

# SAN MATEO COUNTY COUNTYWIDE OVERSIGHT BOARD

## AGENDA

Tuesday, August 28, 2018 at 9:00 a.m.  
400 County Center, 1<sup>st</sup> Floor  
Board of Supervisors Chambers  
Redwood City, California 94063

1. Call to Order
2. Roll Call
3. Oral Communications and Public Comment  
*This is an opportunity for members of the public to address the Oversight Board on any Oversight Board-related topics that are not on the agenda. If your subject is not on the agenda, the individual chairing the meeting will recognize you at this time. Speakers are customarily limited to three minutes.*
4. Action to Set the Agenda
5. Approval of the July 31, 2018 Meeting Minutes
6. Approval of Bylaws
7. Approval of Fiscal Year 2018-19 Regular Meeting Schedule
8. Approval of Agreement for Legal Services
9. Redevelopment Agency Dissolution Status Update – South San Francisco (Discussion Only)
10. Adjournment

*A copy of the Countywide Oversight Board agenda packet is available for review from the Clerk of the Board of Supervisors, 400 County Center, 1st Floor, Monday through Thursday 7:30 a.m.-5:30 p.m. and Friday 8 a.m.-5 p.m.*

*Meetings are accessible to people with disabilities. Individuals who need special assistance or a disability-related modification or accommodation (including auxiliary aids or services) to participate in this meeting, or who have a disability and wish to request an alternative format for the agenda, meeting notice, agenda packet or other writings that may be distributed at the meeting, should contact Sukhmani Purewal, Assistant Clerk of the Board of Supervisors, at least two working days before the meeting at (650) 363-1802 and/or spurewal@smcgov.org. Notification in advance of the meeting will enable the County to make reasonable arrangements to ensure accessibility to this meeting and the materials related to it. Attendees to this meeting are reminded that other attendees may be sensitive to various chemical based products.*

**San Mateo County Countywide Oversight Board Meeting  
Tuesday, July 31, 2018, 1:00 p.m.**

400 County Center, 1<sup>st</sup> Floor, Board of Supervisors Chambers, Redwood City, CA 94063

---

**DRAFT MINUTES**

---

1. Call to Order (Controller's Staff)

The meeting was called to order by Shirley Tourel, Assistant Controller at 1:08 p.m.

2. Roll Call (Controller's Staff)

**Present:**

Board Members: Tom Casey, Jim Saco, Mark Addiego, Denise Porterfield, Barbara Christensen, and Trish Blinstrub.

Staff: Juan Raigoza, Controller; Shirley Tourel, Assistant Controller; Matthew Slaughter, Controller Division Manager; Paul Okada, Chief Deputy County Counsel; Sherry Golestan, Deputy Clerk of the Board; and Sukhmani S. Purewal, Assistant Clerk of the Board.

**Absent:**

Board Member Chuck Bernstein

3. Welcome and Introductions (Controller's Staff)

**Speakers:**

Juan Raigoza, Controller  
Barbara Christensen, Member  
Tom Casey, Member  
Mark Addiego, Member  
Trish Blinstrub, Member  
Jim Saco, Member  
Denise Porterfield, Member

4. Oral Communications and Public Comment (Controller's Staff)

None

5. Action to Set the Agenda

**RESULT:**           **Approved**  
**MOTION:**       Denise Porterfield  
**SECOND:**       Jim Saco  
**AYES [6]:**       Mark Addiego, Trish Blinstrub, Tom Casey, Barbara Christensen, Denise Porterfield, and Jim Saco.  
**NOES:**           None  
**ABSENT [1]:**     Chuck Bernstein  
**ABSTENTIONS:** None

*Board Member Chuck Bernstein arrived at 1:13 p.m.*

*The Board recessed at 1:14 p.m. and reconvened at 1:17 p.m.*

6. Overview of Countywide RDA Dissolution Process and Current Status of RDA Dissolution within the County (Controller's Staff)

**Speakers:**

- Shirley Tourel, Assistant Controller
- Chuck Bernstein, Member
- Paul Okada, Chief Deputy County Counsel
- Jim Saco, Member
- Juan Raigoza, Controller
- Mike Futrell, City Manager of South San Francisco
- Denise Porterfield, Member

7. Review of the Brown Act, Political Reform Act, and Potential Training (County Counsel)

**Speakers:**

- Paul Okada, Chief Deputy County Counsel
- Chuck Bernstein, Member
- Tom Casey, Member

