



MARIPOSA COUNTY

Treasurer-Tax Collector-County Clerk ·



RESOLUTION - ACTION REQUESTED 2014-196

MEETING: May 6, 2014

TO: The Board of Supervisors

FROM: Keith Williams, Treasurer/Tax Collector

RE: Second Amendment to Stradling Yocca Agreement

RECOMMENDATION AND JUSTIFICATION:

Approve Second Amendment to Agreement with Stradling Yocca Carlson & Rauth Increasing the Amount by \$5,000 for a Total Not to Exceed Amount of \$30,000 for Foreclosure Services Related to the Lake Don Pedro Sewer Bonds, and Authorize the Board of Supervisors Chair to Sign the Amendment.

In 2011 the Board authorized the Treasurer to pursue foreclosure on delinquent properties in the Lake Don Pedro Sewer Zone. The original Agreement was signed by the County Administrative Officer in a not to exceed amount of \$10,000. The first amendment increased the amount to \$25,000. The current billings received from the Contractor now require another amendment. The fees charged by Stradling Yocca are placed on the delinquent parcels and recovered when a sale occurs.

The foreclosure proceedings have been suspended for now. The increase covers the final charges.

BACKGROUND AND HISTORY OF BOARD ACTIONS:

The Board has previously approved the foreclosure proceedings per bond covenants.

ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

A negative action would result in a delay of the foreclosure process.

FINANCIAL IMPACT:

Sufficient funding has been included in the Fiscal Year 2013-14 Budget.

ATTACHMENTS:

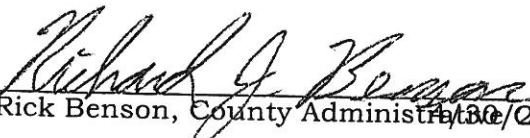
second amendment (DOC)

Exhibit A (PDF)

first amendment (DOC)

CAO RECOMMENDATION

Requested Action Recommended


Rick Benson, County Administrator/Office

RESULT: ADOPTED BY CONSENT VOTE [UNANIMOUS]

MOVER: Lee Stetson, District I Supervisor

SECONDER: Janet Bibby, District III Supervisor

AYES: Stetson, Jones, Bibby, Cann, Carrier

SECOND AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT

THIS SECOND AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT

is made and entered into this 6th day of May, 2014, by and between the County of Mariposa, a political subdivision of the State of California, hereinafter referred to as “**County**” and Stradling, Yocca, Carlson & Rauth, hereinafter referred to as “**Contractor**”.

WHEREAS, the **County** and **Contractor** have heretofore entered into an Agreement dated October 28, 2011, wherein **Contractor** agreed to provide legal services as described on Exhibit “A” of the Professional Services Agreement; and

WHEREAS, **County** and **Contractor** entered into the First Amendment to Professional Services Agreement on January 14, 2014 to increase compensation amount to allow Contractor to continue providing legal services to the county;

WHEREAS, **County** and **Contractor** desire to further amend said Agreement to change the compensation to be provided to **Contractor**;

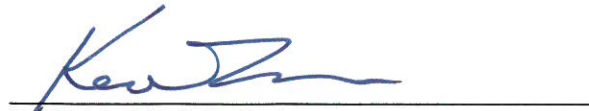
NOW, THEREFORE, the parties hereto in consideration of the mutual covenants herein recited, hereby agree as follows:

1. Paragraph 4.01, “Compensation”, is hereby amended to provide that an additional Five Thousand Dollars (\$5,000) will be added to the first amended Agreement price of Twenty-Five Thousand Dollars (\$25,000), making the total compensation paid to **Contractor** the not to exceed amount of Thirty Thousand Dollars (\$30,000). **Contractor** further acknowledges that all amounts for the tasks completed to date have been fully paid by **County**.

2. Except as herein amended, the agreement dated October 28, 2011 shall remain in full force and effect.

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

COUNTY OF MARIPOSA:



KEVIN CANN, Chairman
Mariposa County Board of Supervisors

CONTRACTOR:

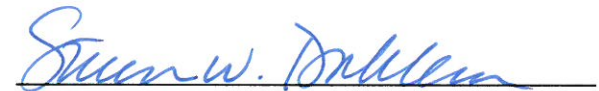


ATTEST:



RENE LaROCHE
Clerk of the Board

APPROVED AS TO FORM:



STEVEN W. DAHLEM
County Counsel