



City of La Puente AGENDA REPORT

To: Mayor and City Council

For meeting of: April 9, 2024

From: Bob Lindsey, City Manager

SUBJECT: CONSIDERATION OF AMENDMENT NO. 1 TO THE EXISTING LEGAL SERVICES AGREEMENT WITH DAPEER, ROSENBLIT & LITVAK, LLP FOR CODE ENFORCEMENT AND SPECIAL COUNSEL SERVICES

BACKGROUND/DISCUSSION

At its June 28, 2011, City Council meeting, the City Council approved an agreement between the City and Dapeer, Rosenblit & Litvak, LLP (“DRL”) to provide legal services relating to the enforcement of the La Puente Municipal Code and was authorized to seek civil and criminal remedies as appropriate.

The City has received requests for hourly rate increases from DRL. The firm has continuously provided professional services to the City for almost 13 years, has successfully represented the City in a broad range of matters and done so with the highest ethics and professional skill. The firm has and continues to garner an excellent reputation among City staff and in the community at large.

DRL has been providing code enforcement services since 2011 without a rate adjustment. The rates in effect from 2011 have been \$175.00 per hour for criminal prosecutions and \$225.00 for all other matters.

At present, the firm has indicated that the cost of providing services to the City has been increasing over the past 13 years and in particular the past 5 years. Just considering inflation, an increase in fees to keep up with inflation would merit an increase to \$241.50 for prosecutions and \$310.50 for all other matters. In recognition of the long-standing relationship with the City, the firm is requesting an increase to \$200.00 for criminal prosecutions and \$250.00 for all other matters. It also seeks to introduce a new paraprofessional rate of \$185. In order to allow a gradual increase to achieve some parity with what the adjusted rates should be, the firm also requests annual increases of 3% per year or the increase in the CPI index whichever is lower, to correspond to the commencement of the new fiscal year commencing in 2025.

The proposed rates would take effect July 1, 2024. The proposed rates shall apply prospectively and shall have no application to any legal services rendered prior to July 1, 2024. The proposed rates automatically increase commencing on January 1, 2025, and annually on January 1st of each calendar year thereafter by a percentage equal to the lesser of either 3 percent (3%) or CPI index.

FISCAL IMPACT

Appropriations will be made available for this expenditure in the FY 2024/2025 Budget and CIP.

RECOMMENDATION

It is recommended that the City Council: (1) approve amendment No. 1 to the existing Agreement with Dapeer, Rosenblit & Litvak, LLP for Code Enforcement and Special Counsel Services; and (2) authorize the City Manager to execute the Amendment on behalf of the City.

ATTACHMENTS

Attachment “A”: Amendment No. 1

**AMENDMENT NO. 1
TO LEGAL SERVICES AGREEMENT BETWEEN THE CITY AND
DAPEER, ROSENBLIT & LATVIK, LLP**

This Amendment No. 1 to the Legal Services Agreement (“Agreement”) is made and entered into this 9th day of April 2024 (“Effective Date”), by and between the City of La Puente, a California municipal corporation (“City”), and Dapeer, Rosenblit & Latvik, LLP, a California limited liability partnership (“Firm”). “City” and “Firm” are sometimes individually referred to herein as a “Party” and collectively referred to herein as “Parties.”

RECITALS

WHEREAS, on June 28, 2011, the Parties executed and entered into a Legal Services Agreement (hereinafter, “Agreement”, which is attached and incorporated hereto as Exhibit “A”) for continuing legal services relating to the enforcement of the La Puente Municipal Code and was authorized to seek civil and criminal remedies as appropriate; and

WHEREAS, the Firm has requested an adjustment of the billing rate set forth in the Agreement in order to reflect the increase in the cost of living since the previous billing rate adjustment.

AMENDMENT NO. 1

NOW THEREFORE, the parties agree as follows:

SECTION 1. Section 6 (Fees and Costs) of the Agreement is hereby repealed, deleted, and replaced in its entirety by the following:

“6. Fees and Costs. City shall pay legal fees to the Firm at the hourly rate of \$200 for attorney services relating to the use of criminal remedies. All other services requested by the City, including code/ordinance changes or reviews to promote effective enforcement practices and/or to improve compliance results, (ii) administrative hearings; (iii) civil actions, injunctions, mandamus and all related or similar actions and proceedings; and, for (iv) appeals to appellate courts and agencies shall be billed at the rate of \$250.00 per hour. Paraprofessional performing services at the direction of firm attorneys shall be billed at the rate of \$185.00. These rates shall be adjusted annually to coincide with the commencement of the new fiscal year commencing in 2025 at the rate of 3% per annum or the increase of the greater Los Angeles consumer price index during the prior year, whichever is lower.

