MARIPOSA COUNTY
BOARD OF SUPERVISORS

AGENDA ACTION FORM

DATE: May 9, 2006
AGENDA ITEM NO. CA-5

DEPARTMENT: Administration/Public Works
BY: Mike Coffield, Interim CAO
PHONE: 966-3222

RECOMMENDED ACTION AND JUSTIFICATION:

DUE TO SHORT NOTICE FROM THE RESOURCES AGENCY OF THE STATE OF CALIFORNIA, the Grant Application to the SIERRA NEVADA-CASCADE CONSERVATION GRANT PROGRAM will be available Friday, May 5, 2006 at noon.

Approve a grant application to the Sierra Nevada-Cascade Conservation Grant Program to acquire property for the extension of the Mariposa Creek Parkway. Property identified for acquisition commences at 8th Street at the vehicle weir crossing to Coakley Circle, via east side of the creek, as well as to Joe Howard Street. Staff is currently preparing the budget for the grant application, which will be available on Friday, May 5th.

Adopt a Resolution approving the application for grant funds for the Sierra Nevada-Cascade Grant Program and appoint the Chairman of the Board to conduct all negotiations, execute and submit all documents.

On April 27, 2006, a contingent from the Resources Agency of the State of California conducted a site visit of the project to verify both the project and Scope of Work identified in the grant proposal. During that visit, the Deputy Assistant Secretary of the Resources Agency suggested that the County of Mariposa apply to the Sierra Nevada-Cascade Conservation Grant Program to cover the property acquisition costs.

If funded, county staff will execute required documents, order project sign, complete preliminary work that includes biological, cultural, topographic, geotechnical and property surveys, some of which will need to be conducted at county cost.

The Mariposa Creek Parkway is consistent with the Mariposa Town Planning Area and the draft Mariposa County Parks and Recreation Master Plan. This grant is one of many applications to be pursued in order to complete the 3.5-mile Mariposa Creek Parkway.

BACKGROUND AND HISTORY OF BOARD ACTIONS:

On October 11, 2005, the Board of Supervisors approved a grant application to the Resources Agency of the State of California to construct approximately 0.4-mile non-motorized and ADA accessible trail commencing at 8th Street with two ingresses/egresses one at Coakley Circle and the other at Joe Howard Road.

The County of Mariposa has received the following grants:
1985 Urban Streams Restoration Grant with DWR
1988 State Park Bond Act
1988 State of California
1997 EEMPT Fund – tree planting project

The Mariposa Creek Parkway is consistent with the Mariposa Town Planning Area and the draft Mariposa County Parks and Recreation Master Plan. This California River Parkways Grant is one of many grants that will be pursued in the near future to complete the 3.5-mile Mariposa Creek Parkway.

Revised Dec. 2002
If not approved, this funding will not be available for the mariposa Creek Project.

Financial Impact? (x) Yes ( ) No  Current FY Cost:  
Budgeted In Current FY? ( ) Yes ( ) No ( ) Partially Funded  
Amount in Budget: $  
Additional Funding Needed: $3,500  
Annual Recurring Cost: $

List of Attachments, number pages consecutively  
Application, page 1-91  
Resolution, page 1-92

CLERK'S USE ONLY:  
Res. No.:  
Ord. No.:  
Vote – Ayes:  
Noes:  
Absent:  
Approved  
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

COUNTY ADMINISTRATIVE OFFICER:  
Requested Action Recommended  
No Opinion

Comments:

CAO:  

ml.Grants.Sierra Nevada-Cascade Conservation Grant APPLICATION.Action Form

Revised Dec. 2002
COUNTY of MARIPOSA
P.O. Box 784, Mariposa, CA 95338 (209) 966-3222

LEE STETSON, CHAIR
JANET BIBBY, VICE CHAIR
LYLE TURPIN
DIANNE A. FRITZ
BOB PICKARD

DISTRICT I
DISTRICT III
DISTRICT II
DISTRICT IV
DISTRICT V

MARIPOSA COUNTY BOARD OF SUPERVISORS
MINUTE ORDER

TO: MIKE COFFIELD, Interim County Administrative Officer
    DANA HERTFELDER, Public Works Director

FROM: MARGIE WILLIAMS, Clerk of the Board

SUBJECT: APPROVE A GRANT APPLICATION TO THE SIERRA NEVADA-CASCADE
CONSERVATION GRANT PROGRAM FOR ACQUISITION OF PROPERTY
FOR THE MARIPOSA CREEK PROJECT, PHASE III.

RESOLUTION 06-176

THE BOARD OF SUPERVISORS OF MARIPOSA COUNTY, CALIFORNIA

ADOPTED THIS Order on May 9, 2006

ACTION AND VOTE:

Consent Agenda item 5/grant application to Sierra Nevada-Cascade Conservation for the Mariposa Creek Trail project. Supervisor Bibby noted that substitute pages to the grant application were provided. Discussion was held with Marilyn Lidyoff, Administration/Business Development Coordinator and Gwen Foster, PWD/Engineer relative to the grant application and the project. Staff was commended for their work on this grant application. (M)Bibby, (S)Pickard, item 5 was approved, including authorization for the Chair to sign a letter relative to access to the Fiske property, subject to County Counsel, County Administrative Officer, and Public Works Director’s review/Ayes: Unanimous.

