



VENTURA
PORT DISTRICT
Established 1952

BOARD OF PORT COMMISSIONERS

FEBRUARY 19, 2020

CONSENT AGENDA ITEM E

**APPROVAL OF NEW PROFESSIONAL
SERVICES AGREEMENT WITH K&L
GATES FOR CONTINUED LEGAL
SERVICES FOR THE VENTURA
SHELLFISH ENTERPRISE PROJECT**

**VENTURA PORT DISTRICT
BOARD COMMUNICATION**

CONSENT AGENDA ITEM E
Meeting Date: February 19, 2020

TO: Board of Port Commissioners
FROM: Brian D. Pendleton, General Manager
SUBJECT: Approval of New Professional Services Agreement with K&L Gates for Continued Legal Services for the Ventura Shellfish Enterprise Project

RECOMMENDATION:

That the Board of Port Commissioners approve a new Professional Services Agreement with K&L Gates, in the amount of \$35,000, for continued legal services for the Ventura Shellfish Enterprise Project.

SUMMARY:

Legal services for the Ventura Shellfish Enterprise (VSE) Project has been provided by Robert Smith with Plauché & Carr, LLP since 2015. Mr. Smith has departed Plauché & Carr, LLP and joined the firm of K&L Gates, in Seattle as a partner. It is recommended that the District continue to utilize Mr. Smith's expertise in aquaculture for the highly specialized legal tasks associated with this project.

BACKGROUND:

K&L Gates' environmental, land and natural resources practice has over 100 lawyers in the United States, European Union, and Asia Pacific. Nearly 40 lawyers in the US offices alone practice environmental, land use, and natural resources law exclusively. Another 70 lawyers globally contribute their energy, real estate, litigation, government affairs, and other particular knowledge to resolve complex regulatory requirements and help clients anticipate or avoid problems that would impede their objectives or result in costly litigation. K&L Gates draws on experience gained in local and national government, industry, and private practice to provide advice at a strategic, tactical, and detailed level.

FISCAL IMPACTS:

2018 NOAA Sea Grant Year 1 funds for legal services for the period of September 1, 2018 through August 31, 2019 was \$40,000. 2018 Sea Grant Year 2 funds for legal services for the period of September 1, 2019 through February 29, 2020 is \$20,000. The total grant funding for legal services is \$60,000.

Separately, the Board approved \$40,000 in the FY19-20 budget on June 19, 2019 for project related legal professional services and expenses to supplement the grant funding for the VSE project. The final contract amount for Mr. Smith's services with Plauché & Carr, LLP is \$42,300, which is an additional \$2,300 in District funds and the subject of a related Board communication.

The proposed PSA with K&L Gates is to continue providing legal services related to the VSE project in the amount of \$35,000 in District funding for the period of March through June 30, 2020, the end of the fiscal year.

ATTACHMENTS:

None.