RESOLUTION - ACTION REQUESTED 2016-345

MEETING:       June 28, 2016

TO:            The Board of Supervisors

FROM:          Sarah Williams, Planning Director

RE:            Professional Services Agreement for Abbott & Kindermann

RECOMMENDATION AND JUSTIFICATION:
Approve a Professional Services Agreement with Abbott & Kindermann, LLP, to provide
on-call legal consultation; and authorize the Board of Supervisors Chair to sign the
agreement. Planning staff and County Counsel sometimes require specialized legal
advice on short notice to address urgent land use or environmental (California
Environmental Quality Act or CEQA) issues. Abbott & Kindermann are recognized
experts in their field and they are familiar with Mariposa County. Under this
agreement, Bill Abbott will be available as needed to assist Planning and County
Counsel with complex legal research and consultation.

The total compensation for these legal services is not to exceed $28,600. This amount
has been included in the requested Planning Department’s Budget for Fiscal Year

BACKGROUND AND HISTORY OF BOARD ACTIONS:
Abbott & Kindermann have provided timely, on-call professional services to Mariposa
County in a variety of legal circumstances. Bill Abbott participated in the successful
adoption of the Mariposa County General Plan and Environmental Impact Report (EIR)
during 2006. He also assisted in such projects as the Silver Tip Resort, the Seventh
Day Adventist Camp in Wawona, and the Catheys Valley Community Plan
Supplemental EIR. He has provided specialized legal advice on such subjects as
mining, agri-tourism and project appeals. Abbott & Kindermann have a Professional
Services Agreement with the County for general legal advice and that agreement will
expire on June 30, 2016.

ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:
An alternative legal firm could be solicited for expert land use and environmental
advice; however there would be a time lapse to get another firm up to speed with land
use and CEQA issues in Mariposa County.

FINANCIAL IMPACT:
Funding for the Agreement has been included in the 2016-2017 Planning Department Budget for Professional Services

ATTACHMENTS:
160628 PSA A & K 2016-2017 (DOC)

CAO RECOMMENDATION
Requested Action Recommended

Mary Hodson, CAO 6/23/2016

RESULT: ADOPTED BY CONSENT VOTE [UNANIMOUS]
MOVER: Merlin Jones, District II Supervisor
SECONDER: Rosemarie Smallcombe, District I Supervisor
AYES: Rosemarie Smallcombe, Merlin Jones, Marshall Long, Kevin Cann
EXCUSED: John Carrier