



MARIPOSA COUNTY

Planning · 209-966-5151



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 2016-2017.

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