



COUNTY OF HUMBOLDT

For the meeting of: 2/28/2023

File #: 23-245

To: Board of Supervisors

From: County Counsel

Agenda Section: Consent

SUBJECT:

First Amendment to the Legal Services Agreement with Murphy Austin Adams Schoenfeld LLP Regarding the Provision of Legal Assistance with Construction-Related Matters on an As-Needed Basis (4/5 Vote Required)

RECOMMENDATION(S):

That the Board of Supervisors:

1. Approve, and authorize the Interim County Counsel, or a designee thereof, to execute, the attached first amendment to the legal services agreement with Murphy Austin Adams Schoenfeld LLP regarding the provision of legal assistance with construction-related matters on an as-needed basis (4/5 vote required); and
2. Direct the Clerk of the Board to provide the Humboldt County Counsel's Office with one (1) fully executed certified copy of the Board Order pertaining to this item.

SOURCE OF FUNDING:

Liability Fund

DISCUSSION:

On October 2, 2018 (Item C-11), the Humboldt County Board of Supervisors ("Board") approved the current legal services agreement with Murphy Austin Adams Schoenfeld LLP ("Murphy Austin") regarding the provision of legal assistance with construction-related matters on an as-needed basis. The attached first amendment to the legal services agreement with Murphy Austin will adjust the rates of compensation charged thereunder as of January 1, 2023. It should be noted that the attached first amendment to the legal services agreement with Murphy Austin comes to the Board after the effective date thereof due to inadvertent delays that occurred during the contract development process.

Accordingly, the Humboldt County Counsel's Office recommends that the Board approve, and authorize the Interim County Counsel, or a designee thereof, to execute, the attached first amendment to the legal services agreement with Murphy Austin regarding the provision of legal assistance with construction-related matters on an as-needed basis.

FINANCIAL IMPACT:

The attached first amendment to the legal services agreement with Murphy Austin will adjust the hourly rates of compensation charged thereunder from a range of Two Hundred Thirty-Five Dollars (\$235.00) to Three Hundred Sixty Dollars (\$360.00) per hour to a range of Two Hundred Thirty-Five Dollars (\$235.00) to Five Hundred Ninety-Five Dollars (\$595.00) per hour.

The Humboldt County Liability Fund currently has sufficient funds to cover the costs and expenses associated with the attached first amendment to the legal services agreement with Murphy Austin. As a result, approval of the attached first amendment to the legal services agreement with Murphy Austin will not impact the Humboldt County General Fund.

STRATEGIC FRAMEWORK:

The recommended actions support the Board of Supervisors' Strategic Framework by enforcing laws and regulations to protect residents.

OTHER AGENCY INVOLVEMENT:

None

ALTERNATIVES TO STAFF RECOMMENDATIONS:

The Board may choose not to approve the attached first amendment to the legal services agreement with Murphy Austin regarding the provision of legal assistance with construction-related matters on an as-needed basis. However, this alternative is not recommended since it will severely impact the Humboldt County Counsel Office's ability to provide adequate legal services.

ATTACHMENTS:

1. First Amendment to the Agreement for Legal Services with Murphy Austin Adams Schoenfeld LLP Regarding the Provision of Legal Assistance with Construction-Related Matters on an As-Needed Basis dated October 2, 2018
2. Agreement for Legal Services with Murphy Austin Adams Schoenfeld LLP Regarding the Provision of Legal Assistance with Construction-Related Matters on an As-Needed Basis dated October 2, 2018

PREVIOUS ACTION/REFERRAL:

Board Order No.: C-11
Meeting of: 10/02/2018
File No.: 18-1225