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June 4, 2020

Honorable Victoria Jackson-Stanley, Mayor
The Commissioners of Cambridge
c/o Patrick E. Comiskey, City Manager
410 Academy Street
Cambridge, Maryland 21613

Re: Proposal to Continue Engagement for City Attorney Legal Services

Dear Mayor Jackson-Stanley, Commissioners and Mr. Comiskey:

This letter represents our proposal to the City of Cambridge (the "City") to continue the engagement of MacLeod Law Group, LLC (the "firm") as the City Attorney following the end of our current engagement, which expires as of July 1, 2020. It has been a privilege to represent the City, and we are desirous of continuing our engagement and remain committed to providing the City with a full and reliable complement of municipal legal services, as demonstrated during the last two years. This letter sets forth the proposed scope and terms of our continued representation of the City.

Since July 1, 2019, the City has remitted a monthly retainer of \$11,000 to the firm for routine legal services. "Routine legal services" includes general advice and counsel, personnel matters, agreements and contracts, legislative research and drafting, procurement, day-to-day policies and procedures implementation, Open Meetings Act and Public Information Act issues and attending meetings of the Commissioners and City boards, commissions and committees. "Routine legal services" do not include matters that are filed and adjudicated, arbitrated and/or litigated externally (i.e., Office of Administrative Hearings or in the courts), special projects (i.e., comprehensive policy or code updates), labor negotiations, public-private partnerships, real estate settlement services or out-of-pocket expenses incurred on behalf of the City.

In consideration of the budget constraints caused by the COVID-19 outbreak, we propose simply continuing the monthly retainer of \$11,000 for routine legal services, effective July 1, 2020 and through the end of Fiscal Year 2022 (June 30, 2022). We will continue to charge the following discounted hourly rates for services rendered:

	<u>Standard Rate</u>	<u>Discounted Rate</u>
Charles D. MacLeod, Esq.	\$425.00/hr	\$235.00/hr.
Andrew C. Meehan, Esq.	\$350.00/hr	\$225.00/hr.
Patrick W. Thomas, Esq.	\$275.00/hr	\$185.00/hr.
Kyle K. Kirby, Esq.	\$225.00/hr	\$175.00/hr.
Paralegals	\$100.00/hr	\$ 85.00/hr.

Attached is a spreadsheet which charts the routine legal services billed from July 1, 2019 through May 31, 2020, as well as the non-routine legal services (those services outside the monthly retainer) for the same period. Upon review of the routine services spreadsheet, you will see that the amount of “logged time” in excess of the \$11,000 monthly retainer cap totals \$49,042 (or an average of \$4,458.36 per month) for the subject 11-month period. As the firm is not compensated for time logged in excess of the retainer cap, we have factored this experience into this proposal, and we trust that the City recognizes the value of the legal services provided, particularly the uncompensated portion being absorbed by the firm as a courtesy. It is also understood that the City’s general legal services budget for FY2021 is \$171,500.

Regarding expenses, we have taken the more traditional approach of including office overhead expenses in our general billing rates. Consistent with that concept, we do not charge for long distance telephone calls, facsimile transmissions, in-office photocopying or scanning, secretarial overtime, computer research, postage or any other expense that was not an actual disbursement made by us on the City’s behalf. Out-of-pocket expenses, if any, incurred on the City’s behalf are billed at cost. These include publishing, filing and recording fees; courier services and express delivery charges; costs to obtain information or materials from outside vendors (such as title searches and judgment and tax lien searches); parking and tolls; and off-site copying charges. The firm reserves the discretion to charge for attorney and paralegal travel time in fulfillment of this engagement; however, in no event will the firm charge the City more than one (1) hour of travel time to any meeting, hearing or event in or around the City of Cambridge.

The City has the absolute right to terminate this engagement at any time, for any reason. The firm reserves the right to withdraw from representation of the City in the event that the City either fails to honor this legal services agreement, or for any other reason that is permitted or required under the laws of the State of Maryland and/or the *Maryland Attorneys’ Rules of Professional Conduct*. When reasonable, the firm will inform the City of its intention to withdraw in writing at least ten (10) days prior to withdrawing. In the event of termination of representation whether by the City or by the firm, a final bill will be forwarded to the City for any fees and costs outstanding.



