

# county of ventura

COUNTY EXECUTIVE OFFICE  
INDUSTRIAL RELATIONS  
HUMAN RESOURCES

John K. Nicoll  
Assistant County Executive Officer  
Director of Human Resources

April 20, 2010

Board of Supervisors  
County of Ventura  
800 South Victoria Avenue  
Ventura, California 93009

**Subject: Authorize the County Purchasing Agent to increase the Master Service Agreement with the law firm: Epstein, Turner and Song**

**Recommendation:**

Authorize the County Purchasing Agent to increase the Master Service Agreement with the law firm Epstein, Turner and Song, to allow for services provided in excess of \$100,000, and not to exceed \$250,000.

**Fiscal/Mandates Impact:**

Mandatory: No  
Source of Funding: Service Rates  
Funding Match Required: N/A  
Impact on Other Departments: None

**CURRENT YEAR BUDGET PROJECTION:**

Current FY 2009-10 Budget Projection for Liability Insurance ISF – 7010				
	Adopted Budget	Adjusted Budget	Projected Actual	Estimated Savings(Deficit)
Appropriations	13,108,400	13,108,400	12,301,866	806,534
Revenue	13,453,500	13,453,500	13,721,178	267,678
Net Cost	(345,100)	(345,100)	(1,419,312)	1,074,212

Sufficient appropriations are available in the Liability & General Insurance Internal Service Fund (Org 7010) to accommodate this request.

**Discussion:**

Master Service Agreements set the price and other conditions for specific services. Approving the service agreement does not generate any actual expenditure. Expenditures occur as services are procured and rendered.

On July 28, 2009, the Board authorized the County Purchasing agent to set the combined total amount for attorney firms representing the County in litigation through the CEO-Risk Management Department at an amount not to exceed \$4,500,000. The request herein does not seek to alter the combined total, but rather to add a firm that may be compensated from within that total.

During the current fiscal year, in connection with, and with the approval of County Counsel, Risk Management added the law firm of Epstein, Turner & Song to its panel of defense firms to represent the County during litigation. This firm has expertise in the defense of employment actions.

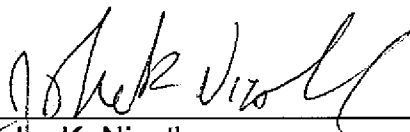
The firm has been assigned the defense of three actions. It is anticipated that fees and costs related to these actions combined will exceed \$100,000 before the end of the current fiscal year. It is requested that the Board authorize amendment to the Master Service Agreement with this law firm to permit services provided this fiscal year not to exceed \$250,000.

This letter has been reviewed by the County Executive Office, County Counsel, Auditor-Controller and General Services Agency, Procurement Services. If you have any questions regarding this recommendation, please call Charles S. Pode, Risk Manager at (805) 654-3197.



---

Charles S. Pode  
Deputy Executive Officer  
Risk Manager



---

John K. Nicoll  
Assistant County Executive Officer  
Human Resources