MARIPOSA COUNTY BOARD OF SUPERVISORS

MINUTE ORDER

TO: JEFF GREEN, COUNTY COUNSEL
FROM: MARGIE WILLIAMS, CLERK OF THE BOARD
RE: MARIPOSA PARKING LOT LEASE - GARBER

THE BOARD OF SUPERVISORS OF MARIPOSA COUNTY, CALIFORNIA

ADOPTED THIS Order on February 9, 1993

ACTION AND VOTE:

Resolution Amending the Garber Lease Agreement by Increasing Rent for the 6th Street Parking Lot, Effective 11/1/92, and Directing Auditor to Pay Retroactive Rent (County Counsel)
BOARD ACTION: (M)Parker, (S)Baggett, Res. 93-91 adopted amending the lease agreement as recommended, and appropriating $3,200.00 from Reserve for Contingencies for the increase in the rent; and directing staff to review future funding methods/Ayes: Baggett, Balmain, Erickson, Parker; Abstained: Taber.

cc: Evelyn Billings, Auditor
    Supervisor Erickson
    Supervisor Parker
    Mike Edwards, Interim Public Works Director
    File
MARIPOSA PARKING DISTRICT

RECOMMENDED ACTION AND JUSTIFICATION: (Policy Item: Yes ___ No X)
Pass and adopt this Resolution amending the Lease Agreement with the Garbers by increasing the rent for the 6th Street parking lot from $300.00 to $800.00 per month effective November 1, 1992. The requested increase is based upon an appraisal of the property dated March 24, 1992. Monies to accommodate this increase will be taken from the Parking District fund, which is currently used for the lease payments, and the overage will come from a fund to be identified by the Board. The Board-appointed committee, consisting of County Counsel and the Supervisors from District III and District IV, believes that it is in the public's interest to maintain this property as a parking structure which is utilized by the employees of downtown merchants and tourists.

Further direct the Auditor to pay to the Garbers the additional rent for the months of November and December, 1992 and January and February, 1993.

Additionally, authorize the committee to determine if the Garbers are interested in a sale of the property to the County or the Parking District. Also, direct the committee to determine if it would be possible to increase the assessment of the property to cover the additional $400.00 rent and how this could be accomplished.

A copy of the original Lease Agreement, a copy of the appraisal, and a copy of a letter from H. John Garber requesting the lease payment increase are attached hereto.

BACKGROUND AND HISTORY OF BOARD ACTIONS:
On October 27, 1992, the Board directed Counsel and the Supervisors from District III and IV to commence negotiations with the Garbers relative to the increase of rent for the 6th Street parking lot.

LIST ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:
Continue negotiations with the Garbers.

COST: ( ) Not Applicable
A. Budgeted current FY $3,600
B. Total anticipated costs $9,600
C. Required add'l funding $6,000
D. Internal Transfers $

SOURCE: ( ) 4/5ths Vote Required
A. Unanticipated revenues $
C. Reserve for contingencies $
D. Source Description: To be identified by the Board

Balance in Reserve for Contingencies, if approved: $

SPECIAL INSTRUCTIONS:
List the attachments and number the pages consecutively:
Original Lease Agreement
Appraisal
Letter from H. John Garber (dated November 18, 1992)
CLERK'S USE ONLY:
Res. No.: 93-91 Ord. No.: ______
Vote: Ayes: _____ Noes: _____

Absent: _____ Abstained: _____
( ) Approved ( ) Denied
(✓) 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 of Supervisors
County of Mariposa, State of Calif.
By: ________________________

Deputy

ADMINISTRATIVE OFFICER'S
RECOMMENDATION:
This item on agenda as:

( ) Recommended
( ) Not Recommended
( ) For Policy Determination
( ) Submitted with Comment
( ) Returned for Further Action

Comment: _______________________

_________________________________

_________________________________

A.O. Initials: ______________________

Action Form Revised 5/92
COUNTY OF
MARIPOSA

BUDGET ACTION FORM

DEPT/DIV: County Counsel CONTACT: Jeffrey G. Green
DATE: 2/9/93 PHONE: 209/966-3625

ACTION REQUESTED: (Check All That Apply)

✓  Budget appropriation by Board of Supervisors (4/5ths Vote Required): Amending the total amount available in the County budget, or in any one fund of the budget, or appropriating Reserve for Contingencies;

✓ Transfer by Board of Supervisors (3/5ths Vote Required): Moving existing appropriations from one budget to another, or between categories within a budget unit;

( ) Transfer by Administrator: Moving existing appropriations within a single budget category between line items (i.e. services and supplies, etc.)

( ) Transfer by Auditor: Moving salaries between line items to accommodate variances internal to salaries; OR transfers within the County budget under $50.00 to accommodate minor variations from the budget.

<table>
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<tr>
<th>FUND/DEPT/ACCT NO.</th>
<th>LINE ITEM DESCRIPTION</th>
<th>AMOUNT (FROM)/TO</th>
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<tr>
<td>General Contingency</td>
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<td>TO</td>
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<tr>
<td>Mariposa Parking Contribution</td>
<td>001-750-5-017</td>
<td>$3,200</td>
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Justification: The increase in rent for the 6th Street parking lot is justified based upon the appraisal provided by John Garber. In addition thereto, it is in the public's interest to maintain this property as a parking structure.

Department Head Signature: 

Approved By: Res. No. 93-9 Clerk: 

Administrator: 

Auditor: 

AUDITOR'S USE ONLY:

Description: 

Transfer No.: 

B.R. No.: 

Budget Action Form Revised 5/92