

DEPARTMENT: County Counsel

BY: Thomas P. Guarino

PHONE: 966-3222

RECOMMENDED ACTION AND JUSTIFICATION:

Resolution amending the Professional Services Agreement with Best, Best, and Krieger and authorizing Chairman to sign the Amended Professional Services Agreement in the amount of \$8,000 with a total amount not to exceed \$13,500.

Best, Best, and Krieger has been representing Mariposa County in the appeal suit filed by James and Marion Dean. The current Professional Services Agreement has a fee limit of \$5,500 and the increase is necessary to meet additional attorney expenses incurred in defending the action.

BACKGROUND AND HISTORY OF BOARD ACTIONS:

The Board of Supervisors rejected a claim filed by Mr. and Mrs. Dean on November 18, 2003 as recommended by the County Administrative Officer/Risk Manager. As a result a suit was filed by Mr. and Mrs. Dean in the Mariposa Superior Court.

In June of 2005 the Dean's filed an appeal of the Superior Court decision.

ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

Financial Impact? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Current FY Cost: \$ _____	Annual Recurring Cost: \$ _____
Budgeted In Current FY? <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Partially Funded		
Amount in Budget: \$ _____		List Attachments, number pages consecutively _____
Additional Funding Needed: \$ _____		Amendment to Legal Services Agreement _____
Source:		Legal Services Agreement _____
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. 06-65 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: Fah