



EXECUTIVE DECISION DOCUMENT

GENERAL MANAGER APPROVAL: DocuSigned by: <i>Michael Jones</i> 47000790F2D7463...		GENERAL MANAGER ACTION REQ'D:		
DATE: 4/28/2025 5/2/2025		BOARD INITIATED ITEM: Yes		
Originator/Prepared by: Michaela Morales Dept: Office of the General Counsel <i>Michaela Morales</i> Signature/Date: 4/30/2025 A4286ED7FFD24E8	General Counsel DocuSigned by: <i>Amelia Sandoval</i> 2528C067C44147D... 4/30/2025 []	Chief Financial Officer Signed by: <i>Shirley Beach</i> 7D9A7C6E7348456... 4/30/2025 []	District Secretary []	BARC DocuSigned by: <i>Pamela Herlihy</i> 3BB24D65B8724F5... 4/30/2025 []

Amendment to Legal Services Agreement No. 6M1112 with Glynn, Finley, Mortl, Hanlon & Friedenbergl, LLP

PURPOSE:

To seek authorization to add funds to Agreement No. 6M1112 with Glynn, Finley, Mortl, Hanlon & Friedenbergl, LLP for representation in an administrative hearing before the California Occupational Safety and Health Appeals (CalOSHA) Board for a total not-to-exceed amount of \$364,000.

DISCUSSION:

The District's Office of the General Counsel entered into a Legal Services Agreement in 2019 with Glynn, Finley, Mortl, Hanlon & Friedenbergl, LLP to represent the District in an appeal of CalOSHA citations. The initial estimate for these services in FY 2025 was \$99,000, but that amount has increased by \$265,000 because the matter has proceeded to a hearing before the CalOSHA Appeals Board, which is a time-intensive process and which requires the preparation and testimony of an expert witness. Therefore, the Office of the General Counsel is seeking approval to increase the not-to-exceed amount for this Agreement by \$265,000 from \$99,000 to \$364,000.

FISCAL IMPACT:

The above referenced increase is not expected to exceed \$265,000 and will be charged to the Safety Department (Cost Center 1303388, Account 681352). The increase cannot be

absorbed within the department's existing budget and will be an explainable variance to Safety's budget.

ALTERNATIVES:

Without an increase in funding, the General Counsel would need to terminate its agreement Glynn, Finley, Mortl, Hanlon & Friedenbergl, LLP and seek alternate representation for the CalOSHA hearing, which would not be feasible at this stage of the litigation.

RECOMMENDATION:

Approve the following motion.

MOTION:

The General Counsel or her designee is authorized to amend Agreement No. 6M1112 with Glynn, Finley, Mortl, Hanlon & Friedenbergl, LLP to increase the not-to-exceed amount to \$364,000 for representation in an appeal before the CalOSHA Appeals Board.