

City Council Memo

From: Paul M. Briseno, City Manager

Council Meeting: December 14, 2021

Subject: City Attorney Legal Services Agreement Renewal

Presenter: Paul Briseno, City Manager

Summary:

Annually, the City Council approves the legal services agreement with the City Attorney. The attached agreement is consistent with the 2021 agreement. There are changes from prior years, including the appointment and compensation of an Assistant City Attorney, and the City Attorney's fee, which is proposed to increase up to 4%.

Background:

The City Attorney is one of three positions appointed by Council as outlined in the City Charter. The City Attorney services are contracted and outlined within an annual agreement. The agreement outlines the performance of legal service, conflicts of interests, reimbursement for services and scope of services noted on page 2 items 1-15.

Discussion:

The proposed 2022 Agreement reflects similar parameters as the 2021 Agreement; however, the fee is increased by up to 4% based on an evaluation of services. The 2022 annual contract is \$103,069.92 and an hourly rate of \$175.00 for litigation or substantial recodification. Additionally, \$3,000 has been budgeted for membership and professional training.

A section was added setting forth compensation reimbursement for the Assistant City Attorney's fees where the City Attorney's fees exceed Fifty (50) hours per month.

Legal Consideration:

None.

Financial Consideration:

There are no financial considerations other than the 4% increase, and a provision addressing reimbursement of the Assistant City Attorney's fees for months where the City Attorney's monthly hours exceed 50 hours.

Options and Recommendation:

The City Council has the following options:

1. Approve as presented

2. Amend
3. Deny
4. Move the item to a study session
5. Discuss / take no action / table

The City Attorney and City Manager discussed and recommend the proposed agreement.

Supporting Documentation:

Memo

Contract – clean

Contract –
marked