

MARIPOSA COUNTY BOARD OF SUPERVISORS  
MINUTE ORDER

---

TO: EVELYN BILLINGS, AUDITOR  
FROM: MARGIE WILLIAMS, CLERK OF THE BOARD *mw*  
SUBJECT: PAYMENT OF LEGAL COSTS - SUPERVISOR BAGGETT

---

THE BOARD OF SUPERVISORS OF MARIPOSA COUNTY, CALIFORNIA  
ADOPTED THIS Order on February 23, 1993

ACTION AND VOTE:

Resolution Approving Additional Costs in the Amount of  
\$8,990.92 for Legal Counsel Regarding Fair Political  
Practices Investigation for Supervisor Art Baggett from the  
Liability Fund (Chairman)

BOARD ACTION: (M)Parker, (S)Balmain, Res. 93-128 adopted  
approving additional costs, with the deletion of the late  
payment charges, total \$8,874.22/Ayes: Balmain, Erickson,  
Parker; Noes: Taber; Excused: Baggett.

cc: Supervisor Baggett  
Administrative Office  
County Counsel  
File

DEPARTMENT: Board

BY: Chairman

PHONE: 966-3222

RECOMMENDED ACTION AND JUSTIFICATION: (Policy Item: Yes\_\_\_ No\_x\_)

Adopt this resolution approving additional costs in the amount of \$8,990.92 for legal counsel regarding the Fair Political Practices Investigation for Supervisor Art Baggett, from the Liability Fund.

Information from Attorney Leidigh is attached with regards to this request.

**BACKGROUND AND HISTORY OF BOARD ACTIONS:**

The Board previously authorized \$10,000 on September 22, 1992, by Resolution No. 92-481; and authorized an additional \$2,000 on December 15, 1992, by Resolution No. 92-669.

Of the \$12,000 authorized by the County, \$10,000 has been reimbursed to Supervisor Baggett. There is still an outstanding balance of \$10,990.92. These amounts are for attorney fees only; and Supervisor Baggett has personally paid other associated costs

**LIST ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:**

- 1) Approve this request for additional funding.
- 2) Do not approve, or provide alternative direction.

**COSTS:** (x) Not Applicable

A. Budgeted current FY \$ \_\_\_\_\_

B. Total anticipated costs \$ \_\_\_\_\_

C. Required additional funding \$ \_\_\_\_\_

D. Internal transfers \$ \_\_\_\_\_

**SOURCE:** ( ) 4/5ths Vote Required

A. Unanticipated revenues \$ \_\_\_\_\_

B. Reserve for contingencies \$ \_\_\_\_\_

C. Source description: \_\_\_\_\_

Balance in Reserve for Contingencies, if approved: \$ \_\_\_\_\_

**SPECIAL INSTRUCTIONS:**  
List the attachments and number the pages consecutively:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**CLERK'S USE ONLY:**

Res. No.: 93-128 Ord. No. \_\_\_\_\_

Vote - Ayes: 3 Noes: Yalen

Absent: Baggett Abstained: \_\_\_\_\_

Approved: Baggett ( ) Denied \_\_\_\_\_

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

**ADMINISTRATIVE OFFICER'S RECOMMENDATION:**  
This item on agenda as:

\_\_\_\_\_ Recommended

\_\_\_\_\_ Not Recommended

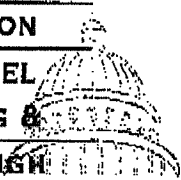
\_\_\_\_\_ For Policy Determination

\_\_\_\_\_ Submitted with Comment

\_\_\_\_\_ Returned for Further Action

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

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

*Law Offices of***OLSON****HAGEL****FONG &****LEIDIGH**

February 16, 1993

Hon. Art Baggett, Supervisor  
Board of Supervisors  
County of Mariposa  
Post Office Box 784  
Mariposa, California 95338

Dear Supervisor Baggett:

As I understand it, the investigative phase of this matter is concluded and the FPPC is now considering what disposition to make of the matters.

As you know, retention of outside counsel in your case was necessitated by the fact that both County Counsel Jeff Green and Redevelopment Counsel David Beatty were forced to recuse themselves from representing or counseling you on this matter. The initial phase was estimated to cost approximately \$10,000. If the FPPC conducted a full investigation, the second phase would cost more. The FPPC chose to conduct a full investigation, which has dragged on for months. Your outstanding balance is \$10,990.92 over and above the \$10,000 estimate, which has been paid for the first phase.

At this point in time, my work is complete unless the FPPC requests some sort of supplemental information or determines to proceed further. I have no control over those events. However, at this time, pending some communication from the FPPC that might require action, I do not anticipate further work on your behalf relative to this matter.

I trust that this letter provides the information that you are seeking. If not, please do not hesitate to contact me.

Very truly yours,

**OLSON, HAGEL, FONG & LEIDIGH**

*Robert E. Leidigh*  
**ROBERT E. LEIDIGH**

REL:CCZ

CapitolBank Center  
300 Capitol Mall, Suite 350  
Sacramento, CA 95814

Telephone (916) 442-2952  
Facsimile (916) 442-1280

OLSON, HAGEL, FONG, LEIDIGH, WATERS & FISHBURN  
300 Capitol Mall, Suite 350  
Sacramento, CA 95814  
(916) 442-2952

Art Baggett, Supervisor  
MARIPOSA COUNTY  
POB 784  
Mariposa, CA 95338

February 18, 1993

Re: FPPC Investigation

SUMMARY STATEMENT

Balance Forward: \$ 4,341.83

08/26/92 - 09/25/92

Conferences with co-counsel re conflict of interest issues; review materials from client; research; misc. meetings with client & others; numerous telephone conferences re zoning issues and related matters; preparation of correspondence to FPPC; telephone conferences re meeting with Grand Jury, real estate transactions, etc.

Fees:	\$ 8,510.00
Costs:	117.46
Sub-Total:	8,627.46
TOTAL DUE:	\$12,969.29

09/26/92 - 10/25/92

Conference with co-counsel re issues; telephone conferences; misc. meetings; preparation of correspondence; research.

Fees:	\$ 407.00
Costs:	160.12
Sub-Total:	567.12
TOTAL DUE:	\$13,536.41

10/26/92 - 11/24/92

Telephone conferences with client and others; review and research of materials; misc. meetings in Mariposa; tour sites.

Fees:	\$ 1,535.50
Costs:	98.50
Sub-Total:	1,634.00
Payments:	
11/05/92	4,341.83
11/30/92	5,000.00
Sub-total:	9,341.83
TOTAL DUE:	\$ 5,828.58

11/25/92 - 12/31/92

Numerous telephone conferences with client and others re various issues; preparation for FPPC interview; attend interview; conferences with client; preparation of correspondence.

Fees:	\$ 1,794.50
Costs:	8.27
Sub-Total:	1,802.77
Late Payment Charge:	49.08
TOTAL DUE:	\$ 7,680.43

01/01/93 - 01/25/93

Misc. telephone conferences with client; telephone conferences re FPPC letter; preparation of correspondence to FPPC; research and review of file materials.

Fees:	\$ 3,182.00
Costs:	60.87
Sub-Total:	3,242.87
Late Payment Charge:	67.62
TOTAL DUE:	<u>\$10,990.92</u>