



Contra
Costa
County

To: Board of Supervisors
From: Sharon L. Anderson, County Counsel
Date: January 21, 2020

Subject: Contract for Specialized Professional Services with Olson Remcho LLP

RECOMMENDATION(S):

APPROVE and AUTHORIZE the County Counsel, or her designee, to execute, on behalf of Contra Costa County, a contract for specialized professional services with Olson Remcho LLP, effective January 1, 2020.

FISCAL IMPACT:

Provision for outside legal services is included in the appropriate FY 2019/2020 department operating budgets. Costs and payments are administered by the County Administrator's and County Counsel's Offices.

BACKGROUND:

On November 8, 2019, the County was served with a lawsuit in *BNSF Railway Company v. Alameda County, et al.*, US DC, N.D. Cal., 13-cv-07230-JCS. BNSF alleges that fourteen counties, including Contra Costa, have levied property taxes based on a tax rate that violates federal law. Under the terms of the proposed contract, thirteen of the fourteen named

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY
ADMINISTRATOR

☐ RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **01/21/2020** ☒ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE: John Gioia, District I Supervisor
Candace Andersen, District II
Supervisor
Diane Burgis, District III Supervisor
Karen Mitchoff, District IV Supervisor
Federal D. Glover, District V Supervisor

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: January 21, 2020

David Twa, County Administrator and Clerk of the Board
of Supervisors

Contact: Rebecca Hooley, Deputy
County Counsel, (925) 335-1800

By: Stacey M. Boyd, Deputy

counties agree to retain Olson Remcho LLP, which will provide a joint defense. Pursuant to the terms of

BACKGROUND: (CONT'D)

the contract, Contra Costa consents to allowing Olson to represent clients in election disputes in which Contra Costa is named as a respondent, and in which Contra Costa is not taking a substantive position in the matter adverse to the Olson's client(s). Retaining these specialized legal services will assist in defending against this lawsuit.

CONSEQUENCE OF NEGATIVE ACTION:

If the contract is not approved, the County will not participate in the joint agreement for specialized legal services with the majority of other counties named in the lawsuit.