



*City of Arts & Innovation*

# City Council Memorandum

**TO: HONORABLE MAYOR AND CITY COUNCIL      DATE: MARCH 2, 2021**

**FROM: CITY ATTORNEY      WARDS: ALL**

**SUBJECT: ADD HOLLAND AND HART TO APPROVED ATTORNEY PANEL AND  
AUTHORIZE EXPENDITURES IN AN AMOUNT NOT TO EXCEED \$50,000**

## **ISSUE:**

The addition of the law firm Holland and Hart to the City's approved attorney panel and to approve an expenditure in an amount not to exceed \$50,000 to retain Holland and Hart to represent the City in a power purchase agreement.

## **RECOMMENDATION:**

That the City Council:

1. Add the law firm of Holland and Hart to the City's approved attorney panel;
2. Approve an expenditure in an amount not to exceed \$50,000 to represent the City for the negotiation of a power purchase agreement; and
3. Authorize the Interim City Attorney to execute the standard Attorney Services Agreement with Holland and Hart.

## **DISCUSSION:**

Currently, the City Attorney's Office is developing its skills for power purchase agreements for the City's electric utility. However, oftentimes it is necessary to employ a panel firm to provide those services. The City currently does not have such a law firm on its approved panel. The City Attorney proposes to add the law firm of Holland and Hart. Holland and Hart has advised other southern California publicly owned utilities on negotiations for power purchase agreements and is familiar with public power issues and power purchase agreements in California.

The City Attorney also requests approval of an expenditure in an amount not to exceed \$50,000 to retain Holland and Hart to represent the City in a power purchase agreement to procure energy, capacity and environmental attributes from a repowered wind facility located in Southern California.

**FISCAL IMPACT:**

The addition of Holland and Hart to the approved attorney panel will have no fiscal impact. The approval of the retention of Holland and Hart for the above-described power purchase agreement will have a financial impact of \$50,000, and funds will come from Outside Legal Services 6120000-421100.

Prepared by: Kristi J. Smith, Interim City Attorney  
Certified as to  
availability of funds: Edward Enriquez, Chief Financial Officer/Treasurer

Attachment: Attorney Services Agreement