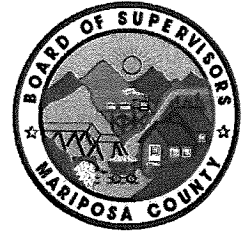


MARIPOSA COUNTY

County Counsel • (209) 966-3222



RESOLUTION - ACTION REQUESTED 2021-482

MEETING: August 17, 2021
TO: The Board of Supervisors
FROM: Steve Dahlem, County Counsel
RE: Second Amendment to Legal Services Agreement with Wanger, Jones, Helsley, PC

RECOMMENDATION AND JUSTIFICATION:

Approve Second Amendment to the Agreement with Wanger, Jones, Helsley, PC for Legal Services to Extend the Term to September 30th, 2021; and Authorize the Board of Supervisors Chair to Sign the Agreement.

This Agreement retains Wanger, Jones, Helsley, PC to provide legal services to the County of Mariposa with respect to the Appeal of the Decision of the Building Official filed by Timothy Dummer.

BACKGROUND AND HISTORY OF BOARD ACTIONS:

A Legal Services Agreement with Wanger, Jones, Helsley, PC was entered into by the County on March 23, 2020 to provide legal services with respect to the Appeal of the Decision of the Building Director filed by Mr. Dummer. A Supplemental Fee Agreement (First Amendment to Legal Services Agreement) with Wanger, Jones, Helsley, PC was then entered into by the County on September 16, 2020 to increase compensation due to new allegations by Mr. Dummer. On October 1, 2020 Mr. Dummer filed a claim against the County, which was rejected on October 30, 2020. Continued legal services were necessary following this claim and now a Second Amendment is necessary to extend the term of the original Agreement to allow final payment to outside counsel and close this matter.

ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

FINANCIAL IMPACT:

The funding for this agreement will be paid from the County's Liability fund and there is currently sufficient money in this fund for this Legal Services Agreement.

ATTACHMENTS:

Second Amendment to Legal Svs. Agt.-WJH (PDF)
First Amendment to Legal Svs. Agt.-WJH (PDF)
Legal Svs. Agt.-WJH (PDF)

RESULT: ADOPTED BY CONSENT VOTE [4 TO 0]

MOVER: Wayne Forsythe, District IV Supervisor

SECONDER: Rosemarie Smallcombe, District I Supervisor

AYES: Rosemarie Smallcombe, Tom Sweeney, Wayne Forsythe, Miles Menetrey

RECUSED: Marshall Long

SECOND AMENDMENT TO AGREEMENT FOR LEGAL SERVICES

THIS SECOND AMENDMENT TO AGREEMENT FOR LEGAL SERVICES, is made and entered into this 17th day of August 2021, by and between the County of Mariposa, a political subdivision of the State of California, hereinafter referred to as "**County**," and Wanger Jones Helsley PC, hereinafter referred to as "**Contractor**."

WHEREAS, County and Contractor have heretofore entered into an Agreement dated March 11, 2020 wherein **Contractor** agreed to provide legal services; and

WHEREAS, County and Contractor have heretofore entered into a First Amendment to Agreement dated September 10, 2020 to increase compensation; and

WHEREAS, County and Contractor desire to amend said Agreement to extend the term of the Agreement;

NOW THEREFORE, the parties hereto in consideration of the mutual covenants herein recited, hereby agree as follows:

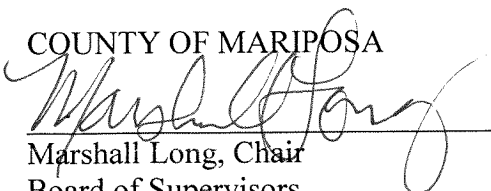
1. Paragraph 1, "TERM," is hereby amended to extend the term of the Agreement to September 30, 2021.

Except as herein amended, the Agreement dated March 11, 2020 and the First Amendment dated September 10, 2020 shall remain in full force and effect.

The Agreement, as hereby amended, is ratified and continued. All provisions, terms, covenants, conditions and promises contained in this Agreement not amended herein shall remain in full force and effect. This Amendment is effective retroactive to March 11, 2021. The parties shall treat the Agreement as if it had been in full force and effect continuously since March 11, 2021, without there having been any interruption of the Agreement whatsoever.

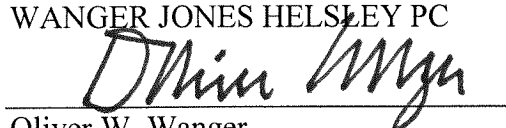
IN WITNESS WHEREOF, the parties have caused this Amendment to be executed on the date first above written.

COUNTY OF MARIPOSA




 Marshall Long, Chair
 Board of Supervisors

WANGER JONES HELSLEY PC



 Oliver W. Wanger

APPROVED AS TO LEGAL FORM:



 Steven W. Dahlem
 County Counsel