



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: February 14, 2017
Placement: Administrative
Estimated Tme:
Continued Item: No
If Yes, date from:
Vote Required: Majority

TO: Board of Supervisors

FROM: County Counsel Michael C. Ghizzoni 568-2950

Contact Info: Anne Rierson 568-2950

SUBJECT: Amendment to Outside Counsel Contract - Stradling Yocca Carlson & Rauth

County Counsel Concurrence

As to form: Yes

Other Concurrence:

Treasurer-Tax Collector, Public Works, Risk Management

Auditor-Controller Concurrence

As to form: Yes

Recommended Actions:

- a) Approve and authorize the Chair to execute Amendment No. 1 to the Agreement for Professional Legal Services with Stradling Yocca Carlson & Rauth, A Professional Corporation, increasing the not-to-exceed amount from \$56,500.00 to \$81,500.00; and
- b) Determine that the above action is not a project under the California Environmental Quality Act (CEQA) pursuant to Section 15378(b)(5) of the CEQA Guidelines, because it consists of administrative activities of government that will not result in direct or indirect physical changes in the environment.

Summary Text: This outside counsel agreement is for the firm of Stradling, Yocca Carlson & Rauth, a Professional Corporation, to serve as disclosure counsel in connection with the proposed issuance of solid waste certificates of participation (COPs) to finance projects related to the proposed Public Works Tajiguas Resource Recovery Project. The attorney primarily responsible for performing the legal services is Kevin Civale, who has served as disclosure counsel on solid waste system financings for several counties. This amendment covers additional work by Stradling related to the financing, including reviewing County compliance with prior continuing disclosure obligations and preparing related disclosure; reviewing multiple drafts of the Feasibility Report, attending calls related thereto and providing comments; reviewing the service agreement, direct agreement, and agreements with MarBorg; and attending weekly working group calls. Payment is contingent on issuance and closing of the COPs.

Key Contract Risks: None

Fiscal and Facilities Impacts: Budgeted – Public Works Resource Recovery

Special Instructions: Please forward a signed copy to County Counsel.

Attachments:

- 1) Amendment No. 1
- 2) Agreement for Professional Legal Services
- 3) Board Contract Summary Sheet

Authored by: Anne Rierson, Senior Deputy County Counsel