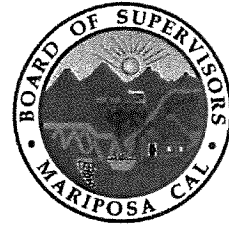




MARIPOSA COUNTY

HHS/Social Services · (209) 966-2000



RESOLUTION - ACTION REQUESTED 2019-433

MEETING: July 23, 2019
TO: The Board of Supervisors
FROM: Chevon Kothari, Health and Human Services Director
RE: Second Amendment - Agreement with Berliner-Cohen Attorneys at Law

RECOMMENDATION AND JUSTIFICATION:

Approve Second Amendment to Agreement with Berliner-Cohen Attorneys at Law, increasing the amount by \$25,000 to an amount not to exceed \$95,000; and authorize the Board of Supervisors Chair to sign the Amendment.

In past years, County Counsel's office provided much of these services. Due to workload and availability, it was determined that a direct contract with Berliner-Cohen would benefit Health and Human Services. Berliner-Cohen will provide legal services in juvenile dependency and public guardian/conservatorship cases. County Counsel will determine when it is necessary for Berliner-Cohen to act for the Health and Human Services Agency in Child Welfare cases and any other matter County Counsel deems appropriate. During this current agreement, the amount of required services proved to be greater than anticipated.

BACKGROUND AND HISTORY OF BOARD ACTIONS:

Mariposa County has an existing agreement with Berliner-Cohen, approved through Resolution No. 2018-458 on September 25, 2018.

Board of Supervisors approved a First Amendment to current agreement on May 28, 2019 through Resolution No. 2019-282.

ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

If this amendment is not approved, the workload for the County Counsel's office may be such that it creates process delays.

FINANCIAL IMPACT:

**There is sufficient funding in the Social Services Budget to fund this Agreement.
There is no impact to the County General Fund.**

ATTACHMENTS:

1st Amendment to Berliner-Cohen Agreement 2019 Wsignatures (PDF)
Berliner Cohen - Kim Flores - Agmt. 2019 - Wsignatures (PDF)
2nd Amendment to Berliner Cohen Agreement 2019v3 July 17 2019 (PDF)

Resolution - Action Requested 2019-433

RESULT: ADOPTED BY CONSENT VOTE [UNANIMOUS]

MOVER: Marshall Long, District III Supervisor

SECONDER: Rosemarie Smallcombe, District I Supervisor

AYES: Smallcombe, Jones, Long, Cann, Menetrey

SECOND AMENDMENT TO AGREEMENT FOR LEGAL SERVICES

THIS SECOND AMENDMENT TO AGREEMENT FOR LEGAL SERVICES is made and entered into this 23rd day of July 2019, by and between the County of Mariposa, a political subdivision of the State of California hereinafter referred to as “**County**,” and Berliner-Cohen Attorneys at Law, hereinafter referred to as “**Contractor**.”

WHEREAS, **County** and **Contractor** have heretofore entered into an Agreement dated September 25, 2018, wherein **Contractor** agreed to provide legal services; and

WHEREAS, **County** and **Contractor** have heretofore entered into a First Amendment dated May 28, 2019, wherein the compensation was increased from \$60,000 to \$70,000; and

WHEREAS, **County** and **Contractor** desire to amend said Agreement to change the compensation to be provided to **Contractor**;

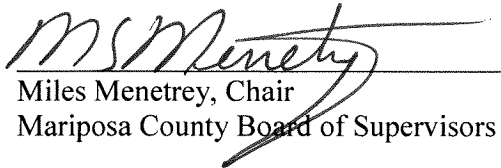
NOW THEREFORE, the parties hereto in consideration of the mutual covenants herein recited, hereby agree as follows:

1. Paragraph 3, “COMPENSATION”, is hereby amended to provide that an additional \$25,000 will be added to the amended amount of \$70,000, making the total compensation paid to **Contractor** the not to exceed amount of \$95,000.

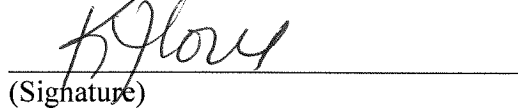
2. Except as herein amended, the Agreement dated September 25, 2018, together with the First Amendment dated May 28, 2019, shall remain in full force and effect.

IN WITNESS WHEREOF, the parties have caused this Amendment to be executed on the date first above written.

COUNTY OF MARIPOSA:


Miles Menetrey, Chair
Mariposa County Board of Supervisors

CONTRACTOR:


(Signature)

ATTEST:


RENE LAROCHE
Clerk of the Board

APPROVED AS TO FORM:


STEVEN W. DAHLEM
County Counsel