



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: January 10, 2017

TO: Mayor and Councilmembers

FROM: City Attorney's Office

SUBJECT: Authorization To Amend Agreement For Legal Services With Colantuono, Highsmith & Whatley, PC for *Kendra L. Feshbach v. City of Santa Barbara*.

RECOMMENDATION:

That Council authorize the City Attorney to amend Legal Services Agreement Number 21600170 with Colantuono, Highsmith & Whatley, PC to increase the not-to-exceed amount by \$115,000 from \$35,000 to \$150,000 for special counsel services related to *Kendra L. Feshbach v. City Of Santa Barbara SBSC Case No. 16CV03385*.

DISCUSSION:

This litigation is a challenge to the City's water ratemaking under Proposition 218. We have engaged expert special counsel to assist in this matter. We believe the above-stated authorization will provide sufficient funding to take this matter to trial.

BUDGETARY IMPACTS:

The potential increased costs for legal services for this case will be funded from existing appropriations in the Water Fund.

SUBMITTED BY: Ariel Pierre Calonne, City Attorney

APPROVED BY: Ariel Pierre Calonne, City Attorney

APPROVED BY: City Administrator's Office