

RESOLUTION NO. RES-2024-191

RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING THE FIFTH AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT NUMBER F002259 WITH BEST BEST & KRIEGER LLP FOR REAL ESTATE LEGAL SERVICES; DELEGATING AUTHORITY TO THE CITY ATTORNEY TO EXECUTE THE FIFTH AMENDMENT; AND APPROPRIATING \$140,000 FROM UNASSIGNED GENERAL FUNDS TO THE CITY ATTORNEY'S PROFESSIONAL SERVICES BUDGET TO FUND THE CONTINUED REAL ESTATE LEGAL SERVICES

WHEREAS, on November 4, 2020, City entered into Professional Services Agreement Number F002259 with Best Best & Krieger LLP in the amount of \$100,000 for legal advice relating to real estate matters (Agreement); and

WHEREAS, on June 29, 2021, by Resolution RES-2021-118, the Council approved the First Amendment to the Agreement increasing compensation by \$100,000; and

WHEREAS, on July 5, 2022, the City entered into a Second Amendment to the Agreement increasing compensation by an additional \$100,000 for continued legal services; and

WHEREAS, on August 22, 2023, by Resolution RES-2023-146, the Council approved the Third Amendment to the Agreement increasing compensation by \$100,000; and

WHEREAS, on March 5, 2024, the City entered into a Fourth Amendment to the Agreement increasing compensation by an additional \$100,000 for continued legal services; and

WHEREAS, the services and terms of the Agreement have been reviewed, and the City Attorney's Office, in coordination with Real Estate Services and the City Manager's Office, have determined it is in the best interest of the City to increase compensation under the Agreement to allow for continued services through the end of the fiscal year; and

WHEREAS, a Fifth Amendment to Professional Services Agreement Number F002259 in the amount of \$140,000 is being presented to Council for approval.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Santa Rosa approves the Fifth Amendment to the Professional Services Agreement Number F002259 with Best Best & Krieger LLP in the amount of \$140,000, in substantially the same form as Exhibit A to the resolution, subject to approval as to form by the City Attorney, for a total contract amount not to exceed \$640,000, for continued legal advice relating to real estate matters.

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BE IT FURTHER RESOLVED that Council delegates authority to the City Attorney to execute the Fifth Amendment.

BE IT FURTHER RESOLVED that Council appropriates \$140,000 from the general fund unassigned reserves to the City Attorney's Office budget for professional services to allow for continued real estate legal services through the end of Fiscal Year 2024-25.

IN COUNCIL DULY PASSED this 17th day of December, 2024.

AYES: (6) Mayor N. Rogers, Vice Mayor Stapp, Council Members Alvarez, Fleming, MacDonald, Okrepkie

NOES: (0)

ABSENT: (0)

ABSTAIN/RECUSE: (0)

ATTEST: \_\_\_\_\_ APPROVED: \_\_\_\_\_  
City Clerk Mayor

APPROVED AS TO FORM: \_\_\_\_\_  
City Attorney

Exhibit A - Fifth Amendment to the Professional Services Agreement Number F002259 with Best Best & Krieger LLP