



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 10, 2023
Placement: Administrative
Estimated Time: N/A
Continued Item: No
If Yes, date from:
Vote Required: Majority

TO: Board of Supervisors

FROM: County Counsel
Director Rachel Van Mullem 805-568-2950
Contact Info: Tyler Sprague 805-568-2950

SUBJECT: **Outside Counsel Contract - Orrick, Herrington & Sutcliffe LLP**

County Counsel Concurrence

As to form: Yes

Auditor-Controller Concurrence

As to form: Yes

Other Concurrence: Risk Management

As to form: Yes

Recommended Actions: That the Board of Supervisors:

- a) Approve, ratify and authorize the Chair to execute an Agreement for Special Counsel Services with Orrick, Herrington & Sutcliffe LLP, in the amount of \$95,000; 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:

This outside counsel contract is for the firm of Orrick, Herrington & Sutcliffe LLP (Orrick) to serve as special counsel in connection with the proposed issuance of Certificates of Participation (COPs) to finance certain capital projects. Orrick also served as special counsel for the Tajiguas Resource Recovery Project financing and other financings. Payment is contingent on delivery of the COPs.

Fiscal and Facilities Impacts:

Costs will be paid from the proceeds of the financing and will be budgeted as part of the financing.

Key Contract Risks:

None.

Special Instructions:

Please forward the minute order and a signed copy to Tyler Sprague in County Counsel.

Attachments:

A) Agreement for Special Counsel Services

Authored by:

Tyler Sprague, Deputy County Counsel