



TITLE

Legal Services Agreement

RECOMMENDATION

Adopt a Minute Order 1) approving a legal services agreement with Colantuono, Highsmith & Whatley, PC and 2) appointing Teresa Highsmith as City Attorney.

CONTACT

Jason Holley, City Manager

BACKGROUND & ANALYSIS

Under the facilitation of retired City Manager Jim Schutz of JMSB Strategies, Inc., the City Council issued a Request for Proposals for legal services on April 4. Nine (9) firms submitted proposals by the May 9 deadline.

On May 20, the Council reviewed all of the proposals and requested five (5) firms participate in interviews. After interviewing all five firms on June 9, the Council concluded the firm of Colantuono, Highsmith & Whatley, PC (CHW) is the most qualified to provide legal services to the City, with Teresa Highsmith specifically to serve as the City Attorney. A copy of CHW's proposal is included in Attachment 1. The Council then directed City Manager Holley to finalize an agreement with CHW.

Colantuono, Highsmith & Whatley, PC

Founded in 2002, CHW has grown to become a recognized leader in California municipal law. They represent local government agencies - including cities such as American Canyon - nearly exclusively. Their 35 attorneys are well versed in every aspect of transactional, advisory, and litigation practice for municipalities across California. CHW serves about 150 agencies statewide, including several water districts, fire districts, community choice aggregate electric utilities, and LAFCOs and they are experienced in representing cities in every aspect of municipal law. CHW's well-regarded attorneys have experience in a wide-range of areas such as conflicts of interest, Brown Act, Municipal Finance, election law, land use, environmental law, water conservation and storm water regulation, telecommunications, economic development, real estate, and eminent domain. Their strong litigation department has represented public agencies throughout California in complex litigation matters including the California Environmental Quality Act (CEQA), eminent domain, contracts, land use, election disputes, and municipal revenue and finance.

Mrs. Highsmith is a Shareholder with CHW and has specialized in municipal law since 1991. Past experience as the City Attorney includes the cities of Martinez, Barstow, Sierra, South Pasadena and Alameda. She has a broad range of experience in areas of concern to local governments, including zoning and land use regulation, drafting of legislation, public water supply, distribution and other water and utility issues, labor and employment issues, post-redevelopment, contracts, housing authority law (state and federal requirements) and affordable housing, Joint Powers Authority formation and agreements, personnel and labor matters, public works and public bidding requirements, open meetings law, Public Records Act requests, and conflicts of interest.

Next Steps

A copy of the proposed agreement is shown in Attachment 2. If the Council decides to proceed, the effective date of the agreement - including Mrs. Highsmith's appointment as City Attorney - would be effective July 16.

COUNCIL PRIORITY PROGRAMS AND PROJECTS

Organizational Effectiveness: "Deliver exemplary government services."

FISCAL IMPACT

The proposed fee schedule is included in the agreement, with the hourly rate for services provided varying between \$250/hr and \$495/hr depending upon the type of work. Sufficient funds exist within the FY 2025/26 Budget to implement the Recommended Action

ENVIRONMENTAL REVIEW

ATTACHMENTS:

- 1) [CHW Proposal](#)
- 2) [CHW Legal Services Agreement](#)