If these terms of this supplemental engagement are acceptable, please so indicate by completing the acknowledgement below and returning a duplicate of this letter to my attention.

Thank you again for the opportunity to represent the City's interests and for your confidence in our services. Should you have any questions whatsoever regarding the foregoing scope or terms of our representation, please do not hesitate to contact me.

Very truly yours,



Charles D. MacLeod

Enclosures

ACKNOWLEDGED and AGREED this _____ day of _____, 2020:

CITY OF CAMBRIDGE

By: _____
Authorized Representative

Printed Name and Title





July 2019 - June 2020 Routine Legal Services Billed - City of Cambridge

Matter	July	August	September	October	November	December	January	February	March	April	May	June	TOTAL
General	4,217.50	10,507.00	7,092.00	8,403.00	3,019.00	3,491.50	2,970.00	5,389.50	1,568.00	3,889.00	7,719.00		57,505.50
Agreements & Contracts	822.50	834.00	2,161.00	4,563.50	4,235.00	481.00	1,572.50	2,812.00	2,386.50	1,776.00	2,146.00		28,770.00
Board of Appeals	1,855.00	560.00	665.00	227.50	0.00	752.50	875.00	437.50	0.00	217.00	2,238.00		7,827.50
Code Enforcement	752.50	758.50	1,517.00	444.00	629.00	423.50	906.50	18.50	55.50	1,502.50	479.50		7,487.00
Deep Harbour	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	427.00	0.00		427.00
Elections	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	795.50	0.00		795.50
Ethics Commission	0.00	0.00	0.00	1,554.00	1,665.00	2,487.50	425.50	3,089.50	222.00	2,516.00	536.50		12,508.00
Historic Preservation	1,557.50	293.00	259.00	0.00	0.00	92.50	832.50	407.00	148.00	314.50	481.00		4,985.00
Municipal Utilities Commission	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	259.00	0.00		259.00
OMA/PMA	547.50	18.50	0.00	1,091.50	0.00	0.00	0.00	129.50	185.00	444.00	111.00		2,527.00
Ordinances & Resolutions	1,387.50	4,736.00	3,237.50	351.50	2,874.00	940.00	2,738.00	2,835.00	610.00	2,090.50	1,054.50		22,854.50
Personnel	1,560.00	89.50	2,317.00	2,257.50	2,138.50	4,690.00	176.50	740.00	0.00	777.00	655.50		15,401.50
Planning & Zoning	420.00	528.00	943.50	666.00	1,602.50	2,460.50	629.00	999.00	1,184.00	721.50	148.00		10,902.00
Police Department	0.00	0.00	0.00	0.00	2,032.00	0.00	0.00	55.50	0.00	0.00	0.00		2,087.50
Real Property	0.00	0.00	1,149.00	259.00	0.00	0.00	0.00	0.00	0.00	37.00	462.50		1,607.50
TOTAL	19,120.00	18,804.50	19,281.00	19,817.50	18,195.00	15,829.00	11,125.50	16,913.00	6,359.00	15,766.50	15,381.50		170,042.50
Monthly Retainer Cap	11,000.00	11,000.00	11,000.00	11,000.00	11,000.00	11,000.00	11,000.00	11,000.00	11,000.00	11,000.00	11,000.00		121,000.00
Time Logged in Excess of Retainer	2,120.00	7,804.50	8,281.00	8,817.50	7,185.00	4,829.00	125.50	5,913.00	-4,641.00	4,768.50	4,381.50		49,042.50



July 2019 - June 2020 Legal Services Billed Outside Retainer - City of Cambridge

Month	July	August	September	October	November	December	January	February	March	April	May	June	TOTAL
Litigation - Code Enforcement	1,557.50	927.50	795.00	665.00	962.50	752.50	1,452.50	227.50	2,065.00	1,305.00	0.00	0.00	10,650.00
Litigation - General	247.50	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	18.50	0.00	0.00	266.00
Litigation - Opioid	0.00	0.00	0.00	1,667.50	97.50	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1,765.00
Litigation - Police Collections	0.00	0.00	0.00	0.00	794.50	1,638.50	271.50	52.50	35.00	0.00	0.00	0.00	2,792.00
TOTAL	1,805.00	927.50	795.00	2,332.50	1,854.50	2,391.00	1,724.00	280.00	2,100.00	1,323.50	0.00	0.00	15,473.00