



Mendocino County

Legislation Details (With Text)

File #: 19-0859 **Version:** 1 **Name:**

Type: Agreement **Status:** Agenda Ready

File created: 9/11/2019 **In control:** County Counsel

On agenda: 10/1/2019 **Final action:**

Title: Discussion and Possible Action Including Approval of Amendment to Purchasing Agent Agreement No. 20-32 with Thomas Law Group Increasing from \$50,000 to a Total Agreement Amount of \$125,000, to Provide Legal Services Related to Keep The Code, Inc., v. County of Mendocino (Mendocino Superior Court Case No. SCUK-CVPT-12-60196), Effective July 30, 2019 through June 30, 2020; and Approval of Corresponding Request for Appropriation-Revision of Funds to Increase Planning Special Projects, Budget Unit 2852, Org Code PS 826184 in the Amount of \$125,000 and PS 862239 in the Amount of \$125,000 (Sponsor: County Counsel)

Sponsors: County Counsel

Indexes:

Code sections:

Attachments: 1. Agreement 19-240, 2. Signed Budget Transfer Form, 3. Thomas Law Group 19-20 \$50,000 PA# 20-23

Date	Ver.	Action By	Action	Result
10/1/2019	1	Board of Supervisors		

To: Board of Supervisors

From: County Counsel

Meeting Date: October 1, 2019

Department Contact: Katharine Elliot

Phone: 234-6885

Item Type: Regular Agenda

Time Allocated for Item: 15 min

Agenda Title:

Discussion and Possible Action Including Approval of Amendment to Purchasing Agent Agreement No. 20-32 with Thomas Law Group Increasing from \$50,000 to a Total Agreement Amount of \$125,000, to Provide Legal Services Related to Keep The Code, Inc., v. County of Mendocino (Mendocino Superior Court Case No. SCUK-CVPT-12-60196), Effective July 30, 2019 through June 30, 2020; and Approval of Corresponding Request for Appropriation-Revision of Funds to Increase Planning Special Projects, Budget Unit 2852, Org Code PS 826184 in the Amount of \$125,000 and PS 862239 in the Amount of \$125,000 (Sponsor: County Counsel)

Recommended Action/Motion:

Approve Amendment to Purchasing Agent Agreement No. 20-32 with Thomas Law Group increasing from \$50,000 to a total Agreement amount of \$125,000, to provide legal services related to Keep The Code, Inc., v. County of Mendocino (Mendocino Superior Court Case No. SCUK-CVPT-12-60196), effective July 30, 2019 through June 30, 2020; approve corresponding Request for Appropriation-revision of funds to increase

Planning Special Projects, Budget Unit 2852, Org Code PS 826184 in the amount of \$125,000 and PS 862239 in the amount of \$125,000; and authorize Chair to sign same.

Previous Board/Board Committee Actions:

None.

Summary of Request:

The County entered into a Purchasing Agent-level agreement with Thomas Law Group on July 30, 2019, to obtain outside counsel to assist the County Counsel's Office with upcoming actions related to the Keep The Code, Inc., v. County of Mendocino (Mendocino Superior Court Case No. SCUK-CVPT-12-60196) (related to the Harris Quarry project), including advice related to CEQA compliance. Additional legal services beyond the original contracted amount are anticipated.

Funding for this agreement and the amendment is being provided to the County by the applicant for the Harris Quarry project, Northern Aggregates, Inc., pursuant to the indemnification agreement entered into by the applicant when it applied for the project.

Alternative Action/Motion:

Provide alternate direction.

Supervisory District: All

vote requirement: Majority

Supplemental Information Available Online At: n/a

Fiscal Details:

source of funding: PS 2852-862239

current f/y cost: \$125,000 (offset by revenues)

annual recurring cost: N/A

budgeted in current f/y: Yes

if no, please describe:

revenue agreement: N/A

budget clarification: The Planning and Building Services Department budgeted \$50,000 in PS 2852 for Fiscal Year 2019-20 for anticipated annual expenses. At the time of the original contract execution, an appropriation amount of \$50,000 was in the fund. However, at this time, the Department is taking the opportunity to clean up the appropriations for the entire contract of \$125,000, including the offsetting revenue.

Agreement/Resolution/Ordinance Approved by County Counsel: Yes

CEO Liaison: Executive Office

CEO Review: Yes

CEO Comments:

FOR COB USE ONLY

Executed By: Lindsey Dunham, Deputy Clerk I

Date: October 7, 2019

Final Status: **Approved**

Executed Item Number: **Agreement** Number:
19-240

Note to Department Number of Original Agreements
Returned to Dept: 0 Original Agreement Delivered to
Auditor? No -only 1 copy, non-original, issued. Kept for
record.

