

DEPARTMENT: Administration BY: John W. McCamman PHONE: 966-3222

RECOMMENDED ACTION AND JUSTIFICATION: (Policy Item: Yes\_\_\_ No\_x\_) Resolution Approving Legal Services Agreement with Thomas C. Mills and James B. Lindstedt for Legal Services and Authorization for Chair to Sign

BACKGROUND AND HISTORY OF BOARD ACTIONS:

The Board of Supervisors approved the Request for Proposal for a Public Defender contract (Res. #92-104) on February 25, 1992. Four proposals were received. A committee consisting of Jim Allen, Commander, S/O; Jerry Kahl, Tuolumne County Public Defender, John McCamman, Administrative Officer, and Jim Moffett, Chief Probation Officer reviewed the proposals and recommends that the attached contract between the County and two of the proposing attorneys be approved by the Board of Supervisors. Both attorneys are local attorneys who, by this agreement, will maintain offices in the County of Mariposa, and represent indigent defendants by appointment from the courts. The total contract cost is \$120,000. The County expended \$172,000 in the last fiscal year; with a possible additional \$20,000 cost for secondary conflict of interest cases, there is a savings of \$32,000 in these legal services through this contract.

LIST ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

1. Do not approve the contract; there is an additional cost to the County of at least \$32,000.
2. Do not approve the contract; direct the Public Defender Committee to make another recommendation.

COSTS: ( ) Not Applicable

A. Budgeted current FY \$172,000  
 B. Total anticipated costs 140,000  
 C. Required Add'l funding ( 32,000)  
 D. Source: \_\_\_\_\_

SPECIAL INSTRUCTIONS:

List the attachments and number the pages consecutively:  
Legal Services Agreement

SOURCE: ( ) 4/5ths Vote Required

A. Internal transfers \$ \_\_\_\_\_  
 B. Unanticipated revenues \$ \_\_\_\_\_  
 C. Reserve for contingency \$ \_\_\_\_\_  
 D. Description: \_\_\_\_\_  
 Balance in Reserve for Contingencies, if approved: \$ \_\_\_\_\_

CLERK'S USE ONLY:

Res. No.: 92-278  
 Ord. No.: \_\_\_\_\_  
 Vote - Ayes: 5 Noes: \_\_\_\_\_  
 Absent: \_\_\_\_\_ Abstained: \_\_\_\_\_  
 Approved ( ) Denied  
 (X) Minute Order Attached

ADMINISTRATIVE OFFICER'S

RECOMMENDATION:

This item on agenda as:

- \_\_\_\_\_ Recommended
- \_\_\_\_\_ Not Recommended
- \_\_\_\_\_ For Policy Determination
- \_\_\_\_\_ Submitted with Comment
- \_\_\_\_\_ Returned for Further Action

The foregoing instrument is a correct copy of the original on file in this office.

Date: \_\_\_\_\_

ATTEST: MARGIE WILLIAMS  
 Clerk of the Board of Supervisors  
 County of Mariposa, State of CA  
 By: \_\_\_\_\_  
 Deputy

Comment: \_\_\_\_\_

A.O. Initials: \_\_\_\_\_