RESOLUTION - ACTION REQUESTED 2020-360

MEETING: June 23, 2020

TO: The Board of Supervisors

FROM: Dallin Kimble, County Administrative Officer

RE: Adopt a Resolution of Intention to Purchase the Pfremmer Property

RECOMMENDATION AND JUSTIFICATION:

Adopt a Resolution of Intention to Enter into an Agreement to Purchase the Real Property Identified as Assessor’s Parcel Numbers 012-340-005, 012-140-062, 012-140-065, 012-140-064, 012-140-017, 012-140-063, 012-140-016, 012-140-022, and 012-140-023 for the Development of the Mariposa Creek Parkway, a Mosaic Fuel Break and Similar Uses Related to Conservation, Recreation and Fire Prevention.

The nine contiguous parcels referenced here accumulate to approximately 187 acres in the northern portion of the town of Mariposa. The seller has accepted an offer of $699,000 with an earnest money deposit of $20,000, a 60-day escrow period, and the possibility of a 30-day escrow extension for due diligence. Final purchase is contingent on financing and Board approval.

Once acquired, the County intends to extend the Mariposa Creek Parkway from its current end at 8th Street through this and other property to an area near the intersection of Highway 49 and Frank Wilson Road. Other trails could also be developed on the site and careful vegetation management could create a shaded fuel break as a barrier against a future blaze in the footprint of the Detwiler Fire. A portion of the property could also be resold for housing or other economic development.

Grant financing and private partner options are still being pursued. If County funds are needed, the Board has identified the MID Settlement Fund dollars for the purchase of this property.

Approval of this item begins a required noticing period. Final approval of the transaction would come before the Board on July 21st.

A Resolution of Intention was adopted on May 19, 2020, by Resolution 2020-260. The adoption of a new resolution is being requested at this time to change the date of the proposed final approval of the purchase and to meet the required public noticing requirements pursuant to Government Code sections 25350 and 6063, this Notice of Intention shall be published in a newspaper of general circulation in the County of Mariposa once a week for three successive weeks prior to the time the Board of Supervisors meets to consider entering into the Agreement.
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BACKGROUND AND HISTORY OF BOARD ACTIONS:
The Property was identified in the 1980s as the likely site of the Mariposa Creek Parkway. It has been available for sale for approximately two years.

On December 17, 2019, the Board approved an agreement with Sierra Foothill Conservancy to acquire this and three additional properties for the Mariposa Creek Parkway.

On March 10 and April 7, 2020, the Board held closed sessions to discuss the acquisition of this property including negotiating the terms of purchase. The Board directed staff to submit an offer and counter offer on the property.

On May 5, 2020, the Board approved a budget action moving dollars within the MID Settlement Fund to facilitate a purchase.

ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:
Do not approve this resolution. The County will not buy this property or staff will require additional direction.

ATTACHMENTS:
Pfremmer Resolution of Intention to Purchase (DOCX)
Vacant Land Purchase Agreement and Joint Escrow Instructions - 1218 (PDF)
Seller Counter Offer #1 - 11_14 (PDF)
Buyer Counter Offer #1 (PDF)
Preliminary Title Report (PDF)
M30987 Map (PDF)
190626_Mariposa_ConnectivityStrategy (PDF)

RESULT: ADOPTED [UNANIMOUS]
MOVER: Merlin Jones, District II Supervisor
SECONDER: Miles Menetrey, District V Supervisor
AYES: Smallcombe, Jones, Long, Cann, Menetrey
MARIPOSA COUNTY RESOLUTION 20-360

RESOLUTION OF INTENTION TO PURCHASE REAL PROPERTY

WHEREAS, Government Code Section 25350 requires the Board of Supervisors to provide notice of its intention to purchase real property in excess of $50,000; and

WHEREAS, the Board of Supervisors has determined that it is in the public interest to purchase real property located in Mariposa, California, and identified as Assessor’s Parcel Numbers 012-340-005, 012-140-062, 012-140-065, 012-140-064, 012-140-017, 012-140-063, 012-140-016, 012-140-022, and 012-140-023 (the “Property”), consisting of approximately 187 acres, for the development of the Mariposa Creek Parkway, a mosaic fuel break and similar uses related to conservation, recreation and fire prevention; and

WHEREAS, the owners of the property, Robert Dale and Cloys Pfremmer, desire to sell the Property to the County for the price of Six Hundred Ninety-Nine Thousand Dollars; and

WHEREAS, the purchase is contingent upon securing financing and Board approval.

NOW THEREFORE, BE IT RESOLVED that the Mariposa County Board of Supervisors hereby gives notice of its intention to enter into a Commercial Property Purchase Agreement (“Agreement”) to purchase the Property upon the terms and conditions set forth in the Agreement, a copy of which is available for inspection at the office of the Clerk of the Board located at 5100 Bullion Street, Mariposa, California.

BE IT FURTHER RESOLVED that a public meeting shall be scheduled on Tuesday, July 21, 2020, at 9:00 AM or as soon thereafter as the matter may be heard in the Board of Supervisors meeting room located at 5100 Bullion Street, Mariposa, California, for the Board of Supervisors to consider entering into the Agreement.

BE IT FURTHER RESOLVED that, pursuant to Government Code sections 25350 and 6063, this Notice of Intention shall be published in a newspaper of general circulation in the County of Mariposa once a week for three successive weeks prior to the time the Board of Supervisors meets to consider entering into the Agreement.

PASSED AND ADOPTED this 23rd day of June 2020 by the following vote:

AYES: SMALLCOMBE, JONES, LONG, CANN, MENETREY
NOES: NONE
ABSENT: NONE
ABSTAIN: NONE

Kevin Cann, Board Chair

ATTEST:
René LaRoche, Clerk of the Board

APPROVED AS TO FORM:
Steven W. Dahlem, County Counsel