DEPARTMENT: PLANNING

RECOMMENDED ACTION AND JUSTIFICATION:

SEE ATTACHED MEMO.

Funds needed to authorize applicant-reimbursed expenditures. Revenue neutral action.

BACKGROUND AND HISTORY OF BOARD ACTIONS:

N/A

ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

N/A

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**CLERK’S USE ONLY:**

Res. No.: 03-03

Vote – Ayes: 5

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

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**COUNTY ADMINISTRATIVE OFFICER:**

Requested Action Recommended

No Opinion

Comments:

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CAO: PAM
# BUDGET ACTION FORM

<table>
<thead>
<tr>
<th>FUND</th>
<th>DEPT/DIV</th>
<th>ACCOUNT</th>
<th>DESCRIPTION</th>
<th>PROJECT</th>
<th>INCREASE</th>
<th>DECREASE</th>
</tr>
</thead>
<tbody>
<tr>
<td>349</td>
<td>559-307</td>
<td>8703</td>
<td>SilverTip Resort Revenue</td>
<td></td>
<td>($117,500)</td>
<td></td>
</tr>
<tr>
<td>349</td>
<td>0259-533</td>
<td>0416</td>
<td>Silvertip Miscellaneous Exp.</td>
<td></td>
<td>$10,000</td>
<td></td>
</tr>
<tr>
<td>349</td>
<td>0259-533</td>
<td>0417</td>
<td>Silvertip Office Expense</td>
<td></td>
<td>$7,500</td>
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<tr>
<td>349</td>
<td>0259-533</td>
<td>0418</td>
<td>Silvertip Professional Services</td>
<td></td>
<td>$100,000</td>
<td></td>
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<tr>
<td>001</td>
<td>0104</td>
<td>414-1090</td>
<td>GENERAL CONTINGENCY</td>
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</tr>
</tbody>
</table>

**TOTAL** $0 $0

## TRANSFER BETWEEN FUNDS

<table>
<thead>
<tr>
<th>FUND</th>
<th>DEPT/DIV</th>
<th>ACCOUNT</th>
<th>DESCRIPTION</th>
<th>PROJECT</th>
<th>INCREASE</th>
<th>DECREASE</th>
</tr>
</thead>
</table>

**TOTALS** $0 $0

**ACTION REQUESTED:** (Check all that apply)

( X ) Budget appropriation by Board of Supervisors (4/5ths Vote Required): Amending the total amount available in the county budget, or in any one fund of the budget, or appropriating Reserve for Contingencies;

( ) Transfer by Board of Supervisors (3/5ths Vote Required): Moving existing appropriations from one budget to another, or between categories within a budget unit;

**JUSTIFICATION:** *See Memo*

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**DEPT HEAD SIGNATURE**

[Signature]

**DATE:** March 25, 2003

**APPROVED BY RES NO:**

[Signature]

**CLERK**

[Signature]

**DATE:** 4-8-03

**AUDITOR'S USE ONLY**

**BA #**

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Budget Revision Form Revised 11/95
MEMORANDUM

Date: March 25, 2003
To: Board of Supervisors
Richard Inman, County Administrative Officer
From: Eric Jay Toll, Director

Topic: Increase budget amount in the SilverTip Resort Special Fund by $100,000 to cover costs associated with the Board of Supervisors hearing and legal fees (4/5th vote required)

The Planning Commission has recommended approval of the SilverTip Resort project. The matter moves to the Board of Supervisors for final action. This is a very complex project with all costs paid by the applicant.

The project has exhausted its budgeted amount for 2002-03 and additional funds need to be inserted into the budget. All these costs are paid by the applicant, so there is no change to the General Fund and no funds required from General Fund contingencies or reserves.

Staff estimates that it will cost about $100,000 in professional services—mostly legal fees—to take the project from this point through the end of the statute of limitations for CEQA filings, 35 days following the Board’s action and filing the Notice of Determination. The Planning Commission has also recommended that the Board require the applicant to indemnify the County for all costs associated with defending any litigation. Legal Counsel believes such a defense will cost an additional $75,000 to $100,000 or more.

Staff requests the budget be amended as follows:

349-0259-307-8703 Special planning revenues $117,500
349-0259-553-0418 Professional services, including legal fees $100,000
349-0259-553-0417 Supplies, copies, and materials 7,500
349-0259-553-0416 Miscellaneous: meeting rooms, printing, other costs 10,000

Our Mission is to provide our clients with professional service and accurate information in a respectful, courteous, and enthusiastic manner resulting in a well-planned rural environment.