RECOMMENDED ACTION AND JUSTIFICATION:

Lake Don Pedro County Service Area 1-M.
Pass and adopt the attached Resolution declaring the Board's intent to lease real property located in the Lake Don Pedro 1-M Area. This property has been used for grazing purposes by Robert Cree, who entered into an Agreement with the County for a 3 year period expiring on March 30, 2007. It is the Board's intention to re-publicize the solicitation of bids; the property will be leased to the highest bidder at a public meeting to be held on April 24, 2007. It is requested that the Board select a minimum bid price to be set based on the estimated lease values provided below by the Assessor, Farm Advisor, and Agricultural Commissioner. It is recommended that the maximum term be set at three years, and that the Lessee pay the associated costs to lease the property. Sealed proposals will be accepted until noon on April 20, 2007.

BACKGROUND AND HISTORY OF BOARD ACTIONS:

The subject property has been leased since 1978. The current lease was entered into with Robert Cree in 2004.

On February 20, 2007 the Board directed staff to proceed with re-publicizing the grazing lease for a three year period.

The estimated lease value is as follows:
- County Assessor $1,620
- Farm Advisor $2,495
- Agricultural Commissioner $2,673

Publication costs are estimated at $500. Funding shall be provided by the Public Works Department.

ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:
- Lease the property for grazing purposes.
- Sell the property.

Financial Impact? [ ] Yes  [ ] No  Current FY Cost: $
Budgeted In Current FY? [ ] Yes  [ ] No  [ ] Partially Funded
Amount in Budget: $  
Additional Funding Needed: $  
Source:
Internal Transfer
Unanticipated Revenue 4/5's vote
Transfer Between Funds 4/5's vote
Contingency 4/5's vote
( ) General  ( ) Other

Annual Recurring Cost: $  
List Attachments, number pages consecutively
Resolution of Intention
Map from Public Works as Exhibit "A"
Blank Lease Agreement Form as Exhibit "B"
E-mail from Assistant Assessor
Memo from the Farm Advisor
Memo from the Agricultural Advisor w/Attachments

CLERK'S USE ONLY:  
Res. No.: 92-51  Ord. No. _____  
Vote – Ayes: 5  Noes: _____
Absent: ___  Approved ___  Minute Order Attached ( ) No Action Necessary

COUNTY ADMINISTRATIVE OFFICER:  
Requested Action Recommended  
No Opinion
Comments:  

Revised Dec. 2002
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

CAO: ____________________________________
MARIPOSA COUNTY RESOLUTION NO. 07-99
COUNTY SERVICE AREA 1M (LAKE DON PEDRO) RESOLUTION NO. 57-1

RESOLUTION OF INTENTION TO LEASE REAL PROPERTY

WHEREAS, the County of Mariposa is the owner of certain real property described as Parcels 1 and 2 in Area 1M of Lake Don Pedro consisting of approximately 162 acres and more particularly described on the map marked Exhibit “A” attached hereto, and

WHEREAS, the property is useful for cattle grazing, and

WHEREAS, the County has leased the property in the past for cattle grazing,

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of Mariposa County hereby declares its intention to lease the above-described real property for the purpose for grazing rights.

BE IT FURTHER RESOLVED that the County shall lease the property to the highest bidder at a public meeting of the Board of Supervisors to be held on April 24, 2007 at the County Government Center in Mariposa County, at which time sealed proposals to lease the property will be received and considered.

BE IT FURTHER RESOLVED that the minimum lease price for the term of three (3) years shall be the sum of TWO THOUSAND TWENTY-FIVE DOLLARS ($2,025) per year plus cost of publication not to exceed FIVE HUNDRED DOLLARS ($500).

BE IT FURTHER RESOLVED that any party interested in bidding on the lease of the above property shall provide a sealed proposal to the Board of Supervisors to be received no later than noon on April 20, 2007.

BE IT FURTHER RESOLVED that any lease of the property will include a hold harmless indemnity clause and insurance sufficient to protect County. The lease form is attached hereto and marked Exhibit “B” to the Resolution.

BE IT FURTHER RESOLVED that a notice of adoption of this Resolution shall be posted in three public places in the County not less than fifteen (15) days before the day of the meeting wherein sealed bids will be opened and, further, a notice, together with a copy of this Resolution, shall be published in a newspaper of general circulation in the County for one time each week for a period of three (3) weeks prior to the meeting wherein the proposals will be opened pursuant to Government Code Section 6063.

PASSED AND ADOPTED by the Mariposa County Board of Supervisors this 20th day of March, 2007 by the following vote:

AYES: ABORN, TURPIN, BIBBY, FRITZ, PICKARD
NOES: NONE
ABSENT: NONE
ABSTAINED: NONE

JANET BIBBY, Chair
Board of Supervisors

THOMAS P. GÁVARINO, County Counsel

MARGIE WILLIAMS, Clerk of the Board

APPROVED AS TO FORM:
COUNTY of MARIPOSA

P.O. Box 784, Mariposa, CA 95338 (209) 966-3222

JANET BIBBY, CHAIR
LYLE TURPIN, VICE CHAIR
BRAD ABORN
DIANNE A. FRITZ
BOB PICKARD

MARIPOSA COUNTY BOARD OF SUPERVISORS
MINUTE ORDER

TO: THOMAS P. GUARINO, County Counsel
FROM: MARGIE WILLIAMS, Clerk of the Board

SUBJECT: Adopt a Resolution Declaring the Board’s Intent to Lease Real Property Located in the Lake Don Pedro 1-M Area

