



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: 07/10/2012
Placement: Administrative
Estimated Tme: 5 minutes
Continued Item:
If Yes, date from:
Vote Required: Majority

TO: Board of Supervisors
fROM: County Counsel Dennis A. Marshall x 2950
Contact Info: Marie A. LaSala, Senior Deputy County Counsel

SUBJECT: Contract with the law firm of Kronick, Moskovitz, Tiederman & Girard

County Counsel Concurrence

As to form: Yes

Other Concurrence: Yes

Assessor

Auditor-Controller Concurrence

Yes: *Accounting*
As to form:

Recommended Actions:

Approve and authorize the attached contract with the law firm of Kronick, Moskovitz, Tiederman & Girard to assist County Counsel in the representation of the Assessor in assessment appeals filed by the County's oil and gas companies.

Summary Text:

The Board of Supervisors, under the provisions of Section 31000 of the California Government Code, is empowered to contract for special legal services and expert witnesses. Due to the specialized and complex nature of the issues presented in assessment appeals involving oil and gas companies, County Counsel seeks the assistance of attorney Brett Price of Kronick, Moskovitz, Tiederman & Girard. Mr. Price specializes in the representation of counties in cases involving the valuation of high value oil and gas interests. Mr. Price successfully represented the County in several appeals filed by Exxon in the late 1990's and early 2000's.

The assessed value at risk in oil and gas assessment appeal cases often exceeds \$100 million. The pending BreitBurn appeals are a good example. The assessed value at risk is \$402,421,557. At a tax rate of 1%, the amount of property tax at risk in the BreitBurn appeals alone is \$4,024,216.

Legal fees are estimated at \$100,000. County Counsel's line item designated for outside counsel is an appropriate source of funding for the proposed contract.

Performance Measure: N/A

fiscal Analysis:

Budgeted: Yes.

Narrative:

The specialized and complex issues presented in major oil and gas appeals necessitate obtaining outside counsel with the petroleum valuation expertise needed to assist County Counsel in appeal proceedings.

Staffing Impacts:

Legal Positions:
0

FTEs:
0

Attachments: Contract with Kronick, Moskovitz, Tiederman & Giard

Authored by: Marie LaSala, Senior Deputy County Counsel x2980