

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



**ITEM: 3.14**  
(ID # 25109)

**MEETING DATE:**  
Tuesday, June 25, 2024

**FROM :** ASSESSOR-COUNTY-CLERK-RECORDER

**SUBJECT:** ASSESSOR-COUNTY-CLERK-RECORDER: Approval of the Amendment No. 1 with Jarvis Fay LLP, Attorneys at Law, for an additional \$100,000 for a new aggregate contract amount of \$400,000 through June 30, 2026; All Districts. [100% Department Funds]

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

1. Approve and Execute Amendment No. 1 with Jarvis Fay LLP, Attorneys at Law, for an additional \$100,000 for a new aggregate contract amount of \$400,000 through June 30, 2026, per Ordinance 459 Exceptions Section 7, Category I; and;
2. Authorize the Purchasing Agent, in accordance with Ordinance No. 459, based on the availability of fiscal funding and as approved as to form by County Counsel to: (a) sign amendments that exercise the options of the agreement including modifications of the statement of work that stay within the intent of the Agreement; (b) authorize the Purchasing Agent to issue purchase orders to Jarvis Fay LLP, Attorneys at Law, that do not exceed the approved annual amount.

**ACTION:Policy**


  
\_\_\_\_\_  
Kan Wang, Assistant Assesor-County-Clerk Recorder 6/5/2024

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**MINUTES OF THE BOARD OF SUPERVISORS**

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

Ayes: Jeffries, Spiegel, Washington, Perez and Gutierrez  
Nays: None  
Absent: None  
Date: June 25, 2024  
xc: Assessor

Kimberly A. Rector  
Clerk of the Board  
By:   
Deputy

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

<b>FINANCIAL DATA</b>	<b>Current Fiscal Year:</b>	<b>Next Fiscal Year:</b>	<b>Total Cost:</b>	<b>Ongoing Cost</b>
<b>COST</b>	\$ 100,000	\$ 100,000	\$ 400,000	\$ 100,000
<b>NET COUNTY COST</b>	\$ 0	\$ 0	\$ 0	\$ 0
<b>SOURCE OF FUNDS: 100% Departmental Funds</b>			<b>Budget Adjustment: No</b>	
			<b>For Fiscal Year: 24/25-25/26</b>	

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

**BACKGROUND:**

**Summary**

On April 5, 2022, the County of Riverside (County) entered into a Legal Services Agreement with Jarvis Fay LLP, Attorneys at Law (f.k.a Jarvis Fay & Gibson LLP) to defend the County in the case of *James Scott, Mission Hills Vacation Ownership Association v. County of Riverside* (Riverside Superior Court Case No. CVRI2200766). Plaintiffs challenged County fees charged to individually assess timeshare properties. The fees are necessary to compensate the County for the time and expense to individually process each timeshare unit separately. Outside counsel is necessary due to the complex and unique legal issues associated with tax litigation.

On August 17, 2023, the court upheld the fees and issued a judgment in favor of the County. Plaintiffs have appealed the judgment, which now requires additional legal services to defend the judgment in the Court of Appeals. The total amount of compensation of the Legal Services Agreement was for \$300,000. Since legal fees to date are approximately \$240,000, the Assessor-County Clerk-Recorder (ACR) is requesting an increase to the total contract aggregate amount by \$100,000 from \$300,000 to \$400,000 and extending the term from June 30, 2024, to June 30, 2026.

**Impact on Residents and Businesses**

No impact to Residents and Businesses

**Contract History and Price Reasonableness**

On March 29, 2022, the Board approved the agreement via 18708 A.1: *James Scott, Mission Hills Vacation Ownership Association v. County of Riverside* (Riverside Superior Court Case No. CVRI2200766).

Ordinance 459 allows for selection and award of contracts for Litigation services, including investigative and professional services and retention of Board-approved special counsel necessary to assist County Counsel without bidding due to the nature of the services.

**ATTACHMENT A:**

Amendment No. 1

  
Melissa Curtis, Deputy Director of Purchasing and Fleet 8/7/2024

1 **AMENDMENT No. 1**

2 **Amendment to the Legal Services Agreement between**  
3 **The County of Riverside and Jarvis Fay LLP, Attorneys at Law**

4 THIS FIRST AMENDMENT to the Legal Services Agreement is made and entered into as of this 25 day  
5 of June, 2024, by and between the County of Riverside, a political subdivision of the State of California  
6 (hereinafter the "COUNTY"), and Jarvis Fay LLP (previously Jarvis, Fay and Gibson LLP), Attorneys at Law  
7 (hereinafter "ATTORNEYS").

8 **RECITALS**

9 A. COUNTY and ATTORNEYS entered into an agreement entitled "LEGAL SERVICES AGREEMENT"  
10 on April 4, 2022, (hereinafter the "Agreement"). The Agreement provides the terms and conditions, statement of  
11 services and budget for the performance of legal services related to all aspects in the matter of *James Scott, et al,*  
12 *v. County of Riverside, et al*, Riverside Superior Court, Case No.: CVRI2200766 (hereinafter the "LAWSUIT").

13 B. The Agreement expires on June 30, 2024.

14 C. The LAWSUIT is under appeal with the 4<sup>th</sup> District Court of Appeal, Division 1, Case No. D083412.

15 D. COUNTY desires the ATTORNEYS to continue providing legal services to the COUNTY during the appeal  
16 process, which requires an increase to the total compensation under the Agreement.

17 **AGREEMENT**

18 NOW, THEREFORE, in consideration of the mutual covenants hereinafter contained, the parties agree as follows:

- 19 1. Section 6. The term of the Agreement is extended though, and including, June 30, 2026.  
20 2. Section 6. The total amount of compensation paid to ATTORNEYS is increased from \$300,000 to \$400,000.  
21 3. Except to the extent specifically modified or amended hereunder, all of the terms, covenants and conditions  
22 of the Agreement shall remain in full force and effect between the parties hereto.  
23 4. This First Amendment shall be effective July 1, 2024.

24 Remainder of Page Intentionally Left Blank

25 (Signatures on following page)

1 IN WITNESS HEREOF, the parties hereto have caused this Amendment to the Agreement to be duly executed  
2 this day and year first written above.

3 DATED: May 28, 2024

4 ATTORNEYS  
Jarvis Fay, LLP


5  
6 By:   
7 Title: Partner

8  
9 DATED: June 25, 2024

10 BOARD OF SUPERVISORS OF THE COUNTY  
OF RIVERSIDE, STATE OF CALIFORNIA

11  
12 By:   
13 Chairman, Board of Supervisors  
**CHUCK WASHINGTON**

14 ATTEST:  
15 CLERK OF THE BOARD  
**KIMBERLY A. RECTOR**

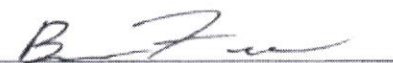
16 By:   
17 Deputy

18 (SEAL)

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20  
21 APPROVED AS TO FORM:

22 DATED: May 28, 2024

23 OFFICE OF COUNTY COUNSEL

24 By:   
25 Bruce G. Fordon,  
26 Supervising Deputy County Counsel