



Monterey County

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Board Report

Legistar File Number: 17-0629

June 20, 2017

Introduced: 6/9/2017

Version: 1

Current Status: Agenda Ready

Matter Type: General Agenda Item

- a. Approve, retroactively, Amendment No. 4, to the Professional Services Agreements with the Alternate Defender's Office for legal representation of indigent defendants in adult and juvenile criminal cases, extending the end of the terms by six months, from December 31, 2016 to June 30, 2017, with the following attorneys: Jeffrey Gobell, Chenoa Summers, and Scott Erdbacher; and,
- b. Ratify the February 6, 2017 signatures of the Deputy Purchasing agent on Amendment No.4; and,
- c. Approve and authorize the Contracts/Purchasing Officer to sign Amendment No. 5 to these Professional Services Agreements to increase the amount of the Agreements to cover additional services rendered during the extended terms in the following amounts, by attorney: Jeffrey Gobell (\$18,250), Chenoa Summers (\$18,250), and Scott Erdbacher (\$23,000).

RECOMMENDATION:

- a. Approve, retroactively, Amendment No. 4, to the Professional Services Agreements with the Alternate Defender's Office for legal representation of indigent defendants in adult and juvenile criminal cases, extending the end of the terms by six months, from December 31, 2016 to June 30, 2017, with the following attorneys: Jeffrey Gobell, Chenoa Summers, and Scott Erdbacher; and,
- b. Ratify the February 6, 2017 signatures of the Deputy Purchasing agent on Amendment No.4; and,
- c. Approve and authorize the Contracts/Purchasing Officer to sign Amendment No. 5 to these Professional Services Agreements to increase the amount of the Agreements to cover additional services rendered during the extended terms in the following amounts, by attorney: Jeffrey Gobell (\$18,250), Chenoa Summers (\$18,250), and Scott Erdbacher (23,000).

SUMMARY:

The Monterey County Alternate Defender's Office (ADO) found it necessary to amend the Professional Services Agreements for legal representation of indigent defendants in adult and juvenile criminal cases that it entered into with attorneys Gobell, Summers and Erdbacher. The ADO needed to extend the terms of these agreements by six months to enable continuation of criminal defense services while the County conducted an RFP seeking qualified trial counsel to provide criminal defense services. Accordingly, the Board is asked to retroactively approve Amendment No. 4 extending the terms of these agreements and to approve Amendment No. 5,

increasing the amount of these agreements.

DISCUSSION:

Amendment No. 4 extended the term of the Professional Services agreements with attorneys Gobell, Summers and Erdbacher for criminal defense services by six months, from a December 31, 2016 end date to a June 30, 2017 end date. These amendments were fully executed on February 6, 2017, however, they were not submitted to the Board for approval due to administrative oversight. The Alternate Defender's Office is now requesting the Board to approve Amendment No.4 to these agreements and to ratify the February signatures of the Deputy Purchasing agent on these amendments.

Amendment No. 5 authorizes increase the amounts of these agreements in order to compensate these attorneys for the criminal defense services they have rendered and will render during the months of May and June 2017. The increase will have no additional impact on the County General Fund and will be compensated through existing Fund 001-Public Defender PUB001-2270-Budget Unit 8168-Court Assigned Counsel.

OTHER AGENCY INVOLVEMENT:

County Counsel has approved Amendments Nos. 4 and 5 as to form.

FINANCING:

The compensation for each of the contracts is funded through Fund 001-Public Defender PUB001-2270-Budget Unit 8168-Court Assigned Counsel, as follows:

<u>Contractor</u>	<u>Maximum Amount (2 Months)</u>	<u>Case Type</u>
Law Office of Chenoa Summers	\$18,250.00	Juvenile
Law Office of Jeffrey Gobell	\$18,250.00	Juvenile
Law Office of Scott Erdbacher	\$23,000.00	Felony

Funding for Amendment No. 5 is included in the **FY 2016-2017** Budget Unit 8168-Court Assigned Counsel. Approval of the recommended actions will have no additional impact on the County General Fund.

BOARD OF SUPERVISORS STRATEGIC INITIATIVES:

PUBLIC SAFETY: The Alternate Defender Office strives to protect the constitutional rights of the indigent by providing them quality representation in a society free and safe from unlawful State interference, by vigorously defending individual rights where the Public Defender has a conflict of interest. Acceptance of the recommendations ensures the continuation of criminal defense services to the indigent.

- Economic Development
- Administration
- Health & Human Services
- Infrastructure
- Public Safety

Prepared by: Latasha Ellis, Management Analyst, ext.5082 _____

Approved by: Susan Chapman, Public Defender,

ext.5806_____

Attachments: Professional Services Agreements with Attorneys Gobell, Summers and
Erdbacher Amendment Nos. 1, 2, and 3.

Amendment No. 4, signed by Deputy Purchasing Agent Deandra Lewelling February 6, 2017

Amendment No. 5