



BOARD OF SUPERVISORS COUNTY OF MADERA

MADERA COUNTY GOVERNMENT CENTER
200 WEST 4TH STREET / MADERA, CALIFORNIA 93637
(559) 675-7700 / FAX (559) 673-3302 / TDD (559) 675-8970
Agendas available: www.MaderaCounty.com

Members of the Board

Tom Wheeler
Brett Frazier
David Rogers
Robert L. Poythress
Leticia Gonzalez

The Board of Supervisors

December 20, 2022
Chairman Tom Wheeler

DEPARTMENT COUNTY ADMINISTRATION DEPARTMENT	DEPARTMENT CONTACT Yvette Gomez	AGENDA ITEM b DISCUSSION ITEMS
SUBJECT: Legal Services Agreement with Lozano Smith, LLP	REQUIRED VOTE: 3/5 Vote Required	DOC. ID NUMBER 22-1080
STRATEGIC FOCUS AREA(S): Government Relations		
CLERK NOTES: {{motions.text}}		
For Clerk of the Board's Office Use Only		
RESULT: {{voting.status}} [{{voting.for_count}}] TO [{{voting.against_count}}] MOVER: {{motions.mover format="[[firstname]] [[lastname]], [[title]]"}} SECONDER: {{motions.seconder format="[[firstname]] [[lastname]], [[title]]"}} AYES: {{voting.for_names format="[[lastname]]"}}		
Is this item Budgeted? Yes Will this item require additional personnel? N/A Previous Relevant Board Actions: N/A PowerPoint Presentation? No Supporting Documents: Contract/Agreement/MOU		DOCUMENT NO(S).

RECOMMENDED ACTIONS:

Discussion and consideration of entering into an Agreement with Lozano Smith, LLP, for legal services at a rate for attorneys not to exceed \$260.00 per hour and law clerks and paralegals not to exceed \$150.00 per hour in connection with litigation and similar services for a three-year term and authorize the Chairman to sign.

DISCUSSION / FISCAL IMPACT / STRATEGIC FOCUS:

Lozano Smith, LLP has been contracted to provide legal services to Madera County since September 23, 2014. Since that time, attorney Regina Garza has served as County Counsel. In addition to providing all services associated with the office of the County Counsel, Lozano Smith has served as defense counsel representing the County in various litigated matters.

In July 2015, it was mutually agreed between Lozano Smith and the County, that litigation services provided by the firm would be the subject of a separate legal services agreement to allow for monitoring and control of these specialized services. The most recent agreement, MCC NO. 11568-20, is set to expire January 14, 2023. Approval of



BOARD OF SUPERVISORS COUNTY OF MADERA

MADERA COUNTY GOVERNMENT CENTER
200 WEST 4TH STREET / MADERA, CALIFORNIA 93637
(559) 675-7700 / FAX (559) 673-3302 / TDD (559) 675-8970
Agendas available: www.MaderaCounty.com

Members of the Board

Tom Wheeler
Brett Frazier
David Rogers
Robert L. Poythress
Leticia Gonzalez

the proposed agreement will allow Lozano Smith to continue to serve as litigation counsel for the County. As is the case with other firms contracted to provide litigation services to the County, cases assigned to Lozano Smith are subject to referral by your Board, the County Claims Review Committee or the Deputy CAO overseeing Risk Management and Legal Services. The County Counsel does not participate in the referral of cases to Lozano Smith.

Terms of the proposed agreement are consistent with the expiring agreement; however, the proposed agreement includes an increase in hourly rate from \$220 per hour to \$260 per hour. Costs associated with this agreement are partially paid from the General Liability Trust.

ATTACHMENTS

1. Legal Services Agreement