RECOMMENDED ACTION AND JUSTIFICATION:
Approve a 30-year land lease between Mariposa County and Yosemite Mountain Ranch (YMR). The property is triangular shaped and bounded by Summit Drive and Laurel Street and anchored at a point where Fish Camp Fire Station 33 is currently located.

The Fish Camp station’s current landlord, Yosemite Mountain Ranch (YMR) has agreed to lease less than three acres to Mariposa County for $1.00 per year for 30 years. YMR has commissioned and funded the necessary survey as well as completed the site logging plan as required by PRC 4584. Mariposa County will be receiving a suitable joint agency fire station site.

Direct Public Works to seek bid proposals for construction of a fire station on the leased property in Fish Camp. In order to plan appropriate funding strategies it is necessary to know the total cost of the project.

BACKGROUND AND HISTORY OF BOARD ACTIONS:
For over a decade, the Fish Camp Community and MCFD’s volunteer members have recognized the need for a new fire station. The current station is undersized, has no bathroom facilities or the capability to add a septic system. The current structure is unsound and the concrete floor is crumbling under the weight of an engine and water tender. The community has been fund-raising and currently has in excess of $200,000 to contribute to the project. YMR is desirous of providing a suitable location to build a new fire station and has outlined general terms acceptable to the fire department.

ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:
Forego an opportunity to meet fire protection and EMS needs in the Fish Camp area.
COUNTY of MARIPOSA
P.O. Box 784, Mariposa, CA 95338 (209) 966-3222

LYLE TURPIN, CHAIR
DIANNE A. FRITZ, VICE CHAIR
BRAD ABORN
JANET BIBBY
BOB PICKARD

DISTRICT II
DISTRICT IV
DISTRICT I
DISTRICT III
DISTRICT V

MARIPOSA COUNTY BOARD OF SUPERVISORS
MINUTE ORDER

TO: JIM WILSON, Fire Chief
SUPERVISOR PICKARD

FROM: MARGIE WILLIAMS, Clerk of the Board

SUBJECT: Approve a New Land Lease Agreement with Yosemite Mountain Ranch (YMR) for Fish Camp Fire Station Site and Direct the Public Works Director to Seek Bid Proposals for Construction of a Fire Station on the Leased Property in Fish Camp

RESOLUTION 08-436

THE BOARD OF SUPERVISORS OF MARIPOSA COUNTY, CALIFORNIA

ADOPTED THIS Order on September 9, 2008

ACTION AND VOTE:

Supervisor Pickard and Jim Wilson, Fire Chief;
Approve a New Land Lease Agreement with Yosemite Mountain Ranch (YMR) for Fish Camp Fire Station Site and Direct the Public Works Director to Seek Bid Proposals for Construction of a Fire Station on the Leased Property in Fish Camp

BOARD ACTION: Supervisor Pickard presented the request. Discussion was held with Jim Wilson/Fire Chief, and Dana Hertfelder/Public Works Director, relative to the project and timeframes and costs, the proposed land lease agreement and the use of the fire station, and relative to the bid process. Thomas P. Guarino/County Counsel responded to questions relative to the liability for damages section in the agreement and relative to other questions on the language in the agreement. Rick Benson/County Administrative Officer, responded to questions relative to the insurance requirements for the agreement. Supervisor Turpin clarified that General Fund dollars would not be used in developing the bid proposals.

Input from the public was provided by the following:

Mike McCreary referred to the lease agreement and his experience that unless something is specifically stated in the agreement, you do not get to do it. He feels the allowed uses of the fire station should be specifically stated and that the agreement should include the sublease/assignment for a joint powers agreement with the Forest Service, and that the definition of “continually” for staffing of the station should be included.

Ruth Shane stated she feels the idea of leasing property and constructing a building becomes messy at the end of the lease; and she suggested that consideration be given to the powers of eminent domain.

Jeanetta Phillips stated she agrees that all of the wording should be included in the agreement. She expressed concern that this project is being considered in light of the recent Proposition 218 process and the need for fire equipment. She noted that other fire stations are falling apart and the station for Yaqui Gulch area has not progressed. She expressed concern with the liability with fire fighters living at the station.
Further discussion was held. (M)Pickard, (S)Fritz, Res. 08-436 was adopted approving the land lease agreement with the following changes: 1) under 5. Use – “...or any other reason involving non safety related public assembly or recreation.” and 2) under 13. Exemption of Lessor from Liability – replace “member” with “lessee” and direction was given to Public Works to seek bid proposals for construction of a fire station on the leased property/Ayes: Aborn, Turpin, Fritz, Pickard; Noes: Bibby.

Cc: Chris Ebie, Auditor
   Richard J. Benson, CAO
   File