8. Discussion and Potential Approval of Conflict of Interest Code and Submission to Code Reviewing Body (Controller's Staff & County Counsel)

**Speakers:**

- Paul Okada, Chief Deputy County Counsel
- Chuck Bernstein, Member
- Shirley Tourel, Assistant Controller
- Tom Casey, Member
- Mark Addiego, Member
- Matthew Slaughter, Controller Division Manager

Motion to approve the resolution adopting the Conflict of Interest Code:

**RESULT:**           **Approved (Resolution No. 2018-01)**  
**MOTION:**           Denise Porterfield  
**SECOND:**           Mark Addiego  
**AYES [7]:**           Mark Addiego, Chuck Bernstein, Trish Blinstrub, Tom Casey, Barbara Christensen, Denise Porterfield, and Jim Saco.  
**NOES:**               None  
**ABSTENTIONS:** None

9. Election of Chair and Vice-Chair (Controller's Staff & County Counsel)

**Speakers:**

- Paul Okada, Chief Deputy County Counsel
- Mark Addiego, Member
- Tom Casey, Member

Upon motion by Board Member Mark Addiego, seconded by Barbara Christensen and carried unanimously, Tom Casey was elected as the Chair.

Upon motion by Board Member Barbara Christensen, seconded by Denise Porterfield and carried unanimously, Mark Addiego was elected as the Vice Chair.

Motion to adopt the resolution approving the election of a Chair and Vice Chair:

**RESULT:** **Approved (Resolution No. 2018-02)**  
**MOTION:** Barbara Christensen  
**SECOND:** Trish Blinstrub  
**AYES [7]:** Mark Addiego, Chuck Bernstein, Trish Blinstrub, Tom Casey, Barbara Christensen, Denise Porterfield, and Jim Saco.  
**NOES:** None  
**ABSTENTIONS:** None

10. Discussion of Items for Further Consideration at Next Countywide Oversight Board Meeting, Direction to Staff Regarding Potential Oversight Board Legal Counsel and Board By-Laws, and Potential Approval of Ad-Hoc Committee(s) Regarding Selection of Legal Counsel and Development of By-Laws

**Speakers:**

Shirley Tourel, Assistant Controller  
Paul Okada, Chief Deputy County Counsel  
Chuck Bernstein, Member  
Tom Casey, Member  
Mark Addiego, Member  
Barbara Christensen, Member  
Trish Blinstrub, Member  
Jim Saco, Member

Motion to adopt the resolution creating the following Ad Hoc Committees:

1. Oversight Board Members Tom Casey, Mark Addiego, and Barbara Christensen are hereby designated as an Ad Hoc Committee of the San Mateo County Countywide Oversight Board for the purposes of working with staff to evaluate potential legal counsel for the Board and making a recommendation for the Board's consideration and potential approval; and
2. Oversight Board Members Tom Casey, Mark Addiego, and Barbara Christensen are hereby designated as an Ad Hoc Committee of the San Mateo County Countywide Oversight Board for the purposes of working with staff to develop bylaws for the Board's consideration and potential approval.

**RESULT:** **Approved (Resolution No. 2018-03)**  
**MOTION:** Barbara Christensen  
**SECOND:** Trish Blinstrub  
**AYES [7]:** Mark Addiego, Chuck Bernstein, Trish Blinstrub, Tom Casey, Barbara Christensen, Denise Porterfield, and Jim Saco.  
**NOES:** None  
**ABSTENTIONS:** None

11. Discussion and Approval of the FY 2018-19 Regular Meeting Schedule

**Speakers:**

Shirley Tourel, Assistant Controller  
Paul Okada, Chief Deputy County Counsel

The next Board meeting will be on Tuesday, August 28, 2018 at 9 a.m. in Board Chambers. Future meeting dates will be determined at the Board's next meeting.

12. Adjournment

**RESULT:**           **Approved**  
**MOTION:**       Barbara Christensen  
**SECOND:**       Trish Blinstrub  
**AYES [7]:**       Mark Addiego, Chuck Bernstein, Trish Blinstrub, Tom Casey, Barbara  
Christensen, Denise Porterfield, and Jim Saco.  
**NOES:**           None  
**ABSTENTIONS:** None

The meeting was adjourned at 2:37 p.m.

