



**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: June 4, 2019
Placement: Administrative
Estimated Time:
Continued Item: No
If Yes, date from:
Vote Required: 4/5

TO: Board of Supervisors

FROM: County Counsel Michael C. Ghizzoni 568-2950
Contact Info: Susan McKenzie 568-2950

SUBJECT: Agreement for Professional Legal Services with Pansky Markle Attorneys At Law

County Counsel Concurrence

As to form: Yes

Auditor-Controller Concurrence

As to form: Yes

Other Concurrence: Risk Management

As to form: Yes

Recommended Actions:

- a) Approve, ratify, and authorize the Chair to execute an Agreement for Professional Legal Services with Pansky Markle Attorneys At Law from May 9, 2019 to May 31, 2021 in an amount not to exceed \$20,000.00; 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 and fiscal activities that will not result in direct or indirect physical changes in the environment.

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 nature in administrative proceedings before California state licensing boards, County Counsel recommends the assistance of attorney Ellen Pansky, who specializes in administrative proceedings. Ms. Pansky has extensive experience and expertise in this specialized area of practice, particularly in administrative proceedings before the California State Bar. The Agreement will enable County Counsel to retain her to handle State Bar matters as needed. The amount set forth in the agreement is not to exceed \$20,000.00 over a two year period.

Fiscal and Facilities Impacts:

Budgeted: Yes

Key Contract Risks:

County Counsel views this Agreement as low risk because Ellen Pansky, with Pansky Markle Attorneys At Law, is highly experienced in administrative proceedings before California state licensing boards. Ms. Pansky has worked successfully with the County of Santa Barbara in the past. The Agreement also contains a termination for convenience clause that further reduces risk.

Staffing Impacts:

<u>Legal Positions:</u>	<u>FTEs:</u>
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Special Instructions:

Please execute two (2) original Agreements and retain one (1) original Agreement and one (1) Minute Order for pick up by The Office of County Counsel. Please email ABorjas@co.santa-barbara.ca.us when available for pick up.

Attachments:

1. Agreement for Professional Legal Services
2. Board Contract Summary

Authored by:

Susan McKenzie, Deputy County Counsel