

## Council Meeting Staff Report

November 13, 2018

---

**Agenda No.:** E.

**Indexes (Council Goals):**

**Presenters:** Alvin Leaphart

**Legislative File:** 11400-18

---

### Title

Approval of Agreement No. AGR19-921, Los Alamos County, New Mexico Legal Services Agreement between Gallagher & Kennedy, P.A., and the Incorporated County of Los Alamos

### Recommended Action

**I move that the County Council approve Agreement No. AGR19-921, Los Alamos County, New Mexico Legal Services Agreement between Gallagher & Kennedy, P.A., and the Incorporated County of Los Alamos authorizing Gallagher & Kennedy, P.A. to assist the County in its claims for recovery of sums from the State of New Mexico, Taxation and Revenue Department, for unlawful reductions of distributions and transfers of gross receipts tax revenue collected by the State on behalf of the County as provided for in Agreement No. AGR19-921.**

### County Manager's Recommendation

The County Manager recommends that Council approve Agreement No. AGR19-921, Los Alamos County, New Mexico Legal Services Agreement between Gallagher & Kennedy, P.A. and the Incorporated County of Los Alamos as requested.

### Body

Agreement No. AGR19-921 authorizes Gallagher & Kennedy, P.A. to assist the County in its claims for recovery of sums from the State of New Mexico, Taxation and Revenue Department, for unlawful reductions of distributions and transfers of gross receipts tax revenue collected by the State on behalf of the County. Agreement No. AGR19-921, provides for different fee arrangements for Gallagher & Kennedy, P.A.'s Legal Services based upon the different possible methods and amounts of recovery

### Alternatives

Council may choose not to approve Agreement No. AGR19-921.

### Fiscal and Staff Impact/Unplanned Item

Given estimates of the timing of certain refunds and funds withheld by the State, the amount of potential recovery could be significant.

### Attachments

AGR19-921 Gallagher & Kennedy, PA