

DATE SUBMITTED 02/26/2026
 SUBMITTED BY Kristen Smith
 DATE ACTION REQUIRED 03/04/2026

COUNCIL ACTION (X)
 PUBLIC HEARING REQUIRED ()
 RESOLUTION ()
 ORDINANCE 1ST READING ()
 ORDINANCE 2ND READING ()
 CITY CLERK'S INITIALS ()

**IMPERIAL CITY COUNCIL
 AGENDA ITEM**

SUBJECT: DISCUSSION/ACTION: 1. Authorization to solicit proposals for City Attorney Professional Services for the City of Imperial	
DEPARTMENT INVOLVED: Human Resources	
BACKGROUND/SUMMARY: Staff is requesting authorization to solicit proposals for City Attorney Professional Services. The proposal will be advertised for two weeks following Council's approval. Following receipt of proposals, City Manager Morita will make a recommendation to the Council during a regular meeting.	
FISCAL IMPACT: NOT TO EXCEED To be determined at award	FINANCE INITIALS <u>JMS</u> RFP 2026-01 01-120-5210
STAFF RECOMMENDATION: It is staff's recommendation to authorize the solicitation of proposals for City Attorney Professional Services.	DEPT. INITIALS <u>KWS</u>
MANAGER'S RECOMMENDATION: Approve Staff Recommendation	CITY MANAGER'S INITIALS <u>OHM</u>
MOTION:	
SECONDED: AYES: NAYES: ABSENT:	APPROVED () REJECTED () DISAPPROVED () DEFERRED () REFERRED TO:



**NOTICE INVITING PROPOSALS
FOR
CITY ATTORNEY SERVICES**

NOTICE IS HEREBY GIVEN that Request for Proposals (RFP) to provide services as the City Attorney on a contractual basis will be received at the Office of the City Manager, 420 South Imperial Avenue, Imperial, CA 92251, until **5:00 P.M. Local Time, Thursday, March 19, 2026.**

DESCRIPTION OF WORK: The purpose of this notice is to invite you to submit a proposal to the City of Imperial (City) to provide legal services generally understood within the field of municipal law to fall within the category of "general counsel" work. In addition, the City is seeking a firm to serve as legal counsel to the Successor Agency for the former Redevelopment Agency, Public Financing Authority, and other such bodies as may be created and represented by or for the City Council. Firms submitting a proposal to this solicitation must possess a broad knowledge of municipal law with particular strength in contracts, redevelopment, law enforcement, planning and land use, and property acquisitions. Familiarity with labor law, federal court practice, tort defense, workers' compensation, and the Political Reform Act is also expected, although the City retains the right to continue retaining specialized legal counsel.

OBTAINING RFP DOCUMENTS AND REGISTRATION AS A PROPOSER: The RFP documents may be downloaded via the internet at www.cityofimperial.org/rfp. If you have any questions about submitting a proposal, please contact Kristen Smith, Human Resources Director, via email at HR@imperial.ca.gov or by phone at (760) 355-3807.

EVALUATION OF PROPOSALS AND AWARD OF CONTRACT: This solicitation has been developed in the RFP format. Accordingly, Proposers should take note that multiple factors will be considered by the City in selecting the most qualified firm and awarding the contract.

PROPOSALS TO REMAIN OPEN: The Proposer shall guarantee that all contents of their proposal shall be valid for a period of 90 calendar days from the due date of proposals. The receiving time in the Human Resources Department will be the governing time for the acceptability of Proposals. Telegraphic and telephonic proposals will not be accepted. Late proposals will be returned.

CONTACT: Kristen Smith
Human Resources Director
ksmith@imperial.ca.gov

Alyssa Ferrell
Human Resources Analyst Human Resources
aferrell@imperial.ca.gov
Phone: (760) 355-3807



**Request for
Proposal
(RFP)2026-01**

**City Attorney
Services**

**City of Imperial
420 S Imperial Ave
Imperial, CA 92251**

Submission Deadline:
March 19, 2026

OVERVIEW AND BACKGROUND

Background

The City of Imperial is committed to promoting and providing for the safety, health, and welfare of its citizens and business community. Incorporated in 1904, the City of Imperial is a General Law City that operates under a Council-Manager form of government. The City is governed by a five-member Council and a five-member Planning Commission. Imperial delivers municipal services through nine (9) departments: City Manager's Office, Community Development, Finance, Human Resources, Information Technology, Library, Parks and Recreation, Police, and Public Services. Fire services in Imperial are provided by the Imperial County Fire Department.

City Objectives

The City of Imperial wishes to continue its practice of acquiring its legal services on a contract basis. The City Attorney serves at the pleasure of the City Council as a directly appointed position. The City Attorney is an integral part of the City's management team and, aside from their role as legal advisor, is expected to participate in management activities and functions as directed by the City Manager.

PROPOSAL SUBMISSION REQUIREMENTS

Proposal Submittal

Proposals must be received no later than the close of City business, March 19, 2026. The delivery address follows:

City of Imperial
Attn: Kristen Smith, Human Resources Department
420 S Imperial Avenue, Imperial, CA 9225

Email: HR@imperial.ca.gov

General Instructions

Proposals should be a straightforward, concise description of the Applicant's firm, background, qualifications, capabilities to satisfy the requirements of this RFP, and proposed pricing. The proposing party is responsible for all costs incurred in preparation and submittal of a proposal.

