



# STAFF REPORT

## CITY of YORBA LINDA

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### ADMINISTRATION DEPARTMENT

**DATE:** APRIL 5, 2022

**TO:** HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

**FROM:** DAVID CHRISTIAN, ASSISTANT CITY MANAGER

**SUBJECT:** THIRD AMENDMENT TO CITY ATTORNEY AGREEMENT

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### **RECOMMENDATION**

It is recommended that the City Council approve the Third Amendment to Agreement for Provisions of Attorney Services.

### **BACKGROUND**

The City originally entered into an agreement with Rutan & Tucker, LLP for City Attorney services in January 2011. The agreement was amended in March 2017 (First Amendment) for a rate adjustment and then again in April 2018 (Second Amendment) to add the Yorba Linda Municipal Financing Authority to the agreement.

While there were no rate adjustments between 2011 and 2017, the rates have been adjusted by up to 2% (capped by CPI) each year since as allowed by Section 4.4 of the City Attorney agreement.

### **DISCUSSION**

The Third Amendment is requesting rate increases from \$229 per hour to \$255 per hour, or 11.4%, for General Services and from \$244 per hour to \$285 per hour, or 16.8%, for Special Services. While these increases are higher than the current annual CPI of almost 7%, four out of the last five annual increases were lower than the actual CPI for those years. This current adjustment request brings the rates more in line with what they would have been if actual CPI adjustments were made every year since 2011.

### **FISCAL IMPACT**

Should Council approve this amendment, the rate increases would go into effect as of May 1, 2022. Due to a decrease in some of the more significant case load, it is uncertain at this time if any adjustments to the budget are necessary. Should staff determine that a budget adjustment is warranted a request will brought to the Council at a later date.

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### **ALTERNATIVES**

Do not approve the Third Amendment to Agreement for Provision of Attorney Services and keep the rates as is.

### **ATTACHMENTS**

1. Proposed Third Amendment for Provision of Attorney Services.
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