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| Board Agenda Item #: | III C- Action Item |
| Date: | August 9, 2018 |
| To: | Magnolia Board of Directors |
| From: | Alfredo Rubalcava, CEO & Superintendent |
| Staff Lead: | Patrick Ontiveros, General Counsel & Director of Facilities |
| RE: | Motion to Approve the Expenditure of \$25,000 or More on Legal Services Provided by Atkinson, Andelson, Loya, Ruud & Romo |

Proposed Board Recommendation(s)

Staff requests and recommends that the Board of Directors (the “**MPS Board**”) of Magnolia Educational & Research Foundation dba Magnolia Public Schools (“**MPS**”) approve the expenditure of \$25,000 or more on legal services provided by Atkinson, Andelson, Loya, Ruud & Romo (“**AALRR**”) and Hal Block and that AALRR be approved by the MPS Board as an approved vendor of MPS.

Background

According to MPS Board Policy, any contracts \$25,000 and over require MPS Board approval. Hal Block, who was formerly associated with Musick Peeler & Garrett LLP, a current approved legal vendor to MPS, moved his legal practice over to the law firm of AALRR. Mr. Block has provided legal counsel to MPS on various matters and in particular construction related matters arising from the construction projects financed by the MPS 2017 Bond.

While Mr. Block and AALRR’s billings to date have not equaled or exceeded \$25,000, the threshold for MPS Board approval, Staff believes it is prudent to obtain such approval since Mr. Block’s involvement, in particular with the MSA-San Diego project continues. Staff may also decide that Mr. Block and AALRR’s expertise may be beneficial for future matters.

Budget & Budget Implications

None, insofar as AALRR’s invoices will not be in addition to any other legal invoices MPS would otherwise receive for legal services. In some instances, Staff may deem it to be in MPS’s best interests to engage the services of AALRR and Mr. Block in lieu of other law firms for matters that have already been budgeted. If the services go over \$25,000, the expenses will be paid from the MERF legal budget unless it can be paid from the bond proceeds.

Name of Staff Originator

Patrick Ontiveros, General Counsel & Director of Facilities

Exhibits: Engagement letter available upon request.