RESOLUTION 07-99

THE BOARD OF SUPERVISORS OF MARIPOSA COUNTY, CALIFORNIA

ADOPTED THIS Order on March 20, 2007

ACTION AND VOTE:

Adopt a Resolution Declaring the Board’s Intent to Lease Real Property Located in the Lake Don Pedro 1-M Area (County Counsel)

BOARD ACTION: Thomas P. Guarino, County Counsel, initiated discussion relative to consideration of continuing the leasing of property located in Lake Don Pedro for grazing.

Input from the public was provided by the following:

Paul Chapman stated he feels that $12.50 per acre is a fair price.

Further discussion was held. Supervisor Bibby asked why the Assessor could not place an APN number on the parcel, and she advised that she will follow-up with the Assessor on this. (M)Turpin, (S)Fritz, Board Res. 07-99 was adopted and County Service Area 1M (Lake Don Pedro) Res. 07-1 was adopted setting the minimum bid at $12.50 an acre annually for a three-year lease, plus costs not to exceed $500/Ayes: Unanimous.

Cc: Dana Hertfelder, Public Works Director
File
NOTICE

The Board of Supervisors of Mariposa County, hereby declares its intent to lease real property located in the Lake Don Pedro 1-M area for the purpose of grazing rights.

The following Resolution (Lake Don Pedro County Service Area 1-M Resolution No. 07-1/Mariposa County Resolution No. 07-99) provides lease information and deadlines.

Attachment

STATE OF CALIFORNIA )
COUNTY OF MARIPosa ) ss.

I, the undersigned, state:

I am the publisher and principal clerk of the Gazette and Miner, an established weekly newspaper circulation, within the Town and County of Mariposa, California, within the provision of Chapter 1 Division 1 of the California Government Code, and which newspaper has been printed and published weekly in the Town and County of Mariposa, State of California, continuous for a period of more than 20 years, and a resident of the County aforesaid. Notice, of which the annexed is a printed copy, has been published in each regular issue of said newspaper and supplement thereof on the following dates, to wit:

4/5-12-19/07

I certify (or declare) under penalty of perjury forgoing is true and correct.

Signature (R.D. Tucker, Publisher)

Date 4/20/2007

This place is for filing stamp

NOTICE

The Board of Supervisors of Mariposa County, hereby declares its intent to lease real property located in the Lake Don Pedro 1-M area for the purpose of grazing rights.

The following Resolution (Lake Don Pedro County Service Area 1-M Resolution No. 07-1/Mariposa County Resolution No. 07-99) provides lease information and deadlines.

MARIPOSA COUNTY RESOLUTION NO.07-99
COUNTY SERVICE AREA 1M (LAKE DON PEDRO) RESOLUTION NO. 07-1

RESOLUTION OF INTENTION TO LEASE REAL PROPERTY

WHEREAS, the County of Mariposa is the owner of certain real property described as Parcels 1 and 2 in Area 1M of Lake Don Pedro consisting of approximately 162 acres and more particularly described on the map marked Exhibit "A" attached hereto, and

WHEREAS, the property is useful for cattle grazing, and

WHEREAS, the County has leased the property in the past for cattle grazing.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of Mariposa County hereby declares its intention to lease the above-described real property for the purpose of grazing rights.

BE IT FURTHER RESOLVED that the County shall lease the property to the highest bidder at a public meeting of the Board of Supervisors to be held on April 24, 2007 at the County Government Center in Mariposa County, at which time sealed proposals to lease the property will be received and considered.

BE IT FURTHER RESOLVED that the minimum lease price for the term of three (3) years shall be the sum of TWO THOUSAND TWENTY-FIVE DOLLARS ($2,025) per year plus cost of publication not to exceed FIVE HUNDRED DOLLARS ($500).

BE IT FURTHER RESOLVED that any party interested in bidding on the lease of the above property shall provide a sealed proposal to the Board of Supervisors to be received no later than noon on April 20, 2007.

BE IT FURTHER RESOLVED that any lease of the property will include a hold harmless indemnity clause and insurance sufficient to protect County.

BE IT FURTHER RESOLVED that a notice of adoption of this Resolution shall be posted in three public places in the County not less than fifteen (15) days before the day of the meeting wherein sealed bids will be opened and, further, a notice, together with a copy of this Resolution, shall be published in a newspaper of general circulation in the County for one time each week for a period of three (3) weeks prior to the meeting wherein the proposals will be opened pursuant to Government Code Section 6063.

PASSED AND ADOPTED by the Mariposa County Board of Supervisors this 20th day of March, 2007 by the following vote:

AYES: ABORN, TURPIN, BIBBY, FRITZ, PICKARD
NOES: NONE
ABSENT: NONE
ABSTAINED: NONE

JANET BIBBY, Chair
Board of Supervisors

ATTEST:
MARGIE WILLIAMS, Clerk of the Board

APPROVED AS TO FORM:
THOMAS P. GUARINO, County Counsel

4/5-12-19/07:3C