



COUNTY OF HUMBOLDT

For the meeting of: 5/16/2023

File #: 23-631

To: Board of Supervisors

From: County Counsel

Agenda Section: Consent

Vote Requirement: 4/5th

SUBJECT:

First Amendment to Engagement Agreement with Downey Brand LLP

RECOMMENDATION(S):

That the Board of Supervisors:

1. Approve and authorize the Risk Manager to execute, the attached First Amendment to the Engagement Agreement with Downey Brand.

SOURCE OF FUNDING:

Liability fund

DISCUSSION:

This is an amendment to an existing contract for services to allow for an additional attorney from Downey Brand LLP to work on litigation filed against the County by Friends of the Eel River in Humboldt County Case Number CV2201593. The attached first amendment to the engagement agreement with Downey Brand LLP will add an authorized biller, counsel-level attorney Brian Hamilton, to the contract.

NARRATIVE EXPLANATION OF FINANCIAL IMPACT:

The attached first amendment to the engagement agreement with Downey Brand will add the hourly rate of \$405 per hour for counsel-level attorney.

The Humboldt County Liability Fund currently has sufficient funds to cover the costs associated with the attached first amendment to the engagement agreement with Downey Brand and will not impact the General Fund.

STRATEGIC FRAMEWORK:

This action supports your Board's Strategic Framework priority of facilitating public/private

partnerships to solve problems.

OTHER AGENCY INVOLVEMENT:

None

ALTERNATIVES TO STAFF RECOMMENDATIONS:

Your Board could not to choose this amendment, however, this is not recommended because then the County would not be benefitting from the range of skill and depth that Downey Brand LLP has to offer.

ATTACHMENTS:

1. First Amendment to Engagement Agreement dated April 3, 2023;
2. Engagement Agreement dated November 2, 2022

PREVIOUS ACTION/REFERRAL:

Board Order No.: L4

Meeting of: 11-01-2022

File No.: 22-1488