



Staff Report

TO: City Council
FROM: Elizabeth Gibbs, City Manager
Darron Usher, Principal Management Analyst
DATE June 3, 2025
SUBJECT: Approval of Agreement with Varco & Rosenbaum for Specialized Legal Services

Description Request to approve a professional services agreement with Varco & Rosenbaum, Attorneys at Law, to provide specialized legal services for an amount not to exceed \$150,000.

Background and Analysis:

On March 3, 2025, City staff was notified of a major sewer mainline failure in the Fairway Canyon community caused by slope erosion behind Hogan Drive homes. The incident led to a manhole collapse and a subsequent 15-inch sewer mainline failure, resulting in a raw sewage spill and the need for emergency response measures.

On March 4, 2025, City Council adopted a Resolution declaring a local emergency and authorized the City Manager to take necessary action, which authorized emergency expenditures in an amount not to exceed \$500,000. City Council directed staff to provide ongoing reports at each subsequent City Council meeting under California Public Contract Code Section 22050, and authorized the City Manager to take all necessary actions to mitigate further damage and ensure public health and safety. The Department of Wastewater, with the assistance of local contractors, have been able to mitigate the emergency over the past two months and is finalizing a closeout resolution.

The City of Beaumont received a Notice of Violation from the Santa Ana Regional Water Quality Control Board on May 7, 2025, regarding recent issues with site compliance and stormwater discharge (Attachment B). The notice highlights the need for immediate and ongoing legal support to ensure compliance with state water quality regulations and to avoid potential fines or enforcement actions.

To address this and other specialized legal needs, staff is seeking to retain Varco & Rosenbaum, a law firm with expertise in municipal law, including environmental compliance, code enforcement, and nuisance abatement (Attachment A). This

agreement would allow the firm to assist in reviewing the violation, providing legal counsel on response strategies, and representing the City in any required proceedings or negotiations with the Regional Water Board.

In addition, Varco & Rosenbaum will support City departments with general municipal legal services such as:

- Advising on code enforcement and nuisance abatement matters.
- Providing legal opinions related to administrative and environmental compliance.
- Drafting enforcement notices, legal filings, and correspondence.
- Representing the City in administrative hearings and court, if necessary.
- Training staff on enforcement practices and legal procedures.

This agreement is essential to strengthen the City's compliance capacity and protect its interests in regulatory and legal proceedings.

Fiscal Impact:

The agreement is for an amount not to exceed \$150,000. These legal expenses will be pulled from 100-1300-7068-000S based on services provided.

The estimated cost to prepare this staff report was \$400.

Recommended Action:

Approve the agreement with Varco & Rosenbaum for an amount not to exceed \$150,000 and;

Authorize the City Manager to execute the agreement.

Attachments:

- A. Agreement & Scope of Work
- B. Notice of Violation from Santa Ana Regional Water Quality Control Board