



## MEMORANDUM

**TO:** City Council

**FROM:** Whitney McDonald, City Manager

**BY:** Aleah Bergam, Management Analyst

**SUBJECT:** Consideration of Agreement with Best Best & Krieger for City Attorney Services and Appointment of Isaac Rosen as the Arroyo Grande City Attorney

**DATE:** April 11, 2023

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**SUMMARY OF ACTION:**

Appointment of Isaac Rosen, of Best Best & Krieger, as the City Attorney.

**IMPACT ON FINANCIAL AND PERSONNEL RESOURCES:**

The services provided by Best Best & Krieger will be within the scope of the adopted FY 2022-23 budget of \$290,000.

**RECOMMENDATION:**

Approve the Agreement with Best Best & Krieger for City Attorney Services and appoint Isaac Rosen as the City Attorney.

**BACKGROUND:**

The City Attorney is the City's chief legal officer and is responsible for the proper administration and coordination of all City legal affairs. The City Council directly appoints the City Attorney, which has been a contract-City Attorney since the City's incorporation. The law firm of Carmel & Naccasha, LLP, had contracted with the City to provide its City Attorney services from 2004 – January 24, 2023. On January 24, 2023, the City Council approved an agreement with Best Best & Krieger for interim City Attorney Services until a Request for Proposals process could be completed and a new permanent City Attorney appointed by the City Council.

**City Council**

**Consideration of Agreement with Best Best & Krieger for City Attorney Services and Appointment of Isaac Rosen as the Arroyo Grande City Attorney**

**April 11, 2023**

**Page 2**

**ANALYSIS OF ISSUES:**

On January 3, 2023, City staff published a Request for Proposals (RFP) (Attachment 2) for a permanent City Attorney. After reviewing a competitive pool of proposals, the top three firms were invited to participate in an interview with the City Council at a Special Council Meeting on March 20, 2023. Best, Best & Krieger was selected as the preferred appointee and an agreement for City Attorney services (Attachment 1) is ready for approval by Council.

**ALTERNATIVES:**

The following alternatives are provided for the Council's consideration:

1. Approve the agreement and appoint Isaac Rosen, of Best Best & Krieger, as the City Attorney; or
2. Provide other direction to staff.

**ADVANTAGES:**

Appointing a City Attorney ensures the City has the necessary legal expertise required to conduct City business.

**DISADVANTAGES:**

No disadvantages have been identified.

**ENVIRONMENTAL REVIEW:**

Appointing Isaac Rosen of Best Best & Krieger as City Attorney is not a project subject to the California Environmental Quality Act ("CEQA") because it has no potential to result in either a direct, or reasonably foreseeable indirect, physical change in the environment. (State CEQA Guidelines, §§ 15060, subd. (b)(2)-(3), 15378.)

**PUBLIC NOTIFICATION AND COMMENTS:**

The Agenda was posted at City Hall and on the City's website in accordance with Government Code Section 54954.2.

Attachments:

1. Proposed Agreement
2. Request for Proposals for City Attorney Services