RESOLUTION - ACTION REQUESTED 2014-8

MEETING: January 7, 2014

TO: The Board of Supervisors

FROM: Steve Dahlem, County Counsel

RE: Legal Services Agreement

RECOMMENDATION AND JUSTIFICATION:
Authorize County Counsel to retain Colantuono & Levin, PC, and authorize the Board of Supervisors Chair to sign a Legal Service Agreement with Colantuono & Levin, PC to represent the County of Mariposa in the case of William Davis, et al v. Mariposa County Board of Supervisors, et al.

Petitioner filed a petition for a writ of mandate and complaint for declaratory and injunctive relief on November 13, 2013, which was served on the County of Mariposa on November 21, 2013. Petitioner, William E. Davis, alleges that the Board of Supervisors unconstitutionally validated the establishment of a fee structure relative to fire suppression services for Mariposa County Service Area No. 3.

BACKGROUND AND HISTORY OF BOARD ACTIONS:

ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

FINANCIAL IMPACT:
Agreement set for up to $60,000

ATTACHMENTS:
Colantuono&Levin Agt  (PDF)

CAO RECOMMENDATION
Requested Action Recommended

Rick Benson, County Administrator 1/23/13
RESULT: ADOPTED BY CONSENT VOTE [UNANIMOUS]
MOVER: Janet Bibby, District III Supervisor
SECONDER: John Carrier, District V Supervisor
AYES: Merlin Jones, Janet Bibby, Kevin Cann, John Carrier
EXCUSED: Lee Stetson