

City of Cambridge

MASSACHUSETTS

In City Council May 18, 1998

Mgr's Agenda #22

Approval of \$100,000 Legal Expenses

YEA	NAY	ABSENT	PRESENT	
✓				Ms. Kathleen L. Born
✓				Ms. Henrietta Davis
✓				V. Mayor Anthony Galluccio
✓				Mr. Kenneth E. Reeves
✓				Ms. Sheila T. Russell
✓				Mr. Michael A. Sullivan
✓				Mr. Timothy J. Toomey, Jr.
✓				Ms. Katherine Triantafillou
✓				Mayor Francis H. Duehay

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City of Cambridge

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In City Council 5/18, 1998

Agenda # 22

	YEA	NAY	ABSENT	PRESENT
Ms. Kathleen L. Born	✓			
Ms. Henrietta Davis	✓			
V. Mayor Anthony Galluccio	✓			
Mr. Kenneth E. Reeves	✓			
Ms. Sheila T. Russell	✓			
Mr. Michael A. Sullivan	✓			
Mr. Timothy J. Toomey, Jr.	✓			
Ms. Katherine Triantafillou	✓			
Mayor Francis H. Duehay	✓			

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IN CITY COUNCIL
CITY OF CAMBRIDGE
May 18, 1998

INTRODUCED BY CITY MANAGER ROBERT W. HEALY

AN ORDER CONCERNING APPROPRIATIONS FOR THE FISCAL YEAR BEGINNING JULY 1, 1997

ORDERED: That in addition to sums previously appropriated by the City Council for the fiscal period 1997-98 the following sum is hereby appropriated in the General Fund of the City of Cambridge:

FUNCTION	OTHER		SALARY & WAGES	ORDINARY MAINTENANCE	TRAVEL & TRAINING	EXTRAORDINARY EXPENDITURES	APPROPRIATIONS
	DEPARTMENT OR	PROGRAM					
General Government	Law			\$100,000			\$100,000.00

BE IT FURTHER ORDERED: That the above acceptance and appropriation in the Grant Fund to be financed by estimated revenues drawn from the following sources:

FINANCING PLAN	REVENUE
miscellaneous revenue/third party payment	\$100,000.00

In City Council May 18, 1998.

Adopted by a yeas and nays vote:-

Yeas 9; Nays 0; Absent 0.

Attest:- D. Margaret Drury, City Clerk.

A true copy;

ATTEST:-

D. Margaret Drury

D. Margaret Drury
City Clerk



CITY OF CAMBRIDGE
CAMBRIDGE, MASSACHUSETTS 02139

TEL. 349-4300
FAX. 349-4307



EXECUTIVE DEPARTMENT
ROBERT W. HEALY
City Manager

RICHARD C. ROSSI
Deputy City Manager

May 14, 1998

Robert W. Healy
City Manager
City Hall
Cambridge, MA 02139

Re: Law Department Professional Services Account

Dear Mr. Healy:

Due to several recent events affecting our need to refer new matters to outside legal counsel or to increase the budget for existing matters being handled through outside counsel, I am requesting a supplemental appropriation to the Professional Services account in the FY 98 Law Department budget in the amount of \$100,000.00 dollars.

On May 6, 1998, we received notice of service by W. R. Grace of a Motion for Summary Judgment in their lawsuit challenging the validity of the zoning amendment that created a temporary 400 foot buffer zone in the district that includes W. R. Grace's property. We anticipate that responding to this motion will require approximately \$15,000 more than we had budgeted for this case through June 30, 1998.

On May 5, 1998, we received notice from the law firm of Conn, Kavanaugh, Rosenthal & Ford, which is representing the City in the Haggerty School construction litigation, that the court accelerated the time frame by which all final pre-trial preparation must be completed, to June 9, 1998. This new development substantially alters the budget for the case, and I now anticipate that the need for expert witness fees and attorney's fees through June 30, 1998 will be increased by approximately \$75,000.00 dollars.

In addition, we have recently been compelled to seek professional services to assist the City in responding to the latest phase of environmental testing and assessment

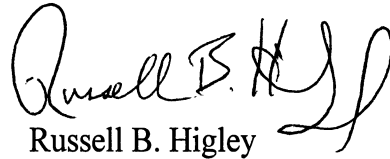
at Russell Field. We retained the law firm of Anderson & Kreiger to assist us in that matter. Again, the need for these services prior to June 30, 1998 exceeds our existing FY 98 budgeted resources.

We have also identified a need for outside legal services relating to the resolution of right of way issues in connection with the Cambridgeport Roadway plan.

As you know, we have also recently been required to retain outside legal counsel to respond to litigation relating to complaints filed in relation to Police Department personnel matters.

We had very tightly budgeted professional services through June 30, 1998 prior to this development, and cannot accommodate these unanticipated increases from existing funds. I recommend the supplemental appropriation in the amount of \$100,000.00 which should be adequate to fund these unanticipated expenses.

Very truly yours,

A handwritten signature in black ink, appearing to read "Russell B. Higley". The signature is stylized with a large initial "R" and a long, sweeping flourish at the end.

Russell B. Higley



CITY OF CAMBRIDGE
CAMBRIDGE, MASSACHUSETTS 02139

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22.

EXECUTIVE DEPARTMENT
ROBERT W. HEALY
City Manager

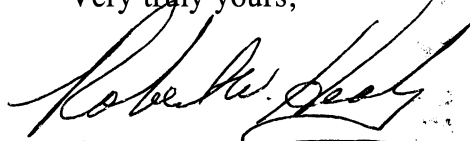
RICHARD C. ROSSI
Deputy City Manager

May 18, 1998

To The Honorable, The City Council:

I am hereby requesting the appropriation of \$100,000 in the General Fund Law Department Other Ordinary Maintenance Account from miscellaneous revenue/third party settlement payment. The funds will be used to cover outside legal expenses for the remainder of FY98. Please find attached detailed information from City Solicitor Russell Higley.

Very truly yours,


Robert W. Healy
City Manager

RWH/mec

Consent Agenda #22

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Relative to an order requesting
appropriation of \$100,000 to
cover outside legal expenses for the
remainder of FY98.

In CityCouncil May 18, 1998

ORDER ADOPTED