CA-5 Approve a Grant Application to the Sierra Nevada-Cascade Conservation Grant Program for Acquisition of Real Property for the Mariposa Creek Trail, Phase III

Cc: Marilyn Lidyoff, Business Development File
RESOLUTION NO. 05-176

A RESOLUTION OF COUNTY OF MARIPOSA
APPROVING THE APPLICATION FOR GRANT FUNDS FOR
THE SIERRA NEVADA-CASCADE CONSERVATION GRANT PROGRAM
UNDER THE WATER SECURITY, CLEAN DRINKING WATER,
COASTAL AND BEACH PROTECTION ACT OF 2002 (Proposition 50); AND
APPOINT CHAIRMAN OF THE BOARD TO CONDUCT ALL NEGOTIATIONS,
EXECUTE AND SUBMIT ALL DOCUMENTS

WHEREAS, the Legislature and Governor of the State of California have provided Funds for the program shown above; and

WHEREAS, the Resources Agency has been delegated the responsibility for the administration of this grant program, establishing necessary procedures; and

WHEREAS, said procedures established by the Resources Agency require a resolution certifying the approval of application(s) by the Applicants governing board before submission of said application(s) to the State; and

WHEREAS, the Applicant, if selected, will enter into an agreement with the State of California to carry out the Acquisition

NOW, THEREFORE, BE IT RESOLVED that the County of Mariposa

1. Approves the filing of an application for the Mariposa Creek Acquisition - Phase III;

2. Certifies that Applicant understands the assurances and certification in the application, and

3. Certifies that Applicant or title holder will have sufficient funds to operate and maintain the Resources(s) consistent with the long-term management proposal submitted in support of this application; or will secure the resources to do so, and commit to $3,500 toward acquisition project; and

4. Certifies that the Applicant will comply, if applicable, with the provisions of Section 1771.8 of the State Labor Code regarding payment of prevailing wages on Projects awarded Proposition 50 Funds, and

5. Appoints the Chairman of the Board, or designee, as agent to conduct all negotiations, execute and submit all documents including, but not limited to applications, agreements, payment requests and so on, which may be necessary for the completion of the aforementioned Acquisition(s).
APPROVED AND ADOPTED the 9th day of May 2006. I, the undersigned, hereby certify that the foregoing Resolution Number #2206 was duly adopted by the County of Mariposa.

Following Roll Call Vote:  
Ayes: STETSON, TURPIN, BIBBY, FRITZ, PICKARD  
Noes: NONE  
Absent: NONE

Lee Stetson, Chairman of the Board

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

Thomas P. Guarino, County Counsel

STATE OF CALIFORNIA  
County of Mariposa

ATTEST:

Margie Williams, Clerk of the Board
May 26, 2006

Stan Bajorin
Deputy Assistant Secretary
State of California
Resources Agency
1416 Ninth Street, Suite 1311
Sacramento, CA 95814

Project: California River Parkways Program Grant Application – Mariposa Creek Parkway-Phase III – site visit

Dear Mr. Bajorin:

It was a pleasure meeting you on April 27, 2006. During your site visit to Mariposa County, an issue was raised by the Resources Agency team about access issues to the Fiske property, APN 012-140-037, and 13-130-35.

Please be advised that the County of Mariposa has already taken its first step in collaborating with the Fiske Family as the Mariposa Creek Parkway Phase-III Project was moved to the east side of the creek. The trail is envisioned to remain on the east side of the creek between 8th Street to Joe Howard Street. Further, the County of Mariposa shall collaborate with the Fiske property owner in developing the parkway project design. To that end, attached is a letter addressed to Mr. William S. Fiske regarding acquisition of land to pursue construction of 0.4-mile trail. If I can be of future assistance, please do not hesitate to contact me at (209) 966-3222, Marilyn Lidyoff, Business Development Coordinator at (209) 742-1229, or Gwen Foster, Associate Engineer at (209) 966-5356.

Sincerely,

Lee Stetson
Chairman of the Board of Supervisors

Enclosures (1)
ml grants Prop 50 Calif River Parkways Final Grant Application 2 access
May 25, 2006

William S. Fiske
Attorney At Law
1060 Fulton Mall, Suite 716
Fresno, CA 93721

Dear Mr. Fiske,

This letter serves as a follow up to our telephone conversation on May 16, 2006, regarding the expansion of the Mariposa Creek Parkway – Phase III. Upon award of a sufficient grant funds from the State of California Resources Agency, the County of Mariposa shall purchase a portion of property, APN 012-140-037 and 13-130-35, at either below or Fair Market Value to construct a non-motorized and ADA accessible trail along the Mariposa Creek Parkway (Phase III) in the town of Mariposa. The acquisition shall encompass property between 8th Street at the vehicle weir crossing Joe Howard Street. The proposed project is to build approximately 0.4-mile trail on the east side of the creek above the Ordinary High Water (OHW) mark.

While the County cannot offer any assurances to access on your future hillside property development, we are nonetheless very grateful for your willingness to sell a portion of the property for this worthy community endeavor. In the event that your vision to develop the adjacent hillside is pursued, I have provided a partial inventory of issues that need to be addressed prior to future development of the hillside property.

- Steep hillside topography;
- Subdivision access;
- Residential access;
- Possible commercial driveway access;
- Drainage crossing/Fish and Game/ floodway and floodplain issues – easement and alignment issues;
- Existing topography on project site and extent of grading (relating to width of road or driveway) needs to be considered relative to specific plan grading standards, which limit heights of cuts and fills;
- Proposed use would affect applicability of specific plan standards;
- Cultural resources;

An Equal Opportunity Employer
• Botanical resources;
• Oaks; and
• Wetlands

Again, while the above topics are not all-inclusive, it is a partial inventory to utilize when launching the development process of the hillside property.

Further, we are requesting your participation as a design team member, as the Mariposa Creek Project moves forward.

If you have any questions regarding this letter, please do not hesitate to contact me at (209) 742-1229. Thank you.

Sincerely,

Marilyn Lidyoff
Business Development Coordinator

Cc: Mike Coffield, Interim CAO
Dana Hertfelder, Public Works Director
Gwen Foster, Associate Engineer
Kris Schenk, Planning Director
Sarah Williams, Deputy Planning Director