

BOARD MEETING DATE: December 2, 2022

AGENDA NO. 9

**PROPOSAL:** Appropriate Funds and Amend Contract with Strumwasser & Woocher, LLP to Provide Representation and Advice to South Coast AQMD Hearing Board

**SYNOPSIS:** In August 2020, the Board authorized the Executive Officer to execute a contract with Strumwasser & Woocher, LLP to provide legal representation and advice to the Hearing Board as the need arises. In May 2022, the Board amended the contract with Strumwasser & Woocher, LLP to add additional funds in an amount not to exceed \$35,000. This action is to appropriate an additional \$125,000 for specialized legal counsel and services as required by the South Coast AQMD Hearing Board, from the General fund to the Clerk of the Boards' FY 2022-23 Budget, Services and Supplies Major Object, Professional and Special Services Account, and amend the contract with Strumwasser & Woocher, LLP to add funds in an amount not to exceed \$125,000 for specialized legal counsel and services as required by the South Coast AQMD Hearing Board.

**COMMITTEE:** Administrative, November 10, 2022; Recommended for Approval

**RECOMMENDED ACTIONS:**

1. Appropriate a total of \$125,000 from the General Fund Undesignated (Unassigned) Fund Balance to be used in FY 2022-23 and/or FY 2023-24 Clerk of the Boards' Budget, Services and Supplies Major Object, Professional and Special Services Account.
2. Authorize the Chairman to amend the contract with Strumwasser & Woocher, LLP to provide specialized legal counsel and services to the South Coast AQMD Hearing Board.

Wayne Natri  
Executive Officer

**Background**

In August 2020, the Board authorized the Executive Officer to execute a contract with Strumwasser & Woocher, LLP to provide legal representation and advice for the Hearing Board as the need arises. The Board approved a total not to exceed \$15,000 annually for up to three years, representing \$45,000 over the three years. The contract was executed on September 30, 2020, and there is still about eleven months remaining with this contract.

In May 2022, the Board amended the contract with Strumwasser & Woocher, LLP to add additional funds in an amount not to exceed \$35,000 for specialized legal counsel and services as required by the South Coast AQMD Hearing Board. The Hearing Board has requested additional funds for legal representation on a legal matter involving the Hearing Board. The current amount allocated will not cover services needed by the Hearing Board.

**Proposal**

The Hearing Board requested an estimate from Strumwasser & Woocher for legal representation on a matter involving the Hearing Board. As a result, the Hearing Board is requesting an additional \$125,000 to cover legal services through September 2023. It is necessary to increase the money for the Hearing Board to ensure outside legal representation is available to the Hearing Board when the need arises.

**Resource Impacts**

Sufficient funds will be available in the General Fund's FY 2022-23 Budget upon approval of this Board letter. This action will bring the total amount for this contract for outside counsel costs approved by the Board to \$205,000.