



# COUNTY OF HUMBOLDT

For the meeting of: 5/7/2019

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File #: 19-690

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**To:** Board of Supervisors

**From:** County Administrative Office

**Agenda Section:** Consent

**SUBJECT:**

Ratify Fee Agreement and Letters of Engagement with Best Best and Krieger and Delegate Authority to Risk Manager to Sign Supplements

**RECOMMENDATION(S):**

That the Board of Supervisors:

1. Ratify the Letter of Engagement signed by the County Administrative Officer/Purchasing Agent on April 9, 2019 with Best Best & Krieger (BBK) Attorneys At Law for employment law advice and employment claim management; and
2. Approve an expanded Letter of Engagement with BBK for employment law advice and employment claim management, and employment litigation matters; and
3. Delegate to the Risk Manager authority to sign supplements to this agreement with approval from the County Administrative Officer and County Counsel.

**SOURCE OF FUNDING:**

Liability Fund 3524

**DISCUSSION:**

Your Board adopted the Purchasing Policy on March 18, 2014. A county may exercise its contract powers (Government Code §23004(c)) only through the Board of Supervisors or through agents and officers acting under authority of the Board or authority conferred by law (Government Code §23005).

Pursuant to Government Code §25500 *et seq.*, the Humboldt County Board of Supervisors employs a Purchasing Agent. “The Purchasing Agent, who shall have the powers and duties of County purchasing agent as prescribed by law, this Code and any other resolutions and orders of the Board of Supervisors, shall be the County Administrative Officer or his/her designee” (Humboldt County Code §245-1).

Through the Purchasing Policy, the Purchasing Agent can procure professional services. Professional services are defined as “special services” in Government Code §31000. The special services shall consist of services, advice, education or training for public entities or the employees thereof. Contracts that fall into this category are primarily financial, economic, accounting, engineering, legal, medical,

therapeutic, administrative, architectural, airport or building security matters, or laundry or linen services.

On April 9, 2019, pursuant to the purchasing authority your Board has previously approved, the County Administrative Officer/Purchasing Agent procured professional legal services with BBK to provide employment law and claim management advice. It is recommended that your Board ratify this agreement.

Due to continuing threats of employment related litigation it is recommended that your Board approve an expanded Letter of Engagement with Best Best and Krieger.

FINANCIAL IMPACT:

All invoices from BBK will be paid from the Liability Fund 3524. The overall financial impact of contracting with BBK for employment related legal services is unknown at this time.

STRATEGIC FRAMEWORK:

This action supports your Board's Strategic Framework by enforcing laws and regulations to protect residents.

OTHER AGENCY INVOLVEMENT:

N/A

ALTERNATIVES TO STAFF RECOMMENDATIONS:

Board discretion.

ATTACHMENTS:

1. BBK Engagement Letter
2. BBK Expanded Engagement Letter

PREVIOUS ACTION/REFERRAL:

Board Order No.: N/A

Meeting of: N/A

File No.: N/A