

DEPARTMENT: County Counsel

BY: Thomas P. Guarino

PHONE: 966-3222

**RECOMMENDED ACTION AND JUSTIFICATION:**

Resolution authorizing County Counsel to retain Allen, Proietti & Fagalde, LLP and authorize Chairman to sign a Professional Services Agreement to represent the County of Mariposa.

The Professional Services Agreement with Allen, Proietti & Fagalde, LLP is attached.

**BACKGROUND AND HISTORY OF BOARD ACTIONS:**

The County of Mariposa intends to file suit against Total Waste Systems, Inc. for leaking garbage trucks, failing to pick up trash timely and other breaches of contract.

**ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:**

Financial Impact? (X) Yes ( ) No	Current FY Cost: \$50,000	Annual Recurring Cost: \$
Budgeted In Current FY? (X) Yes ( ) No ( ) Partially Funded		
Amount in Budget: \$250,000		List Attachments, number pages consecutively
Additional Funding Needed: \$0		Professional Services Agreement
Source:		
Internal Transfer		
Unanticipated Revenue	4/5's vote	
Transfer Between Funds	4/5's vote	
Contingency	4/5's vote	
( ) General ( ) Other		

**CLERK'S USE ONLY:**

Res. No.: 06529 Ord. No. \_\_\_\_\_  
 Vote - Ayes: 5 Noes: \_\_\_\_\_  
 Absent: \_\_\_\_\_  
 Approved  
 Minute Order Attached ( ) No Action Necessary

**COUNTY ADMINISTRATIVE OFFICER:**

Requested Action Recommended  
 No Opinion  
 Comments:  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

The foregoing instrument is a correct copy of the original on file in this office.

Date: \_\_\_\_\_  
Attest: MARGIE WILLIAMS, Clerk of the Board  
County of Mariposa, State of California

By: \_\_\_\_\_  
Deputy

CAO: *[Signature]*



# COUNTY of MARIPOSA

P.O. Box 784, Mariposa, CA 95338 (209) 966-3222

LEE STETSON, CHAIR  
JANET BIBBY, VICE CHAIR  
LYLE TURPIN  
DIANNE A. FRITZ  
BOB PICKARD

DISTRICT I  
DISTRICT III  
DISTRICT II  
DISTRICT IV  
DISTRICT V



## MARIPOSA COUNTY BOARD OF SUPERVISORS

### MINUTE ORDER

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TO: THOMAS P. GUARINO, County Counsel  
FROM: MARGIE WILLIAMS, Clerk of the Board *MW*  
SUBJECT: Approve an Agreement with Allen, Proietti & Fagalde, LLP to Represent the County of Mariposa and Authorize the Chairman of the Board of Supervisors to Sign the Agreement

RESOLUTION 06-529

THE BOARD OF SUPERVISORS OF MARIPOSA COUNTY, CALIFORNIA

ADOPTED THIS Order on November 14, 2006

#### ACTION AND VOTE:

Approve an Agreement with Allen, Proietti & Fagalde, LLP to Represent the County of Mariposa and Authorize the Chairman of the Board of Supervisors to Sign the Agreement (County Counsel)

**BOARD ACTION:** Thomas P. Guarino, County Counsel, advised that this request is an authorization to initiate suit if settlement funds are no received by November 27, 2006, as stated in the previous action. (M)Pickard, (S)Turpin, Res. 06-529 was adopted approving the agreement/Ayes: Unanimous.

Cc: Chris Ebie, Auditor  
Sandra Laird, Administrative Analyst  
File