



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: June 4, 2024
Placement: Administrative
Estimated Time:
Continued Item: No
If Yes, date from:
Vote Required: 4/5ths

TO: Board of Supervisors

FROM: Department Rachel Van Mullem, County Counsel 568-2950
Director(s)
Contact Info: Brian Pettit, Senior Deputy County Counsel, 568-2950

SUBJECT: **Outside Counsel Contract Amendment #1 – Hooper, Lundy & Bookman, P.C.**

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, on behalf of the County of Santa Barbara and the Santa Barbara County Fire Protection District, the First Amendment to the Agreement for Professional Legal Services with Hooper, Lundy & Bookman, P.C. to increase the maximum contract amount by \$350,000 for a new maximum contract amount not-to-exceed \$1,000,000; 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 State 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: On November 7, 2023, the Board approved an Agreement for Professional Services with the firm of Hooper, Lundy & Bookman, a Professional Corporation, to represent the County and Fire Protection District in litigation brought by American Medical Response West. The original Agreement was for a not-to-exceed amount of \$650,000 with a term ending June 30, 2025. The attorneys primarily responsible for performing the legal services are Jordan Kearney and Devin Senelick, who have substantial experience in the specialized area of emergency medical services law, including the Emergency Medical Services System and Prehospital Emergency Medical Care Personnel Act.

Hooper, Lundy & Bookman has been coordinating with County Counsel to represent the County and Fire District in this specialized litigation. We anticipate that increased pre-trial discovery and settlement

mediation will add to the costs of the litigation. Through this First Amendment, County Counsel recommends increasing the maximum contract amount by \$350,000 for a new maximum contract amount of \$1,000,000.

Fiscal Analysis: The First Amendment will increase the maximum contract amount to \$1,000,000, and any further increase in the maximum payment amount would require another amendment to the contract and Board approval. As required under the County's Ambulance Ordinance, payments for services provided under this contract will be paid for by the Fire Protection District.

Budgeted: Yes

Key Contract Risks: None.

Special Instructions: Please forward the minute order and a signed copy of the First Amendment to Brian Pettit in County Counsel's Office.

Attachments:

- A) First Amendment to Agreement for Professional Legal Services
- B) Agreement for Professional Legal Services

Authored by: Senior Deputy County Counsel, Brian Pettit