



# Administrative Report

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H.7., File # 24-0593

Meeting Date: 4/9/2024

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**To: MAYOR AND CITY COUNCIL**

**From: MICHAEL W. WEBB, CITY ATTORNEY**

## **TITLE**

**APPROVAL OF AN AGREEMENT FOR LEGAL SERVICES WITH LEIBOLD MCCLENDON & MANN**

## **EXECUTIVE SUMMARY**

Approve an Agreement for Legal Services with Leibold McClendon & Mann. John McClendon is a co-founding Partner of the law firm Leibold McClendon & Mann. City Council's approval of an Agreement for Legal Services with Leibold McClendon & Mann will permit John McClendon and his firm to provide legal services to the City of Redondo Beach as needed with a special emphasis on CEQA matters.

## **BACKGROUND**

The City Attorney's office maintains a list of approved law firms and attorneys from which to select when special expertise is required on legal matters. It is my recommendation to add Leibold McClendon & Mann to that list particularly in the area of CEQA matters.

Leibold McClendon & Mann was founded in 1991 and its attorneys have over 100 years of combined municipal law experience. They represent cities ranging in size from Sausalito to Long Beach and have enjoyed long-term client relationships for nearly two decades with cities like Anaheim, Riverside and Lake Elsinore. Their municipal practice extends to special purpose entities like the Banning Heights Mutual Water Company, the Rand Communities Water District, and the successor agencies for the former redevelopment agencies of the cities of Los Banos, Merced, Mendota, Pismo Beach, Riverbank, and Santa Paula

The firm also counts as clients prominent non-profits like Habitat for Humanity-Los Angeles, Second Harvest Food Bank and the Banning Ranch Conservancy. The bedrock of these long and varied relationships can be found in the firm's core value: combining highly experienced attorneys with personalized service at a fair price.

Leibold McClendon & Mann takes particular pride in the firm's expertise in advising cities and other public entities on procedural and substantive CEQA compliance, and in representing such agencies in CEQA litigation. Under the leadership of John McClendon, their attorneys are exceptionally well qualified to provide legal services in this highly specialized and continually evolving area of the law. They have extensive experience in the preparation and review of Environmental Impact Reports, Negative Declarations, project exemptions, and other environmental documents to assure compliance with CEQA and State and local CEQA guidelines. The firm also advises public agencies on complex wetlands, wildlife and habitat mitigation matters arising in the context of NEPA, CEQA, Federal and State Endangered Species Acts, as well as the California Coastal Act, Clean Water Act, water law and water rights issues and FEMA flood control regulations. They are actively involved in representing city clients in meetings with federal, state and regional regulatory agencies, including the ACOE, FWS, CDFW, the California Coastal Commission and the Riverside Conservation

Authority.

John McClendon leads the firm's municipal litigation practice. His expertise in CEQA and land use law is recognized throughout California. An experienced litigator, he regularly advises clients on pre-litigation strategies and has tried scores of cases at the Superior Court level, along with representing clients before the California Court of Appeal and the California Supreme Court. John successfully represented the Banning Ranch Conservancy in the landmark CEQA decision by the California Supreme Court, *Banning Ranch Conservancy v. City of Newport Beach*, 2 Cal.5th 918 (2017). (Attached)

John previously served as general or special counsel to the redevelopment agencies in the cities of Anaheim, Calimesa, Culver City, Ontario (major projects included the Ontario Auto Center, Ontario Mills and the Ontario Convention Center), Orange and Santa Clarita.

Prior to co-founding Leibold McClendon & Mann, John was an attorney in the Public Law Group of Stradling Yocca Carlson & Rauth.

The Agreement for Legal Services will be submitted prior to the City Council meeting via blue folder.

**COORDINATION**

The Agreement for Legal Services will be approved by Leibold McClendon & Mann and the City Attorney's Office and submitted prior to the City Council meeting via blue folder.

**FISCAL IMPACT**

The billing rate specified in the Agreement for Legal Services is \$425 per hour, which is John McClendon's highly discounted Public Agency rate.

**SUBMITTED BY:**

*Michael W. Webb, City Attorney*

**ATTACHMENTS**

- *Banning Ranch Conservancy v. City of Newport Beach*, 2 Cal.5th 918 (2017)
- Agreement with Leibold McClendon & Mann (Attachment will be provided via Blue Folder.)