

RESOLUTION NO. RES-2017-041

RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING A FIRST AMENDMENT TO THE PROFESSIONAL SERVICE AGREEMENT WITH SHUTE MIHALY & WEINBERGER LLP FOR REPRESENTATION OF THE CITY IN CVSR HOLDINGS, LLC V. CITY OF SANTA ROSA, ET AL. IN AN AMOUNT OF \$75,000 FOR A TOTAL CONTRACT AMOUNT NOT TO EXCEED \$135,000

WHEREAS, on October 17, 2016, the City entered into a Professional Services Agreement with Shute Mihaly & Weinberger, LLP for representation of the City in *CVSR Holdings, LLC v. City of Santa Rosa, et al.* in the amount of \$60,000; and

WHEREAS, The City has a continued need for legal services; and

WHEREAS, The City Council has previously approved funds for Fiscal Year 2016/2017 within the Risk Management fund.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Santa Rosa 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.

BE IT FURTHER RESOLVED that Exhibit A is made part of this Resolution.

IN COUNCIL DULY PASSED this 14th day of March, 2017.

AYES: (7) Mayor Coursey, Vice Mayor Tibbetts, Council Members Combs, Olivares, Rogers, Sawyer, Schwedhelm

NOES: (0)

ABSENT: (0)

ABSTAIN: (0)

ATTEST: _____ APPROVED: _____
City Clerk Mayor

APPROVED AS TO FORM:

Interim City Attorney

Exhibit A – First Amendment to Professional Services Agreement