

**SUBMITTAL TO THE BOARD OF SUPERVISORS  
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**



102

**FROM:** County Counsel

**SUBMITTAL DATE:**

June 30, 2016

**SUBJECT:** Approve and Ratify the First Amendment to Legal Services Agreement with Inland Empire Health Plan: [Districts – All]; [\$982,572]; Contract Revenue 100%

**RECOMMENDED MOTION:** That the Board of Supervisors:

1. Approve and ratify the First Amendment to the Legal Services Agreement with Inland Empire Health Plan (IEHP) for provision of legal services by the office of County Counsel and authorize the Chairman to execute the agreement.
2. Authorize County Counsel to sign subsequent annual amendments to the Legal Services Agreement that do not create additional obligations for the County for a maximum of four (4) additional one year terms.

**BACKGROUND:**

**Summary**

Pursuant to Section 7 (f) of the Joint Powers Agreement between the Counties of San Bernardino and Riverside creating the Inland Empire Health Plan, the Riverside County Counsel serves as lead counsel for the Agency and the Board of Directors. Pursuant to the original agreement, Riverside County Counsel provides lead counsel services, particularly for the Board of Directors, while continuing to provide additional legal services and having a presence at IEHP by maintaining office hours. IEHP pays a

JAMES E. BROWN, Asst. County Counsel for  
GREGORY P. PRIAMOS, County Counsel

| FINANCIAL DATA  | Current Fiscal Year: | Next Fiscal Year: | Total Cost:   | Ongoing Cost: | POLICY/CONSENT<br>(per Exec. Office)  |
|-----------------|----------------------|-------------------|---------------|---------------|---|
| COST            | \$ 196,051.44        | \$ 196,051.44     | \$ 196,051.44 | \$ 982,572    | Consent <input type="checkbox"/> Policy <input checked="" type="checkbox"/> |
| NET COUNTY COST | \$ 0                 | \$ 0              | \$ 0          | \$ 0          |   |

**SOURCE OF FUNDS:** IEHP - 100% Contract Revenue

**Budget Adjustment:**

**For Fiscal Year:** 16/17

**C.E.O. RECOMMENDATION:**

APPROVE

BY:

Tina Grande

**County Executive Office Signature**

**MINUTES OF THE BOARD OF SUPERVISORS**

☐ Positions Added  
☐ Change Order

☐ A-30  
☐ 4/5 Vote

**Prev. Agn. Ref.:** Item 3-2, 9/22/15

**District:** All

**Agenda Number:**

3-7

**SUBMITTAL TO THE BOARD OF SUPERVISORS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**  
**FORM 11: Approve and Ratify the First Amendment to Legal Services Agreement with Inland**  
**Empire Health Plan: [Districts – All]; [\$982,572]; Contract Revenue 100%**  
**DATE: June 30, 2016**  
**PAGE: 2 of 2**

**BACKGROUND:**

**Summary (continued)**

monthly retainer fee that represents the cost of a full time deputy county counsel IV. This amendment adjusts the monthly fee to cover the costs of providing legal counsel. County Counsel recommends approval of this amendment.

**Impact on Citizens and Businesses**

N/A

**Contract History and Price Reasonableness**

The Board of Supervisors approved the Legal Services Agreement with IEHP on September 22, 2015 for \$180,000. IEHP pays the full cost of the assigned Deputy County Counsel IV. The previous amount was insufficient to cover the full cost (including benefits) of the position. The amendment increased the annual amount to \$196,051.44 to fully cover the costs of the position.

V. CONSENT AGENDA

**ADMINISTRATION**

**2. APPROVE THE FIRST AMENDMENT TO THE LEGAL SERVICES AGREEMENT WITH RIVERSIDE COUNTY OFFICE OF COUNTY COUNSEL**

**Recommended Action:**

That the Inland Empire Health Plan (IEHP) Governing Board approve the First Amendment to the Legal Services Agreement with Riverside County Office of County Counsel ("County Counsel") for the provision of legal services.

**Contact:**

Bradley P. Gilbert, M.D., Chief Executive Officer

**Background:**

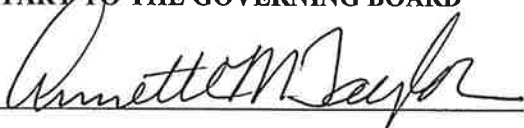

Pursuant to the terms of the Joint Powers Agreements for both IEHP and IEHP Health Access, Riverside County Counsel provides legal services to the IEHP Governing Board. The original Agreement was approved by the Governing Board in October 13, 2015 under Minute Order 15-223.

