



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:** September 10, 2024  
**Placement:** Administrative  
**Estimated Time:**  
**Continued Item:** No  
**If Yes, date from:**  
**Vote Required:** 4/5

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**TO:** Board of Supervisors  
**FROM:** Department Rachel Van Mullem, County Counsel (568-2950)  
Director  
Contact Info: Anne Rierson, Sr. Deputy County Counsel (568-2950)  
**SUBJECT:** Amendment to Agreement with Outside Bankruptcy Counsel

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**County Counsel Concurrence**

As to form: Yes

**Auditor-Controller Concurrence**

As to form: Yes

**Other Concurrence:** Risk Management

As to form: Yes

**Recommended Actions:**

That the Board of Supervisors:

- a. Approve, ratify and authorize the Chair to execute Amendment No. 3 to the Agreement for Professional Legal Services with Spence, Desenberg & Lee, PLLC, extending the term to September 1, 2025; and
- b. Determine that the above actions are not a project under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15378(b)(5) because they are administrative activities of government that will not result in direct or indirect physical changes in the environment.

**Summary Text:**

From time to time, the County has a need to engage outside counsel to assist the County and its elected officials with bankruptcy matters, including the HVI Cat Canyon, Inc. bankruptcy and others. This Amendment No. 3 extends the term of the County's agreement with Spence, Desenberg & Lee, PLLC to September 1, 2025. The attorney primarily responsible for performing the bankruptcy legal services is Ross Spence.

**Fiscal and Facilities Impacts:**

Budgeted: Yes. Funding will come from the use of the Litigation fund balance component of the General Fund.

**Key Contract Risks:**

County Counsel views the contract risk as low because of the firm's specialized legal expertise and the County's experience with the firm.

**Staffing Impacts:**

None.

**Special Instructions:**

Please send a copy of the Minute Order and signed amendment to Anne Rierson in County Counsel.

**Attachments:**

- A. Amendment No. 3
- B. Agreement for Professional Legal Services
- C. Amendment No. 1
- D. Amendment No. 2

**Authored by:**

Anne Rierson, Sr. Deputy County Counsel