



Mendocino County

Legislation Text

File #: 18-2091, Version: 1

To: Board of Supervisors

From: County Counsel

Meeting Date: September 25, 2018

Department Contact: Katharine L. Elliott

Phone: 234-6885

Item Type: Consent Agenda

Time Allocated for

Item: N/A

Agenda Title:

Approval of Second Amendment to Board of Supervisors Agreement No. 18-025 with Liebert Cassidy Whitmore to Provide Legal/Conflict Counsel Services in the *Amanda Carley v. County of Mendocino* Lawsuit in the Amount of \$125,000, Extending the Termination Date From November 1, 2018 to June 30, 2019

Recommended Action/Motion:

Approve second amendment to Board of Supervisors Agreement No. 18-025 with Liebert Cassidy Whitmore to provide legal/conflict counsel services in the *Amanda Carley v. County of Mendocino* lawsuit in the amount of \$125,000, extending the termination date from November 1, 2018 to June 30, 2019; and authorize Chair to sign same.

Previous Board/Board Committee Actions:

The Board approved Amendment of Agreement (No. 18-025) extending the amount from \$75,000 to \$125,000 on March 27, 2018.

Summary of Request:

On November 3, 2017, the County previously entered into an agreement with Liebert Cassidy Whitmore in order to provide conflict counsel for the defense of the District Attorney in the *Amanda Carley v. Mendocino County, et al.* (SCUK-CVG-2017-69021) for an amount of \$50,000. As there were extensive motions filed, on March 27, 2018, the Board approved an amendment to Board of Supervisors Agreement No. 18-025 extending the amount from \$75,000 to \$125,000. We now need to extend the termination date from November 1, 2018 to June 30, 2019.

LCW requested an order for costs and attorneys' fees from the plaintiff which has been granted by the court. That ruling has been appealed. Therefore, we need an extension of time for LCW to work on the appeal.

Alternative Action/Motion:

Do not approve.

Supplemental Information Available Online at: N/A

Fiscal Impact:

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Source of Funding: GL-0713-863320
Current F/Y Cost: \$125,000

Budgeted in Current F/Y: Yes
Annual Recurring Cost: N/A

Supervisory District: All

Vote Requirement: Majority

Agreement/Resolution/Ordinance Approved by County Counsel: Yes

CEO Liaison: Steve Dunncliff, Deputy CEO

CEO Review: Yes



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Executed By: Meribeth Dermond

Final Status: Approved

Date: **SEPTEMBER 26, 2018**

Executed Item Agreement Number: 18-035-A1

Note to Department Number of
Original Agreements Returned to
Dept: Two Original Agreement
Delivered to Auditor? Yes