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NEVADA COUNTY BOARD OF SUPERVISORS
Board Agenda Memo

MEETING DATE: January 12, 2021

TO: Board of Supervisors

FROM: County Counsel

SUBJECT: Resolution approving Amendment No. 1 to Personal Services Contract Between the County of Nevada and Goodin Macbride Squeri & Day, LLP for the Provision of Legal Services, Increasing the Maximum Contract Amount To \$65,000, Increasing the County Counsel General Fund Budget by \$25,000, and Authorizing the Chair of the Board of Supervisors to Execute the Amendment (4/5ths vote required)

RECOMMENDATION: Adopt the attached Resolution.

FUNDING: Legal services provided under this Contract are paid on an as needed basis. The cost of this Amendment will be paid from the County Counsel's Fiscal Year 2020/21 General Fund. A budget amendment in the amount of \$25,000 to County Counsel's General Fund will be required.

BACKGROUND: On December 17, 2019, the Board of Supervisors met in closed session and authorized County Counsel to engage Megan Somogyi from Goodin, McBride, Squeri & Day, LLP, to initiate and join other public entities in filing for party status in the following California Public Utilities Commission ("CPUC") adjudicatory proceedings:

- R.18-12-005, Order Instituting Rulemaking to Examine Electric Utility De-Energization of Power Lines in Dangerous Conditions
- I.19-11-013, Order Instituting Investigation on the Commission's Own Motion on the Late 2019 Public Safety Power Shutoff Events

Nevada County has participated actively in the CPUC's de-energization rulemaking as part of the Joint Local Government coalition since January 2020. The coalition is responsible for the CPUC and PG&E adopting a number of de-energization regulations and protocols. Notable achievements include:

- PG&E must ensure that Community Resource Centers ("CRC") provide charging for medical devices, not just small personal electronics;
- PG&E must site CRCs in consultation with local governments to ensure the locations are rational and will serve the impacted communities;

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- PG&E is required to undertake better outreach and education for tenants of master-metered properties, such as mobile home parks;
- PG&E is required to participate in practice de-energization exercises with local governments to troubleshoot issues and improve practices before a real event;
- PG&E is required to work with local governments to improve the utility's medical baseline registry and to develop ways to improve outreach to Access and Functional Needs populations;
- Starting in 2020, PG&E will ensure that its Emergency Operations Center staff receive Standardized Emergency Management System training and certification;
- PG&E is required to establish de-energization advisory boards and working groups comprised of community stakeholders to improve de-energization practices and procedures;
- PG&E also formed a small advisory council of emergency managers and local government representatives, including some of the coalition's members, to provide advice and direct feedback that will improve de-energization events;
- In 2020, PG&E is providing improved parcel-level outage maps for de-energization events; and
- PG&E is required to develop notification protocols for circumstances where telecommunications systems are not working.

Due to the ongoing defense of this case, it is requested that the maximum contract price be increased to \$65,000 (an increase of \$25,000) to cover the additional legal expenses related to the adjudication, thereby necessitating this Amendment No. 1.

Goodin Macbride Squeri & Day, LLP is well qualified to represent the County in this matter and has done an excellent job in representing Nevada County in the CPUC proceedings thus far. I recommend that the Board approve the proposed Amendment as submitted.

Item Initiated by: Kelly McKinley

Approved by: Katharine L. Elliott

Submittal Date: December 31, 2020