

DEPARTMENT: County Counsel BY: Jeffrey G. Green PHONE: 966-3222

RECOMMENDED ACTION AND JUSTIFICATION: (Policy Item: Yes ___ No X)

Authorize Chair to execute a Personal Services Agreement with John L. Plaxco of John L. Plaxco & Associates for services relating to the Mining and Mineral Museum. The term of the Agreement will be from November 10, 1998 through and including May 9, 1999. Mr. Plaxco will establish a charitable foundation which will be capable of receiving gifts and appropriate tax deductions for the Museum during the six month period of the Agreement. He will be primarily responsible for actually raising funds for the foundation and will be working in conjunction with Ed Hardy in the discharge of Mr. Hardy's duties and responsibilities relative to keeping the Museum in Mariposa County.

BACKGROUND AND HISTORY OF BOARD ACTIONS:

The Board approved a Personal Services Agreement with Ed Hardy for consulting services relating to the Museum at their meeting of September 15, 1998. One of Mr. Hardy's tasks was to recommend a foundation specialist to the County for the purpose of setting up a charitable foundation with an endowment fund which will relieve the County of any responsibility for funding the Museum.

LIST ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

- Authorize execution of the Agreement as proposed.
- Revise the Agreement as the Board desires and adopt.

COSTS: () Not Applicable
 A. Budgeted current FY \$ _____
 B. Total anticipated costs \$ _____
 C. Required additional funding \$ _____
 D. Internal transfers \$ _____

SOURCE: () 4/5ths Vote Required
 A. Unanticipated revenues \$ _____
 B. Reserve for contingencies \$ _____
 C. Source description: _____
 Balance in Reserve for Contingencies, if approved: \$ _____

SPECIAL INSTRUCTIONS:
 List the attachments and number the pages consecutively:
 Personal Services Agreement.

CLERK'S USE ONLY:
 Res. No.: 98-423 Ord. No. _____
 Vote - Ayes: 4 Noes: _____
 Absent: _____ Abstained: Reilly
 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
 County of Mariposa, State of California
 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: [Signature]
 A.O. Initials: _____



COUNTY of MARIPOSA

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

PATTI A. REILLY, CHAIR
BOB PICKARD, VICE-CHAIRMAN
DOUG BALMAIN
ROBERT C. STEWART
GARRY R. PARKER

DISTRICT I
DISTRICT V
DISTRICT II
DISTRICT III
DISTRICT IV



MARIPOSA COUNTY BOARD OF SUPERVISORS

MINUTE ORDER

TO: GARRY R. PARKER, District IV Supervisor and
BOB PICKARD, District V Supervisor

FROM: MARGIE WILLIAMS, Clerk of the Board *MW*

SUBJECT: Mining and Mineral Museum
Res. 98-423

THE BOARD OF SUPERVISORS OF MARIPOSA COUNTY, CALIFORNIA,

ADOPTED THIS Order on November 24, 1998

ACTION AND VOTE:

Garry R. Parker, District IV Supervisor and
Bob Pickard, District V Supervisor;

Discussion and Possible Action Regarding the Recommendations of the Mining and Mineral Museum
Committee Relative to the California Mining and Mineral Museum (Continued from 11/10/98)

BOARD ACTION: Supervisors Parker and Pickard reviewed the committee's recommendations, and advised that when the State removed the gold specimens for display at the State Fair, the State Department of Conservation received a request from the City of Sacramento to keep the specimens there. Supervisor Pickard requested that the Board send a letter to the State Department of Conservation and request that by the end of this fiscal year that the gold be returned to complete the California Mining and Mineral Museum's collection. Discussion was held with Ed Johnson, Planning and Building Director, relative to the status of the CDBG revolving loan funding and process. Board concurred with continuing this matter to be considered with the following items.

Jeffrey G. Green, County Counsel;

A) Resolution Authorizing the Chair to Execute a Personal Services Agreement with John L. Plaxco and Associates for Services Relating to the Mining and Mineral Museum (Continued from 11/10/98); and

B) Discussion of the Five-Year Business Plan Prepared by Ed Hardy for the Support of the State Mining and Mineral Museum

BOARD ACTION: Discussion was held and Jeff Green advised of request to change the effective date of the agreement with John L. Plaxco and Associates to December 1st, with a termination date of May 30, 1999. (M)Parker, (S)Pickard, the following actions were taken:

