



**STAFF REPORT**  
**6/10/2026**

**TO:** Honorable Mayor and City Council Members

**FROM:** Lincoln Bogard, Interim City Manager

**PREPARED BY:** Lincoln Bogard, Finance Director

**SUBJECT:** Discussion whether to Issue a Request for Qualifications for City Attorney Legal Services

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**STAFF RECOMMENDATION:**

Discussion with the City Council on whether to adopt a motion directing staff to prepare and issue a Request for Qualifications (RFQ) for City Attorney legal services; authorizing the City Manager to administer the RFQ process, evaluate responses, and schedule interviews of qualified firms before the City Council; directing the City Manager to return to the City Council with a short-listed panel of qualified firms for Council interviews and, following those interviews, to present a recommendation for the Council's selection; and directing the City Manager and current City Attorney to cooperate fully in any transition if applicable of legal services as directed by the City Council.

**EXECUTIVE SUMMARY:**

On May 27, 2026, the City Council directed staff to bring an item to the June 10, 2026 Regular Meeting asking the Council to discuss whether to conduct an RFQ process for City Attorney legal services.

This staff report presents background on the City's current legal services arrangement, identifies the legal and procedural considerations applicable to a transition in City Attorney services, and presents the options available to the Council. No termination of the current City Attorney agreement is being requested at this time; this item asks only whether the Council wishes to initiate a competitive qualifications process.

**BACKGROUND:**

Current City Attorney Arrangement. The City of Coachella currently retains Best Best & Krieger LLP ("BBK") as its contracted City Attorney. BBK is one of the largest municipal law firms in California, with extensive practice areas including land use, public finance, public utilities, and general municipal law. The City's legal services agreement with BBK governs the scope of representation, billing rates, and termination provisions. The City Attorney and the firm serve at

the pleasure of the City Council and may be replaced by Council action at any time, consistent with the terms of the legal services agreement.

Applicable Legal Framework. The City Attorney serves at the pleasure of the City Council. California Government Code Section 36505 authorizes the City Council to appoint a City Attorney and to remove the City Attorney at any time. In cities that contract for City Attorney services (as opposed to employing a City Attorney as a department head), the engagement is governed by the terms of the legal services agreement, including any notice and termination provisions. The Council is not required to conduct an RFQ process to replace a contracted City Attorney, but doing so is consistent with best practices in public procurement and ensures a transparent, competitive, and legally defensible selection process.

## **DISCUSSION/ANALYSIS:**

### **I. THE RFQ PROCESS: WHAT IT INVOLVES AND WHAT IT DOES NOT**

An RFQ (Request for Qualifications) is a formal public procurement process through which the City solicits statements of qualifications from law firms interested in providing City Attorney services. It is distinct from a Request for Proposals (RFP), which typically solicits proposed work plans and pricing. An RFQ focuses on firm qualifications, experience, key personnel, municipal law expertise, and absence of conflicts. If the Council authorizes an RFQ:

- Staff would prepare and publish the RFQ, specifying the scope of City Attorney services, minimum qualifications, required disclosures, and submission requirements.
- Interested firms would submit statements of qualifications for staff and Council review.
- Staff would evaluate responses, short-list the most qualified firms, and schedule interviews of short-listed firms before the full City Council. Council interviews allow Council Members to directly assess each firm's municipal law expertise, familiarity with Coachella Valley issues, key personnel who would be assigned to the City, and approach to the specific matters currently pending.
- Following interviews, the Council would vote to select a preferred firm, authorize the City Manager to negotiate a legal services agreement, and provide direction on transition timing and the handling of pending matters.

Authorizing the RFQ tonight does not terminate BBK's engagement. BBK would continue to serve as City Attorney during the RFQ process unless and until the Council separately votes to terminate the existing agreement. Any such termination would be subject to the notice and transition provisions of the current legal services agreement.

### **II. CONFLICT OF INTEREST AND ETHICS CONSIDERATIONS**

Staff notes that the City Council should be mindful of applicable conflict of interest rules when voting on this item. Any Council Member who has a personal financial relationship with BBK, or who has received legal services, campaign contributions, or other benefits from the firm or its attorneys, should review applicable provisions of the Political Reform Act and Government Code Section 1090 with independent counsel before voting. Because the current City Attorney firm cannot provide independent advice to the Council on a vote concerning its own potential

replacement, the Council may wish to seek guidance from the Fair Political Practices Commission (FPPC) or retain separate independent counsel to advise on any conflict questions prior to the vote.

### **III. TRANSITION AND CONTINUITY CONSIDERATIONS**

A transition in City Attorney services requires careful management to ensure continuity of legal representation on pending matters and ongoing land use, development, and general municipal matters.

If the Council authorizes the RFQ, staff recommends that the RFQ expressly require all responding firms to describe their approach to client transition, including their capacity to assume representation on pending matters, their conflict-check process with respect to City interests, and their fee structure for transition-related work. The current City Attorney would be expected to cooperate fully in any transition, including transferring files, briefing new counsel, and completing agreed work-in-progress.

#### **ALTERNATIVES:**

1. Authorize the RFQ as recommended: Direct staff to prepare and issue a Request for Qualifications for City Attorney legal services; authorize the City Manager to administer the process, short-list qualified firms, and schedule Council interviews of short-listed firms; and direct staff to return to the Council with interview results and selection. BBK's engagement continues during the RFQ process.
2. Take no action at this time: Decline to authorize an RFQ and direct no changes to the current City Attorney arrangement. The Council may revisit the question at a future meeting.
3. Provide alternative direction.

#### **FISCAL IMPACT:**

Authorizing an RFQ is not expected to have a significant direct fiscal impact on the City. Staff time associated with preparing and administering the RFQ will be absorbed within existing departmental budgets.

If the Council proceeds to select a new City Attorney firm following the RFQ, transition-related costs may include: attorney time for file transfers and briefings; potential overlap in billing during the transition period; and any costs associated with completing in-progress matters under the current agreement. These costs are not quantified at this time and will be included in the staff report presented to the Council upon completion of the RFQ process.

If the Council elects to retain interim independent outside counsel for the Stronghold matter under Alternative 2, those costs will depend on the scope of representation and the hourly rates of the selected firm. An estimate will be provided once a firm is identified.

#### **RECOMMENDED ALTERNATIVE(S):**

An RFQ does not predetermine the outcome — the Council retains full discretion to select a new firm, continue with BBK, or take other action. The inclusion of Council interviews as part of the selection process ensures that Council Members hear directly from candidate firms, can evaluate

their independence, assess their experience with comparable cities and land use matters, and make an informed selection rather than relying solely on written submissions.