



TO: FRUITA CITY COUNCIL AND MAYOR

FROM: MARGARET SELL, FINANCE DIRECTOR/CITY CLERK

DATE: APRIL 18, 2023

AGENDA TEXT: CITY ATTORNEY ENGAGEMENT LETTER – A request to approve a revised engagement letter with Garfield and Hecht as the City Attorney

BACKGROUND

The attached engagement letter replaces the engagement letter dated October 27, 2022 with Garfield and Hecht, PC. The new engagement letter reflects the annual increase of 10% permitted pursuant to the engagement letter plus a minor adjustment amount of \$5 per hour to be consistent with rates charged by Garfield and Hecht to other municipal clients (see attached letter from Mary Elizabeth Geiger). In addition, the hourly rate of \$110 for paralegal services has been added to the engagement letter.

FISCAL IMPACT

The fiscal impact of the engagement letter is an increase of approximately 10% in legal fees. It is anticipated that the existing budgeted funds will be sufficient to cover this increase.

Garfield & Hecht Legal Fees	2022	2023
City Attorney/Mart Elizabeth Geiger	\$ 225.00	\$ 250.00
Associates	\$ 205.00	\$ 230.00
Reimbursables	\$ 285.00	\$ 310.00
Reimbursables - Associates	\$ 265.00	\$ 290.00
Paralegals		\$ 110.00
Travel time*	\$ 112.50	\$ 125.00

**No charge for travel time to attend one regular CICO meeting per month*

1/2 rate charge for additional travel time plus mileage

Rate changes effective in April or May of each year.

APPLICABILITY TO CITY GOALS AND OBJECTIVES

The Fruita City Charter requires the appointment of an attorney (or firm of attorneys) to perform duties as determined by the City Council. Legal services provided by a City Attorney are part of the Core Services of the City and has an impact on all of the City's strategic outcomes for Quality of Place, Economic Health and Lifestyle.

OPTIONS AVAILABLE TO THE COUNCIL

Approve the engagement letter with Garfield & Hecht for legal services

Request that staff solicit proposals for legal services for the City

RECOMMENDATION

It is the recommendation of the Fruita City Staff that the Council move to:

**APPROVE THE ENGAGEMENT LETTER WITH GARFIELD & HECHT TO PROVIDE
GENERAL LEGAL SERVICES TO THE CITY AND AUTHORIZE THE CITY
MANAGER TO EXECUTE THE ENGAGEMENT LETTER WITH GARFIELD &
HECHT, P.C.**