



**SUBMITTAL TO THE FLOOD CONTROL AND WATER CONSERVATION DISTRICT BOARD  
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**

**FROM:** General Manager-Chief Engineer

**SUBMITTAL DATE:**  
May 24, 2011

**SUBJECT:** Litigation Challenging Critical Habitat for the Santa Ana Sucker  
Legal Services Agreement

**RECOMMENDED MOTION:**

Approve the Legal Services Agreement with Best, Best & Krieger for Litigation Challenging Critical Habitat for the Santa Ana Sucker and authorize the General Manager-Chief Engineer to execute said Agreement on behalf of the District.

**BACKGROUND:**

On March 1, 2011, the District Board authorized, in closed session, the initiation of litigation against the U.S. Fish and Wildlife Service challenging a final rule designating Critical Habitat for the Santa Ana Sucker. The District will join other public agencies in Riverside and San Bernardino Counties in this litigation.

**FINANCIAL:** See Page 2

MHW:rlp

*[Signature]*  
**WARREN D. WILLIAMS**  
General Manager-Chief Engineer

<b>FINANCIAL DATA</b>	Current F.Y. District Cost:	\$75,000	In Current Year Budget:	Yes
	Current F.Y. County Cost:	N/A	Budget Adjustment:	No
	Annual Net District Cost:	\$0	For Fiscal Year:	2011-12

<b>SOURCE OF FUNDS:</b>		<b>Positions To Be Deleted Per A-30</b>	<input type="checkbox"/>
25110 947400 525440	Zone 1 Const/Maint/Misc	<b>Requires 4/5 Vote</b>	<input type="checkbox"/>
25120 947420 525440	Zone 2 Const/Maint/Misc		

**C.E.O. RECOMMENDATION:**

**APPROVE**

BY: *[Signature]*  
Michael R. Shetler

County Executive Office Signature

FISCAL PROCEDURES APPROVED  
MAN M. CHAND, FINANCE DIRECTOR  
*[Signature]*  
KARIN L. WATTS-BAZAN

FOR APPROVED COUNTY COUNSEL  
*[Signature]*  
BY: KARIN L. WATTS-BAZAN  
DATE: 5/11/11

Dep't Recomm.:  Policy  Consent  
Per Exec. Ofc.:  Policy  Consent

Prev. Agn. Ref.:

ATTACHMENTS FILED WITH THE CLERK OF THE BOARD  
District: 1<sup>st</sup> and 2<sup>nd</sup> Agenda Number:

**11.1**  
(Master P8183282)

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**FINANCIAL:**

This Agreement caps the total amount of compensation to be paid for legal services at \$75,000.00. Sufficient funds are included in the District's FY 2010-2011 budget. Additional funds will be allocated in subsequent budget years, if needed.