

# City Council Agenda Memo

**From:** Paul Briseno, City Manager

**Council Meeting:** December 13, 2022

**Subject:** City Attorney Legal Services Renewal Agreement

**Presenter:** Paul Briseno, City Manager

**Summary:**

City Council approves the agreement for legal services with the City Attorney. The attached agreement is consistent with the 2022 agreement. Changes from prior years include the payment for services beyond fifty (50) hours a month up to seventy (70) and the City Attorney fee which is proposed to increase up to 5%.

**Background:**

The City Charter identifies the City Attorney as one of three positions appointed by the City Council. The City Attorney services are contracted and outlined within an annual agreement. The agreement outlines the performance of legal services, conflicts of interests, reimbursement for services, and scope of services noted on page 4 items 1- 17.

**Item Details:**

The proposed 2023 Agreement reflects similar parameters as the 2022 Agreement. An increase of 5% is projected based on a successful evaluation of services. The 2023 annual contract is \$108,223.44 and an hourly rate of \$180.37 for litigation or substantial recodification. Additionally, \$4,000 is budgeted for membership and professional training. A section was added setting forth compensation reimbursement for fees when services exceed Fifty (50) hours per month up to seventy (70) hours. This rate is agreed to be at \$200.00 an hour.

**Legal Consideration:**

None.

**Financial Consideration:**

The financial considerations include a 5% increase, \$1,000 increase for memberships and additional costs for services beyond fifty (50) hours a month at \$200 per hour up to seventy (70) hours. Over the past three years, the City Attorney averages eight (8) additional hours a month.

**Options and Recommendation:**

The City Council has the following options:

1. Approve as presented
2. Approve as amended
3. Deny
4. Move the item to a study session
5. Discuss / take no action / table

Staff recommends approving the City Attorney legal services renewal agreement.

**Supporting Documentation:**

2023 Agreement

2023 Agreement - marked