# San Mateo County Countywide Oversight Board

Date: August 24, 2018

Agenda Item 6

To: San Mateo County Countywide Oversight Board

From: Thomas Casey, Chairperson  
Mark Addiego, Vice-Chairperson  
Barbara Christensen, Member

Subject: Adoption of Bylaws

## **Recommendation**

Adopt a resolution adopting the proposed Bylaws.

## **Background and Discussion**

The Countywide Oversight Board (the "Board") was created pursuant to Health and Safety Code (HSC) 34179(j) to provide guidance and oversight to the successor agencies who are tasked with winding down the affairs of redevelopment agencies (RDAs). Health and Safety Code, as well as Revenue and Taxation Code provide guidance on the wind-down process, but do not necessarily provide for all the procedural aspects of oversight boards.

Although the RDA dissolution provisions of the Health and Safety Code do not require countywide oversight boards to adopt bylaws, there is no prohibition on such adoption, and Board staff has confirmed that the oversight boards they have surveyed in other counties have adopted some form of bylaws.

At its July 31<sup>st</sup> meeting, the Board created an ad-hoc committee consisting of Chairperson Tom Casey, Vice-Chairperson Mark Addiego, and Board Member Barbara Christensen to review sample oversight board bylaws and make a recommendation to the full Board regarding the adoption of bylaws. Since the July 31<sup>st</sup> meeting, the ad-hoc committee has worked with staff and developed the attached proposed bylaws and recommends that the Board adopt the same.

## **Recommendation**

The ad-hoc committee recommends that the Board adopt the attached resolution adopting the proposed bylaws accompanying this memo.

## **Fiscal Impact**

None.

# BYLAWS OF THE SAN MATEO COUNTY COUNTYWIDE OVERSIGHT BOARD

## ARTICLE I – THE SAN MATEO COUNTY COUNTYWIDE OVERSIGHT BOARD

### Section 1: Name of San Mateo County Countywide Oversight Board

The official name shall be the “San Mateo County Countywide Oversight Board” (hereinafter referred to as “Board”).

### Section 2: Purpose/Powers

The Board is established pursuant to California Health and Safety Code Division 24, Part 1.85, Chapter 4, Sections 34179 in connection with the winding down of the affairs of the thirteen Successor Agencies within San Mateo County and is granted all powers and responsibilities defined by law.

### Section 3: Board Composition

- A. Composition. Board members shall be appointed by the appointing authorities set forth in California Health and Safety Code Section 34179(j).
- B. Alternates. Each appointing agency as set forth in California Health and Safety Code Section 34179(j) may also appoint an alternate member. In the absence of a regular member, alternate members are granted the same authority as the regular member.
- C. Voting. Each regular member shall be entitled to one vote. In the absence of their regular member, alternate members are granted the voting privileges and power of their regular member. Voting by proxy is not allowed. Members must be present in person or by teleconference or video conference in accordance with the Brown Act in order to vote.
- D. Vacancies. When a Board seat becomes vacant, the agency who originally appointed the former member may appoint a new member to take the seat.

### Section 4: Duration

The Board shall remain established until all of the thirteen Successor Agencies have been formally dissolved pursuant to Health and Safety Code section 34187.

## ARTICLE II – OFFICERS

### Section 1: Officers and Officials

The members of the Board shall elect one member to serve as the Chairperson and may elect one member to serve as the Vice Chairperson. The term of office for the Chairperson and Vice Chairperson shall be one year and renewed annually.

## **Section 2: Chairperson**

The Chairperson of the Board shall preside at all board meetings; represent the position of the Board; act as spokesperson for the Board; and serve as the public contact for the Board.

## **Section 3: Vice Chairperson**

The Vice Chairperson shall perform the duties of the Chairperson in his/her absence or when requested.

## **Section 4: Legal Counsel**

The Board may engage legal counsel as it deems necessary.

# **ARTICLE III: MEETINGS**

## **Section 1: Regular Meetings**

Prior to the end of each fiscal year, the Board shall adopt its regular meeting schedule for the upcoming fiscal year, including any alternate meeting dates schedule due to holidays.

## **Section 2: Special Meetings**

Special meetings may be held at the request of the Chairperson, or by written request of at least three members of the Board, for the purpose of transacting any business designated in the notice. At such special meetings, no business other than that designated in the notice shall be considered.

