

## **RESOLUTION NO. 15-039**

### **RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PACIFIC GROVE AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH DE LAY & LAREDO TO PROVIDE CITY ATTORNEY SERVICES**

#### **FINDINGS**

1. The City of Pacific Grove is a municipal corporation that needs professional legal advice on an ongoing basis.
2. The City of Pacific Grove has contracted with the law firm of De Lay & Laredo since 2005 for those services.
3. The City of Pacific Grove and the law firm of De Lay & Laredo find it to be in their mutual benefit to continue to existing relationship.
4. The City of Pacific Grove and the law firm of De Lay & Laredo have negotiated a new agreement, taking advantage of experience and knowledge gained over the past ten years, for their mutual benefit.
5. The Amendment authorized by this Resolution shall continue the retention of DeLay & Laredo as City Attorney, and to revise and amend terms and conditions of that relationship.
6. The functions, duties and prerogatives of the City Attorney are specified in Article 24 of the Pacific Grove City Charter and in Chapter 2.07 of the Pacific Grove Municipal Code. The provisions of the City Charter and Chapter 2.07 of the Municipal Code control should any conflict exist pertaining to either this Resolution or the Agreement that it authorizes.
7. The City Attorney shall continue to serve at the pleasure of the City Council.
8. This action does not constitute a “project” as defined by California Environmental Quality Act (CEQA) because it is an organizational or administrative activity that will not result in direct or indirect physical changes in the environment.

#### **NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PACIFIC GROVE:**

SECTION 1. The foregoing recitals are adopted as findings of the City Council as though set forth fully herein.

SECTION 2. The City Manager is authorized and directed to execute a contract known as City of Pacific Grove and De Lay & Laredo Legal Services Agreement, as set forth in Exhibit A to this Resolution.

SECTION 3. This resolution shall take effect immediately following passage and adoption.

**PASSED AND ADOPTED BY THE COUNCIL OF THE CITY OF PACIFIC GROVE** this 17th Day of June, 2015, by the following vote:

AYES: Mayor Kampe, Councilmembers Cuneo, Fischer, Lucius, and Peake

NOES: Councilmember Miller

ABSENT: Councilmember Huitt

APPROVED:

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BILL KAMPE, Mayor

ATTEST:

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SANDRA KANDELL, Deputy City Clerk

APPROVED AS TO FORM:

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DAVID C. LAREDO, City Attorney