

CITY OF SANTA ROSA
CITY COUNCIL

TO: MAYOR AND CITY COUNCIL
FROM: DOMINIQUE BLANQUIE, HUMAN RESOURCES DIRECTOR
SUBJECT: APPOINTMENT OF INTERIM CITY ATTORNEY,
ESTABLISHMENT OF COMPENSATION AND APPROVAL OF
PROFESSIONAL SERVICES AGREEMENT WITH BURKE,
WILLIAMS, & SORENSEN, LLP

AGENDA ACTION: RESOLUTION AND ORDINANCE INTRODUCTION

RECOMMENDATION

It is recommended that the Council, by resolution: 1) appoint the law firm of Burke, Williams, & Sorensen, LLP to the office of Interim City Attorney; 2) approve a Professional Services Agreement with Burke, Williams, & Sorensen, LLP which designates Samantha W. Zutler as Interim City Attorney; and 3) introduce an ordinance to establish the compensation for the Interim City Attorney.

EXECUTIVE SUMMARY

The Council seeks to appoint an Interim City Attorney immediately while the City conducts a recruitment for the permanent City Attorney position. Although the recruitment for the City Attorney is currently underway, it is unlikely that a new City Attorney will be seated until Fall 2023.

BACKGROUND

Sue Gallagher is retiring from her position as City Attorney effective July 28, 2023. The Council seeks to appoint an Interim City Attorney while the City conducts a recruitment for the permanent City Attorney Position.

PRIOR CITY COUNCIL REVIEW

Not applicable.

ANALYSIS

The City reached out for proposals from a number of highly qualified candidates and law firms for interim City Attorney services. The Council was presented with three responsive proposals. Of the three proposals, the Council selected firm of Burke,

APPOINTMENT OF INTERIM CITY ATTORNEY, ESTABLISHMENT OF
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WITH BURKE, WILLIAMS, & SORENSEN, LLP
PAGE 2 OF 2

Williams, & Sorensen, LLP to provide the interim City Attorney services until the permanent City Attorney has been appointed and seated. In accordance with Council direction, the City has negotiated a Professional Services Agreement for City Attorney services with the law firm of Burke, Williams, & Sorensen, LLP. The Agreement will designate Samantha W. Zutler as the Interim City Attorney to start work as of August 1, 2023 through October 1, 2023 and continuing after October 1, 2023 if requested by the City.

The City Charter requires that the compensation for City Attorney be established by ordinance. The Professional Services Agreement provides for compensation of \$325 per hour for basic interim City Attorney services. Other compensation is set forth in the agreement for specialized services that may arise from time to time. The Professional Services Agreement has a not to exceed amount of Two Hundred Thousand Dollars (\$200,000).

FISCAL IMPACT

Contracted service fees will be partially offset by department salary savings of City Attorney vacancy.

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 Guidelines Section 15378.

BOARD/COMMISSION/COMMITTEE REVIEW AND RECOMMENDATIONS

Not applicable.

NOTIFICATION

Not applicable.

ATTACHMENTS

- Resolution / Exhibit A - Professional Services Agreement
- Ordinance

PRESENTER

Dominique Blanquie, Human Resources Director