



Legislation Details (With Text)

File #: 20-1287 **Version:** 1

Type: Agenda Item **Status:** Approved

File created: 9/24/2020 **In control:** Board of Supervisors

On agenda: 10/20/2020 **Final action:** 10/20/2020

Title: County Counsel recommending the Board authorize the Chair to Execute Amendment 2 to Agreement for Legal Services Between El Dorado County and Abbott & Kindermann, Inc., Agreement 552-S1711 (Sheetz litigation) that amends Section 2, Compensation to increase the not to exceed amount from \$125,000 to \$225,000.

FUNDING: Risk Fund.

Sponsors:

Indexes:

Code sections:

Attachments: 1. A - 2nd Amendment Legal Services, 2. B - Amendment I, 3. C - Original Agreement, 4. Executed Agreement 552-S1711

Date	Ver.	Action By	Action	Result
10/20/2020	1	Board of Supervisors	Approved	Pass

County Counsel recommending the Board authorize the Chair to Execute Amendment 2 to Agreement for Legal Services Between El Dorado County and Abbott & Kindermann, Inc., Agreement 552-S1711 (Sheetz litigation) that amends Section 2, Compensation to increase the not to exceed amount from \$125,000 to \$225,000.

FUNDING: Risk Fund.

DISCUSSION / BACKGROUND

The County currently has an agreement for legal services with Abbott & Kindermann, Inc. to provide legal services to the County in the action entitled George Sheetz & Friends of El Dorado County v. County of El Dorado, El Dorado Superior Court case No.PC20170255. The existing agreement has a not to exceed amount of \$125,000 and is currently being funded through the Risk Fund. There is the potential for the risk management reserves to be reimbursed for legal costs from the mitigation fee funds that are the subject of the litigation. Since the actual cost of the litigation is unknown and as a result of fees incurred to date, the not to exceed amount on the contract needs to be increased so that the representation and defense of the County can continue.

ALTERNATIVES

N/A

PRIOR BOARD ACTION

7/24/2018 Legistar Item 18-1049 - Amendment I approval
6/27/2017 Legistar Item 17-0721 - Original Agreement approval

OTHER DEPARTMENT / AGENCY INVOLVEMENT

N/A

CAO RECOMMENDATION / COMMENTS

Approve as recommended.

FINANCIAL IMPACT

The agreement is budgeted in the Risk Fund (Risk Management). There is the potential for the risk management reserves to be reimbursed for legal costs from the mitigation fee funds that are the subject of the litigation.

CLERK OF THE BOARD FOLLOW UP ACTIONS

1. Obtain signatures on 3 originals of the amendment
2. Return 2 executed copies to County Counsel, retaining one for the Board file.

STRATEGIC PLAN COMPONENT

N/A

CONTACT

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