



**SAN BENITO COUNTY
AGENDA ITEM
TRANSMITTAL FORM**

Dom Zanger
District No. 1
Vice-Chair

Kollin Kosmicki
District No. 2
Chair

Mindy Sotelo
District No. 3

Angela Curro
District No. 4

Ignacio Velazquez
District No. 5

Item Number: 1.10

MEETING DATE: 04/08/2025

DEPARTMENT: COUNTY COUNSEL

AGENDA ITEM PREPARER: Barbara Thompson

DEPT HEAD/DIRECTOR: David Prentice

SUBJECT:

COUNTY COUNSEL - D. PRENTICE

Approve Amendment #1 with Colantuono, Highsmith & Whatley, PC, to add an additional \$200,000.00 to the contract, for a new not-to-exceed amount of \$250,000.00 for litigation work related to the Sandman case, approve Budget Adjustment in the amount of \$148,000.00 from Salaries and Benefit to Legal Expenses, line item 101.25.1210.1000.619.210, and authorize the Chair to sign the contract.

SBC FILE NUMBER: 160

AGENDA SECTION:

CONSENT AGENDA

BACKGROUND/SUMMARY:

The County of San Benito has an existing agreement for legal services from Colantuono, Highsmith & Whatley, PC. Colantuono, Highsmith & Whatley, PC is representing the County in the litigation matter Sandman Inc. et. al., v. County of San Benito, et. al. This proposed amendment will increase that total sum by a new amount not to exceed \$200,000.00, for a total contract value not to exceed \$250,000.00.

RESOLUTION OR ORDINANCE NEEDED FOR THIS ITEM:

No

CONTRACT NEEDED FOR THIS ITEM:

Yes

RFP AND BID HISTORY:

The County of San Benito has an existing agreement for legal services from Colantuono, Highsmith & Whatley, PC. The County originally signed a contract with Colantuono on April 1, 2025. Presently, the contract is being amended to add an additional amount of \$200,000 for a new total sum not to exceed \$250,000. The case is beginning at this time, with the answer due within the next month. As the case evolves, counsel will provide a further quote of the entire cost necessary for the case.

The budget transfer is from salary savings to services and supplies (legal) to cover the additional cost of this contract. The insurance determination is still pending at the time of writing of this report. If determined to be covered, the County's insurance carrier will provide the defense.

LAST CONTRACT AMOUNT OR N/A:

\$50,000

CONTRACT HISTORY (Describe all amendments and previous contracts):

This amends a contract originally April 2, 2025 executed by Interim County Administrative Officer Henie Ring.

STRATEGIC PLAN GOALS: 1. Operational Development & Excellence

Yes

STRATEGIC PLAN GOALS: 2. Planning And Sustainable Growth

No

STRATEGIC PLAN GOALS: 3. Technology

No

STRATEGIC PLAN GOALS: 4. Community Engagement

No

STRATEGIC PLAN GOALS: 5. Health & Safe Community

Yes

BUDGETED:

Yes

BUDGET ADJUSTMENT NEEDED:

Yes

SOURCE OF FUNDING:

General Fund

UNFUNDED MANDATE:

N/A

SBC BUDGET LINE ITEM NUMBER:

101.25.1210.1000.619.210

CURRENT FY COST:

N/A

STAFF RECOMMENDATION:

Approve Amendment #1 with Colantuono, Highsmith & Whatley, PC, to add an additional \$200,000.00 to the contract, for a new not-to-exceed amount of \$250,000.00 for litigation work related to the Sandman case, approve Budget Adjustment in the amount of \$148,000.00 from Salaries and Benefit to Legal Expenses, line item 101.25.1210.1000.619.210, and authorize the Chair to sign Amendment No. 1.

ATTACHMENTS:

[Colantuono, Highsmith & Whatley Amendment #1 Contract](#)
[Budget Adjustment](#)