



# APPROVAL OF SECOND AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT FOR INTERIM CITY ATTORNEY SERVICES WITH RENNE SLOAN HOLTZMAN SAKAI LLP

City Council Meeting  
May 2, 2017

Gloria Hurtado, Deputy City Manager  
Sue Gallagher, Assistant City Attorney

# BACKGROUND

- On June 28, 2016, the City Council entered into a Professional Services Agreement (“PSA”) with the law firm of Renne Sloan Holtzman Sakai LLP (“RSHS”) to provide interim city attorney services and conduct an assessment of the City Attorney’s Office.
- The PSA set a not to exceed amount of \$200,000.

# BACKGROUND

- On September 27, 2016, the City Council approved the First Amendment to the PSA to increase compensation to RSHS (i) by an amount not to exceed \$35,000 to pay for services rendered through the month of September 2016, and (ii) by an amount not to exceed \$75,000 per month commencing as of October 2016 for a total not to exceed amount of \$685,000.
- The completion date for services under the PSA is July 1, 2017.

# BACKGROUND

Although the completion date of the PSA is July 1, 2017, the total contract amount of \$685,000 is insufficient to provide for services for the entirety of that contract term. It is anticipated that the funds will be exhausted by late April 2017.

The fiscal year 2016-17 adopted and amended budget does not include this additional contract amount requiring an appropriation from the General Fund unassigned fund balance in an amount of \$85,000.

# BACKGROUND

The requested increase of \$85,000 will provide:

- (i) Continuation of full time Interim City Attorney services to May 8, 2017 when Sue Gallagher will assume the position of City Attorney, and
- (ii) Part time services through June 30, 2017 to allow for completion of specialized projects and to provide continuity of services as the City Attorney's Office recruits for a replacement Assistant City Attorney.

# RECOMMENDATION

It is recommended that the Council, by resolution, (i) approve the Second Amendment to Professional Services Agreement with Renne Sloan Holtzman Sakai LLP to increase the compensation under the original agreement in the amount of \$85,000 for a total contract amount of \$770,000 to provide resources for continued full time Interim City Attorney Services to May 8, 2017, and thereafter to allow for part-time services through June 30, 2017 to complete specialized projects and provide transition assistance under the direction of the new City Attorney and (2) appropriate \$85,000 from the General fund unassigned fund balance to cover the additional contract amount.

# Questions?