RECOMMENDED ACTION AND JUSTIFICATION:

MARIPOSA COUNTY/PARKING DISTRICT
Discussion, direction, and action regarding retention of Best, Best, and Krieger to represent the Parking District in the Proposition 218 process. It is recommended the Board of Supervisors on behalf of the Parking District authorize the retention of Counsel to assist in the Proposition 218 process. It is also recommended the Board authorize a loan of $50,000 to the District for the Proposition 218 process.

BACKGROUND AND HISTORY OF BOARD ACTIONS:

At the Board of Supervisors meeting of December 20, 2005 the Board was advised that the leases for the Parking District, with the exception of the walkway, had been signed. In accordance with prior Board instruction and based upon the ad-hoc committee’s direction, this matter is brought before you to obtain Proposition 218 counsel and to move forward with the process to determine the size of the Parking District. After retention of counsel it is anticipated that public meetings will be scheduled at which landowners and business owners in the downtown area will be invited to provide comment and input with respect to the size of the Parking District. It is anticipated the Loan will be repaid from the Proposition 218 process proceeds.

ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

Failure to retain counsel at this time will delay the Proposition 218 process.

<table>
<thead>
<tr>
<th>Financial Impact?</th>
<th>( ) Yes</th>
<th>(x) No</th>
<th>Current FY Cost: $</th>
<th>Annual Recurring Cost: $</th>
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</thead>
<tbody>
<tr>
<td>Budgeted In Current FY?</td>
<td>( ) Yes</td>
<td>( ) No</td>
<td>( ) Partially Funded</td>
<td>List Attachments, number pages consecutively</td>
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<tr>
<td>Amount in Budget:</td>
<td>$</td>
<td></td>
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<td>Additional Funding Needed:</td>
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<td>Source:</td>
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<tr>
<td>Unanticipated Revenue:</td>
<td>4/5’s vote</td>
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<tr>
<td>Transfer Between Funds:</td>
<td>4/5’s vote</td>
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<tr>
<td>Contingency:</td>
<td>4/5’s vote</td>
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<td>( ) General ( ) Other</td>
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</tbody>
</table>

CLERK’S USE ONLY:

Res. No.: 05-29  Ord. No.  
Vote - Ayes: Noes:  
Absent:  
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:  

Revised Dec. 2002
TO: TOM GUARINO, County Counsel
FROM: MARGIE WILLIAMS, Clerk of the Board
SUBJECT: DISCUSSION, DIRECTION, AND ACTION REGARDING RETENTION OF BEST, BEST, AND KRIEGER TO REPRESENT THE PARKING DISTRICT IN THE PROPOSITION 218 PROCESS; AND AUTHORIZE A LOAN OF $50,000 FOR THE PROPOSITION 218 PROCESS TO BE REPAYED WITH INTEREST AS DETERMINED BY THE AUDITOR, BASED ON THE RATE THE COUNTY RECEIVES ON INVESTMENTS
RESOLUTION 06-29
MARIPOSA PARKING DISTRICT RESOLUTION 06-01

THE BOARD OF SUPERVISORS OF MARIPOSA COUNTY, CALIFORNIA

ADOPTED THIS Order on January 24, 2006

ACTION AND VOTE:

9:59 a.m. MARIPOSA PARKING DISTRICT
Thomas P. Guarino, County Counsel;
Discussion, Direction, and Action Regarding Retention of Best, Best, and Krieger to Represent the Parking District in the Proposition 218 Process; and Authorize a Loan of $50,000 for the Proposition 218 Process to be Repaid with Interest as Determined by the Auditor, Based on the Rate the County receives on Investments

DISTRICT ACTION: Tom Guarino initiated discussion; and he clarified the engineering services and cost. Supervisor Bibby noted that information is being reviewed relative to the walkway issue. Supervisor Pickard asked who would be monitoring the progress of this work. Rich Inman, County Administrative Officer, advised that County Counsel would watch for adherence to the contract; and that he and the Board, with involvement of Public Works, would monitor the progress. Chairman Stetson called for input from the public, and none was received. Tom Guarino recommended that the Board take separate actions to authorize the retention of counsel and to authorize the loan. (M)Pickard, (S)Bibby, Res. 06-29 and Mariposa Parking District Res. 06-1 were adopted approving and authorizing the Chairman to sign the Professional Service Agreement with Best Best and Krieger as recommended/Ayes: Unanimous. (M)Bibby, (S)Pickard, a loan of $50,000 was authorized from General Fund Contingency for the Proposition 218 process/Ayes: Unanimous.

Cc: Chris Ebie, Auditor
    Dana Hertfelder, Public Works Director
    File