

**PLACER COUNTY**  
**SUCCESSOR AGENCY**  
**MEMORANDUM**

**TO:** Honorable Members of the Placer County Successor Agency  
**FROM:** Rae James, Director   
**DATE:** November 6, 2012  
**SUBJECT:** Contract for Legal Services – Cancellation of Meyers Nave Riback Silver & Wilson Legal Services Consulting Contract In An Amount Not To Exceed \$260,000 and Authorization For Legal Services Consulting Contract with Burke, Williams & Sorensen, LLP In An Amount Not To Exceed \$218,000 and For A Term Ending June 30, 2013

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**ACTION REQUESTED:** Adopt a resolution authorizing the Purchasing Manager to cancel the existing Meyers Nave Riback Silver & Wilson legal service consulting contract in the amount of \$260,000 and execute a legal services consulting contract with Burke, Williams & Sorensen, LLP in an amount not to exceed \$218,000 and a term ending June 30, 2013, subject to the approval of the Placer County Oversight Board.

**BACKGROUND:** On October 10, 2012, Successor Agency (Agency) staff was notified that our outside legal counsel who specializes in advising on the Dissolution Act was leaving her current firm of Meyers Nave Riback Silver & Wilson (Meyers Nave) and joining Burke, Williams & Sorensen, LLP (Burke). Burke is a firm located in Oakland, California which specializes in real estate transactions but also has other attorneys on staff handling redevelopment dissolution activities. Meyers Nave has indicated that they will no longer have the expertise on staff to serve our redevelopment wind-down needs.

This specialized legal expertise is critical to the Agency as it continues to wind down the activities of the former Redevelopment Agency. Specifically, advice and assistance is needed in interpreting applicable law, responding to contractual issues, composing agreements and plans, and negotiating with state agencies.

On February 28, 2012, your Board extended the terms and total dollar value of the Agency's contract with Meyers Nave to \$260,000 with the term to end June 30, 2013. The present request is intended to allow the Agency to continue with its present outside legal counsel at her new firm, Burke, for the same term and for an amount that does not exceed the remaining balance on the Meyers Nave contract, approximately \$218,000.

Allocation of funds for payment of these services is included on the Agency's Recognized Obligation Payment Schedule (ROPS) approved by the Placer County Oversight Board on May 11, 2012. Payment of these services is considered an 'enforceable obligation' as defined in California Health and Safety Code section 34167(d) and falls within the category of 'continued administration' as such is defined in California Health and Safety Code section 34167(d)(6).

**ENVIRONMENTAL STATUS:** This is an administrative action, does not constitute a project, and is exempt from environmental review per California Environmental Quality Act Guidelines section 15378(b)(5).

**FISCAL IMPACT:** The proposed action would not result in any additional encumbrance of County funds. The payment obligation for this Agreement is included in the Agency's applicable ROPS as approved by the Placer County Oversight Board on May 11, 2012.

Attachments: Resolution  
Contract

cc: Karin Schwab, Agency Counsel

**CONTRACT/AGREEMENT  
FOR REVIEW ONLY AT  
THE CLERK OF THE BOARD**

**Before the Placer County  
Board of Supervisors Acting in its Capacity as  
Successor Agency to the Former  
Redevelopment Agency  
County of Placer, State of California**

**In the matter of:**

Authorizing the Purchasing Manager or his Designee to cancel the Meyers Nave Riback Silver & Wilson legal services consulting contract and execute a legal services consultant contract with Burke, Williams & Sorensen, LLP in an amount not to exceed \$218,000 and for a term ending June 30, 2013

Reso. No. \_\_\_\_\_

Ord. No. \_\_\_\_\_

First Reading \_\_\_\_\_

The following Resolution \_\_\_\_\_ was duly passed by the Placer County Successor Agency at a regular meeting held \_\_\_\_\_,

by the following vote on roll call:

Ayes:

Noes:

Absent:

Signed and approved by me after its passage.

Attest:

\_\_\_\_\_  
Chair, Placer County Successor Agency

Clerk of said Board

\_\_\_\_\_

WHEREAS, California Health and Safety Code Sections 34175 and 34177(j), authorizes the Placer County Oversight Board to direct the Agency to renew and extend contracts which are on an approved applicable Recognized Obligation Payment Schedule (ROPS) as an 'enforceable obligation' under the category of 'continued administration'.

WHEREAS, the Agency has a current legal services consultant contract with Meyers Nave Riback Silver & Wilson in an amount not to exceed \$260,000 and scheduled to expire on June 30, 2013;

WHEREAS, the payment obligation for the Meyers Nave contract is included on the Agency's applicable ROPS as approved by the Placer County Oversight Board on May 11, 2012;

WHEREAS, the Agency wishes to cancel the Meyers Nave agreement in order to enter into a contract with the legal firm of Burke, Williams & Sorensen, LLP in order to allow for continuity in representation by outside legal counsel who is familiar with this Agency's particular issues and challenges; and

WHEREAS, the proposed action will not result in new or additional financial obligations, different contract terms or obligations and will not extend the term beyond the original contract's expiration date of June 30, 2012; and

NOW, THEREFORE, BE IT RESOLVED that the Agency Board to the former Placer County Redevelopment Agency authorizes the Purchasing Manager or his designee to cancel the existing Meyers Nave Riback Silver & Wilson legal service consulting contract in the amount of \$260,000 and execute a legal services consulting contract with Burke, Williams & Sorensen, LLP in an amount not to exceed \$218,000 and a term ending June 30, 2013, subject to the approval of the Placer County Oversight Board.