



Mariposa County

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5100 Bullion Street
<http://www.mariposacounty.org/>



MILES MENETREY, CHAIR
WAYNE FORSYTHE, VICE-CHAIR
ROSEMARIE SMALLCOMBE
SHANNON POE
DANETTE TOSO

DISTRICT V
DISTRICT IV
DISTRICT I
DISTRICT II
DISTRICT III

BOARD OF SUPERVISORS ACTION SUMMARY SPECIAL MEETING MINUTES MARCH 12, 2024

A. 3:31 PM Called to Order and Roll Call

3:31 PM Chair Menetrey called the order the special meeting. He noted that all supervisors are present.

Attendee Name	Title	Status	Arrived
Rosemarie Smallcombe	District I Supervisor	Present	3:31 PM
Shannon Poe	District II Supervisor	Present	3:31 PM
Danette Toso	District III Supervisor	Present	3:31 PM
Wayne Forsythe	District IV Supervisor	Present	3:31 PM
Miles Menetrey	District V Supervisor	Present	3:31 PM

B. Closed Session

Chair Menetrey read the closed session item. No public comment.

3:32 PM Chair Menetrey recessed the Board into closed session.

1. County Counsel

Closed Session Conference with Legal Counsel: Anticipated Litigation; Significant Exposure to Litigation Pursuant to Subdivision (b) of Government Code Section 54956.9; Number of Cases to be Discussed: 1

RESULT: CLOSED SESSION HELD

Report Out

4:23 PM Vice-Chair Smallcombe reconvened the special meeting, noting that Chair Menetrey was excused.

Vice-Chair Smallcombe reported noting information was received and Direction was given.

C. Adjournment

4:25 PM Vice-Chair Smallcombe adjourned the special meeting and noted for the listening public that the regular meeting of March 12th would reconvene shortly.

Respectfully submitted,

Danielle Bondshu
Clerk of the Board

Miles Menetrey
Chair, Board of Supervisors



MARIPOSA COUNTY

Board of Supervisors



MEETING: March 12, 2024
TO: The Board of Supervisors
FROM: Steve Dahlem, County Counsel
RE: Closed Session Conference with Legal Counsel: Anticipated Litigation; Significant Exposure to Litigation Pursuant to Subdivision (b) of Government Code Section 54956.9; Number of Cases to be Discussed: 1

RECOMMENDATION AND JUSTIFICATION

COUNTY OF MARIPOSA

AGENDA ITEM ROUTING FORM

SCHEDULED A CLOSED SESSION OF THE BOARD OF SUPERVISORS DURING THE COURSE OF THE MEETING

CONFERENCE WITH LEGAL COUNSEL:

[] Existing Litigation:

[] Disclosure will jeopardize existing settlement negotiations.

Anticipated Litigation

Significant exposure to litigation pursuant to subdivision (b) of Government Code section 54956.9.

Number of cases to be discussed: 1 (Attachment)

[] Initiating of litigation pursuant to subdivision (c) of Government Code section 54956.9.

Number of cases to be discussed:

[] **CONFERENCE WITH COUNTY LABOR NEGOTIATOR**

Name of Employee Organization: _____

Name of County Designated Representative: _____

Title(s) of unrepresented individuals with whom negotiations are being conducted: _____

[] **PUBLIC EMPLOYEE EMPLOYMENT TITLE OR POSITION TO BE FILLED:** _____

(Government Code Section 54957 (b) (1))

[] **PUBLIC EMPLOYEE PERFORMANCE EVALUATION**

Position of employee under review: _____

(Government Code Section 54954.5)

[] **PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE** (Government Code Section 54954.5)

[] **CONFERENCE WITH REAL PROPERTY NEGOTIATOR**

Description of real property: _____

Agency negotiator: _____

Closed session will concern: () price; () terms of lease/purchase.

[] **THREAT TO PUBLIC SERVICE FACILITIES**

Name of law enforcement agency involved: _____

Title of officer of law enforcement agency: _____

[] **LICENSE/PERMIT DETERMINATION**

License or Permit applied for: _____

Number of license or permit applicants: _____

Name of applicant(s): _____

BACKGROUND AND HISTORY OF BOARD ACTIONS

N/A

ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION

N/A

FINANCIAL IMPACT

N/A

ATTACHMENTS

1. Closed Session-Anticipated Litigation 6-13-23



May 1, 2023

DANIEL J. FOSTER
DIRECT DIAL: (916) 329-1746
DFOSTER@WILKEFLEURY.COM

VIA CERTIFIED MAIL RETURN RECEIPT REQUESTED

Dallin Kimble
County Administrative Officer
County of Mariposa
5100 Bullion Street
Mariposa, California 95338

Re: **Demand for Meet and Confer for Settlement of Issues in Dispute**
Mariposa County--Oak Fire Structural Debris and Hazard Tree Removal
Operations Contract 22-579

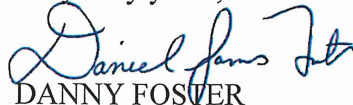
Dear Mr. Kimble:

This firm represents Bamford/Odin/P31 Joint Venture ("BOP") in connection with its December 21, 2022 claim and notice of dispute arising out of its performance under Mariposa County--Oak Fire Structural Debris and Hazard Tree Removal Operations Contract 22-579 (the "Project"). We are in receipt of the County of Mariposa's (the "County") February 22nd and April 17th denials of BOP's claim. Pursuant to Public Contracts Code section 9204(d)(2), BOP demands an informal conference to meet and confer for settlement of the issues in dispute.

As you are aware, the dispute consists of two distinct components. First, BOP contends that the County improperly refused to designate certain properties at the Project as commercial even though they qualified as such by the County's own standard. Accordingly, these thirteen properties were paid at the residential rate, not the commercial rate as they should have been. Additionally, BOP contends that with regard to re-scrapes, the limitations set forth in section 6.1.2.4.b did not apply to commercial re-scrapes.

We look forward to discussing the above issues, which remain unresolved, at the meet and confer conference. Please provide your availability during the next thirty days for a meeting with BOP principals to discuss the dispute. If you have any questions or concerns, please do not hesitate to contact me.

Very truly yours,



DANNY FOSTER

DJF:DJF

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