



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: November 1, 2022
Placement: Administrative
Estimated Time: N/A
Continued Item: No
If Yes, date from:
Vote Required: 4/5^{ths}

TO: Board of Supervisors
FROM: County Counsel Rachel Van Mullem, County Counsel (805) 568-2950
Contact Info: Amber Holderness, Chief Assistant County Counsel (805) 568-2950
SUBJECT: Approve Agreement for Professional Legal Services with Outside Counsel
Oppenheimer Investigations Group

County Counsel Concurrence

As to form: Yes

Other Concurrence: Risk Management

As to form: Yes

Auditor-Controller Concurrence

As to form: Yes

Recommended Actions:

County Counsel recommends that the Board of Supervisors:

- a) Authorize County Counsel, or her designee, to execute an Agreement for Professional Legal Services between the County of Santa Barbara and Oppenheimer Investigations Group for a total not to exceed amount of \$50,000 and term ending June 30, 2023, in a form substantially similar to the County's standard Agreement for Professional Legal Services and with concurrence from Auditor-Controller and Risk Management, or their designees; and
- b) Determine that the above action is not a project under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Sections 15378(b)(4) and 15378(b)(5) because it consists of government administrative or fiscal activities that will not result in direct or indirect physical changes in the environment.

Summary Text:

This Agreement is for the County to engage an outside investigator to conduct independent, impartial, and objective employee investigations, as needed, under the direction of County Counsel. This Agreement will provide for the independent attorney investigators to gather facts from witness interviews and documents and provide a factual report so that the County can determine whether additional action is needed. Should additional action be necessary, the scope of this Agreement may be amended in writing.

Post-investigation legal advice concerning the investigation, the factual findings, recommendations concerning potential “corrective action” or related administrative or legal proceedings, are outside the scope of this specific and limited scope engagement.

Performance Measure: N/A

Contract Renewals and Performance Outcomes: N/A

Fiscal and Facilities Impacts:

Budgeted: Yes

Key Contract Risks: None.

Staffing Impacts: None.

Special Instructions: Please forward a signed copy to Amber Holderness at aholderness@countyofsb.org.

Authored by: Amber Holderness, Chief Assistant County Counsel