RECOMMENDED ACTION AND JUSTIFICATION:

Authorize the County Administrative Officer or his designee to proceed on the acquisition of land in connection with the Mariposa Creek Parkway Extension Project. Negotiations will take place with property owners, Honeywell, Bridges and Dubberke.

BACKGROUND AND HISTORY OF BOARD ACTIONS:

On October 11, 2005, the Board of Supervisors approved the California River Parkways Grant Application submitted to the State of California Resources Agency for the Mariposa Creek Parkway Phase III Project to design, develop and construct a section of a non-motorized and ADA accessible trail commencing at the pedestrian bridge located at 8th Street. See attached report.

ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

If the Board does not approve this request, then funds will be disencumbered by the Resources Agency causing the project to be terminated.

Financial Impact? (x) Yes ( ) No  Current FY Cost: $300,000  Annual Recurring Cost: $

Budgeted In Current FY? (x) Yes ( ) No ( ) Partially Funded

Amount in Budget: $Adj

Additional Funding Needed: $Adj

Source: General Fund

Resolution 05-487, Exhibit “A”, page 1

Map of proposed trail, Exhibit “B”, page 2

Tentative parcels to be acquired, Exhibits “C-F”, pages 3-6

Internal Transfer

Unanticipated Revenue

Transfer Between Funds

Contingency

4/5’s vote

4/5’s vote

4/5’s vote

( ) General ( ) Other

CLERK’S USE ONLY:

Res. No.: 1D-285  Ord. No. ______

Vote – Ayes: 5  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. Prop 50 Calif River Parkways: Agenda Transmittal Form 6.2010

Revised Dec. 2002
BACKGROUND AND HISTORY OF BOARD ACTIONS:
On October 11, 2005, the Board of Supervisors approved the California River Parkways Grant Application submitted to the State of California Resources Agency for the Mariposa Creek Parkway Phase III Project to design, develop and construct a section of a non-motorized and ADA accessible trail commencing at the pedestrian bridge located at 8th Street. In addition, Resolution No. 05-487 was adopted by the Board of Supervisors approving the application for grant funds for the California River Parkways Grant Program along with appointing the County Administrative Officer or designee, as agent to conduct negotiations, execute and submit all documents for the completion of the project - Exhibit “A”.

At the same meeting referenced above, the Board of Supervisors approved the trail system that commences at 8th Street and terminates at Coakley Circle immediately behind NAPA Auto Parts Store (map of route – Exhibit “B”).

On July 17, 2006, State of California Resources Agency notified the County of Mariposa of the grant award to complete the acquisition phase of the project.

On December 11, 2006, the County executed a Grant Agreement in the amount of $300,000 with the State of California Resources Agency for the Mariposa Creek Parkway Acquisition Project.

On September 9, 2008, an appraisal was completed by Yale-Kehoe Associates to determine the fair market value of the properties targeted for acquisition. Owners of the proposed properties to be acquired include John W. Honeywell; Evelyn E. Fiske; Dubberke Family Trust Agreement dated August 3, 1993; and Lester N. and Barbara A. Bridges, 2002 Revocable Family Trust.

At this juncture, staff is requesting direction from the Board of Supervisors to proceed on the acquisition of land owned by property owners identified below (Exhibits “C-F”).

- Honeywell Property - APN# 013-130-045/0.14 acres;
- Bridges Property - APN# 013-240-022/0.12 acres; and
- Dubberke Property - APN# 013-240-023/0.18 acres and a portion of 0.11 acres on same APN)

In addition to the request to acquire properties from the three property owners identified above, staff is requesting to continue the negotiation process on the acquisition of the Fiske Property.

The Mariposa Creek Parkway is consistent with the Mariposa Town Planning Area and the draft Mariposa County Parks and Recreation Master Plan.

ml.Prop 50 Calif River Parkways: Agenda Trans Form 6.2010a
RESOLUTION NO. 05-487

A RESOLUTION OF COUNTY OF MARIPOSA
APPROVING THE APPLICATION FOR GRANT FUNDS FOR
THE CALIFORNIA RIVER PARKWAYS GRANT PROGRAM UNDER THE
WATER SECURITY, CLEAN DRINKING WATER,
COASTAL AND BEACH PROTECTION ACT OF 2002 (Proposition 50); AND
APPOINT DESIGNEE AS AGENT 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 State 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 Project

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

1. Approves the filing of an application for the Mariposa Creek Parkway-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 Project(s) consistent with the land tenure requirements; or will secure the resources to do so, and

4. Certifies that it will comply 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. If applicable, certifies that the Project will comply with any laws and regulations including, but not limited to, legal requirements for building codes, health and safety codes, disabled access laws, and, that prior to commencement of construction, all applicable permits will have been obtained, and

6. Appoints the County Administrative Officer, 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 Project(s).

APPROVED AND ADOPTED the __11th__ day of __October__ 2005__, I, the undersigned, hereby certify that the foregoing Resolution Number __05-487__ was duly adopted by the County of Mariposa.

Following Roll Call Vote:

Ayes: 5
Noes: 0
Absent: 0

[Signature]
Bob Pickard, Chairman of the Board

APPROVED AS TO FORM AND LEGAL SUFICIENCY:

[Signature]
Thomas P. Guarino, County Counsel

STATE OF CALIFORNIA
County of Mariposa

ATTEST:

[Signature]
Margie Williams, Clerk of the Board

[Signature]
[Name]
