



Agenda Date: 6/26/2007
Agenda Placement: 6PP

NAPA COUNTY BOARD OF SUPERVISORS Board Agenda Letter

TO: Board of Supervisors
FROM: Susan Ingalls for Robert Westmeyer - County Counsel
County Counsel
REPORT BY: Susan Ingalls, Paralegal, 259-8152
SUBJECT: Agreement with Napa Valley Housing Authority to provide legal services

RECOMMENDATION

County Counsel requests approval of and authorization for the Chair to sign a revenue agreement with the Napa Valley Housing Authority for a maximum of \$10,000 for the term July 1, 2007 through June 30, 2008 to provide legal services.

EXECUTIVE SUMMARY

The proposed agreement will authorized County Counsel to provide legal services to Napa Valley Housing Authority for a maximum annual compensation and expense reimbursement of \$10,000 for the term July 1, 2007 through June 30, 2008.

FISCAL IMPACT

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|-----------------------------------|--|
| Is there a Fiscal Impact? | Yes |
| Is it currently budgeted? | No |
| What is the revenue source? | Napa Valley Housing Authority |
| Is it Mandatory or Discretionary? | Discretionary |
| Discretionary Justification: | The agreement will provide reimbursement for services provided and no additional costs will be incurred. |
| Is the general fund affected? | Yes |
| Future fiscal impact: | None. |
| Consequences if not approved: | Legal services the County provides to the Napa Valley Housing Authority will not be reimbursed. |

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

Napa Valley Housing Authority, a joint powers agency ("NVHA"), desires to obtain legal services from Napa County Counsel on an as-needed basis.

NVHA is authorized by Government Code sections 6506 and 6508 and by Section 8 of Napa County Agreement No. 2540 ("JPA Agreement") between the City of American Canyon and the housing authorities of the County of Napa, Cities of St. Helena and Calistoga, and the Town of Yountville to enter into agreements for support services, including legal services.

Pursuant to Sections 26520 and 27642 of the California Government Code, a county counsel may provide, upon request, legal services to local public entities not governed by the county board of supervisors for a fee not to exceed the total cost to the county to provide such services. NVHA is governed by a Board of Commissioners which is not the same as the Napa County Board of Supervisors.

Staff recommends authorization for Counsel to provide such services to NVHA at the hourly rate of \$131.47 which is the standard billing rate for the attorney designated by County Counsel to provide the services under this agreement. Services include legal advice and consultation, draft and review NVHA legal documents, attend meetings as NVHA legal counsel and make presentations regarding NVHA matters upon request by the NVHA Executive Director or designee.

SUPPORTING DOCUMENTS

None

CEO Recommendation: Approve

Reviewed By: Karen Gratton