



AGENDA COVER MEMO

Memorandum Date: June 4, 2024

Order Date: June 11, 2024

TO: Board of County Commissioners

DEPARTMENT: Human Resources

PRESENTED BY: Alana Holmes

AGENDA ITEM TITLE: ORDER: In the Matter of Selecting Miller Nash LLP to Provide Interim County Counsel Services and Delegating Authority to the County Administrator to Execute the Contract and any Necessary Extensions in an Amount not to Exceed \$250,000

I. MOTION

Move approval of order 24-06-11-07 in the matter of selecting Miller Nash LLP to provide interim County Counsel services and delegating authority to the County Administrator to execute the contract and any necessary extensions in an amount not to exceed \$250,000.

II. AGENDA ITEM SUMMARY

The purpose of this agenda item is to select Miller Nash LLP as the legal firm who will provide interim County Counsel services to the Lane County Board of Commissioners while the County Counsel recruitment process takes place.

III. BACKGROUND/IMPLICATIONS OF ACTION

A. Board Action and Other History

On April 17, 2024, County Counsel Pettigrew gave her notice of resignation pursuant to paragraph 1.7 of her employment contract with Lane County which requires a 60-day notice. County Counsel Pettigrew's effective resignation date is June 16, 2024.

On April 23, 2024, the Board accepted the resignation of County Counsel Pettigrew. The Board authorized the Chair, County Administrator and the Chief Human Resources Officer to prepare recommendations for a legal firm to contract with Lane County for interim County Counsel services and to devise a recruitment plan for the County Commissioners' consideration.

B. Policy Issues

None.

C. Board Goals

Contracting for interim County Counsel services aligns with Lane County's Strategic Priority #4, Our People and Organizational Health, investing in our systems and organizational health so that employees can thrive and residents can experience a more effective government.

D. Financial and/or Resource Considerations

The costs for interim County Counsel services will vary depending on need but is anticipated to be offset by the salary savings of the vacant County Counsel position.

E. Health Implications

None.

F. Analysis

In May 2024, a team of 7 was created to participate in the process for the review and recommendation of a law firm to provide interim County Counsel services for Lane County until a new County Counsel has been hired. The review team consists of Chair Laurie Trieger, County Administrator Steve Mokrohisky, Deputy County Counsel Andrea Nagles, Risk Manager Lisa Lacey, Assistant County Counsel Steve Thiel, Talent Manager Ryan McBride, and Chief Human Resources Officer Alana Holmes. This team created a list of firms for outreach and a list of questions for firms to respond to.

On May 21, 2024, Human Resources sent out an inquiry to 6 law firms requesting information regarding their capability and capacity to provide interim County Counsel services to the BCC for a period of 6-9 months.

The deadline for submissions was May 28, 2024, at which time we received responses from two firms with two firms declining due to internal capacity issues. (Lane County was later notified that one of the two respondents withdrew their consideration due to potential conflicts of interest).

On May 30, 2024, the review team met to evaluate the responses. Following their assessment, the team recommends moving forward with Miller Nash LLP to provide interim County Counsel services.

G. Alternatives/Options

1. Approve the recommendation of the review team.
2. The Board can direct staff to solicit additional proposals from legal firms.

IV. RECOMMENDATION

Staff recommends approving the motion as stated above.

V. TIMING/IMPLEMENTATION

Upon approval, staff will immediately work to complete the contract agreement with Miller Nash LLP to have interim County Counsel services available as soon as possible.

VI. FOLLOW-UP

None.

VII. ATTACHMENTS

A. Board Order 24-06-11-07

BEFORE THE BOARD OF COMMISSIONERS OF LANE COUNTY, OREGON

ORDER NO: 24-06-11-07

In the Matter of Selecting Miller Nash LLP to Provide Interim County Counsel Services and Delegating Authority to the County Administrator to Execute the Contract and any Necessary Extensions in an Amount not to Exceed \$250,000

WHEREAS, the Board of Commissioners has accepted the resignation of County Counsel Pettigrew with an effective date of June 16, 2024; and

WHEREAS, there is a need for interim County Counsel services to be provided to the Board while the recruitment process takes place; and

WHEREAS, the Board of Commissioners authorized the Board Chair, County Administrator and Chief Human Resources Officer to prepare a recruitment plan for the County Commissioners consideration.

NOW, THEREFORE, the Board of County Commissioners of Lane County **ORDERS** as follows:

1. The County has selected Miller Nash LLP to provide interim County Counsel services.
2. The County Administrator is delegated authority to execute the contract, and any necessary extensions, with Miller Nash LLP, in an amount not to exceed \$250,000.

ADOPTED this 11th day of June, 2024.

Laurie Trieger, Chair
Lane County Board of Commissioners