Proposal Format

An Applicant should consider including information of the kind listed below, along with any other information the Applicant believes would assist the City in assessing the proposal:

- Detailed description of Applicant's qualifications, as further detailed below under "Qualifications", and ability to perform those services listed under "Scope of Services."
- Experience, in detail, of providing government/municipal legal services.

- Identify the principal attorney who will serve as the City Attorney and any other functions requested under the Scope of Services.
- Identify the location of the company headquarters and the office from which the City attorney would be working.
- A description of the Applicant’s background, nature of business, and organizational history.
- Proposed Fee Schedule/Pricing, as further discussed below.
- Signature of a person empowered to bind the Applicant to the provisions of this RFP and any contract awarded pursuant to it.
- A statement indicating the proposal remains valid for at least 90 days from the deadline for receipt of proposals, with an automatic extension should the proposer be selected for negotiation.
- A statement regarding any potential conflicts of interest that the Applicant, or any individual who will perform work, may have.
- Provide the legal entity name, Federal Employer Identification Number (EIN), and form of business (i.e., Corporation, LLP, etc.).
- Provide the Proposal contact name, address, phone number, and email address.
- Staff services available (clerical support, paralegals, other non-attorney staff).
- Awards, honors, or public recognition of the principal attorney and the firm.
- References.

RFP Schedule of Events

RFP Event	Date
1 City Issues RFP	March 5, 2026
2 Deadline for Receipt of Proposal	March 19, 2026
3 Interview(s)	March 31, 2026
4 Agreement to City Council	April 15, 2026
5 Contract Start Date	May 1, 2026

The City reserves the right, in its sole discretion, to adjust the schedule, waive variances or irregularities, or reject all proposals.

QUALIFICATIONS

The Applicant must be a licensed and active member of the California State Bar. Qualified applicants will preferably have five (5) or more years of municipal legal experience in California as a Municipal Attorney. Further, it is required that the City Attorney have experience in the following areas:

- Designing, drafting, and updating Municipal Code sections and regulations.
- Providing support to City staff and the Council on matters including land use appeals, code enforcement, and misdemeanor violations of City code.
- Experience with and knowledge of the law governing general law cities.
- Experience regarding land use regulations related to public land use and planning, environmental law, including the California Environmental Quality Act (CEQA), general plans, code enforcement, and other related areas of law, administrative law, personnel law, and other areas of municipal law.

- Experience with public sector employment and personnel matters.
- The City Attorney should have litigation experience and experience monitoring or supervising litigation.
- The City Attorney must demonstrate the ability to speak clearly, concisely, and effectively in public.
- The City Attorney must have the ability to relate easily and effectively with all members of the City Council, staff, and the public.

SCOPE OF WORK

The City Attorney reports to, and serves at the pleasure of, the City Council. The City Attorney will work directly with the City Manager and City staff in the performance of their daily duties in the operation of City business. The City Attorney is an integral member of the City's management team. As such, the City Attorney's participation will go beyond purely legal matters and will involve City special events. The general responsibilities of the City Attorney include, but are not limited to, the following, and shall be considered to be services covered by the retainer:

- Provide clear and concise legal advice and consultation on a daily basis as requested or required to members of the City Council, the City Manager, Committees, and City staff. Contacts are typically made by way of a written legal services request, but in any case, flow through the City Manager's office. Each such request will include a response deadline, which may be the same or the next day.
- Maintain availability for in-person presence at the City during such times as mutually determined.
- Attendance at meetings, including City Council, Planning Commission, Library Board, and other City bodies, unless excused by the City Manager.
- Provide guidance on parliamentary procedures and matters concerning requirements of such areas, including the Brown Act, Public Records Act, Political Reform Act, CEQA, tort liability and risk, due process, and other legal requirements imposed by statute and common law, as well as a working knowledge of municipal employment practice and public administration.
- Prepare, review, and revise staff documents, including, but not limited to, initiation of memoranda concerning legal issues, contracts, agreements, ordinances, resolutions, land use decisions, including appeals, public improvements, easements, dedications, rights-of-way, and City Council staff reports.
- Advise the City in litigation. Represent the City in the prosecution of City ordinance violations.
- Represent the City in inter-agency projects and other legal matters.
- Oversee the City's risk management program and defense of claims covered by the City's self-insurance.
- Review compliance with public records requests and records destruction.
- Counsel the City regarding taxes, assessments, fees, Proposition 218, and other financial matters.
- Designing, drafting, and updating the City's Municipal Code.
- Monitor pending and current state and federal legislation and court decisions, as appropriate, and provide written updates on those that have the potential to affect the City. Provide suggested action or changes in operations or procedures to assure compliance.

Fee Schedule/Pricing

The incumbent City Attorney currently provides the services outlined in this RFP for a fixed monthly retainer of eight thousand dollars (**\$8,000**), covering **sixty (60) hours** of service per month. However, as the City's legal requirements have evolved over recent years, it is anticipated that the scope of the new contract will exceed the current arrangement. Proposers should take this expected growth into account when drafting their proposed fee schedules. The existing agreement is available upon request through the City Clerk's Office.

- A description of the sort of matters that would not be included in the monthly retainer. The City expects to be charged an hourly rate for litigation in which the City is a defendant, and the matter is excluded from coverage under its self-insurance program. It is also understood that certain specialized matters may require the services of outside counsel. Those matters would be determined on a case-by-case basis.
- If the proposal will require hourly compensation for time spent beyond a specified number of hours in a month, please provide an hourly rate for all of the individuals who may be working with the City from the Applicant's office for services not included in the retainer.
- The proposal should provide the amount of the monthly retainer and the number of hours included in the retainer.