



# Mendocino County

## Legislation Text

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**File #:** 20-0035, **Version:** 1

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**To:** Board of Supervisors

**From:** County Counsel

**Meeting Date:** January 21, 2020

**Department Contact:** Christian M. Curtis

**Phone:** 234-6885

**Item Type:** Regular Agenda

**Time Allocated for Item:** 15 min.

**Agenda Title:**

Discussion and Possible Action Including Approval of Retroactive Amendment to Board of Supervisors Agreement No. 19-240 with Thomas Law Group In the Amount of \$155,000, for a New Agreement Amount of \$280,000, 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 \$155,000 and PS 862239 in the Amount of \$155,000

(Sponsor: County Counsel)

**Recommended Action/Motion:**

Approve retroactive amendment to Board of Supervisors Agreement No. 19-240 with Thomas Law Group in the amount of \$155,000, for a new Agreement amount of \$280,000, 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; authorize Chair to sign same; and approve corresponding Request for Appropriation-Revision of Funds to increase Planning Special Projects, Budget Unit 2852, Org Code PS 826184 in the amount of \$155,000 and PS 862239 in the amount of \$155,000.

**Previous Board/Board Committee Actions:**

On October 1, 2019, the Board approved Board of Supervisors Agreement No. 19-240 amending Purchasing Agent Agreement No. 20-32 from \$50,000 to \$125,000.

**Summary of Request:**

The County entered into 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.

Funds for these services are provided by the project applicant, pursuant to an indemnity agreement with the County of Mendocino. Per Planning and Building Services, the applicant has already submitted a deposit for the additional contract amount.

**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:** Funds for these services are provided by the project applicant, pursuant to an indemnity agreement with the County of Mendocino. Per Planning and Building Services, the applicant has already submitted a deposit for the additional contract amount.

**Agreement/Resolution/Ordinance Approved by County Counsel:** Yes

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**CEO Liaison:** Executive Office

**CEO Review:** Yes

**CEO Comments:**

**FOR COB USE ONLY**

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**Executed By:** Karla Van Hagen, Senior Deputy Clerk

**Date:** January 24, 2020

**Final Status:** **Approved**

**Executed Item Number:** Agreement 19-240-A1

**Note to Department** Number of Original Agreements  
Returned to Dept: None Original Agreement Delivered  
to Auditor? No - COB Retained only original; copy  
delivered to Auditor

