



**SAN BENITO COUNTY
AGENDA ITEM
TRANSMITTAL FORM**

Dom Zanger
District No. 1

Kollin Kosmicki
District No. 2

Mindy Sotelo
District No. 3
Vice-Chair

Angela Curro
District No. 4
Chair

Bea Gonzales
District No. 5

Item Number: 2.4

MEETING DATE: 06/18/2024

DEPARTMENT: COUNTY COUNSEL

AGENDA ITEM PREPARER: David Prentice

DEPT HEAD/DIRECTOR: David Prentice

SUBJECT:

BOARD OF SUPERVISORS

Consider approval to restructure the office of County Counsel, converting the department to full contract services, abolish all County Counsel positions, authorize Human Resources to prepare and issue layoff notices in compliance with County Code and Personnel Policies section 6.4.2 to current county staff within the office of County Counsel effective August 1, 2024 and at the discretion of the County Counsel; and Adopt Resolution adopting a contract model County Counsel Department.

SBC FILE NUMBER:160

RESOLUTION NO.: 2024-78

AGENDA SECTION:

REGULAR AGENDA

BACKGROUND/SUMMARY:

On July 1, 2023, the Board of Supervisors authorized a contract for County Counsel services with Prentice/Long PC (Firm) which is due to expire on June 30, 2024. The contract created a "hybrid" county counsel department with the County Counsel and Assistant County Counsels and other attorneys within the firm providing services under the contract while retaining county employed staff within the County Counsel Department. This arrangement allowed for increased services and staffing at the same budget for staffing when county staff costs and contract costs are combined for a total cost of county counsel services.

An analysis of costs reveals that the total cost of the County Counsel Department can be reduced significantly by restructuring the Department to full contract services, eliminating the hybrid model. The

services provided by the firm have proven to be efficient and effective and it is fiscally responsible to employ the contract model. This will require the layoff of county employees and the execution of new expanded scope contract with the Firm.

RESOLUTION OR ORDINANCE NEEDED FOR THIS ITEM:

No

CONTRACT NEEDED FOR THIS ITEM:

No

LAST CONTRACT AMOUNT OR N/A:

N/A

STATE IF THIS IS A NEW CONTRACT/ HOW MANY PAST AMENDED CONTRACTS/ OR N/A:

N/A

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

No

BUDGETED:

N/A

BUDGET ADJUSTMENT NEEDED:

No

SOURCE OF FUNDING:

General Fund

UNFUNDED MANDATE:

No

SBC BUDGET LINE ITEM NUMBER:

County Counsel

CURRENT FY COST:

N/A

STAFF RECOMMENDATION:

Approve to restructure the office of County Counsel, converting the department to full contract services, abolish all County Counsel positions, authorize Human Resources to prepare and issue layoff notices in compliance with County Code and Personnel Policies section 6.4.2 to current county staff within the office of County Counsel effective August 1, 2024 and at the discretion of the County Counsel; and Adopt Resolution adopting a contract model County Counsel Department.

BOARD ACTION RESULTS:

No action taken. Direction given to staff.

ATTACHMENTS:

[Resolution - County Counsel Restructure](#)

[Fiscal Analysis of Proposed Restructuring & Budget Exhibits](#)

[Written public comment from Barbara Thompson & Shirley Murphy](#)