



BOARD OF SUPERVISORS  
AGENDA LETTER

Agenda Number:

Clerk of the Board of Supervisors  
105 E. Anapamu Street, Suite 407  
Santa Barbara, CA 93101  
(805) 568-2240

**Department Name:** County Counsel  
**Department No.:** 013  
**For Agenda Of:** October 15, 2019  
**Placement:** Administrative  
**Estimated Tme:**  
**Continued Item:** No  
**If Yes, date from:**  
**Vote Required:** Majority

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**TO:** Board of Supervisors  
**FROM:** County Counsel Michael C. Ghizzoni 805-568-2950  
Contact Info: Michelle Montez 805-568-2950  
**SUBJECT:** **Outside Counsel Contract--Goodin, MacBride, Squeri & Day, LLP**

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**County Counsel Concurrence**

As to form: Yes

**Auditor-Controller Concurrence**

As to form: Yes

**Other Concurrence:**

Risk Management: Yes

Office of Emergency Management: Yes

**Recommended Actions:**

- a) Approve, ratify and authorize the Chair to execute an Agreement for Professional Legal Services with the law firm of Goodin, MacBride, Squeri & Day, LLP -- which will support the County of Santa Barbara's participation in ongoing regulatory rulemaking by the California Public Utilities Commission about electric power line de-energization events -- with a not-to-exceed amount of \$75,000 and a term commencing September 23, 2019 and ending September 30, 2020; and
- b) Determine that the above actions are not a project under the California Environmental Quality Act (CEQA) pursuant to Section 15378(b)(5) of the CEQA Guidelines, because they consist of administrative activities of government that will not result in direct or indirect physical changes in the environment.

**Summary Text:**

At a meeting of the Board of Supervisors on August 27, 2019, the Board of Supervisors received presentations from County staff, Pacific Gas & Electric ("PG&E"), and Southern California Edison ("SCE") regarding electric power line de-energization events, also referred to as "Public Safety Power Shutoffs." The Board expressed concerns about PG&E and SCE meeting their responsibilities for adequate notifications and mitigation measures during electric power line de-energization events.

As part of addressing adequate notification and mitigation measures, and after coordinating with CEO's Office and the County's Office of Emergency Management, County Counsel recommends that the County of Santa Barbara participate in the ongoing "Phase 2 Rulemaking" process by the California Public Utilities Commission (CPUC), concerning electric power line de-energization events. In order to

both increase impact and reduce costs, and subject to approval by the Board of Supervisors, County Counsel coordinated for the County of Santa Barbara to participate in that Phase 2 rulemaking along with these other California jurisdictions that have expressed similar concerns about notification and mitigation during electric power line de-energization events: Sonoma County, Napa County, Mendocino County and City of Santa Rosa.

The recommended Agreement would provide for:

- The County of Santa Barbara's joint representation by the law firm of Goodin, MacBride, Squeri & Day, LLP, which also represents Sonoma County, Napa County, Mendocino County and City of Santa Rosa concerning this Phase 2 rulemaking by the CPUC; and
- Based on that, significant expected savings by the County of Santa Barbara, from splitting the cost of most of Outside Counsel's work five ways with the three other counties and the City of Santa Rosa.

The Phase 2 rulemaking process is an opportunity for the County to raise concerns related to electric power line de-energization, including potential improvements to notification and mitigation regulations.

This Agreement is for a not-to-exceed amount of \$75,000 with a term commencing on September 23, 2019 and ending September 30, 2020. The attorney primarily responsible for performing the legal services is Megan Somagyi.

**Fiscal and Facilities Impacts:**

Budgeted – Funding will come from the use of the Litigation Fund Balance component of the General Fund.

**Special Instructions:**

Please forward a signed copy to County Counsel.

**Attachments:**

Agreement for Professional Legal Services

**Authored by:**

Michelle Montez, Senior Deputy County Counsel