

# CITY OF PALM DESERT STAFF REPORT

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MEETING DATE: August 28, 2025

PREPARED BY: Anthony J. Mejia, City Clerk

SUBJECT: AMENDMENT NO. 5 TO CONTRACT NO. C28880 WITH BEST BEST & KRIEGER LLP FOR CITY ATTORNEY SERVICES, EXTENDING THE TERM TO DECEMBER 31, 2025

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## **RECOMMENDATION:**

1. Approve Amendment No. 5 to Contract No. C28880 with Best Best & Krieger LLP for City Attorney Services, extending the term to December 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 (BB&K) 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 through August 31, 2019.

Following Mr. Erwin's passing in November 2015, after 42 years of service, the City Council appointed Robert Hargreaves, Esq., of BB&K as City Attorney. Mr. Hargreaves had previously 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 No. 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 to extend the term for an additional year. On September 12, 2024, the City Council approved Amendment No. 4 to Contract No. C28880, extending the term through August 31, 2025.

The City Council is now requested to approve Amendment No. 5 to Contract No. C28880, extending the term for an additional four months, through December 31, 2025. This extension will allow the City Council to complete a performance evaluation of the City Attorney and provide further direction.

**FINANCIAL IMPACT:**

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

**ATTACHMENTS:**

1. Amendment No. 5 to Contract No. C28880
2. Executed Contract No. C28880