

96-437

**MARIPOSA COUNTY
BOARD OF SUPERVISORS**

**AGENDA
ACTION FORM**

**DATE: 10/15/96
AGENDA ITEM NO.: 7**

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

RECOMMENDED ACTION AND JUSTIFICATION: (Policy Item: Yes___ No_X)

Provide staff the authority to submit a bid to the Mariposa County Unified School District in accordance with the specifications delineated in School District Resolution No. 97-7 (copy attached) for the lease of real property. The County will agree to construct a public library facility on the leased property for joint use by the public and School District.

BACKGROUND AND HISTORY OF BOARD ACTIONS:

On June 18, 1996, the Board adopted Resolution No. 96-287 which amended the original grant application changing the size of the building to 10,560 square feet and agreeing to provide all matching funds required for the project.

LIST ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

N/A. The Board has previously made a commitment to this project.

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:
School District Res. No. 97-7.

CLERK'S USE ONLY:

Res. No.: 96-437 Ord. No. _____

Vote - Ayes: 5 Noes: _____

 Absent: _____ Abstained: _____

() Approved () Denied

(x) 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: JG

MARIPOSA COUNTY BOARD OF SUPERVISORS

MINUTE ORDER

TO: JEFF GREEN, County Counsel
FROM: MARGIE WILLIAMS, Clerk of the Board 
SUBJECT: LEASE TO CONSTRUCT A PUBLIC LIBRARY FACILITY;
RES. 96-437

THE BOARD OF SUPERVISORS OF MARIPOSA COUNTY, CALIFORNIA,

ADOPTED THIS Order on October 15, 1996

ACTION AND VOTE:

Request for Authority to Submit Bid to the Mariposa County Unified School District for the Lease of Real Property to Construct a Public Library Facility (County Counsel)
BOARD ACTION: (M)Parker, (S)Stewart, Res. 96-437 adopted authorizing submission of bid. Following discussion, motion was amended, agreeable with maker and second, to include direction that the school be responsible for site preparation and that the facility be a school/public library as previously discussed in committee meetings/Ayes: Unanimous.

cc: Maurie Hoekstra, Librarian
Mike Edwards, Public Works Director
Ed Johnson, Planning & Building Director
File

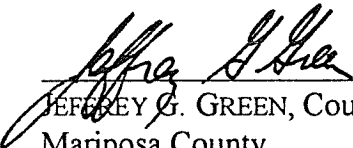
FORMAL BID FOR THE LEASE
OF VACANT LAND AT 8TH AND JONES STREETS
FOR THE CONSTRUCTION OF A LIBRARY FACILITY

This is a formal bid in accordance with Mariposa County Unified School District Resolution No. 97-7, a Resolution of intent to lease vacant land adjacent to Mariposa High School to a public entity for a library facility. As a political subdivision of the State of California, the County of Mariposa meets the bidder qualifications and agrees to enter into a joint use agreement with the School District for long-term operation of the library to serve as a public library. Mariposa County has been awarded federal funds for a library project under the Library Services and Construction Act and offers to lease the property on the following terms and conditions:

1. County agrees to lease the property for a fifty (50) year period and said lease shall be renewable.
2. County agrees to lease the property for One Dollar (\$1.00) per year, paid annually in advance.
3. County will accept the responsibility of constructing a facility, which is to be used only as a library facility.
4. County will provide liability and property damage insurance in amounts acceptable to the School District.
5. County agrees to enter into a joint use agreement with the School District for the establishment and operation of a library facility.

By my signature on this proposal, I certify that the Mariposa County Board of Supervisors has unanimously authorized the submission of this bid by Resolution No. 96-437 adopted on October 15, 1996.

