



Local Agency Formation Commission of Napa County
Subdivision of the State of California

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We Manage Local Government Boundaries, Evaluate Municipal Services, and Protect Agriculture

Agenda Item 5e (Consent/Action)

TO: Local Agency Formation Commission
PREPARED BY: Brendon Freeman, Executive Officer
MEETING DATE: June 3, 2019
SUBJECT: Proposed Amendment to Legal Services Contract

RECOMMENDATION

It is recommended the Commission approve the proposed Amendment No. 2 to the legal services contract with Sloan Sakai Yeung & Wong (SSYW), included as Attachment One. The amendment would extend the term of the existing contract through June 30, 2020, with an automatic one-year extension through June 30, 2021, unless terminated.

BACKGROUND AND SUMMARY

SSYW began providing the Commission with legal services under a different name by contract in 2015 following a competitive request for proposals process. The contract was amended and restated effective August 1, 2017. The amended and restated contract was amended to change the law firm name and to increase the annual not-to-exceed amount effective March 1, 2018.

Under the existing contract, SSYW provides the Commission with all aspects of legal representation and legal services, including but not limited to legal advice, document drafting, and representation of the Commission. The contract specifies a maximum payment amount of \$35,000 per fiscal year. Actual legal service expenditures in the 2017-2018 fiscal year totaled \$35,000, and expenditures in 2018-2019 are projected to total \$27,891. The term of the contract expires on June 30, 2019.

Staff is pleased with the services provided by SSYW under the terms of the current contract. Staff recommends the Commission approve an amendment that would extend the term of the contract an additional year from July 1, 2019 through June 30, 2020, with an automatic one-year extension from July 1, 2020 through June 30, 2021, unless terminated by either party.

ATTACHMENT

- 1) Proposed Amendment No. 2 to Amended and Restated Legal Services Contract

Kenneth Leary, Vice Chair
Councilmember, City of American Canyon

Brad Wagenknecht, Commissioner
County of Napa Supervisor, 1st District

Gregory Rodeno, Chair
Representative of the General Public

Margie Mohler, Commissioner
Councilmember, Town of Yountville

Diane Dillon, Commissioner
County of Napa Supervisor, 3rd District

Vacant, Alternate Commissioner
Representative of the General Public

Scott Sedgley, Alternate Commissioner
Councilmember, City of Napa

Ryan Gregory, Alternate Commissioner
County of Napa Supervisor, 2nd District

Brendon Freeman
Executive Officer

**AMENDMENT NO. 2 TO
AMENDED AND RESTATED PROFESSIONAL SERVICES AGREEMENT NO. 2015-05
BETWEEN THE LOCAL AGENCY FORMATION COMMISSION OF NAPA COUNTY
AND SLOAN SAKAI YEUNG & WONG LLP
(formerly RENNE SLOAN HOLTZMAN SAKAI LLP)**

This Amendment No. 2 to the August 1, 2017, Amended and Restated Professional Services Agreement No. 2015-05 (“Agreement”) between the Local Agency Formation Commission of Napa County, a political subdivision of the State of California (hereinafter “LAFCO”), and Sloan Sakai Yeung & Wong LLP (formerly Renne Sloan Holtzman Sakai LLP) (hereinafter “SSYW,”), shall be effective July 1, 2019.

WHEREAS, LAFCO entered into the Agreement for legal services to be provided by the predecessor of SSYW, effective August 1, 2017;

WHEREAS, the Amendment No. 1. (Amendment No. 1”) to the Agreement was entered into by LAFCO and SSYW effective March 1, 2018, to change the law firm name and to increase the not-to-exceed amount under the Agreement.

WHEREAS, the parties now wish to enter into this Amendment No. 2 to extend the term of the Agreement.

NOW, THEREFORE, the parties agree as follows:

1. Term of the Agreement.

Section 1. Term of the Agreement, is hereby amended to extend the term of the Agreement an additional one year from July 1, 2019 through June 30, 2020, and shall be automatically renewed for one additional year at the end of the fiscal year, under the terms and conditions then in effect, unless either party gives the other party written notice of intention not to renew no less than thirty (30) days prior to the expiration of the ten current term. All other provisions of Section 1 of the Agreement shall remain in full force and effect.

2. Except as expressly amended herein, all terms and conditions of the Agreement as amended by Amendment No. 1, shall remain in full force and effect.

IN WITNESS WHEREOF, THE PARTIES HAVE ENTERED INTO THIS AMENDMENT AS OF THE DATE HEREIN ABOVE APPEARING.

SLOAN SAKAI YEUNG & WONG LLP

LAFCO OF NAPA COUNTY



By: _____
Nancy C. Miller
Partner

By: _____
Gregory Rodeno
LAFCO Chair

By: _____
Brendon Freeman
LAFCO Executive Officer