

RESOLUTION NO.

**RESOLUTION APPROVING THE EXECUTION OF A RETAINER AGREEMENT WITH
REMY MOOSE MANLEY LLP AS OUTSIDE COUNSEL TO PROVIDE LEGAL
REPRESENTATION TO DEFEND THE CITY AGAINST LEGAL CHALLENGES
TO THE CITY'S CERTIFICATION OF THE CITADEL EXPANSION FINAL
ENVIRONMENTAL IMPACT REVIEW (EIR) UNDER
CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)**

WHEREAS, the City Council approved the certification of the Citadel Outlet Expansion Final EIR on July 2, 2019; and

WHEREAS, three separate petitions for a writ of mandate were filed in August 2019, challenging the City's certification of the Citadel Outlet Expansion Final EIR; and

WHEREAS, the City Council seeks to retain outside legal counsel to defend the City's certification process of the Final EIR; and

WHEREAS, Remy Moose Manley LLP is a leading law firm focused on California Environmental and Land Use Law; and

WHEREAS, City Council was presented with a retainer agreement to have Remy Moose Manley LLP serve as outside counsel to provide legal representation to defend the City against the legal challenges discussed herein.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF COMMERCE DOES HEREBY RESOLVE AND ORDER AS FOLLOWS:

Section 1. Adopt this Resolution approving the execution of a Retainer Agreement with Remy Moose Manley LLP, which is attached hereto and incorporated herein by this reference, to serve as outside counsel to provide legal representation to the City to defend the City against legal challenges to the City's certification of the Citadel Outlet Expansion Final Environmental Impact Review (EIR) under California Environmental Quality Act (CEQA).

Section 2: The Mayor is authorized to execute the Retainer Agreement for and on behalf of the City, subject to final and technical revisions as required and approved by the City Attorney.

Section 3: The City Council hereby authorizes the City Manager or his designee to take necessary steps to undertake the implementation of all related services under the attached Retainer Agreement and Scope of Work, with Remy Moose Manley LLP.

PASSED, APPROVED AND ADOPTED this 19th day of November, 2019.

John Soria, Mayor

ATTEST:

Lena Shumway, City Clerk