RESOLUTION - ACTION REQUESTED 2020-430

MEETING: July 21, 2020
TO: The Board of Supervisors
FROM: Dallin Kimble, County Administrative Officer
RE: Resolution of Intention to Purchase the Fiske 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 (APNs) 012-140-034, 012-140-039, 012-143-004, 013-130-078, and 013-230-053, for the Development of the Mariposa Creek Parkway, a Mosaic Fuel Break and Similar Uses Related to Conservation, Recreation and Fire Prevention.

The five parcels listed above (APNs 012-140-034, 012-140-039, 012-143-004, 013-130-078, and 013-230-053) accumulate to 167.84 acres near 8th Street and the Mariposa Creek owned by Bill Fiske. The seller has accepted an offer of $600,000 for this property. The County will contribute $37,700 toward the purchase and closing costs of this property.

Sierra Foothill Conservancy (SFC) has secured grant funding for these acquisitions through the Sierra Nevada Conservancy (SNC) Strategic Lands Conservation Program. Although the County offered up to a $60,000 match when the grant application was submitted, SFC has negotiated for a reimbursement of $30,000 of the aforementioned contribution leaving the County with a net contribution of $7,700. These funds are available in the MID Settlement Fund.

The five parcels identified here are critical to the extension of the Mariposa Creek Parkway from its current terminus at 8th Street to Joe Howard Street in Mariposa. The extension will provide safer pedestrian and bicycle access to locations from Joe Howard Street to the southern intersection of Highways 140 and 49.

In addition, the Mariposa Creek Parkway Master Plan effort has revealed these parcels as catalysts to achieving a range of community benefits that had not previously been identified including a larger network of recreational trails, strategic opportunities for vegetation management and hazardous fuel reduction, enhanced water quality and protected wildlife habitat.

Approval of this item begins a required noticing period. Final approval of the transaction would come before the Board on August 18th.
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Staff finds this action to be in harmony with the County strategic plan, general plan and Mariposa Creek Parkway Master Plan. With gratitude to SNC, SFC, and other stakeholders that have worked diligently on this acquisition, staff recommends approval at this time.

BACKGROUND AND HISTORY OF BOARD ACTIONS:
The County adopted the Mariposa Creek Parkway Project as a project via Resolution 1988-60 and thereafter incorporated a planned alignment and overall concept for development of an integrated Parkway system as Figure 31 within the Mariposa Town Plan adopted via Resolution 1992-38.

The 2016-2017 Overall Work Program (OWP) approved via LTC Resolution 2017-6 on February 28, 2017 referenced Phase 3 of this project as Work Element 9.

The LTC adopted Resolution 2017-7 on March 14, 2017 approving the Mariposa Transportation Center Feasibility Study - Phase I. The Transportation Center Study references completion of Phase/Segment 3 of the Mariposa Creek Parkway.

On August 8, 2017 the LTC adopted Resolution 2017-14, approving the Mariposa Creek Parkway Phase III Concept Plan and Phase I and II Enhancement Program ("the Plan").

On February 13, 2018 the LTC adopted Resolution 2018-8, authorizing submittal of an application for a Caltrans FY 2018-29 Transportation Planning grant to complete a master plan for the Mariposa Creek Parkway. This grant was awarded, and has resulted in the development of a comprehensive master plan for the Mariposa Creek corridor.

On July 9, 2019, the Board approved Resolution 2019-406, which authorized the submission of a grant application for funding to acquire the parcels listed here, and committed $60,000 as match funding for the grant.

Sierra Nevada Conservancy notified the County that the grant application would be awarded on February 21, 2020.

ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:
Do not approve this resolution. The County will not buy this property or staff will require additional direction. SNC may be reluctant to award grants to the County in the future.

ATTACHMENTS:
Fiske Letter of Intention Resolution (DOCX)
190626_Mariposa_ConnectivityStrategy (PDF)
Green Infrastructure Award Letter (PDF)
Green Infrastructure Program Press Release(PDF)
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RESULT: ADOPTED AS AMENDED [UNANIMOUS]
MOVER: Merlin Jones, District II Supervisor
SECONDER: Rosemarie Smallcombe, District I Supervisor
AYES: Smallcombe, Jones, Long, Cann, Menetrey
MARIPOSA COUNTY RESOLUTION 20-430

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 acquire real property located in Mariposa, California, and identified as Assessor’s Parcel Numbers 012-140-034, 012-140-039, 012-143-004, 013-130-078, and 013-230-053 (the “Property”), consisting of approximately 167.84 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 Board has contracted with Sierra Foothill Conservancy to leverage grant funding to acquire the aforementioned properties; and

WHEREAS, the Sierra Foothill Conservancy has agreed to a purchase price of six hundred thousand dollars ($600,000) with Mr. William Fiske and Mr. Emmett Fiske, the current owners of the property; and

WHEREAS, the Sierra Foothill Conservancy desires to transfer the Property to the County upon acquisition; and

WHEREAS, the County of Mariposa will contribute thirty seven thousand seven hundred dollars ($37,700) toward the purchase, closing costs, and post-closing performance measures of which thirty thousand dollars ($30,000) will be reimbursed; and

WHEREAS, the transfer is contingent upon Board approval.

NOW THEREFORE, BE IT RESOLVED that the Mariposa County Board of Supervisors hereby gives notice of its intention to enter into a Real Property Transfer Agreement (“Agreement”) to transfer title to 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, August 18, 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 21st day of July 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
COUNTY of MARIPOSA
P. O. Box 784, Mariposa, CA 95338 (209) 966-3222

KEVIN CANN, CHAIR
MARSHALL LONG, VICE-CHAIR
ROSEMARIE SMALLCOMBE
MERLIN JONES
MILES MENETREY

MARIPOSA COUNTY BOARD OF SUPERVISORS
MINUTE ORDER

TO: DALLIN KIMBLE/County Administrative Officer
FROM: RENÉ LaROCHE/Clerk of the Board

SUBJECT: Adopt a Resolution of Intention to Enter into an Agreement to Purchase the Real Property Identified as Assessor’s Parcel Numbers (APNs) 012-140-034, 012-140-039, 012-143-004, 013-130-078, and 013-230-053, for the Development of the Mariposa Creek Parkway, a Mosaic Fuel Break and Similar Uses Related to Conservation, Recreation and Fire Prevention

RESOLUTION: 2020-430

The following action was taken by the Mariposa County Board of Supervisors on July 21, 2020:

6. Administration  RES-2020-430
Adopt a Resolution of Intention to Enter into an Agreement to Purchase the Real Property Identified as Assessor’s Parcel Numbers (APNs) 012-140-034, 012-140-039, 012-143-004, 013-130-078, and 013-230-053, for the Development of the Mariposa Creek Parkway, a Mosaic Fuel Break and Similar Uses Related to Conservation, Recreation and Fire Prevention

Dallin Kimble gave the staff report. Steve Dahlem/County Counsel responded to a question of Mr. Kimble advising that to meet the entire 21 day noticing requirement the item will have to be heard on August 25th. Bridget Fithian spoke in support of this item during Public input. Board discussion ensued.

AMENDMENT: Move the date of the public hearing from August 18th to August 25th.

RESULT: ADOPTED AS AMENDED [UNANIMOUS]
MOVER: Merlin Jones, District II Supervisor
SECONDER: Rosemarie Smallcombe, District I Supervisor
AYES: Smallcombe, Jones, Long, Cann, Menetrey