



## **REPORT TO CITY COUNCIL**

**To: Honorable Mayor and Members of the City Council**

**From: Grant Yates, City Manager**

**Prepared by: Barbara Leibold, City Attorney**

**Date: May 12, 2020**

**Subject: Amendment No. 1 to Nossaman Legal Services Agreement – Special Counsel (State and Federal Environmental Permitting B3 Program)**

### **Recommendation**

Approve and authorize the City Manager to execute Amendment No. 1 to the Legal Services Agreement with Nossaman LLP in substantially the form attached and in such final form as approved by the City Attorney.

### **Background**

The City entered into a Legal Services Agreement with Nossaman LLP dated August 20, 2018 for a contract amount up to \$30,000. Attorney Mary Lynn Coffee of Nossaman LLP has significant experience representing public and private clients in connection with federal and state environmental permitting and is familiar with the Lake Elsinore Back Basin and the myriad of applicable federal and state environmental laws and regulations. Ms. Coffee has been instrumental in the initial stages of formulating the Back Basin Biological (B3) Compliance Program. The goal of the B3 Program is to address all-natural resource regulatory issues within the Back Basin and to produce a biological compliance program for development within the East Lake Specific Plan (ELSP).

### **Discussion**

Nossaman LLP has the qualifications, skills and expertise necessary to advise the City in the development of the B3 Program. To continue these efforts, the Legal Services Agreement must be amended. The proposed Amendment No. 1 provides for compensation up to \$60,000.

### **Fiscal Impact**

Professional Services for the B3 Program and environmental regulatory matters are budgeted and paid from the General Fund – planning outside services. Compensation under the Amendment will not exceed \$60,000 for legal services related to the B3 Program.

### **Exhibits**

- A – Amendment No. 1
- B – Original Agreement