**Discussion:**

Riverside County Counsel provides legal services to IEHP and the Governing Board. The Legal Services Agreement with Riverside County Counsel has helped to define the Board counsel's scope of legal work and responsibilities. With the First Amendment, IEHP and Riverside County Counsel desire to renew the services for an additional year beginning July 1, 2016 through June 30, 2017, as well as adjust the annual compensation to be commensurate with the cost of providing legal services.

**Strategic Priorities:**

☐ Quality of Care      ☐ Access to Care      ☐ Practice Transformation  
☐ Human Development      ☐ Technology      ☒ Not Applicable

| Minute Order of the Inland Empire Health Plan Governing Board   |  |
|---|--|
| On motion of Member Hagman seconded by Member Williams and duly carried by unanimous vote, IT WAS ORDERED that the above matter is approved as recommended. | ANNETTE TAYLOR<br>SECRETARY TO THE GOVERNING BOARD                                       |
| Ayes: Anderson, Ashley, Hagman, Williams  | BY:  |
| Nays: 0   | DATED: June 13, 2016   |
| Absent: Gonzales Tavaglione, Zorn   |     |
| Recused: 0  |  |
| Vacancies: 0  |  |
| Date: June 13, 2016   |  |
| Ref. No. 16-72  | Agenda Number: 2. (Consent);   |

V. CONSENT AGENDA

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**Fiscal Impact:**

Included in FY16/17 Budget

The total compensation payable under this Agreement shall not exceed \$196,051.44 for Fiscal Year 2016/2017.

**Attachments:**

Copy of the First Amendment is attached

**Reviewed by Counsel:**

Yes

**FIRST AMENDMENT TO  
LEGAL SERVICES AGREEMENT  
BETWEEN INLAND EMPIRE HEALTH PLAN (IEHP)  
AND THE RIVERSIDE OFFICE OF COUNTY COUNSEL**

**WHEREAS**, the County of Riverside Office of County Counsel (County) and the Inland Empire Health Plan (IEHP) collectively referred to as the "Parties" entered into a Legal Services Agreement dated as of October 13, 2015 (Agreement);

**WHEREAS**, the Agreement is effective through June 30, 2016, and may be renewed for successive one year periods;

**WHEREAS**, the Parties desire to renew the Agreement for an additional one year period through June 30, 2017; and

**WHEREAS**, the Parties desire to adjust the annual compensation commensurate with the cost of providing the legal services;

**NOW THEREFORE**, the Parties agree as follows:

1. Delete the language in **Section I, TERM OF THE AGREEMENT** in its entirety and replace to read as follows:

"This Agreement shall be effective through June 30, 2017, and may be extended for successive one year periods unless terminated or otherwise modified as provided herein."

2. Delete the language in **Section II, COMPENSATION**, and replace to read as follows:

"IEHP shall pay a total monthly cost of Sixteen Thousand Three Hundred Thirty Seven and 62/100 Dollars (\$16,337.62), with an annual cost not to exceed One Hundred Ninety Six Thousand, Fifty One and 44/100 Dollars (\$196,051.44) commencing July 1, 2016. On an annual basis, IEHP agrees to adjust the annual compensations based on any increased costs of providing the legal services contemplated herein.

3. **Amend Section VI. INVOICES, RATED AND PROCEDURES** by deleting "Fifteen Thousand Dollars (\$15,000)" and replacing it with "Sixteen Thousand Three Hundred Thirty Seven and 62/100 Dollars (\$16,337.62)."
4. All other terms and conditions in the Agreement shall remain in full force and effect.

**IN WITNESS WHEREOF**, the Parties hereto have caused their duly authorized representatives to execute this Amendment.

**COUNTY OF RIVERSIDE**

**INLAND EMPIRE HEALTH PLAN**

By: \_\_\_\_\_  
John J. Benoit, Chairman  
Board of Supervisors

By:  \_\_\_\_\_  
Bradley Gilbert, CEO

ATTEST:  
Kecia Harper-Ihem  
Clerk of the Board

By: \_\_\_\_\_  
Deputy

APPROVED AS TO FORM:  
Gregory P. Priamos  
County Counsel

By:  \_\_\_\_\_  
Anita C. Willis, Assistant County Counsel