



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.:
For Agenda Of: April 19, 2022
Placement: Administrative
Estimated Time:
Continued Item: No
If Yes, date from:
Vote Required: Majority

TO: Board of Supervisors

FROM: County Counsel Rachel Van Mullem, 568-2950
Contact Info: Anne Rierson, 568-2950

SUBJECT: Amendment No. 1 to Outside Counsel Contract with Strumwasser & Woocher LLP

County Counsel Concurrence

As to form: Yes

Other Concurrence: Risk Management

As to form: Yes

Auditor-Controller Concurrence

As to form: Yes

Recommended Actions:

- a) Approve, ratify, and authorize the Chair to execute Amendment No. 1 to the Agreement for Professional Legal Services with Strumwasser & Woocher LLP for independent legal counsel to the County of Santa Barbara Citizens' Independent Redistricting Commission, increasing the not-to-exceed amount to \$255,400 and extending the term to June 30, 2022; and
- b) Determine that the above actions are not a project under the California Environmental Quality Act (CEQA) pursuant to Section 15378(b)(5) of the CEQA Guidelines, because they consist of administrative activities of government that will not result in direct or indirect physical changes in the environment.

Summary Text:

This amendment adds \$55,400 to the agreement to cover litigation costs incurred to defend the Citizens' Independent Redistricting Commission (Commission), and extends the contract to June 30, 2022.

Background:

On March 9, 2021, the County entered into an agreement with Strumwasser & Woocher LLP to provide independent outside legal counsel for the Commission. The agreement was for an amount not-to-exceed \$200,000. The agreement also provided that if litigation is initiated against the Commission, the firm and the County shall meet and negotiate in good faith as to whether the firm's services in representing the Commission in such litigation should reasonably be subsumed within the not-to-exceed amount, or whether an amendment to the agreement is necessary and appropriate to authorize additional funds to

pay for such litigation services. Litigation was initiated against the Commission. Based on the significant amount of work related to the litigation, staff believes that an amendment to the agreement is necessary and appropriate to authorize additional funds to pay for such litigation services.

The term of the initial contract was until April 30, 2022. This amendment would extend the contract term to June 30, 2022, primarily to allow time for the Commission to have independent legal counsel at an “after action” meeting.

Fiscal and Facilities Impacts:

Budgeted: Yes

Key Contract Risks:

County Counsel views this amendment as low risk.

Special Instructions:

Please forward a signed original to County Counsel and a signed copy to Assistant County Executive Officer Nancy Anderson.

Attachments:

- A) Amendment No. 1
- B) Agreement for Professional Legal Services

Authored by:

Anne Rierson, Senior Deputy County Counsel

cc:

Nancy Anderson, Assistant County Executive Officer