

Meeting of September 19, 2016

SOUTH PORTLAND CITY COUNCIL
POSITION PAPER OF THE INTERIM CITY MANAGER

SUBJECT:

Order #55-16/17: Authorizing the law firm of Perkins Thompson, P.A., of Portland, ME to provide legal services to the City.

POSITION:

The City's legal services are provided through a combination of Jensen Baird Gardner & Henry, Corporation Counsel for the City and two additional outside firms. Outside counsel is utilized in conflicts situations, when the Corporation Counsel has a conflict of interest or when the City needs legal counsel with particular expertise.


Code of Ordinances Sec. 2-5 requires that legal counsel for the City be authorized by the City Council. At present there are two firms authorized to provide outside legal services on a continuing basis: Norman, Hanson & DeTroy and Bernstein Shur.

The City sometimes finds itself with legal matters where Jensen, Baird Gardner & Henry; Norman, Hanson & DeTroy and Bernstein Shur have conflicts preventing their representation of the City. Order #55-16/17 is intended to provide an additional outside counsel resource. Perkins Thompson has an extremely experienced municipal section and also other sections specializing in other areas of law.

The Order has been drafted without a financial cap or end date. The cost of services would depend on the hourly rate and number of hours worked. This can be difficult to predict; accountability for costs is through the budget process allocation for legal services.

REQUESTED ACTION:

Passage of Order #55-16/17.



Interim City Manager



CITY OF SOUTH PORTLAND

THOMAS E. BLAKE
Mayor

DON H. GERRISH
Interim City Manager

SALLY J. DAGGETT
Jensen Baird Gardner & Henry

EMILY F. SCULLY
City Clerk

IN CITY COUNCIL

ORDER #55-16/17

District One
CLAUDE V. Z. MORGAN

District Two
PATRICIA A. SMITH

District Three
EBEN C. ROSE

District Four
LINDA C. COHEN

District Five
BRAD FOX

At Large
MAXINE R. BEECHER

At Large
THOMAS E. BLAKE

ORDERED, pursuant to Code of Ordinances Sec. 2-5, that the law firm of Perkins Thompson, PA, of Portland, Maine, be and hereby is authorized to provide legal services for the City upon request by the City Manager or the Corporation Counsel.

[Fiscal Note: to be determined by hourly rates and number of hours worked, subject to budget limitations]

Fiscal Note: Less than \$1,000

Date: September 19, 2016