Date: 10-16-96



JEFFREY G. GREEN, County Counsel
Mariposa County
P.O. Box 189
Mariposa, CA 95338

MARIPOSA COUNTY UNIFIED SCHOOL DISTRICT
Mariposa, California

RESOLUTION 97-7

RESOLUTION OF INTENT TO LEASE VACANT LAND
ADJACENT TO MARIPOSA HIGH SCHOOL TO A
PUBLIC ENTITY FOR A LIBRARY FACILITY

WHEREAS, the Mariposa County Unified School District owns certain vacant land adjacent to Mariposa High School which will not be needed for District purposes; and

WHEREAS, it is in the School District's best interests to lease this property to any other public entity which agrees to construct a public library on the site for joint use by the public and the School District; and

WHEREAS, the District has appointed an advisory committee on surplus property and the committee has recommended use of the vacant land for the above-described purpose.

NOW, THEREFORE, BE IT RESOLVED that:

1. The Governing Board of the Mariposa County Unified School district hereby declares its intention to lease vacant land at 8th and Jones Streets, Mariposa, California (more specifically described in Exhibit "A") to any public entity for the purpose of joint construction and operation of a public library subject to all of the qualifications and conditions listed below.
2. Qualifications of bidders shall be as follows:
 - a. A local governmental entity authorized by law to operate a public library.
 - b. The public entity shall have been awarded federal funds since July 1, 1996 to construct and operate a public library under the Library Services And Construction Act.
 - c. The public entity shall agree to enter into a joint use agreement with the School District for long-term operation of the library to serve as a high school library as well as a public library.
3. Terms of said lease shall be as follows:
 - a. The lease shall be for a fifty (50) year period and shall be renewable.
 - b. The minimum rental shall be One Dollar (\$1.00) per year, paid annually in advance.
 - c. The lessee shall be responsible for preparation of the site and construction of a facility to be used only as a library facility.


CERTIFICATION

State of California)
)
County of Mariposa) ss.

I certify that the above is a true copy of the Resolution adopted by the Governing Board of the Mariposa County Unified School District at a meeting held on September 19, 1996.

DATED: September 19, 1996

GOVERNING BOARD OF THE MARIPOSA
COUNTY UNIFIED SCHOOL DISTRICT,
COUNTY OF MARIPOSA, STATE OF
CALIFORNIA

By: 
William F. Pettus, Ph.D. Superintendent

d. Lessee will be required to provide liability and property damage insurance in amounts acceptable to the district as a condition of entering into the lease.

e. Execution and continuation of the lease will be contingent upon the parties executing and maintaining a joint use agreement for establishment and operation of a library facility.

4. Sealed bids by any public entity desiring to enter into a lease for the above-described property must be submitted by 3:00 p.m. on October 17, 1996 by delivery to the Office of the Superintendent of the Mariposa County Unified School District at the District Administration building, 5082 Old Highway North, Mariposa, California 95338.

Bids will be opened at a public meeting of the Governing Board on October 17, 1996 at 7:00 p.m. After opening the bids, the Board will accept oral bids pursuant to Education Code section 39372. The Governing Board reserves the right to accept the highest bid or reject all bids.

5. Notice of adoption of this Resolution and of the time and place of the receipt of bids and the opening of bids shall be given by posting a signed copy of this Resolution in three (3) public places within the District at least fifteen (15) days prior to the date of the bidding deadline and by publishing a copy of this Resolution in a newspaper of general circulation once a week for three weeks prior to the bid deadline.

PASSED AND ADOPTED by the Governing Board of the Mariposa County Unified School District this 19th day of September, 1996, by the following vote:

AYES:	Ross, Bruun, Collins, Dixon, Bartholomew
NOES:	None
ABSENT:	None
ABSTENTIONS:	

**GOVERNING BOARD OF THE MARIPOSA
COUNTY UNIFIED SCHOOL DISTRICT,
COUNTY OF MARIPOSA, STATE OF
CALIFORNIA**

By: Marguerite Collins
President, Governing Board

PROPERTY DESCRIPTION

BLOCKS 31, 32, 35 & 36, TOWN OF MARIPOSA

