



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: January 14, 2020
Placement: Administrative
Estimated Time: N/A
Continued Item: No
If Yes, date from:
Vote Required: 4/5^{ths}

TO: Board of Supervisors
FROM: County Counsel Michael C. Ghizzoni (805) 568-2950
Contact Info: Martin G. McKenzie, Chief of Litigation (805) 568-2950
SUBJECT: Approve Agreement for Professional Legal Services with Outside Counsel
Hutchison & Steffen

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 and authorize the Chair to execute the attached Agreement for Professional Legal Services between the County of Santa Barbara and Outside Counsel Hutchison & Steffen, in an amount not to exceed \$100,000 without written agreement; and
- b) Determine that the above action is not a project under sections 15378(b)(4) and 15378(b)(5) of the California Environmental Quality Act Guidelines because it consists of government fiscal or administrative activities that will not result in direct or indirect physical changes in the environment.

Summary Text:

The County occasionally requires legal advice or representation in litigation outside the State of California. In those cases, it is sometimes necessary or beneficial for the County to retain a qualified local law firm to provide those services. County Counsel recommends retaining Hutchison & Steffen to provide such services for litigation in the state and federal courts of Nevada, within the two-year and \$100,000 limits of the proposed Agreement. The County's excess insurer, CSAC-EIA, has confirmed that the reasonable costs of legal services by Outside Counsel in such matters 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 Martin McKenzie in County Counsel.

Attachments: a) Agreement for Professional Legal Services
b) Contract Summary Form

Authored by: Martin McKenzie, County Counsel Chief of Litigation

cc: