



Administrative Report

H.6., File # 26-0973

Meeting Date: 8/18/2026

To: MAYOR AND CITY COUNCIL

From: JOY A. FORD, CITY ATTORNEY

TITLE

APPROVE THE AGREEMENT FOR LEGAL SERVICES WITH LOWER & KESNER, LLP

EXECUTIVE SUMMARY

The City Attorney's Office maintains a list of approved law firms and attorneys from which to select outside counsel when specialized expertise is needed.

This Agreement for Legal Services ("Agreement") maintains Lower & Kesner LLP ("Lower & Kesner") on the City's approved outside counsel list and allows the firm to provide legal services assigned by the City Attorney's Office on an as-needed basis.

BACKGROUND

Lower & Kesner is a boutique defense law firm in California specializing in full-service workers' compensation defense. They represent major institutions, Fortune 500 companies, insurance carriers, third-party administrators (TPAs), and public municipalities. In their sixteen years, Lower & Kesner has remained at the top of the industry in terms of quality defense of cases for their clients.

Lower & Kesner defended multiple CA work comp cases for the City, beginning in 2014 at a blended legal rate of \$150.00/hour for partners/associates and this rate has remained in effect without any increases. Aaron Prosin, Esq. is currently working on City cases. Mr. Prosin has been practicing CA workers' compensation defense exclusively for the last 18 years, with experience handling all aspects of CA workers' compensation defense litigation from the case inception through all aspects of medical-legal discovery and to settlement, or litigated disposition with the WCAB.

Maintaining Lower & Kesner on the City's approved outside counsel list will provide the City Attorney's Office with a qualified firm when specialized expertise or additional legal support is needed. Legal services will be assigned solely at the discretion of the City Attorney on an as-needed basis.

COORDINATION

Lower & Kesner and the City Attorney's Office have approved the Agreement.

FISCAL IMPACT

Funds are set aside in the City Attorney's budget for use of outside counsel. The proposed hourly

rate increase from a blended rate of \$150 to a blended rate of \$200 is set forth in the Agreement. Legal services will be authorized and paid for on an as-needed basis.

Submitted by:

Joy A. Ford, City Attorney

ATTACHMENTS

- Agreement for Legal Services with Lower & Kesner LLP