

RESOLUTION NO. OB-17-49

A RESOLUTION OF THE OVERSIGHT BOARD OF THE IMPERIAL BEACH REDEVELOPMENT AGENCY SUCCESSOR AGENCY, CALIFORNIA, RATIFYING AND APPROVING THE AGREEMENT WITH COLANTUONO, HIGHSMITH, AND WHATLEY, PC FOR SPECIAL COUNSEL LEGAL SERVICES

WHEREAS, the San Diego County Office of Education ("SDCOE") and others have filed a lawsuit against the County of San Diego and others challenging the San Diego County Auditor Controller's calculation of the petitioners' pass-through contributions related to ERAF and property tax calculation ("Lawsuit"); and

WHEREAS, the City of Imperial Beach and the Imperial Beach Redevelopment Agency Successor Agency ("Successor Agency") have been named as respondent and real party in interest in the Lawsuit; and

WHEREAS, the Successor Agency desires effective, efficient, and cost effective legal services; and

WHEREAS, the law firm of Colantuono, Highsmith, and Whatley, PC has the specialized expertise to handle the defense of the Successor Agency and the City in this Lawsuit and proposes to represent multiple agencies in San Diego County at a cost-sharing rate; and

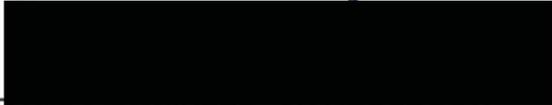
WHEREAS, the Successor Agency Board authorized these legal services at its meeting on August 2, 2017;

NOW, THEREFORE, BE IT RESOLVED by the Oversight Board of the Imperial Beach Redevelopment Agency Successor Agency as follows:

1. The above-listed recitals are true and correct and are hereby incorporated as findings.
2. The Oversight Board hereby ratifies and approves the agreement with Colantuono, Highsmith, and Whatley, PC to provide specialized legal services for the Lawsuit.
3. The Oversight Board hereby authorizes and directs the Executive Director or Chairman of the Successor Agency to execute said agreement and any other agreements necessary for the defense of the Lawsuit for and on behalf of the Imperial Beach Redevelopment Agency Successor Agency upon taking any necessary steps for approval as required by law.

PASSED, APPROVED, AND ADOPTED by the Oversight Board of the Imperial Beach Redevelopment Agency Successor Agency at its meeting held on the 13th day of September 2017, by the following vote:

AYES:	BOARD MEMBERS:	KAMINSKY, KING, WINTER, FOLTZ
NOES:	BOARD MEMBERS:	NONE
ABSENT:	BOARD MEMBERS:	YANDA, KERL
DISQUALIFIED:	BOARD MEMBERS:	SAADAT


MAYDA C. WINTER, CHAIRPERSON

ATTEST:


JACQUELINE M. KELLY, MMC
SECRETARY