

CITY OF SANTA ROSA  
CITY COUNCIL

TO: MAYOR AND CITY COUNCIL

FROM: TERESA L. STRICKER, INTERIM CITY ATTORNEY

SUBJECT: FIRST AMENDMENT TO PROFESSIONAL SERVICE  
AGREEMENT WITH SHUTE MIHALY & WEINBERGER LLP FOR  
LEGAL SERVICES

AGENDA ACTION: RESOLUTION

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RECOMMENDATION

It is recommended by the City Attorney's Office that the Council, by resolution, approve the First Amendment to the Professional Services Agreement between the City and Shute Mihaly & Weinberger, LLP for \$75,000 with a cumulative not to exceed amount of \$135,000, in substantially the same form as Exhibit A attached hereto, subject to approval as to form by the City Attorney.

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EXECUTIVE SUMMARY/BACKGROUND

On October 17, 2016, the City entered into a Professional Services Agreement with Shute Mihaly & Weinberger, LLP to provide legal services related to *CVSR Holdings, LLC v. City of Santa Rosa, et al.* in the amount of \$60,000. This lawsuit was originally filed by CVSR in November 2014. Further legal services are needed in this matter.

PRIOR CITY COUNCIL REVIEW

Not applicable.

FISCAL IMPACT

Funds were appropriated within the Risk Management fund as part of the Fiscal Year 2016-17 adopted budget and no new appropriations are being requested.

ENVIRONMENTAL IMPACT

This action is exempt from the California Environmental Quality Act (CEQA) because it is not a project which has a potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment, pursuant to CEQA Guideline section 15378.

BOARD/COMMISSION/COMMITTEE REVIEW AND RECOMMENDATIONS

Not applicable.

NOTIFICATION

Not applicable.

ATTACHMENTS

- Resolution

CONTACT

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