RESOLUTION - ACTION REQUESTED 2020-476

MEETING: August 4, 2020

TO: The Board of Supervisors

FROM: Sarah Williams, Planning Director

RE: Agreement for General Legal Services

RECOMMENDATION AND JUSTIFICATION:
Approve an Agreement for General Legal Services with Abbott & Kindermann, Inc. for 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 (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 land use or CEQA legal research and consultation.

The total compensation for these legal services is not to exceed $15,000, which is 53% of the prior FY’s agreement. This amount has been included in the adjusted requested Planning Department’s Budget for Fiscal Year 2020-2021.

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 during 2006. He also assisted in such projects as the Tenaya Cabins Project, 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, agritourism and project appeals. Abbott & Kindermann have a Professional Services Agreement with the County for general legal advice and that agreement expired on June 30, 2020.

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 situations in Mariposa County, with which Abbott & Kindermann have extensive
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familiarity.

FINANCIAL IMPACT:
Funding for the Agreement is included in the proposed FY 2020-2021 Planning Department Budget for Professional Services. Funding is consistent with the adopted FY 2019-2020 Planning Department Budget for Professional Services.

ATTACHMENTS:
200804 ak contract not counter signed, with new rate schedule (PDF)

RESULT: ADOPTED BY CONSENT VOTE [UNANIMOUS]
MOVER: Marshall Long, District III Supervisor
SECONDER: Miles Menetrey, District V Supervisor
AYES: Smallcombe, Jones, Long, Cann, Menetrey