



County of Lassen
Department of Planning and Building Services

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May 12, 2017

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TO: Board of Supervisors
Agenda Date: May 23, 2017

FROM: Maurice L. Anderson, Director

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Zoning & Building
Inspection Requests
Phone: 530 257-5263

SUBJECT: Authorization of Payment for Attorney Services – Maire & Deedon
Woodall litigation - Case Number 50065

ACTION REQUESTED:

- 1. Receive report; and
2. Authorize payment to Maire & Deedon in the amount of \$42,347.61 from Fund 100-0682-3002300.

SUMMARY:

The intent of this Board letter is to request that the Board of Supervisors authorize payment of the amount stated above to Maire & Deedon, attorneys at law. Maire & Deedon represented the County in the above referenced litigation. The litigation was recently settled and the amount cited above represents the balance due for services rendered. It is recommended that this balance be paid from Fund 100-0682-3002300 (Planning and Building Services Department, Building Division – Professional and Specialized Services).

BACKGROUND:

Beginning in 2008, Faith Woodall (plaintive) participated in a housing and rehabilitation program, a program offered through a Community Development Block Grant (CDBG), ultimately resulting in a claim for damages submitted on June 29, 2009. At the time, the housing and rehabilitation program was administered by the Economic Development Division, a Division within the Community Development Department. Subsequent to the claim, litigation was initiated by the plaintive (circa 2010). Both the claim and litigation were associated with the plaintiff's dissatisfaction with the housing rehabilitation outcome and an associated loan for said rehabilitation.

In July of 2009, the Department of Community Development was reorganized into the Department of Planning and Building Services and the Economic Development Department – two stand-alone Departments. Subsequently in 2011, Planning and Building Services reassumed the Economic Development functions until 2015 when Economic Development was placed under the umbrella of Health and Human Services.

FISCAL IMPACT:

Recommendation for an expenditure of \$42,347.61 from Fund 100-0682-3002300.

It is proposed that the subject expenditure be paid from the Planning and Building Services budget, specifically the Building Division's line item "Professional and Specialized Services" (Fund 100-0682-3002300). The Building Division's budget has an adequate balance to cover the expenditure, primarily as a result of savings associated with current job vacancies. As mentioned herein, this litigation originally started with the Community Development Department and while Departments/Divisions have changed names, locations, etc., it is a reasonable financial nexus to the Building Division, as this Division worked closely with the Economic Development Division during the execution of the housing and rehabilitation program.

Over the last three years the County has paid \$52,544.46 for attorney services from Maire & Deedon (formerly Maire & Burgess). These payments have traditionally been paid from Fund 112 (Economic Development/Housing), a fund that has been recently closed. If the Board authorizes this payment, the total amount of the litigation costs to Lassen County will be \$94,892.07.

MLA

501/WoodallMaireDeedonBOS5-23-17