

DEPARTMENT: County Counsel BY: Thomas P. Guarino PHONE: 966-3222

RECOMMENDED ACTION AND JUSTIFICATION:

Resolution authorizing Chairman to sign Professional Services Agreement with the law firm of Best Best & Krieger to assist and advise the County with the boundary line adjustment process and Amendment of the Deferred Improvement Agreement for the South Shore Project and further authorizing the Chairman to sign an Agreement for the developer to fund the legal services to be provided.

The cost for these services will be paid by the project proponents by agreement and will be at no expense to the County.

BACKGROUND AND HISTORY OF BOARD ACTIONS:

On January 10, 2006 the Board of Supervisors authorized County Counsel to retain Best Best & Krieger to represent the County of Mariposa with regard to the Deferred Improvement Agreement for the South Shore Project. Since that time Tuolumne County has requested a different process for making a minor boundary line adjustment. This will require additional time and expense for the County of Mariposa.

Prior to January 10th the Board had approved a Deferred Improvement Agreement for the South Shore Project. This Agreement required that the County prosecute a validation action for the project approvals. The retention of the firm was agreed to by the project proponent and was recommended by County Counsel. The cost of the validation action was paid by the project proponents and by agreement at no expense to the County.

ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

Financial Impact? () Yes (x) No	Current FY Cost: \$	Annual Recurring Cost: \$
Budgeted In Current FY? () Yes () No () Partially Funded		
Amount in Budget: \$		List Attachments, number pages consecutively
Additional Funding Needed: \$		
Source:		Professional Services Agreement
Internal Transfer		Agreement for Developer to Fund Legal Services
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. 06-274 Ord. No. _____
Vote - Ayes: 5 Noes: _____
Absent: _____
MW Approved
() Minute Order Attached () No Action Necessary

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

COUNTY ADMINISTRATIVE OFFICER:

Requested Action Recommended
 No Opinion
Comments:

CAO: 