

DEPARTMENT: Public Works

By: Michael Edwards Phone: 966-5356
Director

RECOMMENDED ACTION AND JUSTIFICATION: (Policy Item: Yes_ No X)

Resolution authorizing the Public Works Director to advertise and accept the bid most favorable to the County for removal of the Facilities Maintenance shop building located on 11th Street, upon review by County Counsel, in accordance with Section 25363 of the California Government Code. The code requires a public auction.

The intent is for the party with the winning bid to remove the building and become the owner of said building, prior to the beginning of the Government Center Construction. The winning bid will be required to meet the following criteria:

1. Most favorable net cost or price for the building.
2. Guarantee that the building will be removed by May 15, including agreement to \$2,000 liquidated damages as cost for bulldozing the building and taking it to the landfill when site demolition begins, if building has not been removed.
3. Agreement to a maximum time of three weeks allowed for dismantling and removal. The County would like to occupy the building as long as possible.

If separate provision is not made for the metal building, it will be bulldozed along with the other site demolition activities. Kings River Ranger District, USFS, and local individuals have expressed interest in the building.

BACKGROUND AND HISTORY OF BOARD ACTIONS:

The Board has approved design of the Government Center. The Board approved the design and bidding of the Fleet Shop consolidation which will allow the current vehicle maintenance shop to be occupied by the Facilities Division by September. Arrangements are being made for temporary shop space and storage for Facilities Maintenance at the Ben Hur Road corporation yard.

LIST ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

1. No action would result in including the removal of this building as part of the Government Center construction contract.
2. No other known alternatives exist.

COSTS: (X) Not Applicable	
A. Budgeted current FY	\$ _____
B. Total anticipated costs	\$ _____
C. Required additional funding	\$ _____
D. Internal transfers	\$ _____
SOURCE: () 4/5th Vote Required	
A. Unanticipated revenues	\$ _____
B. Reserve for contingencies	\$ _____
C. Source description:	_____
Balance in Reserve Contingencies,	_____
if approved: \$	_____

SPECIAL INSTRUCTIONS:
List the attachments and number the pages consecutively:

1. Government Code Section 25363

CLERK'S USE ONLY

Res. No.: 92-52 Ord. No. _____
Vote - Ayes: 3 Noes: _____
Absent: _____ 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
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: _____

A.O. Initials: JH

25362. The board may grant and convey real property to the United States or any of its agencies, for use for public purposes, in consideration of the grant and conveyance of real property to the county by the United States or any of its agencies.

25363. The board of supervisors may sell or lease at public auction, and convey to the highest bidder, for cash, any property belonging to the county not required for public use. The sale or lease may be made at the courthouse door or at such other place within the county as the board orders by a four-fifths vote. Notice of the sale or lease shall be given for five days prior thereto either by publication in a newspaper published in the county or by posting in three public places in the county. The proceeds shall be paid into the county treasury for the use of the county. If in the unanimous judgment of the board, the property does not exceed in value the sum of five hundred dollars (\$500), or the monthly rental value thereof is less than seventy-five dollars (\$75), or if it is the product of the county farm, it may be sold or leased at private sale without advertising by any member of the board authorized by a majority vote of the board. The sale or lease shall be reported to and confirmed by the board. This section does not apply to the furnishing of goods to special districts.

25364. The board may dispose of surplus plants, trees, shrubs, and nursery stock belonging to the county and not required for public use, by public or private sale, or by exchanging them with any person or any other public body for other property required by the county. The sale or exchange may be made without advertisement or competitive bidding.

25365. The board of supervisors may, by a four-fifths vote, grant, convey, quitclaim, assign, or otherwise transfer to the state or to any community redevelopment agency, housing authority, community development commission, surplus property authority, federal agency, city, school district, irrigation, flood control, county board of education, or other special district within the county or exchange with such public entities, any real or personal property, or interest therein belonging to the county upon such terms and conditions as are agreed upon and without complying with any other provisions of this code, if the property or interest therein to be granted and conveyed or quitclaimed is not required for county use or in the event of an exchange, the property to be acquired is required for county use. The board of supervisors may also, by a four-fifths vote, exchange real property of equal value with any person, firm or corporation, for the purpose of removing

defects in the title to real property owned by the county, or where the real property to be exchanged is not required for county use and the property to be acquired is required for county use.

Unless the body or agency to which the property is transferred pursuant to this section and the body or agency transferring the property are governed by the same county board of supervisors, the transferring board of supervisors shall publish a notice of its intended action pursuant to Section 6061 at least one week prior thereto in a newspaper of general circulation published in the county.

25365.5. The board of supervisors of a county, without complying with any other provision of this code, may at any time hereinafter donate, or transfer for such consideration as it determines, lands owned by the county, which the board of supervisors deems is not required for other purposes, to a community services district within the county, or to a trustee therefor, for the following purposes:

(1) To allow such district to sell, lease or otherwise dispose of, either privately or by public auction, for cash or subject to such financing as it determines, said land or any portion thereof, and

(2) To utilize the net proceeds therefrom to repay a loan from any appropriate source to such district for the construction of streets, drainage, sewage and other public facilities within a townsite replacing an old townsite devastated by floods occurring in December 1964 or January 1965.

Any such donation or transfer to such district for less than the full market value of such land is hereby declared to be for a public purpose.

The county may give assurances to or enter into a written contract with the district or other agency respecting the donation or transfer for the purpose of facilitating the loan.