## **Section 3: Meeting Notices and Agendas**

All meetings will be noticed in accordance with the Ralph M. Brown Act, Government Code Section 54950 *et seq.* ("Brown Act") as it may be amended from time to time. Agendas for regular meetings shall be posted at least 72 hours in advance, and agendas for special meetings shall be posted at least 24 hours in advance of the meeting in accordance with the Brown Act at a location freely accessible to members of the public. Agendas will also be posted electronically on the County's internet website (<https://controller.smcgov.org/countywide-oversight-board-former-redevelopment-agencies>).

## **Section 3: Adjourned Meetings**

The Board may adjourn any meeting to a time and place specified in the motion for adjournment. In adjourning any meeting, there shall be compliance with all procedures of the Brown Act.

## **Section 4: Quorum**

A majority of the total membership of the Board (*i.e.*, four members) shall constitute a quorum for the purposes of conducting the business of the Board, exercising its powers and for all other purposes; provided, however, that if a quorum is not present for a meeting, the meeting may



be adjourned on the vote of those members in attendance. An affirmative vote by a majority (4) of the total membership (7) of the Board shall be required for approval of any matters brought before the Board.

### **Section 5: Public Participation**

The agenda for each Board meeting will provide time for public comment on any subject matter within the jurisdiction of the Board and that is not an item on the agenda, or if the meeting has a consent agenda, is listed thereon. As a general policy, each speaker shall be allowed three (3) minutes for public comment during this time. A majority of the Board may refer any issues raised to staff for appropriate action and any Board member may briefly comment on any issue brought up during this period. No other action may be taken by the Board at this time with respect to items not listed on the agenda.

For the purposes of facilitating orderly meetings, persons who wish to speak during public comment, or with respect to any agenda item, must first be recognized by the Chairperson and are requested to fill out a speaker card and deliver it to the Clerk before the Board considers the agenda item on which they desire to speak. Speakers are encouraged to provide their names for the record but will not be required to do so as a condition of speaking.

The Chairperson may limit speakers making defamatory or profane remarks, or who use abusive or threatening language, or who engage in any other disorderly conduct that willfully disrupts, disturbs or otherwise impedes the orderly conduct of any meeting, including unnecessary repetition of issues and points already raised by previous speakers. As a general matter, speakers are encouraged to direct the comments to the Chairperson and the Board as a whole and not to any particular Board member or staff member.

### **Section 6: Order of Business**

Staff may develop templates and other guidance to assist Successor Agencies in submitting items to the Board for placement on the meeting agendas.

The Chairperson shall work with Staff in setting each meeting's agenda. Staff shall add items to a meeting's agenda at the direction of the Chairperson or at the request of at least three Board Members.

## **ARTICLE IV - CONFLICT OF INTEREST AND ETHICS TRAINING**

All Board members are subject to the provisions of California Government Code Title 9, Chapter 7 relative to Conflicts of Interest and must file a Statement of Economic Interests as required by the law. Board members must also complete ethics training every two years as required by California Government Code Title 5, Division 2, Part 1, Chapter 2, Article 2.4 and AB 1234.

## **ARTICLE VI – AMENDMENTS**

These Bylaws may be amended upon an affirmative vote by a majority of the total membership of the Board, but no such amendment shall be adopted unless at least seven (7) days written notice thereof has previously been given to all members of the Board. Notice of the amendment shall identify the section or sections of these Bylaws proposed to be amended. The

thirteen Successor Agencies shall be notified of any amendments to these Bylaws.

**ARTICLE VII – SEVERABILITY**

If any section of these bylaws are inconsistent with law, such section is severable and the rest of the bylaws remain in effect.

\* \* \* \* \*

**RESOLUTION NO. 2018 - \_\_\_\_\_**

**RESOLUTION OF THE SAN MATEO COUNTY COUNTYWIDE  
OVERSIGHT BOARD ADOPTING BYLAWS**

**WHEREAS**, California Health and Safety Code Section (HSC) 34179(e) requires all action items of Countywide Oversight Boards, including the San Mateo County Countywide Oversight Board (the "Board"), be accomplished by resolution; and

**WHEREAS**, in accordance with Senate Bill No. 107 (SB 107), HSC Section 34179(j), the thirteen oversight boards currently in place in San Mateo County have consolidated into one Countywide Oversight Board effective July 1, 2018; and

**WHEREAS**, in furtherance of its duties, the Board may establish rules and procedures for conducting Board meetings and other administrative aspects not clearly defined by the statutes governing the dissolution of redevelopment agencies; and

