



COUNTY OF HUMBOLDT

Legislation Details (With Text)

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Title: Legal Services Agreement with Law Office of Julian Gross Regarding the Provision of Legal Services Related to Offshore Wind, Community Benefits and Related Issues (4/5 Vote Required)

Sponsors: Elishia Hayes

Indexes:

Code sections:

Attachments: 1. Staff Report, 2. Legal Services Agreement -- Humboldt County Law Ofc Julian Gross 101222.pdf, 3. Certificate of Insurance - Commercial General Liability 2022 - Humboldt County.pdf

| Date | Ver. | Action By | Action | Result |
|------------|------|----------------------|----------|--------|
| 10/18/2022 | 1 | Board of Supervisors | approved | Pass |

To: Board of Supervisors

From: County Administrative Office

Agenda Section: Consent

SUBJECT:

Legal Services Agreement with Law Office of Julian Gross Regarding the Provision of Legal Services Related to Offshore Wind, Community Benefits and Related Issues (4/5 Vote Required)

RECOMMENDATION(S):

That the Board of Supervisors:

1. Approve, and authorize the County Administrative Officer, or a designee thereof, to execute, the attached legal services agreement with the Law Office of Julian Gross regarding the provision of legal services related to offshore wind, community benefits and related issues (4/5 vote required);
2. Authorize the County Administrative Officer, or a designee thereof to execute any and all subsequent amendments to the attached legal services agreement with the Law Office of Julian Gross, after review and approval by County Counsel and Risk Management; and
3. Direct the Clerk of the Board to provide the County Administrative Office - Management and Budget Team with one (1) fully executed certified copy of the Board Order related to this item.

SOURCE OF FUNDING:

General Fund (1100)

DISCUSSION:

The County Administrative Office has been working with many local partners regarding offshore wind

-related issues, and more recently the proposed lease sale of the Humboldt Wind Energy Area (WEA) being managed by the Bureau of Ocean Energy Management. The Humboldt WEA begins at 21 miles offshore of the City of Eureka. The area is about 28 miles in length from north to south and about 14 miles in width from east to west. The entire area is approximately 206 square miles or 132,369 acres. Offshore wind and issues related to the proposed lease sale of the Humboldt WEA, including potential for community benefits agreements require specialized legal expertise. As such, your Board with the adopted fiscal year 2022-2023 budget approved an Additional Request for General Fund Appropriation for these legal services. This agenda item implements the Board's desire for those services.

The attached legal services agreement will allow the Law Office of Julian Gross to advise the County of Humboldt regarding various offshore wind and community benefits-related issues, including, without limitation, development agreements, community benefits agreements, and other benefit and financial arrangements, as may be relevant to on-shore and off-shore land use and economic development activity related to the Humboldt WEA. Mr. Gross has extensive experience in representing state and local public entities on community benefits issues in infrastructure and land use development, with a focus on local employment, local contracting, workforce development. It should be noted that the County of Humboldt has worked continuously with the Humboldt Area Foundation, the Redwood Region Climate and Community Resilience Hub and the North Coast Offshore Wind Community Benefits Network with regard to advocacy for community benefits regarding the offshore wind development and related activities in the Humboldt WEA. Humboldt Area Foundation has engaged with Estolano Advisors and its affiliated entity, Better World Group, for assistance on these issues. Mr. Gross has strong working relationships with Estolano Advisors on other projects, which may assist the County in engagement and collaboration with this important network of local stakeholders. Pursuant to the proposed agreement, the Law Office of Julian Gross will maintain confidentiality regarding services performed and will not share information with Estolano Advisors or the Better World Group team, except as directed by the County of Humboldt.

Accordingly, the County Administrative Office recommends that the Board approve, and authorize the County Administrative Officer, or a designee thereof, to execute, the legal services agreement with the Law Office of Julian Gross regarding the provision of legal services related to offshore wind, community benefits and related issues. It is also recommended that the Board authorize the County Administrative Officer, or a designee thereof to execute any and all subsequent amendments to the attached legal services agreement with the Law Office of Julian Gross, after review and approval by County Counsel and Risk Management, in order to avoid any unnecessary delays in the provision of needed legal services.

FINANCIAL IMPACT:

The legal services provided pursuant to the terms and conditions of the attached legal services agreement with the Law Office of Julian Gross will be compensated at hourly rates ranging from \$95 to \$425 per hour. The maximum payable amount under the attached legal services agreement with the Law Office of Julian Gross is \$50,000. All work will be performed upon request and at the direction of county staff, and expenses will be managed on a month-by-month basis. In the event local, state or federal funding is reduced or eliminated, the County of Humboldt may reduce the above-referenced maximum amount payable or terminate the attached legal services agreement with the law office of Julian Gross in its entirety.

Expenditure appropriations related to the attached legal services agreement with the Law Office of Julian Gross have been included in the adopted fiscal year 2022-2023 budget for County Administrative Office budget unit 1100-103. Revenues for this expense are available through General Fund contribution.

STRATEGIC FRAMEWORK:

The recommended actions support the Board of Supervisors' Strategic Framework by advancing local interests in natural resource discussions and supporting business, workforce development and creation of private sector jobs and housing.

OTHER AGENCY INVOLVEMENT:

None

ALTERNATIVES TO STAFF RECOMMENDATIONS:

The Board may choose not to approve the attached legal services agreement with the Law Office of Julian Gross regarding the provision of legal services related to offshore wind, community benefits and related issues. However, this alternative is not recommended since it will severely impact the County of Humboldt's ability to limit potential liability or reap benefits that may arise in connection with complex offshore wind, community benefits and related projects.

ATTACHMENTS:

1. Legal Services Agreement with the Law Office of Julian Gross Regarding the Provision of Legal Services Related to Offshore Wind, Community Benefits and Related Issues

PREVIOUS ACTION/REFERRAL:

Board Order No.: N/A

Meeting of: N/A

File No.: N/A