- Res. 98-423 adopted approving agreement with John L. Plaxco and Associates with the change in dates as requested;
- The Five-Year Business Plan was approved in concept; and
- The following committee recommendations were approved:
 - 1) direction was given to Bruce Daniels and Ed Johnson to prepare the CDBG grant application for a revolving loan versus an outright grant;
 - 2) to approve the Personal Services Agreement with John Plaxco and Associates;
 - 3) to approve the Five-Year Business Plan submitted by Ed Hardy, in concept;
 - 4) appoint the Planning Director as the lead County official regarding coordination of all matters relative to the Mining and Mineral Museum;
 - 5) to go forward with the concept which the Board previously approved for the Gloor family to construct a retail project at the corner of Highways 49 and 140 in Mariposa for relocation of the Museum; and
 - 6) to send a letter to the State Department of Conservation and request that by the end of this fiscal year that the gold be returned to complete the California Mining and Mineral Museum's collection.

Discussion was held and it was agreed that the final Five-Year Business Plan would be brought back for adoption. Ayes: Balmain, Stewart, Parker, Pickard; Abstained: Reilly. Jeff Green, County Counsel, requested that the Five-Year Business Plan be scheduled for the December 1st agenda in case an extension is not granted. Ed Hardy provided input relative to pending issues, and advised that he does not feel that it is necessary at this time to send a letter requesting the return of the gold specimens. Matter was continued for the following hearing to be opened.

10:00 a.m. Public Hearing to consider the approval of Agricultural Preserve Applications 98-1 (William C. and Lisa McKay, Applicants), and 98-2 (Erik and Frieda Roen, Applicants) was opened and continued to after the following matter.

Further discussion was held relative to Mining and Mineral Museum matters. (M)Parker, (S)Pickard, the previous motion was amended to delete the request to send a letter to the State Department of Conservation requesting the return of the gold specimens; and direction was given for a letter to be sent to the State thanking them for their cooperation/Ayes: Balmain, Stewart, Parker, Pickard; Abstained: Reilly.

cc: Ken Hawkins, Auditor
 Janet Hogan, County Administrative Officer
 Jeffrey G. Green, County Counsel
 Steve Hayes, Visitors' Bureau Director
 Ed Johnson, Planning and Building Director
 File

Mariposa County Board of Supervisors

District 1.....PATTI A. REILLY
District 2.....DOUG BALMAIN
District 3.....ROBERT C. STEWART
District 4.....GARRY R. PARKER
District 5.....BOB PICKARD



JANET HOGAN
County Administrative Officer

MARGIE WILLIAMS
Clerk of the Board

P.O. Box 784

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MEMORANDUM

DATE: November 13, 1998

TO: Board of Supervisors

FROM: Mining and Mineral Museum Committee Members
Supervisors Parker and Pickard

RE: Mining and Mineral Museum

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The Mining and Mineral Museum Committee makes the following recommendations to the Board of Supervisors relative to the Mining and Mineral Museum:

1. That the Board direct Bruce Daniels and Ed Johnson to prepare the CDBG Grant application for a revolving loan instead of an outright grant. This recommendation is based upon information received from Bruce Daniels who has advised the Committee that because the Museum by itself will not create any new jobs, he believes that attempting to obtain an outright grant will not be successful. However, he does believe that requesting a revolving loan wherein the monies can be used for infrastructure purposes for the overall project will be successful since the overall project will create a number of jobs.
2. The Committee recommends the Board approve the Personal Services Agreement with John Plaxco and Associates which is on the Board's agenda this date.
3. The Committee recommends that the Board approve the five-year Plan submitted by Ed Hardy and requested by the State of California. Mr. Hardy is attempting to obtain an extension of time to file the Plan. It is currently due December 1, 1998, and will be difficult to meet because of last minute requirements by the State. If he is unsuccessful in obtaining an extension, the Board will have that decision before it on December 1, 1998.



4. The Committee recommends that the Board appoint the Planning Director as the lead County official regarding coordination of all matters relative to the Mining and Mineral Museum. Mr. Johnson should be directed to work closely with Bruce Daniels relative to the CDBG Grant funding and with Ed Hardy and John Plaxco and Associates relative to the creation of the non-profit corporation and the funding of the Museum.
5. The Committee recommends that the Board go forward with the concept which the Board has previously approved, i.e., that the Gloor family will construct a retail project at the corner of Highways 49 and 140 in Mariposa and will donate to the County or its designee the footprint wherein the Museum will be located together with an interest in the common areas. The non-profit corporation would then obtain donations necessary to construct, operate and maintain the Museum. The funds from the CDBG grant, if successful, would be used for infrastructure purposes, assuming the project can adequately secure the loan from the County.