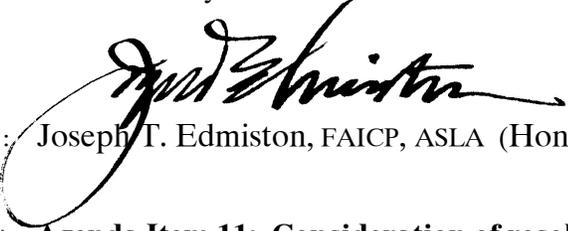


# Memorandum

To : The Conservancy  
The Advisory Committee

Date: November 20, 2006

From :   
Joseph T. Edmiston, FAICP, ASLA (Hon.), Executive Director

Subject: **Agenda Item 11: Consideration of resolution authorizing amendment to scope of SMM-0618.**

Staff Recommendation: That the Conservancy amend the scope of SMM-0618 to limit the legal services component of the scope to fees and associated costs required to ensure compliance with the Coastal Act and coastal land use planning.

Legislative Authority: Section 33204(c) of the Public Resources Code and Section 16727, subdivision, (a) of the Government Code.

Background: On August 28, 2006 the Governing Board authorized an amendment to SMM-0618 to increase the budget and to amend the scope to read “project planning and design necessary for a Coastal development project including the Malibu Parks Public Access Enhancement Plan and Malibu LCP amendments for protection of land and water resources of Santa Monica Bay Coastal Watershed, including expansion of recreational use and trail development from Zuma/Trancas Canyon to Corral Canyon, including legal services, consultants, appraisal and including legal services for defense of legal action to close state lands.”

The amended scope, including the legal fees to defend the lawsuit, was approved by the Office of the State Attorney General. None of the grant funds have been used for the payment of attorneys fees for defense of the pending lawsuit. Grant funds will not be required to pay for the defense of the pending lawsuit. Attorneys fees to ensure compliance with the Coastal Act and coastal land use planning in the approximate sum of \$2500 have been paid with grant funds to date.