



City Council Agenda Item

Meeting Date: May 5, 2025

Agenda Item: City Attorney Services

Staff Contact (name, email, phone): Sara Marquardt, smarquardt@whitewater-wi.gov, 262-473-1387

BACKGROUND

(Enter the who, what when, where, why)

1. On December 6, 2024, the City issued a Request for Proposals (RFP) for City Attorney Services, with a submission deadline of January 6, 2025. Three proposals were received from the firms of Stafford Rosenbaum; Wesolowski, Reidenbach & Sajdak; and Russell Law Offices.
2. The City Manager, along with a review committee composed of representatives from departments that most frequently utilize legal services, evaluated and ranked the written proposals. Based on these rankings, Russell Law Offices and Wesolowski, Reidenbach & Sajdak were selected to participate in in-person interviews.
3. Following the interviews, Russell Law Offices emerged as the top-ranked firm.

PREVIOUS ACTIONS – COMMITTEE RECOMMENDATIONS

(Dates, committees, action taken)

1. The Finance Committee unanimously recommended approval of the contract with Russell Law Firm.

FINANCIAL IMPACT

(If none, state N/A)

The agreement includes a flat monthly fee of \$8,000, beginning April 1, 2025, for general City Attorney services. Additional costs may be incurred for:

- Specialized legal matters not covered under the agreement, which will be handled under separate agreements at a minimum \$50/hour discount from the firm's standard rates.
- Circuit court prosecutions, which will be billed at a rate of \$175 per hour.
- Expenses related to outside counsel, experts, accountants, or investigators, if deemed necessary and approved by the City.
- Reimbursable out-of-pocket costs such as travel, mileage (IRS rate), parking, copies, postage, process service, and court-related fees.
- Legal research fees, billed at \$50 per issue search when Westlaw or similar services are utilized.

STAFF RECOMMENDATION

Staff recommends approval of the contract with Russell Law Firm. As a point of clarification, Attorney Kyle Gulya reviewed the relevant arguments concerning the respective roles of the City Manager and the Council in the appointment process of the City Attorney. Following this review, Attorney Gulya advised that while the City Manager has sole authority to appoint the City Attorney, the City Council retains approval authority with respect to the contract.

ATTACHMENT(S) INCLUDED

(If none, state N/A)

1. Contract with Russell Law Firm