



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/CEO  
**Department No.:** 013/012  
**For Agenda Of:** April 22, 2014  
**Placement:** Administrative  
**Estimated Tme:**  
**Continued Item:** No  
**If Yes, date from:**  
**Vote Required:** Majority

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**TO:** Board of Supervisors of the County of Santa Barbara as Successor Agency to the former Santa Barbara County Redevelopment Agency

**FROM:** Michael C. Ghizzoni, County Counsel (x2950)  
Renée Bahl, Assistant County Executive Officer (x3400)

Contact Info: Michael C. Ghizzoni, County Counsel (x2950)

**SUBJECT:** Extension of Agreement for Professional Legal Services - David L. Allen, Attorney at Law

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**County Counsel Concurrence**

As to form: Yes

**Auditor-Controller Concurrence**

As to form: Yes

**Other Concurrence:**

Risk Management

**Recommended Actions:**

As the Board of Supervisors of the County of Santa Barbara as Successor Agency to the former Santa Barbara County Redevelopment Agency:

Approve and authorize the Chair to execute Amendment No. 1 to the Agreement for Professional Legal Services with David L. Allen, Attorney at Law, extending the term to April 30, 2015 and waiving insurance requirements, with no change to the previously approved contract amount.

**Summary Text:**

The County is the Successor Agency to the former Santa Barbara County Redevelopment Agency. The Oversight Board of the Successor Agency to the former Santa Barbara County Redevelopment Agency continues to need legal support during their meetings. Mr. David L. Allen has been providing legal support to the Oversight Board for the past two years. It is recommended that Mr. Allen continue to provide independent legal support to the Oversight Board so that the County of Santa Barbara's Office of County Counsel may avoid any question of a conflict of interest with its legal support of the County of Santa Barbara concerning the same matters.

Cal. Health and Safety Code Section 34179(c) states that the successor agency shall pay for all of the costs of meetings of the oversight board. Section 34179(n) provides that an oversight board may direct a successor agency to provide additional legal or financial advice than what was given by agency staff.

The Agreement for Professional Legal Services provides that Mr. Allen shall ensure that information relating to his legal support of the Oversight Board is protected as required by Business and Professions Code Section 6068(e); this includes his preserving the confidentiality of that information from the Office of County Counsel.

With the concurrence of Risk Management, insurance requirements are proposed to be waived. It is beneficial to have continuity of counsel representing the Oversight Board. Legal work for the Oversight Board is nearing completion, and there are not expected to be enough hours of work remaining to cover the cost of the renewal of Mr. Allen's professional liability insurance. The risk of a claim involving this contract appears low.

**Fiscal and Facilities Impacts:**

The contract will be funded from available appropriations in the RDA Successor Agency Operations fund (3120).

**Key Contract Risks:** N/A

**Special Instructions:**

Please forward copies of the signed Agreement to Renée Bahl, Assistant County Executive Officer, and to Anne Rierson, Senior Deputy County Counsel.

**Attachments:**

Amendment No. 1, Agreement for Professional Legal Services, and Board Contract Summary

**Authored by:**

Anne Rierson, Senior Deputy County Counsel