**WHEREAS**, at its July 31<sup>st</sup> meeting, the Board created an ad-hoc committee consisting of Chairperson Tom Casey, Vice-Chairperson Mark Addiego, and Board Member Barbara Christensen to review sample oversight board bylaws and make a recommendation to the full Board regarding the adoption of bylaws; and

**WHEREAS**, since the July 31<sup>st</sup> meeting, the ad-hoc committee has worked with staff and developed proposed bylaws which have been presented to this Board;

**WHEREAS**, the Board has been presented with the proposed bylaws accompanying this Resolution and desires to approve the same;

**NOW, THEREFORE, BE IT RESOLVED**, the San Mateo County Countywide Oversight Board hereby adopts said bylaws.

\* \* \*

# San Mateo County Countywide Oversight Board

Date: August 24, 2018

Agenda Item 7

To: San Mateo County Countywide Oversight Board

From: Shirley Tourel, Assistant Controller

Subject: Fiscal Year 2018-19 Proposed Regular Meeting Schedule

## **Recommendation**

Adopt a resolution setting the regular meeting schedule for the San Mateo County Countywide Oversight Board for fiscal year 2018-19.

## **Background and Discussion**

The San Mateo County Countywide Oversight Board (the "Board") was created pursuant to Health and Safety Code (HSC) 34179(j) to provide guidance and oversight to the successor agencies who are tasked with winding down the affairs of redevelopment agencies (RDAs).

Setting a regular meeting schedule enables the Board, the Successor Agencies, and the public to better address matters concerning the winding down of the former redevelopment agencies within the county. The setting of a regular meeting schedule will enable members to attend as many meetings as possible and furthers their ability to provide oversight to the successor agencies. The setting of a regular meeting schedule also allows the Successor Agencies charged with the winding-down of the affairs of their former redevelopment agencies to plan ahead to ensure they are able to submit matters for approval to the Board in a timely manner. For future years, the proposed bylaws being considered by the Board provide that the Board set its regular meeting schedule prior to the beginning of each fiscal year.

Staff has surveyed Board members to determine the best dates for regular monthly Board meetings. To the extent that urgent matters arise which require the immediate attention of the Board, the Board may schedule special meetings, as necessary.

## **Recommendation**

Based on the availability of the Board members and the meeting location, staff recommends that the Board adopt the attached resolution approving the FY 2018-19 regular meeting schedule which accompanies this memo.

## **Fiscal Impact**

None.

**San Mateo County  
Countywide Oversight Board**

**FY 2018-19 Regular Meeting Schedule**

All meetings to be held at:  
Hall Of Justice 400 County Center, 1<sup>st</sup> Floor  
Redwood City, California 94063

<b>Day</b>	<b>Date</b>	<b>Starting Time</b>	<b>Location</b>
Tuesday	September 18	1:00 p.m.	Criminal Justice Training Room
Tuesday	October 16	1:00 p.m.	Board Chambers
Monday	November 26	9:00 a.m.	Board Chambers
Monday	December 17	9:00 a.m.	Board Chambers
<b>2019</b>			
<b>Day</b>	<b>Date</b>	<b>Starting Time</b>	<b>Location</b>
Monday	January 14	9:00 a.m.	Board Chambers
Monday	January 28	9:00 a.m.	Criminal Justice Training Room
Monday	February 11	9:00 a.m.	Board Chambers
Monday	March 11	9:00 a.m.	Board Chambers
Monday	April 15	9:00 a.m.	Board Chambers
Monday	May 13	9:00 a.m.	Board Chambers
Monday	June 10	9:00 a.m.	Board Chambers

**RESOLUTION NO. 2018-\_\_\_\_\_**

**RESOLUTION OF THE SAN MATEO COUNTY COUNTYWIDE  
OVERSIGHT BOARD ADOPTING FY 2018-19 REGULAR MEETING SCHEDULE**

**WHEREAS**, California Health and Safety Code Section (HSC) 34179(e) requires all action items of Countywide Oversight Boards, including the San Mateo County Countywide Oversight Board (the "Board"), be accomplished by resolution; and

**WHEREAS**, in accordance with Senate Bill No. 107 (SB 107), HSC Section 34179(j), the thirteen oversight boards currently in place in San Mateo County have consolidated into one Countywide Oversight Board effective July 1, 2018; and

