

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

714



**FROM:** Economic Development Agency

**SUBMITTAL DATE:**  
November 17, 2010

**SUBJECT:** Legal Services Agreement – Second Amendment

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

1. Ratify the attached Second Amendment to the Legal Services Agreement between the County of Riverside and Heyman Densmore of Woodland Hills, California and authorize the Chairman to execute the agreement on behalf of the County;
2. Authorize the Assistant County Executive Officer/EDA to administer the second amendment in accordance with applicable Board policies; and
3. Authorize the Executive Office to reimburse the Economic Development Agency (EDA), Project Management Office, through the "General Fund – Litigation and Administrative Support Budget" fund as costs are incurred.

**BACKGROUND:** (Commences on Page 2)

*Robert Field*

Robert Field  
Assistant County Executive Officer/EDA

|                       |                               |      |                         |         |
|-----------------------|-------------------------------|------|-------------------------|---------|
| <b>FINANCIAL DATA</b> | Current F.Y. Total Cost:      | \$ 0 | In Current Year Budget: | Yes     |
|                       | Current F.Y. Net County Cost: | \$ 0 | Budget Adjustment:      | No      |
|                       | Annual Net County Cost:       | \$ 0 | For Fiscal Year:        | 2010/11 |

**COMPANION ITEM ON BOARD OF DIRECTORS AGENDA:** No

|   |   |                          |
|---|---|--------------------------|
| <b>SOURCE OF FUNDS:</b> General Fund – Litigation and Administrative Support Budget | <b>Positions To Be Deleted Per A-30</b> | <input type="checkbox"/> |
|   | <b>Requires 4/5 Vote</b>                | <input type="checkbox"/> |

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

APPROVE

*Jennifer L. Sargent*

**County Executive Office Signature**

**MINUTES OF THE BOARD OF SUPERVISORS**

On motion of Supervisor Ashley, seconded by Supervisor Buster and duly carried by unanimous vote, IT WAS ORDERED that the above matter is approved as recommended.

Ayes: Buster, Tavaglione, Stone, Benoit and Ashley  
 Nays: None  
 Absent: None  
 Date: November 30, 2010  
 xc: EDA, CIP, EO

Kecia Harper-Ihem  
 Clerk of the Board  
 By: *Kecia Harper-Ihem*  
 Deputy

**Prev. Agn. Ref.:** 3.48, 9/29/09; 3.23, 2/05/08, B.1.b. 12/11/07 | **District:** 2

**Agenda Number:** 3.32

ATTACHMENTS FILED  
WITH THE CLERK OF THE BOARD

Reviewed by: *Christopher Hans*  
 DATE: 10/27/10  
 BY: *Marsha L. Victor*  
 FORM APPROVED COUNTY COUNSEL  
 MARSHA L. VICTOR  
 Departmental Concurrence

Policy  Policy  
 Consent  Consent  
 Dept't Recomm.:  Per Exec. Ofc.:

**BACKGROUND:**

On December 11, 2007, per agenda item number B.1.b, the Board of Supervisors approved and authorized the filing of an action against the architects and engineers responsible for the reconstruction of the 1933 Historic Courthouse and the retention of outside Counsel not-to-exceed \$300,000. The legal services agreement between the County of Riverside and Heyman Densmore was executed by the Chairman on January 10, 2008. On September 29, 2009, the Board of Supervisors approved Amendment No. 1 in the amount of \$100,000.

The case was submitted to mediation and a settlement was reached. The second amendment will extend the period of the agreement from June 30, 2010 to November 30, 2010, in order to process the final invoices related to the case.

**FINANCIAL DATA:**

There are no additional costs associated with this amendment. As final costs are incurred, EDA will front the costs for this amendment with Heyman Densmore. The Executive Office will reimburse EDA for all associated legal costs.



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

3  
4 COUNTY OF RIVERSIDE

5 Dated: NOV 30 2010

6 By: *Marvin Ashley*  
Chairman, Board of Supervisors

MARVIN ASHLEY

7 ATTEST:  
8 Kecia Harper-Ihem, Clerk

9 By: *Kecia Harper-Ihem*  
10 Deputy

11 HEYMAN • DENSMORE LLP

12 Dated: 10/27/10

13 By: *[Signature]*  
14 Roger Heyman, Partner

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27 FORM APPROVED COUNTY COUNSEL

28 BY: *Marshall Victor* 10/18/10  
MARSHALL VICTOR DATE

2 Second Amendment to Legal Services Agreement  
Heyman•Densmore LLP

NOV 30 2010 3.32