

Legislation Details (With Text)

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File created: 1/18/2024 **In control:** City Council

On agenda: 2/5/2024 **Final action:** 2/5/2024

Title: CONSIDER ADOPTING RESOLUTION (1) AUTHORIZING THE CITY MANAGER TO EXECUTE AN AMENDMENT TO THE CITY'S CURRENT LEGAL SERVICES AGREEMENT WITH TELECOM LAW FIRM PC IN THE AMOUNT OF \$10,000 FOR CONTINUING SERVICES PERTAINING TO THE REGULATION AND PLACEMENT OF TELECOMMUNICATIONS INFRASTRUCTURE; AND (2) APPROPRIATING \$30,000 FROM THE GENERAL FUND DESIGNATED RESERVES - LEGAL CONTRACT SERVICES TO THE CITY ATTORNEY'S OFFICE PROFESSIONAL SERVICES BUDGET (100-1210-43600) TO FUND THE REMAINDER OF THE CURRENT AGREEMENT AND THE PROPOSED AMENDMENT

CEQA: This proposed action is not a project as defined by CEQA.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Att A - RES Telecom Law Group PC Amendment and GFDR Transfer 2024-02-05, 2. Att B - Proposed 1st Amendment to Legal Services Agreement with Telecom Law Firm PC, 3. Att C - Existing Legal Services Agreement with Telecom Law Firm PC

Date	Ver.	Action By	Action	Result
2/5/2024	1	City Council	Adopted	Pass

PREPARED BY: BRIAN HICKEY

DATE OF MEETING: 02/05/2024

SUBJECT:

CONSIDER ADOPTING RESOLUTION (1) AUTHORIZING THE CITY MANAGER TO EXECUTE AN AMENDMENT TO THE CITY'S CURRENT LEGAL SERVICES AGREEMENT WITH TELECOM LAW FIRM PC IN THE AMOUNT OF \$10,000 FOR CONTINUING SERVICES PERTAINING TO THE REGULATION AND PLACEMENT OF TELECOMMUNICATIONS INFRASTRUCTURE; AND (2) APPROPRIATING \$30,000 FROM THE GENERAL FUND DESIGNATED RESERVES - LEGAL CONTRACT SERVICES TO THE CITY ATTORNEY'S OFFICE PROFESSIONAL SERVICES BUDGET (100-1210-43600) TO FUND THE REMAINDER OF THE CURRENT AGREEMENT AND THE PROPOSED AMENDMENT

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CITY MANAGER RECOMMENDATION

Adopt Resolution

COMPLIANCE STATEMENTS

City-Wide Fiber Optic/Wide Area Network Project (All Future Phases) and Facilitate Future Smart City 5G S.P.E.E.D. Network Projects, Policies and Services that Close Digital Divide and Promote Internet Access and Connectivity are focus areas under Focus on Economic Development and Fiscal Diversification Priorities, an adopted major policy goal under the City of San Pablo City Council

Priority Work Plan FY 2023-25, effective May 1, 2023.

BACKGROUND

The City Council adopted City Council Priority Workplan FY 2023-15 on May 1, 2023 via Resolution No. 2023-058. The City Council Priority Workplan includes a major policy goal of *Focus on Economic Development and Fiscal Diversification Priorities*. It further includes focus area No. 410.1: *Facilitate Future Smart City 5G S.P.E.E.D. Network Projects, Policies and Services that Close Digital Divide and Promote Internet Access and Connectivity*; and focus area No. 410.2: *City-Wide Fiber Optic/Wide Area Network Project (All Future Phases)*.

Telecom Law Firm PC (“Telecom”) is currently under contract with the City to provide legal services in the area of telecommunications law, with \$19,740.25 left available on the original 2020 agreement which authorized up to \$30,000. However, no funds have been budgeted to this agreement for the current FY23-24 fiscal year. City staff seeks authorization to amend the current agreement with Telecom to add \$10,000 to the total compensation, for a total compensation under the agreement not to exceed \$40,000, and to appropriate \$30,000 from FY 2023-24 General Fund Designated Reserves to fund the Agreement as amended. This additional funding will be used for continuing legal services pertaining to the anticipated placement of various cell site, fiber optic, and other telecommunications infrastructure throughout the City.

Attached to this staff report is a copy of the proposed amendment, along with the City’s existing legal services agreement with Telecom.

This proposed resolution authorizes the City Manager to enter into an Amendment to the City’s current Legal Services Agreement with Telecom (“Amendment”) in the amount of \$10,000 and appropriates a total of \$30,000 from FY 2023-24 General Fund Designated Reserves to the City Attorney’s Office Professional Services Budget (100-1210-43600) to fund the remainder of the current Agreement and the proposed Amendment.

Note: On January 16, 2024, per Reso. No. 2024-003, the City Council previously approved allocation of one-time funds in the FY 2023-24 GFDR Fund Balance for Legal Contract Services (i.e. Civica and Telecom).

FISCAL IMPACT

The proposed resolution approves Amendment to the City’s existing legal services agreement with Telecom in the amount of \$10,000 and appropriates \$30,000 from FY 2023-24 General Fund Designated Reserves to fully fund the Agreement, as amended.

ATTACHMENTS

Att A - Resolution - Telecom Law Group PC Amendment and GFDR Transfer

Att B - Proposed First Amendment to Legal Services Agreement with Telecom Law Firm PC

Att C - Existing Legal Services Agreement with Telecom Law Firm PC