**WHEREAS**, establishing the Board's regular meeting schedule for fiscal year 2018-19 will further the ability of the Board, the Successor Agencies, and the public to address matters concerning the winding down of the former redevelopment agencies within the county and will enable the Board to better perform its fiduciary duties pursuant to HSC 34179(i); and

**WHEREAS**, Board staff has surveyed Board members to determine the best dates for regular monthly Board meetings during the 2018-19 fiscal year; and

**WHEREAS**, the Board has been presented with the proposed FY 2018-19 regular meeting schedule accompanying this Resolution and desires to approve the same;

**NOW, THEREFORE, BE IT RESOLVED**, the San Mateo County Countywide Oversight Board hereby adopts said regular meeting schedule for fiscal year 2018-19.

\* \* \*

# San Mateo County Countywide Oversight Board

Date: August 24, 2018

Agenda Item 8

To: San Mateo County Countywide Oversight Board

From: Thomas Casey, Chairperson  
Mark Addiego, Vice-Chairperson  
Barbara Christensen, Member

Subject: Agreement for Legal Services

## **Recommendation**

Adopt a Resolution authorizing an agreement with the County of San Mateo, Office of the County Counsel to provide legal services to the Countywide Oversight Board.

## **Background and Discussion**

The Countywide Oversight Board (the "Board") was created pursuant to Health and Safety Code (HSC) 34179(j) to provide guidance and oversight to the successor agencies who are tasked with winding down the affairs of redevelopment agencies (RDAs). According to HSC 34179(i) the Board has fiduciary responsibilities to holders of enforceable obligations of the former RDAs and to the taxing entities that benefit from distributions of residual property tax from the former RDAs trust funds.

In order for the Board to more effectively carry out its duties and responsibilities and to make informed decisions, the Board created an ad-hoc committee consisting of Chairperson Tom Casey, Vice-Chairperson Mark Addiego, and Board Member Barbara Christensen to work with staff to make a recommendation to the full Board regarding the retention of counsel to provide legal services to the Board. Since the July 31<sup>st</sup> meeting, the ad-hoc committee has met with staff and reviewed information related to various potential legal counsel including those attorneys and firms that provided legal counsel to the thirteen oversight boards for the former RDAs in the county. The committee determined that the Office of the County Counsel ("County Counsel") is uniquely equipped to provide such legal services, having extensive experience in local government and Redevelopment Agency dissolution matters. Additionally, the ad-hoc committee noted the County Counsel's competitive hourly rates and the decreased expenses of travel time given the office's proximity to the Board's regular meeting location.

**Recommendation**

The ad-hoc committee recommends that the Board adopted a resolution authorizing the Chairperson to execute the legal services agreement with the Office of the County Counsel accompanying this memo.

**Fiscal Impact**

The proposed legal services agreement with County Counsel indicates that the hourly rate for FY 2018-19 is \$232.00, which is comparable to rates for counsel that served the former oversight boards. Expenses are to be paid from property tax revenues deposited in the Redevelopment Property Tax Trust Funds of the former Redevelopment Agencies. Based on a review of billing for legal services for the former oversight boards and estimates from the Office of the County Counsel, and given the scope of the work of the Board regarding the dissolution of all thirteen former redevelopment agencies, it is estimated that counsel will spend between 10-15 hours providing services to the Board with an estimated annual cost for legal services of approximately \$41,760.



**RESOLUTION NO. 2018-\_\_\_\_\_**

**RESOLUTION OF THE SAN MATEO COUNTY COUNTYWIDE OVERSIGHT BOARD  
APPROVING AN AGREEMENT FOR LEGAL SERVICES**

**WHEREAS**, California Health and Safety Code Section (HSC) 34179(e) requires all action items of Countywide Oversight Boards, including the San Mateo County Countywide Oversight Board (the "Board"), be accomplished by resolution; and

**WHEREAS**, in accordance with Senate Bill No. 107 (SB 107), HSC Section 34179(j), the thirteen oversight boards currently in place in San Mateo County have consolidated into one Countywide Oversight Board effective July 1, 2018; and

**WHEREAS**, in furtherance of its duties, the Board choose to enter into contract to procure legal services; and

**WHEREAS**, at its July 31<sup>st</sup> meeting, the Board created an ad-hoc committee consisting of Chairperson Tom Casey, Vice-Chairperson Mark Addiego, and Board Member Barbara Christensen to review options for the retention of counsel to provide legal services to the Board; and

**WHEREAS**, since the July 31<sup>st</sup> meeting, the ad-hoc committee has worked with staff and reviewed information concerning said options and has recommended that the Office of the County Counsel, County of San Mateo, be retained to provide such services; and

**WHEREAS**, the Board has been presented with the proposed legal services agreement from the Office of the County Counsel and has approved it as to form and content and desires to enter into the agreement;

**NOW, THEREFORE, BE IT RESOLVED**, that the Chairperson of the San Mateo County Countywide Oversight Board is hereby authorized and directed to execute said legal services agreement for and on behalf of the Board.

