marissa Sanchez, Human Resources Director **City Manager Approval:** _____

TOPIC: PROFESSIONAL SERVICES AGREEMENT FOR LABOR NEGOTIATIONS SERVICES

SUBJECT: PROFESSIONAL SERVICES AGREEMENT WITH BURKE, WILLIAMS & SORENSEN, LLP FOR LABOR NEGOTIATION SERVICES, IN AN AMOUNT NOT TO EXCEED \$150,000

RECOMMENDATION:

Authorize the City Manager to enter into a Professional Services Agreement with Burke, Williams & Sorensen, LLP for legal and labor negotiation services, in an amount not to exceed \$150,000.

BACKGROUND:

This contract is to engage labor negotiation services from attorneys with the law firm of Burke, Williams & Sorensen, LLP, covering fiscal years 2023-2024 and 2024-2025.

The City of San Rafael currently has seven (7) labor agreements that will expire on June 30, 2024. In addition, new compensation/benefit resolutions must be established for the unrepresented groups, and the Elected City Clerk and Elected Part Time City Attorney, whose current resolutions expire on June 30, 2024. Accordingly, the City will soon begin negotiating new labor agreements and resolutions.

The City has the practice of using experienced, independent professionals to act as lead negotiator in represented contract negotiations for many years and has contracted with Burke, Williams & Sorensen, LLP, for labor negotiation services since December 2017. A member of the City’s executive team will be “at the table” along with the independent negotiator. This model helps staff maintain cooperative relationships with bargaining unit representatives and avoids potential conflicts of interest that could arise if only internal staff were involved in negotiations.

ANALYSIS:

Given the City’s desire to complete new collective bargaining agreements with various bargaining groups and the time involved fulfilling this important task, staff recommends that the City continue partnering with the legal firm of Burke, Williams & Sorensen, LLP, for labor negotiation services.

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Disposition: _____

This agreement provides a full range of services, including meeting preparation, appropriate legal review of proposed bargaining group contracts, and coordination with the City's resource team. In addition, services will include time for interaction with the City Council, necessary technical research, and legal services that may be required for issues outside of the actual labor negotiation process.

Although Burke, Williams & Sorensen, LLP would be engaged to lead the process, staff will continue to be extensively involved in the negotiation process. Along with other City staff, Burke, Williams & Sorensen, LLP attorneys will receive authority from the City Council and will coordinate strategy with the City Manager, Assistant City Managers, and Human Resources Director. In addition, the management resource team will include support from the Department Directors, including the Finance Director for financial analysis, and the City Attorney.

FISCAL IMPACT:

The cost for services under this agreement will not exceed \$150,000. Funding is available in the FY 2023-24 contractual services budget for the General Fund and other related funds that will receive benefits from these services.

OPTIONS:

The City Council has the following options to consider on this matter:

1. Adopt the resolution authorizing the City Manager to enter into the agreement as recommended.
2. Do not authorize the City Manager to enter into the agreement and provide further direction to staff.

RECOMMENDED ACTION:

Authorize the City Manager to enter into a Professional Services Agreement with Burke, Williams & Sorensen, LLP for legal and labor negotiation services, in the amount of \$150,000.

ATTACHMENTS:

None.