



City of Broken Arrow

Request for Action

File #: 17-2390, Version: 1

**Broken Arrow City Council
Meeting of: 07-03-2017**

**To: Mayor and City Council
From: Office of the City Attorney**

Title: Consideration, discussion, and possible approval of and authorization to execute a Professional Services Agreement between the City of Broken Arrow and McAfee & Taft, P.C., Attorneys at Law, for representation of the City of Broken Arrow in the matter of Francis Patrick Charon, Tulsa County District Court Case Number CJ-2016-00834

Background:

Charlie Plumb with the law firm of McAfee & Taft, P.C., is a well-respected attorney with vast legal knowledge and experience involving labor and employment law. The City Attorney is recommending that the Council engage this firm to handle the defense of the civil case filed against the City by Francis Patrick Charon, an employee in the Fire Department. The City Attorney is recommending retention of this firm due to the press of business and the firm's expertise in labor and employment law.

The attached Professional Services Agreement memorializes this arrangement, including costs and the hourly rates to be charged. The firm charges \$305.00 per hour for work completed by partners, \$205.00 per hour for associates and \$105.00 per hour for paralegals. Routine costs such as copying and postage are also addressed in the Agreement. Costs and fees for this matter are capped at \$100,000.00 and it will expire on June 30, 2018, if the case is not finalized by that time. Staff recommends that the Council approve the Agreement and authorize its execution.

Cost: Hourly rate as set out in Agreement

Prepared By: Beth Anne Childs, City Attorney

**Reviewed By: Assistant City Manager - Administration
Fire Department
Human Resources Department**

Approved By: Michael L. Spurgeon, City Manager

Attachments: Professional Services Agreement

Recommendation:

Approve and authorize execution of the Professional Services Agreement between the City and McAfee & Taft, P.C.