DEPARTMENT: Planning

BY: Kris Schenk
PHONE: 742-1216

RECOMMENDED ACTION AND JUSTIFICATION:

Approve the Second Amendment to the Professional Services Agreement (PSA) for J.B. Anderson Land Use Planning, which was initially approved by the Board on September 23, 2008 (Resolution 2008-451). First Amendment was approved by the Board of Supervisors October 13, 2009 (Resolution 2009-493). This Second Amendment will allow John Anderson to provide contract planning services to PacificUS for the anticipated completion of the Silver Tip Resort project by December, 2012. This extended planning assistance will enable the applicant to timely satisfy all project conditions, as ultimately approved by the Board of Supervisors, while meeting a myriad of agency requirements.

The amended PSA allows an estimated monthly billing of $2,000, for a maximum amount of this Second Amendment to be $44,000. The cost of these planning services is borne by the project applicant, PacificUS. There is no net cost to Mariposa County.

BACKGROUND AND HISTORY OF BOARD ACTIONS: The PSA has been amended previously by the Board to reflect additional planning work needed to process and obtain project design modifications (Resolution 2009-493). Consideration of the project modifications and amended conditions is currently scheduled for a March 9, 2010 public hearing.

ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION: Consequences of the applicant not being able to retain an experienced project manager to expedite post-approval conditions could include delays in construction of the Silver Tip Resort Village.

Financial Impact? [x] Yes (x) No Current FY Cost: $ 33,400

Amount in Budget Request: $ 33,400

Additional Funding Needed: $44,000

Source:

Internal Transfer

Unanticipated Revenue

Transfer Between Funds

Contingency

[ ] General ( ) Other

4/5’s vote

4/5’s vote

Annual Recurring Cost: $

List Attachments, number pages consecutively

Second Amendment, Letter of acceptance and Budget Action Form

Attachment 1: Reso 2008-451 & PSA & letter of acceptance from applicant.

Attachment 2: Reso 2009-493 & First Amendment & Letter of acceptance from applicant

[ ] Requested Action Recommended

No Opinion

Comments:

______________________________________________

CLERK’S USE ONLY:
Res. No.: [21-22] Ord. No. ______
Vote – Ayes: 5 Noes: ______
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

Revised Dec. 2002

COUNTY ADMINISTRATIVE OFFICER:

[ ] Requested Action Recommended

No Opinion

Comments:

______________________________________________

CAO:

______________________________________________

# Budget Action Form

<table>
<thead>
<tr>
<th>FUND</th>
<th>DEP/DIV</th>
<th>ACCOUNT</th>
<th>DESCRIPTION</th>
<th>PROJECT</th>
<th>INCREASE</th>
<th>DECREASE</th>
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<tbody>
<tr>
<td>349</td>
<td>0259</td>
<td>307.87-03</td>
<td>Silvertip Revenue</td>
<td></td>
<td>(44,000)</td>
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<tr>
<td>349</td>
<td>0259</td>
<td>553.04-18</td>
<td>Silvertip Prof Services</td>
<td></td>
<td>44,000</td>
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<td></td>
<td></td>
<td>General Fund Contingency</td>
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</tbody>
</table>

**Totals**

| TRANSFER BETWEEN FUNDS | DEBIT | CREDIT | |
|------------------------|-------|--------|

**Totals**

<table>
<thead>
<tr>
<th>ACTION REQUESTED:</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>(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 transferring appropriation from Contingencies</td>
<td></td>
</tr>
<tr>
<td>( ) Transfer by Board of Supervisors (3/5ths Vote Required): Moving existing appropriations from one budget to another, or between categories within a budget unit;</td>
<td></td>
</tr>
<tr>
<td>To appropriate claim for storage of vehicles and interest. This is necessary to pay the claim for other public storage.</td>
<td></td>
</tr>
</tbody>
</table>

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**DEPT HEAD SIGNATURE**

**DATE** 2/11/10

**APPROVED BY**

**RES NO.**

**CLERK**

**DATE**

**DEPARTMENT**

**AUDITOR'S USE ONLY**

**BA #**

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Budget Revision Form Revised 07/2000