



## Legislation Details (With Board Report)

**File #:** A 20-294      **Name:** Foley & Lardner Corrected Amendment No 4  
**Type:** BoS Agreement      **Status:** Passed - Health Department  
**File created:** 7/14/2020      **In control:** Board of Supervisors  
**On agenda:** 7/28/2020      **Final action:** 7/28/2020

**Title:** Approve and authorize the County Counsel Leslie J. Girard to execute Renewal and Amendment No. 4 to Agreement A-13173 with Foley & Lardner, LLP, for independent consulting and legal services, extending the term one (1) year for a revised full term period of May 1, 2016 through June 30, 2021 and increasing the total Agreement by \$50,000, for a total Agreement liability not to exceed \$530,000.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Board Report, 2. Amendment No 4 - Board Order, 3. Amendment No 4, 4. Amendment No 3, 5. Amendment No 2, 6. Amendment No 1, 7. Agreement, 8. Item No. 37 Completed Board Order

Date	Ver.	Action By	Action	Result
7/28/2020	1	Board of Supervisors		

Approve and authorize the County Counsel Leslie J. Girard to execute Renewal and Amendment No. 4 to Agreement A-13173 with Foley & Lardner, LLP, for independent consulting and legal services, extending the term one (1) year for a revised full term period of May 1, 2016 through June 30, 2021 and increasing the total Agreement by \$50,000, for a total Agreement liability not to exceed \$530,000.

**RECOMMENDATION:**

It is recommended that the Board of Supervisors:

Approve and authorize the County Counsel Leslie J. Girard to execute Renewal and Amendment No. 4 to Agreement A-13173 with Foley & Lardner, LLP, for independent consulting and legal services, extending the term one (1) year for a revised full term period of May 1, 2016 through June 30, 2021 and increasing the total Agreement by \$50,000, for a total Agreement liability not to exceed \$530,000.

**SUMMARY/DISCUSSION:**

Amendment No. 4 to the Agreement with Foley and Lardner, was approved by the Board of Supervisors on June 30, 2020. The original Board Report incorrectly requested, however, that the Director of Health or Assistant Director of Health execute Amendment No. 4, and the Board so ordered. Pursuant to Monterey County Code section 2.21.050(D), only the County Counsel is authorized to execute legal services agreements with outside counsel and consequently Amendment No. 4. Health respectfully requests a further Board order properly authorizing the County Counsel to execute Amendment No. 4.

Foley & Lardner specialize in healthcare law providing advice, in consultation with the office of County Counsel, on a variety of healthcare-related issues. The firm’s expertise assists the County, on the Health Department’s behalf, in matters of public healthcare law, including Medi-Cal funding, Medicaid financing for safety net providers, healthcare transactions, provider agreements, technology, privacy and security matters of significant importance to the Health Department.

This work supports the Monterey County Health Department 2018-2022 strategic plan initiatives: 4. Engage MCHD workforce to improve operational functions to meet current and developing population health needs. It

also supports two of the ten essential public health services, specifically: 5. Develop policies and plans that support individual and community health efforts, and 6. Enforce laws and regulations that protect health and ensure safety.

OTHER AGENCY INVOLVEMENT:

The office of County Counsel and Auditor-Controller have reviewed and approved as to legal form and fiscal provisions, respectively.

FINANCING:

There are sufficient appropriations in the Health Department's FY 2020-21 Adopted Budget for Administration (HEA014-8438), Behavioral Health (HEA012-8410), and Clinic Services (HEA007-8096).

BOARD OF SUPERVISORS STRATEGIC INITIATIVES:

Check the related Board of Supervisors Strategic Initiatives:

Economic Development:

- Through collaboration, strengthen economic development to ensure a diversified and healthy economy.

Administration:

- Promote an organization that practices efficient and effective resource management and is recognized for responsiveness, strong customer orientation, accountability and transparency.

Health & Human Services:

- Improve health and quality of life through County supported policies, programs, and services; promoting access to equitable opportunities for healthy choices and healthy environments in collaboration with communities.

Infrastructure:

- Plan and develop a sustainable, physical infrastructure that improves the quality of life for County residents and supports economic development results.

Public Safety:

- Create a safe environment for people to achieve their potential, leading businesses and communities to thrive and grow by reducing violent crimes as well as crimes in general.

Prepared by: Frances Stevens, Management Analyst II, 755-4532

Approved by:

Date: \_\_\_\_\_

Elsa Jimenez, Director of Health, 755-4526

Attachments:

Amendment No 4 Board Order is on file with the Clerk of the Board

Amendment No 4 is on file with the Clerk of the Board

Amendment No 3 is on file with the Clerk of the Board

Amendment No 2 is on file with the Clerk of the Board

Amendment No 1 is on file with the Clerk of the Board

Agreement is on file with the Clerk of the Board

