



**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.:** 0710  
**For Agenda Of:** 10/08/2013  
**Placement:** Administrative  
**Estimated Time:** 5 minutes  
**Continued Item:**  
**If Yes, date from:**  
**Vote Required:** Majority

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**TO:** Board of Supervisors  
**FROM:** County Counsel Dennis A. Marshall x 2950  
Contact Info: Marie A. LaSala, Senior Deputy County Counsel  
**SUBJECT:** Amendment to Contract with the law firm of Kronick, Moskovitz, Tiederman & Girard

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**County Counsel Concurrence**

As to form: Yes

**Other Concurrence:** No

**Auditor-Controller Concurrence**

As to form: Yes

**Recommended Actions:**

- a) Approve and authorize the Chair to sign the attached amendment to the attached 2012 contract with the law firm of Kronick, Moskovitz, Tiederman & Girard, to assist County Counsel in the ongoing representation of the Assessor in assessment appeals filed by the County's major oil and gas companies; and
- b) Determine that the above action is not a project subject to the California Environmental Quality Act because under CEQA Guidelines Section 15378(b)(4) it is a government fiscal activity which does not involve any commitment to any specific project which may result in a potentially significant physical impact on the environment.

**Summary Text:**

On July 10, 2012, your Board, under the provisions of Section 31000 of the California Government Code, authorized a contract with the law firm of Kronick, Moskovitz, Tiederman & Girard to provide legal services to assist County Counsel with the specialized and complex issues presented in several assessment appeals involving high value oil and gas companies.

The existing contract authorized legal fees up to a total of \$100,000. Approximately \$25,000 in legal fees have been incurred to date and that contract's term expired on June 30, 2013. No legal services were performed and no expenses were incurred after June 30, 2013. As a result, we are not seeking ratification of any extra-contractual expenses.

However, because we are still in the discovery phase of the cases and the hearings will most likely not be completed until early 2014, the term of the contract needs to be extended for one more year. The compensation rates also need to be amended to reflect a modest increase (\$5/hr.) in the hourly rate of the law firm's attorneys and legal assistants. The hourly rate for attorney Brett Price, who has been our primary contact with the law firm, remains unchanged.

**Performance Measure:**

**Fiscal Analysis:**

Budgeted: Yes.

<b><u>Funding Sources</u></b>	<b><u>Current FY Cost:</u></b>	<b><u>Annualized On-going Cost:</u></b>	<b><u>Total One-Time Project Cost</u></b>
General Fund			
State			
Federal			
Fees			
Other:			
Total	\$ -	\$ -	\$ -

**Narrative:**

Due to the complexity of the issues presented in the pending high value oil and gas appeal proceedings the term of the existing contract needs to be extended to June 30, 2014.

**Staffing Impacts:**

**Legal Positions:**  
0

**FTEs:**  
0

**Attachments:**

1. 2013 amendment to contract with Kronick, Moskovitz, Tiederman & Griad
2. 2012 contract with Outside Counsel Kronick, Moskovitz, Tiderman & Griad
3. Board Contract Summary

**Authored by:** Marie LaSala, Senior Deputy County Counsel x2980