



City of Santa Ana
20 Civic Center Plaza, Santa Ana, CA 92701
Staff Report
August 29, 2023

TOPIC: City Attorney Evaluation and Resolution to Reflect Positive Performance

AGENDA TITLE

City Attorney Evaluation and Resolution to Reflect Positive Performance

RECOMMENDED ACTION

Adopt a resolution to reflect an Exceeds Expectations performance evaluation conducted on August 15, 2023 and acknowledge retainer adjustment of \$25,000 per the existing Legal Services Agreement with Best Best and Krieger LLP for City Attorney and Special Counsel Legal Services.

DISCUSSION

The Santa Ana City Charter provides that the City Council shall conduct evaluations of its appointees on an annual basis. In addition, the Legal Services Agreement with Best Best and Krieger LLP for City Attorney Sonia Carvalho's services provides for an annual evaluation and opportunity for consideration of adjustments based on a positive evaluation. The City Council conducted the evaluation of City Attorney Carvalho on August 15, 2023. The City Council agreed that Ms. Carvalho is doing an excellent job as City Attorney and provided an Exceeds Expectations rating by a unanimous vote.

In 2021, the City Council approved a Restated Legal Services Agreement. Per that agreement, the City Council agreed to an increase of \$25,000 based on continued positive performance. Although the City Attorney received a positive performance evaluation in 2022, the City Attorney declined the automatic retainer increase. As a result of the 2023 positive performance evaluation, the City Attorney requested the increase approved in 2021.

The new annual retainer amount of \$350,000 for the City Attorney provides cost savings to the City as the City does not pay any additional benefits such as medical insurance, car allowances, retirement health plan, or any long-term CalPERS pension payments. In comparison, see total costs for a City Attorney in the following cities:

City of Anaheim	\$460,516
City of Newport Beach	\$338,958
City of Huntington Beach	\$367,560
City of San Jose	\$629,574
City of Pasadena	\$416,410
City of Glendale	\$413,472
City of Riverside	\$410,652
City of Vallejo	\$375,100
City of Burbank	\$364,876

FISCAL IMPACT

The City Council's adoption of the proposed resolution acknowledging the retainer adjustment will result in an annual total increase in costs of \$25,000. There are sufficient funds in the City Attorney's Office Contractual Services account (01108032-62300) to cover the increased expenses.

EXHIBIT(S)

1. Resolution
2. Restated Legal Services Agreement

Submitted By: City Attorney's Office

Approved by: Kristine Ridge, City Manager