

CITY OF NEWPORT BEACH  
Office of the City Attorney

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**TO:** Mayor & Members of the City Council  
**FROM:** Homer Bludau  
Robert Burnham  
**RE:** AWG Grant Request  
Revised Grant Agreement  
**DATE:** May 22, 2001



(A)  
**APPROVED**


On March 28, 2001, the City Council approved grant agreements with CJE and AWG. These two agreements granted funds to AWG and CJE to conduct a public education program related to the current and future air transportation needs of Orange County. These agreements authorize both AWG and CJE to submit requests for the grant funds and create the potential for duplicate payments and confusion. The Airport Issues Committee has asked staff to prepare a revised Grant Agreement (Exhibit A) to eliminate confusion and to ensure that grant funds are used in a manner consistent with statutory and decisional law. The revised Agreement allocates grant funds only to AWG, contains assurances regarding the use of the funds, and incorporates provisions that require review of material by special counsel retained by AWG. The revised also prohibits the use of Grant funds for the duplication or dissemination of any material unless and until the material is review and approved by special counsel retained by the City Council. In that regard we are recommending the City Council retain Dana Reed and Fred Woocher, two attorneys with extensive experience in matter relating to election law and political law. (See Exhibits B and C).

**RECOMMENDATIONS**

The Airport Issues Committee is recommending the City Council take the following action:

1. Authorize the Mayor to execute the proposed grant agreement between AWG and the City of Newport Beach (Exhibit A);
2. Terminate the Grant Agreement between CJE and the City of Newport Beach that is dated March 28, 2001;
3. Retain Dana Reed of Reed and Davidson (Exhibit B) and Fred Woocher of Strumwasser and Woocher (Exhibit C) to act as special counsel pursuant to the grant agreement and direct staff to notify AWG that special counsel has been retained.

  
Homer Bludau

  
Robert Burnham