



AGENDA ITEM 6C

MEETING: May 25, 2016
TO: Humboldt LAFCo Commissioners
FROM: George Williamson, Executive Officer
SUBJECT: **Professional Services Contracts for Executive Officer and Legal Counsel**
The Commission will receive a report regarding its professional services contracts for Executive Officer and Legal Counsel. The current term for both contracts are effective through the 2015-16 fiscal year.

Local Agency Formation Commissions (LAFCos) are individually responsible under the Cortese-Knox-Hertzberg Local Governmental Reorganization Act of 2000 for making their own provisions for personnel and facilities. In making their own provisions, LAFCos may choose to contract with a public or private entity in accordance with Government Code Section 56380. The CKH Act also prescribes personnel requirements for LAFCo under Government Code Section 56384, and marked by appointing an executive officer to conduct and perform the day-to-day business of the agency. This statute also directs LAFCos to appoint additional staff as it deems appropriate in fulfilling its regulatory and planning duties.

BACKGROUND

Humboldt LAFCo has contracted with Planwest Partners Inc. for executive officer services since 2007, and with Mitchell, Brisso, Delaney and Vrieze, LLP for legal counsel services since 2012. Both contracts may be renewed or extended by mutual written agreement. The typical term for contract extensions is two-years.

DISCUSSION

At the March 16th meeting, the Commission discussed its professional services contracts and approved a recommendation to extend both contracts for additional two-years, with a commitment to carry out a Request for Proposals (RFP) process after this period. Attached are updated executive officer and legal counsel contracts for consideration by the Commission.

RECOMMENDATION

Staff recommends the Commission review and approve the two-year contracts for executive officer and legal counsel services for the 2016-17 and 2017-18 fiscal years.

Attachments:

Attachment A: Planwest Partners Contract Extension

Attachment B: Mitchell, Brisso, Delaney and Vrieze Contract Extension

AMENDMENT NO. 5

**AGREEMENT TO PROVIDE
PROFESSIONAL CONSULTING SERVICES TO THE
HUMBOLDT LOCAL AGENCY FORMATION COMMISSION**

This Amendment (Amendment No. 5) is made and entered into as of May 25, 2016, to extend the agreement to provide professional consulting services to the Humboldt Local Agency Formation Commission (“Agreement”), by and between the Humboldt Local Agency Formation Commission (“LAFCo”) and Planwest Partners Inc. ("Planwest"). LAFCo wishes to continue to engage the services of Planwest for contract staffing.

RECITALS

WHEREAS, Government Code Sections 56375 and 56384 authorizes the Commission to contract for professional and consulting services to carry out and affect the functions of the Commission; and

WHEREAS, the original Agreement and subsequent Amendments (4) with Planwest provides for services through fiscal year 2015-16; and

WHEREAS, the Commission wishes to extend the term of the Agreement.

NOW THEREFORE, the parties agree to amend the Agreement as follows:

5. TERM

The term of this Agreement shall be effective through the 2016-2017 and 2017-2018 fiscal years, unless terminated in accordance with Agreement Section 13. This Agreement may be renewed or extended by mutual written agreement of the parties hereto.

All other terms and provisions of the original Agreement shall remain in full force and effect.

IN WITNESS WHEREOF, LAFCo and Planwest have executed this Agreement as of the date of last signature below.

**HUMBOLDT LOCAL AGENCY
FORMATION COMMISSION**

PLANWEST PARTNERS, INC.

Virginia Bass, Chair

George Williamson, Principal

Date: _____

Date: _____

AMENDMENT NO. 2

**AGREEMENT TO PROVIDE LEGAL SERVICES TO THE
HUMBOLDT LOCAL AGENCY FORMATION COMMISSION**

This Amendment (Amendment No. 1) is made and entered into as of May 25, 2016, to extend the agreement to provide legal services to the Humboldt Local Agency Formation Commission (“Agreement”), by and between the Humboldt Local Agency Formation Commission (“LAFCo”) and Mitchell, Brisso, Delaney & Vrieze, LLP (“Attorney”). LAFCo wishes to continue to engage the services of Attorney as general counsel.

RECITALS

WHEREAS, Government Code Sections 56375 and 56384 provide the Commission may contract for professional and consulting services to carry out and affect the functions of the Commission; and

WHEREAS, the original Agreement with Attorney provided for services through the 2013-2014 fiscal year, and was extended by Amendment 1 through the 2014-2015 and 2015-2016 fiscal years; and

WHEREAS, the Commission wishes to extend the term of the Agreement.

NOW THEREFORE, the parties agree to amend the Agreement as follows:

1. TERM

The term of this Agreement shall be effective through the 2016-2017 and 2017-2018 fiscal years unless terminated in accordance with Agreement Section 12. This Agreement may be renewed or extended by mutual written agreement of the parties hereto.

3. RATES FOR SERVICES

For all legal services provided to LAFCo, Attorney will bill the hourly rate of One Hundred Seventy Dollars (\$170.00) per hour for partners, One Hundred Fifty Dollars (\$150.00) per hour for associates, and Eighty Dollars (\$80) per hour for paralegals. All other terms and provisions of the original Agreement shall remain in full force and effect.

IN WITNESS WHEREOF, LAFCo and Attorney have executed this Agreement as of the date of last signature below.

**HUMBOLDT LOCAL AGENCY
FORMATION COMMISSION**

**MITCHELL, BRISSO, DELANEY &
VRIEZE, LLP**

Virginia Bass, Chair

Paul Brisso, Partner

Date: _____

Date: _____