

# RICHARDSON BAY REGIONAL AGENCY

## STAFF REPORT

For the meeting of May 14, 2026

**To:** Board of Directors  
**From:** Brad Gross, Executive Director  
**Subject:** Resolution 26-09 Approving a First Amendment to the Contract with Shute, Mihaly & Weinberger, LLC in FY 2025–2026 (FY26) for Outside Counsel, Increasing the Contract Amount by \$50,000.

### STAFF RECOMMENDATION

Adopt Resolution No. 26-09 approving a First Amendment to Contract No. 32601401 which will increase the FY26 contract expenditure appropriations by an additional \$50,000 for the Outside Counsel Contract with Shute, Mihaly & Weinberger, LLC., for a new contract amount not-to-exceed \$100,000, fully offset with available budget approved as part of the FY26 baseline budget.

### MOTION

Move to adopt Resolution No. 26-09 approving a First Amendment to increase the Outside Counsel Contract with Shute, Mihaly & Weinberger (Contract No. 32601401) by \$50,000 in the FY26 Budget.

### SUMMARY

This item requests Board approval of an increase the Outside Counsel Contract by \$50,000 using existing expenditure appropriation available due to cost savings in FY26. This amendment to increase the contract amount is necessary to ensure sufficient funding for anticipated legal services associated with ongoing and emerging agency matters.

### BACKGROUND

Although the FY26 budget adopted by the Board included \$75,000 of funding for outside counsel services to support legal needs of the Agency, the not-to-exceed amount entered for FY26 allocations was \$50,000. Since adoption, staff have identified

additional legal service requirements beyond initial projections. These may include, but are not limited to:

- Regulatory compliance and enforcement matters
- Legal representation during court hearings
- Litigation support and risk management
- Specialized legal services requiring outside expertise

Due to the variable and sometimes unpredictable nature of legal services, the current contract amount allocated is projected to be insufficient to cover anticipated expenditures throughout the remainder of the fiscal year. This increase is fully offset by available budget in FY26 to cover the additional cost of the contract.

## **DISCUSSION**

Staff recommend increasing the contract amount for Outside Counsel Contract by an additional \$50,000 for a total of \$100,000 to ensure continuity of legal services and avoid any disruption in addressing Agency priorities.

This amendment will:

- Provide adequate resources to respond to ongoing legal matters
- Maintain flexibility for unanticipated legal issues
- Support timely and effective legal review and representation

The proposed increase is appropriate when mid-year adjustments are required due to evolving legal demands.

## **FISCAL IMPACT**

This action will increase FY26 contract expenditure appropriations/contract encumbrance by an additional \$50,000 for the Outside Counsel Contract No. 32601401. The increase of \$50,000 is available from the remaining unspent \$25,000 budget set aside for Outside Counsel in FY26 and the additional \$25,000 will be funded through cost savings from other unused budget allocations. Those allocations include savings from line items such as Insurance Deductibles (\$50,000 projected savings) and Regional Government Services Contract (\$40,000 projected savings).

### Attachments:

Attachment: DRAFT Resolution 26-09