6.1 Attorney shall be entitled to reimbursement of not to exceed Twenty-Five Cents (\$.25) per page for facsimile transmissions; not to exceed Five Cents (\$.05) per page for photocopies; Fifteen Dollars (\$15.00) per property/business search request for staff time and the actual cost of the search charged by the commercial database provider; and for actual expenses reasonably incurred for long distance telephone calls, court costs,

services of process, messengers, deliveries, postage and other similar services incidental to the performance of this Agreement.”

SECTION 2. Except as amended in Section1 above, the Agreement shall remain in full force and effect.

IN WITNESS WHEREOF, the Parties hereto have caused this Amendment No. 1 to be executed on the day and year first appearing above.

“CITY”

City of La Puente

“FIRM”

Dapeer, Rosenblit & Latvik, LLP

By: _____
Bob Lindsey, City Manager

By: _____

Attest:

By: _____
Martha Torres, City Clerk

Approved as to form:

By: _____
Susie Altamirano, City Attorney



City of La Puente **AGENDA REPORT**

To: Mayor and City Council

For meeting of: April 9, 2024

From: Bob Lindsey, City Manager

SUBJECT: DISCUSSION AND CONSIDERATION OF A RESOLUTION RELATING TO THE
ONGOING CONFLICT IN THE MIDDLE EAST (COUNCIL MEMBER
ARGUDO/MAYOR QUINONES)

BACKGROUND/DISCUSSION

Council Member Argudo, with the support of Mayor Quinones, has requested discussion and consideration of this item.

FISCAL IMPACT

None.

RECOMMENDATION

It is recommended that the City Council discuss this item and provide any necessary direction to Staff.

ATTACHMENTS

Attachment "A": Resolution No. 24-5864

RESOLUTION NO. 24-5864

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY
OF LA PUENTE, CALIFORNIA, RELATING TO THE
ONGOING CONFLICT IN THE MIDDLE EAST**

WHEREAS, all human life is precious, and the targeting of civilians, no matter their faith or ethnicity, is a violation of international humanitarian law; and

WHEREAS, on October 26th, the United Nations General Assembly, in a near unanimous vote, called for an immediate and sustained humanitarian ceasefire; and

WHEREAS, the City of La Puente advocates for peace, safety, dignity, freedom, and equality for all people, and is comprised of diverse individuals whose collective cultures, religions, backgrounds, orientations, abilities, and viewpoints join to form a community that prides itself on being welcoming and accepting of people from all walks of life; and

WHEREAS, the ongoing conflict in the Middle East has claimed the lives of many individuals in the region, caused immeasurable suffering to countless persons, and continued risk of death is imminent if the release of hostages and a permanent end to the conflict does not take place; and

WHEREAS, the City of La Puente calls on leaders at the federal level to continue to work cooperatively with the global community to release all hostages, seek bilateral de-escalation and a permanent end to the abhorrent current violence, ensure humanitarian aid is delivered to Gaza without delay, and pursue peace in the Middle East to guard and protect the lives, health, and security of all innocent civilians; and

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LA PUENTE
HEREBY FINDS, DETERMINES AND RESOLVES AS FOLLOWS:**

SECTION 1. The above recitals are true and correct and are incorporated herein by reference.

SECTION 2. The provisions of this Resolution are severable and if any provision, clause, sentence, word or part thereof is held illegal, invalid, unconstitutional, or inapplicable to any person or circumstances, such illegality, invalidity, unconstitutionality, or inapplicability shall not affect or impair any of the remaining provisions, clauses, sentences, sections, words or parts thereof of the Resolution or their applicability to other persons or circumstances.

SECTION 3. The City Clerk shall certify the adoption of this Resolution and that the same shall be in full force and effect.

SECTION 3. The La Puente City Council supports all its residents and condemns all forms of racism, bigotry, discrimination, and violence.

SECTION 3. The La Puente City Council requests a copy of this resolution to be sent to the offices of the President of the United States and our Congressional Delegation.

PASSED, APPROVED AND ADOPTED this 9th day of April, 2024, by the following vote:

AYES:	COUNCILMEMBERS:
NOES:	COUNCILMEMBERS:
ABSENT:	COUNCILMEMBERS:
ABSTAIN:	COUNCILMEMBERS:

Gabriel Quiñones, Mayor

ATTEST:

Martha Torres, MPA, City Clerk