

RESOLUTION NO. RES-2024-190

RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING THE SECOND AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT NUMBER F002663 WITH BEST BEST & KRIEGER LLP INCREASING COMPENSATION BY \$95,000 FOR A TOTAL CONTRACT AMOUNT NOT TO EXCEED \$195,000 FOR CONTINUED LEGAL REPRESENTATION; DELEGATE AUTHORITY TO THE CITY ATTORNEY TO EXECUTE THE AGREEMENT; AND INCREASE IN APPROPRIATIONS OF \$110,000 FROM THE GENERAL FUND FOR CONTINUED LEGAL SERVICES

WHEREAS, effective July 19, 2023, City entered into Professional Services Agreement Number F02663 with Best Best & Krieger LLP (“Agreement”) in the amount of \$60,000 for legal representation in *Airport Business Center v. City of Santa Rosa, City Council of the City of Santa Rosa, et al.*, Sonoma County Superior Court Case No. SCV-272714; and

WHEREAS, on September 30, 2024, City entered into a First Amendment to the Agreement for the purpose of adding compensation and for providing continued legal representation in the appeal filed by plaintiff Airport Business Center in the Court of Appeal of the State of California, First Appellate District Case No. A170967; and

WHEREAS, the services and terms of the Agreement have been reviewed, and the City Attorney’s Office recommends increasing the compensation amount under the Agreement to allow for continued representation in the matter through appeal.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Santa Rosa approves the Second Amendment to the Professional Services Agreement Number F002663 with Best Best & Krieger LLP increasing compensation by \$95,000, for a total contract amount not to exceed \$195,000, attached to this resolution as Exhibit A and made a part of herein, for continued legal representation as described above.

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

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BE IT FURTHER RESOLVED that Council appropriates \$110,000 from the general fund unassigned reserves to the City Attorney's Office budget for professional services to allow for continued legal representation in the *ABC* matter through appeal.

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 - Second Amendment to the Professional Services Agreement Number F002663 with Best Best & Krieger LLP