

CITY OF PALM DESERT STAFF REPORT

MEETING DATE: September 12, 2024

PREPARED BY: Anthony J. Mejia, City Clerk

REQUEST: AMENDMENT NO. 4 TO CONTRACT NO. C28880 WITH BEST BEST & KRIEGER LLP FOR CITY ATTORNEY SERVICES, EXTENDING THE TERM TO AUGUST 31, 2025

RECOMMENDATION:

1. Approve Amendment No. 4 to Contract No. C28880 with Best Best & Krieger LLP for City Attorney Services, extending the term to August 31, 2025.
2. Authorize the City Attorney to make necessary nonmonetary changes to the Agreement.
3. Authorize the Mayor to execute the Agreement.

BACKGROUND/ANALYSIS:

In November 1973, the City Council adopted Resolution No. 73-03, appointing David Erwin, Esq., as City Attorney. In 1986, Mr. Erwin joined the law firm of Best Best & Krieger and continued to serve as City Attorney.

In 2009, the City issued a Request for Proposals for City Attorney Services and selected Best Best & Krieger, along with Mr. Erwin, to continue as City Attorney for a five-year term ending in August 2014.

In August 2014, the City Council approved Amendment No. 1 to Contract No. C28880, extending the term for an additional five years, through August 31, 2019.

In November 2015, Mr. Erwin passed away after 42 years of service. The City Council subsequently appointed Robert Hargreaves, Esq., of Best Best & Krieger to serve as City Attorney. Mr. Hargreaves had served as Deputy City Attorney since 2009.

In March 2019, the City Council approved Amendment No. 2 to Contract C28880, extending the term for another five years, through August 31, 2024.

In December 2023, Mr. Hargreaves announced his retirement after 14 years of service. On December 14, 2023, the City Council approved Amendment No. 3 to Contract C28880, appointing Isra Shah, Esq., as City Attorney.

On August 22, 2024, the City Council conducted a performance evaluation of the City Attorney and directed staff to prepare a contract amendment extending the term for an additional year. As such, Amendment No. 4 to Contract No. C28880, extending the term through August 31, 2025, is presented for the City Council's consideration.

FINANCIAL IMPACT:

There are no additional monetary changes to the terms of the agreements as a result of this amendment.

ATTACHMENTS:

1. Amendment No. 4 to Contract No. C28880
2. Executed Contract No. C28880