



Napa County

1195 THIRD STREET
SUITE 310
NAPA, CA 94559
www.countyofnapa.org

Main: (707) 253-4580

Legislation Text

File #: 21-688, **Version:** 1

TO: Board of Supervisors
FROM: Jeffrey M. Brax, County Counsel
REPORT BY: Sherri Kaiser, Chief Deputy County Counsel
SUBJECT: Amendment No. 1 to Agreement No. 210364B with Renne Public Law Group

RECOMMENDATION

County Counsel requests approval of and authorization for the Chair to sign Amendment No. 1 to Agreement No. 210364B with Renne Public Law Group, revising the scope of work and increasing the maximum compensation to \$275,000 per fiscal year.

EXECUTIVE SUMMARY

The County contracted with the law firm of Renne Public Law Group to provide specialized legal services concerning juvenile dependency appeals effective May 1, 2021. County Counsel now wishes to revise the scope of work to include specialized legal services in civil litigation and representation of the County in all aspects of the lawsuit Katina Davis, et al v. County of Napa, U.S. District Court case no. 3:21-CV-04603-JCS, and in other matters as mutually agreed. The amendment would also increase the maximum compensation from \$40,000 per fiscal year to \$275,000 per fiscal year to cover the cost of the legal services.

FISCAL & STRATEGIC PLAN IMPACT

Is there a Fiscal Impact?	Yes
Is it currently budgeted?	Yes
Where is it budgeted?	County Counsel
Is it Mandatory or Discretionary?	Discretionary
Discretionary Justification:	Renne Public Law Group is available to provide the services requested and has significant expertise in this area of law. Sufficient funding is included in County Counsel's adopted FY21-22 budget to cover the estimated cost of pre-trial litigation services.
Is the general fund affected?	Yes
Future fiscal impact:	Funds will be appropriated in future fiscal years if needed.

Consequences if not approved:	This litigation is anticipated to be significantly time consuming. If County Counsel staff must provide the representation, it would appreciably reduce the amount of time available to represent other clients.
County Strategic Plan pillar addressed:	Effective and Open Government

ENVIRONMENTAL IMPACT

ENVIRONMENTAL DETERMINATION: The proposed action is not a project as defined by 14 California Code of Regulations 15378 (State CEQA Guidelines) and therefore CEQA is not applicable.

BACKGROUND AND DISCUSSION

On July 8, 2021, the County was served with a federal complaint captioned Davis, et al. v. County of Napa, U.S. District Court case no. 3:21-CV-04603-JCS, brought by the Service Employees International Union (SEIU) in the name of two County correctional officers, who are union stewards and standing in for all non-supervisory correctional officers. The complaint alleges that correctional officers work 10-30 minutes of unpaid overtime prior to each shift doing preparatory tasks in violation of the Fair Labor Standards Act (FLSA). The complaint seeks treble damages for a period of three years and attorneys' fees and costs.

The County entered into Agreement No. 210364B with the law firm of Renne Public Law Group (RPLG) to provide specialized legal services concerning juvenile dependency appeals. RPLG also has significant experience in civil litigation and has ably represented the County in two previous lawsuits. The firm has specialized expertise in employment and labor litigation, including under the Fair Labor Standards Act, and currently has a FLSA matter involving the same union counsel who filed this suit. The County now wishes to expand the scope of services to include representation of the County in Davis, et al v. County of Napa and other matters as agreed. The Amendment would increase the maximum compensation under the Agreement to \$275,000 per fiscal year to cover the costs of the additional legal services provided.

SUPPORTING DOCUMENTS

Amendment to Agreement