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CITY OF SACRAMENTO



DEPARTMENT OF LAW
812 TENTH STREET SACRAMENTO, CA 95814
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CITY MANAGER'S OFFICE
RECEIVED
DEC 13 1983

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Deputy City Attorneys

December 9, 1983

Honorable City Council
City of Sacramento
City Hall
Sacramento, California

In re: Retention of Legal Counsel to Assist
With Cable TV Litigation

Members in Session:

SUMMARY

The attached resolutions approve agreements with legal counsel to represent the City and County in the lawsuit of Pacific West Cable v. City of Sacramento and County of Sacramento. The law firm of Preston, Thorgrimson, Ellis & Holman, and Brenton A. Bleier, are retained to represent the City and County in this litigation.

BACKGROUND

In late September, 1983, the City Council and Board of Supervisors privately retained the law firm of Preston, Thorgrimson, Ellis & Holman to provide representation in the lawsuit entitled Pacific West Cable v. City of Sacramento and County of Sacramento. Approval of the attached agreement will formalize the Council action.

The Council also approved retention of Brenton A. Bleier to act as the local attorney to assist the Preston firm in this litigation. An agreement formally retaining Mr. Bleier is also attached. The agreements require the City to pay 40% of the costs and the County to pay 60% of the costs.

RECOMMENDATION

It is recommended that the attached agreements be approved.

RECOMMENDATION APPROVED:

Walter J. Slupe
CITY MANAGER

Very truly yours,
James P. Jackson
JAMES P. JACKSON
City Attorney

APPROVED
BY THE CITY COUNCIL

DEC 20 1983

OFFICE OF THE
CITY CLERK

Attachments

December 20, 1983
All Districts

COUNTY OF SACRAMENTO

Inter-Department Correspondence

Date Dec. 8, 1983

To : Chairperson and Members
Board of Supervisors

From : L. B. Elam
County Counsel

Subject: Cable Television Litigation - Retention of
Legal Counsel
Agenda - December 13, 1983 - Item No. _____

RECOMMENDATION:

This Office recommends that the Board of Supervisors adopt the Resolutions approving and authorizing execution of the following Agreements:

a. An Agreement retaining the firm of Preston, Thorgrimson, Ellis and Holman to represent the County, City and Cable Television Commission in litigation commenced by the Pacific West Cable Company on September 14, 1983; and

b. An Agreement retaining Brenton A. Bleier to provide local liaison with Preston and other legal services in connection with the litigation.

RECOMMENDATION:

In late September, 1983, the City Council and Board of Supervisors privately retained the Preston Firm to provide representation in the litigation. Approval of the enclosed Agreement with that Firm will formalize the retention. The Firm's hourly rates are: \$150.00 per hour for partners, \$65.00 to \$130.00 per hour for associates and of counsel attorneys; and \$45.00 per hour for paralegals.

The Agreement retaining Brenton A. Bleier also provides for representation associated with the Cable Television litigation. Mr. Bleier would act as a local liaison with the Preston Firm, and would provide a variety of miscellaneous services related to

Chairperson and Members
Board of Supervisors

-2-

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Dec. 8, 1983

the litigation which can be performed by local counsel less expensively than by a firm whose offices are out-of-town. The City Council and Board of Supervisors also informally approved Mr. Bleier's retention for these purposes in late September or early October, 1983.

It should be noted that effective January 1, 1984, the Sacramento Metropolitan Cable Television Commission will be without legal representation. Mr. Bleier's current contract for general legal services expires December 31, 1983. The firm of McDonough, Holland & Allen, retained in August, 1983, was scheduled to provide general counsel representation to the Commission through Steve Robbins commencing in January, 1984. However, that firm recently resigned from this assignment. The attached Agreement retaining Mr. Bleier to provide representation in the litigation, does not extend to general representation responsibility.

L. B. ELAM

LBE:wp

cc w/enclosures:

Robert Smith, Executive Director
Sacramento Metropolitan Cable
Television Commission

James Jackson, City Attorney
City of Sacramento

RESOLUTION NO. 83-1010

ADOPTED BY THE SACRAMENTO CITY COUNCIL ON DATE OF

DECEMBER 20, 1983

RESOLUTION APPROVING CONTRACT WITH THE LAW FIRM OF PRESTON, THORGRIMSON, ELLIS & HOLMAN

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SACRAMENTO:

That the Agreement, dated December 13, 1983, between the City of Sacramento, County of Sacramento and the law firm of Preston, Thorgrimson, Ellis & Holman, to provide legal representation in the pending Cable Television litigation is hereby approved and the City Manager is hereby authorized to execute said Agreement on behalf of the City of Sacramento.

MAYOR

ATTEST:

APPROVED
BY THE CITY COUNCIL

CITY CLERK

DEC 20 1983

OFFICE OF THE
CITY CLERK

RESOLUTION NO. 83-1011

ADOPTED BY THE SACRAMENTO CITY COUNCIL ON DATE OF

DECEMBER 20, 1983

RESOLUTION APPROVING CONTRACT WITH THE LAW FIRM OF BRENTON A. BLEIER

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SACRAMENTO:

That the Agreement, dated December 13, 1983, between the City of Sacramento, County of Sacramento and the law firm of BRENTON A. BLEIER to provide legal representation in the pending Cable Television litigation is hereby approved and the City Manager is hereby authorized to execute said agreement on behalf of the City of Sacramento

MAYOR

ATTEST:

CITY CLERK

APPROVED
BY THE CITY COUNCIL

DEC 20 1983

OFFICE OF THE
CITY CLERK

May 8, 1984

Preston, Thorgrimson, Ellis & Holman
1735 Now York Avenue, N.W.
Washington, D. C. 20006-4759

Dear Gentlemen:

On December 20, 1983, the Sacramento City Council adopted resolution No. 83-1010 authorizing the execution of contract with the Law Firm of Preston, Thorgrimson, Ellis & Holman to provide legal representation in the pending Cable Television litigation.

Enclosed, for your records, is one fully certified copy of said agreement and authorizing resolution.

Sincerely,



Lorraine Magana
City Clerk

LM/km/25A
Enclosures

May 8, 1984

Brenton A. Bleier
Attorney at Law
1001 G Street, Suite 101
Sacramento, CA 95814

Dear Mr. Bleier:

On December 20, 1983, the Sacramento City Council adopted resolution No. 83-1011 authorizing the execution of contract with the Law Firm of Brenton A. Bleier to provide legal representation in the pending Cable Television litigation.

Enclosed, for your records, is one fully certified copy of said agreement and authorizing resolution.

Sincerely,



Lorraine Magana
City Clerk

LM/km/25B
Enclosures