



# COUNTY OF HUMBOLDT

For the meeting of: 9/10/2019

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File #: 19-1265

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**To:** Board of Supervisors

**From:** County Administrative Office

**Agenda Section:** Consent

**SUBJECT:**

Ratify Fee Agreement and Letter of Engagement with Sacks, Ricketts & Case LLP

**RECOMMENDATION(S):**

That the Board of Supervisors:

1. Ratify the Fee Agreement and Letter of Engagement signed by the County Administrative Officer/Purchasing Agent on March 26, 2019 with Sacks, Ricketts & Case LLP for an independent investigation to be conducted by Todd Simonson.

**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.

Through County Code Section 241-6 (I) *Investigations, Studies and Surveys* the County Administrative

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Officer may “Make such investigations, studies and surveys as ordered by the Board of Supervisors or as deemed necessary by the County Administrative Officer.”

Despite the authority to execute the attached fee agreement and engagement letter, the County Administrative Officer recommends that your Board ratify the attached fee agreement and engagement letter with Sacks, Ricketts & Case LLP for an independent investigation to be conducted by Todd Simonson, which is duplicative of the direction reported out of closed session on August 20, 2019.

FINANCIAL IMPACT:

All invoices from Sacks, Ricketts & Case LLP will be paid from the Liability Fund 3524. The overall financial impact of contracting investigative services is unknown at this time.

OTHER AGENCY INVOLVEMENT:

N/A

ALTERNATIVES TO STAFF RECOMMENDATIONS:

Board discretion.

ATTACHMENTS:

Fee Agreement and Engagement Letter with Sacks, Ricketts & Case LLP

PREVIOUS ACTION/REFERRAL:

Board Order No.: N/A

Meeting of: N/A

File No.: N/A