\* \* \*

**AGREEMENT BETWEEN THE OFFICE OF THE COUNTY COUNSEL  
AND  
THE SAN MATEO COUNTY COUNTYWIDE OVERSIGHT BOARD  
FOR THE PROVISION OF GENERAL LEGAL SERVICES**

---

THIS AGREEMENT is entered into this \_\_\_ day of August 2018, by and between the Office of the County Counsel of the County of San Mateo, hereinafter referred to as “County Counsel”, and the San Mateo County Countywide Oversight Board, hereinafter referred to as “Client”;

WITNESSETH

WHEREAS, the County Counsel is ready and able to provide legal service and advice to the San Mateo County Countywide Oversight Board and the Client wishes to retain the County Counsel to perform legal services with respect to certain matters; and

WHEREAS, it is reasonable and necessary to set forth the various obligations and responsibilities of the parties in light of the Client’s payment for the County Counsel’s legal services;

NOW, THEREFORE, in consideration of the mutual covenants, terms and conditions as hereinafter set forth, the parties hereto do hereby agree as follows:

1. County Counsel shall perform legal services and legal representation (the “Legal Services”) with the exception of the handling of litigation, as may be requested by the Client. To the extent that Client desires for the County Counsel to provide litigation services, such services will be negotiated with the terms set forth in a separate agreement.

2. The Client shall pay for Legal Services for the 2018-19 fiscal year at the following hourly rates: an attorney hourly rate of \$232 and paralegal hourly rate of \$127. Should the parties desire to extend the term of this Agreement beyond the

2018-19 fiscal year, the County Counsel's hourly rates are subject to adjustment in accordance with the County Counsel's biennial evaluation of its rates. For the 2019-20 fiscal year, the County Counsel's hourly rate for attorneys will be \$237 and the hourly rate for paralegals will be \$130. County Counsel will provide thirty (30) days written notice to the Client of any additional increases in the hourly rates. Additionally, the Client shall pay the actual costs of any out-of-pocket and extraordinary regular costs incurred by County Counsel in connection with the provision of its Legal Services, *e.g.*, expert fees, extraordinary mailing costs, etc.

3. County Counsel shall render such legal advice to the Client as may be requested by his or her designated representative. Attendance at meetings of the San Mateo County Countywide Oversight Board shall be upon request of the Client.

4. County Counsel shall periodically update the Client on legal issues and shall be available to provide training as is mutually agreed upon.

5. This agreement is for a term of eleven (11) months commencing August 1, 2018 through July 31, 2019. This agreement may be terminated by mutual agreement of the parties at any time, provided that the Client has previously given ninety (90) days' advance written notice of its intention to terminate the agreement.

6. The Client understands that the County of San Mateo is the County Counsel's primary client. Should there be a conflict between the Client and the County in a matter, the Client hereby consents to the County Counsel's withdrawal of representation of the Client in order for the County Counsel to represent the County in any such matters, unless such waiver is inconsistent with state law.

7. If requested by the Client, the County Counsel will review the Legal Services provided under this agreement and shall consult with the Client prior to the assignment of individual deputy county counsels to serve and represent the Client.

[SIGNATURE PAGE FOLLOWS]

**IN WITNESS WHEREOF**, the parties hereto have executed this agreement on the day and year first above written.

OFFICE OF THE COUNTY COUNSEL  
COUNTY OF SAN MATEO

Dated: \_\_\_\_\_

By: \_\_\_\_\_  
JOHN C. BEIERS, COUNTY COUNSEL

SAN MATEO COUNTY COUNTYWIDE  
OVERSIGHT BOARD

Dated: \_\_\_\_\_

By: \_\_\_\_\_  
THOMAS F. CASEY, CHAIR

ATTEST:

\_\_\_\_\_  
Clerk of the Board