



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
Department No.: Counsel 013
For Agenda Of: December 14,
Placement: 2021
Estimated Time: Administrative
Continued Item: If N/A No
Yes, date from:
Vote Required: 4/5⁰

TO: Board of Supervisors
FROM: County Counsel Rachel Van Mullein County Counsel (805) 568-2950
Contact Info: Amber Holderness, Chief Assistant (805) 568-2950
**SUBJECT: Approve Agreement for Professional Legal Services with Outside
Counsel Hanson Bridgett LLP**

County Counsel Concurrence

As to form: Yes

Other Concurrence: Risk Management

As to form: Yes

Auditor-Controller Concurrence

As to form: Yes

Recommended Actions:

- a) Approve, ratify, and authorize the Chair to execute the attached Agreement for Professional Legal Services between the County of Santa Barbara and Hanson Bridgett LLP, with a not to exceed amount of \$500,000 and a term ending October 30, 2023; and
- b) Determine that the above action is not a project under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Sections 15378(b)(4) and 15378(b)(5) because it consists of government administrative or fiscal activities that will not result in direct or indirect physical changes in the environment.

Summary Text:

The County is a party to False Claims Act litigation pending in the United States District Court, Central District of California. The primary purpose of the Agreement is to provide needed legal advice and representation in that matter due to the County's current Outside Counsel for it, Andrues Podberesky, needing to withdraw from the case. County Counsel recommends retaining the firm Hanson Bridgett LLP because Hanson Bridgett has extensive expertise in this highly-specialized area of law and regularly practices in the court where this litigation is pending. The County's excess insurer, PRISM, has confirmed that the costs of the County's representation by Outside Counsel in this matter will count toward satisfying the County's Self-Insured Retention.

Performance Measure: N/A

Contract Renewals and Performance Outcomes: N/A

Fiscal and Facilities Impacts:

Budgeted: Yes

Key Contract Risks:

The Office of County Counsel reviewed the Contract Risk Assessment Worksheet as part of our process. Exhibit A of the Agreement ("Statement of Work") provides that the Board of Supervisors, acting through its County Counsel, expressly retains the authority to direct and control the course and conduct of the litigation, including the exclusive right to make decisions regarding settlement.

A Request for Proposals was not required for this selection.

Staffing Impacts: None

Special Instructions: Please forward a signed copy to Amber Holderness at aholderness a countyofsb.org.

Attachments: _____ a) Agreement for Professional Legal Services

Authored by: Amber Holderness, Chief Assistant

cc: Risk Management