RECOMMENDED ACTION AND JUSTIFICATION:

Resolution reappointing County Counsel to a four-year term commencing January 4, 2008. California Government Code section 27641 requires the Board of Supervisors to appoint County Counsel to a four-year term unlike other appointed department heads. Counsel has provided services in this capacity since January 4, 2004.

BACKGROUND AND HISTORY OF BOARD ACTIONS:

The Board has previously approved similar Resolutions appointing Counsel. This will be Counsel’s second term.

ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

- Approve this action as proposed.
- Do not approve; provide alternate direction.

<table>
<thead>
<tr>
<th>Financial Impact? ( ) Yes (x) No</th>
<th>Current FY Cost: $</th>
</tr>
</thead>
<tbody>
<tr>
<td>Budgeted In Current FY? ( ) Yes ( ) No ( ) Partially Funded</td>
<td></td>
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<tr>
<td>Amount in Budget:</td>
<td>$</td>
</tr>
<tr>
<td>Additional Funding Needed:</td>
<td>$</td>
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<tr>
<td>Source:</td>
<td></td>
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<tr>
<td>Internal Transfer</td>
<td></td>
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<tr>
<td>Unanticipated Revenue</td>
<td>4/5’s vote</td>
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<tr>
<td>Transfer Between Funds</td>
<td>4/5’s vote</td>
</tr>
<tr>
<td>Contingency</td>
<td>4/5’s vote</td>
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<tr>
<td>( ) General ( ) Other</td>
<td></td>
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</tbody>
</table>

List Attachments, number pages consecutively

Letter to Board

COUNTY ADMINISTRATIVE OFFICER:

Requested Action Recommended

No Opinion

Comments:

Attest: MARGIE WILLIAMS, Clerk of the Board
County of Mariposa, State of California

By: Deputy

CLERK’S USE ONLY:

Res. No.: 27-1
Vote – Ayes: ___ Noes: ___ 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

CAO: ___

Revised Dec. 2002
COUNTY of MARIPOSA
P.O. Box 784, Mariposa, CA 95338 (209) 966-3222

JANET BIBBY, CHAIR
LYLE TURPIN, VICE CHAIR
BRAD ABORN
DIANNE A. FRITZ
BOB PICKARD

MARIPOSA COUNTY BOARD OF SUPERVISORS
MINUTE ORDER

TO: THOMAS P. GUARINO, County Counsel
FROM: MARGIE WILLIAMS, Clerk of the Board
SUBJECT: Reappointing County Counsel to a four-year term commencing January 4, 2008

RESOLUTION 07-1

THE BOARD OF SUPERVISORS OF MARIPOSA COUNTY, CALIFORNIA
ADOPTED THIS Order on January 9, 2007

ACTION AND VOTE:

Approval of Consent Agenda (See End of Minutes)

BOARD ACTION: Supervisor Bibby pulled item 6 – reappointment of County Counsel. Thomas P. Guarino, County Counsel, excused himself. Discussion was held. Rick Benson, County Administrative Officer, responded to a question from Supervisor Bibby; and he advised that it is his understanding that the Board has the prerogative to take this action any time within twelve months prior to the expiration of the current term. Supervisor Pickard advised that he does not have a concern with this item and he feels that Thomas P. Guarino has done an excellent job at representing the County as County Counsel. (M)Pickard, (S)Fritz, item 6 was approved. Supervisor Bibby expressed concern with having a new member on the Board that has not had an opportunity to work with County Counsel, and with taking this action this far in advance of the expiration of the current term. Ayes: Aborn, Turpin, Fritz, Pickard; Noes: Bibby. County Counsel returned and thanked the Board for the reappointment.
(M)Fritz, (S)Turpin, the balance of the items was approved/Ayes: Unanimous.

Cc: Chris Ebie, Auditor
    Sandi Laird, Personnel File