



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
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Members of the Board

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

December 20, 2022
Chairman Tom Wheeler

DEPARTMENT COUNTY ADMINISTRATION DEPARTMENT	DEPARTMENT CONTACT Yvette Gomez 559-675-7703	AGENDA ITEM a DISCUSSION ITEMS								
SUBJECT: Amendment to Contract No. 11567-20 for Legal Services with Lozano Smith, LLP	REQUIRED VOTE: 3/5 Vote Required	DOC. ID NUMBER 22-1084								
STRATEGIC FOCUS AREA(S): Government Relations										
For Clerk of the Board's Office Use Only										
CLERK NOTES: {{motions.text}}										
<table border="1"><tr><td>RESULT:</td><td>{{voting.status}} [{{voting.for_count}}] TO [{{voting.against_count}}]</td></tr><tr><td>MOVER:</td><td>{{motions.mover format="[[firstname]] [[lastname]], [[title]]"}}</td></tr><tr><td>SECONDER:</td><td>{{motions.seconder format="[[firstname]] [[lastname]], [[title]]"}}</td></tr><tr><td>AYES:</td><td>{{voting.for_names format="[[lastname]]"}}</td></tr></table>			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]]"}}
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Is this item Budgeted? Yes Will this item require additional personnel? N/A Previous Relevant Board Actions: 11567-20 PowerPoint Presentation? No Supporting Documents: Contract/Agreement/MOU		DOCUMENT NO(S).								

RECOMMENDED ACTIONS:

Discussion and consideration to enter into an Amendment to MCC No. 11567A-20 with Lozano Smith, LLP increasing compensation from \$220.00 per hour to \$250.00 per hour for attorneys and from \$135.00 per hour to \$150.00 per hour for law clerks and paralegals and increasing the cap on compensation from \$1,350,000.00 to \$1,540,000.00 and authorize the Chairman to sign.

DISCUSSION / FISCAL IMPACT / STRATEGIC FOCUS:

On September 23, 2014, your Board approved contract no. 10245-C-2014 with the law firm of Lozano Smith, LLP following your Board's selection of attorney Regina Garza to serve as County Counsel. The contract rates at the time of the original contract were \$220 per hour for attorneys, and \$135 per hour for law clerks and paralegals. Additionally, the contract included a provision that compensation would not exceed \$100,000 unless the parties mutually agreed to amend the contracts. Subsequently, the contract has been amended several times to increase the cap on compensation. The current cap of \$1,350,000 was approved by your Board on January 14, 2020.



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The original contract rates of \$220 per hour for attorneys, and \$135 per hour for law clerks and paralegals have been in place since the inception of the contract. The proposed amendment contemplates an increase in hourly rates from \$220 per hour to \$250 per hour for attorneys, and from \$135 per hour to \$150 per hour for law clerks and paralegals. The increase represents a 14% increase for attorney time, and an 11% increase for law clerks and paralegals. Likewise, staff recommends an increase in the compensation cap of approximately 14% to account for the increased rates.

Costs associated with this item are budgeted in the County Counsel org. (00700).

ATTACHMENTS

1.