



**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: 1.11

MEETING DATE: 02/11/2025

DEPARTMENT: COUNTY COUNSEL

AGENDA ITEM PREPARER: Rebekah Mojica

DEPT HEAD/DIRECTOR: David Prentice

SUBJECT:

COUNTY COUNSEL - D. PRENTICE

Approve Amendment #6 with Hefner, Stark & Marois, LLP, extending the contract term from June 30, 2025, to June 30, 2027, and increasing the contract by \$150,000.00 for legal services related to complex land use matters and CEQA review, and authorize the Chair to sign contract.

SBC FILE NUMBER: 160

AGENDA SECTION:

CONSENT AGENDA

BACKGROUND/SUMMARY:

The County of San Benito has an existing agreement for legal services from Hefner, Stark, and Marois, LLP. This contract is for legal services relating to complex land use legal matters and CEQA review; costs are recovered where able, such as by permit applicant (Waste Solutions Group of San Benito County). Costs to cover sanitary ad hoc work is not reimbursable, and is funded by Integrated Waste Management's Landfill fund. This contract is also for services related to landfill contract negotiation, and these costs are borne by the County. This amendment will increase the contract by an additional \$150,000.00.

RESOLUTION OR ORDINANCE NEEDED FOR THIS ITEM:

No

CONTRACT NEEDED FOR THIS ITEM:

Yes

RFP AND BID HISTORY:

The County engaged Hefner, Stark, and Marois, LLP for specialized legal services in Land Use law based on their expertise and prior experience. Breann Moebius, formerly a deputy county counsel with El Dorado County, brought extensive knowledge in land use, planning, public works, and CEQA law and had previously served as a contracted backfill Deputy County Counsel for San Benito in early 2022. The County initially contracted with Hefner on January 10, 2022, for \$50,000. The contract has been amended five times, with the latest extension through June 1, 2025, without an increase in the contract amount.

LAST CONTRACT AMOUNT OR N/A:

\$445,000.00

CONTRACT HISTORY (Describe all amendments and previous contracts):

This amends a contract initially signed on January 10, 2022. This is the sixth amendment.

Original Contract: \$50,000.00

1st Amendment: added \$100,000.00

2nd Amendment: added \$95,000.00, and extended the term from June 30, 2023 to June 30, 2024.

3rd Amendment: added \$100,000.00

4th Amendment: added \$100,000.00

5th Amendment: no funds added. Term extended from June 30, 2024 to June 30, 2025

6th Amendment (current item): proposing to add \$150,000.00

Total: \$595,000.00

STRATEGIC PLAN GOALS: 1. Operational Development & Excellence

Yes

STRATEGIC PLAN GOALS: 2. Planning And Sustainable Growth

Yes

STRATEGIC PLAN GOALS: 3. Technology

No

STRATEGIC PLAN GOALS: 4. Community Engagement

Yes

STRATEGIC PLAN GOALS: 5. Health & Safe Community

Yes

BUDGETED:

Yes

BUDGET ADJUSTMENT NEEDED:

No

SOURCE OF FUNDING:

Non-general Fund

UNFUNDED MANDATE:

N/A

SBC BUDGET LINE ITEM NUMBER:

301.75.3800.1000.619.210

CURRENT FY COST:

\$16,835 (through November 2024)

STAFF RECOMMENDATION:

Approve Amendment #6 with Hefner, Stark & Marois, LLP, extending the contract term from June 30, 2025, to June 30, 2027, and increasing the contract by \$150,000.00 for legal services related to complex land use matters and CEQA review, and authorize the Chair to sign contract.

BOARD ACTION RESULTS:

Approved Amendment No. 6 with Hefner, Stark & Marois, LLP per staff recommendation. (5/0 vote)

ATTACHMENTS:

[Amendment #6 - Hefner, Stark & Marois, LLP - legal services relating to complex land use legal matters and CEQA review](#)

[Fully Executed Contract - Hefner, Stark-Marois, LLP Amendment #6](#)