



A Tradition of Stewardship  
A Commitment to Service

Agenda Date: 3/21/2017

Agenda Placement: 6T

## NAPA COUNTY BOARD OF SUPERVISORS Board Agenda Letter

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**TO:** Board of Supervisors

**FROM:** Jeffrey Richard for Minh Tran - County Counsel  
County Counsel

**REPORT BY:** Erin Cossen, Legal Office Manager - 707-253-4520

**SUBJECT:** Amendment No. 2 to Agreement No. 160132B with Miller, Starr & Regalia

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### **RECOMMENDATION**

County Counsel requests approval of and authorization for the Chair to sign Amendment No. 2 to Agreement No. 160132B with the law firm of Miller, Starr & Regalia increasing the maximum compensation by \$100,000 for a new maximum of \$250,000 to provide unanticipated legal services in connection with litigation related to an election matter.

### **EXECUTIVE SUMMARY**

The County contracted with the law firm of Miller Starr & Regalia to provide specialized legal services concerning election issues and a possible 9111 report with a maximum amount of compensation of \$75,000. The maximum compensation was then increased by Amendment 1 to the Agreement for a new maximum compensation amount of \$150,000. The County now wishes to amend contract no. 160132B a second time to increase the maximum compensation to \$250,000 to cover the expense of unanticipated litigation related to an election matter.

### **FISCAL IMPACT**

Is there a Fiscal Impact?	Yes
Is it currently budgeted?	Yes
Where is it budgeted?	County Counsel
Is it Mandatory or Discretionary?	Discretionary
Discretionary Justification:	Miller, Starr & Regalia provides specialized legal services within the areas of

initiatives and elections law. Funding is included in the County Counsel's adjusted FY 16-17 budget for such purposes.

Is the general fund affected? Yes

Future fiscal impact: County Counsel will continue to request appropriation for outside counsel; this particular amendment has a maximum amount of \$250,000.

Consequences if not approved: The County will not receive the benefits of a firm who specializes in initiatives and elections law.

Additional Information:

**ENVIRONMENTAL IMPACT**

ENVIRONMENTAL DETERMINATION: The proposed action is not a project as defined by 14 California Code of Regulations 15378 (State CEQA Guidelines) and therefore CEQA is not applicable.

**BACKGROUND AND DISCUSSION**

The County entered into agreement no. 160132B with the law firm of Miller, Starr & Regalia to provide specialized legal services concerning elections issues and a possible 9111 report with a maximum compensation amount of \$75,000, which was later increased to \$150,000 by Amendment no. 1 to the Agreement. Because of unanticipated ongoing litigation related to an election matter, staff recommends increasing the maximum compensation amount to \$250,000.

**SUPPORTING DOCUMENTS**

None

CEO Recommendation: Approve

Reviewed By: Helene Franchi