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

RECOMMENDED ACTION AND JUSTIFICATION: (Policy Item: Yes___  No_X

Recommendation to allow the cancellation of the Lake Don Pedro grazing Lease Agreement with Stephen and Brenda Schmidt effective sixty days from March 19, 1998, i.e., May 18, 1998. The Schmidts provided notice of termination, a copy of which is enclosed. Although the Schmidts requested termination from February 19, 1998, their notice wasn't received until March 19, 1998. The Lease has been paid up to and including April 30, 1998, however, an additional payment of $47.34 is due from the Schmidts for the period of May 1 through May 18, 1998. A copy of the existing Lease Agreement is included in this package.

Further, request direction as to what the Board desires to do with the grazing property after May 18, i.e., whether to publicize the County's intention to re-lease the property.

BACKGROUND AND HISTORY OF BOARD ACTIONS:

The Board entered into an Agreement with the Schmidts for the period of May 1, 1996 through and including April 30, 1999.

LIST ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

➢ Approve this action as proposed and provide further direction if the Board desires.

COSTS: (X) 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:
Copy of Schmidt's Notice of Termination.
Lease Agreement between County and Schmidts.

CLERK'S USE ONLY:
Res. No.: 98-123  Ord. No.
Vote - Ayes: ________  Noes: ________  Abstained: ________
( ) 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
By: County of Mariposa, State of California

ADMINISTRATIVE OFFICER'S RECOMMENDATION:
This item on agenda as:
Recommended
Not Recommended
_for Policy Determination
Submitted with Comment
Returned for Further Action

Comment:

A.O. Initials: X

Action Form Revised 5/92
MARIPosa COUNTY BOARD OF SUPERVISORS

MINUTE ORDER

TO: JEFF GREEN, County Counsel

FROM: MARGIE WILLIAMS, Clerk of the Board

SUBJECT: Cancellation of the Lake Don Pedro Grazing Lease Agreement; Res. 98-122

THE BOARD OF SUPERVISORS OF MARIPosa COUNTY, CALIFORNIA,

ADOPTED THIS Order on April 7, 1998

ACTION AND VOTE:

Recommendation to Allow the Cancellation of the Lake Don Pedro Grazing Lease Agreement with Stephen and Brenda Schmidt (County Counsel)

BOARD ACTION: Following discussion, (M)Balmain, (S)Parker, Res. 98-122 adopted allowing cancellation of the Lease Agreement as recommended, and direction was given to advertise for the re-leasing of the property/Ayes: Balmain, Stewart, Parker, Pickard; Excused: Reilly.

cc: Gary Estep, Assessor
    Ken Hawkins, Auditor
    Mike Edwards, Public Works Director
    Agreement File