



STAFF REPORT	
SUBJECT: Approval of a Professional Serviced Contract with Downey Brand for Legal Services	MEETING DATE: Mar. 16, 2023
SUBMITTED BY: Alan Flora, City Manager	
PURPOSE OF REPORT: <input type="checkbox"/> Information only <input type="checkbox"/> Discussion <input checked="" type="checkbox"/> Action Item	

WHAT IS BEING ASKED OF THE CITY COUNCIL/BOARD:

Approve contract for legal services for representation.

BACKGROUND/DISCUSSION:

In 2023 the City Manager executed a contract with Downey Brand to provide legal services, primarily related to the recent onslaught by the Koi Nation to challenge all economic development projects in the City of Clearlake. On March 3, 2023 the Koi filed a lawsuit against the City, challenging the CEQA determination for the 18th Avenue Road Improvement Project. While the City believes this lawsuit and the tribe’s actions to be an overreach and frivolous, significant taxpayer funds will nonetheless be required to defend this project.

FISCAL IMPACT

Staff request approval of up to \$250,000 for contract legal services.

OPTIONS:

1. Authorize the City Manager to Execute a Contract Amendment with Downey Brand for a New Contract total of \$250,000
2. Other direction

FISCAL IMPACT:

None \$250,000 Budgeted Item? Yes No

Budget Adjustment Needed? Yes No If yes, amount of appropriation increase: \$

Affected fund(s): General Fund Measure P Fund Measure V Fund Other: 240 Capital Project Funds

Comments:

STRATEGIC PLAN IMPACT:

- Goal #1: Make Clearlake a Visibly Cleaner City
- Goal #2: Make Clearlake a Statistically Safer City
- Goal #3: Improve the Quality of Life in Clearlake with Improved Public Facilities
- Goal #4: Improve the Image of Clearlake
- Goal #5: Ensure Fiscal Sustainability of City
- Goal #6: Update Policies and Procedures to Current Government Standards
- Goal #7: Support Economic Development

Attachments: